



City of Leavenworth

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City Council
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Elmer Larsen
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Carolyn Wilson - *Mayor Pro-Tem*
Gretchen Wearne
Mia Bretz
Margaret Neighbors
Richard Brinkman
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall - Council Chambers

August 23, 2016 - 6:30 PM

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of August 9, 2016 Regular Meeting Minutes
3. Approval of August 9, 2016 Study Session Minutes
4. 2016 Claims \$88,977.84

Councilmember and Committee Reports

Mayor/Administration Reports

Comments from the Public on Items Not on the Agenda

Resolutions, Ordinances, Orders and Other Business

1. Discus: Regional Stormwater / Wetland Management Master Plan
2. Action: Authorization to Proceed with Parking Lot Improvements
3. Action: Second Reading: Ordinance 1531 Animal Cruelty
4. Action: Approval of Request for Quotation: Skatepark

Information Items for Future Consideration

1. Parks & Public Works Committees Review Draft Budget 9/13/2016
2. 2017/2018 Biannual Budget Finance Committee Special Review if Needed 9/20/2016

Adjournment

Council Committees -4th Tuesday -

Econ. Dev. 4:00 Finance 5:00

(Next Ordinance is 1532 - Next Resolution is 13-2016)

SUPPLEMENTAL COUNCIL AGENDA

1. Regional Stormwater / Wetland Management Master Plan

This time is set aside to present and introduce the final draft of the Regional Stormwater / Wetland Management Master Plan to the Council. The Planning Commission has studied this Plan for some time, and this final draft is being transmitted to the City Council as an opportunity for Council to become familiar with the Plan for subsequent adoption in the future. This is a “homework” assignment for the Council to receive the Plan early for review; the Planning Commission has not held their public hearing for final recommendation; the document is a draft; the Washington State Department of Ecology has not finalized their review; and today will not be an in-depth review of its contents. The intent is to have an opportunity for early review and understanding of key aspects of the Plan.

History

On July 1, 2014, the City was awarded a \$150,000 Centennial Clean Water Program Grant via our funding partner the Washington State Department of Ecology (Ecology). Securing funding was the top priority and first step in addressing the wetland and stormwater issues in the City and Urban Growth Area. This funding allowed the City to move forward with collecting information to identify the issues and also to develop solutions for addressing wetland and stormwater issues while allowing for future development. On March 24, 2015, the Council approved the Professional Service Agreements (contracts) with three qualified consultants to develop a Regional Stormwater Quality / Wetland Management Master (Plan) for stormwater control, protection, restoration, and enhancement through green infrastructure planning within the Urban Growth Area (UGA) of the City of Leavenworth (City).

The plan is also indebted to the Ballinger, Susan Reynolds, (Feb ‘99), “Leavenworth Water Problems Study”. The documentation of the Ski Hill Drive area issues regarding stormwater, flooding, surface hydrology, hydrogeology and soils were an important influence on the plan.

Key aspects from the Plan

Planning document.

This is a planning document. Goals, policies, and strategies are included in the plan, to help guide the City through a changing regulatory environment. Topics addressed include comprehensive stormwater planning, compliance criteria, streamlining applicant processes, streamlining engineering requirements, encouraging and promoting local partnerships, financing, use of existing wetlands, and maintaining a citywide stormwater model.

New understanding of stormwater management.

Leavenworth’s stormwater infrastructure is neatly divided into four (4) drainage basins, i.e. Ski Hill, Downtown West, Downtown East, and Alpensee. A fifth drainage basin, north and east of Alpensee, will eventually be included as annexations occur within the urban growth area (UGA). Two (2) large tributary areas to the west and north, i.e. Tumwater Mt. and Ski Hill ridge, have a significant impact to the capacity of the existing stormwater infrastructure, i.e. specifically the Ski Hill and Alpensee networks. These tributary areas account for 66% (1,588 acres) of the total 2,614 acre Leavenworth drainage basin. They are directly linked to the lack of capacity in both networks for larger storm events, i.e. 10 year storms or greater.

Leavenworth hydrogeology is generally characterized as: snowmelt from the Tumwater Mt. and Ski Hill tributary areas infiltrate into the ground, reappear as surface waters, and infiltrate again as groundwater flow; wetland waters are a transitional phase of surface to subsurface flows; there may be three aquifers at 15' to 150' depths, all hydraulically connected; groundwater discharges to the surface via upward hydrostatic pressure; and base flow to the Wenatchee River has been observed up to 4 cfs. Groundwater issues have been a constant problem for many constituents.

The plan emphasis is on the management of stormwater utilizing water quality treatment, flow control, and naturally occurring wetlands. The methods which attempt to mitigate adverse stormwater impacts are known as Best Management Practices (BMPs). BMPs are approved by Ecology and include well established practices and emerging technologies. BMPs are generally categorized as Source Control, Water Quality Treatment, and Flow Control.

- Source control BMPs are utilized to prevent pollution from ever occurring. They are very cost effective, however, management can be problematic as these BMPs require use specific individual plans, i.e. each control approach is uniquely based on the target pollutant, and responsible self-policing.
- Water quality treatment currently focuses on the application of BMPs to treat the following pollutants; total suspend solids (TSS), hydrocarbons (oils), metals (dissolved), and phosphorus (when mandated by others). Water quality treatment commonly takes the form of bio-filtration such as vegetated filters, swales, and ponds.
- Flow control BMPs are used to control the flow rate and duration of stormwater runoff, preserving the physical capacity of existing infrastructure such as ditches, gutters, culverts, and pipe networks. Flow control commonly takes the form of detention ponds, tanks, and vaults. BMPs can be applied to surface runoff generated by areas as small as a single-family residential driveway. Developments are commonly required to apply BMP(s) to treat project generated surface runoff. Regional (publicly owned) facilities, i.e. an individual or series of BMPs treating a large area, are an effective way to economically treat surface water runoff. The existing City stormwater utility is an appropriate regulatory vehicle for financing regional capital improvements.

This plan is comprehensive and applies a differing approach (regarding past implementation) with an emphasis on treatment and discharge rather than the emphasis for on-site infiltration. This is due to new modeling and soil types. Infiltration remains a BMP, but hydraulic management has shifted away from infiltration (forcing water into already saturated soils) as the ultimate solution.

New Applicability Thresholds.

The plan includes a draft resolution intended to replace the “City of Leavenworth Standard Operating Procedures for Stormwater Applicability Thresholds” resolution.

New Capital Improvements based on understanding from study that conveyance is critical.

A draft 6 and 20-year capital improvement program is included. These improvements are recommended based on model simulation results. The simulations illustrate where physical capacity deficiencies and flooding are expected to occur within the network(s).

New Templates for compliance – development options that help in Residential Projects.

Draft residential driveway water quality treatment procedures are included. Draft procedures are included for a developer option to pay a “Fee-in-lieu-of” applying required BMPs.

New Wetland Inventory Report with updated buffers, confirmation with multiple seasons, and more properties reviewed.

Twelve (12) existing wetlands totaling 52.91 acres were identified within the Leavenworth drainage basin. They range in size from 0.02 acres to 42.20 acres. This includes four slope wetlands and six depressional wetlands. They provide a number of benefits and functions such as wildlife habitat, natural water quality improvement, flood storage, recreation opportunities, and aesthetic appeal. Storm drainage discharge to naturally occurring wetlands for the purpose of water quality treatment is prohibited.

This report should be considered a wetland inventory, which maps probable wetlands. It should be noted that this is a large-scale wetland study and thus wetland boundaries were recorded with GPS but not permanently marked on any one property. It provides general information over a large area as the conditions existed when the fieldwork was completed. Because wetlands can change over time, the findings herein should be used as a guide and wetland boundaries should be re-identified based on the recorded GPS locations and verified for site-specific development projects. Not all owners of private property granted access to investigate their properties for wetlands. Where access was not granted, no definitive wetland determination could be made.

To avoid the possibility of misidentifying wetlands as uplands due to a dry-season water table, wetland data were recorded as early in the growing season as was feasible. This occurred from approximately April 8 through May 13, 2015, then again on April 26, 2016.

DOE final review progress.

The Washington State Department of Ecology has not finalized their review, and the City will be awaiting their assistance.

The following item is included under **TAB 1:**

- To be Handed Out at the Council Meeting

2. Authorization to Proceed with Parking Lot Improvements

The City Council is being asked to approve the expenditure of \$61,033.46, including sales tax, for the installation of 641 lineal feet of steel railing along the perimeter walls of the P2 parking lot. The installation of the railing is one of the items listed in the P1/P2 Parking Lot Improvements. The railings will be 42” high, comprised of 2-1/2” schedule 40 steel pipe, with ¾”, 4” spaced pickets in 20 foot sections and will be powder coated black. This project was presented to Council at the February 2016 Study Session. Mr. Aaron Schmidt, P.E., with IntegriTech Engineering, was commissioned to explore the improvement options and solicit bids for portions of the work. Wenatchee Quality Welding and Fabricating was determined to be the most competitive bidder and chosen to bid the revised specifications. The Council is being asked to approve the expenditure of funds to the aforementioned company in the amount shown in the confirmed quote provided August 16, 2016. The Capital Projects Fund (Warehouse) of \$90,666 is specifically reserved for parking lot improvements. Other improvements yet to be funded include jersey barriers, electrical improvements and upgrades, lighting, auto charging stations, pay parking options, and landscaping.

Approval of the funds will allow the work to be completed prior to Octoberfest of this year. The installation of the railing will also allow for the removal of the temporary chain link fencing surrounding the lot.

The following items are included under **TAB 2:**

- Map of Proposed Railing
- IntegriTech Cost Estimate Comparison
- Wenatchee Quality Welding & Fabricating Confirmed Quote
- Rail Size Comparison Cost Sheet

- **MOTION:** *The Leavenworth City Council moves to approve the expenditure of \$61,033.46 for the construction and installation of steel railing from Wenatchee Quality Welding & Fabrication for the parking lot improvements at the P2 parking lot.*

3. Second Reading: Ordinance 1531 Animal Cruelty

The City Council is being asked to consider the adoption of Ordinance No. 1531 amending 6.04 and 10.08.035, the City of Leavenworth municipal code regarding Animal Protection and Parking with Animal in Vehicle. The revision of these chapters is necessary with the changes in state law and the enforcement of the parking citations. The first reading of this proposed ordinance change was presented at the August 9, 2016 Council Meeting and has been discussed previously by the Public Safety Committee.

RCW 16.52.340 was enacted by the legislature in the 2015 session and allows for an animal control officer or law enforcement officer to remove an animal from confinement in a vehicle or other space if, in the judgement of the enforcement officer, the animal is suffering or likely to suffer exposure to heat, cold or lack of ventilations. The RCW also states that the enforcement officer, department or agency is not responsible for the damage to property resulting in the action taken to release the animal. This change would also identify the enforcement of this provision as a Class 2 civil infraction. The changes to Chapter 6.04 are to adopt RCW 16.52 by reference and identify the civil infraction. This would be consistent with state law and would aid the Chelan County Sheriff's Department.

The other change being requested is to repeal the existing 6.04.012 Confinement of animal(s) in vehicle infraction and add that language to 10.08.035 making the confinement of an animal in a parked vehicle under certain conditions a parking infraction. The authorization for issuing a parking citation would be provided to the Chelan County Sheriff's Office, the Animal Control Officer and the Parking Enforcement Services provider. The parking infraction would be processed through the City with the City notifying and collecting the fees.

The City has been informed by the Chelan County Sheriff's Office that the parking infraction is not a tool the Sheriff's office uses, any citations they issue must be issued through the Chelan County Court system, and that is why the adoption of RCW 16.52.340 is necessary and the existing language within LMC 6.04 needs to be modified. The addition of the confinement language to 10.08.035 is another tool that may be useful for animal control officers or the City's contracted enforcement officers. This language is also a tool for public relations in notifying visitors and guests that their vehicle can be cited for parking and leaving an animal in the vehicle.

At the first reading of the ordinance on August 9, 2016 no changes in the language were recommended. Comments from the public were primarily on the implementation of the ordinance. The City attorney has reviewed and approved the format of the ordinance.

The following items are included under **TAB 3:**

- Ordinance No. 1531: Animal Cruelty Draft Language
- RCW 16.52.340
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1531 Animal Cruelty.*

4. Approval of Request for Quotation: Skate Park

The City Council is being asked to authorize the posting and advertising of a Request for Quotation (RFQ) for design and build services for a state of the art poured in place Skate Park at Enchantment Park in Leavenworth. The Skate Park Subcommittee met on Friday August 19, 2016 and reviewed the comments regarding the site selection and the draft RFQ. The Committee at this time is recommending the advertising of the RFQ as the next step in the project. While the committee reviewed public comments on the selection of a site, the committee recommended prioritizing the two Enchantment Park sites as the remaining potential sites. Final selection of the specific site would be made with the recommendations of the selected skate board firm.

The estimated project cost at this time is \$175,000. Funding is shared between the City of Leavenworth and the Cascade School District by agreement. Staff is suggesting the funds used for this project be split between the City's General Fund and Lodging Tax Fund. This would be consistent with funding provided for the Bike Pump Track and older skate park project. If the City Council approves the posting and advertising of the RFQ, the posting will be made on the City's website and a number of skate park designer and construction firms will be notified of the posting. The public posting would begin on Friday August 26, 2016 and close on September 15, 2016 at 4:00 PM. The Skate Park Committee would then review the submitted RFQ's, conduct interviews if necessary, and make a recommendation to the City Council for the selection of a firm.

The following items are included under **TAB 4:**

- Draft Request for Quotes for a Design & Build Skate Park
- Skate Park Site Selection Matrix
 - **MOTION:** *The Leavenworth City Council moves to approve the posting and advertising of a Request for Quotation for design and build services for a state of the art poured in place Skate Park at Enchantment Park.*