



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Carolyn Wilson - *Mayor Pro Tem*
Mia Bretz
Margaret Neighbors
Sharon Waters
Clint Strand
Jason Lundgren
Position No. 7 - *Vacant*
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers

October 22, 2019 – 6:30 PM

Call to Order

Flag Salute

Roll Call

Council Committees – 4th Tuesday

Housing 3:00 PM

Public Safety 4:00 PM

Finance – Budget Review 5:00 PM

Consent Agenda

1. Approval of Agenda
2. Approval of October 8, 2019 Study Session & Regular Meeting Minutes
3. 2019 Claims \$500,846.45

Councilmember and Committee Reports

Mayor / Administration Reports

Comments from the Public on Items Not on the Agenda

Public Hearings at 6:45 PM:

1. Biennial Budget Review / Modification
2. Ad Valorem (Property) Tax

Resolutions, Ordinances, Orders, and Other Business

1. Action: Leavenworth Lodging Tax Programs Review Process
2. Action: Council Support for Chelan County LTAC Applications
3. Action: Request for Proposal – Authorization to Proceed for On-street Parking Meters
4. Action: Golf Course Property Sales
 - a) Bid Acceptance and Property Conveyance
 - b) Resolution 19-2019 Golf Course Property Sales Commitment
5. Action: Special Use Permit Noise – Timbrrrr! Winter Music Festival
6. Action: Chelan County Prosecution Services Agreement for 2020
7. Action: Emergency Management Services Contract for 2020
8. Action: Resolution 17-2019 – Legislative Priorities for 2019-2020
9. Action: Resolution 18-2019 – Grant for Garten Haus Rehabilitation and Expansion
10. Discussion: Water Treatment Plant – County Zoning Requirements
11. Action: Res. 20-2019 Chelan County Parcel Number: 241701440450 Roadway Vacation

Information Items for Future Consideration

Adjournment

(Next Ordinance is 1600 – Next Resolution is 21-2019)

SUPPLEMENTAL COUNCIL AGENDA

1. Discussion: Leavenworth Lodging Tax Programs Review Process

This time is for the City Council to consider any final suggested changes to the new application forms and criteria for the Festivals/Events and Tourism Hospitality/Special Project Grant programs. The Council discussed these new materials at the City Council Annual Retreat held in April and since then, the Economic Development Committee has been meeting each month to review the documents, and is now presenting the full Council with the final documents for the 2020 program. If no additional changes are necessary, staff anticipates publication of the program at the end of October and again in November with an application deadline of December 31, 2019. The Council will need to determine who and how the applications will be scored by early January, as the approvals are anticipated to be made by February 11, 2020. If the Council would like to amend these deadlines, staff will need direction on those dates prior to opening them up to the public this month.

Once the final review is considered by the City Council, the City Council will be asked to authorize the funding of each program. The Economic Development Committee is recommending that the Festival/Event program be funded at \$15,000 for the 2020 program year and that the Tourism/Special Project program be funded at \$35,000 for the 2020 program year. Both programs would be funded with Lodging Tax funds. The Festival/Event program would limit grant requests to \$3,000 and the Tourism/Special Project program would limit grant requests to \$7,500.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

The following items are included under **TAB 1**:

- Festival and Event Grant Application Form
- Festival and Event Grant Funding Scoring Criteria
- Tourism Hospitality and Special Project Grant Application Form
- Tourism Hospitality and Special Projects Scoring Criteria

- **MOTION:** *The Leavenworth City Council moves to authorize the funding of the Festival/Event program at \$15,000 for the 2020 program year and the Tourism/Special Project program at \$35,000 for the 2020 program year.*

2. Council Support for Chelan County LTAC (Lodging Tax Advisory Committee) Applications

The City Council is being asked to review and consider approval of a letter of support for ongoing maintenance and operation of the requested capital improvements. This year, the City is considering making three (3) applications for capital funding. The projects would be for cost sharing for the resurfacing of the Festhalle Main Floor, the purchase of mobile reader boards to direct traffic, and for the lighting installation at the recently purchased DOT property. One of the requirements for the grant application is for the legislative body to provide a letter of support that if the requests for the capital improvements is funded by the Chelan County Lodging Tax Advisory Committee the municipality will assume the ongoing maintenance and operational costs. The City already assumes the cost for maintenance and operation of the Festhalle and DOT Parking Lot. The new reader board signs would be an added piece of equipment that would be included on the Equipment Repair and Replacement schedule. At this time, the use and operation of the reader boards would be only under City or County operational control.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
Infrastructure	Does the request/action support a safe and efficient infrastructure?	✓
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
Transparency and Accountability	Does the request/action further public understanding and engagement?	
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

The following item is included under **TAB 2:**

- Draft Letter of Support
 - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign a letter of support for the ongoing maintenance and operation of the requested Capital improvements through the Chelan County Lodging Tax Advisory Committee Capital Grant Program.*

3. Request for Proposal – Authorization to Proceed for On-street Parking Meters

The City Council is being asked to review and consider authorization of the posting and advertising of a Request for Proposal (RFP) for a firm to provide Parking Equipment and Management Services. The selected firm will provide the City with management processing, collection services, permit management, parking citation issuance, and the purchase of metering equipment to implement an on-street paid parking program in the downtown commercial area. This request for authorization is being recommended by the Parking Advisory Committee (PAC). The Parking Advisory Committee presented their recommendations to the City Council at the September City Council Study Session. Since that time, the recommendations have been presented to the Downtown Steering Committee, Residential Advisory Committee, and Leavenworth Area Chamber of Commerce Board. This step will allow the PAC to select a parking consultant that will assist in the implementation of the recommendations. The PAC will review and evaluate the

submittals and provide a recommendation to the City Council for approval. If a firm is approved to work with the City, one of the first steps will be to develop steps for continuing the public outreach and education prior to the on-street parking program being implemented.

Submittals to the RFP require information on the firms past experience implementing a procurement project of similar scope, identifying the on-site point of contact person and providing his or her experience, the ability to provide the requested software and equipment, and the subsequent pricing of the software and equipment, including any ongoing monthly/annual costs.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

The following item is included under **TAB 3:**

- Request for Proposal for Parking Equipment and Management Services
 - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the posting and advertising of the Request for Proposal for Parking Equipment and Management Services.*

4. Golf Course Property Sales

a) Bid Acceptance and Property Conveyance

The City Council is being asked to review and consider the approval/acceptance of the two (2) Purchase and Sale Agreements that were submitted by private bid for the purchase of the City owned property referred to as the Golf Course Properties. Both bids were submitted within the required time frame and with completed documentation.

Bid #1 was submitted on August 15, 2019 by Snow Creek, LLC, represented by Mr. Cameron West of Mike West Leavenworth Realty. The bid amount was for \$257,000, a cash offer, with a deposit of \$5,000 earnest money. The selected property was Lot B, 9139 Icicle Road, Leavenworth, WA.

Bid #2 was submitted on August 16, 2019 by Chavase, LLC, represented by Mr. Cameron West of Mike West Leavenworth Realty. The bid amount was for \$257,000, a cash offer, with a deposit of \$5,000 earnest money. The lot selected by this bidder was Lot C, 9125 Icicle Road, Leavenworth, WA.

At this time, the City Council is being asked to accept both bids, proceed with selling the properties, and authorize the Mayor to sign the closing documents. The purchase of properties is expected to occur on or before December 15, 2019. Each sale should be recognized in separate motions.

The following items are included under **TAB 4**:

- Boundary Line Adjustment Survey, Landline Surveyors, 11/27/2017
- Vacant Land Purchase and Sales Agreement, Snow Creek Wall, LLC
- Vacant Land Purchase and Sales Agreement, Chavase, LLC

- **MOTION ITEM A – BID #1:** *The Leavenworth City Council moves approve and authorizes the Mayor to sign the necessary sale agreement documents for the sale of City Property located at 9139 Icicle Road – Parcel ID #: 67192 to Snow Creek, LLC for a purchase price of \$257,000.*

- **MOTION ITEM A – BID #2:** *The Leavenworth City Council moves approve and authorizes the Mayor to sign the necessary sale agreement documents for the sale of City Property located at 9125 Icicle Road – Parcel ID #: 67193 to Chavase, LLC for a purchase price of \$257,000.*

b) Resolution 19-2019 Golf Course Property Sales Commitment

The City Council is being asked to review and consider approval of Resolution No. 19-2019, which creates a restricted fund balance within the City’s General Fund for the use of money’s received from the sale of the Golf Course Properties. The restricted use of those funds would be for the future purchase of park land or land for recreational use by the citizens of Leavenworth. The City Council has previously discussed and identified one significant reason for declaring the three Golf Course Lots as surplus and allowing for the sale of those lots; and that was to create available funding to purchase the Osborn School property, if and when, the property becomes available. Resolution No. 19-2019 memorializes that intention of the City Council and protects those funds from being simply absorbed into the City’s General Fund without a specific use of the funds being identified. The resolution also provides for some flexibility; in the event that the Osborn site is not available or for other reasons not purchased by the City, the resolution does allow for the purchase of other property for park or recreational use. The resolution also will be useful in working with other potential funders, showing that the City has funds available for the purchase of future park/recreational property.

The resolution is not binding, should the City be in need of spending the funds for other needs, the City Council could rescind Resolution No. 19-2019 by a simple majority.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

The following item is included under **TAB 4**:

- Resolution No. 19 – 2019

- **MOTION ITEM B:** *The Leavenworth City Council moves to approve Resolution 19-2019 restricting the funds received for the sale of the Golf Course Properties to be used for the future purchase of additional park land or recreational land use.*

5. **Special Use Permit Noise – Timbrrr! Winter Music Festival**

The City Council is being asked to consider approval of a Special Use Permit (SUP) to allow an extended time period and increased noise levels for the Timbrrr! Winter Music Festival. This will be the seventh year that the Timbrrr! Partners held this annual Winter Music Festival in the City of Leavenworth. The event is scheduled to take place at the Leavenworth Festhalle on Friday, January 24 and Saturday, January 25, 2020. This is a live music event; music begins each evening at 5:00 PM and ends at 12:30 AM each day. Approval of the Special Use Permit would allow for the permitted dBA noise and sound levels to be permitted to a level not to exceed 95 dBA.

In regard to the SUP, the LMC 9.33.040 Exemptions allow the City Council to approve with conditions or deny special use permits at its sole discretion. To approve the SUP, the Council must consider the conditions and provisions for granting a special use permit stipulated in LMC 9.33.040 (I) (Items 1 – 5 below). The Council’s decision of approval or denial of the SUP must be based on whether the request meets the following criteria, information relating to each:

1. **The special use permit is necessary:** The permit is necessary because the noise level at various times during the event may exceed the 70 dBA or 60 dBA level specified in LMC 9.33. The event is held within the confines of the Festhalle, so the noise generally will be contained within the building.
2. **There exists a special circumstance relative to size, topography, location, or surroundings of the subject property:** The Festhalle facility is located within the Central Commercial District, which is the preferred location for these events to be held.
3. **Requesting property owner or agency has provided a plan for mitigation of noise to be implemented on the approval of the special use permit:** The organizers will be monitoring the noise levels outside the building to ensure that they do not exceed the 95 dBA noise level. Noise monitoring from other events typically shows that sound levels on the exterior of the Festhalle do not exceed the 70 dBA which is allowed under LMC 9.33.
4. **That the granting of the special use permit will not be materially detrimental to the comfort, health, or safety of the public:** The granting of the permit is for a 2-day event. Past events held within the confines of the Festhalle facility have not been an issue with surrounding property owners, provided that the doors remain closed during the performance times.
5. **That the special use permit is limited to not more than 14 days in any 90 day period:** The permit is for a period of 2 days.

Staff is recommending approval of the Special Use Permit, allowing the noise exemption because the event is contained within the Festhalle area and events that have been held within the facility have not had the noise issues associated with events held in outdoor or in tented venues. Additionally, the organizers have volunteered to self-monitor and have confirmed that during their

2014 through 2019 Leavenworth events, similar noise monitoring revealed no violations of the noise limit at any time during similar operating hours.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
Infrastructure	Does the request/action support a safe and efficient infrastructure?	
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

The following items are included under **TAB 5**:

- Noise Compliance Analysis
- Special Use Permit Agreement Timber Partners
- Letter to the City Council from Phil O’Sullivan, Managing Member, Timber Partners
- **MOTION:** *The Leavenworth City Council moves to approve the Special Use Permit to Timber Partners, LLC and Artist Home, which allows for an exemption from the noise limitations stipulated in LMC 9.33.040 on Friday, January 24, 2020 and Saturday, January 25, 2020.*

6. Chelan County Prosecution Services Agreement for 2020

The City Council is being asked to approve the 2020 Chelan County Prosecution Service Agreement for prosecution services through the Chelan County Prosecuting Attorney. Through this agreement, the County Prosecuting Attorney will provide prosecution services for misdemeanors and gross misdemeanors filed in District Court for cases arising within the corporate City limits. The fee for the prosecution services will be calculated based on the rate of \$250.00 per case. The total contract amount for 2020 is \$26,500, which is based on the 106 cases that were prosecuted during the 12-month period of September 1, 2018 through August 31, 2019. See the table below for the history of annual contract costs and numbers of cases prosecuted.

Year	Per Case Fee	Number of Cases	Contract Cost
2020	\$250	106	\$26,500
2019	\$250	79	\$19,750
2018	\$225	61	\$13,725
2017	\$225	54	\$12,150
2016	\$210	64	\$13,440
2015	\$210	50	\$10,500
2014	\$210	84	\$17,640
2013	\$210	69	\$14,490
2012	\$200	55	\$11,000
2011	\$200	58	\$11,600
2010	\$200	69	\$13,800

Some of the history of fee changes per case for the Prosecution Service Contract is as follows:

1997 - \$100 per case	2003 - \$125 per case	2006 - \$175 per case
2010 - \$200 per case	2013 - \$210 per case	2017 - \$225 per case
2019 - \$250 per case		

A copy of the agreement is provided as well as a list of misdemeanor crimes occurring within the corporate city limits as provided by the Chelan County Sheriff’s Office via RiverCom. The report provides the incident number, location of incident, location of arrest, the charges, and the date of the arrest.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
Infrastructure	Does the request/action support a safe and efficient infrastructure?	
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

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

- Chelan County Prosecuting Attorney Cover Letter, October 2, 2019
- Prosecution Service Agreement
- Bookings by LV Incident Location 9/1/2018 – 8/31/2019
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2020 Chelan County Prosecution Service Agreement in the amount of \$26,500.*

7. Emergency Management Services Contract for 2020

The City Council is being asked to review and approve the annual contract with the Chelan County Department of Emergency Management for compliance with the Superfund Amendment and Reauthorization Act. The contract covers several items that are financially important to the City of Leavenworth:

- The Emergency Management Department is charged with developing a comprehensive emergency management plan for the City. This plan is critical in securing future FEMA funding by the City, should the City of Leavenworth face a declared emergency incident or disaster.
- The Emergency Management Department would provide emergency and disaster control and coordination, either on site or through the Emergency Operations Center (EOC). The added personnel, professional assistance, and access to equipment would help contain ongoing emergency operation planning costs and costs to the City during an incident. The cost of the contract amount is based on a “per resident” number. The per resident amount is the Emergency Management annual operating budget divided by the number of residents within Chelan County; population numbers on each individual city are derived by the estimates provided on the Office of Financial Management website (www.ofm.wa.gov).

The amount of the 2020 contract is \$5,977.20, which is calculated at a rate of \$2.93 per estimated City of Leavenworth population of 2,040. The table below reflects contract costs in previous years as a comparison:

Contract Year	Per Capita Rate	OFM Population Estimate	Contract Cost
2020	\$2.93	2,040	\$5,977.20
2019	\$2.74	2,030	\$5,562.20
2018	\$2.72	2,015	\$5,319.60
2017	\$2.72	1,990	\$5,254.00
2016	\$2.72	1,980	\$5,227.20
2015	\$2.72	1,970	\$5,358.40
2014	\$2.25	1,970	\$4,432.50
2013	\$2.25	1,970	\$4,432.50
2012	\$2.25	1,970	\$5,320.00
2011	\$2.25	1,970	\$5,270.00
2010	\$2.25	1,970	\$5,225.00

The Sheriff’s Department based the change in costs in 2015 on a new calculation methodology. The contract amounts are now based on a standard cost per resident throughout small cities in Chelan County. Economic nodes located in Chelan County, such as Peshastin, Monitor, and Manson do not pay an added fee for Emergency Services or Public Safety Services as the small cities do. The Emergency Management Service contract is of benefit to the City; a recent example of the services provided by Emergency Management Services in 2016 was the incident management training exercise focused on “Shelter in Place”, traffic management, and emergency response and communication.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
Infrastructure	Does the request/action support a safe and efficient infrastructure?	✓
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

The following items are included under **TAB 7**:

- Cover Letter 9/10/2019
- 2020 Emergency Management Contract
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2020 Emergency Management Contract with Chelan County in the amount of \$5,977.20.*

8. Resolution 17-2019 – Legislative Priorities for 2019-2020

The City Council is being asked to review and consider for approval Resolution 17 -2019, which identifies the City’s Legislative Priorities for the 2019/2020 Legislative Session.

1. Infrastructure Funding/Sales Tax Option
2. Housing Affordability
3. Recycling and Waste Reduction/Moderate Waste Facility Funding
4. Green Waste and a Firewise Community
5. Public Works Trust Fund

While the City has identified legislative priorities in the past, the Association of Washington Cities (AWC) in their “Operations: Strong Cities Program” is recommending that cities actually review and adopt by motion a list of Legislative Priorities, provide those priorities to their District Legislative representatives, and then follow-up after the session to see what actions were achieved.

If approved, the City will furnish the list of priorities to the offices of Senator Hawkins, Representative Steele, and Representative Goehner.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
Infrastructure	Does the request/action support a safe and efficient infrastructure?	
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

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

- Resolution No. 17-2019 Legislative Priorities
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution 17-2019 Legislative Priorities for 2019/2020.*

9. Resolution 18-2019: Grant for Garten Haus Rehabilitation and Expansion

The Chelan-Douglas Housing Authority (CDHA) has requested that all fees associated with the Leavenworth Garten Haus rehabilitation and expansion be waived by the City. The Garten Haus provides housing for low-income residents, specifically 21 apartment units serving residents with an income at or below 30% of the Average Median Income (AMI); 7 units serving 40% AMI; and 3 units serving 50% AMI. While the City cannot waive fees, it does have the ability to consider grants for affordable housing projects, as outlined by Resolution 9-2002.

The CDHA provided the City with preliminary plans for complete renovation of the existing 32 apartments and expansion of 8 new apartments – approximately a three-million-dollar project. Staff used this information to roughly estimate the land use permit, building permit, utility connection, fire permit, and engineering reviews to be \$77,828.

The Housing Committee has reviewed the requirements for providing a grant and the submitted materials and is recommending that the City Council provide a grant not to exceed \$80,000 to be applied to the land use permit, building permit, utility connection, fire permit, and engineering review fees.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

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

- Request Letter
- Resolution 9-2002 – authorizing grants pursuant to RCW 35.21.685
- Support documentation
- Resolution 18-2019
- **MOTION:** *The Leavenworth City Council moves to approve Resolution 18-2019 providing Chelan-Douglas Housing Authority a grant not to exceed \$80,000 to be restricted for payment of the Garten Haus permit fees.*

10. Discussion: Water Treatment Plant – County Zoning Requirements

This time is provided for the Council to review and provide input on a request to amend a section of the Chelan County Code which impacts the ability of the City to modify the Water Treatment Plant. The City Water Treatment Plant is located at 7201 Icicle Road, approximately four miles outside of the City limits, within the County’s Icicle Design Review Overlay District (IVDRO). The Water Treatment Plant was constructed in 1971 prior to the IVDRO code adoption in 1983. The IVDRO has very limited permitted and conditional uses, with all other uses being prohibited. Unfortunately, the existing Water Treatment Plant is not listed; therefore, the current facility is considered nonconforming. As a nonconforming structure, it is not permitted to be expanded but may be remodeled, altered or repaired.

The 2018 Water System Plan identified required improvements that may result in expanding the existing facility. In order for the City to consider all design and upgrade considerations to the Water Treatment Plant, the use needs to be either permitted or conditionally permitted in the IVDRO code. The City may request a code amendment to resolve this issue.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

The following items are included under **TAB 10:**

- Zoning Map for the Water Treatment Plant

- Chelan County Code – Icicle Valley Design Review Overlay District

11. Resolution 20-2019 Chelan County Parcel Number: 241701440450 Roadway Vacation

The City Council is being requested to establish a Public Hearing date and time to consider the vacation of all past roadways within this parcel that have not been vacated prior to this time. The property is Chelan County Parcel Number: 241701440450/Property Identification No: 27395. This property is currently one parcel within the City’s Wastewater Treatment Plant Facility. As a requirement of the Rural Development Funding (RD), all properties need to be certified by the City Attorney prior to the City being able to access RD Funds. It was discovered in the research regarding the ownership and certification process, that at one time, a roadway identified as County Road 224 existed on the property. As of this time, no additional records are on file at Chelan County or at the City of Leavenworth that indicate that the roadway has ever been vacated.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
Infrastructure	Does the request/action support a safe and efficient infrastructure?	✓
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

The following items are included under **TAB: 11**

- Resolution No. 20 - 2019
- Map of Proposed Vacation of Right-of-Way
- **MOTION:** *The City Council moves to approve Resolution 20-2019 establishing a Public Hearing on November 26, 2019 at 6:45 PM to consider the vacation of all previous roadways within Parcel No. 241701440450.*