

LEAVENWORTH CITY COUNCIL MINUTES

September 10, 2019

Mayor Cheryl Kelley Farivar called the September 10, 2019 Leavenworth City Council meeting to order at 6:30 PM and Leavenworth Resident Ms. Lisa Magee 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 August 27, 2019 Study Session and Regular Meeting Minutes
3. August 2019 Payroll \$267,890.91
4. 2019 Claims \$624,167.80

Councilmember Neighbors motioned to approve the consent agenda. The motion was seconded by Councilmember Lundgren 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 July 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 June. There was a brief discussion regarding the recent spike in traffic accidents, which is primarily due to the amount of traffic in town. Sergeant Lawrence was asked to provide offence comparisons to the same time last year at upcoming meetings, to which he agreed.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Lundgren reported that he attended the Economic Development and Public Works Committee meetings. He reported on the Economic Development Committee meeting and stated that the Committee discussed Lodging Tax allocations and grant application processes and opportunities. He said that the group received an update on the Leavenworth Haus Apartments. Manager Vespier noted that all building permits have been issued for the five buildings and construction will be taking place through the winter months; there is no scheduled date of completion for the apartment project.

Councilmember Strand reported on the Leavenworth Area Promotions (LAP) Committee meeting and stated that the Der Word Book Campaign has been successful; there are over 800 entries so far. He said that the Leavenworth Area Promotions (LAP) Committee is working on their upcoming budget and are asking for Council requests at this time. City Administrator Walinski will provide the Committee with more information.

Councilmember Waters reported that she attended the staff training on Verbal De-Escalation & Office Safety with City Hall Staff. She attended the Chumstick Wildfire Stewardship Coalition meeting; she intends to learn more by working onsite with the group. She attended the Listening Tour with Senator Brad Hawkins. She attended the Residential Advisory Committee (RAC) meeting; she stated that former Councilmember Elmer Larsen began the RAC group, and now the group is currently discussing how they would like to move forward. She attended the Parking Advisory and Festhalle Oversight Committee meetings; the Festhalle Oversight Committee is reviewing quotes for refinishing the Festhalle main floor. She reported on the Public Works Committee meeting and stated that discussions included the Request for Proposals that were submitted for the Waste Assessment Study, the Big Belly garbage receptacles in use at the Link Park & Ride; they may want to put more units downtown, and the Pine Street Beautification project; the City is offering select shrubs or a tree to be provided to the residents affected during the Pine Street Reconstruction Phase I project; the resident will select a tree or shrubs, which will be delivered by City Staff, and maintained by the resident. There was a brief discussion of requesting Ms. Laurie Peek to join the Residential Advisory Committee.

Councilmember Neighbors reported on the Parks Committee meeting and stated that the Committee discussed the work to be completed with the passing of the Parks Levy; the drainage work has been completed, lights are operational, and the play structure has been installed. Mayor Farivar noted that the voter approved levy request was not implemented saving taxpayers the additional burden of costs; the project was funded by the City's General Fund. Councilmember Neighbors stated that there are some trees along Hwy 2 that need to be replaced; there is potential for a pilot program to replace some of the trees. Administrator Walinski added that some of the trees are becoming a problem and will need to be replaced prior to further destruction of the surrounding sidewalks and planters. Councilmember Neighbors added that Holiday on Ice is still in process, there was discussion of the use of the Osborn School property, and the Leavenworth Community Pool is currently being resurfaced. On a final note she stated that she was happy to present Mayor Farivar with a \$2,000 check on behalf of the Lutheran Church to purchase a two-level water bottle filling station to be installed at City Hall.

Councilmember Bretz reported that she Chaired the Residential Advisory Committee (RAC) meeting this month; the Committee is reassessing its purpose and function. She said that the Committee is there to represent the residents and they are working to make it a "true" Residential Advisory Committee.

Councilmember Wilson reported that she attended the Parks Committee meeting and the Listening Tour with Senator Brad Hawkins.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that the WA State Mayors Conference will be taking place at the Festhalle on September 16, 2019; she will welcome the group and lead the attendees on a walking tour of downtown. She reported on the Study Session meeting and stated that the Council received a report from the Chamber of Commerce, received a request from Columbia Valley Community Health to park their mobile health clinic in Leavenworth one day a month, received an update from the Parking Advisory Committee regarding parking solutions downtown, received an update about the Planning Commission's progress regarding the Mandatory Code Amendments and Planned Development regulation amendments, discussed the Pine Street Beautification project, legislative priorities for 2019-2020, water system capital improvements, PRSA funding for a Community Needs Assessment, and had an open discussion with the Council.

Finance Director Chantell Steiner reported that the 2004 Ford F-350 has sold at auction for \$7,029.99 and that the WA State Biennial Audit is coming to a close. She noted that with the City adopting a Biennial Budget, this year will not have as many budget meetings as in a typical budget year; she will address the upcoming City projects with budget amendments prior to the end of the year.

Development Services Manager Lilith Vespier reported that the Zelt Strasse right-of-way permit has been issued, which is coordinated with a County permit; all has been approved for the completion of that road.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

None.

MOSQUITO CONTROL UPDATE – LARRY MEYER

Mr. Larry Meyer provided an update on the Leavenworth Mosquito Control District. He stated that the District began in 2003, as Leavenworth had a mosquito control problem. He said that annual revenues and expenditures amount to approximately \$50,000 per year and that the District Tax is \$25 per parcel. He noted that pesticide expenditures this year were \$7,000 down from the \$16,000 expenditure last year, which was primarily weather related. He said that the District is looking at expanding the District boundaries in order to capture all of the properties that are currently being serviced. On a final note, he thanked the City for participating in the Leavenworth Mosquito Control District.

PUBLIC HEARING ON PLANNED DEVELOPMENTS AND DEVELOPMENT STANDARDS AT 6:45 PM

Mayor Farivar opened the public hearing at 7:05 PM.

Development Services Manager Lilith Vespier addressed Leavenworth Municipal Code (LMC) Amendments regarding changes in Planned Developments. She noted that from the public comments collected during the Planning Commission public meetings, the following modifications have been recommended 1.) added a 5' transition area between residential and commercial uses; 2.) added a minimum project size of 6,000 square feet for affordable housing projects; 3.) added a minimum project size of 24,000 square feet for other projects; 4.) added a perimeter setback to meet the underlying zoning; 5.) clarified that open space is separate from yard requirements; 6.) removed reduced parking requirements for affordable housing; 7.) clarified that shared parking shall be for the life of the project by a recorded agreement; and 8.) required height limitation to be consistent with the underlying zoning. Manager Vespier noted that there was discussion of transient housing accommodations being mixed within a residential Planned Development at the morning Study Session; Staff has modified the Ordinance to reflect a clarifying sentence; Chapter 18.40.070.B.2 Multiple Use Project Requirements. She said that Staff has added the sentence, "In no case shall transient uses be permitted in residential Planned Developments." Manager Vespier confirmed that the Planning Commission recommends that the new revised document be adopted by the Council.

Councilmembers asked questions regarding the five-foot setback requirements; Manager Vespier provided clarification regarding setbacks in Planned Developments.

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

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that he was pleased with the interaction with the Community and thanked the Council and Planning Commission for bringing the discussion back for further dialogue.

Mayor Farivar asked if there were any more questions from the public; hearing none she closed the public hearing at 7:15 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance 1588 – Leavenworth Municipal Code Amendment – Planned Developments – Tabled on 6/11/2019

Councilmember Bretz motioned to untable and to restore Ordinance 1588 to the agenda as action item 1. The motion was seconded by Councilmember Wilson and passed unanimously.

Councilmember Bretz motioned to adopt Ordinance No. 1588 amending the Leavenworth Municipal Code Chapter 18.40 Planned Development District with further amendment to 18.40.070.B.2 to include, “In no case shall transient business be permitted in residential Planned Developments”, and the addition of a new definition for affordable housing in Chapter 21.90 Common Definitions. The motion was seconded by Councilmember Strand and passed unanimously.

2. Resolution 12-2019 WaterSMART Funding

City Administrator Joel Walinski stated that the City Council is being asked to consider approval of Resolution 12–2019, which is a resolution supporting the submission of a WaterSMART: Water and Energy Efficiency Grant application for a Fiscal Year 2020 grant and a commitment by the City to provide up to \$675,000 in matching funds for the Water Meter Replacement Project. He said that the grant application is for \$300,000 of funding from the United States Federal Department of the Interior, Bureau of Reclamation; if approved, funds would be available in early 2020. He noted that the Resolution ensures that the Council agrees to provide the matching funds if the grant application is approved and the City will abide by the WaterSMART grant provisions. He confirmed that previous discussions have estimated that the Water Meter Replacement project would cost approximately \$950,000. There was further discussion regarding the needed future approvals as the project moves forward.

Councilmember Neighbors motioned to approve Resolution 12–2019 Endorsing the WaterSMART: Water and Efficiency Grant Application for fiscal year 2020. The motion was seconded by Councilmember Lundgren and passed unanimously.

3. Approve Traffic / Foot Patrols Needed for Oktoberfest

City Administrator Joel Walinski stated that the City Council is being asked to authorize the expenditure of funds in order to provide extra Chelan County Sheriff’s Deputies during the Oktoberfest Festival for the three Oktoberfest weekends. He noted that the Oktoberfest organizers provide 200 security personnel throughout the event. He confirmed that the estimate of hours for additional Sheriff Deputy coverage is based on the recommendation of Liaison Officer Sergeant Scott Lawrence and discussions with the security team for the Oktoberfest event. He said that the schedule is similar to the last several years; one (1) officer assigned to patrol the residential neighborhood on Friday evening and two (2) officers on foot patrol in the downtown area. On Saturday evening/early morning, there would be two (2) officers patrolling the residential

neighborhood and four (4) officers in the downtown area. He said that Projekt Bayern has a minimum of 11 officers onsite at the Oktoberfest Event who will then patrol the downtown area after the individual venues close. He noted that in the discussions with the Sheriff's Department and Projekt Bayern, the costs for the officer's time not assigned to the event site will be shared between the City and Projekt Bayern; the City's cost will be capped at \$7,500, which will be funded by Lodging Tax Funds. On a final note, he said that the estimated amount of Sheriff Deputy hours is 250 for the three weekends, which is comparable to last year.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that his contacts from social media have questioned where the funding for the additional deputies is coming from. He also said that his contacts have stated that the sponsors of festivals should have more cost carrying; do we need to fund this, or is the event self-sufficient enough to pay for this themselves? Administrator Walinski stated that it is the City's responsibility to provide security and public safety outside of the festival gates to the citizens of Leavenworth, which has also been requested by the citizens of Leavenworth. He confirmed that the funding is being provided from Lodging Tax dollars which is generated from the visitors.

Councilmember Strand motioned to approve the expenditure of funds for additional Sheriff Deputy Officers during the Oktoberfest Festival at a cost not to exceed \$7,500. The motion was seconded by Councilmember Neighbors and passed unanimously.

4. Approve Traffic Control Contract for Christmas Lighting

City Administrator Joel Walinski stated that the City Council is being asked to authorize the expenditure of funds to provide traffic control and additional public safety officers to address the large number of visitors associated with the upcoming Chamber of Commerce Christmas Lighting Event. He said that the Mayor formed a Public Safety & Traffic Management Group to look at different ways that the City and Public Safety can address public safety, provide better response time of public safety for the residents and visitors, and what actions can be taken to address traffic issues along Highway 2. He said that the Group's number one focus is ensuring that Highway 2 traffic is open so that public safety personnel can respond when necessary. He noted some of the problems using a similar approach last year, and also noted the significant improvement in public safety response times, due to the implementation of new strategies. He said that the Highway 2 Corridor Study shows that the traffic flaggers should have more training and supervision; the Group has recommended that the City hire a WA State Patrol (WSP) Officer whose only focus is to supervise and oversee traffic management and the officers involved with the traffic on Highway 2. He said that by adding the WSP Supervisor, there will be four to five Chelan and/or Douglas County Officers that will only focus on the public safety involved with the gathering of visitors during the lighting event. He confirmed that the estimated cost is approximately \$125,000, the funds will come from Lodging Tax, and the estimated breakdown for 2019 is as follows: \$90,411 for Traffic Control Services; \$20,000 for Chelan County Sheriff Deputies; and \$13,500 for Washington State Patrol. There was discussion of rising costs in upcoming years.

Councilmember Lundgren suggested looking at longer term solutions to traffic congestion, including offsite parking and shuttles. He noted the large sum that will be spent this year and has concerns about future years. He would like to get ahead of the traffic issues; at some point the traffic will be intolerable no matter how many traffic personnel are employed. Councilmember Bretz agreed and stated that the expenditure is quite large for a free event. She would also like to take a proactive approach. Councilmember Strand stated that there are opportunities for improvement, but last year was the first year that improvements had been initiated. He is looking forward to continued improvement this year. He noted his positive personal experience with the

traffic last year as compared to previous years. City Administrator Walinski added that the first responders were able to respond last year, which was troublesome in previous years. He also suggested a coordinated parking management strategy and ensuring that visitors are aware of all parking locations between Wenatchee and Leavenworth. Councilmember Neighbors stated that Lodging Tax Funds are being used for festival support. Councilmember Wilson is positive about WSP supervising the traffic management team.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that he also serves on the Corridor Study. He said that shuttles have been discussed, although they aren't able to get through the traffic; there are potential solutions coming. He said that his social media contacts have commented that the amount of money being requested is a lot, why do the residents have to pay for it, and couldn't that money be used to fund a Community Center. He asked if this is a sustainable tourist activity. He questioned the timing of the event and suggested spreading it out throughout the day. Mayor Farivar noted that the community does not pay Lodging Tax. Mr. Goehner stated that his contacts hope to see Lodging Tax benefit the residents, as the tourists do disrupt the status quo of their community.

Councilmember Wilson motioned to authorize the expenditure of \$125,000 to provide traffic control and public safety staffing and equipment for the 2019 Chamber of Commerce Christmas Festival. The motion was seconded by Councilmember Strand and passed unanimously.

5. Approve Computer / Server Purchases for Water and Wastewater Plants

Public Works Director Herb Amick stated that the City Council is being asked to approve and authorize the Mayor to sign the purchase agreement quote provided by Firefly in the amount of \$18,665.40 including WA State Sales Tax, for necessary upgrades to the computer and servers at the Wastewater Treatment and Water Treatment Plants. He noted that this topic was discussed in further detail at the morning Study Session meeting regarding the essential upgrades to the Water and Wastewater Treatment Plants. Administrator Walinski referenced RCW 70.95.A.090 and stated that these are pollution control facilities, so there are some exemptions to the bidding rules, which is why the competitive bidding process was not used in this case. He said that Firefly is currently contracted with the City for Information Technology services and has been working for the City for several years in this capacity; Firefly identifies the most competitive price for the equipment from their vendors and then provides that information to the City.

Councilmember Lundgren motioned to approve the purchase and authorizes the Mayor to sign the purchase agreement quote with Firefly in the amount not to exceed \$18,665.40, including Washington State Sales Tax, for Water Plant and Wastewater Plant computer and server upgrades. The motion was seconded by Councilmember Waters and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that the Mayor's Annual Breakfast will take place on September 17, 2019 at the Wild Huckleberry Restaurant from 7:00 AM – 9:00 AM, the public hearing and ordinance for Development Standards is still to be determined, the Finance Committee Budget Review / Modification will take place on September 24, 2019 if needed, and that there will be three public hearings at the next meeting; Considering the Condemnation of 125 Pine Street, Commercial Street alley vacation, and Mandatory Code Amendments for Development Standards and Critical Areas.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the September 10, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Neighbors and passed unanimously.

The meeting adjourned at 7:50 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk