

LEAVENWORTH CITY COUNCIL MINUTES

February 26, 2019

Mayor Cheryl Kelley Farivar called the February 26, 2019 Leavenworth City Council meeting to order at 6:30 PM and Chelan County Commissioner Bob Bugert led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Mia Bretz, Margaret Neighbors, Sharon Waters, Clint Strand, and Jason Lundgren.

Staff Present: Interim City Administrator Chantell Steiner, City Attorney Tom Graafstra, Herb Amick, and Sue Cragun.

Mayor Farivar excused Councilmembers Carolyn Wilson and Elmer Larsen from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda:

1. Approval of Agenda
2. Approval of February 12, 2019 Study Session Minutes
3. Approval of February 12, 2019 Regular Meeting Minutes
4. 2019 Claims \$175,087.27

Councilmember Bretz motioned to approve the consent agenda. The motion was seconded by Councilmember Strand and passed unanimously.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Strand reported on the Finance Committee meeting and stated that the City's finances are steady and in good order. He reported on the Public Safety Committee meeting and stated that Chelan County Sheriff Sergeant Scott Lawrence was unable to attend the meeting and provide an update. He said that the Committee received an update from Chelan County Fire District #3 regarding training, fuels reduction season, and a Christmas Lighting Season follow-up. He noted that the Fire District has an "Adopt a Hydrant" program; more information is available on the Fire District's website.

Councilmember Waters reported on the Chelan Douglas Health District Board meeting and stated that the discussion detailed the recent measles outbreak and the fact that the majority afflicted had not been vaccinated. She said that the District is now working with schools so that staff can be vaccinated and noted the consequences for those staff members who choose not to be vaccinated. Further discussion included a home visit program for young mothers, soil testing for lead chips and arsenic that can now be checked with a blood test, and the opioid crisis and new guidelines for anonymous reporting of drug overdoses.

Councilmember Neighbors reported on the Chelan County Solid Waste Council meeting and stated that the Legislature is currently reviewing Substitute Senate Bill No. 5279 regarding the

ability to burn yard waste in apple maggot quarantined areas of the State; letters of support were submitted by Chelan County and the City of Leavenworth. She confirmed that the Chelan County Moderate Hazardous Waste Facility is currently under construction and slated for completion by May 1, 2019. On a final note, she stated that the Upper Valley Museum is still in the process of finalizing a lease agreement on a new facility.

Councilmember Bretz reported that Councilmember Larsen attended the Link Transit Board meeting in her place. She reported on the Housing Committee and stated that the majority of the meeting was spent on discussion of "density," the different forms, and what that means for Leavenworth.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported on the follow-up on the Christmas Lighting Taskforce. She named the multitude of agencies that were involved; there were six meetings over the course of ten months to formalize a plan to improve public safety during the three weekends of Christmas Lighting. She noted that ambulances and fire trucks were strategically placed around the City in order to prepare in case of emergency. She addressed the plan to provide Sheriff and WA State Patrol Officers with a professional flagging group to control seven intersections from the Peshastin Bridge to Icicle Road. She noted that the cost was approximately \$90,000 and was funded with Lodging Tax dollars. She said that all members of the Taskforce agreed that the plan was a success. She added that the first year was the "pilot program," and there are new ideas on how to do it better in 2019.

Interim City Administrator Chantell Steiner addressed the Adventure Park comments and asked that Council members please forward any that they have received to her attention. She addressed the Corridor Study and noted that they have had the first Project Management Committee meeting, which selected a Project Advisory Committee; the first Project Advisory Committee meeting takes place on February 27, 2019 at 11:30 AM in the Council Chambers; the public is welcome to attend. She noted that the Icicle Work Group has encouraged the City to apply for the Water Smart Grant for the water meters, which is due on March 19, 2019. She reported on the Downtown Master Steering Committee meeting and stated that the Committee is reviewing quotes for the Front Street restrooms and the adjacent staircase. She reported on the Residential Advisory Committee (RAC) meeting and stated that the Committee discussed the Christmas Lighting wrap-up meeting.

City Attorney Tom Graafstra reported that the City is in a second lawsuit regarding a pedestrian fall; the suit has been referred to the City's insurance agency. He reported that the City is beginning the due diligence process to certify the necessities for the Wastewater Treatment Plant Upgrade project.

Public Works Director Herb Amick reported that the Wastewater Treatment Plant Upgrade project is at 30% design.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar welcomed Chelan County Commissioner Bob Bugert to the meeting. Commissioner Bugert stated that he and the Community Development Director will provide a presentation on short-term rentals in the unincorporated areas of Chelan County at the March 12,

2019 City Council meeting. He addressed recent and upcoming meetings with the Chelan County Commissioners and which groups they will be meeting with. He said that they will start the formal process of drafting the code and getting a better understanding on the short-term rental industry within Chelan County. They hope to see progress by spring of 2019. On a final note he stated that the Chelan County Commission is in the process of addressing the Building Code and the Wild Land Urban Interface Code and putting together recommendations; the meeting will be held on March 11, 2019 at 2:00 PM in the Chelan County Chambers.

Nina Bray, 724 Birch Street, Leavenworth; Ms. Bray stated that she purchased her house a few years ago and was told that her lot was approximately 6,000 SF. She wants to perform some upgrades and she recently found that her lot is only 3,900 SF; her current home was built on a portion of the City's right-of-way. She said that when she spoke to the City, Development Services staff said that her home is trespassing, so she will not be able to rebuild on the property. She asked for a solution so that she is still able to build within her existing footprint. She provided a handout of her building plans to the Mayor and Council. Mayor Farivar stated that she will bring this matter to the attention of the Development Services Department and the City Attorney to further discuss.

Bill Forhan, 215 14th Street, Leavenworth; Mr. Forhan introduced Mr. Jim Zummini as the new president of the Autumn Leaf Festival Association (ALFA.) He invited the Mayor and Council to the upcoming Royal Lady Gala and encouraged all to attend. He said that we need to work together to address the Autumn Leaf float, as it represents the City. He went on to explain how much time is spent maintaining the float and noted that the engine and transmission are failing and will be a costly repair. He said that this is an issue that needs to be addressed together with the City and noted that ALFA has not been able to attend events because of the failing engine.

Mayor Farivar recognized Ms. Nicole Dunn and Ms. Ashley Ross who were in attendance for their "Citizens of Washington in a Contemporary World" class criteria at Cascade High School. Each student introduced themselves and stated that they have not chosen a topic for their upcoming "Project Citizen" volunteer work. Mayor Farivar and the City Council thanked the ladies for attending the meeting and the Mayor presented each with a City of Leavenworth lapel pin.

PRESENTATION: UNITED STATES FOREST SERVICE ON FIRE RISK

Councilmember Lundgren noted that Mr. Rick Stratton was unable to attend this evening, but will be rescheduled for his presentation during the April 9, 2019 City Council meeting.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Resolution 3-2019 Supporting Icicle Work Group Plan

Chelan County Department of Natural Resources Director Mr. Mike Kaputa addressed the Council and stated that there was a full workshop with the Council last fall regarding the Icicle strategy; since that time, Chelan County and the Department of Ecology were the co-leads under the State Environmental Policy Act (SEPA) for the Environmental Impact Statement (EIS) for the Plan. He confirmed that the EIS has since been completed and provided to the public and that the Work Group is now working on different projects beginning with the Icicle Strategy. He said that there are a number of projects that are moving toward implementation; they are doing design

work, feasibility assessment, and city projects are included in that strategy. They are also trying to identify the gaps in the EIS moving forward and determining what additional work they may need to do to complete the EIS. He said that it is a 10-year, 82-Million-dollar plan and that the EIS was on the high-level concepts of improving instream flows, securing domestic supply, securing municipal supply, protecting private treaty rights, etc. There is a lot that they don't know, so they will need to continue to partner together over the next 10 years to figure that out. He spoke to the preferred alternative of projects that has been identified in the EIS; those will all move into the feasibility and design phase. They don't know if all projects will survive through that phase and they will need to work together through any potential issues that may arise along the way. He thanked the City for its participation throughout this process. On a final note, Mr. Kaputa addressed Resolution 3-2019 Supporting Icicle Work Group Plan, which will formalize the City's endorsement of the project.

Mayor Farivar questioned the City's access to the Water Smart Grant, which could be used for water meter replacement. Mr. Kaputa clarified the process of applying for grant funding and stated that the Icicle Work Group is in support of providing additional grant funding for the project as well

Interim City Administrator Chantell Steiner noted a change to the resolution as suggested by City Attorney Tom Graafstra; she read the amended "Whereas" aloud. Mr. Kaputa answered questions and clarified the projects as requested by Councilmembers. Discussions included how the projects came to be, which groups are in support of the plan, and trying to reach a consensus amongst all parties involved in the Work Group. Mr. Kaputa noted that 15 of the 17 Icicle Work Group members are in consensus with the chosen plan.

Barbara Rossing, 7785 E Leavenworth Road, Leavenworth; Ms. Rossing read an email from Mr. Bruce Williams; The Icicle Creek Watershed Council (board members are Harriet Bullitt, Sharon Lunz, Dick Rieman, Buford Howell and me) is an Icicle Work Group member but does not support Alternative 1 (raising the eight-mile dam.) Icicle Work Group decisions are supposed to be made by consensus but the Icicle Work Group has not yet reached consensus. We brought this to Mike Kaputa's attention and are now working with him, and Ecology, to try to find a consensus but we aren't there yet. Seems like the Leavenworth City Council a) should know that there is not yet a consensus; and b) might want to hold off supporting this until you hear the perspective of the Icicle Creek Watershed Council.

There was discussion of consensus versus unanimity and there was a question of the detriment in waiting until there is consensus amongst all 17 Icicle Work Group Members. Mr. Kaputa addressed the concern and stated that the Icicle Creek Watershed Council has requested that the group considers additional information, although nothing specific has been proposed as of now. Mayor Farivar added that City Administrator Walinski has been working with Icicle Work Group since the beginning and feels strongly about supporting the Work Group and the Resolution. Councilmember Bretz noted that she appreciates the work from the Icicle Work Group, although she has reservations and feels there is value in delaying the decision. Mr. Kaputa noted that they are working to ascertain the specific issues that the Watershed Council would like to see addressed; those details have not yet been determined.

Councilmember Waters motioned to approve Resolution 3-2019 as amended supporting the Icicle Work Group Preferred Alternative, Alternative 1, the base package, as the best alternative

to meet the Guiding Principles. The motion was seconded by Councilmember Neighbors and passed 4/1 with Councilmember Mia Bretz opposed.

2. Highway 2 Crosswalks – Supplement Agreement #3 for TD&H Engineering

Public Works Director Herb Amick stated that the City Council is being asked to approve a Supplemental Agreement for consultant services with TD&H Engineering for the construction engineering services associated with the US Highway 2 Crosswalks Improvement Project. He noted that this agreement is the next step in the project management phase of completing the construction to the satisfaction of the funding agency. He said that the previous contract agreement for engineering and design totaled \$64,700; the additional construction engineering cost is \$104,991 for a new total cost of the contract of \$169,691.

Councilmember Lundgren motioned to approve and authorizes the Mayor to sign the WSDOT Supplement Agreement #3 for TD&H Engineering in an amount not to exceed \$169,691. The motion was seconded by Councilmember Strand and passed unanimously.

3. Highway 2 Crosswalks Bid Award

Public Works Director Herb Amick stated that the City Council is being asked to award the Highway 2 Crosswalks Improvement Project to Neppel Electric & Control in the bid amount of \$364,769.50. He said that the bid opening took place on February 15, 2019. He said that following the opening of three bids, it was determined that Neppel Electric & Control was the low bidder; the bid tabulation was also reviewed by TD&H Engineer Steve Marsh and WA State Department of Transportation Representative Greg Boatright, who respectively recommend award of the project to Neppel Electric & Control. On a final note he addressed the funding sources for the project.

Councilmember Strand motioned to award the Highway 2 Crosswalks Project bid to Neppel Electric & Control for a cost of completion of \$364,769.50 and authorizes the Mayor to sign the award letter pending review by the City Attorney. The motion was seconded by Councilmember Waters and passed unanimously.

4. 2019 Pacific Security Contract

Interim City Administrator Chantell Steiner stated that the City Council is being asked to approve a Professional Services Agreement with Parker Corporate Services, Inc. dba Pacific Security for onsite security services for the Leavenworth downtown commercial area and surrounding residential areas; officers also perform the duties of parking enforcement throughout the City and provide on call investigation services for the enforcement of overnight rental violations. She confirmed that the full contract amount for 2019 is a not to exceed amount of \$59,797. She noted that \$5,000 is set aside within the account to provide for overnight rental investigative services if necessary. She added that staff reviewed four security providers from the WA State Department of Enterprise Services (DES) State Contracts; two of those providers were interviewed by Sergeant Scott Lawrence, Public Works Director Herb Amick, and herself. She confirmed that Pacific Security had an annual rate that was lower by approximately \$10,000 and the City also has a long history with Pacific Security.

Councilmember Neighbors motioned to approve and authorizes the Mayor to sign the 2019 Professional Services Agreement with Pacific Security for security patrols and parking enforcement patrols for an amount not to exceed Fifty-Nine Thousand Seven Hundred and Ninety-Seven dollars (\$59,797.00). The motion was seconded by Councilmember Strand and passed unanimously.

5. Bike & Juice Festival – Youth Funding Request

Interim City Administrator Chantell Steiner stated that the City Council is being asked to consider a request from the Bike & Juice Festival for festival insurance coverage in the amount of \$1,469. She provided a brief history on the group and noted that the City has been providing the group with funding for the past four years; funding is provided from the General Fund – Youth Funding.

Councilmember Bretz motioned to approve supporting the Bike & Juice Festival insurance costs from the General Fund Youth Funding in the amount of \$1,469.00. The motion was seconded by Councilmember Lundgren and passed unanimously.

ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar noted that the Lodging Tax Group Funding Applications are due by March 1, 2019 and that the Public Disclosure Commission filing is due on April 15, 2019.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the February 26, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Strand and passed unanimously.

The meeting adjourned at 7:37 PM.

APPROVED



Cheryl Kelley Farivar
Mayor

ATTEST



Chantell Steiner
Interim City Administrator