



City of Leavenworth

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TAB 1

City Council
Carl J. Florea - *Mayor*
Carolyn Wilson
Mia Bretz
Sharon Waters
Clint Strand
Jason Lundgren
Anne Hessburg - *Mayor Pro Tem*
Zeke Reister

MEETINGS VIA ZOOM CONFERENCING

December 14, 2021 Pacific Time (US and Canada)

Morning Study Session Begins at 8:30 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/85030570019?pwd=dEhvRVhnYnpKMU9iSWJyNIRINnJDQT09>

Meeting ID: 850 3057 0019

Passcode: 163303

Afternoon Committee Meetings Begins at 3:45 PM

Economic Development 3:45 – 4:30 PM * Parks 4:30 – 5:15 PM * Public Works 5:15 – 6:00 PM
Councilmembers will attend based on their specific assignments.

Join Zoom Meeting

<https://us02web.zoom.us/j/84118390127?pwd=Mi9iOTNrRUFwOTZLSHVwcERCszNXUT09>

Meeting ID: 841 1839 0127

Passcode: 873678

Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/89575244667?pwd=V0J2MWxKSXR4OXpGR0YrS3ZWn2VIQT09>

Meeting ID: 895 7524 4667

Passcode: 244608

All Meetings allow for the same dial by your location option using the number listed below:

+1 253 215 8782 US

Or find your local number: <https://us02web.zoom.us/j/kqGPKZLnM>

PLEASE TAKE NOTICE, in consideration of the current COVID-19 pandemic, for the health and safety of the community, city staff, and councilmembers, City Hall is closed to the public.

We encourage all Councilmembers, Staff, and the public to utilize the Zoom Conferencing meeting feature. Staff will ensure hosting of the access approximately 10 minutes prior to each of the scheduled meetings; no meeting business may be discussed prior to the official opening of the meetings. The public is encouraged to submit written comments prior to the meetings by sending to the City Clerk at financedir@cityofleavenworth.com; comments via email will need to be submitted by no later than 5:00 PM on Monday, December 13, 2021 in order for them to be received and prepared for submission into the record; comments received for the evening meeting will be read aloud as part of the Comments From the Public on Items Not on the Agenda or during the discussion of specific items. If you would like to deliver comments, you may contact City Hall at (509) 548-5275 prior to 1:00 PM on Monday, December 13, 2021 to schedule an appointment for delivery. Comments received through US Mail will be included if they are received prior to the meetings.

LEAVENWORTH CITY COUNCIL AGENDA
Leavenworth City Hall – Council Chambers
December 14, 2021 – 6:30 PM

Call to Order
Roll Call

Council Committees – 2nd Tuesday

Economic Development 3:45 PM
Parks 4:30 PM
Public Works 5:15 PM

Consent Agenda

1. Approval of Agenda
2. Approval of November 23, 2021 Regular Meeting Minutes
3. November 2021 Payroll \$264,763.27
4. 2021 Claims \$1,256,069.93
5. Set Public Hearing for Six-Year Transportation Improvement Plan – January 11, 2021 @ 6:45 PM

Comments from the Public on Items Not on the Agenda

6. **Public Hearing on Comprehensive Plan Amendments @ 6:45 PM – Hearing Continued from November 23, 2021**
7. **Public Hearing – Code Amendments – Duplexes @ 6:45 PM**
8. **Public Hearing – Code Amendments – R-8 Zoning @ 6:45 PM**

Resolutions, Ordinances, Orders, and Other Business

9. Action: Ordinance 1639 – Rezone Removing the Meadowlark Planned Development
10. Action: Ordinance 1640 – Duplex Code Amendments
11. Action: Ordinance 1641 – Comprehensive Plan Amendments
12. Action: Ordinance 1644 – Zoning District Code Amendments
13. Action: Ordinance 1642 – Quarterly Budget Amendment
14. Action: Ordinance 1643 – Amending Chapter 2.01 - Mayor
15. Action: Resolution 23-2021 – 2022 Rate & Fee Schedule
16. Action: Local Agency Agreement - Pine Street Phase II Study
17. Action: Cancel December 28, 2021 Regular Council and Subcommittee Meetings

Councilmember and Committee Reports
Mayor / Administration Reports

Information Items & Future Considerations

18. Economic Development Committee Agenda Items
19. Parks Committee Agenda Items
20. Public Works Committee Agenda Items
21. Development Services November Report and November Planning Commission Minutes

EXECUTIVE SESSION: RCW 42.30.110 (1)(c) Property Sale – Minimum Price and RCW 42.30.110 (1)(i) Potential Litigation and Legal Ramifications of a Course of Action

Adjournment

(Next Ordinance is 1645 – Next Resolution is 24-2021)

CONSENT AGENDA ITEMS / REPORTS / PUBLIC HEARING

1. City Council Meeting Agenda:

This item is included under **TAB 1**.

2. Regular Meeting Minutes – 11/23/2021:

This item is included under **TAB 2**.

3. November 2021 Payroll:

This item is included under **TAB 3**.

4. 2021 Claims:

This item is included under **TAB 4**.

5. Set Public Hearing for Six-Year Transportation Improvement Plan – January 11, 2021 @ 6:45 PM

The City Council is being asked to consider amending the 2022 - 2027 Six-Year Transportation Improvement Plan (TIP) to reflect the addition of the Ski Hill Drive Sidewalk Project. The change is a result of the City's grant application with the Washington State Transportation Improvement Board (TIB) and subsequent award of a design and construction grant in the amount of \$333,965. The City will provide matching funds in the amount of \$58,935.

There are no items included under **TAB 5**.

6. Public Hearing on Comprehensive Plan Amendments @ 6:45 PM – Hearing Continued from November 23, 2021

This time is provided for the continued public hearing on the 2021 Comprehensive Plan Amendments. Additional written comments have been received, which are provided. Fehr & Peers has provided an updated Transportation Element and Land Capacity Memo to address mislabeled Synchro reports. All of the analysis was correct and there were no changes to the document itself. The only change includes the naming convention used on the Synchro reports included in Appendix D-1 (formally H-1). There are no changes to any of the findings or text in this document either, only edits to the titles in the attachments. Finally, Staff has completed additional grammar and format changes to the clean version and removed duplicate text in the introduction.

The following items (supplemental to the November 23, 2021 Hearing materials) are included under **TAB 6**:

- Additional Public Comments as of December 7, 2021 (includes comments regarding the duplex hearing item)

7. Public Hearing – Code Amendments – Duplexes @ 6:45 PM

This time is provided for review and public comment regarding proposed amendments to the Leavenworth Municipal Code to remove the requirement for duplex developments on 12,000 square foot lots or larger. The pending amendment would permit duplex development on a legal lot of record when permitted in the District Use Chart and when meeting all other code requirements, including but not limited to, setbacks, parking, and lot coverage.

On November 3, 2021 the Planning Commission held four public hearings. The Planning Commission has recommended the Duplex Code Amendments be adopted, as recommended by the staff report.

The following item is included under **TAB 7:**

- Staff Report

8. Public Hearing – Code Amendments – R-8 Zoning @ 6:45 PM

This time is provided for review and public comment regarding proposed amendments to the Leavenworth Municipal Code that is necessary to reflect changes to the 2021 Comprehensive Plan amendments combining the Residential Low Density 12,000 (RL12) and the Residential Low Density 10,000 (RL10) and changing it to a Residential 8 (R-8) zoning district.

On November 3, 2021 the Planning Commission held four public hearings. The Planning Commission has recommended combining Residential Low 12,000 District with Residential Low 10,000 District and changing it to a Residential 8,000 District, as recommended by the staff report.

The following item is included under **TAB 8:**

- Staff Report

SUPPLEMENTAL COUNCIL AGENDA

9. Ordinance 1639 – Rezone Removing the Meadowlark Planned Development

The City of Leavenworth Hearing Examiner held a Public Hearing on November 18, 2021 to consider and make recommendation on the proposed Meadowlark Planned Development Vacation and subsequent amendment to the City Zoning District Map. There were no public comments at the Hearing and the Hearing Examiner rendered a decision on November 19, 2021. 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.

The following items are included under **TAB 9:**

- Hearing Examiner's Decision
- Ordinance 1639
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1639 accepting the Hearing Examiner's recommendation approving the Planned Development Vacation and subsequent amendment to the City Zoning District Map for the former Meadowlark Development.*

10. Ordinance 1640 – Duplex Code Amendments

This time is provided for the City Council to consider amending the Leavenworth Municipal Code to remove the requirement for duplex developments on 12,000 square foot lots or larger. The pending amendment would permit duplex development on a legal lot of record when permitted in the District Use Chart and when meeting all other code requirements, including but not limited to, setbacks, parking, and lot coverage.

The following item is included under **TAB 10:**

- Ordinance 1640
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1640 approving amendments to the Leavenworth Municipal Code removing the requirement for duplexes on 12,000 square foot lots, based on the Planning Commission recommendation, including the findings of fact and conclusions of law within the staff report.*

11. Ordinance 1641 – Comprehensive Plan Amendments

This time is provided for the City Council to consider amending the Leavenworth Comprehensive Plan, after having received all public comments.

The following item is included under **TAB 11:**

- Ordinance 1641
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1641 approving amendments to the Comprehensive Plan based on the Planning Commission and staff recommendations, including the findings of fact and conclusions of law within the staff report.*

12. Ordinance 1644 – Zoning District Code Amendments

This time is provided for the City Council to consider amendments to the Leavenworth Municipal Code necessary to reflect changes to the 2021 Comprehensive Plan amendments combining the Residential Low Density 12,000 (RL12) and the Residential Low Density 10,000 (RL10) and changing it to a Residential 8 (R-8) zoning district.

The following item is included under **TAB 12:**

- Ordinance 1644
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1644 approving amendments to the Leavenworth Municipal Code combining the Residential Low Density 12,000 District and the Residential Low Density 10,000 District and changing it to a new Residential 8 zoning district, consistent with the*

amendments to the Comprehensive Plan and based on the Planning Commission recommendation, including the findings of fact and conclusions of law within the staff report.

13. Ordinance 1642 – Quarterly Budget Amendment

The City Council is being presented with the final quarterly budget amendment for 2021 based on Council approved actions this past quarter and other recommendations by Council or Staff that are identified within the details attached with the ordinance. Per the additional request to include the personnel adjustments that will affect 2022, these costs have been included in this 2021 amendment and are identified in grey.

This ordinance normally includes the annual process of approving the City’s Salary Schedule for all employees. However, due to ongoing negotiations with the Union, this will be brought back to the City Council in January for approval if negotiations have finalized.

Washington State Budgeting and Accounting requirements include a process of posting expenditures in the correct calendar year. As part of this process, the City is required to keep the “books” open through January 20, also known as the “open period”, to allow for any 2021 related expenses to be posted to 2021. Due to this open period, the Finance Department will hold off on finalizing the adjustments needed for the major capital projects that were originally planned for 2021 and will be moved into the 2022 portion of the budget. This transition of project related dollars may require some amendments to revenues, which in turn may trigger an amendment to be presented to the Council in 2022. Finance will make these necessary transfers as soon as possible after the January 20 open period closes. At this time, the estimated dollar amount of transitions is about \$3M in projects with about \$1M of this being related to the WWTP Improvements funding.

The following item is included under **TAB 13:**

- Ordinance 1642 with Exhibit A Details
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1642 Quarterly Budget Amendment.*

14. Ordinance 1643 – Amending Chapter 2.01 - Mayor

The City Council is being presented with this ordinance for consideration of a rate increase to the Mayor’s monthly compensation; the current rate set in 2015 is \$1,500 per month. The Council was provided the current rates of other local Mayor’s within the Upper Valley at the public hearing for the Biennial Budget Modification. Mayor Florea has requested that this be open for discussion and consideration by the Council with no suggested rate from staff. Mayor Florea also wants the Council to be aware that this action is independent of his commitment to spend a significant amount of time serving as Mayor and will not impact what the job description of the new Administrative Services Director will be.

The following item is included under **TAB 14:**

- Ordinance 1643

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1643 amending Leavenworth Municipal Code Chapter 2.01 Mayor with the compensation set at \$_____.*

15. Resolution 23-2021 – 2022 Rate & Fee Schedule

The City Council is being asked to approve the final amendments to the 2022 Rate & Fee Schedule that will be effective as of January 1, 2022. The resolution includes changes that were reviewed at the October and November Study Sessions, some minor additional amendments are included and are highlighted in yellow for ease of reference. The Garbage rate increases have also been included per the Council direction at an increased rate of 10%, some exceptions apply and are noted in redline with comments. This section has additional changes for formatting and consistency that was requested by staff to assist in customer confusions. For ease of viewing this section, a clean version of the Garbage rates is provided after the full redline version copy.

The following items are included under **TAB 15:**

- Resolution 23-2021 Redline Version
- Garbage Rates Only – Clean Version

- **MOTION:** *The Leavenworth City Council moves to approve Resolution 23-2021 setting the City Rates and Fees for 2022.*

16. Local Agency Agreement – Pine Street Phase II

In June 2019, the City applied for Surface Transportation Block Grant (STBG) funding through the Chelan-Douglas Transportation Council (CDTC) to fund the Pine Street Phase II Study. The City received a notice of award in the amount of \$105,000 from the CDTC on August 8, 2019; this total project cost is \$125,000 with the City matching the additional \$20,000. Due to staff turnover, the Pine Street Phase II Study was placed on hold. In July 2021, staff advertised a Request for Qualifications for purpose of selecting a civil engineering consulting firm to complete the Pine Street Phase II Study. Statements of Qualifications (SOQ) were due by August 4, 2021. The City received six (6) responsive SOQ submittals. A selection committee comprised of City and CDTC staff reviewed/scored the six (6) submittals and shortlisted three (3) consulting firms for interviews. The selection committee interviewed the three (3) finalist firms on October 18, 2021. Interviews were scored by the selection committee as follows:

Consulting Firm	Interview Score
RH2 Engineering	91
Perteet	88
Gray & Osborne	79

Based on interview scores, RH2 Engineering was deemed the most qualified firm for the Pine Street Phase II Study.

The following item is included under **TAB 16:**

- Agency A&E Professional Services Negotiated Hourly Rate Consultant Agreement between the City of Leavenworth and RH2 Engineering with a not to exceed amount of \$122,500.
 - **MOTION:** *The Leavenworth City Council moves to approve the selection of RH2 Engineering as the most qualified consultant and, contingent upon WSDOT approval, authorizes the Mayor to execute a Local Agency A&E Professional Services Negotiated Hourly Rate Consultant Agreement between the City of Leavenworth and RH2 Engineering in an amount not to exceed \$122,500.*

17. Cancel December 28, 2021 Regular Council & Subcommittee Meetings

The Council is being asked to approve the cancellation of the regularly scheduled December 28, 2021 City Council meeting and Subcommittee meetings. This request is based on the assumption that the Council completes and approves the 2022 budget ordinances, resolutions and other necessary actions for the 2021 calendar year by December 14, 2021.

There are no items included under **TAB 17**.

- **MOTION:** *The Leavenworth City Council moves to cancel the December 28, 2021 Regular City Council meeting and Subcommittee meetings.*

COMMITTEES, INFORMATIONAL & FUTURE CONSIDERATION ITEMS

18. Economic Development Committee Agenda Items

This item is included under **TAB 18**.

19. Parks Committee Agenda Items

This item is included under **TAB 19**.

20. Public Works Committee Agenda Items

This item is included under **TAB 20**.

21. Development Services November Report and November Planning Commission Minutes

These items are included under **TAB 21**.