

LEAVENWORTH CITY COUNCIL MINUTES

October 22, 2019

Mayor Cheryl Kelley Farivar called the October 22, 2019 Leavenworth City Council meeting to order at 6:30 PM and Leavenworth Resident Aaron Simon led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Carolyn Wilson, Mia Bretz, Margaret Neighbors, Sharon Waters, and Jason Lundgren.

Staff Present: City Administrator Joel Walinski, Attorney Emily Guildner, 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 October 8, 2019 Study Session & Regular Meeting Minutes
3. 2019 Claims \$500,846.45

Councilmember Wilson 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 Chelan Douglas Health District Board meeting and stated the recent findings in regard to Hepatitis A within the community, and actions that the District is taking to vaccinate those who are affected. She reported that she attended the Chelan County Community Resilience meeting with Development Services Manager Lilith Vespier.

Councilmember Neighbors reported that the Chelan County Solid Waste Council did not have a meeting and that there is no ribbon cutting scheduled for the opening of the Moderate Waste Facility at this time. She said that she also attended the Finance Committee meeting and reported that the City's finances are holding steady.

Councilmember Bretz reported on the Link Transit Board meeting and stated that the Board is in support of the Confluence Parkway Project in Wenatchee; a Federal Infrastructure Grant has been applied for to fund this project. She addressed various transit improvement upgrades and Links expansion plans with regard to the, sales tax approval, timeline for implementing new schedules, and staffing increases. She noted that the Link Board will have two meetings in November; one regular meeting and one for a presentation on the increased budget. On a final note, she addressed the Upper Valley Park & Recreation Service Area (PRSA) Subcommittee meeting; there was discussion of the Request for Proposal for the Community Needs Assessment, which should be completed in the next month or so.

Councilmember Wilson reported that she attended the Downtown Steering and Public Safety Committee meetings. She reported on Public Safety and stated that the Committee received reports from the Sheriff's Department and the Fire District. She said that a resident was in attendance and is concerned of speeding vehicles on Pine Street near Cone Street; the resident would like to see a crosswalk in that area. She confirmed that the area will be reviewed when the Pine Street Phase II project is designed. She said that additional discussions included Christmas Lighting, the Christmas Lighting Public Safety meeting, Central Avenue reverting back to a two-way street, stop sign revisions in the downtown area, and the renewal of the Sheriff's Department and Fire District contracts.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended the Chelan Douglas Transportation Council meeting and stated that the group discussed legislative priorities regarding transportation. She said that she attended the bid openings for the Golf Course Properties, attended a Planning Commission meeting pertaining to the "missing middle", and will be attending the Christmas Lighting Public Safety meeting on Thursday. On a final note, she presented Development Services Manager Lilith Vespier with a one-year certificate of appreciation for her employment with the City. Mayor Farivar and the Council thanked Ms. Vespier for her contribution to the City and the Development Services Department.

Mayor Farivar recognized Antonia Robles and Rose Cruz 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.

City Administrator Joel Walinski reported on the Festhalle Oversight Committee meeting and stated that the Committee has authorized the installation of a hand wash station in the Festhalle kitchen, the main floor is scheduled to be refinished in January, and there will be a Christmas Concert Series taking place on the three Saturdays of the Christmas Lighting Festival. He reported on the Downtown Steering Committee meeting and stated that the group discussed the restroom remodel in Front Street Park, waste reduction, recycling, and the Waste Assessment Study. On a final note, he stated that he and staff attended the IACC (Infrastructure Assistance Coordinating Council) Conference and provided a presentation for funding for the Water Treatment Plant and distribution lines.

Development Services Manager Lilith Vespier reported that daily inspections are occurring at Das Haus Apartment Complex. She reported on the recent permitting and hearings that have taken place within the Development Services Department. On a final note, she stated that she attended the Resiliency Planning meeting regarding climate change resiliency, of which a report will be out soon. She noted that the County is looking to move forward with a new plan.

Public Works Director Herb Amick reported that the Apple Maggot controlled burn will take place on October 23, 2019 and the temporary ice rink is under construction at Lions Club Park and will open to the public beginning the week of Thanksgiving.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

David Ryan, 238 Mine Street, Leavenworth; Mr. Ryan questioned the changes to the Link Transit bus schedule and provided examples of inconsistency with those schedules. He questioned the timing of the Hawk System Crosswalks and the City's use of traffic lights instead of roundabouts. Councilmember Bretz stated that she will provide his comment to the Link Transit Board. Mayor Farivar and Administrator Walinski directed Mr. Ryan to the public comment section on the Highway 2 Corridor Study webpage. Later in the evening, Mr. Ryan questioned the lack of resources for glass recycling and smaller garbage receptacles; Mayor Farivar noted that recyclable materials are subject to approval by Waste Management.

Lisa Magee, 416 Evans Street, Leavenworth; Ms. Magee questioned the sequence of events that have taken place in order for the City to provide the additional public safety measures for the Christmas Lighting Festivals. Administrator Walinski briefly explained that over time, the City has been taking actions to ensure public safety for the community members.

Anne Hessburg, 205 W Benton Street, Leavenworth; Ms. Hessburg questioned yard waste disposal following the fall cleanup event. She was provided information for disposal at the City's Recycle Center.

PUBLIC HEARING ON BIENNIAL BUDGET REVIEW / MODIFICATION AT 6:45 PM

Mayor Farivar opened the public hearing at 7:05 PM.

City Administrator Joel Walinski began with a PowerPoint presentation and addressed the significant accomplishments over the last year with regard to audit scores, completed projects, code changes, and the overall financial health of the City. He addressed recent insurance claims, Lodging Tax expenditures, and the current budget position. He detailed the 2020 estimated sources of revenue that the City will likely receive, those revenues by fund, and compared those numbers to the actual revenues from 2010-2018. He addressed the Retail Sales Tax that the City receives, grant and donation revenues, and the 2019/2020 budget planning revenue assumptions. On a final note, he addressed the considerations in budget planning, horizon issues and planning in concurrence with the debt retirement schedule.

Mayor Farivar asked for comments from the public; hearing none, she closed the public hearing at 7:33 PM.

PUBLIC HEARING ON AD VALOREM (PROPERTY) TAX AT 6:45 PM

Mayor Farivar opened the public hearing at 7:33 PM.

City Administrator Joel Walinski began with a PowerPoint presentation to address the 2020 Ad Valorem Tax considerations. He addressed the five key factors to be considered that affect the 2020 property taxes; the annual 1% property tax increase, new construction revenue, annexation revenue, refund revenue, and additional banked capacity. He suggested two different options to the Council in regard to the property tax levy request for 2020. He addressed the costs associated with providing public safety; costs that are not fully covered by the current property tax collection. He went on to address options for the property tax request, detailing what each option will fund. Administrator Walinski noted that the final property tax request must be submitted to the Assessor's office by November 30, 2019.

Mayor Farivar asked for comments from the public; hearing none, she closed the public hearing at 7:42 PM.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Leavenworth Lodging Tax Programs Review Process

Finance Director Chantell Steiner addressed the Leavenworth Lodging Tax application forms and asked if the Council had any recommended changes to the forms and/or criteria. She said that the program will be published before the end of the month, the application deadline is December 31, 2019, and the Council will determine the scoring process by early January, as the grant funding will be determined by February 11, 2020. Director Steiner clarified questions regarding language within the applications. Councilmembers noted that the program is new and may be modified if necessary; the Council was pleased with the new process and are looking forward to using the new application process.

Councilmember Neighbors motioned to authorize the funding of the Festival/Event program at \$15,000 for the 2020 program year and the Tourism/Special Project program at \$30,000 for the 2020 program year. The motion was seconded by Councilmember Wilson and passed unanimously.

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

Development Services Manager Lilith Vespier stated that the City Council is being asked to approve a letter of support for the submittal of three (3) grant funding applications; the projects would be for cost sharing for resurfacing the Festhalle Main Floor, the purchase of mobile reader boards to direct traffic, and for the lighting installation at the recently purchased DOT property. She noted that a requirement for the grant application is for the legislative body to provide a letter of support, that if a request for the capital improvements is funded by the Chelan County Lodging Tax Advisory Committee, the municipality will assume the ongoing maintenance and operational costs.

Councilmember Wilson motioned 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. The motion was seconded by Councilmember Lundgren and passed unanimously.

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

City Administrator Joel Walinski stated that the City Council is being asked to authorize posting and advertising of a Request for Proposal (RFP) for a firm to provide Parking Equipment and assist the City with Management Services. He said that 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. He confirmed that the request for authorization is being recommended by the Parking Advisory Committee (PAC). He said that 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.

There was a brief discussion concerning public outreach, hiring a consultant through the RFP process, and the level of detail within the RFP. Administrator Walinski noted that the RFP is consistent with other Cities and that the PAC would like to conduct a public open house in December of this year.

Councilmember Bretz motioned to approve and authorizes the posting and advertising of the Request for Proposal for Parking Equipment and Management Services. The motion was seconded by Councilmember Waters and passed unanimously.

4. Golf Course Property Sales

a) Bid Acceptance and Property Conveyance

Mayor Farivar stated that the City Council is being asked to approve two (2) Purchase and Sale Agreements that were submitted by private bid for the purchase of the City owned Golf Course Properties. She noted that both bids were submitted within the required time frame, with completed documentation, for an amount of \$257,000 each. She said that the Council is being asked to accept both bids, proceed with selling the properties, and authorize the Mayor to sign the closing documents.

Councilmember Neighbors motioned to 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. The motion was seconded by Councilmember Wilson and passed unanimously.

Councilmember Lundgren motioned to 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. The motion was seconded by Councilmember Waters and passed unanimously.

b) Resolution 19-2019 Golf Course Property Sales Commitment

Mayor Farivar stated that she and the Council had discussed the sale of the Golf Course Properties in order to start a fund that would help with the purchase of the Osborn School property, in the event that property becomes available. She noted that with the Golf Course Properties being park property, the Council had agreed to put the sale proceeds toward a park like purpose, in the event that the Osborn property does not become available. Administrator Walinski added that this process will memorialize the Council's intention of using the proceeds for a park purpose.

David Ryan, 238 Mine Street, Leavenworth; Mr. Ryan addressed the Downtown Park Plaza Project and requested those project plans; Administrator Walinski suggested that he contact city staff for more information on this separate project.

Councilmember Bretz motioned 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. The motion was seconded by Councilmember Lundgren and passed unanimously.

5. Special Use Permit Noise – Timbrrrr! Winter Music Festival

City Administrator Joel Walinski stated that 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 taking place on January 24 – 25, 2020 from 5:00 PM – 12:30 AM at the Festhalle. He said that this is the seventh year that the music festival has taken place in Leavenworth and has been quite successful in previous years. He added that there have been no reported noise issues at previous events and that the event coordinators conduct their own self-monitoring throughout the event. Councilmembers agreed that the event is very well organized.

Councilmember Neighbors motioned 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. The motion was seconded by Councilmember Wilson and passed unanimously.

6. Chelan County Prosecution Services Agreement for 2020

City Administrator Joel Walinski stated that the City Council is being asked to approve the 2020 Chelan County Prosecution Services Agreement for prosecution services through the Chelan County Prosecuting Attorney. He said that the fee for the prosecution services is calculated based on the rate of \$250 per case, which is the same rate as 2019. He said that the total contract amount for 2020 is \$26,500 based on 106 cases at \$250 per case, which is an increase of \$6,750 from last year. He went on to compare the contract rates over the last few years.

Councilmember Wilson motioned to approve and authorizes the Mayor to sign the 2020 Chelan County Prosecution Service Agreement in the amount of \$26,500. The motion was seconded by Councilmember Neighbors and passed unanimously.

7. Emergency Management Services Contract for 2020

City Administrator Joel Walinski stated that the Council is being asked to approve the annual contract with the Chelan County Department of Emergency Management for emergency service planning and response for the City of Leavenworth in the amount of \$5,977.20. He said that the amount is set based on the budget of Emergency Management Services and divided by the number of County residents in order to provide a cost per resident; Leavenworth's cost for the service is the cost per resident times the current population estimate. He noted that the cost of the annual contract is slightly higher due to a change in the City's population as well as an increase in the per capita rate from \$2.74 to \$2.93. He briefly stated the items that are covered by Emergency Management Services. Administrator Walinski noted that he is in the process of coordinating a presentation from Chelan County Emergency Management.

Councilmember Lundgren motioned to approve and authorizes the Mayor to sign the 2020 Emergency Management Contract with Chelan County in the amount of \$5,977.20. The motion was seconded by Councilmember Waters and passed unanimously.

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

City Administrator Joel Walinski stated that the City Council is being asked to approve Resolution 17-2019 which identifies the City's Legislative Priorities for the 2020 Legislative Session. He stated the proposed priorities as follows: 1) Infrastructure Funding/Sales Tax Option, 2) Housing Affordability, 3) Recycling and Waste Reduction, 4) Green Waste and a Firewise Community, and

5) Public Works Trust Fund. He said that the list of priorities will be provided to the offices of Senator Hawkins, Representative Steele, and Representative Goehner prior to the start of the next Legislative Session. Councilmember Lundgren suggested changing “Firewise Community” to “Fire Resiliency”.

Councilmember Neighbors motioned to approve Resolution 17-2019 Legislative Priorities for 2019/2020 as amended. The motion was seconded by Councilmember Bretz and passed unanimously.

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

Development Services Manager Lilith Vespier stated that the Chelan-Douglas Housing Authority (CDHA) has requested a grant from the City that will provide for all fees associated with the Leavenworth Garten Haus rehabilitation and expansion project. She stated that the project will cost approximately three million dollars and the cost of the associated permits, utility, and engineering review fees will be approximately \$77,828. She added that the Housing Committee 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. She identified the grant dollars to come from the General Fund.

Councilmember Bretz motioned 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. The motion was seconded by Councilmember Waters and passed unanimously.

10. Discussion: Water Treatment Plant – County Zoning Requirements

Development Services Manager Lilith Vespier stated that the Council is being asked to provide input on a request to amend a section of the Chelan County Code that impacts the ability for the City to modify the Water Treatment Plant. She noted that the City’s Water Treatment Plant is located approximately four miles outside of the City limits, within the County’s Icicle Valley Design Review Overlay District (IVDRO). She explained that the Water Plant was constructed in 1971, prior to the IVDRO code adoption in 1983, which has very limited permitted and conditional uses, and all other uses are prohibited. She said that the Water Plant is not listed; therefore, the current facility is nonconforming and is not permitted to be expanded, but may be remodeled, altered, or repaired. She confirmed that the City may request a code amendment in order to proceed with the Water Plant Improvement project.

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

Development Services Manager Lilith Vespier stated that the City Council is being requested to establish a Public Hearing date and time to consider the vacation of all past roadways located within Chelan County Parcel Numbers 241701440450 and 241701440500 that have not been vacated prior to this time. She noted that a roadway identified as Old County Road 224 existed on the property at one time and as of now, there are no records on file with the County or the City to indicate that the roadway has ever been vacated.

Councilmember Lundgren motioned 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

Numbers 241701440450 and 241701440500. The motion was seconded by Councilmember Bretz and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

None.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the October 22, 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