



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Elmer Larsen
Carolyn Wilson - *Mayor Pro-Tem*
Gretchen Wearne
Mia Bretz
Margaret Neighbors
Richard Brinkman
Sharon Waters
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers
August 22, 2017 - 6:30 PM

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of August 8, 2017 Regular Meeting Minutes
3. Approval of August 8, 2017 Study Session Minutes
4. 2017 Claims \$273,405.57

Councilmember and Committee Reports

Mayor/Administration Reports

Comments from the Public on Items Not on the Agenda

Group Funding Report: Music in the Meadow – Jamie Howell

Resolutions, Ordinances, Orders and Other Business

1. Action: USDA Rural Development Loan Documents
 - a. Water and Waste System Grant Agreement
 - b. Resolution 15-2017 USDA Rural Development Loan – Grant for WWTP
 - c. Resolution 16-2017 USDA Rural Development Loan – Grant for WWTP
2. Action: Chelan County Sheriff – Law Enforcement Service Agreement
3. Action: Posthotel Easement
4. Action: Mayoral Appointment of Oliver Brulotte to the Design Review Board

Information Items for Future Consideration

1. Special Joint Meeting with the Planning Commission – September 19th @ 3:00 PM

EXECUTIVE SESSION 42.30.110(1)(b) PROPERTY PURCHASE

Adjournment

(Next Ordinance is 1551 - Next Resolution is 17-2017)

The City of Leavenworth is committed to providing reasonable accommodations in accordance with the Americans with Disabilities Act. Please contact City Hall at (509) 548-5275 at least 72 hours prior to a scheduled meeting to request an accommodation.

Council Committees -4th Tuesday –

Public Works Shop Tour 8:00 – 9:00 AM

Econ. Dev. 4:00 Finance 5:00

SUPPLEMENTAL COUNCIL AGENDA

1. USDA Rural Development Loan Documents

The City Council is being asked to approve a grant agreement and funding resolutions from the United States Department of Agriculture (USDA) for the Rural Development Loan and Grant program that the City applied for to assist in the funding for the Wastewater Treatment Plant Facility upgrades.

The City received official authorization that the application has been accepted and on Friday, August 4, 2017, Finance Director Chantell Steiner signed off on requests for obligation of the funding that was currently available through the USDA; this was a critical step to ensure current funding was not reauthorized back to the federal government from the State local offices. The City has requested full funding of the project for \$10,670,000 in loan funds and \$3,270,000 in grant funds. The loan terms will be for 40 years and is being locked in at an interest rate of 2% or lower, that will be based on the rates at the time of loan approval or closing. The City Council will need to authorize the approval of the Water and Wastewater System Grant Agreement and two separate resolutions for the loan and grant dollars. Due to technology issues with the State's reporting system, two resolutions are needed to separate the loan dollars with one at \$8,000,000 and the other one at \$2,670,000 for the total of \$10,670,000. Each resolution refers to the grant dollars being included.

The signing of the agreement and approval of the resolutions do not bind the City to accepting the loan or grant at this time. The agreement and resolutions are the next step in securing the grant and loan funding.

The following items are included under **TAB 1**:

- Water and Waste System Grant Agreement
- Resolution 15-2017
- Resolution 16-2017

a. Water and Waste System Grant Agreement

- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Water and Wastewater System Grant Agreement for a loan total of \$10,670,000 and grant total of \$3,270,000.*

b. Resolution 15-2017 USDA Rural Development Loan – Grant for Wastewater Treatment Plant

- **MOTION:** *The Leavenworth City Council moves to approve Resolution 15-2017 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its public body facility to serve an area lawfully within its jurisdiction to serve and to raise a portion of the cost of such undertaking by issuance of its bonds in the principle amount of \$2,670,000.*

c. **Resolution 16-2017 USDA Rural Development Loan – Grant for Wastewater Treatment Plant**

- **MOTION:** *The Leavenworth City Council moves to approve Resolution 15-2017 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its public body facility to serve an area lawfully within its jurisdiction to serve and to raise a portion of the cost of such undertaking by issuance of its bonds in the principle amount of \$8,000,000.*

2. **Chelan County Sheriff – Law Enforcement Service Agreement**

The City Council is being asked to review and consider the approval of an agreement with Chelan County and the Chelan County Sheriff’s Office for Law Enforcement Services for the City of Leavenworth. The contract is for a period of four years, January 1, 2018 through December 31, 2021. The annual service fees for the contract are:

Year 2018	Basic Services	\$ 531,552
Year 2019	Basic Services	\$ 551,220
Year 2020	Basic Services	\$ 571,614
Year 2021	Basic Services	\$ 592,764

Provisions included within the service contract include the following:

- The Sheriff is designated as the Chief Executive Law Enforcement Officer, or Police Chief of the City pursuant to RCW 35A.12.020. The Sheriff or his/her designee will be the assigned Police Chief, consistent with the laws of the State of Washington. The Sheriff or his/her designee is the party responsible for all criminal law enforcement within the City of Leavenworth.
- The intent of this contract is to provide the City of Leavenworth twenty-four (24) hour police response coverage, seven days a week, within the City of Leavenworth. There is not a service metric within the contract that identifies response time.
- One of the Officers assigned in providing this coverage will be a police liaison officer. The Police Liaison Officer shall be assigned to patrolling the City within the municipal boundaries of the City at “peak times” or “extraordinary circumstances”, which shall be defined by the Sheriff or Sheriff’s designee in consultation with the Mayor or Mayor’s designee. The Police Liaison Officer will spend a minimum of eighty percent (80%) of his/her on-duty time annually addressing police issues within the municipal boundaries of the City.
- The Sheriff’s Office furnishes and supplies all necessary equipment, communication facilities and vehicles, and supplies necessary to maintain the level of service to be rendered hereunder, and shall pay all salaries, employee benefits, and other costs in connection therewith.
- The City will also pay to the County those overtime expenses for regular deputies

(excluding reserves and/or volunteers) incurred by the County for planned, advertised special events created by the City that require additional Sheriff's Office personnel. The contract does provide for the City to purchase two hundred (200) hours of overtime with a prepayment fee of \$10,000 annually. These costs and additional overtime hours are covered via the Lodging Tax Fund. Police services required for a special event or private party are reimbursed by the event organizer or private party needing additional police services.

The Council has discussed the contract and services provided by the Sheriff in the Public Safety Committee and at the last three Study Sessions. While the funding of this contract cannot be covered by all the property taxes and Public Safety Sales tax collected by the City, there are not many affordable options open to the City at this time to providing police services. In addition, the cost of the services provided by the Sheriff's Department are growing at a rate greater than the increase in funds generated through property tax and sales tax. At the August Study Session, the Council did discuss starting discussions with other jurisdictions on potential options, which the Mayor will initiate. In addition, the City can look at other revenue generating options to offset the growing cost of the Sheriff's Contract and explore alternative law enforcement service providers, such as Phoenix Security or Pacific Security.

The following item is included under **TAB 2:**

- Proposed Law Enforcement Service Agreement 2018 - 2021
 - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2018 – 2021 Law Enforcement Service Agreement with Chelan County upon final review and approval as to form of the agreement by the City Attorney.*

3. Posthotel Easement

The City Council is being asked to approve, accept, and authorize the Mayor to sign the “Robert K. Johnson and Nancy J. Johnson” (also known as the “Posthotel” sewer mainline) 20-foot wide utility easement. The easement area has placed in it, a 214-linear foot 24-inch diameter sanitary sewer line and associated fittings, which upon acceptance by the City Council, will be conveyed to the City of Leavenworth. The utility easement is attached for consideration and approval.

The following item is included under **TAB 3:**

- “Robert K. Johnson and Nancy J. Johnson” (also known as the “Posthotel” sewer mainline) 20-foot wide utility easement
 - **MOTION:** *The Leavenworth City Council moves to approve the Easement for Public Utilities between the City of Leavenworth and Robert K. Johnson and Nancy J. Johnson for the Posthotel Development and authorizes the Mayor to sign the Easement.*

4. Mayoral Appointment of Oliver Brulotte to the Design Review Board

The Leavenworth City Council is being asked to confirm the Mayoral appointment of Mr. Oliver Brulotte to the Design Review Board. All Design Review Board members shall be appointed by the Mayor with confirmation by the City Council (LMC 2.38.010 (B)).

Mr. Brulotte is a Leavenworth resident, business owner, and participant on several City of Leavenworth Committees. He has traveled throughout Bavaria and has hosted an exchange student from Cologne, Germany. He has personally been through the Design Review Board process with various Leavenworth projects and enjoys Bavarian design and construction.

The table below provides the current names of appointed Design Review Board members and their terms:

Vacant Position	1 / Expires Jun 1, 2020
Todd Smith – Chair	2 / Expires Jun 1, 2021
Robert Smith	3 / Expires Dec 1, 2020
Ken Kohnhorst – Vice Chair	4 / Expires Dec 1, 2017
Mary Morse – Vice Chair	5 / Expires Jun 1, 2021
Heidi Forchemer	(Alternate) / Expires Jan 1, 2019
Fred Dowdy - Construction Specialist	

There are no items included under **TAB 4**.

- **MOTION:** *The Leavenworth City Council moves to confirm the Mayoral appointment of Oliver Brulotte to the Design Review Board Position No. 1 for the remaining portion of a four (4) year term.*