



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
Position No. 5 - Vacant
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL

AGENDA

Leavenworth City Hall - Council Chambers
September 13, 2016 - 6:30 p.m.

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of August 23, 2016 Regular Meeting Minutes
3. 2016 Claims \$564,003.40
4. August 2016 Payroll \$238,937.78
5. Set Public Hearing on Ad Valorem (Property) Tax on October 25, 2016 @ 6:45 PM

Council Committees - 2nd Tuesday

Public Safety 3:00 Parks 4:00
Public Works 5:00

Public Safety Report: Sergeant Bruce Long, Liaison Officer

Councilmember and Committee Reports

Mayor/Administration Reports

Comments from the Public on Items Not on the Agenda

Current Year Budget Review and 2017-2018 Preliminary Budget Review – Joel Walinski

Resolutions, Ordinances, Orders and Other Business

1. Action: Stop Sign Location Requests Continued from 7/26/2016
2. Action: Approve Traffic / Foot Patrols Needed for Oktoberfest
3. Action: Resolution 13-2016 Link Park-N-Ride Support
4. Action: Suspending the Owner Occupancy Flexibility for Accessory Dwelling Units in Urban Growth Area
5. Action: Council Vacancy Process Approval

Information Items for Future Consideration

Adjournment

(Next Ordinance is 1532 - Next Resolution is 14-2016)

SUPPLEMENTAL COUNCIL AGENDA

1. Stop Sign Location Requests Continued from 7/26/2016

The City Council is being asked to approve the revised recommendations of the Public Safety Committee in regard to a requested change of the traffic control signage at the intersection of Birch and Orchard Streets, and at the intersection of Birch and Cascade Streets. The original request was to change the intersection control from a two-way yield to a four-way stop. The requested changes were submitted by Ms. Judith Dwyer along with the signatures of 18 neighboring residents. The request was brought before the Public Safety Committee for review. As per Council adopted policy, the Warrants Checklist was applied to the request, which was then reviewed and considered by the Public Safety Committee. Both intersections were reviewed in regard to accident history, visibility, multiple uses, traffic volume, a review by the Public Safety Liaison officer, Sergeant Bruce Long, and a review by the Public Works Director Herb Amick. The Council Policy for the installation of a stop sign is that the intersection must meet 3 of the 6 warrants listed above. In a review of these warrants, only one warrant was met for each intersection. At Birch and Orchard Streets, there is a higher level of multiple uses by pedestrians, bus traffic, bicycles and vehicle traffic. At the intersection of Birch and Cascade Streets, there is a visibility issue that does not meet the warrant condition. On July 12, 2016, the Public Safety Committee recommended against the proposed changes since the criteria required by the Warrants Checklist was not met. On July 26, 2016, this recommendation was brought to City Council for approval at the regular meeting. After receiving testimony from Ms. Dwyer and several citizens regarding this recommendation at that meeting, Council elected to postpone the decision and send the request back to the Public Safety Committee on August 9, 2016 for further review.

Upon further review, the Safety Committee makes the following recommendations for Council approval tonight. At the intersection of Birch Street and Cascade Street, the existing yield signs on Cascade Street will be removed and replaced with new stop signs. At the intersection of Birch Street and Orchard Street, the existing yield signs on Orchard Street will be removed leaving that roadway uncontrolled and new stop signs will be placed on Birch Street.

In addition, the Public Safety Committee is studying the suggestion by the Mayor and City Council of lowering the review, and consider lowering of the citywide speed limit from 25 mph to 20 mph with the exception of Hwy. 2 and Chumstick Hwy.

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

- Applied Warrants Check List
- Residential Stop Sign Placement Policy
- **MOTION:** *The Leavenworth City Council moves to approve the recommendation of the Public Safety Committee as follows: at the intersection of Birch Street and Cascade Street, remove the existing yield signs on Cascade Street and replace with new stop signs; and at the intersection of Birch Street and Orchard Street, remove the existing yield signs on Orchard Street and place new stop signs on Birch Street.*

2. Approve Traffic / Foot Patrols Needed for Oktoberfest

The City Council is being asked to approve the expenditure of funds in order to provide extra Chelan County Sheriff's Deputies during the Oktoberfest festival for the three Oktoberfest weekends. The estimate of hours is based on the recommendation of Liaison Officer Sergeant Bruce Long and the recommendations of the Ad Hoc Festival & Event Committee. The tentative schedule at this time would be to have two officers assigned to patrol the neighborhoods, Friday and Saturday evening/early morning; two officers patrolling the downtown area Friday and Saturday evening/early morning; and one officer being available Saturday afternoon to respond to service calls by residents and businesses. The estimated hours are 216. 200 of the hours will be covered through the existing Sheriff's Contract; the City will be responsible for the additional 16 hours. These 16 hours will be based on the actual overtime rates of individual officers and the estimated cost at this time is \$1,042. The Council will be asked to set a total not to exceed amount of \$1,500 in the event additional hours may be needed. The actual schedule of officers will be based on a recommendation by Sergeant Bruce Long of the Chelan County Sheriff's Department and subject to approval by the City administration.

In previous years, the City has authorized approximately \$9,000 for additional deputy services, primarily focused on providing downtown patrols after the event. In March of 2015, the City amended the Interlocal Agreement with the Chelan County Sheriff to increase the annual deputy overtime hours from 150 to 200 hours per year. The total cost of the increase in overtime hours is contracted at \$10,000 annually for the initial 200 hours and approximately \$50 - \$75 per hour for overtime hours exceeding the initial 200. During the 2015 Oktoberfest season, 237.5 overtime hours were used throughout the three-week event.

Beginning in 2014, the City began an added emphasis of security service levels to both residents and downtown businesses, with scheduled active patrols in the residential neighborhoods and downtown area during and after the event. The response from both residents and business owners was positive and supportive of this added service.

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

- Chelan County Sheriff Security Plan
 - **MOTION:** *The Leavenworth City Council moves to approve the expenditure of funds for additional Sheriff Deputy Officers during the Oktoberfest Festival at a cost not to exceed \$1,500.*

3. Resolution 13-2016 Link Transit Park-N-Ride Support

The City Council is being asked to support the funding of the Link Transit Park-N-Ride. As you may have heard, funding for Link Transit Park-N-Ride is being sought through the Washington State Department of Transportation Regional Mobility Grant program. The Regional Mobility Grant program supports local efforts to improve transit mobility and reduce congestion on our most heavily traveled roadways. The program has provided \$143.5 million to support local projects since 2006. The Washington State Department of Transportation (WSDOT) is accepting applications for the 2017-2019 biennium until Thursday, Sept. 29, 2016. Specifically, the state-funded Regional Mobility Grant Program (RMG) is administered by the Washington State Department of Transportation's Public Transportation Division. This competitive grant program funds cost-effective public transportation projects that reduce delay for people and goods and improve connectivity between counties and regional population centers. As outlined in RCW 47.66.030, WSDOT is responsible for evaluating project proposals and submitting a

prioritized list of eligible projects to the Legislature for funding consideration. The program funds projects such as:

- Inter-county connectivity service
- Park and ride lots
- Rush-hour transit service
- Capital projects that improve the connectivity and efficiency of the transportation system

The City Council is being asked to support the Link Transit's development of a Park-N-Ride lot and the transit access road within the Transit Oriented Development, "Willkommen Village," east of the City of Leavenworth along US 2. This area is currently under development and at build-out will contain hospitality, retail and service businesses. This Park-N-Ride lot will also accommodate over-flow parking demand for Leavenworth's festivals and events.

This Park-N-Ride lot will serve as a transit hub to accommodate new shuttle service to and from Leavenworth, and will provide high-quality access for commuters and visitors to the City of Leavenworth and the greater region. The Park-N-Ride lot component of the Willkommen Village is a necessary element of the region's continued growth and the Park-N-Ride lot meets the City's "Complete Streets" policy goals.

Link Transit has worked closely with the City of Leavenworth as this project has moved from concept to implementation, and is confident that the Park-N-Ride lot and transit access road will be a highly beneficial addition to our community.

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

- Resolution 13-2016
- WSDOT Letter of Support
- **MOTION:** *The Leavenworth City Council moves to approve Resolution 13-2016 supporting the Link Transit Park-N-Ride funding.*

4. Suspending the Owner Occupancy Flexibility for Accessory Dwelling Units in Urban Growth Area

The City Council is being asked to suspend the owner occupancy flexibility for Accessory Dwelling Units in the Urban Growth Area (UGA). As the Council is aware, the Chelan County Board of Commissioners has postponed the adoption of the City's amendment to the Leavenworth Municipal Code (LMC) Section 18.20.020 (B) (3) - the accessory dwelling unit (ADU) standards and specifications (Ordinance No. 1523) for consideration of returning the requirement and/or mandate for the approval of an ADU to include the owner occupancy of either the primary residence or the ADU.

Although the City Council found that it was appropriate to remove the requirement that the property owner reside on the property; and that this requirement would be difficult to enforce and could discourage property owners from creating accessory dwelling units; the Chelan County Board of Commissioners disagree.

On July 19, 2016, Development Services Manager Nathan Pate attended the Board of County Commissioners Adoption Hearing for Accessory Dwelling Units (ADU's). City regulations that affect the UGA are forwarded to Chelan County for their adoption process; and a part of those regulations was to lift the constraints and add more freedom for people to build ADU's as a way to increase the housing stock. During this hearing, the Board of County Commissioners requested that the City Council reconsider the regulations regarding the ADU's, or discuss the enforcement ramifications.

On August 31, 2016, Mayor Farivar requested and held a meeting with Commissioner Keith Goehner, Joel Walinski, Nathan Pate, and Hank Lewis to discuss the adoption process and impacts of the LMC for the Urban Growth Area.

From this meeting, the parties recommend that the City Council consider suspending the removal of the owner occupancy component of the ADU amendment for the UGA. This entails a key aspect that the City agrees to deviate from the Memorandum of Understanding of 1997; and furthermore, gives permission to the Chelan County Board of Commissioners' to suspend the Memorandum of Understanding of 1997 (which requires the Chelan County Board of Commissioners to adopt all the City's Code and its amendments) regarding Ordinance No. 1523; and for the Board to require owner occupancy of either the primary residence or the accessory dwelling unit in the Urban Growth Area.

The following item is included under **TAB 4:**

- Draft letter stating that the City of Leavenworth is in agreement with the request of the Board of County Commissioner regarding owner occupancy in the Urban Growth Area to allow for an accessory dwelling unit; and has no objection for the Board to require owner occupancy of either the primary residence or the accessory dwelling unit.
- Ordinance 1423
- Memorandum of Understanding
 - **MOTION:** *The Leavenworth City Council moves that they are in agreement with the request of the Board of County Commissioner regarding owner occupancy in the Urban Growth Area to allow for an accessory dwelling unit; and has no objection for the Board to require owner occupancy of either the primary residence or the accessory dwelling unit.*

5. Council Vacancy Process Approval

The City Council is being asked to approve a process for the selection of a candidate to fill the vacancy of the City Council Position #5 open seat.

The following would be a recommendation for proceeding with the community notification and selection of a candidate:

1. Advertisement of vacancy and request for Letters of Interest, due by October 5th, 2016.
2. Follow-up application to candidates of interest, submittal due by October 11th, 2016.
3. Council review of applications.
4. Public Interview and selection of Candidates Date: October _____, 2016.

5. Executive Session on Candidates.
6. Open debate and vote selection of Candidate.

Selection and Vote Procedure:

- 1 Council will conduct a public interview of candidates. All candidates will be provided the same interview questions in advance. Candidates may sit in the audience to listen to other candidates' interviews. Each interview is expected to be 20 minutes. Candidates will be assigned interview times.
- 2 Following the Interview of Candidates, the Council will recess to an executive session to discuss and evaluate the qualifications of each candidate.
- 3 The Council resumes the Special Meeting and selects a candidate:
 - a. Council members are provided a ballot with the list of the candidates. Each member identifies two candidates on a ballot.
 - b. All ballots are collected and the City Clerk reads aloud the votes on all ballots. Votes are tallied and the two candidates that received the most votes are identified. In the event of a tie (except a tie among the top two), the process is repeated until two candidates only are identified with the most votes.
 - c. Once the top two candidates are identified, the Council is provided a ballot identifying the top two candidates. Ballots are collected and votes are tallied. In the event of a tie, the Mayor will provide the tie-breaking vote.
 - d. A motion is made, seconded and voted upon to appoint the candidate receiving the most votes. In the event of a tie on the motion, the Mayor will provide the tie-breaking vote.

There are no items included under **TAB 5**.

- **MOTION:** *The City Council approves the selection process outlined above for filling the Council Position #5 vacancy*