

LEAVENWORTH CITY COUNCIL MINUTES
December 11, 2018

Mayor Cheryl Kelley Farivar called the December 11, 2018 Leavenworth City Council meeting to order at 6:30 PM and Cascade High School Student Mr. David Nelson led the City Council in the Flag Salute.

ROLL CALL

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

Staff Present: City Attorney Tom Graafstra, City Administrator Joel Walinski, Chantell Steiner, 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 November 27, 2018 Regular Meeting Minutes
3. November 2018 Payroll \$205,803.95
4. 2018 Claims \$349,184.29

Councilmember Larsen motioned to approve the consent agenda. The motion was seconded by Councilmember Lundgren 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. On a final note, he provided a brief update regarding the traffic control during the first two weekends of the Christmas Lighting Festival.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Lundgren reported on the Economic Development Committee meeting and stated that the Mayor is in the process of formalizing the parking stakeholders group; there was discussion on parking options and potential future development of the P1 and P2 lots. Other discussions included Lodging Tax allocations and the next steps regarding industrial composting downtown.

Councilmember Waters reported that she participated in the evaluation of the Senior Projects at Cascade High School and attended the funeral service for Sergeant Jasso.

Councilmember Neighbors reported that she participated in the evaluation of the Senior Projects at Cascade High School and attended the funeral service for Sergeant Jasso. She reported on the Parks Committee meeting and stated that the Committee discussed the Enchantment Park Improvements and noted that the ball fields will likely be closed for the 2019 season. Further discussions included water bottle filling stations, the dedication of the Lions Club Park building and sharing the utility costs with the City for that building, a new golf course Golf Club Lease Agreement, and refurbishing the restrooms at Waterfront Park.

Councilmember Larsen reported that there was no Residential Advisory Committee meeting.

Councilmember Bretz reported on the Public Works Committee meeting and stated that the Committee discussed the status of the Water Plant and Wastewater Treatment Plant projects, the current status of the water rights litigation, the Waste Management residential solid waste service transition, and received an update on the Pine Street Project. She noted that the right-of-way offers are currently being reviewed by the WA State Department of Transportation (WSDOT) and will go out in January. She said that the Committee discussed design elements for traffic calming on Pine Street. On a final note, she stated that the LED lighting project has been completed and said that the project was funded by the Transportation Improvement Board with a Relight Washington Grant.

Councilmember Wilson reported that she attended the funeral service for Sergeant Jasso and welcomed the visitors on the first two Sundays of the Christmas Lighting Festival.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she also attended Sergeant Jasso's funeral service. She reported on the Study Session meeting and stated that the Council received a report from the Chamber of Commerce, received an update on the Christmas Lighting Festival traffic and parking, reviewed the 2019 Leavenworth Area Promotion (LAP) budget request, discussed a loan request from the Upper Valley Park and Recreation Service Area (PRSA) for resurfacing the city pool, discussed allocations of Lodging Tax Funds, reviewed the 2019 Planning Commission Docket, received an update on the Water Treatment Plant assessment, and discussed a pilot parking program.

City Administrator Joel Walinski reported that the Festhalle Oversight Committee met on Monday and has recommended the agreement amendment that will be discussed later in the meeting.

City Attorney Tom Graafstra provided a brief update regarding a recent trip and fall lawsuit involving the City. He said that suit is now being handled by the insurance company.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized Mr. David Nelson who was in attendance for his "Citizens of Washington in a Contemporary World" class criteria at Cascade High School. Mr. Nelson introduced himself and stated that he is addressing additional public restrooms for his Senior Project. He said that he designed the facilities, found locations, figured the cost per square foot, and implemented the Bavarian Theme. Mayor Farivar and the City Council thanked Mr. Nelson for attending the meeting and presented him with a City of Leavenworth lapel pin.

Mayor Farivar recognized the Boy Scouts who were in attendance and working toward their Tenderfoot rank requirements. Olin Schultz and David Nelson introduced themselves to the Mayor and Council.

Chris Clark, 9281 Icicle Road, Leavenworth; Ms. Clark stated her struggles with traffic over the Christmas Lighting Festival weekend. She noted the intersections at fault due to what she perceived as improper management.

EXECUTIVE SESSION: RCW 42.30.140 (4)(B) COLLECTIVE BARGAINING

Mayor Farivar asked for a motion to recess into Executive Session.

Councilmember Lundgren motioned to enter into Executive Session at 6:54 PM for approximately 10 minutes to discuss Collective Bargaining with no action to be taken. The motion was seconded by Councilmember Wilson and passed unanimously.

Mayor Farivar reconvened the Regular Council meeting at 7:04 PM.

PUBLIC HEARING – CITY ASSUMPTION OF TRANSPORTATION BENEFIT DISTRICT @ 6:45 PM

Mayor Farivar opened the public hearing at 7:06 PM

Finance Director Chantell Steiner stated that the City Council will be asked to approve the assumption of the Leavenworth Transportation Benefit District (TBD). She confirmed that the ordinance is designed to dissolve the Board of the TBD while retaining all of the original expectations of a TBD; including taking on all of the rights, powers, functions, and obligations as well as reaffirming the TBD's resolutions that created the Bylaws, District Finance Plan, and the Material Change Policy. It was noted that the funds are restricted in use for only transportation related improvements, the funds are held in a Special Revenue Fund, and that the majority of the projects take place in the residential neighborhoods.

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

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance 1577 – Amending Chapter 3.92 Transportation Benefit District for Assumption by City

Councilmember Lundgren motioned to adopt Ordinance 1577 assuming the rights, powers, functions, and obligations of the Leavenworth Transportation Benefit District, abolishing the TBD Governing Board, and amending Chapter 3.92 Transportation Benefit District for Assumption by the City of Leavenworth. The motion was seconded by Councilmember Waters and passed unanimously.

2. Resolution 19-2018 – 2019 Rate & Fee Schedule

Finance Director Chantell Steiner stated that the City Council is being asked to approve the final amendments to the 2019 Rate and Fee Schedule that will be effective on January 1, 2019. She stated the changes to include rate changes for utilities, roofing permits, fire hydrant use fees, and the removal of a reference to RV Parking in the Festhalle Lot.

Councilmember Wilson motioned to approve Resolution 19-2018 – setting the rates and fees for 2019. The motion was seconded by Councilmember Neighbors and passed unanimously.

3. Ordinance 1578 – Final 2018 Budget Amendment

Finance Director Chantell Steiner stated that the City Council is being asked to approve the final budget amendment for the 2017-2018 Biennial Budget. She briefly stated the reason for the changes to the General, Lodging Tax, Garbage, Parking, Pool, and PRSA Funds.

Councilmember Neighbors motioned to adopt Ordinance 1578 Final Amendment to the 2017-2018 Biennial Budget. The motion was seconded by Councilmember Larsen and passed unanimously.

4. Ordinance 1579 – Adopting 2019-2020 Budget

Finance Director Chantell Steiner stated that the City Council is being asked to approve Ordinance 1579 – Adopting the 2019 – 2020 Biennial Budget, which includes the proposed wages for non-union employees at varying rates and union employees included with a negotiated increase of 3.25%. Administrator Walinski addressed the summary of the totals of estimated revenues and appropriations for each separate fund. He also noted that the salary increases were discussed by the Council at a previous Executive Session. He provided a brief description of the budget document and noted its availability on the City's website.

Councilmember Larsen motioned to adopt Ordinance 1579 - Adopting the 2019-2020 Biennial Budget. The motion was seconded by Councilmember Bretz and passed unanimously.

5. Resolution 20-2018 – Legislative Priorities for 2019

City Administrator Joel Walinski stated that the City Council is being asked to consider approval of Resolution 20-2018 which identifies the City's Legislative Priorities for the 2019 Legislative Session. He stated the proposed priorities as follows: 1) Infrastructure Funding/Sales Tax Option, 2) Housing Affordability, 3) Recycling and Waste Reduction, 4) Public Works Trust Fund, and 5) Secure Funding for MRSC. He noted last year's success in working with Senator Hawkins and creating a pilot program for burning yard waste that was collected within the City that cannot be disposed of due to the area's apple maggot quarantine. 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 motioned to approve Resolution 20-2018 Legislative Priorities for 2019. The motion was seconded by Councilmember Wilson and passed unanimously.

6. Authorization to Rebid US 2 Crosswalks Project

Public Works Director Herb Amick stated that the City Council is being asked to approve the advertisement for bidding the Highway 2 Crosswalk Improvement Project. He noted the location of the three crosswalks located on Highway 2, which include Gustav's, City Hall, and the Link Park & Ride. He briefly described the HAWK System Crossing installation and enhancements to the crosswalk vicinity. On a final note he stated that the bid period will be open for three weeks beginning January 9, 2019 and that the project is primarily funded through the WSDOT Bicycle Safety Program.

Councilmember Larsen motioned to authorize the advertisement for bids for the Highway 2 Crosswalk Improvement Project. The motion was seconded by Councilmember Lundgren and passed unanimously.

7. Interlocal Agreement: Chelan County Fire District No. 3 (exp. 12/31/2018)

City Administrator Joel Walinski stated that the City Council is being asked to approve an extension to the current Interlocal Agreement for Fire Marshall Services between Fire District No. 3 and the City of Leavenworth for a one year period. He confirmed that the extension will run from January 1, 2019 – December 31, 2019 at a cost of \$43,000, which is consistent with the current contract cost. He said that this is the second extension of the original agreement and is necessary in order to allow the District and City to review the current Fire Marshall Services and funding sources. On a final note he stated that the agreement addresses services provided to the City, such as development plan review by the Fire Marshall and annual fire inspections for commercial businesses that are outside the scope of services provided to others within the Fire District. There was a brief discussion regarding the types of permits that involve fire department inspection.

Councilmember Waters motioned to approve the Agreement Extension with Chelan County Fire District #3 for International Fire Code Services/Fire Marshall Services for a period of One-Year from January 1, 2019 through December 31, 2019. The motion was seconded by Councilmember Bretz and passed unanimously.

8. Professional Services Agreement: IntegriTech

Councilmember Larsen recused himself from the discussion and vote, as he is related to Mr. Aaron Schmidt of IntegriTech.

City Administrator Joel Walinski stated that the City Council is being asked to approve a Professional Services Agreement (PSA) with IntegriTech for on-call engineering consultant services for 2019 at a cost not to exceed \$10,000.

Councilmember Lundgren 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 5/0/1 with Councilmember Larsen recused.

9. Professional Services Agreement: Pacific Engineering and Design

City Administrator Joel Walinski stated that the City Council is being asked to approve a Professional Services Agreement (PSA) with Pacific Engineering and Design for on-call engineering, inspection, and plan review consultant services for 2019 at a cost not to exceed \$15,000. He noted that expenditures for plan review and various other services are reimbursed by the project applicant.

Councilmember Neighbors motioned to approve and authorizes the Mayor to sign the Professional Services Agreement with Pacific Engineering and Design for on-call engineering, inspection, and plan review consulting services. The motion was seconded by Councilmember Waters and passed unanimously.

10. Agreement Amendment: Convenience Store Coaching

City Administrator Joel Walinski stated that the City Council is being asked to approve an amendment to the Professional Services Agreement (PSA) with Convenience Store Coaching, which is the contract for services for Mr. Josh Flickner to manage the Leavenworth Festhalle. He explained that the amendment includes the use of staffing provided by Convenience Store Coaching and an increase to the allotted monthly management hours; the agreement sets the rates for how Mr. Flickner will be reimbursed for providing Event Staffing in 2019-2020. He explained that both changes have gone through a trial period and were reviewed by the Festhalle Oversight Committee. He further explained that with Mr. Flickner providing the event staffing, staff has been able to provide a higher level of customer service during Festhalle events and that the additional management hours allow for pro-active marketing of the Festhalle, which has proven successful over the past year. Both changes have been recommended to the City Council by the Festhalle Oversight Committee. Councilmember Larsen added that Mr. Flickner has brought a level of business understanding that has been appreciated by the Festhalle Oversight Committee members.

Councilmember Waters motioned to approve the Agreement Amendment with Convenience Store Coaching, LLC dated October 10, 2017 concerning the operation and management of the Leavenworth Festhalle. The motion was seconded by Councilmember Lundgren and passed unanimously.

11. Cancel December 25, 2018 Regular Council Meeting and Subcommittee Meetings

Mayor Farivar stated that the Council is being asked to approve the cancellation of the regularly scheduled December 25, 2018 City Council meeting and Subcommittee meetings.

Councilmember Lundgren motioned to cancel the December 25, 2018 Regular City Council meeting and Subcommittee meetings. The motion was seconded by Councilmember Larsen and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that the Waste Management contract will go into effect on Monday February 4, 2019. Councilmember Waters added that the Adult Social Walking Program that takes place at the Festhalle will begin on January, 3, 2019 from 7:00 AM – 9:00 AM Monday through Thursday.

EXECUTIVE SESSION: RCW 42.30.140 (4)(B) PROFESSIONAL NEGOTIATIONS

City Attorney Tom Graafstra added that RCW 42.30.110 (1)(ii)(g) To review the performance of a public employee and 42.30.110 (1)(iii) To consider the legal risks of a course of action are also included in the following Executive Session.

Mayor Farivar asked for a motion to enter into Executive Session.

Councilmember Bretz motioned to enter into Executive Session at 7:57 PM for approximately 15 minutes to discuss professional negotiations, to review the performance of a public employee, and to consider the legal risks of a course of action with action to be taken. The motion was seconded by Councilmember Wilson and passed unanimously.

Mayor Farivar reconvened the Regular Council meeting at 8:12 PM.

Councilmember Wilson motioned to approve the proposed terms of the contract revisions for the City of Leavenworth agreement with the City Administrator and directs the preparation of a contract amendment for final action at the next City Council meeting. The motion was seconded by Councilmember Lundgren and passed unanimously.

ADJOURNMENT

Seeing no other business, Councilmember Lundgren motioned to adjourn the December 11, 2018 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Neighbors and passed unanimously.

The meeting adjourned at 8:15 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk