

LEAVENWORTH CITY COUNCIL MINUTES
October 23, 2018

Mayor Cheryl Kelley Farivar called the October 23, 2018 Leavenworth City Council meeting to order at 6:30 PM and Leavenworth Resident Ms. Rhona Baron led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Carolyn Wilson, Mia Bretz, Elmer Larsen, Margaret Neighbors, Sharon Waters, Clint Strand (arrived at 7:41 PM), and Jason Lundgren.

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

APPROVAL OF THE CONSENT AGENDA

Consent Agenda:

1. Approval of Agenda
2. Approval of October 9, 2018 Study Session Minutes
3. Approval of October 9, 2018 Regular Meeting Minutes
4. 2018 Claims \$386,766.98
5. Set Public Hearing on 2019-2020 Preliminary Budget on November 13, 2018 at 6:45 PM
6. Set Public Hearing on 2019-2020 Final Budget on November 27, 2018 at 6:45 PM

Councilmember Wilson motioned to add Executive Session RCW 42.30.110(1)(i) regarding legal risks of a proposed action to the agenda and approve the consent agenda as amended. The motion was seconded by Councilmember Neighbors and passed unanimously.

MAYORAL PROCLAMATION: END POLIO DAY

Mayor Farivar read the World Polio Day Proclamation into the record.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Waters reported on the Public Safety Committee meeting and stated that the group discussed the Christmas Lighting Traffic Control Plan, numbers of incidents taking place in the City, and how those incidents equate to RiverCom charges. She noted that there will be a Mass Casualty Incident (MCI) Training on November 20, 2018 at 1:00 PM.

Councilmember Larsen reported that the Leavenworth Area Promotions (LAP) Committee had their full day retreat and discussed various parking issues confronting the City; the discussion will continue at the next meeting.

Councilmember Bretz reported on the Link Transit Board meeting and stated that Link held a budget workshop, Link will be replacing 46 of 62 vehicles over the next few years, and that the

Board is continuing work on strategic planning. She reported on the Housing Committee and stated that the Committee discussed the definition of affordable housing and the Committee's goals regarding housing.

Councilmember Wilson reported that she participated in the Oktoberfest Procession and Keg Tapping Ceremony, and attended the Public Safety and Finance Committee meetings. She reported on the Finance Committee meeting and stated that the Committee reviewed revenue and expenditure reports by department, cash flow figures, and sales tax revenues.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar addressed the German TV feature of Leavenworth and noted that she was interviewed about Oktoberfest; the feature has since aired on German TV.

City Administrator Joel Walinski reported that Ms. Lilith Vespier has accepted the Development Services Manager position and will begin working on November 1, 2018. He addressed the recent scheduled yard waste burn near the cemetery and said that it went as planned. He said that the City and Public Works crews received praise for a job well done by Fire Chief Kelly O'Brian; he read a letter from Chief O'Brian praising the crews.

City Attorney Tom Graafstra reported that the Executive Session would take 20 minutes with possible action to follow.

GROUP FUNDING REPORT: LEAVENWORTH FALL WINE WALK – RHONA BARON

Ms. Rhona Baron reported on the recent Leavenworth Fall Wine Walk and stated that it is the first year that her group received funding for the event. She provided a brief history of the spring and fall events that began approximately 17 years ago. She addressed advertising for the event, ticket sales, numbers of guests, and numbers of overnight guests. She said that it was a success and thanked the Council for their support.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Rhona Baron, 238 Center Street, Leavenworth; Ms. Baron stated that she has lived in the same location for 30 years and provided a brief explanation of the type of family-oriented neighborhood that she lives in. She addressed the bed & breakfast that is located directly across the street from her home and stated her concerns over the number of cars parked in the front yard, the number of visitors, and the property owner's intentions to build an additional unit to be used as a rental.

Mayor Farivar recognized Mr. Alex Sanchez and Mr. Conrad Hasse who were in attendance for their Citizens of Washington in a Contemporary World (CWCW) class criteria. Both men introduced themselves and stated their plans for their upcoming senior projects. The Mayor and Council thanked the students for attending the meeting and the Mayor gave them each a City of Leavenworth lapel pin.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated his concerns with regard to parking and peak traffic. He noted that other cities have tourism commissions and he would like to share data that his group has put together. He requested to be included on an upcoming Study Session Agenda so that he and his group may share information with the Council.

PUBLIC HEARING ON SURPLUS PROPERTY AT 6:45 PM

Mayor Farivar opened the public hearing at 7:07 PM.

City Administrator Joel Walinski displayed the property location and confirmed that the property is owned by the City of Leavenworth. He said that the Council will consider any future use of the property or if the property can be surplus; if the Council decides to surplus the property, a small subdivision will need to be completed prior to coming back to the Council for consideration of selling the property. Councilmember Waters is concerned about the tree removal on the property. Councilmember Larsen noted that the land is not currently being used by the Forest Service.

Mayor Farivar asked if there were any questions from the public.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that the Council will need to consider if the property will be more valuable as one piece in the future. Mayor Farivar stated that a subdivision provides more financial benefit for the City.

Mayor Farivar asked if there were any more questions from the public; hearing none, she closed the public hearing at 7:13 PM.

PUBLIC HEARING ON WASTE MANAGEMENT SOLID WASTE SERVICES AGREEMENT AT 6:45 PM

Mayor Farivar opened the public hearing at 7:14 PM.

City Administrator Joel Walinski stated that the public hearing is a part of the approval process for the Waste Management contract. He provided the Council with a new amended contract and Resolution 17-2018 Findings of Fact. He stated the findings to include more service options for residents and that the contract has financial benefit for the residents in the city limits. Councilmember Waters noted that she had wished that the definitions were not in alphabetical order and that they were more understandable.

Mayor Farivar asked if there were any questions from the public; hearing none, she closed the public hearing at 7:17 PM.

PUBLIC HEARING ON AD VALOREM (PROPERTY) TAX AT 6:45 PM

Mayor Farivar opened the public hearing at 7:17 PM.

City Administrator Joel Walinski began with a PowerPoint presentation to address the 2019 Ad Valorem Tax considerations. He addressed the five key factors to be considered that affect the

2019 property taxes; the annual 1% property tax increase, new construction revenue, annexation revenue, refund revenue, and additional banked capacity. He suggested three different options to the Council in regard to the property tax levy request for 2019. There was discussion of the recent Park & Recreation Bond that was approved by the voters last year. He addressed the costs associated with providing public safety; costs that are not covered by the current property tax collection. He went on to address three different options for the property tax request, detailing what each option will fund. He noted that staff recommends option A which includes increasing the tax by 1% and has been worked into the draft budget at this time. Mayor Farivar noted that the Council is very conscientious about raising property taxes. Administrator Walinski noted that the final property tax request must be submitted to the Assessor's office by November 30, 2018.

Mayor Farivar asked if there were any questions from the public; hearing none, she closed the public hearing at 7:27 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Surplus Property

City Administrator Joel Walinski stated that the City Council is being asked to provide direction to staff regarding the surplus of the property located on Highway 2. Mayor Farivar noted that the City has been in the process of purchasing property, so surplus commercial property is helpful to offset those costs. Councilmember Larsen suggested that the motion include that the proceeds from a land sale will be used for the purchase of additional land. There was a brief discussion of the Forest Service property uses over the years.

Councilmember Lundgren motioned to direct staff to begin the subdivision process for Parcel 241701430030 and at a future time may consider the new parcels as surplus. The motion was seconded by Councilmember Larsen and passed unanimously.

2. 2nd Reading Waste Management Contract

City Administrator Joel Walinski stated that the City Council is being asked to approve a second reading of the Solid Waste Services Agreement with Waste Management, Inc. He noted the changes from the last meeting that have been incorporated into the new contract and added that the City will still continue the Spring / Fall Clean-up programs and the Recycle Center operations in addition to the Waste Management services. Councilmember Bretz mentioned that this is something that came from local residents, beginning with the Residential Advisory Committee, and is now coming to fruition. Administrator Walinski confirmed that once an agreement is approved, the education and transition process will begin, and residential garbage service through Waste Management is scheduled to commence on February 1, 2019.

Councilmember Neighbors motioned to approve Resolution 17-2018 Findings of Fact. The motion was seconded by Councilmember Bretz and passed unanimously.

Councilmember Larsen motioned to approve and authorizes the Mayor to sign the 2018 Waste Management Solid Waste Services Agreement. The motion was seconded by Councilmember Waters and passed unanimously.

3. Acceptance of the 2018 Parking Study & Adoption of the Guiding Principles

City Administrator Joel Walinski stated that the City Council is being asked to accept the 2018 City of Leavenworth Downtown Strategic Parking Management Plan Parking Study and adopt the Guiding Principles. He said that the Guiding Principles act as the policy guidelines for managing parking in the downtown area, and will allow the Council to move forward and direct the Parking Strategy group who will address parking concerns around the City. The Parking Strategy group will provide recommendations to the Council for implementation. Councilmembers suggested ideas for capacity such as a parking garage, continual capacity management, and implementing small changes in the beginning. Councilmember Larsen addressed his concerns and stated that he would rather accept the Guiding Principle rather than adopt them. He also noted that he would like to freeze LAP funding to the 2018 levels and use additional LAP revenues for engineering a parking structure. There was more discussion in favor of adopting the Guiding Principles and using the steps within the document in succession. Mayor Farivar was also in favor of the Council accepting the Study, adopting the Principles, and moving forward in forming a stakeholder's group.

Mayor Farivar read a favorable letter into the record from Leavenworth Chamber of Commerce President Ms. Paula Helsel on behalf of the business community.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that the Parking Study was done well and that it is valuable that the parking strategy group is well balanced, and that we are equipping those people to make decisions. He also suggested looking into some of the City's current policies regarding parking.

Councilmember Clint Strand arrived at 7:41 PM.

Councilmember Lundgren motioned to accept the City of Leavenworth Downtown Strategic Parking Management Plan Final Report. The motion was seconded by Councilmember Bretz and passed unanimously.

Councilmember Neighbors motioned to adopt the Guiding Principles for Downtown Parking Management; these guiding principles will be the policy guidelines for managing parking within the City of Leavenworth. The motion was seconded by Councilmember Bretz and passed 6/1, with Councilmember Larsen opposed.

4. Special Use Permit – Noise: Timbrrr! Winter Music Festival

City Administrator Joel Walinski stated that the City Council is being asked to consider approval of a Special Use Permit (SUP) to allow an extended time period and increased noise levels for the Timbrrr! Winter Music Festival taking place on January 25 – 26, 2019 from 5:00 PM – 12:30 AM at the Festhalle. He said that this is the sixth year that the music festival has taken place in Leavenworth and has been quite successful in previous years. He added that there have been no reported noise issues at previous events and that the event coordinators conduct their own self-monitoring throughout the event.

Councilmember Strand motioned to approve the Special Use Permit to Timber Partners, LLC and Artist Home, which allows for an exemption from the noise limitations stipulated in LMC

9.33.040 on Friday, January 25, 2019 and Saturday, January 26, 2019. The motion was seconded by Councilmember Lundgren and passed unanimously.

5. Chelan County Prosecution Services Agreement for 2019

City Administrator Joel Walinski stated that the City Council is being asked to approve the 2019 Chelan County Prosecution Services Agreement for prosecution services through the Chelan County Prosecuting Attorney. He said that the fee for the prosecution services is calculated based on the rate of \$250 per case, which is a \$25 increase from last year. He said that the total contract amount for 2019 is \$19,750 based on 79 cases at \$250 per case, which is an increase of \$6,025 from last year. He went on to compare the contract rates over the last few years. Councilmember Waters stated concern over not being able to negotiate the contract.

Councilmember Lundgren motioned to approve and authorizes the Mayor to sign the 2019 Chelan County Prosecution Service Agreement. The motion was seconded by Councilmember Wilson and passed 6/1 with Councilmember Waters opposed.

ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that the public hearing for the Ad Valorem Tax Ordinance and the Preliminary Budget will both be held on November 13, 2018 and that the Transportation Benefit District meeting will immediately follow the regular City Council meeting this evening. She announced that there is a Pine Street Right of Way Open House tentatively scheduled for November 1, 2018 at 6:30 PM at the Festhalle and there is a Chelan County Sheriff Table Talk exercise on November 20, 2018 at 1:00 PM at the Leavenworth Fire Hall.

Mayor Farivar called for a 5 minute recess at 8:10 PM.

City Administrator Joel Walinski addressed the Mayor, Council, and Staff and stated that he is tendering his resignation as City Administrator, although he will stay on through January next year. Mayor Farivar read the process of hiring a new City Administrator and stated that the Council will review a proposal at the next meeting. She asked the Council to share their ideas of what they would like to see in the next City Administrator. Mayor Farivar and Councilmembers shared their favorable thoughts of Administrator Walinski.

EXECUTIVE SESSION: RCW 42.30.110(1)(i) LEGAL RISKS OF A PROPOSED ACTION

Mayor Farivar asked for a motion to enter into Executive Session.

Councilmember Lundgren motioned to enter into Executive Session at 8:30 PM for approximately 20 minutes to discuss legal risks of a proposed action with possible action to be taken. The motion was seconded by Councilmember Wilson and passed unanimously.

Councilmember Bretz motioned to continue the Executive Session for 10 minutes at 8:50 PM. The motion was seconded by Councilmember Strand and passed unanimously.

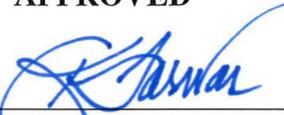
Councilmember Neighbors motioned to continue the Executive Session for 10 minutes at 9:00 PM. The motion was seconded by Councilmember Wilson and passed unanimously. Mayor Farivar reconvened the regular City Council Meeting at 9:10 PM.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the October 23, 2018 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Strand and passed unanimously.

The meeting adjourned at 9:10 PM.

APPROVED



Cheryl Kelley Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk