



City of Leavenworth

700 HIGHWAY 2 / POST OFFICE BOX 287
LEAVENWORTH, WASHINGTON 98826
(509) 548-5275 / FAX: (509) 548-6429
Web: www.cityofleavenworth.com

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
October 11, 2016 - 6:30 p.m.

Call to Order

Flag Salute

Roll Call

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

WSDOT Project Award Presentation

**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

Presentation by Link Transit – Richard DeRock

**Public Hearing: Community Development Block Grant Project Performance of the
Meadowlark Affordable Housing Project @ 6:45 PM**

Resolutions, Ordinances, Orders and Other Business

1. Action: Second Reading Ordinance 1529: Alcohol Use in the Parks
2. Action: 2017 Chelan County Prosecution Services Agreement
3. Action: Proclamation – United Way Month
4. Action: Mountain Pact Letter of Support

Information Items for Future Consideration

1. Transportation Benefit District Meeting to Follow Regular Council Meeting
2. Council Interviews – 10/18/2016 @ 5:00 PM
3. PUD Substation Update – 10/25/2016 Evening Council Meeting
4. Planning Commission Public Hearing Overnight Rentals – 11/2/2016 @ 7:00 PM

EXECUTIVE SESSION 42.30.110(1)(c) PROPERTY SALE

Adjournment

(Next Ordinance is 1532 - Next Resolution is 15-2016)

Council Committees - 2nd Tuesday
Public Safety 3:00 Parks 4:00
Public Works 5:00

SUPPLEMENTAL COUNCIL AGENDA

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

The City Council is being asked to adopt Ordinance No. 1529, Alcohol Use in Parks suggested language changes. The suggested changes to the code language reflect the Council's discussion to proceed slowly with the changes in allowing alcohol within the City Parks. The new language would only allow the sale and consumption of alcohol within Front Street Park as a part of an Old World Bavarian type festival and limits the time from 1:00 PM – 7:00 PM. A Special Use Permit (SUP) would be required for the event and would stipulate requirements by the Liquor Control Board and City, such as security, separation, clean up, etc. The Special Use Permit would be approved by the administration similar to other SUP's and based on compliance of the Council approved code language.

During the Council's September 27, 2016 meeting, the first reading was conducted and City Council was asked to review and comment on the Ordinance 1529 proposed language changes.

The current City code prohibits the sale and consumption of alcohol; there have been several requests from event organizers over the last several years to allow for the sale and consumption of alcohol within City parks. The City Council in the past has made exceptions to the code; however, earlier this year Council has requested staff to work with the Public Safety Committee and Park Committee to develop code language that would allow for limited sale and use of alcohol in conjunction with permitted events. The initial draft language was developed and reviewed by each committee and forwarded for a first reading of the ordinance at a City Council meeting on June 28, 2016. After that, the Council received comments from the Chamber of Commerce requesting modifications of the proposed ordinance changes.

The Chamber of Commerce requested consideration of the following:

- Consideration based on event appropriateness/site of venue
- No limitations to the number of permits issued
- Expanding the time frames limiting operation
- Not requiring the permit holder to be onsite during operation

The Council met with the Chamber of Commerce representatives at the August Study Session to further the discussion regarding the Chamber's request and comments. Follow-up discussions at the Public Safety Committee and Parks Committee meetings provided staff with the outline to develop the suggested language that was reviewed as a 1st reading.

The current language would allow the Christmas Lighting Festival to continue with the Glüewein Tent and would allow for a Bier Tent for Maifest. The language does not limit the number of events per year, does expand the period from 1:00 PM – 4:00 PM to 1:00 PM to 7:00 PM and does not require the permit holder to be onsite (a contact person will need to be identified however as part of the SUP approval process). This new language is Front Street Park specific; the consumption and sale of alcohol in any other City park remains prohibited.

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

- Revised Ordinance 1529: Alcohol Use in the Parks
 - **MOTION:** *The Leavenworth City Council moves to approve Ordinance 1529 – Alcohol Use in the Parks.*

2. 2017 Chelan County Prosecution Services Agreement

The City Council is being asked to approve the 2017 Chelan County Prosecution Agreement with Chelan County for prosecution services through the Chelan County Prosecuting Attorney. Through this agreement, the County Prosecuting Attorney will provide prosecution services for misdemeanors and gross misdemeanors filed in District Court for cases arising within the corporate City limits. The fee for the prosecution services would be calculated based on the rate of \$225.00 per case, which is an increase of \$15 per case. The total contract amount for 2017 would be \$12,150 based on 54 cases at \$225 per case, which is a decrease of \$1,290 from last year.

The 2016 contract was for \$13,440 based on 64 cases at \$210 per case; the 2015 contract was for \$10,500 based on 50 cases at \$210 per case; the 2014 contract was based on 84 cases at \$210 per case; the total amount was \$17,640. In 2013, the Prosecutors office requested a fee increase of \$10.00 per case, which was approved by the Council; the total contract amount was \$14,490 for a total of 69 cases. The total contract amount for 2012 was \$11,000 based on 55 total cases at \$200 per case. The 2011 contract amount was for \$11,600 based on 58 misdemeanor cases within the corporate City limits; in 2010, the case load was 69 cases at \$200. The history of fee changes per case for the Prosecution Service Contract is as follows:

1997 - \$100 per case	2003 - \$125 per case	2006 - \$175 per case
2010 - \$200 per case	2013 - \$210 per case	

A copy of the agreement is provided as well as a list of misdemeanor crimes occurring within the corporate city limits as provided by the Chelan County Sheriff's Office via RiverCom. The report provides the incident number, location of incident, location of arrest, the charges, and the date and time of arrest.

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

- Chelan County Prosecuting Attorney Cover Letter, September 30, 2016
- Booking by LV Incident Location (09012015 – 08312016)
- Prosecution Service Agreement
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2017 Chelan County Prosecution Service Agreement.*

3. Proclamation – United Way Month

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 United Way Month. The United Way of Chelan and Douglas Counties has served the people of the region for over 75 years.

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

- Proclamation – United Way Month

- **MOTION:** *The Leavenworth City Council moves to approve the Proclamation in support of United Way Month.*

4. Mountain Pact Letter of Support

The Council is being asked to 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, pointing out 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. The letter requests additional congressional funding for better forest management to assist and help protect the tourism based economies that many of the western cities have in common. The supporting letter is being requested from the Mountain Pact coalition of cities. The Mountain Pact is a coalition of western tourism based cities, empowering the mountain communities to build resilience in the face of economic and environmental stresses through federal climate and conservation policy. The Mountain Pact is a nonprofit project fiscally sponsored by Sierra Business Council (501c3).

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

- Mountain Pact Draft Letter
- Mountain Pact Information: Protecting Western Forests
- **MOTION:** *The Leavenworth City Council approves supporting 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.*