



City of Leavenworth

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City Council
Carl J. Florea - *Mayor*
Carolyn Wilson
Mia Bretz
Sharon Waters
Clint Strand
Jason Lundgren
Anne Hessburg - *Mayor Pro Tem*
Zeke Reister
Ana Cortez-Steiner - *City Administrator*

MEETINGS VIA ZOOM CONFERENCING September 8, 2020 Pacific Time (US and Canada)

Morning Study Session 8:30 AM to 11:30 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/89232309260?pwd=Z2lOVtU4R1ZrTU5Z2XpWNS9TN1dLUT09>

Meeting ID: 892 3230 9260

Passcode: 309873

Afternoon Committee Meetings

Economic Development 4:30-5:00 PM * Parks 5:00 PM-5:30 PM * Public Works 5:30-6:00 PM

Councilmembers will attend based on their specific assignments.

Join Zoom Meeting

<https://us02web.zoom.us/j/85818471912?pwd=TIlyaVBVVEVDcWhiS09CUDMzL05Hdz09>

Meeting ID: 858 1847 1912

Passcode: 512635

Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/81338284037?pwd=Qlg2YWhleXFXVW0yZ25lalBSQkoxdz09>

Meeting ID: 813 3828 4037

Passcode: 227388

All Meetings allow for the same dial by your location option using the numbers listed below:

+1 253 215 8782 US

Or Find your local number: <https://us02web.zoom.us/u/kbDSJjRpPo>

PLEASE TAKE NOTICE, in consideration of the current COVID-19 pandemic, for the health and safety of the community, city staff, and councilmembers, City Hall is closed to the public.

We encourage all Councilmembers, Staff, and the public to utilize the Zoom Conferencing meeting feature. Staff will ensure hosting of the access approximately 10 minutes prior to each of the scheduled meetings; no meeting business may be discussed prior to the official opening of the meetings. The public is encouraged to submit written comments prior to the meetings by sending to the City Clerk at financedir@cityofleavenworth.com; comments via email will need to be submitted by no later than 5:00 PM on Monday, September 7, 2020 in order for them to be received and prepared for submission into the record; comments received for the evening meeting will be read aloud as part of the Comments From the Public on Items Not on the Agenda or during the discussion of specific items. If you would like to deliver comments, you may contact City Hall at (509) 548-5275 prior to 1:00 PM on Monday, September 7, 2020 to schedule an appointment for delivery. Comments received through US Mail will be included if they are received prior to the meetings.

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers

September 8, 2020 – 6:30 PM

Call to Order

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of August 25, 2020 Regular Meeting Minutes
3. August 2020 Payroll \$250,773.70
4. 2020 Claims \$443,673.76
5. Set Public Hearing on Ad Valorem (Property) Tax at 6:45 PM on October 27, 2020
6. Denial for Stop Sign at Evans / Benton Streets
7. Professional Services Agreement – Gray & Osborne Development Standards
8. WSDOT Construction & Maintenance Agreement for Parking Meters and Sensors – Approve and Ratify Agreement with WSDOT Concerning Smart Meters in the Form Signed by Mayor on 5/25/2020

Council Committees – 2nd Tuesday

Economic Development 4:30 PM

Parks 5:00 PM

Public Works 5:30 PM

Councilmember and Committee Reports

Mayor / Administration Reports

Comments from the Public on Items Not on the Agenda

Public Hearing: Special Use Permit for RV Parking / Camping Permit

Resolutions, Ordinances, Orders, and Other Business

9. Action: Special Use Permit for RV Parking / Camping Permit
10. Action: Ordinance XX-2020 Franchise Agreement between City and Falcon Video Communication L.P. aka Charter Communications – First Reading

Information Items for Future Consideration

11. Finance Committee Budget Review & Special Meeting for Priorities Review if Needed – 9/22/2020 – 1:00 – 3:00 PM and 5:30 PM Regular Meeting

Adjournment

(Next Ordinance is 1617 – Next Resolution is 17-2020)

CONSENT AGENDA

1. **City Council Meeting Agenda:** This item is included under **TAB 1**.
2. **Regular Meeting Minutes – 8/25/2020:** This item is included under **TAB 2**.
3. **August 2020 Payroll:** This item is included under **TAB 3**.
4. **2020 Claims:** This item is included under **TAB 4**.
5. **Set Public Hearing on Ad Valorem (Property) Tax at 6:45 PM on October 27, 2020**

This public hearing is the first in a series of public hearings for the passage of the biennial budget that will be finalized in December 2020. This hearing is specific to taking public comment on the City's action to approve property tax collections for 2021; action by the Council is scheduled to occur following this hearing and will be proposed by Ordinance at the November 10, 2020 meeting.

There are no items included under **TAB 5**.

6. **Request for Stop Sign at Evans / Benton Streets**

Staff requests confirmation from the Council that Ms. Lauren Liebling's request for a stop sign at Evans and Benton Streets must be denied. The Public Safety Committee reviewed the request on August 25, 2020. Staff reviewed the intersection for accident history, visibility, multiple uses, and traffic volume; Public Safety Liaison Officer Sergeant Scott Lawrence conducted his own review of the request. The Council Policy for the installation of a stop sign is that the intersection must meet 3 of the 6 warrants previously noted. At that meeting on August 25, 2020, the Public Safety Committee recommended against the proposed change since the criteria required by the Warrants Checklist was not met; therefore, the Committee is now requesting the City Council's consideration for approval of the denial of the requested action per the adopted policy.

The following items are included under **TAB 6**:

- Warrants Checklist
- Request Letter

7. **Professional Services Agreement – Gray & Osborne Development Standards**

Staff seeks direction from Council to execute the proposed Professional Services Agreement (PSA) with Gray and Osborne Engineering to update and to prepare the City's Standard Construction details and notes. These revised standards will enable the City to provide thorough, clear, and consistent direction to developers and contractors for completing work within the City.

These standards describe the type of facilities such as hydrants, water connections, sewer manholes, street details, etc. that are required by the City in addition to (or in lieu of) the Washington State Handbook.

This long needed and overdue process began (in-house) in 2018 but it has since become evident that, due to staff time limitations, outside engineering consulting services were needed for completion of the project. The City's then on-call services engineering firm, Pacific Engineering, began consultation on the project; however, due to an illness of the principal in charge of the consultation for Pacific Engineering, the project was dropped. Staff is requesting Council's approval to allow the City's new on-call engineering firm, Gray & Osborne, to now complete the project.

The following item is included under **TAB 7:**

- Gray & Osborne Professional Services Agreement (PSA)

8. WSDOT Construction and Maintenance Agreement for Parking Meters and Sensors

A Construction and Maintenance Agreement between the City and WA State Department of Transportation (WSDOT) was approved by the Council and signed by the Mayor at the August 25, 2020 City Council meeting. Upon final review by WSDOT, language was included to clarify the City's role in removing sensors prior to any road work completed by WSDOT, removal of sensors upon contract termination, the City's responsibility for enforcing metered parking regulations and collecting parking revenues, and costs associated with the City's failure to remove sensors prior to WSDOT completing road work. The changes were reviewed and accepted by City Attorney Tom Graafstra.

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

- WSDOT Construction and Maintenance Agreement for Parking Meters and Sensors

SUPPLEMENTAL COUNCIL AGENDA

9. Special Use Permit for RV Parking / Camping Permit

The Leavenworth Municipal Code (LMC) Chapter 10.14 includes specific regulations for the use of RV Parking/Camping as a special use permit. The permit is issued by the City Council and then may be renewed three times by the City Administrator. Each permit/renewal is for up to seven days. Because the action is similar to a land use permit, it is appropriate that the review of this request be completed with a public hearing to provide an opportunity for the applicant and the public to comment.

Kristall's has been using its vacant lot to the west for RV Parking/Camping for several years; however, it only came to the City's attention after a noise complaint was received on July 17, 2020. Leah Mitchell has been the primary contact for addressing the complaint and subsequent application of the special use permit. The initial special use application was received August 17, 2020 and a revised application on August 24, 2020. On September 2, 2020, the City received a second complaint about the property having tent camping. The RV Parking permit requirements do not indicate if tent camping is permitted. The applicant has not requested tent camping or shown it on the site plan. The City Council will need to attach a condition to the permit addressing tent camping.



The LMC provides a specific list of criteria for issuing the permit, which staff has reviewed and determined to be adequate for the purpose of a temporary permit.

The following items are included under **TAB 9**:

- Draft Special Use Permit (approval)
- Application and Related File Documents
 - **MOTION A:** *The Leavenworth City Council moves to approve the request for a special use permit pursuant to LMC 10.14, with the additional condition prohibiting tent camping.*
 - **MOTION B:** *The Leavenworth City Council moves to approve the request for a special use permit pursuant to LMC 10.14, with the additional condition permitting tent camping.*

10. Ordinance XX-2020 Franchise Agreement between City and Falcon Video Communication L.P. aka Charter Communications – First Reading

Staff requests Council direction to execute a ten-year franchise agreement with Falcon Video Communications aka Charter Communications. The Franchise Agreement will grant Charter authority to erect, construct, operate, and maintain in, upon, along, across, above, over and under the Streets, now in existence and as may be created or established during the term of the agreement. Per RCW [35A.47.040](#) Franchises and permits—Streets and public ways.

No ordinance or resolution granting any franchise in a code city for any purpose shall be adopted or passed by the city's legislative body on the day of its introduction nor for five days thereafter, nor at any other than a regular meeting nor without first being submitted to the city attorney, nor without having been granted by the approving vote of at least a majority of the entire legislative body, nor

without being published at least once in a newspaper of general circulation in the city before becoming effective.

Per Legal Counsel, this item requires two readings. The second reading will take place on September 22, 2020.

The following item is included under **TAB 10:**

- Charter Communications Franchise Agreement

INFORMATION ITEMS FOR FUTURE CONSIDERATION

11. Finance Committee Budget Review & Special Meeting for Priorities Review if Needed – 9/22/2020 – 1:00 – 3:00 PM and 5:30 PM Regular Meeting

- There are no items included under **TAB 11.**