

LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES
February 11, 2020

Mayor Carl Florea called the February 11, 2020 Study Session to order at 8:30 AM.

Council Present: Mayor Carl Florea, Carolyn Wilson, Sharon Waters, Clint Strand, and Anne Hessburg.

Staff Present: Joel Walinski, Chantell Steiner, Herb Amick, and Lilith Vespier.

1. Chamber Report

No report.

2. City Council Vacancy Review

City Administrator Joel Walinski stated that the City received one application from Mr. Zeke Reister. He noted the various advertising that had occurred and explained the option for the Council to consider appointment of Mr. Reister or to consider allowing more time for additional applicants to apply. Councilmembers discussed the options, noted Mr. Reister's ongoing attendance and commitment to the position, and suggested moving forward with appointment of Mr. Reister at the evening meeting.

3. Wastewater Treatment Plant Update with Varela & Associates

Varela & Associates representatives Dana Cowger, Daniel Cowger, Mark Esvelt, and Kurt Holland introduced themselves to the Council. Mr. Dana Cowger provided a summary of the project over the past five years as design and engineering has progressed, funding was secured and bids have now been received. He reviewed the purpose of the project that is being driven by new regulations from the Department of Ecology to reduce the amount of phosphorus discharged into the river from the City's sewer treatment plant. He identified the construction to include the required changes for compliance in addition to modernization and upgrades to the facility. Administrator Walinski noted that the first phosphorus level analysis and restrictions will occur in the spring of 2021 allowing for time after construction to analyze the results and make adjustments as needed. There was a brief discussion on future new requirements that could drive further changes to the facility; at this time there are no known new regulations.

Mr. Mark Esvelt provided handouts of the current facility and reviewed each of the buildings and stages of how the wastewater is cleaned prior to discharge back into the river. He explained the process for phosphorus removal and treatment through the individual steps involved. Part of the project includes necessary improvements to the 20-year old facility to ensure strong functionality for the next twenty years.

Mr. Daniel Cowger reviewed the bid results provided in the packet materials by identifying each of the elements within the base bid and three additive schedules. He stated that the lowest bid that includes the base bid and three schedules came in at \$8,111,572 from Stellar J Construction. He identified the total loan/grant funding of \$13.9 Million in relation to the costs for the engineering/design, plant construction improvements, collection system related improvements, and construction administration that will exceed the current funding allocation. He stated that he has spoken with the Mayor and Staff and is recommending that the Council approve the base bid plus the three additive schedules to avoid future higher costs for the improvements at a later date. He added

that he is recommending that the City request additional funding from USDA Rural Development to ensure project completion of the collection system improvements; costs for replacement will only continue to increase over time. He noted that after RD reviews the funding request and makes a determination on providing additional funding in either the form of a low interest loan or grant, the City Council can then decide on accepting the award.

Mr. Kurt Holland spoke to the Council regarding the need to commit to the project as was done in 1998 and will likely be done again twenty years from now. He identified the City's responsibility to ensure a safe, clean and efficient system that will be recognized and analyzed by future generations to come. He talked about the challenges of a major facility upgrade and the intricate procedures that will occur throughout the construction process. He then identified the need for the Council to consider temporary funding authorizations of key staff members to ensure timely response and approval of potential change orders as the project moves forward; significant changes could occur quickly and will need to be addressed as soon as possible. Mr. Daniel Cowger reviewed the need for contingency funding of approximately 5-8%, which is included as part of the total project funding. Mayor Florea further explained the potential for special council meetings throughout the construction to keep the project moving forward swiftly.

The Council discussed concern with emergency change orders versus scope creep and how to consider those changes if and when they occur. Several examples of changes were reviewed that could occur with the magnitude of this project, including issues with underground materials, building structural needs, and equipment failures. Mr. Dana Cowger stated that on the positive side, if funding is still available as the project nears completion, recommendations will be made to consider spending remaining grant dollars that are provided to the City after the initial loan dollars are expended. The wastewater facility improvements are scheduled to begin this spring and reach completion approximately 400 days after bid award; mid-summer 2021. Collection improvements for the South Interceptor this year and other main line improvements will begin next year. Upcoming contracts will include award of the construction bid this evening for the wastewater facility improvements; construction administration with Varela & Associates and staff purchasing limits will occur at the second meeting in February.

4. Resolution No. XX-2020 Festhalle Facilities Policy Amendment & Resolution No. XX-2020 Rules and Standards of Conduct

Administrator Walinski presented the Council with a brief history of the City's involvement in managing the Festhalle Facility. He then reviewed recommendations for the Facility Policy and a new Rules of Conduct that have been formalized through discussions with the Festhalle Oversight Committee and requests from citizens. The Festhalle Policy changes are intended to improve the facility maintenance for the guests and to discourage discrimination at the city owned facility. The additional resolution for Rules and Standards of Conduct is being presented to foster and promote activities and functions that create a sense of community and inclusiveness among various organizations and members of the community and to encourage open, courteous, and ethical behaviors within open public spaces. The Rules and Standards of Conduct Resolution allows the Administrator to create a process to administer, review, and log complaints that could affect the renewal of a lease agreement with a private organization at publicly owned facilities. Council discussed the need to consider additional language that identifies the specific process conducted by the City to review and enforce claims of non-compliance as well as including levels or steps leading up to non-renewal of a facility use by individuals or organizations. Council reviewed ways to provide open communication to the City whether the information is negative or positive; it was further noted that when a facility is booked, the City would need to provide policies and standards to ensure the users understanding of what is expected. It was noted that the resolution is designed to

create the direction for the City Administrator and that further regulations and language development will need to be created.

5. Review LMC 3.44 – Authorizing Tax for Affordable Housing Per HB 1406 and City Resolution 13-2019

Development Services Manager Lilith Vespier reviewed the draft resolution to incorporate required language for the City to adopt legislation and authorize use of sales and use taxes for supporting affordable housing projects. She stated that the County has also approved a similar resolution; therefore, funding will be split between the City and County as a tax credit from the State's portion of the sales tax.

6. Website Redesign

Manager Vespier explained the elements of the Request for Proposal for acquiring responses to assist the City in updating the City's website. She stated that the City gathered the proposal from examples from the Municipal Research Services Center (MRSC) and contains elements that have been requested and suggested by citizens, council members, and staff. She reviewed some of the modernized features of websites today, additional features that have been suggested to the current site, and new functions, such as adding GIS integration for third party use. Administrator Walinski cautioned the Council on having too many links to other websites as those need to be consistently updated and to consider appropriate links to other agencies while maintaining ease and maintenance of the site by city staff. Manager Vespier stated that the City is anticipating quotes to come in the range of about \$70,000 that would come from the General Fund and possibly some small portion of Lodging Tax Funds. Council members voiced some personal requests for site improvements that were noted to be included later with the contracted party.

7. Special Use Permits

Administrator Walinski explained some of the uses and processes for obtaining a special use permit from the City that currently varies in scope and requirements depending on what the permit is to be used for. The city code currently does not have clear and specific information on what and how special use permits are used. Manager Vespier reviewed the suggested code language that is included for special use permits under a new Chapter 5.06 and the need to consider standard language that would be applied across all special use permits; sections will include applicability, application, permit review, unlawful activity, other permit requirements, appeals, revocation, and penalties for violation. Manager Vespier reviewed new language necessary for sidewalk special uses, which the City has been creating special use permits for many years, that will be incorporated within section 12.06. Council had a brief discussion on sidewalk right-of-way and how businesses apply for additional use for such things as outdoor seating. Administrator Walinski stated that the Council will be having a future discussion on the City Enforcement, Policy. The policy is currently complaint driven; however, the Council may consider taking a more pro-active approach.

8. 2020 Project Tracker / 2020 Future Council Agenda Items

Administrator Walinski explained that the purpose of the Project Tracker is to keep the City Council informed of annual ongoing projects that generally take considerable staff time and resources. He noted a missing item for equipment purchases that will include mower replacements. He then reviewed projects of interest by the Council and explained where the project is in the process and what the anticipated outcome may be. He reviewed the need to consider replacement of a vacant utility maintenance worker position, due to the retirement of the Public Works Supervisor, noting that the City is currently analyzing the need for the position and what the schedule of hours should be

to ensure better community coverage on a 7-day a week schedule. The Council reviewed the Department of Transportation's identification of anticipated changes to the current HAWK Crosswalk's, upcoming changes in regard to the apple maggot quarantine and how the burn permit and disposal of green waste will evolve, and the need to identify the process involved with water rights transfers from private parties to the City when this occurs.

9. Quarterly City Newsletter Recommendations – Distribution in March

Mayor Florea asked Council for any additional suggestions for the upcoming newsletter. Councilmember Hessburg suggested a short recap of the recent public parking meeting.

10. Council Open Discussion

Councilmember Hessburg stated that she would like the Council to consider entering into contract with CivicSmart for the parking improvement implementation planning; some council members suggested moving forward at the next meeting to ensure transparency of the contract approval with public notifications being part of the process. Council members discussed residents' concerns for paid parking, consideration of a reduced parking permit, and challenges with visitors parking in the residential community. There will be costs involved to implement residential parking rules and regulations; there is much to be discussed through public engagement.

Mayor Florea asked the Council if there are any questions regarding the City Administrator's Settlement Agreement. Discussion of the severance requirements, due to the City releasing him prior to the original expectation of an end date in May, determined that severance is required. Mayor Florea explained that the request of eight hours per month for six months is to assist on projects/questions while the City works on the replacement process. He stated that the City has many great staff that will be assisting over the next several months and that he will be filling in more than previous Mayor's to ensure the day to day functions continue as needed. He spoke to what he is seeking in a future Administrator that will fit well with the priorities of this community and that the Council will, through the interview process, help to determine the right person for the position.

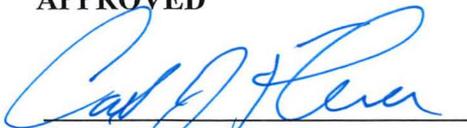
Mayor Florea stated that he will be conducting several community meetings on the first three Monday's in April; a L.I.F.E. 2.0 (Leavenworth Improvement for Everyone).

11. Public Comment Period

No comments.

Study Session adjourned at 11:52 AM.

APPROVED



Carl J. Florea
Mayor

ATTEST



Chantell Steiner
Finance Director/City Clerk