

LEAVENWORTH CITY COUNCIL MINUTES

October 11, 2016

Mayor Farivar called the October 11, 2016 Leavenworth City Council meeting to order at 6:30 PM and Link Transit Executive Director Richard DeRock led the City Council in the Flag Salute.

ROLL CALL

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

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

Mayor Farivar excused Councilmember Richard Brinkman from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda

1. Approval of Agenda
2. Approval of September 27, 2016 Regular Meeting Minutes
3. 2016 Claims \$412,208.06
4. September 2016 Payroll \$235,666.52
5. PRSA Voucher Request \$12,000.00

Councilmember Bretz motioned to amend the consent agenda to include action item number 5 regarding Chelan County Grant Lodging Tax Grant Application for Skatepark funding. The motion was seconded by Councilmember Wilson and passed unanimously.

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

WSDOT PROJECT AWARD PRESENTATION

WA State Department of Transportation (WSDOT) Local Programs Director Ms. Kathleen Davis presented Mayor Farivar with a plaque on behalf of WSDOT Local Programs and the Federal Highway Administration (FHWA). She congratulated the City of Leavenworth on the Commercial Street Reconstruction project and stated that the project was selected for the 2016 Award of Excellence in the Best City Project category. She said that the project was selected due to the City's effective community engagement and improved safety benefits. FHWA Washington Division Administrator Mr. Dan Mathis and North Central Region Local Programs Engineer Mr. Paul Mahre each spoke to the project and the transformation of Commercial Street. On a final note, Mayor Farivar gave a brief history of Commercial Street, stated how proud she is of the project, and thanked the presenters for their contribution to the project.

PUBLIC SAFETY REPORT: SERGEANT BRUCE LONG, LIAISON OFFICER

None.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Neighbors reported that she attended the Oktoberfest Procession, Study Session meeting, Ad Hoc Skatepark, Festhalle Oversight, and Parks Committee meetings. She reported on the Parks meeting and stated that the Committee discussed the recent Ad Hoc Skatepark Committee meeting, ice rink proposal, and extending the agreement for the fishing pond at Waterfront Park. She added that Public Works Director Herb Amick updated the Committee regarding Eagle Scout Projects, lighting at the pump track, river access, bottle filler drinking fountains, and the Osborn Elementary School tennis court project.

Councilmember Bretz reported that she attended the Ad Hoc Skatepark Subcommittee meeting and reported that there will be a separate community meeting to discuss fundraising. She also attended the Parks and Public Works Committee meetings.

Councilmember Larsen reported on the Residential Advisory Committee (RAC) meeting and stated that the Committee received an update and education from PUD representatives regarding the new Substation. He said that there was discussion and concern regarding the lack of using underground lines and the visual impact that will bring; there will be a presentation to the Council, another group session, and a presentation at the Firehall prior to the Special Planning Commission meeting on Nov. 2 2016; the PUD is looking to have sign off by the City and the public soon. He went on to report on the Public Works Committee meeting and stated that the Committee discussed the upcoming Highway 2 Crosswalk projects, purchasing a garbage truck from the City of Cashmere, a regionalization utilities benefit study regarding wastewater, and a brief discussion of the upcoming street funding that the City is applying for. On a final note he added that the fencing installation work had begun around the P2 parking lot and work will resume following Oktoberfest.

Councilmember Wearne reported that she attended the Ad Hoc Skatepark and Public Safety Committee meetings.

Councilmember Wilson reported that she attended the Oktoberfest Procession, participated in the Keg Tapping Ceremony, and will be doing the same on this next final weekend. She said that she attended the Public Works and Public Safety Committee meetings and will be attending the Upper Valley Museum Board meeting later in the week. She reported on the Public Safety Committee meeting and stated that the Committee received a report from Sergeant Long and had a discussion regarding Oktoberfest. She said that Fire District #3 Assistant Chief Horner discussed fire inspections and confirmed that 198 inspections have been completed with 18 remaining for reinspection prior to the end of the year. On a final note she said that further discussion included another stop sign location request that did not meet the necessary warrants, a radar speed sign that provides reports is being purchased by the City, the City Hall parking lot and the lack of parking availability, and alcohol use in the City's parks.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she participated in the Oktoberfest Procession and Keg Tapping Ceremony. She expressed her thanks to Mr. and Mrs. Jim and Sigi Wilms for providing the horse and carriage for the Oktoberfest Procession and other parades throughout the year. She said that Mr. and Mrs. Wilms have demonstrated a tremendous dedication to the City. She went on to report on the morning Study Session meeting and stated that the Council received a report from the Chamber of Commerce, received a presentation on the Salmon Lifecycle Learning Landscape and Fishing Pond by Ms. Kara Zupke with Pacific Engineering, reviewed the budget priorities, discussed the rate and fee schedule, received an update on the Skatepark, discussed existing structure and setbacks, reviewed a

draft letter of support from The Mountain Pact, reviewed the future Council agenda items and project tracking documents, and suggested items to be included in the quarterly City Newsletter.

City Administrator Joel Walinski updated the Council on the Festhalle improvements and stated that the recently purchased lighting to replace the theater lighting was delivered today, the staging was approved to be purchased and has been ordered, the Committee is planning a Christmas movie night for each of the three Saturdays during Christmas Lighting; movies will be free to the public.

Development Services Manager Nathan Pate reported that the Special Planning Commission meeting on October 19th will have eight public hearings to include the Wetland & Stormwater Master Plan.

Public Works Director Herb Amick reported that the late night construction work on Highway 2 near Alpanse Strasse will be taking place for the next few nights.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized the two students in attendance at the City Council meeting. The students were in attendance for their "Citizens of Washington in a Contemporary World" class criteria at Cascade High School. Ms. Mikayli Thorp and Ms. Hailey Schroeder introduced themselves and stated that they have not yet identified a project for their "Project Citizen" volunteer work. Mayor Farivar and the City Council thanked the students for attending the meeting and the Mayor gave each student a City of Leavenworth lapel pin.

Josh Wulfman, 136 Prospect Street, Leavenworth; Mr. Wulfman stated that he is excited about moving forward with the Skatepark; the Committee will plan on the original \$175,000 cost and anything else that they may raise up to the beginning of construction. He stated that he appreciates the community support and how quickly the project is moving forward.

Mike Leeds, 1736 Lincoln Park Circle, Wenatchee; Mr. Leeds stated that the skateboard community is very excited about moving forward; there was a recent Skatepark meeting that had a great turnout, fundraising and enhancements for the Skatepark were among the discussion items, they are applying for the Chelan County Lodging Tax grant funding to pay for lighting and perimeter landscaping and he appreciates the City's support in this endeavor. He reiterated that they want to make the Skatepark the best that it can be for the community and the skaters.

Andy Barber, 12726 Shore Street, Leavenworth; Mr. Barber stated that he has property at 620 Birch Street; he apologized for forgoing the permit process and converting his garage into a residence. He said that he has just heard of the extreme need for affordable housing, people want to move in to the residence. He said that he would like to comment on the Accessory Dwelling Unit (ADU) setback issue that was discussed at the morning Study Session and agrees with option number 4 which will use a sliding scale in regard to alley easement width. He went on to address affordable housing and how that relates to his residence. He also stated that he understands the life safety issue, although as a former fireman, he hasn't heard of vehicle/building incidents in the past. He said that this is an opportunity for affordable housing with limited bureaucracy, as people need housing now.

Jennifer Anderson, 802 Pine Street, Leavenworth; Ms. Anderson stated that she was informed that the 10 foot pathway is being installed in 48 hours and has missed some communication from the City regarding Pine Street. She feels that there was communication in the beginning, but now the project has begun and she would like to see more communication from the City. She went on to say that she felt a sidewalk would be better. Mayor Farivar explained that in order to apply for grant funding, the

10 foot pathway was necessary and will provide access to school children walking and/or riding bikes as well as pedestrian uses. Ms. Anderson said that she is also surprised that the Developer is doing the work and feels that the prices of the lots are as such because he is constructing the street in front of his development. She didn't know that the construction of a city street would be the responsibility of a developer to develop. She was hoping that the lots in the development would have been a part of an affordable housing area; she noted that the lots are unaffordable. She went on to explain that the streets were mapped in 1994 and their status of repair recorded. She said that there is neglect and disconnect from the City to the Community in the City's responsibility for street improvements. She went on to reiterate her need for communication regarding Pine Street.

Craig Hess, 575 Cascade Street, Leavenworth; Mr. Hess questioned the Council regarding their knowledge of the developers plans for Pine Street. He went on to address stormwater and his dissatisfaction with the City's processes. He addressed the 10 foot path, stated that it was unnecessary, and questioned why the City is paving city property if they are so concerned about stormwater. He said that the City had the opportunity to narrow the street and save some green space, and now it is set in motion. He asked the Council if they had an option or if they chose the path of least resistance. Councilmember Larsen stated that the City did a typical cross section so that the developer could move ahead with his project. He reiterated that growth pays for growth as a part of the growth management act. He said that looking at the cross section, the City would have jeopardized funding by narrowing the path; the path helps the kids walking to and from school and gets them out of the street entirely. He said that was the driving force for the rationale. He went on to address the status of the project, available funding, engineering status, and design decisions that will need to be made. On a final note, Mr. Hess questioned why the City's logo is on The Mountain Pact website as an engaged partner. Councilmembers agreed that it was likely assumed by The Mountain Pact that The Mountain Pact has the support of the Council.

Mary Pat Barton, 611 Cedar Street, Leavenworth; Ms. Barton requested the width of the original Pine Street. Mayor Farivar confirmed that it is at varying widths.

PRESENTATION BY LINK TRANSIT – RICHARD DEROCK

Mr. Richard DeRock, Executive Director of Link Transit provided an update to the City regarding future plans for Link Transit. He said that the transit company is in a major strategic planning process, Link is in its 25th year of service, and would like to engage our communities in conversation about a shared future. He said that in the beginning, Link's original mission was to connect the communities and noted that urbanization has changed the environment and the mission will need to evolve in regard to congestion, single occupancy cars, and unique things that impact any given particular area. He said that Link is engaging their management, Board members, all employees, and strategy partners. He went on to address the unifying interest among riders and non-riders, connecting the communities as growth takes place, meeting fiscal challenges, and a request for community input during Link's ongoing community outreach. He briefly touched on the fact that Link has not gone to the voters to increase the sales tax; 70% of Link's budget is provided by sales tax. On a final note he addressed the new Park N Ride that will be located behind Safeway in the Willkommen Village development and explained how that route will work and the efficiency that it will provide the riders as well as the local residents.

**PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT
PERFORMANCE OF THE MEADOWLARK AFFORDABLE HOUSING PROJECT @ 6:45
PM**

Mayor Farivar opened the Public Hearing at 8:04 PM.

Finance Director Chantell Steiner stated that this is a formal public hearing to close out the Community Development Block Grant (CDBG). She confirmed that the City received a \$750,000 grant to assist the Meadowlark Affordable Housing project; the project has unfortunately come to a stop. She said that the grant is being closed out; there are several requirements for reporting successes and performance of the grant, unfortunately since the project did not proceed into construction, all of the answers to the performances is not applicable. She read a summary of what happened with the grant and where we are today.

“In 2012 the City of Leavenworth applied for the Community Development Block Grant (CDBG) with the intent of the grant to provide funding to benefit affordable housing needs (Direct Benefit Only) in Leavenworth that was submitted based on an area-wide benefit to extend City water and sewer systems to serve 30 new affordable housing units for Low-Moderate Income Households. The qualifications for project beneficiaries would be based on household qualifications that would have taken into account applicants with a very low (30%), low (50%) and moderate (80%) income levels. In the application, the City submitted the request with estimates of fulfilling this requirement at 100% for the 30 units at an estimate of 130 persons to be served. The estimated population to be serviced would have included applicants already on a waiting list with a breakdown of 60 persons in the Moderate level, 43 persons in the Low level and 27 persons in the Very Low level. Over the course of the project through the planning and design phases, new information on construction and housing costs developed that escalated the costs of the project by several million dollars that the City nor its development partners, Upper Valley MEND & several private parties, could attain additional funding to support the increased costs. Unfortunately the City and development partners made the decision in July 2016 to cease further development of the project and proceeded with a plan to close out the CDBG grant. Although the City attempted to find additional creative uses for the grant there just was not enough funding available to make a successful project; therefore, the area-wide benefit summary is no longer applicable to the closure of the grant. Consequently, the following Contract/Subcontract Activity Report and Labor Standards Compliance Report on the following pages also include non-applicable responses to the closure of the CDBG grant.

The City of Leavenworth would like to extend their appreciation to the Department of Commerce Staff for all their efforts to assist the City in exploring the options and creative ways to proceed with the project and is grateful for the exceptions, modifications and contract amendment provided to assist in some of the planning and administrative costs from the design and planning phase of this project. Affordable Housing remains to be a significant need for the citizens of Leavenworth and the City Staff will continue its efforts in the future to work with the Community and the Department of Commerce to fulfill these needs in the future.”

Mayor Farivar asked if anyone from the public would like to comment. Hearing no comments, Mayor Farivar closed the Public Hearing at 8:10 PM.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Second Reading Ordinance 1529: Alcohol Use in the Parks

Public Works Director Herb Amick stated that the City Council is being asked to adopt Ordinance No. 1529 regarding Alcohol Use in the Parks. He said that the new language will allow consumption and sales of alcohol in Front Street Park during Bavarian festivals between the hours of 1:00 PM to 7:00 PM. He reiterated that this ordinance pertains to Front Street Park and that alcohol will still be

prohibited in all other City Parks. Councilmember Bretz stated that she is happy that we were able to fix a rule that we were breaking, and this ordinance remedies that; although she is still disappointed that the language is so restrictive and won't allow for wine tasting at farmer's market and other local activities. She said that she would love to see more opportunities for our community members and doesn't feel that everything needs to be Bavarian in nature as the community isn't all Bavarian in nature, but recreation, arts and culture, and food and wine. Councilmember Larsen stated that this is still a family town and that there is a time and place for alcohol and doesn't want to see the Farmers Market become a wine and food event. He hopes that the City continues slow, deliberate, and cautious in regard to alcohol in the parks.

Mary Pat Barton, 611 Cedar Street, Leavenworth; Ms. Barton stated that the parks are the safety zone for families. She said that people already drink in the parks and she thinks that alcohol in the Front Street Park should end at 4:00 PM which would then allow people to patronize the local bars and restaurants. She reiterated that she doesn't want Leavenworth to become a party town.

Councilmember Neighbors motioned to approve Ordinance 1529 – Alcohol Use in the Parks. The motion was seconded by Councilmember Larsen and passed unanimously.

2. 2017 Chelan County Prosecution Services Agreement

City Administrator Joel Walinski stated that the City Council is being asked to approve the 2017 Chelan County Prosecution Agreement for prosecution services through the Chelan County Prosecuting Attorney. He said that the price for the annual 2017 contract is \$12,150 which is calculated at a rate of \$225 per case and a \$15 per case increase over last year. He went on to compare the contract rates over the last few years. He noted that because the contract is based on the number of cases from the previous year, the annual rate has decreased by \$1,290.

Councilmember Wilson motioned to approve and authorizes the Mayor to sign the 2017 Chelan County Prosecution Service Agreement. The motion was seconded by Councilmember Wearne and passed unanimously.

3. Proclamation – United Way Month

City Administrator Joel Walinski stated that the City Council is being asked to support a Proclamation that states the City of Leavenworth's support and appreciation to the United Way volunteers, donors, and the United Way partner organizations during the month of October in celebration of United Way Month. He noted that the United Way of Chelan and Douglas Counties has served the people of the region for over 75 years.

Councilmember Wearne motioned to approve the Proclamation in support of United Way Month. The motion was seconded by Councilmember Larsen and passed unanimously.

4. Mountain Pact Letter of Support

City Administrator Joel Walinski stated that the Council is being asked to support and authorize a letter related to public lands and fire funding reform in support of The Mountain Pact. The letter would be addressed to Congressional leadership, looking at the impact that shrinking Forest Service and Interior Department budgets have on our western mountain towns and urging them to take this into account in their fall budget negotiations. He said that the Mountain Pact is a coalition of western tourism based cities empowering the mountain communities to face the economic and environmental stresses from a

number of different conservation policies, climate change, etc. Councilmember Neighbors suggested adding our local Congressional Representatives as recipients of the letter.

Councilmember Bretz motioned to support the Mountain Pact coalition of Cities requesting Congressional leadership support additional congressional funding for better forest management relating to the public lands and fire funding reform. The motion was seconded by Councilmember Neighbors and passed 4/1 with Councilmember Wilson opposed.

5. Chelan County Lodging Tax Grant Application

City Administrator Joel Walinski stated that the City Council is being asked to authorize the Mayor to sign a funding application for Chelan County Lodging Tax Grant funding to provide amenities for the Skatepark that will be constructed next spring. He said that Councilmember Bretz will be working with the skatepark community in writing the grant application; Staff will review the application prior to submitting the final application.

Nancy Smith, 12685 Wilson Street, Leavenworth; Ms. Smith stated that she feels that the funding request should cover more of the items that will truly enhance the Skatepark and attract more of Leavenworth's visitors to the Skatepark with their families. She has encouraged the skateboard community to request additional funding as this project promotes health and wellness, outdoor recreation, and is located in a destination. She stated that these are the reasons that there is opportunity to request more funding.

Mike Leeds, 1736 Lincoln Park Circle, Wenatchee; Mr. Leeds confirmed that he has taken notes from Ms. Smith and has emailed those notes to the grant writers. He said that he is happy to work with Ms. Smith in promoting the new Skatepark through the Leavenworth Chamber of Commerce. He asked the Council if Grindline will be looking for public input next month. Administrator Walinski stated that the Council will be asked to approve the Grindline Contract on October 25th and noted that there is a tentative kick-off meeting scheduled with the public on November 17th.

Councilmember Neighbors motioned to authorize the Mayor to sign the Chelan County Lodging Tax Request for Funding application for skatepark improvements. The motion was seconded by Councilmember Bretz and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that the Transportation Benefit District Meeting will immediately follow the City Council Meeting, Interviews for the open Council seat will take place on October 18th at 5:00 PM, the PUD Substation Update will take place during the October 25th City Council meeting, and the Planning Commission Public Hearing on Overnight Rentals will be held on November 2nd at 7:00 PM.

EXECUTIVE SESSION 42.30.110(1)(c) PROPERTY SALE

Mayor Farivar asked for a motion to recess into Executive Session at 8:30 PM for approximately 10 minutes to discuss property sale with no action to be taken.

Councilmember Wilson motioned to recess into Executive Session at 8:30 PM for approximately 10 minutes to discuss property sale with no action to be taken. The motion was seconded by Councilmember Neighbors and passed unanimously.

Executive Session was extended for 5 minutes at 8:40 PM.

Mayor Farivar reconvened the regular City Council meeting at 8:45 PM

ADJOURNMENT

Seeing no other business, Councilmember Larsen motioned to adjourn the October 11, 2016 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Wilson and passed unanimously.

The meeting adjourned at 8:46 PM.

APPROVED

ATTEST



Cheryl K. Farivar
Mayor



Chantell Steiner
Finance Director / City Clerk