

LEAVENWORTH CITY COUNCIL MINUTES

June 11, 2019

Mayor Cheryl Kelley Farivar called the June 11, 2019 Leavenworth City Council meeting to order at 6:30 PM and Councilmember Carolyn Wilson led the City Council in the Flag Salute.

ROLL CALL

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

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

APPROVAL OF THE CONSENT AGENDA

Consent Agenda

1. Approval of Agenda
2. Approval of May 28, 2019 Regular Meeting Minutes
3. Approval of June 5, 2019 Special Meeting Minutes
4. May 2019 Payroll \$227,049.90
5. 2019 Claims \$325,749.21

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

PUBLIC SAFETY REPORT: SERGEANT SCOTT LAWRENCE, LIAISON OFFICER

Chelan County Sheriff Sergeant Scott Lawrence reported on the current Sheriff Report for the month of April and provided information on the calls for service that have taken place around the City of Leavenworth and nearby surrounding areas. He stated the numbers of incidents, citations, traffic accidents, alarm calls, and arrests and compared those to the prior month of March. He briefly reported on the recent job trainings that he has attended over the past two months and shared a story about his recent encounter with a bear on Alpensee Strasse. On a final note he confirmed that the Euro Car Rally will be held this weekend; WA State Patrol will have troops scheduled.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Lundgren reported on the Economic Development Committee and stated that Craig Larsen from the Port of Chelan County updated the Committee on the redevelopment at the Cashmere Mill site, discussed Lodging Tax allocations, received an update on the Parking Advisory Committee and the grading permit for the Leavenworth Haus Apartments.

Councilmember Waters reported on the Public Works Committee and stated that the Wastewater Treatment Plant Upgrade project engineering is at 60% and is anticipated to be bid in the fall. She said that the group reviewed a new garbage truck at a cost of \$350,000 and noted that the trucks last approximately 10 years. She said that they are looking at the weight of the food that goes into the garbage cans. She confirmed that the Pine Street Construction notice letters have been mailed to the residents along Pine Street. On a final note she said that with the Pine Street

Reconstruction project beginning on June 17, 2019, Pine Street will be closed to all traffic other than residents on Pine Street, from Ski Hill Drive to Titus Road.

Councilmember Neighbors reported on the Parks Committee meeting and stated that Mark Hessinger and Marco Aurilio spoke to the Committee about tennis court lighting, the Committee discussed the Special Use Permit for Holiday on Ice, which is a temporary ice-skating rink in Lions Club Park, and discussed the recent bear and cougar sightings in the parks. She noted that the Department of Fish and Wildlife may start writing tickets to those who leave garbage, pet food, etc. easily accessible to wild life. She added that swim lessons begin next week and sign ups begin this week. She provided an update on the Enchantment Park improvements and stated that the PUD has installed the transformer for the lights; drainage and hydro seeding will begin in mid-July, although there will be no use of Enchantment Park for ball games once the turf improvement project is underway. There was a brief discussion regarding park closing times and she believes that closing will remain at 10:00 PM.

Councilmember Bretz reported on the Parking Advisory Committee meeting and stated that the Committee has prioritized their top five parking strategy priorities. She said that discussions included on-street downtown parking, different solutions for employees in order to open up downtown parking, timed 3-hour parking, and paid parking and/or all paid rather than timed. She said that the group is anxious to keep moving forward and has set their next meeting for July 19, 2019 at 1:30 PM; the group will review financing at the next meeting.

Councilmember Wilson reported that she attended the Parks Committee meeting.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended many of the same meetings previously reported. She announced that the City of Leavenworth's 2019 estimated population has been reported as 2,040 by the WA State Office of Financial Management. She confirmed that Councilmember Elmer Larsen has resigned his position and noted that the Council has decided not to appoint a new City Council member prior to the 2019 election. She then reported on the Study Session meeting and stated that the Council received a report from the Chamber of Commerce, discussed the Hazard Mitigation Plan as put forth by Chelan County, discussed Wildland Urban Interface (WUI) fire codes, discussed the formation of a Firewise area, had a follow-up discussion regarding community dialogue, received information on the new GIS (Geographic Information System), and had an open discussion with the Council.

Finance Director Chantell Steiner reported that two city vehicles have been listed on www.publicsurplus.com; a 1998 AWD Subaru Legacy and a 1998 Chevy T10 4x4.

Development Services Manager Lilith Vespier reported on the joint meeting with the Planning Commission and the City Council and stated that the group reviewed the 2019 Docket. She noted that the Planning Commission has made progress on several of the items and continues to move forward. She said that there was discussion on prioritizing the next set of projects, likely traffic and parking code amendments. There was general consensus that everything is moving smoothly.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Ann Crosby, 306 Cascade Street, Leavenworth; Ms. Crosby stated her opposition to the proposed zoning changes and stated her reasons why the changes would not provide benefit to the public.

Scott Bradshaw, 238 Birch Street, Leavenworth; Mr. Scott Bradshaw spoke to the recent Festivals attended on behalf of the Autumn Leaf Festival Association (ALFA). He stated that the group has attended four festivals this year and has won awards at three of those. He noted the favorable feedback received from the attendees at the various festivals. He thanked the Council for their support.

PRESENTATION: 2018 WATER USE EFFICIENCY REPORT PRESENTATION – MS. ARNICA BRIODY

Leavenworth Water Plant Supervisor Ms. Arnica Briody presented the 2018 Water Use Efficiency Report and briefly addressed the water quality requirements mandated by the Department of Health and how the Water Department goes about achieving the required results. She touched on water conservation and water production in the City of Leavenworth, the benefits and need for updating the City's aging water meters, identifying and preventing leaks, and public awareness. She addressed the water loss that has been found and the City's goals in regard to accounting for all of the City's water production. She stressed the importance of accurate monthly water meter reading, noted that the City's meters are thirty (30) years old, and estimated that there is potentially \$500,000 in lost revenue and approximately 23% distribution leakage that is partly due to the aged meters. She would like to see the water meters replaced, and a plan for upgrading the distribution lines and Water Plant in the next two (2) years. In closing, she stated that the quality of Leavenworth's water is very good.

PUBLIC HEARING: LEAVENWORTH MUNICIPAL CODE AMENDMENTS RECOMMENDED BY THE PLANNING COMMISSION

Mayor Farivar opened the public hearing at 7:11 PM.

Development Services Manager Lilith Vespier began by addressing the Planned Development amendments and noted where those ideas originated, beginning with the Housing Affordability Task Force that was initiated by the Mayor in 2016; the group was tasked to investigate and evaluate housing needs and to research tools for improving housing options in Leavenworth. She said that the Task Force and the City Council commissioned a study to better understand the City's housing needs; Burke Consulting completed the Housing Needs Assessment Study in 2017. She explained that the Task Force used the Study and local knowledge to make recommendations to the City Council and Planning Commission to include a review of standards and criteria to allow for innovations for Planned Developments; specifically, the recommendations included the current development code review to consider reducing or removing the 5-Acre minimum and to consider no size limit at all; allow density bonuses; define public good to include affordable housing; establish what Leavenworth defines as affordable housing; and consider no conversion of the accessory structures until that was allowed into code. Manager Vespier went on to address and detail each specific point as deliberated by the Planning Commission and reiterated that the Planning Commission worked closely within the recommendations of the Task Force. She went on to state the dates and times that these items were discussed at Planning Commission meetings, public hearings, and a community workshop, all of which were noticed/posted per State requirements, and she confirmed that all agency noticing and review requirements have been completed.

Mayor Farivar asked if there were any questions or comments from the Council.

Councilmember Waters stated that she has concerns with Ordinances 1588 and 1589 and feels that the end result has run off the tracks. She said that she originally understood that the Housing

Affordability Task Force was free to find a way to add affordable housing in Leavenworth, although she sees that the idea has morphed into a developer's free-for-all. She sees an erosion to the existing neighborhoods if the amendments are adopted. She also stated her concern that the Planning Commission meetings and hearings have had little to no attendance and she feels that the code and the amendments are difficult for most residents to understand; she would like to see more examples. She also stated her concerns of fire danger and would like to address Firewise communities in the neighborhoods.

Councilmember Bretz stated that she was a member of the Housing Affordability Task Force and was a part of the detailed discussions; the Task Force met for the benefit of the residents and to alleviate challenges in the community with regard to the price of housing and the lack of available housing. She spoke to Planned Developments and stated that she didn't understand that type of development in the beginning; upon further study and knowing the solutions that can be provided, she feels that this is one solution in the toolbox to increase the housing supply for medium income residents. She added that the housing units for a diverse economy do not exist in Leavenworth; the City needs to diversify housing.

Manager Vespier provided further information on stacked parking and development standards stating that the hearing items were reviewed at a previous Study Session and that there have been no substantial changes since that initial review. She said that stacked parking in the residential area has been included; stacked parking would need to be enclosed and meet all of the standards as recommended. In regard to Development Standards, she said the Planning Commission has requested that the Council consider removal of the 40% lot coverage associated with zero-lot-lines as it is a redundant item. Lastly, she said that the Council had asked that solar panels be included as an exemption; the Planning Commission discussed the placement of the panels and agreed to the exemption request and recommends that the panels be no more than three (3) feet above the height of the structure.

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

Carl Florea, 204 West Street, Leavenworth; Mr. Florea stated his opposition to the proposed amendments; he is concerned that there is no guarantee that the new housing created will be utilized by people who live in Leavenworth.

Duane Goehner 11670 River Bend Drive, Leavenworth; Mr. Goehner stated his opposition to the proposed amendments; he wants to see more specifications in the code and a risk analysis.

Kim Tobiason, 12380 Village View Drive, Leavenworth; Ms. Tobiason read an opposing statement into the record on behalf of the Friends of Leavenworth and provided copies of that statement to the Council.

Alison Miller, 337 Prospect Street, Leavenworth; Ms. Miller stated her approval in support of increasing density in the City limits, as the City was originally platted as 30 ft. wide lots in 1902.

Robes Parrish, 226 Park Avenue, Leavenworth; Mr. Parrish stated his opposition to the change in building height and lot coverage; he provided a personal frame of reference.

Zeke Reister, 508 Ash Street, Leavenworth; Mr. Reister stated his opposition to the proposed code amendments; he feels that the Council and residents need more time to study the changes.

Heidi Bard, 251 Park Avenue, Leavenworth; Ms. Bard stated her opposition to the proposed changes and would like to see more participation with the residents.

Betsy Steele, 9348 Eagle Creek Road, Leavenworth; Ms. Steele stated her opposition to the proposed changes and would like to see more communication with the residents.

Anne Hessburg, 205 W Benton Street, Leavenworth; Planning Commissioner Anne Hessburg asked if she could provide any clarification to the Council. She noted that after hearing the public response, she invites further study with the Planning Commission and encouraged all of the attendees/public to participate in the process.

Scott Bradshaw, 238 Birch Street, Leavenworth; Planning Commissioner Scott Bradshaw stated that the Planning Commission, as directed by the City Council, wishes to find a way to increase housing, density, and to develop standards that will help the entire community become a better community.

Steve Lord, 418 Ski Hill Drive, Leavenworth; Mr. Lord stated his approval of the proposed amendments and noted his appreciation for the work of the Planning Commission.

Carrie Kingsley 332 Tumwater Drive, Leavenworth; Ms. Kingsley stated she feels there needs to be more communication, and that this is a good time to work with the communication consultant.

Mayor Farivar asked if there were any further questions from the public; hearing none, she closed the public hearing at 8:11 PM.

PUBLIC HEARING: RIGHT-OF-WAY VACATIONS (TO BE CONTINUED TO JULY 9, 2019)

Mayor Farivar opened the public hearing at 8:12 PM.

Development Services Manager Lilith Vespier stated that staff is requesting that the hearing be continued to July 9, 2019 at 6:45 PM. She noted that it is necessary to provide a Resolution for the Notice of Hearing, which is now being provided.

Mayor Farivar stated that the public hearing will be continued to a date certain of July 9, 2019 at 6:45 PM in the Leavenworth City Council Chambers.

PUBLIC HEARING: SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN

Mayor Farivar opened the public hearing at 8:13 PM.

Public Works Director Herb Amick stated that the City attends to the process of updating the Six-Year Transportation Improvement Plan (STIP) annually. He said that this list is comprised of transportation improvement projects that are priorities for the City to complete over the next six years. He noted that the STIP is required in order to receive funding from the WA State Department of Transportation (WSDOT).

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that the Council needs to ensure that they are representing our transportation impacts on weekends and not weekdays.

Mayor Farivar asked if there were any questions from the public; hearing none, she closed the public hearing at 8:14 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance 1588 – Leavenworth Municipal Code Amendment – Planned Developments

Mayor Farivar asked if the Council had any comments regarding the Planned Development code amendments.

Councilmember Neighbors stated that she is in favor of the Ordinance, although she thinks that the Community needs more understanding; Councilmember Lundgren agreed, although he wants to understand how this amendment coincides with affordable housing; Councilmember Strand agrees and would like the Planning Commission to provide examples; Councilmember Bretz doesn't want to send it back to the Planning Commission but supports holding on a decision for further discussion; Councilmember Wilson hears both sides, but she is concerned about the lack of workforce housing in the city limits. Mayor Farivar stated that she instituted the Task Force for Housing in 2016; the group came up with an underlying goal of increasing the housing stock in Leavenworth. She said that diversity and density in housing strengthens communities, as it allows the people who work here to live here. She addressed the thirteen points that were handed to the Planning Commission for further refinement and study, which were goals that will create additional housing. She noted that the Planning Commission refined those goals and have been working on these amendments for two years. On a final note she stated that she recommends approval of the amendments. Discussion ensued regarding additional community outreach, workshops, and education on the proposed amendments.

Administrator Walinski stated that the Council may adopt or table Ordinance 1588, remand it back to the Planning Commission for additional study and a workshop, and the Planning Commission will report back by September 1, 2019, at which time the City Council can move forward on a vote.

There was a brief discussion regarding stacked parking in both the commercial and residential zones. Manager Vespier confirmed that stacked parking will be located indoors in all zones. There was a brief discussion of how public comments are handled when they are in opposition to a proposed amendment.

Councilmember Strand motioned to table current action of the Council to remand to the Planning Commission for study and a workshop and for the Planning Commission to report the matter back by September 1, 2019. The motion was seconded by Councilmember Bretz and passed unanimously.

2. Ordinance 1589 – Leavenworth Municipal Code Amendment – Development Standards

Councilmember Neighbors motioned to table current action of the Council to remand to the Planning Commission for study and a workshop and for the Planning Commission to report the matter back by September 1, 2019. The motion was seconded by Councilmember Waters and passed unanimously.

3. Ordinance 1590 – Leavenworth Municipal Code Amendment – Stacked Parking

Development Services Manager Lilith Vespier stated that stacked parking is recommended for approval by the Planning Commission. She reviewed the stacked parking amendment noting enclosure requirements, Bavarian design elements, benefits to housing units, such as apartments, and that research was done on several other cities that utilize stacked parking.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that he is concerned with fire danger and safety.

Zeke Reister, 508 Ash Street, Leavenworth; Mr. Reister stated that stacked parking is unknown and requires more time.

Councilmember Strand motioned to adopt stacked parking, creating a new Leavenworth Municipal Code Section 14.12.115, a new definition in Section 21.90.030, a new permitted use in Sections 18.28.020 General Commercial District, 18.32.020 Central Commercial District, 18.44.020 Tourist Commercial District, and a new accessory use in Sections 18.20.020.B Residential Low Density 6,000 District, 18.21.020.B Residential Low Density 12,000 District, 18.22.020.D Multifamily District, and 18.23.020.B Residential Low Density 10,000 District. The motion was seconded by Councilmember Bretz and passed unanimously.

4. Resolution 09-2019 – Right-of-Way Vacation Setting Public Hearing

Councilmember Neighbors motioned to approve Resolution 09-2019 establishing a continued hearing on July 9, 2019 at 6:45 PM for consideration of right-of-way vacations along a portion of Summit Street and a portion of Woodward Street. The motion was seconded by Councilmember Waters and passed unanimously.

5. Resolution 08-2019 Amending Six-Year Transportation Improvement Plan for 2020-2025

Administrator Walinski noted that as the Hwy 2 Corridor Study comes to an end, the Council may want to include some of those projects onto the list, which will be an amendment to the Six-Year TIP.

Councilmember Lundgren motioned to approve Resolution 08-2019 amending the Six-Year Transportation Improvement Plan for 2020-2025. The motion was seconded by Councilmember Wilson and passed unanimously.

6. Mayoral Appointment of Ms. Kayla Applebay to the Parking Advisory Committee

City Administrator Joel Walinski stated that the City Council is being asked to confirm the Mayor's appointment of Ms. Kayla Applebay to the City of Leavenworth Parking Advisory Committee as the Chamber of Commerce representative.

Councilmember Wilson motioned to approve the Mayoral appointment of Ms. Kayla Applebay to the Leavenworth Parking Advisory Committee. The motion was seconded by Councilmember Waters and passed unanimously.

7. Varela & Associates Contract Amendment #2 – Wastewater Treatment Plant

City Administrator Joel Walinski stated that the City Council is being asked to review and consider an amendment to the Owner Engineer Agreement between the City of Leavenworth and

Varela & Associates, Inc. for the engineering and design work associated with the Wastewater Collection and Treatment Facilities Improvements in the amount of \$33,948. He said that the additional fees address changes to the scope of work and four additions that were included as part of the 30% design work; unanticipated subsurface foundation conditions, added cross connection control, change of building type, and the city decision to change the laundry system. He noted that the project is currently at 60% design.

Councilmember Lundgren motioned to approve an Amendment to the Owner-Engineer Agreement with Varela & Associates for engineering and design work associated with the Wastewater Treatment Plant Improvements and authorizes the Mayor to sign. The motion was seconded by Councilmember Wilson and passed unanimously.

8. Motion to Approve the 2018 Annual Report for the City of Leavenworth

Finance Director Chantell Steiner stated that the City Council is being asked to approve the 2018 Annual Report for the City of Leavenworth. She noted that Deputy Clerk Tami Gates reviewed the document with her; the document has since been filed online with the Washington State Auditor's office. She confirmed that the 2017-2018 State Audit will begin on July 18, 2019.

Councilmember Wilson motioned to approve the 2018 Annual Financial Report for the City of Leavenworth. The motion was seconded by Councilmember Strand and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

None.

ADJOURNMENT

Seeing no other business, Councilmember Neighbors motioned to adjourn the June 11, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Waters and passed unanimously.

The meeting adjourned at 9:02 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk