

LEAVENWORTH CITY COUNCIL MINUTES

December 10, 2019

Mayor Cheryl Kelley Farivar called the December 10, 2019 Leavenworth City Council meeting to order at 6:30 PM and Mayor Farivar and Councilmember Neighbors 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 November 26, 2019 Regular Meeting Minutes
3. November 2019 Payroll \$233,454.93
4. 2019 Claims \$521,911.08
5. PRSA Voucher Request \$13,000.00

Councilmember Wilson motioned to amend the consent agenda to add item number 13 regarding the Chamber of Commerce Agreement for Use of Lodging Tax. The motion was seconded by Councilmember Bretz and passed unanimously.

Councilmember Neighbors motioned to approve the consent agenda as amended. The motion was seconded by Councilmember Waters 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 October 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 September. He briefly addressed the first weekend of the Christmas Lighting Festival and noted that the event ran smooth and the calls for service were very low compared to previous years. Administrator Walinski added that the main focus of the traffic control flaggers is to keep traffic moving on highway 2 and to improve any needed emergency response. Sergeant Lawrence confirmed that citations were issued to those who did not abide by the direction of the flagging personnel. Mayor Farivar thanked Sergeant Lawrence for the work that he has done for the City.

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 Chamber of Commerce Agreement, partnership agreements with the Leavenworth Winter Sports Club, Autumn Leaf Festival, and potential future developments that are currently in a conceptual phase. The Committee discussed entities in the community and that

the Committee is hoping to bring in more outside influence for economic growth and diversifying the economy.

Councilmember Waters reported that she attended the Public Works Committee meeting and stated that a representative from OceanSolunis Waste Handling spoke to the group about zero waste; he suggested using washable plates and keeping plates out of the waste stream and preventing waste. Councilmember Lundgren noted that the focus/change in behavior is to keep patrons in the restaurant, rather than sending them out. She said that there is no more garbage service on Thursdays and announced that Mr. Rick Emmons has been promoted to the Public Works Field Supervisor position.

Councilmember Neighbors reported that she attended the Ribbon Cutting for the Chelan County Moderate Risk Waste Recycle Facility; the facility is open to the public and the hours of operation and disposal information is available on the Chelan County website. She reported on the Parks Committee meeting and stated that the group had a discussion with Mr. Dave Johnson of Tube Leavenworth about tubing on the river and how to manage the large numbers of people who are tubing the river. Mr. Johnson is solution oriented and wants to work with the City to achieve less wear and tear on the river.

Councilmember Wilson reported that she attended the Parks Committee meeting.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she welcomed the visitors to the Christmas Lighting Festival at the Gazebo on Saturday afternoon. She then reported on the Study Session meeting and stated that the Council received a report from the Chamber of Commerce, discussed the Leavenworth Area Promotions (LAP) 2020 Budget request, reviewed the Chamber of Commerce contract renewal, 2020 Planning Commission Docket and 2020 Capital Budget, received an update on the disposition of the final Golf Course lot, and had an open discussion with the Council.

City Administrator Joel Walinski reported on the Festhalle Oversight Committee and stated that the group met at the Festhalle this month. He said that the Committee received an update from the Festhalle Manager regarding the Christmas Concert series that is being held on the three Saturdays of the Christmas Lighting Festival; he provided a brief overview of the series and invited the Mayor and Council to attend. He reported on the Parking Advisory Committee meeting and stated that staff had put out requests for comparison pricing to various parking equipment vendors; the next step is to plan a meeting with Civic Smart to meet with the Parking Advisory Committee in order to answer questions and review parking equipment. He said that the Committee would like to make a recommendation to the City Council regarding their direction at the January 14, 2020 City Council meeting. He said that the Committee has also had discussions regarding the DOT Lot and the necessary steps to be taken to put that lot into operation.

City Attorney Tom Graafstra reported on the Adventure Park Court Hearing and stated that the Judge has not made a decision, but may know something prior to the Christmas Holiday.

Finance Director Chantell Steiner reported that she provided the Finance reports for what would normally be the next meeting on December 24, 2019. She said that she will try to have the December reports ready for the January meeting.

Development Services Manager Lilith Vespier reported that the new permit tracking system is moving forward. She is working with all departments and the system should be operational to the

public in February next year. She reported that the Alpen Glow development has been permitted and is moving forward.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized Mr. Avery Jacobson and Ms. Celeste Villalobos who were in attendance for their “Citizens of Washington in a Contemporary World” class criteria at Cascade High School. The students introduced themselves and stated their ideas for their Senior Projects. 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.

Councilmember Carolyn Wilson presented Mayor Farivar with a Proclamation for Mayor Farivar’s final meeting.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Resolution 25-2019: 2020 Rate & Fee Schedule

Finance Director Chantell Steiner stated that the City Council is being asked to approve the final amendments to the 2020 Rate & Fee Schedule, effective on January 1, 2020. She detailed the changes to Development, Utility, Cemetery, and Non-Motorized Vehicle Fees and noted that the changes were previously reviewed by the Council at the October and November Study Session meetings.

Councilmember Lundgren motioned to approve Resolution 25-2019 setting the City Rates and Fees for 2020. The motion was seconded by Councilmember Bretz and passed unanimously.

2. US 2 Upper Wenatchee Valley Transportation Study Funding

City Administrator Joel Walinski stated that the City Council is being asked to authorize the expenditure of funds for the completion of the US Hwy 2 Corridor Study. He stated that the Corridor Study was initiated by the Washington State Department of Transportation (WSDOT), Chelan Douglas Transportation Council (CDTC), Link Transit, Chelan County, and the City of Leavenworth for a contracted cost of \$268,000. He said that the initial funding was provided by WSDOT and CDTC, and as the study is nearing completion, additional funding in the amount of \$11,295 is needed for the completion of identified tasks and community outreach. On a final note, he explained that the City had initially committed up to \$5,000 for the project, but has yet to expend funds on the project; the City is now being asked to provide some level of funding in order to complete the project. He confirmed that funds are provided from the Transportation Benefit District (TBD) Fund.

Councilmember Bretz motioned to approve the expenditure of \$11,295 dollars for the completion of the US 2 Upper Wenatchee Valley Transportation Study. The motion was seconded by Councilmember Strand and passed unanimously.

3. Resolution 26-2019: 2019 - 2024 STIP Amendment

City Administrator Joel Walinski stated that the City Council is being asked to authorize Resolution 26-2019 amending the 2019 – 2024 Six-Year Transportation Improvement Plan (STIP) to reflect the addition of the 14th Street – Commercial Street to Front Street Reconstruction Project. He explained that it is necessary to update the STIP to reflect the award of a design and

construction grant from the WA State Transportation Improvement Board (TIB) in the amount of \$488,300. He said that the project will be completed in 2021 following the upgrade of the Wastewater Treatment Plant and South Interceptor Replacement projects in 2020.

Councilmember Bretz motioned to approve Resolution 26-2019 amending the 2019 – 2024 Six-Year Transportation Improvement Plan. The motion was seconded by Councilmember Neighbors and passed unanimously.

4. Ordinance 1604: 2019 Quarterly Budget Amendment

Finance Director Chantell Steiner stated that the City Council is being asked to adopt Ordinance 1604 Quarterly Budget Amendment, which amends the budget at the fund level. She detailed the changes to the Upper Valley Park & Recreation Service Area (PRSA), Pine Street Capital, and Lodging Tax Funds. She further explained that there may be additional amendments to revenue if there are any 2019 budget items moved into the 2020 portion of the budget.

Councilmember Strand motioned to adopt Ordinance 1604 Quarterly Budget Amendment for 2019. The motion was seconded by Councilmember Lundgren and passed unanimously.

5. Ordinance 1605: Budget Amendment 2020 Salary Schedule

City Administrator Joel Walinski stated that the Council is being asked to approve the annual budget amendment for the 2020 Budget Salary Schedule that is based on original budget estimates included within the 2019-2020 Biennial Budget. He said that union wages are covered under the bargaining unit agreement with a contract that expires in December 31, 2021. The Mayor and City Administrator recommendation for the 2020 calendar year for the four positions not covered under the bargaining agreement is 3.25%. This would mean that all fulltime positions and non-union positions would receive the same 3.25% increase. This recommendation does not cover the City Administrator's salary, as that is a separate employment contract. He said that the salary schedule also includes recommendations on pay rates for seasonal and temporary employees that are affected by the changes in the minimum pay requirements within the State and the current employment rates within Chelan County; the PRSA will make a recommendation on pool employee pay rates next year.

Councilmember Wilson motioned to adopt Ordinance 1605 approving the 2020 Salary Schedule. The motion was seconded by Councilmember Bretz and passed unanimously.

6. Leavenworth Area Promotions 2020 Budget Approval

City Administrator Joel Walinski stated that the City Council is being asked to approve the 2020 Leavenworth Area Promotions (LAP) Budget, which is used for the promotion of the Leavenworth brand. He said that the LAP Committee met with the City Council at the November Study Session and provided three funding options for 2020; the Economic Development Committee has reviewed the request and has recommended Option 2. He noted that the topic was discussed in the earlier Study Session. Councilmember Lundgren added that he would like to see advertising focused on the shoulder seasons; LAP Representative Jessica Stoller concurred that this is the case.

Councilmember Neighbors motioned to approve Option 2 for the Leavenworth Area Promotions 2020 Budget Allocation. The motion was seconded by Councilmember Bretz and passed unanimously.

7. Professional Services Agreement: IntegriTech 2020

Public Works Director Herb Amick stated that the City Council is being asked to approve a Professional Services Agreement (PSA) with Mr. Aaron Schmidt of IntegriTech for on-call engineering consultant services at a cost not to exceed \$10,000 for the year 2020. There was a brief discussion in regard to the not to exceed amount and what steps are in place to ensure individual contracts do not exceed \$10,000.

Councilmember Waters motioned to approve and authorizes the Mayor to sign the Professional Services Agreement with IntegriTech for on-call consulting engineer services. The motion was seconded by Councilmember Bretz and passed unanimously.

8. WSDOT Nondiscrimination Agreement

Finance Director Chantell Steiner stated that the City Council is being asked to approve an update to the Title VI Nondiscrimination Agreement with the Washington State Department of Transportation (WSDOT); the agreement is required for all agencies that receive funding from the Federal Highways Administration, either as a recipient or sub-recipient. She explained that the Council approved an updated agreement in November 2018; following submission of that agreement, the City received a request from the Title VI Regional Coordinator to include Attachment 1 – Organizational Chart and Attachment 2 – Major Transportation Programs, Activities & Responsibilities.

Councilmember Bretz motioned to authorize the City Administrator to sign and the City to enter into a Nondiscrimination Agreement with the Washington State Department of Transportation for funding from the Federal Highways Administration. The motion was seconded by Councilmember Lundgren and passed unanimously.

9. Authorization to Bid – Wastewater Treatment Plant

Public Works Director Herb Amick stated that the City Council is being asked to approve the advertisement for bid for the City of Leavenworth Wastewater Treatment Plant Upgrade Project. He briefly detailed the project and confirmed that funding for the project is secured through a loan from Rural Development Funding (RD) in the amount of approximately \$10.6 million and a grant in the amount of \$3.2 million. Administrator Walinski confirmed that the City Attorney and RD have provided approval to go out to bid on the project. There was a brief discussion of the timeline of the project with the planning process beginning approximately 10 years ago. Finance Director Steiner briefly clarified the process of the short-term loan with Cashmere Valley Bank that is tied to the project.

Councilmember Bretz motioned to authorize the advertisement for bids for the Wastewater Treatment Plant Upgrade Project as approved by Rural Development and the City Attorney. The motion was seconded by Councilmember Strand and passed unanimously.

10. Authorization to Bid – Wastewater South Interceptor

Public Works Director Herb Amick stated that the City Council is being asked to approve the advertisement for bid for the City of Leavenworth Wastewater South Interceptor Replacement project pending final approval of funding and City Attorney review. He briefly detailed the project and confirmed that funding for the project is secured through a loan from Rural Development Funding (RD) in the amount of approximately \$10.6 million and a grant in the amount of \$3.2

million. He said that upon final approval by RD and the City Attorney, the bid will be advertised and the plans and specifications will be available to the public.

Councilmember Lundgren motioned to authorize the advertisement for bids for the Wastewater South Interceptor Replacement Project contingent on approval of bid by Rural Development Funding and the City Attorney. The motion was seconded by Councilmember Bretz and passed unanimously.

11. 125 Pine Street Settlement Agreement (Placeholder)

City Administrator Joel Walinski stated that the City Council is being asked to ratify a settlement agreement with Mr. Craig Hess regarding the improvements associated with the Pine Street Reconstruction Project. He said that the action is necessary in order to complete the Pine Street Phase I Reconstruction Project, which includes the completion of the public sidewalk and the completion of private improvements on the property at 125 Pine Street, which are required as part of the Pine Street project. The settlement agreement also includes the purchase of a permanent slope easement on the 125 Pine Street property. He confirmed that the City and Mr. Hess have agreed to the following settlement; 1.) Owner agrees to convey to the City a permanent Slope Easement, free and clear of all encumbrances and defects, except those acceptable to the City, and for full satisfaction of all claims; and 2.) Owner agrees to construct the public street improvements consisting of a portion of missing sidewalk located to the south of the driveway entrance, and to flatten the fill slope behind the sidewalk. He confirmed that the total monetary compensation of \$22,800 is allocated as \$2,150 to acquisition of the Slope Easement and the balance of \$20,650 to reimburse Owner for work tied to the necessary City's improvements and the private improvements on his property needed for the completion of the Pine Street Project.

Councilmember Waters motioned to approve and authorizes the Mayor to sign a Settlement Agreement between the City of Leavenworth and Mr. Craig J. Hess in the amount of \$22,800. The motion was seconded by Councilmember Wilson and passed unanimously.

12. Cancel December 24, 2019 Regular Council Meeting and Subcommittee Meetings

Councilmember Neighbors motioned to cancel the December 24, 2019 Regular City Council meeting and Subcommittee meetings. The motion was seconded by Councilmember Bretz and passed unanimously.

Lisa Magee, 416 Evans Street, Leavenworth; Ms. Magee was concerned that with the canceled Council meeting, the public would not receive updates regarding the decision on the Adventure Park appeal, if the Judge were to make a determination prior to Christmas. Administrator Walinski confirmed that the City will post an update to the City's website if there is a decision prior to the next Council meeting in January.

13. 2020 – 2023 City/Chamber Agreement for Use of Lodging Tax

City administrator Joel Walinski stated that the City Council is being asked to approve the 2020-2023 City/Chamber of Commerce Agreement for the use of Lodging Tax. He explained the terms of the agreement that provides the Chamber with 18.5% of Lodging Tax Funds over the course of the next three years. There was discussion of how those funds are calculated, what the funds are used for, and how the Chamber requests the funds. The Council would like the Chamber of Commerce Representative to continue providing reports at Study Session meetings.

Councilmember Bretz motioned to approve and authorizes the Mayor to sign the 2020 – 2023 City/Chamber Agreement for Use of Lodging Taxes. The motion was seconded by Councilmember Waters and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Councilmember Lundgren recognized Mayor Farivar and Councilmember Neighbors, noting that it is the last meeting for both women. He stated that it has been an honor working with both of them and added that they will be missed. Councilmembers individually thanked Mayor Farivar and Councilmember Neighbors for their service to the community. Mayor Farivar expressed her appreciation to the Council for the work that they provide. Councilmember Neighbors thanked the Mayor, Council, and Staff for the support that has been provided to her.

ADJOURNMENT

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

The meeting adjourned at 7:48 PM.

APPROVED



Carl J. Florea
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk