

LEAVENWORTH CITY COUNCIL MINUTES

September 27, 2016

Mayor Farivar called the September 27, 2016 Leavenworth City Council meeting to order at 6:30 PM and Councilmember Brinkman led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Elmer Larsen, Carolyn Wilson, Mia Bretz, Margaret Neighbors, and Richard Brinkman.

Staff Present: City Administrator Joel Walinski, City Attorney Tom Graafstra, Chantell Steiner, Nathan Pate, Herb Amick, and Sue Cragun.

Mayor Farivar excused Councilmember Gretchen Wearne from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda:

1. Approval of Agenda
2. Approval of September 13, 2016 Regular Meeting Minutes
3. Approval of September 13, 2016 Study Session Minutes
4. 2016 Claims ~~\$329,318.14~~ \$327,859.26
5. Set Public Hearing on Community Development Block Grant Project Performance of the Meadowlark Affordable Housing Project on October 11, 2016 @ 6:45 PM

Finance Director Chantell Steiner noted that the claims number has been changed to \$327,859.26 to include amended payments.

Councilmember Larsen motioned to approve the consent agenda as amended. The motion was seconded by Councilmember Wilson and passed unanimously

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Brinkman reported that he attended the Housing Affordability Task Force, special Finance, regular Finance, and Economic Development Committee meetings.

Councilmember Neighbors reported that she attended the special and regular Finance Committee meetings.

Councilmember Bretz reported that she attended the Housing Affordability Task Force and the Link Transit Board meetings. She said that Link Transit is currently working on community outreach and will be holding a public meeting prior to the next City Council meeting on October 11th from 5:00 PM – 6:30 PM in the Council Chambers. She noted that the Ad Hoc Skatepark Committee will be meeting this week. On a final note she reported on the Economic Development Committee meeting and stated that there was discussion regarding a property purchase and moving forward with a parking study.

Councilmember Larsen reported that he attended the Leavenworth Area Promotion (LAP) meeting and stated that the group has set the annual workshop/retreat for October 18th, reviewed upcoming promotional materials for a new winter short clip being designed by Voortex Productions, and had a discussion regarding the success of the Stevens Pass Ski and Stay promotion.

Councilmember Wilson reported that she attended the Autumn Leaf Festival and participated in the parade. She reported on the Finance Committee meetings and stated that the Committee reviewed the proposed biennial budget priorities for 2017-2018; members reviewed the budget priorities by line item and asked staff to compare them to the goals that were set at the Retreat. She noted that there is an opening on the Public Safety Committee and will need to put someone in that position in the near future.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she chaired the Housing Affordability Task Force and had a discussion with Chelan County Sheriff Brian Burnett regarding the participation in a full time school resource officer dedicated to the Cascade School District. She reminded the Council that there will be a special City Council meeting on October 18th at 5:00 PM to interview and select a new member to replace Councilmember Francis. She announced that Oktoberfest will begin this weekend with a procession at noon on Saturday and keg tapping following the parade at the Festhalle.

City Administrator Joel Walinski reported that he attended the Downtown Steering Committee meeting and stated that the Tour de Bloom organizers have modified the bicycle race route and will further discuss those changes with the Department of Transportation (DOT) and Chelan County. He stated that there is consideration being given to holding a public open house prior to any approvals being made regarding the bicycle race event.

Finance Director Chantell Steiner thanked the Finance Committee members for attending the Special Finance Committee meeting. She stated that the Council will be receiving red line versions of the priority list based on the Finance Committee's recommendations that will include identification of the Council goals. On a final note she stated that she attended a conference last week with the Washington Finance Officers Association.

Development Services Manager Nathan Pate reported on the Planning Commission amendment cycle and stated that there will be a special meeting on October 19th to conduct eight public hearings for eight amendments from the 2016 Docket. He briefly addressed some of the items that will be held in place pending additional information. He confirmed that the public hearing regarding overnight rentals will take place at the Leavenworth Fire Hall on November 2nd at 7:00 PM.

Public Works Director Herb Amick reported that the Chumstick Highway Multi-Purpose Trail and Water / Sewer project is nearing substantial completion.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized a student who was in attendance at the City Council meeting. Ms. Yulisa Rosario was in attendance for her "Citizens of Washington in a Contemporary World" class criteria at Cascade High School. Ms. Rosario stood and introduced herself and stated that

she volunteered for the recent Salmon Festival and is planning a jog-a-thon for her “Project Citizen” volunteer work. Mayor Farivar and the City Council thanked Ms. Rosario for attending the meeting and the Mayor gave her a City of Leavenworth lapel pin.

GROUP FUNDING REPORT – SIMPLY LIVING FARM SUSTAINABLE LIVING / FARMING TOUR

Mr. Dave Bartholomew stated that this is the third year for the Sustainable Living / Farming Tour; this year he worked with the Wenatchee River Institute and was sponsored by the Wenatchee World. He thanked the Council for their support and went on to state the statistics for the event regarding attendance. He explained how the tour worked and how it was tied into the history of the Leavenworth. He addressed Leavenworth sustainability, human, economic and environmental sustainability and how those will all work together; he suggested that the Council formally adopt a sustainability model. On a final note he said that the event organizers are now looking at what they can do to grow the event next year as there was a modest turnout this year. Councilmember Neighbors suggested that he attend a Study Session to further discuss sustainability.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Special Use Permit - Noise: Swiss Hotel Leavenworth

Public Works Director Herb Amick stated that the City Council is being asked to consider approval of a Special Use Permit (SUP) to allow for an extended time period and increased noise levels for nighttime construction regarding the Waterline Improvements for the Swiss Hotel Leavenworth project. He went on to explain that the Council’s decision of approval or denial of the SUP must be based on whether the request meets the following criteria: 1.) The special use permit is necessary; 2.) There exists a special circumstance relative to size, topography, location or surroundings of the subject property; 3.) Requesting property owner or agency has provided a plan for mitigation of noise to be implemented on the approval of the special use permit; 4.) That the granting of the special use permit will not be materially detrimental to the comfort, health, or safety of the public; and 5.) That the special use permit is limited to not more than 14 days in any 90 day period. He went on to explain how the criterion favors the applicant and confirmed that staff recommends approval of the SUP in order to expedite the construction work.

Mr. Faruq Ramzanalli and Mr. Mario Lee introduced themselves to the Council and stated that they are partners in the Swiss Hotel Leavenworth project. Mr. Ramzanalli clarified the request for the noise permit and stated that it is late in the season and that the developers will do the least impacted work now and the remainder of the work will take place in the spring. Administrator Walinski stated that the construction information can be posted on the City’s website and Facebook page in order to inform residents of possible construction noise. Public Works Director Amick briefly detailed the construction work that will be taking place. Councilmember Bretz suggested additional noticing to the residents in order to mitigate noise and traffic issues. Mayor Farivar stated that she will mention the construction noise while being interviewed on KOHO Radio in the morning.

Sharon Waters, 336 Birch Street, Leavenworth; Ms. Waters suggested posting a sign near Riverbend Drive in order to notify the neighbors.

Councilmember Neighbors motioned to approve the Special Use Permit to allow for extended time periods and increased noise levels for nighttime construction regarding the Swiss Hotel Leavenworth project. The motion was seconded by Councilmember Brinkman and passed unanimously.

2. Revised First Reading of Ordinance 1529: Alcohol Use in the Parks

City Administrator Joel Walinski stated that the City Council is being asked to review Ordinance 1529: Alcohol Use in Parks suggested language changes. He stated that some of the changes keep the ordinance focused on the sale and consumption of alcoholic beverages in Front Street Park; specific time limits from 1:00 PM – 7:00 PM, compliance with the City of Leavenworth and WA State Liquor Control Board requirements, and the requirement of security, insurance and protective measures. He confirmed that the draft ordinance has been forwarded to the Chamber of Commerce and have not yet heard of any comments that the Chamber has regarding the language changes. He asked for comments from the Council; Mayor Farivar clarified that the ordinance is for sale and consumption in conjunction with an old world Bavarian traditional special event. Administrator Walinski reiterated that the City will require different protective measures based on different types of events and noted that there will always be a designated contact person for events. Councilmember's briefly discussed their individual pros and cons regarding the new language. Mayor Farivar noted that the ordinance will also protect future parks as the City might come to own.

Sharon Waters, 336 Birch Street, Leavenworth; Ms. Waters stated that she is dead set against alcohol in the parks. She said that it is not necessary and that people who drink alcohol will bring it with them anyway. She doesn't want Leavenworth to go to alcohol.

3. WSDOT Letter of Understanding Agreement – Pine Street Project

City Administrator Joel Walinski stated that the City Council is being asked to approve and authorize the Mayor to sign the Letter of Understanding for Project Administration of the "Pine Street Reconstruction" project. He explained that the City has been awarded a federally funded Surface Transportation Block Grant (STBG) in the amount of \$700,000 to be used for the Pine Street Reconstruction project. He said that due to this type of funding being received, it is required that the WA State Department of Transportation (WSDOT) have a letter of understanding between the agencies that outline the City's responsibilities as determined by the Local Agency Guidelines (LAG). He went on to say that the LAG tells the City how to manage compliance and to be compliant for the State Auditors.

Councilmember Brinkman motioned to approve the Letter of Understanding for Project Administration of the "Pine Street Reconstruction" project and authorizes the Mayor to sign the agreement. The motion was seconded by Councilmember Neighbors and passed unanimously.

4. Coordinated Cost Reimbursement Agreement

City Administrator Joel Walinski stated that the Council is being asked to consider approval of the agreements related to the Coordinated Cost Reimbursement Program with Chelan County. He explained that there are two agreements that pertain to the City's Water Rights Application; surface water Application No. S4-33068(A) and ground water Application No. G4-33068(B). He said that both applications are for the acquisition of water rights associated with the Wenatchee River and will be processed as part of the Coordinated Cost Reimbursement Program managed by Chelan County; Aspect Engineering will be the consultant group providing the expertise and

staff time for completing the project. He addressed the cost of the permits and noted that staff will be able to assist with the surface water permit which will keep the cost at \$6,800; the groundwater permit will require a hydrologist report, it is recommended to use a consultant, which brings the cost of the permit to \$14,600. He went on to say that this is a significant gain in water rights for the City which will fulfill the City's 20 year need, although the City will need more water for the 50 year plan.

Councilmember Wilson motioned to approve the Coordinated Cost-Reimbursement Agreement between the City of Leavenworth and Chelan County Natural Resource Department pertaining to Water Rights Application No. S4-33068(A) for a cost of \$6,800 and authorizes the City Administrator to sign. The motion was seconded by Councilmember Larsen and passed unanimously.

Councilmember Wilson motioned to approve the Coordinated Cost-Reimbursement Agreement between the City of Leavenworth and Chelan County Natural Resource Department pertaining to Water Rights Application No. G4-33068(B) for a cost of \$14,600 and authorizes the City Administrator to sign. The motion was seconded by Councilmember Larsen and passed unanimously.

5. Nordic Circle Acceptance of Right-of-Way and Improvements

Development Services Manager Nathan Pate stated that the City Council is being asked to receive the right-of-way for the Acton Addition Subdivision, "Nordic Circle". He addressed the location, inspections, and certifications that have been completed by Developer Dan Acton.

Sharon Waters, 336 Birch Street, Leavenworth; Ms. Waters asked if there will be any affordable homes in the development. Mayor Farivar explained that the developer is developing the land for home sites but is not building the homes.

Councilmember Bretz motioned to accept the Dedication of Nordic Circle to the City of Leavenworth. The motion was seconded by Councilmember Neighbors and passed unanimously.

6. 2017 Emergency Management Services Contract

City Administrator Joel Walinski stated that the Council is being asked to review and approve the annual contract with the Chelan County Department of Emergency Management for emergency service planning and response for the City of Leavenworth in the amount of \$5,254. He said that the amount is set based on the budget of Emergency Management Services and divided by the number of Leavenworth residents in order to provide a cost per resident. He noted that the cost of the annual contract is slightly higher due to a change in the City's population. He went on to say that in the event that there is an emergency, Emergency Management will coordinate and also train the staff in FEMA; FEMA training will take place later this year.

Councilmember Brinkman motioned to approve the 2017 Emergency Management Contract with Chelan County in the amount of \$5,254.00 and authorizes the Mayor to sign. The motion was seconded by Councilmember Wilson and passed unanimously.

7. Resolution 14-2016 – Proclamation: Public Power Week

City Administrator Joel Walinski stated that the City Council is being asked to approve Resolution 14-2016 which states the City of Leavenworth's support in the recognition of the

Chelan County PUD Annual Public Power Week which will take place October 2 – 8, 2016. He said that the Chelan County PUD, along with some 2,000 public utilities across the country will celebrate affordable rates, community involvement, and care for the environment, which are among the many benefits of public power.

Councilmember Larsen motioned to approve Resolution 14-2016 recognizing the 30th Annual Public Power Week. The motion was seconded by Councilmember Brinkman and passed unanimously.

ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that she will complete the City Administrator's Annual Review and asked that the new Council Members complete the questionnaire regarding their experience since taking office and turn those in to her. She also confirmed that there will be a special meeting on October 18th at 5:00 PM to select a new Council Member.

Councilmember Larsen asked to continue the study of existing non-conforming structures and setbacks at the next Study Session meeting. Councilmembers briefly discussed the topic.

ADJOURNMENT

Seeing no other business, Councilmember Brinkman motioned to adjourn the September 27, 2016 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Wilson and passed 4/1 with Councilmember Bretz opposed.

The meeting adjourned at 7:40 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk