

LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES

January 12, 2021

Mayor Carl Florea called the January 12, 2021 Study Session to order at 8:35 AM.

Council Present: Mayor Carl Florea, Carolyn Wilson, Mia Bretz, Sharon Waters, Clint Strand, Jason Lundgren, Anne Hessburg, and Zeke Reister.

Staff Present: Ana Cortez-Steiner, Chantell Steiner, Herb Amick, and Lilith Vespier.

1. Chamber Report

Chamber Director Troy Campbell updated the Council on the Chamber's upcoming meetings and annual retreat planning where the Chamber Board will look at funding and planning in accordance with COVID-19 regulations for 2021. He spoke about the promotional activities they are looking into and noted that the new webcam has been very popular in use for those who can not visit Leavenworth.

2. Mayor and Mayor Pro Tempore Committee Assignments and Council Policy, Procedures, and Rules of Conduct

Mayor Florea requested any suggested changes to the Council Policy, Procedures, and Rules of Conduct; hearing none he noted that committee assignments will be getting underway after the Council appointment of the Mayor Pro Tempore this evening. He noted some concerns with ensuring all committees have coverage by Council without concerns for a quorum and noted that some ad hoc committees will be affected by this as interest is high by several members. Mayor Pro Tempore Anne Hessburg confirmed for the Council that she is interested in being reappointed to the position if that is the desire of the Council. Councilmembers discussed their current assignments and whether others wanted to consider swapping committees as well as options for amending rules and/or procedures to allow for a quorum when needed.

3. Waste Loop Structure

Development Services Manager Lilith Vespier updated the Council on the shelter that Waste Loop has created at the City's Recycle Center. She stated that due to the size of the structure, it will need to go under formal review and permitting. She identified the need to fund this and noted the new funding that was added to the General Fund for fire, recycling, or other emergency response related tasks that could assist in the total costs. She noted that preliminary costs of \$5,215.00 will provide for engineering/design, staff interpretation, and permitting. Building Official Mark Barns provided the Council with some general requirements for the engineering/design due to the potential impacts from wind and snow; he stated that once the engineering/design is determined then staff will be able to identify the costs for construction to stabilize and support the structure; he identified specific requirements from the International Building Code. Waste Loop Coordinator Ariaahna Jones noted that costs may be able to be reduced if her team can perform the work; Manager Vespier concurred that this could possibly be an option. Council discussed funding of the structure out of the City's General Fund and ways to avoid having to address Council commitments of funding after the fact. Ms. Jones

thanked the Council for their support and added that Waste Loop did purchase the structure for approximately \$12,000.00.

4. Sherriff Report Emergency Situations Update

City Administrator Ana Cortez-Steiner updated the Council on the recent bomb threat and how the communications with the Council and the Sherriff transpired. She noted that there was a learning experience with this process; however, overall communications went well with providing information from the Sherriff to the City to the Public. She spoke about the area for improvement to be in regard to sheltering in place and getting the right message to the right people. She spoke positively in regard to the professionalism and response from the Chelan County Sherriff's Office. She stated that the investigation continues to be underway with no person yet identified in regard to the caller that made the threat. She provided some details on the public and movement of the public that did create some concerns for closing down the area and ensuring the safety of all patrons.

Chelan County Undersheriff Jason Mathews reviewed the response that occurred noting the training of the officers and how these types of situations are difficult. Staff is trained to respond but because these are not daily events it can be difficult to gain full control of the situation, especially with a lot of pedestrians within the area; there is a difference in regard to being proactive versus reactive. He reminded the Council that the Sherriff's Department has been working to do an assessment of Christmas Lighting over the past several years to specifically prepare for events such as this, including having a broad sense of response planning and running a command center, with the goal of providing the public with good information and ways to shelter in place safely. He reviewed details of the response efforts from multiple agencies including several local policing agencies that coordinated efforts together until the Bomb Squad was able to arrive. He then reviewed details on the response efforts by the various agencies and ways to improve communication with the public on sheltering in place procedures. He identified challenges, such as people taking photos and identifying locations of officers and barricades; this ultimately lowers the emergency personnel's ability to respond effectively and safely. Councilmembers discussed various ways to assist the Sherriff in the case of a future event to improve communication and response as well as ways to assist the public to be notified on sheltering in place procedures. Undersheriff Mathews spoke to the types of bomb threats, whether it be a pipe bomb versus a large bomb and how this can affect the amount of size needed in the surrounding area to protect the public; unfortunately, when arriving, it is unknown what type of device is being dealt with, therefore it is difficult to know what information needs to get out immediately. He stated that Administrator Cortez-Steiner was instrumental in assisting the Sherriff in getting out information quickly and efficiently to the Council and public. High stress situations are difficult during the moment for all safety personnel involved; each event creates more information for learning and responding that ultimately assists in future response efforts.

5. Priority Review of Planning Commission Docket

Manager Vespier reviewed the draft docket that has been provided to the Planning Commission and is scheduled for review and approval with the Council and Planning Commission at the January 26th meeting. She identified some of the larger time-consuming items, such as the Shoreline updates, and noted challenges with time constraints. She reviewed the carryover items from the prior year that are anticipated for completion this spring, which includes the

Transportation Element, Housing Action Plan, District Use Chart, Shoreline Master Plan, Fire Code Amendments, and the Alley Access Whitepaper.

Manager Vespier reviewed the Comprehensive Plan Updates noting some correlation of these items to the carryover items, such as the Housing Action Plan. These items include the Commercial District Mixed Use Incentives, Housing Action Plan, Urban Growth Boundary, and various General Updates. She identified some concerns that she has heard in regard to items being locked in once approved as part of the Comprehensive Plan updates; she stated that this is not necessarily the case in regard to future code amendments. Depending on the changes that may come forward later, it will have to be reviewed on a case-by-case basis. She identified the consideration of the Urban Growth Boundary expansion within the Comprehensive Plan Amendments that could take between one and two years to complete; this item will include a review of the commercial and industrial lands to ensure the City is adequately planning for the future and requires coordination with Chelan County. She spoke to the relationship of the boundary adjustments with Chelan County and how the process will have to be coordinated with the County's planning deadlines. There was a brief discussion on setting prioritization of the docket items to allow for expedited review of the Urban Growth Boundary. Manager Vespier noted that developers could benefit sooner rather than later; however, there is no concern for Council to accelerate the docket items at this time. Several councilmembers stated that they would like to see the older docket items get completed before accelerating newer items.

Manager Vespier then reviewed the remaining section of items that includes Regulation Updates, Studies or Reports. She detailed what criteria is involved in updating the City's Development Standards for construction related activities. She continued review of the additional items for the Housing Action Plan, Density of Bed & Breakfasts, Chapter 14.12 Off-Street Loading and Parking, Commercial Setbacks, RV Park and Campgrounds, Stormwater, Non-conforming Annexation Structures and Uses, and ongoing Code Inconsistencies, Clarifications & Incorporation of Policies and Interpretations. Councilmembers provided suggestions for Manager Vespier to consider in regard to various docket items.

6. Permit Administration Process

Administrator Cortez-Steiner provided the Council an update on questions that the City has received from the public and the procedural steps that staff goes through for permit processing. She explained the difference of policy versus administration and the difference of powers between the Council and the Mayor/City Administrator in regard to executing policies through staff that are ultimately approved by the Council but not administered by the Council.

City Attorney Emily Guildner provided the Council a presentation to identify the difference of duties of the Executive Branch versus the Administrative Branch. She specified that the Council's duties include setting the goals and policies of the City as the Executive Branch and it is the Mayor's duty to administer the staff's use of those policies in a legal and systematic process as the Administrative Branch. She provided examples of how the Mayor's implementation of the policies, for instance, jay walking or leash laws, can have discretion of use and standards. She clarified that citizens requests for interpretation does have to go through the Mayor and Staff's recommendations in accordance with the policy and state statutes.

Manager Vespier proceeded to review the flow chart provided that identifies the steps involved with a Full-Administrative Review Process. She identified the types of development activities

that are included in this review process, such as, Short Subdivisions, Binding Site Plans, Group B Home Occupations, Shoreline Substantial Development Permits, and Multifamily, Commercial, Industrial, and Office Building permitting. She reviewed the detailed steps that are required for each project and the timing and deadlines allowable by state statutes. She noted that the City strives to respond sooner than is required when possible. Depending on the project, timelines could be extended due to findings that are identified that may require additional public noticing and/or responses by the applicant. She outlined the various deadlines, when and how “the clock” can be stopped in the process due to complete versus incomplete status, and additional comment periods that are triggered from state regulations.

Manager Vespier provided the Council the process conducted on the specific staff actions in regard to the Leavenworth Haus permit for Building A that was done in 2018 by former Development Services Manager Nathan Pate. She noted that Building A permitting was completed and that deferrals for stormwater were provided for the additional buildings to allow for the completion and occupancy to continue for Building A only. She added that the practice of deferral is a normal practice by other agencies as well. She stated that engineers and developers are involved in the determination of a deferral process and are looked at to ensure compliance of all components; she confirmed that the engineers, Gray & Osborne, have provided approval of this specific deferral. She went on to state that the occupancy for the additional buildings will be assessed individually; she noted that requiring bonding from the contractor for stormwater issues is an option to be explored to ensure that improvements are reviewed and completed. She briefly noted additional legal tools available to the City to enforce with the Contractor in regard to testing and completing the stormwater. Manager Vespier stated that looking at a more detailed public process in the future for larger developments, such as the Leavenworth Haus Apartments, can be explored to improve the process. Administrator Cortez-Steiner added that the Staff is looking with legal counsel at ways to identify and streamline the process for better understanding for the public in the future. Manager Vespier stated that there is a lot of technical steps involved in large developments that are generally answered best through response by the engineering firm. Council briefly asked additional questions in regard to the Leavenworth Haus Apartments Project.

7. 2021 Project Tracker / 2021 Future Council Agenda Items

Administrator Cortez-Steiner stated that this is provided to keep the Council abreast of staff priorities and future items for the Council.

8. Quarterly City Newsletter Recommendations – Distribution in March

Administrator Cortez-Steiner stated that staff will be working on putting together the next newsletter.

9. Residential Parking Zones

Administrator Cortez-Steiner updated the Council on the progress of the Parking Committee and stated that the draft code language is being provided for informational purposes. She stated that she anticipates an updated draft document in early spring.

10. Council Open Discussion

- a) Confirm a Council Retreat Date and Location Preferences

Finance Director / City Clerk Chantell Steiner noted that the tentative date is scheduled for Friday, April 9, 2021. She noted that she can look at potential site locations; however, if necessary, the meeting will again be held via zoom this year.

b) Open Public Meetings and Open Public Records Act Training Reminders

Director Steiner reminded the Council that this is a state required training and asked that if staff reaches out to individuals that are due for the training to please get that completed as soon as possible.

c) Open Discussion

Councilmember Strand would like the Council to start considering policy level discussions for the future of Christmas Lighting for public safety purposes; he is concerned at the potential to go “back to normal” after COVID-19 is resolved. He stated that he is not supportive of the past timing of the lighting ceremony and would like to explore this further with stakeholders. Councilmember Wilson added that the Public Safety Committee does discuss this topic. Mayor Florea concurred on the need to continue these ongoing discussions.

Councilmember Reister asked for an update on the Riverstone Appeal; Mayor Florea stated that this will be an action item that is coming as an addition to the agenda this evening. He stated that the appeal is continuing and the action this evening will be to consider increasing the contract amount for the attorney to continue the appeal process. Administrator Cortez-Steiner stated that the Council will receive the additional information today for the addition of this item this evening.

Councilmember Waters asked for an update on the County’s River Study; Councilmember Reister stated that there will be more discussion since the results were reviewed, he will reach out for further information.

Study Session adjourned at 11:43 AM.

APPROVED



Carl Florea
Mayor

ATTEST



Chantell Steiner
Finance Director/City Clerk