



## 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  
Sharon Waters  
Joel Walinski - *City Administrator*

### LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall - Council Chambers  
November 22, 2016 - 6:30 PM

#### Oath of Office – Sharon Waters

#### Call to Order

#### Flag Salute

#### Roll Call

#### Council Committees -4th Tuesday –

Econ. Dev. 4:00 Finance 5:00

#### Consent Agenda

1. Approval of Agenda
2. Approval of November 8, 2016 Regular Meeting Minutes
3. Approval of November 8, 2016 Study Session Minutes
4. 2016 Claims \$190,706.32

#### Councilmember and Committee Reports

#### Mayor/Administration Reports

#### Comments from the Public on Items Not on the Agenda

#### Presentation – Rich Marley Department of Ecology

#### Group Funding Report – Steve Maher – Run Wenatchee Oktoberfest Trail Run

#### Public Discussion on Oktoberfest Event and Other Festivals

#### Public Hearing on Surplus of Public Property @ 6:45 PM

#### Public Hearing on Final Budget @ 6:45 PM

#### Resolutions, Ordinances, Orders and Other Business

1. Action: Motion to Surplus Public Property
2. Action: Mayor Reappoint Robert Smith to the Design Review Board – Expires 12/01/2016
3. Action: Approval of Traffic/Foot Patrols Needed for Christmas Lighting
4. Action: Professional Services Agreement -Schott Engineering Associates - BCA
5. Action: Resolution 15-2016: 2016-2017 Legislative Priorities
6. Action: Acceptance of Extension – Ward Strasse to Highway 2 Right-of-Way
7. Action: Motion to Surplus Public Vehicle Assets
8. Action: 2-Hour Limit at City Hall Parking Lot
9. Action: Cancel December 27, 2016 Council Meeting

#### Information Items for Future Consideration

1. 2017 Rate & Fee Schedule Adoption and Budget Ordinances
2. Transportation Benefit District Meeting to Follow Regular Council Meeting

#### Adjournment

**(Next Ordinance is 1535 - Next Resolution is 16-2016)**

## SUPPLEMENTAL COUNCIL AGENDA

### 1. Motion to Surplus Public Property

Following the Public Hearing on this item the Council will be asked to consider declaring all or a portion of the identified property as surplus. The property being requested for consideration of surplus is approximately 17,022 SF triangular shaped property on the eastern edge of the City owned Warehouse Property:

- (a) Property Name: Warehouse Property
- (b) Street address (if available): 1000 Front Street, Leavenworth WA
- (c) Assessor's Office Property Tax Parcel Number: 2417 0167 0523 (Eastern Triangular End)
- (d) Use of property: Currently under lease agreement for Leavenworth's Finest Espresso
- (e) Listing of restrictions, covenants or other limiting attributes: Water line runs along east property edge
- (f) Status of property (active or inactive): No City use at this time.

The request for consideration for surplusing this property was initiated by Mr. Jeff Soehren, Blue Spirits Distilling, and Mr. Oliver Brulotte, Icicle Brewery who have recently purchased the property which abuts this property on the eastern border. The new owners are interested in developing their property for commercial use. The owners want to purchase the triangular shaped City property to allow for the two irregularly shaped parcels to be combined and form a rectangular shaped property, which would be beneficial to their development. The City owned property at this time has no City use and is currently under a monthly lease agreement with Lisa Kozelisky, owner/operator of Leavenworth's Finest Espresso. The monthly lease amount is \$400.00. The property owners first initiated a conversation on the surplusing of the property with the City's Economic Development Committee. That Committee recommended bringing forth the request to the full Council. At the October 25, 2016 City Council Meeting the Council considered the merits of the request and approved setting a Public Hearing for November 22, 2016 to gather more information from the public regarding surplusing this property.

As noted above, the property currently does not have any City use at this time. The property does however, abut the City Warehouse parking lot P2, and could offer options for accessing the Warehouse Property both via Highway 2 and via Front Street, as the City contemplates future improvements to the parking area. The straight line change in grade elevation from Highway 2 to Front Street is approximately 11 FT. Additionally; a water transmission line runs on the eastern border of the City property.

In considering whether to surplus property owned by the City, the City Council must determine if it is in the public interest for real property held by the City to be returned to the tax rolls, if it is not needed for some present or future municipal use, if it can be sold for a reasonable return and if the sale of the property, if disposed of, would be put to a higher or better use for the community at large. On October 25, 2016, when the Council discussed this issue, one concern raised was the unknown of the future development of the Warehouse Parking Areas and future configurations. The applicants recognized that concern of the Council and have provided some additional information for consideration to address the Council's stated concern of potential future use and access. Their study and presentation is included in the packet materials and they will be present on Tuesday night to review their study of the property.

In essence, Mr. Soehren and Mr. Brulotte have reduced the size of their request of the surplus parcel. The parcel size at this time is approximately 10,000 SF; it is a triangular shape. The reduction in size allows the City to retain a 40 FT buffer along the eastern edge of the P2/Lower Parking Area, which could be developed in the future to allow access to an upper level on P2 or access to the lower level off Front Street. The surplus of the 10,000 SF does allow the abutting piece to form a parcel that allows for easier development.

After the Public Hearing on the Surplus of Property, the Council has several choices for consideration:

- The consideration for the surplus of the property can be tabled until such time that additional information can be developed for future council consideration.
- The Council can approve consideration for surplus of the property and direct staff to develop a resolution declaring the property surplus and recommending a process for the disposal of the property. In this particular case, because the abutting property owner does have a desire to purchase the property, the recommendation for sale would be through a negotiated sale.
- The Council can decide to do nothing and move on to the next agenda item, no motion is needed.

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

- SOP Surplus and Sale of Real Property
- Map showing City property initially being considered for surplus
- Soehren/Brulotte Study Information

#### **OPTIONS:**

- **MOTION A:** *The Leavenworth City Council moves to table the discussion on the surplus of the triangular shaped property on the east end of the Warehouse Property, and directs staff to provide the following information*  
\_\_\_\_\_
- **MOTION B:** *The Leavenworth City Council directs staff to develop a resolution declaring the triangular shaped property on the east end of the Warehouse Property surplus and to move forward with the sale of the property.*

## **2. Mayor Reappoint Robert Smith to the Design Review Board – Expires 12/01/2016**

The Leavenworth City Council is being asked to confirm the Mayoral appointment of Bob Smith to the Design Review Board.

Mr. Robert Smith: Bob Smith has been an active member of the Leavenworth community for more than 40 years. After serving in the Air Force, Bob moved to Leavenworth in 1972 and opened a dental practice. Together, Bob and his wife Anne threw themselves into Leavenworth's theme to promote the economic vitality of our community. Leavenworth's Old World Bavarian Alpine Theme inspired a keen interest in Bavarian and Austrian mountain culture and architecture, and they began traveling to Austria and Germany in the mid 1980's collecting information, artifacts, publications, and apparel representative of the culture and architecture of Alpine Bavaria. With this passion, collected knowledge, and resources, Bob has helped to

develop the City’s original Old World Bavarian Architectural Theme code and was one of the founding members of the Leavenworth Design Review Board. He was also a founding member of Projekt Bayern and helped spearhead projects such as the Mai pole, Beer wagon, park signage, and original Oktoberfest efforts. Bob designed and built the Hotel Pension Anna, which still stands as one of the most authentically, Old World Bavarian designed buildings in Leavenworth.

Bob and Anne have traveled throughout the majority of the Alpine regions of Europe. Bob has published several books detailing traditional Bavarian Architecture and design, and has been an ongoing and valuable resource to designers, sign makers, and City staff over the years. Bob maintains his belief in Leavenworth’s Old World Bavarian Alpine Theme to promote Leavenworth’s economic prosperity. He brings a lifetime of experience, resources, and knowledge, and we are appreciative of his continued service on the Design Review Board.

Peter DeVries	1 / Expires Jun 1, 2020
Todd Smith - <b>Chair</b>	2 / Expires Jun 1, 2017
Robert Smith	3 / Expires Dec 1, 2016
Ken Kohnhorst - <b>Vice Chair</b>	4 / Expires Dec 1, 2017
Mary Morse	5 / Expires Jun 1, 2017
Heidi Forchemer	6 / Expires Jan 1, 2019
Fred Dowdy - Construction Specialist	

There are no items located under **TAB 2**.

- **MOTION:** *The Leavenworth City Council moves to confirm the Mayoral appointment of Bob Smith to the Leavenworth Design Review Board Position No 5.*

### **3. Approval of Traffic/Foot Patrols Needed for Christmas Lighting**

The City Council is being asked to consider approval for the expenditure of City Funds for additional Chelan County Sheriff staffing to provide traffic and crowd control for the Christmas Lighting Ceremonies in December. The estimated amount at this time is \$7,560 for approximately 120 hours of added coverage by the deputy sheriffs. The added service is for seven deputies for five hours on Saturdays and one deputy for four hours on Sundays for the three weekend events. The cost per hour is limited to the individual deputy’s 2016 overtime pay rate. The hours of coverage would be from 2:00 PM through 7:00 PM on Saturdays and 2:00 PM through 6:00 PM on Sundays. The officers would be used to assist with traffic control at the end of the event and crowd assistance – lost people, shoplifters, drunk/disorderlies, car accidents – leading up to the lighting ceremony at 5:00 PM. City staff has worked with Sergeant Bruce Long to bring forward this staffing recommendation. Funding for the expenditure is available in the Lodging Tax Fund under the newly renamed line item of Festival & Event Security. This staffing recommendation is similar to the staffing provided last year.

In addition to the Sheriff’s Officers, Pacific Security will also be providing security patrols once again in the downtown and residential neighborhood beginning November 24, 2016. Their coverage will be from 3:00 PM – 1:00 AM Friday and Saturday evenings and two other weekday evenings. This service runs through the first week of January, 2017.

This item was discussed at the Public Safety Committee Meeting on November 8, 2016 and is being recommended for approval for this year.

There are no items included under **TAB 3**.

- **MOTION:** *The Leavenworth City Council moves to approve the expenditure of \$7,560.00 for the additional Chelan County Sheriff's Officers for the Christmas Lighting Ceremonies.*

#### **4. Professional Services Agreement - Schott Engineering Associates - BCA**

The City Council is being asked to review and approve a Professional Services Agreement (PSA) with Schott Engineering Associates (SEA) in the amount of \$11,700 to provide training and oversight, in accordance with Department of Health (DOH) guidelines, to satisfy a Bilateral Compliance Agreement (BCA) between the City and DOH. This BCA agreement was required by DOH to satisfy concerns during the interim training necessary of Arnica Briody at a current Water Plant Operator Level 2 certification until the newly required Leavenworth certification of a Level 3 Operator by DOH can be obtained by Ms. Briody in March of 2018. Schott Engineering Associates was one of two firms approved for providing the training by DOH and selected by City Administrator Joel Walinski and Public Works Director Herb Amick after phone interviews with each company. Upon evaluation of those interviews, it was determined that Schott Engineering Associates' proposed evaluation and training program best suited the interests and objectives of the City.

The training will consist of two phases. The initial phase will be a 3-day classroom and onsite evaluation and training program on December 5, 6, and 7 of this year, at the City Water Plant and Facilities. This training will be supplemented by a \$10,000 scholarship provided by DOH. In addition, this training will be offered at no charge to other area operators as well as City staff. The second phase will consist of a 12 month ongoing monitoring, training, and consulting service at the proposed cost of \$11,700. In March of 2018, Ms. Briody will be tested and certified as a Level 3 Operator at which time the Water Plant will be in full compliance with the new DOH requirements with no other restrictions.

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

- Schott Engineering Associates Professional Service Agreement Contract
- Training Outline
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Service Agreement Contract with Schott Engineering Associates in the amount of \$11,700.00 to provide training to the Water Plant Operators as required by the BCA agreement between the City of Leavenworth and Department of Health.*

#### **5. Resolution 15-2016: 2016-2017 Legislative Priorities**

The City Council is being asked to approve Resolution 15 – 2016 which identifies the City's Legislative Priorities for the 2016/2017 Legislative Session. As reviewed at the October 25, 2016 Council Study Session, the proposed priorities are:

1. Infrastructure Funding/Sales Tax Option.

2. Housing Affordability.
3. FireWise Assistant/Modifications to WAC 173-425-040 Outdoor Burning.
4. Public Works Trust Fund.
5. Secure Funding for MRSC.

While the City has identified legislative priorities in the past, the Association of Washington Cities (AWC) in their “Operations: Strong Cities Program” is recommending that cities actually review and adopt by motion a list of Legislative Priorities, provide those priorities to their District Legislative representatives, and then follow-up after the session to see what actions were achieved.

If approved, the City will furnish the list of priorities to the offices of Senator Hawkins, Representative Condotta, and Representative Steele.

The following item is included under **TAB 5**:

- Resolution 15-2016 Legislative Priorities
  - **MOTION:** *The Leavenworth City Council moves to approve Resolution 15-2016 for the 2016-2017 Legislative Priorities.*

#### **6. Acceptance of Extension – Ward Strasse to Highway 2 Right-of-Way**

The City Council is being asked to approve and accept the street dedication of Ward Strasse extension and an unnamed portion of right-of-way connecting to Hwy 2. The Public Works and Development Service Departments have worked with Mr. Tom Lin, owner of Willkommen, LLC and the 29.1 acre undeveloped property located at 100 Ward Strasse, Leavenworth, Washington for many months regarding the development of this property. One of many aspects for development is access; with access comes the creation of public / City of Leavenworth streets, which require conveyance to the City. For tonight, the conveyance of rights-of-way to the City is for the following purposes:

- 1) Satisfying a Condition of Approval for the development of the Hampton Inn (Swiss Hotel LLC);
- 2) Allow the Link Transit Park & Ride access route; and
- 3) Public access for Short Subdivision No. 2016-01LE. Although not typical for Council action, the Short Subdivision is linked to this specific conveyance. This Short Subdivision is still in process, and the proposal will create three new lots (proposed Lots 1-3), totaling 7.55 acres, from the existing 29.1 acre "parent" parcel, leaving the existing lot with 21.52 acres remaining (proposed Lot 4).

#### **Background and information:**

During the September 13, 2016 Study Session, the Council was updated on the “Willkommen Village:” 1) New street configurations for future conveyance / dedication to the City; 2) Water mainline upgrade and improvement – draft design; 3) Pine Village KOA new city street – preliminary design; 4) Link Park-N-Ride – site concept design, access, and support, 5) Willkommen Short Plat – concept design; and 6) Developer Reimbursement and Collection Agreement benefit area map.

Later that night on September 13, 2016, the Council passed Resolution No. 13-2016 supporting the Link Transit Park-N-Ride. The Park-N-Ride lot and the transit access road 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 section of street connecting to US 2 is unnamed. On June 25, 2013, the City Council named the street "Ward Strasse." The process for naming the "unnamed section" will be postponed for this action, and will be brought back to the Council at a future date.

Summary:

In summary, conveyance and completion of the street will serve and provide access for Hampton Inn, the Link Transit Park & Ride, and subsequent development lots for continuation of the Willkommen Village concept. The City is in receipt of the final documents of the street conveyance which allows for dedication of the street rights-of-way to the City for these three "pieces of the puzzle" for the area known as "Willkommen Village."

Additional action by the Council will be sought at a future date as other "pieces of the puzzle" are formalized.

The following item is included under **TAB 6:**

- Conveyance Documents
  - **MOTION:** *The Leavenworth City Council moves to approve the Dedication of the Ward Strasse extension and unnamed portion of land connecting to Hwy 2 to the City of Leavenworth; and further authorizes the Mayor to sign the conveyance documents to be recorded with the Chelan County Auditor's Office regarding such dedication to the City.*

**7. Motion to Surplus Public Vehicle Assets**

The City Council is being asked to surplus two public vehicles for auction. The first vehicle for surplus is a 1984 Grumman Air Cat 95 Foot Platform Fire Ladder Truck also known as Ladder 31. Within the annexation agreement with the Chelan County Fire District, the City retained the ownership of the 1984 Ladder Truck which was purchased by the City in January 2009 for a total price of \$92,480. The recommendation from Fire Chief Kelly O'Brien is that this truck is past its useful life and is being recommended to be sold for scrap value only. It is unknown the value of this type of vehicle; however, online auction sites indicate a potential for some value possibly in the range of about \$10,000. On October 25, 2016, the City Council approved the purchase of the Cashmere 2011 Labrie Side Loading Garbage Truck with the anticipation to surplus the 2007 CCC Garbage Truck. The 2007 truck was purchased in December 2015 for a total price of \$77,500 and was anticipated to be used as a back-up truck to the City's 2010 Labrie side loader. Staff estimates a similar resale value as the truck has only be utilized a few times for collections. Now that staff has received the 2011 Labrie Truck the 2007 Truck is ready for surplus.

The following items are included under **TAB 7:**

- Letter from Fire Chief Kelly O'Brien and Ladder 31 Photo
- Photo of a 2007 CCC IE Heil Sideloader Garbage Truck
  - **MOTION:** *The Leavenworth City Council moves to declare the 1984 Grumman Air Cat '95 Platform Fire Truck, VIN #1D91L43F6D100833 as surplus equipment and approves selling the Ladder 31 Fire Truck on the Public Surplus online auction site.*

- **MOTION:** *The Leavenworth City Council moves to declare the 2007 CCC Heil Durapack 24 yd Side Loader, VIN #1CYCAK4887T047774 as surplus equipment and approves selling the Leavenworth Garbage Truck on the Public Surplus online auction site.*

## **8. 2-Hour Limit at City Hall Parking Lot**

The City Council is being asked to modify and allow for enforcement new parking regulations in regard to the City Hall/Library parking lot. On November 8, 2016, the Public Works Committee discussed and recommended the following changes for Council approval:

1. Elimination of the 1 Hour Library Parking Zone along the south curb line.
2. Elimination of the use of unlimited parking in the center area spaces.
3. Retaining of the City Employee parking along the north curb line.
4. Designation of the balance of all remaining parking spaces to 2 Hour parking, Monday through Friday, between the hours of 7AM until 5PM.
5. Parking to be unlimited outside of those hours and on evenings and weekends.
6. Council Members, City Employees, and Library Employees would be issued yearly parking passes for windshield display to avoid ticketing during the restricted hours at that specific lot.
7. Installation of signs regarding the new regulations.

These recommendations of a change in regulations come as a result of the Public Works Committee and community member's observations of lack of available parking for citizens doing business at City Hall or the Library during normal business hours due to the consumption of spaces to all day unrestricted parking. If approved, the public will be notified, and the new regulations would go into effect January 1, 2017.

The following item is included under **TAB 8:**

- New parking enforcement signs
  - **MOTION:** *The Leavenworth City Council moves to approve the recommendations of the Public Works Committee to modify the parking regulations of the City Hall/Library Parking Lot to a 2 Hour Limit, Monday through Friday, between the hours of 7AM until 5PM, excluding the existing north City Employee parking spaces.*

## **9. Cancel December 27, 2016 Council Meeting**

The Council is being asked to approve the cancellation of the regularly scheduled December 27, 2016 City Council Meeting. This request is based on the assumption that the Council completes and approves the 2017-2018 budget work and other necessary actions for the 2017 calendar year by December 13, 2016.

There are no items included under **TAB 9.**

- **MOTION:** *The Leavenworth City Council moves to cancel the December 27, 2016 Regular City Council meeting and Subcommittee meetings.*