

LEAVENWORTH CITY COUNCIL MINUTES
June 25, 2019

Mayor Cheryl Kelley Farivar called the June 25, 2019 Leavenworth City Council meeting to order at 6:30 PM and Link Transit Representative Russ Speidel led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Mia Bretz, Margaret Neighbors, Sharon Waters, 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 Clint Strand from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda:

1. Approval of Agenda
2. Approval of June 11, 2019 Study Session Minutes
3. Approval of June 11, 2019 Regular Meeting Minutes
4. 2019 Claims \$256,265.49

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

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Waters reported on the Parking Advisory Committee meeting and stated that the group discussed various locations for bike racks downtown; the Council will vote to consider approval of the funding for the purchase of six bike racks later in the meeting.

Councilmember Neighbors reported that she attended the Downtown Steering Committee and Finance Committee meetings. She reported that the Finance Committee discussed revenues and expenditures and reviewed a breakdown of the City's sales tax revenue that is provided through the Department of Revenue. She said that the group also discussed a better interpretation of the City's policy on current fee language for appeals.

Councilmember Bretz reported on the Link Transit Board meeting and stated that discussions included the City of Chelan pilot shuttle program that begins in July and route revisions due to parking concerns within the City of Chelan. She reported on the Housing Committee and stated that the group discussed new state legislation that allows for sales tax and grant funding to be used for affordable housing and density planning and received an update on the Weidner Apartments Project. She reported on the Public Safety Committee meeting and stated that the Committee

received reports from the Chelan County Sheriff's department and the Fire District. She reminded the group that there is a ban on fireworks. She announced that the City would like to encourage Firewise neighborhoods in Leavenworth; the City is seeking "Sparkplugs" (Stakeholders) to take part in the organization process; there will be a public meeting in August with the volunteer Sparkplugs.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended the Chelan Douglas Transportation Council meeting and reported that the Highway 2 Corridor Study is currently underway; preliminary results will be available in September, there will be a public meeting to discuss the findings, and the study will likely be complete by the end of the year. She added that the City has applied for funding for the Pine Street Phase II project, which is Pine Street from Titus Road to Chumstick Highway. She reminded the Council and public of the Link Transit Ribbon Cutting Ceremony at the new Park & Ride that is scheduled for this coming Friday, June 28, from 11:30 AM to 1:00 PM.

City Administrator Joel Walinski reported on the Downtown Steering Committee meeting and stated that the group reviewed the Request for Qualifications and Proposal for Architectural Services for the Front Street Park Restroom and Stairway Improvement project. The Committee has recommended the proposal from Rolluda Architects; a contract will be provided to the Council for consideration of approval. He said that the Committee also reviewed bike parking as proposed by the Parking Advisory Committee and is in favor of additional bicycle parking, and the group has tried to identify locations that limit the implications on the loss of automobile parking spaces. He noted that the Committee is looking at a process to update and amend the Downtown Master Plan, which was completed in 2007, as many things have changed since the plan was adopted. On a final note, he briefly reported on the Parking Advisory Committee meeting and stated that the Committee also reviewed the Parking Fund and the On Street Paid Parking Analysis by Rick Williams Consulting; the Committee is gathering information and will provide a recommendation to the Council at a later date.

City Attorney Tom Graafstra reported that the City was served a petition to appeal the Hearing Examiner's SEPA determination and Conditional Use Permit for the Leavenworth Adventure Park by the Friends of Leavenworth. He said that the estimated time for the petition to work its way through Superior Court is approximately 2 ½ - 5 months.

Development Services Manager Lilith Vespier reported on the numbers of Land Use and Building Permit Applications that were received for the month. She noted that the Planning Commission meeting minutes are available in the Council Packet. On a final note she stated that the next Planning Commission meeting will be held on July 10, 2019 and she provided an overview of that upcoming meeting. There was a brief discussion regarding the Public Workshop for Development Regulations and she stated that those will be held during the July and August Planning Commission meetings; she encouraged the Friends of Leavenworth to attend those workshops.

Public Works Director Herb Amick reported that the Pine Street Phase I Reconstruction project is underway and that the HAWK system crosswalks are scheduled to be activated on June 27, 2019.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

None.

PUBLIC HEARING – RESOLUTION 07-2019 LINK TRANSIT BALLOT MEASURE SUPPORT OR OPPOSITION AT 6:45 PM

Mayor Farivar opened the public hearing at 6:52 PM.

City Administrator Joel Walinski stated that the Leavenworth City Council will conduct a public hearing and take comment on whether the City Council should support or oppose a Link Transit ballot measure requesting an increase in sales taxes within Chelan County. He noted that Link Transit General Manager Mr. Richard DeRock discussed the sales tax increase at a recent Study Session. He said that the ballot measure will request an additional .2% that would be implemented with .1% in January of 2020 and the other .1% in January of 2022. He said that if the measure is approved by the voters, the new revenue will expand services throughout Chelan and Douglas counties, to include expanded Saturday and the addition of Sunday service to all cities, increase transits on existing routes, earlier and later hours, expand coverage to reach more areas, smaller busses in residential neighborhoods, and faster travel times between Leavenworth and Wenatchee.

Councilmember Bretz noted that Link Transit currently has a modest tax rate. She further explained that following the Community Outreach, Link found that the community was interested in a more robust transit system that will allow more people to transit to work. Councilmember Waters stated her concern that the Resolution does not specifically state what services will be added in Leavenworth. There was discussion stating that if the measure does not pass, Link's services will remain the same; if the measure passes, additional services will be phased in.

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

Link Transit Representative Russ Speidel stated that he is a volunteer with Link Transit and that he is sensitive to sales tax increases. He confirmed that Link's finances are solid and if the measure does not pass, transit will remain the same. He reiterated that the public has asked for more services and that Link is actively working with each city that they serve to provide more services.

Marco Aurilio, 149 West Benton Street, Leavenworth; Mr. Aurilio asked for data regarding ridership from Leavenworth to Wenatchee. Councilmember Bretz noted the results of the Community Outreach Survey. Mr. Speidel added that there is an average of 13 riders per bus, although Link moves one million people per year.

Mrs. Jean Speidel provided a brief history on Link Transit when ridership went down due to a decrease in funding. She noted that ridership is now trending up and has been steady for some time. Councilmember Bretz added that Link is the leader in the State for alternative fuels and that Link is the only transit in the world with wireless charging stations.

Mayor Farivar asked if there were anymore comments from the public; hearing none, she closed the public hearing at 7:11 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Resolution 07-2019 – Link Transit Ballot Measure Support or Opposition

Councilmember Bretz motioned to approve Resolution 07-2019 approving the Link Transit August 2019 Ballot Measure to increase sales taxes. The motion was seconded by Councilmember Lundgren and passed unanimously.

2. Approval of Bike Racks

City Administrator Joel Walinski stated that the Leavenworth City Council is being asked to approve the purchase of six (6) bike racks, which have been recommended by the Parking Advisory Committee. He detailed the location of the new racks and stated that the recommended funding for the purchase of the units would be 50% from the Parking Fund and 50% from the Lodging Tax Fund/Tourism Capital Improvement Funding Program.

Councilmember Lundgren motioned to approve the purchase of six bike racks. The motion was seconded by Councilmember Bretz and passed unanimously.

3. A&W Paving – Paving Improvements Contract

a) Resolution 10-2019 Sole Source Vendor

Public Works Director Herb Amick stated that the City Council is being asked to approve Resolution No. 10-2019, waiving the competitive bid process for the City of Leavenworth. He confirmed that the unique two shot chip seal process provided by A&W Paving is considered a sole source, thus waiving the competitive bid process.

Councilmember Neighbors motioned to approve Resolution 10-2019 Sole Source Vendor for A&W Paving Contract. The motion was seconded by Councilmember Bretz and passed unanimously.

b) Contract Approval

Councilmember Bretz motioned to approve and authorizes the Mayor to sign the contract with A&W Paving for an amount not to exceed \$38,450 excluding Washington State Sales Tax. The motion was seconded by Councilmember Waters and passed unanimously.

4. Special Use Permit – Holidays on Ice

City Administrator Joel Walinski stated that the City Council is being asked to consider approval of a Special Use Permit (SUP) between the City of Leavenworth and Holidays on Ice for the placement of a temporary ice rink in Lions Club Park from November 1, 2019 through January 31, 2020. He said that Mr. Rich Yakkey, owner of Holidays on Ice, will be providing all of the equipment to construct, operate, and maintain a temporary ice rink in Lions Club Park; the City will provide electrical service, lighting, water, restrooms, and garbage removal. He detailed the payment structure and stated that Holidays on Ice will retain the first \$200,000 in gross ticket sales,

then 50% of gross ticket sales will be paid to the City up to the amount of \$10,000, then the City will receive 25% of all remaining gross ticket sales revenue. He noted that the Special Use Permit is only for the 2019-2020 winter season; if successful, a new permit may be issued in subsequent years. On a final note, he explained that the City will expend approximately \$10,000 to install a three-phase electrical box.

Councilmember Lundgren noted his concerns regarding the time frame and noise for the surrounding neighbors and requested that the neighbors be notified; he noted additional concerns related to aesthetics and parking. He added that he doesn't want the temporary ice rink to prevent the City from moving forward with a full ice rink in the future. It was stated that any complaints will be addressed and that the City will be able to see how the tourists respond and if the concept is feasible.

Marco Aurilio, 149 W Benton Street, Leavenworth; Mr. Aurilio stated his concerns of the rink being too small for ice hockey and figure skating programs. He also felt that the admission is too costly and felt that the City should have some input regarding admission prices. He questioned the legality of the City to receive some of the profits; City Attorney Graafstra responded that there are no legal issues with the City renting and receiving payment for the use of public property. He questioned the original plan of building an ice rink in the Festhalle Parking Lot. City Administrator Walinski stated that no organizations have come forward with a proposal to provide the equipment and operate an ice rink as Mr. Yakkey has. Mr. Aurilio stated that he feels the temporary ice rink is a poor choice for the community. He questioned the use of the P1 Parking area for Projekt Bayern during Oktoberfest and whether other groups were able to rent it; Administrator Walinski reviewed the history of the contract with Projekt Bayern to include an annual payment of \$50,000 to the City for the clubs use of the space for the Oktoberfest event. He stated that the Council approved the purchase of the property based upon that contract payment amount; in his opinion he thought that without that guarantee, it would be highly unlikely that the City Council would have approved of the Fruit Warehouse land purchase. He also noted that no other groups, associations, or businesses offered to partner with the City at that time. Mr. Aurilio confirmed that he will present his ice rink proposal soon for the P1 Parking Lot.

Lisa Magee, 416 Evans Street, Leavenworth; Ms. Magee stated that she lives a block away and the neighbors get noise, bus traffic, and diesel fumes in the winter time. She said that the noise does matter in the winter time.

Councilmember Waters stated her concern regarding the level of noise. City Attorney Graafstra stated that the terms and conditions may be changed with a 10-day notice if there is a problem. Councilmember Neighbors stated that she is in favor and is anxious to see how many people use the rink. She feels that the rink will add to the charm of the Bavarian Village. Councilmember Lundgren noted that the rink may help Mr. Aurilio see his vision in the future and may help the City get closer to its goal of a larger rink. Councilmember Bretz added that the City has wanted an ice rink for a long time and this is one way to see it through.

Councilmember Neighbors motioned to approve and authorizes the City Administrator to sign the Special Use Permit with Holidays on Ice, Mr. Rich Yakkey, for the operation of a temporary ice

rink in Lions Park contingent on compliance with all requirements. The motion was seconded by Councilmember Bretz and passed unanimously.

ITEMS FOR FUTURE CONSIDERATION


Mayor Farivar stated that Council will discuss the City's water system at the July Study Session and she stated that the Hwy 2 Corridor Study online open house is available at the following web address: <https://us2upperwenatchee.participate.online/talk-to-us>.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the June 25, 2019 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Waters and passed unanimously.


The meeting adjourned at 7:54 PM.

APPROVED



Cheryl Kelley Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk