

LEAVENWORTH CITY COUNCIL MINUTES

November 12, 2019

Mayor Cheryl Kelley Farivar called the November 12, 2019 Leavenworth City Council meeting to order at 6:30 PM and Leavenworth Resident Anne Hessburg 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 October 22, 2019 Regular Meeting Minutes
3. October 2019 Payroll \$262,434.58
4. 2019 Claims \$512,348.24
5. PRSA Voucher Request \$54,800.00
6. Set Public Hearing: Utility Leavenworth Municipal Code Changes at 6:45 PM on 11/26/2019

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

PUBLIC SAFETY REPORT: SERGEANT SCOTT LAWRENCE, LIAISON OFFICER

None.

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 and stated that the group discussed the various revenues that make up the City's General Fund, the Leavenworth Area Promotion (LAP) and Chamber of Commerce budget proposals, current partnership funding agreements, and the Chelan County Regional Port District in regard to their Economic Development Planning and infrastructure priority projects. Discussion also included payment of a Comprehensive Plan Amendment item and the Chelan County Lodging Tax Advisory Committee Grant Applications.

Councilmember Strand reported that he attended the Residential Advisory Committee meeting and stated that the group had a discussion recapping the recent Oktoberfest Festival. He noted that residents have seen improvements, although the event is noisy. He suggested closing Front Street during the weekends of Oktoberfest in the future, as there is a high potential for accidents, due to the amount of traffic and visitors in the downtown area.

Councilmember Waters reported that she attended the Public Works Committee meeting and stated that the group discussed an alley vacation from Cone Street to Titus Road and reviewed the

operations at the City's Recycle Center. She confirmed that the City is ending garbage collection on Thursdays beginning December 1, the Pine Street school zone and street lights have been installed, and that the Public Works Supervisor interviews will take place next week. She noted that she attended the recent Town Hall with WA State Representative Kim Schrier and stated that it was very informative and well attended.

Councilmember Neighbors reported on the Chelan County Solid Waste Advisory Council meeting and stated that the group toured the new Moderate Risk Waste Facility; the Ribbon Cutting is scheduled for December 5, 2019 and the grand opening is still to be determined. She reported on the Parks Committee meeting and stated that the group received an update on the recent wind storm in regard to hazardous trees. She noted that the Parks Crews inspect trees and remove hazardous limbs when necessary. She said that discussions also included the cemetery, the availability of the Osborn School property, and Special Use Permits for river use. She added that the remainder of the Pool Resurfacing project is on hold until spring, the water bottle filling station will be installed at City Hall after the Christmas Lighting Festival, and the Holiday on Ice ice-rink is scheduled to open earlier than previously anticipated.

Councilmember Bretz reported that she attended the Special Link Transit Budget Review meeting and stated that the group discussed the budget, increased services as compared to the current service, one-time projects, changes to the radio system in order to be in compliance with emergency services, and developing a subcommittee for consultant review.

Councilmember Wilson reported that she attended the Parks Committee meeting.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended the Town Hall with United States House of Representative Kim Schrier; the event was held in the Leavenworth Council Chambers and was very well attended. She said that she and Administrator Walinski and Attorney Graafstra attended the Superior Court Hearing in regard to the Adventure Park. She addressed the recent sale of two Golf Course lots and confirmed that one has closed and the other will be closing near the end of November. She then reported on the Study Session meeting and stated that the Council received a report from the Chamber of Commerce, had a discussion with the Chamber of Commerce regarding the renewal of their contract agreement with the City, reviewed the draft 2020 Planning Commission Docket, discussed Leavenworth Municipal Code changes in regard to water utilities, discussed the 2020 Rate & Fee Schedule, reviewed the Chelan County Hazard Mitigation Plan, received a presentation from the Chamber of Commerce in regard to their Lodging Tax Budget request, received an update on the South Interceptor sewer line project, reviewed a proposal for a Solid Waste Assessment of the City's Commercial solid waste stream, and had an open discussion with the Council.

City Administrator Joel Walinski reported that there will be an Open House for the South Interceptor project on November 13, 2019 at 3:00 PM in the Council Chambers.

City Attorney Tom Graafstra reported on the November 6, 2019 Hearing on the Adventure Park and noted that the Court has taken the matter under advisement and will provide guidance and ruling at a future date.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized Mr. Avery Jacobson and Ms. Emma Skylstad who were in attendance for their “Citizens of Washington in a Contemporary World” class criteria at Cascade High School. Mayor Farivar and the City Council thanked the students for attending the meeting and the Mayor presented each with a City of Leavenworth lapel pin.

Lisa Magee, 416 Evans Street, Leavenworth; Ms. Magee thanked the Council for the work that they do and noted that she has learned a lot about the operations of the City by attending the meetings.

Duane Goehner 11670 River Bend Drive, Leavenworth; Mr. Goehner congratulated the winners of the recent election and thanked those who participated in the election. He addressed the recent Hearing on the Adventure Park and noted that it was stated that the City’s code is ambiguous, which has created dissent within the community. He asked that the Planning Commission look at the Code and make changes where disagreements are possible, and also to look at the priorities of the community in the next year. He also asked that meeting minutes be made available from Council Committee meetings. On a final note, he stated that he has been seeing potential traffic accidents in the River Bend Drive / Highway 2 area and would like to see signage posted.

PUBLIC HEARING: MC DEVITT ANNEXATION AT 6:45 PM

Mayor Farivar opened the public hearing at 6:55 PM.

Development Services Manager Lilith Vespier stated that the property owner, McDevitt Land Company (Jordan and Olivia McDevitt), is requesting annexation for approximately 30-32 acres of land north of Pinegrass Street and east of Ski Hill Drive, within the Urban Growth Area, identified as Lots A, C, D, E, and F of BLA 2018-164, and identified with parcel numbers 241701320060, 241701320064, 241701320062, 241701320050, and 241701320063. She confirmed that all noticing requirements have been completed. She stated that she does not believe the property will come with any water rights and may be confirmed this evening by the applicant. There was a brief discussion regarding zoning; Ms. Vespier confirmed that the zoning is mixed zoning RL6 and RL10.

Mayor Farivar asked for comments from the public.

Jordan McDevitt, 11143 North Road, Leavenworth; Mr. McDevitt confirmed that he believes there are no water rights associated with the property as none were found during the title search and the previous owner was not aware of any either. He stated that he is in the planning process with regard to the property and will be completing the project in phases.

Mayor Farivar asked if there were any more comments from the public; hearing none, she closed the public hearing at 6:59 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance 1600 – McDevitt Annexation

Councilmember Strand motioned to adopt Ordinance No. 1600 Annexation of five properties owned by McDevitt Land Company located north of Pinegrass Street and east of Ski Hill Drive, identified as Lots A, C, D, E, and F of BLA 2018-164, and identified with parcel numbers 241701320060, 241701320064, 241701320062, 241701320050, and 241701320063. The motion was seconded by Councilmember Waters and passed unanimously.

2. Ordinance 1601 – Adopting Ad Valorem Tax

Finance Director Chantell Steiner stated that the City Council is being asked to consider multiple options for Ordinance 1601, which is the authorization of the property tax levy for the 2020 tax year. She addressed the details of the different options that the Council may consider and the benefit to the City by choosing a particular option. There was discussion of the maximum 1% increase and including the remaining banked capacity, or taking a lesser amount, not to include all of the remaining banked capacity. The Council considered the cost of the City's Emergency Services Contracts as well as the City's inability to obtain certain grants and low interest loans if the banked capacity were still available. The Council established that Option B, which is a 1% Property Tax increase and releases the remaining banked capacity as the best option.

Anne Hessburg, 205 W Benton Street, Leavenworth; Ms. Hessburg suggested that the Council consider the smallest tax increase possible.

Councilmember Neighbors motioned to adopt Ordinance 1601 Option B with the Ad Valorem Tax increase of \$59,080. The motion was seconded by Councilmember Wilson and passed unanimously.

3. Authorize Mayor to Sign Tax Levy

Finance Director Chantell Steiner stated that the Department of Revenue and the County Assessor require a levy certification. She explained that the certification figure is approximately \$20,000 more than the actual levy amount, which allows the Assessor to collect more revenue if projections for the preliminary assessments come in higher than anticipated.

Councilmember Neighbors motioned to authorize the Mayor to sign Option B for the Tax Levy Certificate. The motion was seconded by Councilmember Wilson and passed unanimously.

4. Resolution 21-2019 – Hazard Mitigation Plan

Development Services Manager Lilith Vespier stated that the City Council is being asked to approve the Chelan County Multi-jurisdictional Hazard Mitigation Plan (CCHMP), which includes the City of Leavenworth annex – hazard mitigation plan for the City. She noted that the Council reviewed the document in June and made one change, which is reflected in the resolution. She added that the document will be modified and updated every 5 years. Councilmembers asked questions, which were clarified by Ms. Vespier.

Councilmember Lundgren motioned to approve Resolution 21-2019, adopting the Chelan County Hazard Mitigation Plan. The motion was seconded by Councilmember Bretz and passed unanimously.

5. Pacific Engineering Professional Services Agreement Amendment #2

Finance Director Chantell Steiner stated that the City Council is being asked to approve an amendment to the Professional Services Agreement (PSA) for Pacific Engineering in relation to On-Call services for engineering and design, as well as final inspection service costs for the Pine Street Construction Project. She noted that the City Council reviewed and approved the necessary budget amendment for a majority of the costs at the October 8, 2019 Council meeting; therefore, no further budget amendments are needed. She detailed the expenditures for On-Call Services, which include the Adventure Park Appeal Hearing, Weidner Apartments Appeal, Pine Street Phase

2 grant application assistance, and City Code updates that are currently underway. She said that Staff is requesting to amend the contract to a cost not to exceed \$45,000; the original contract was capped at \$15,000. She then detailed the additional costs associated with the Pine Street Phase 1 Reconstruction project and stated that Staff is requesting a not to exceed cost of \$40,000, which is an increase of \$15,872 from the original agreement. There was a brief discussion of the pros and cons of having a City Engineer on staff.

Councilmember Wilson motioned to approve and authorizes the Mayor to sign the Pacific Engineering Professional Services Agreement Amendment #2. The motion was seconded by Councilmember Strand and passed unanimously.

6. Chelan County Code Amendment

Development Services Manager Lilith Vespier addressed the submission of an application to Chelan County requesting amendment to the Icicle Valley Design Review Overlay District (IVDRO) to permit the existing Water Treatment Plant as an allowable use; the Water Plant is currently a non-conforming use, as determined by the IVDRO. She said that the fees for the application are \$1,165; if the County determines that the amendment is not SEPA exempt, an additional fee of \$215 would be required with a SEPA checklist. She said that the application is seeking to change the Water Treatment Plant to a permitted use or conditional use.

Councilmember Bretz motioned to authorize submitting an application to Chelan County requesting amendment to the Icicle Valley Design Review Overlay District permitted uses. The motion was seconded by Councilmember Waters and passed unanimously.

7. Waste Assessment Contract

City Administrator Joel Walinski stated that the City Council is being asked to approve a Professional Services Agreement with Green Solutions for a Solid Waste, Recycling, and Organics Waste Assessment Study for the Commercial Sector. He said that the City received two proposals for completing the assessment, one from Impact Bioenergy and the other from Green Solutions. He said that those proposals were reviewed by representatives from the City Council, Public Works, Chelan County Solid Waste, and Waste Loop; following evaluations, interviews were conducted with the two proposers, and the Committee is recommending contracting with Green Solutions for the completion of the assessment at a not to exceed cost of \$35,250. Councilmembers briefly discussed the scope of work.

Councilmember Lundgren motioned to approve and authorizes the Mayor to sign the Professional Services Agreement with Green Solutions for the completion of a Solid Waste Assessment of the Commercial solid waste generators for a not to exceed cost of \$35,250. The motion was seconded by Councilmember Neighbors and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

None.

ADJOURNMENT

Seeing no other business, Councilmember Bretz motioned to adjourn the November 12, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Lundgren and passed unanimously.

The meeting adjourned at 7:46 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk