

LEAVENWORTH CITY COUNCIL MINUTES

April 9, 2019

Mayor Cheryl Kelley Farivar called the April 9, 2019 Leavenworth City Council meeting to order at 6:30 PM and US Forest Service Representative Rick Stratton led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Mia Bretz, Elmer Larsen, 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.

Mayor Farivar excused Councilmember Carolyn Wilson from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda

1. Approval of Agenda
2. Approval of March 26, 2019 Regular Meeting Minutes
3. March 2019 Payroll \$236,695.89
4. 2019 Claims \$105,994.39
5. PRSA Voucher Request

Councilmember Larsen motioned to approve the consent agenda. The motion was seconded by Councilmember Bretz 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 February 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 January. There was a brief discussion of the number of offences that have taken place in the area, as compared to previous months.

PRESENTATION: UNITED STATES FOREST SERVICE ON FIRE RISK – RICK STRATTON

Councilmember Jason Lundgren introduced Mr. Rick Stratton to the audience. He said that Mr. Stratton works with the US Forest Service in Missoula, Montana as a fire analyst; he recently published a report ranking towns in Washington and Oregon for their risk of wild fire. Council Member Lundgren stated that wild fire prevention should be one of the City's highest priorities.

Mr. Rick Stratton, representing the US Forest Service provided a presentation on Leavenworth, WA: Large Fire History, Risk Assessment, and Home / Community Protection. He displayed graphics showing large fires in north-central Washington since 2000, record large fires looking back 50-70 years, and wildland-urban fire disasters now involving entire communities. He addressed how wildland-urban interface (WUI) fire disasters occur and are the greatest risk in the

Pacific North West. He addressed the city rankings on the risk assessment and how those came to be; fuel data review, highly valued resources and assets, response functions, and relative importance ranking provided the results, which are seven primary outputs from the risk assessment. He addressed the risk map and provided examples of the Leavenworth fire environment as it relates to topography, weather and winds, fuels, and burn probability. He displayed photos of large fires and protection that should be considered around homes that may prevent fire from spreading. There was discussion of making homes and communities ignition resistant; building materials, landscape, and screening. He noted that the individual property owner can do the most to prevent fire damage to their property. Fire Department representatives noted that Fire District Staff will provide assessments for individual property owners. There was a discussion of the City's evacuation plan and the Sheriff Departments responsibility. Residents and Council members asked questions and shared their thoughts; Mr. Stratton addressed those questions. Chelan County Commissioner Bob Bugert noted that the County will be holding a workshop on WUI Codes; he will send that information to the City. Councilmembers would like to invite Fire District representatives to an upcoming Study Session and have asked to include this information in the City's newsletter.

COUNCILMEMBER AND COMMITTEE REPORTS

None.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported on the Study Session meeting and stated that the Council received an update from the Chamber of Commerce, discussed the meeting topics for the upcoming Annual Retreat, received an update on the Front Street Master Plan, Development Services Department, and the current capital projects, reviewed the future Council agenda items and project tracking document, and provided input for the quarterly City Newsletter.

Development Services Manager Lilith Vespier reported that the mid-year joint meeting with the Planning Commission will take place on June 5, 2019; the Council will join the regular Planning Commission meeting.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Peter Keenan, 11655 River Bend Drive, Leavenworth; Mr. Keenan stated that he was asked by the River Bend Drive Association Board of Trustees to deliver a message to the Council regarding stormwater being diverted onto their property, which is due to the construction of Zelt Strasse. He read the letter aloud and stated the comments and questions from the Board. He said that the Board would like their questions answered by April 19, 2019. Mayor Farivar noted that she has not previously seen the letter; she will accept the letter and move forward with answering those questions. She noted that the time frame of April 19, 2019 will not be possible, as research will need to be completed. There was a brief discussion regarding Mr. Keenan's recent and upcoming request for public records.

Zeke Reister, 508 Ash Street, Leavenworth; Mr. Reister stated that he wanted to talk about the needs in our community, specifically about talking with each other. He said that there are a lot of issues out there; there is a critical need for the City Council to recognize a dialog with the residents of the community as a group, a "Chamber of Community". He said that the residents and business community have questions that they would like answers to. He would like to have a

survey of community issues to find what is important for quality of life. He wants the business community and the residents to talk to each other.

Duane Goehner, 11670 River Bend Drive, Leavenworth; Mr. Goehner stated that the Friends of Leavenworth would like to help educate the community as well; he offered to partner with the City in regard to Fire Wise. He stated that many of the people who are assigned to various committees tend to have more business and/or developer background; he doesn't see people on (for example) the Parking Advisory Committee who actually commute into town to work. He would like to see people who can be the heart of the people. Using the Planning Commission as an example, he doesn't think that Commissioners need to be developers; there can be Commissioners who have a heart for the community for the future. Mayor Farivar commented that when the City asks for volunteers, the City puts out the request, then chooses from those volunteers who want to serve on commissions.

PUBLIC HEARING ON CRYPTOCURRENCY (BITCOIN) REGULATIONS AT 6:45 PM

Mayor Farivar opened the Public Hearing at 8:13 PM.

Development Services Manager Lilith Vespier stated that the City enacted interim regulations for cryptocurrency under Ordinance 1561 on March 27, 2018, which requires a Conditional Use Permit (CUP) and is allowed in the Light Industrial zoning district. She said that March 27, 2019 was the expiration date on the interim controls; therefore, the Planning Commission held a public hearing to consider new zoning regulations which would permit cryptocurrency uses within the Light Industrial zoning district when specific standards are met. She said that those regulations are quite stringent in regard to the building and power being provided. She confirmed that the Planning Commission is recommending approval of the regulations.

Mayor Farivar asked for comments from the public; hearing none, she closed the public hearing at 8:15 PM

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Leavenworth Community Farmers Market Special Use Permit Noise Variance

City Administrator Joel Walinski stated that the City Council is being asked to consider and approve a Special Use Permit (SUP) to allow increased noise levels for the 2019 Leavenworth Community Farmers Market, which is held on Thursdays, June through October, from 4:00 PM – 8:00 PM at Lions Club Park. He addressed the letter of request from the Market Manager and noted that the City has received a few noise complaints in the past.

Councilmember Waters was concerned that the uses of the pool were not considered. She said that the Farmers Market music is loud enough, at times, to drown out the music from her water aerobics class. She stated her concerns regarding safety and not being able to hear emergency whistle calls. There was discussion of meeting with the Farmers Market managers to come up with solutions and find the actual intent for the noise variance. Councilmember's chose to continue the item to the May 14, 2019 meeting in order receive additional information from the Pool and Farmers Market Management.

Councilmember Larsen moved to continue Leavenworth Community Farmers Market Special Use Permit Noise Variance to a date certain of May 14, 2019. The motion was seconded by Councilmember Neighbors and passed unanimously.

2. Ordinance 1585 – Cryptocurrency (Bitcoin) Regulations

Development Services Manager Lilith Vespier stated that the City Council is being asked to adopt Ordinance 1585 – Cryptocurrency (Bitcoin) Regulation.

Councilmember Strand motioned to approve Ordinance 1585 amending the Leavenworth Municipal Code to define cryptocurrency in LMC Chapter 21.90 definitions; and, permit cryptocurrency within the Light Industrial District (LI), LMC Section 18.45.020. The motion was seconded by Councilmember Larsen and passed unanimously.

3. Zoning Map Amendment Recommendation

a. Ordinance 1586 – City Owned Property Rezone

Development Services Manager Lilith Vespier stated that the City of Leavenworth Hearing Examiner held a Public Hearing on March 18, 2019 to consider and make recommendation on the proposed Zoning Map Amendments for 1400 Commercial Street, changing from Multifamily to Light Industrial, and for 9111, 9125, and 9139 Icicle Road, changing from Recreation to Residential Low Density 6 (RL6). She noted that the Council adopted Ordinance 1584 regarding these changes; the public hearing before the Hearing Examiner received no public comments and the Hearing Examiner recommends that the City Council approve the Zoning Map Amendments. She said that this item comes before the City Council as a Closed Record Action, meaning no public comment shall be taken, rather the Council is requested to make a motion on the Hearing Examiner's recommendation.

Councilmember Lundgren motioned to adopt Ordinance 1586 accepting the Hearing Examiner's recommendation approving the Zoning Map Amendments consistent with Ordinance 1584. The motion was seconded by Councilmember Bretz and passed unanimously.

b. Motion to Set Public Hearing – Golf Course Property Surplus on 4/23/2019 at 6:45 PM

City Administrator Joel Walinski stated that the City Council is being asked to set a Public Hearing on April 23, 2019 at 6:45 PM for the surplusing of three Golf Course parcels located on Icicle Road. He noted that the purpose for surplusing any City owned property is to find if it is in the public interest to return the property to the tax rolls, if it is not needed for present or future municipal use. He briefly noted the procedure, beginning with a public hearing regarding the properties; following the hearing, the Council will decide on declaring the property surplus, and provide the direction on selling the parcels.

Councilmember Neighbors motioned to notice and hold a Public Hearing regarding the surplusing of three residential lots located adjacent to the Leavenworth Golf Course property on April 23, 2019 at 6:45 PM. The motion was seconded by Councilmember Larsen and passed unanimously.

4. Ordinance 1587 – Quarterly Budget Amendment

Finance Director Chantell Steiner stated that the City Council is being asked to adopt Ordinance 1587 Quarterly Budget Amendment, which amends the budget at the fund level. She briefly noted the changes to the individual funds and how those funds are allocated.

Councilmember Strand motioned to adopt Ordinance 1587 Quarterly Budget Amendment. The motion was seconded by Councilmember Neighbors and passed unanimously.

5. Resolution 4-2019 – 3-Year Interfund Loan to Pool

Finance Director Chantell Steiner stated that the City Council is being asked to approve Resolution 4-2019 to assist the Pool Fund with the repair work to the surge tank and resurfacing the pool basin. She noted that the City Council previously authorized 1/3 of the funding to be loaned to the Pool from the General Fund in the amount of \$61,045; total project cost of \$183,135. She addressed the annual payment amounts beginning in 2020 through 2022 at 1.286% interest.

Councilmember Lundgren motioned to approve Resolution 4-2019 authorizing a 3-Year Interfund Loan to the Pool Fund from the General Fund. The motion was seconded by Councilmember Larsen and passed unanimously.

6. Upper Valley Connection – Youth Funding

Finance Director Chantell Steiner stated that the City Council is being asked to provide support to Upper Valley Connection; a non-profit group that supports local Leavenworth area youth and young adults with different abilities, disabilities, or special needs through meaningful interactions. She said that the Council has provided for this group over the years and noted that the General Fund for youth services currently has just over \$1,000 remaining.

Councilmember Waters motioned to approve supporting the Upper Valley Connection Program for Leavenworth Area Residents in the amount of \$1,000. The motion was seconded by Councilmember Lundgren and passed unanimously.

7. Mayoral Appointment of Mr. Steven Booher to Planning Commission Position No. 1

Mayor Farivar stated that the City Council is being asked to confirm the Mayoral appointment of Mr. Steven Booher to the City of Leavenworth Planning Commission. She said that Mr. Booher has a background in affordable housing and has worked for cities that have put affordable housing in place.

Councilmember Larsen motioned to approve the Mayoral appointment of Mr. Steven Booher to the Leavenworth Planning Commission Position No. 1. The motion was seconded by Councilmember Waters and passed unanimously.

8. Supplemental Agreement #4: TD&H Construction Engineering and Inspection Services

City Administrator Joel Walinski stated that the City Council is being asked to approve Supplemental Agreement No. 4 with TD&H Engineering for construction administration and inspections services for the Pine Street – Phase I Reconstruction Project. He confirmed that the contract amount has increased by \$142,133.00. He addressed the Scope of Work regarding construction engineering and inspections and noted that the City will be looking into a local engineering firm to provide those services. On a final note, he stated that this contract is a

necessary step to receive Washington State Department of Transportation (WSDOT) final approval and authorization to bid.

Councilmember Strand motioned approve and authorizes the Mayor to sign Supplemental Agreement No. 4 relating to the Pine Street Phase I Reconstruction Project with TD&H for construction administration and inspection services. The motion was seconded by Councilmember Neighbors and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that the Public Disclosure Commission filing deadline is April 15, 2019 and that the City Council Annual Retreat will take place on April 12, 2019 from 7:00 AM – 3:00 PM at the Bavarian Lodge Montafon Room.

ADJOURNMENT

Seeing no other business, Councilmember Larsen motioned to adjourn the April 9, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Bretz and passed unanimously.

The meeting adjourned at 8:48 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk