



## City of Leavenworth

700 Highway 2 / Post Office Box 287  
Leavenworth, Washington 98826  
(509) 548-5275 / Fax: (509) 548-6429  
Web: [www.cityofleavenworth.com](http://www.cityofleavenworth.com)

TAB 1

### City Council

Carl J. Florea - *Mayor*  
Carolyn Wilson  
Sharon Waters  
Clint Strand  
Jason Lundgren  
Anne Hessburg - *Mayor Pro Tem*  
Zeke Reister  
Marco Aurilio

### MEETINGS VIA ZOOM CONFERENCING

January 11, 2022 Pacific Time (US and Canada)

#### Morning Study Session Begins at 8:30 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/83550156332?pwd=bDdUbmdNL3VSckxmNGwrdGREUzRaQT09>

Meeting ID: 835 5015 6332

Passcode: 061936

#### 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/83450855758?pwd=aVFYcDN0TGhTVdJcNEI3ZGhBMEF4dz09>

Meeting ID: 834 5085 5758

Passcode: 482107

#### Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/89246600311?pwd=TjVHUTgwUWplbHNxR0hNb0d5YjVvQT09>

Meeting ID: 892 4660 0311

Passcode: 925510

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/kcLzeldqe5>

**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](mailto:financedir@cityofleavenworth.com); comments via email will need to be submitted by no later than 5:00 PM on Monday, January 10, 2022 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, January 10, 2022 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 – Via Zoom**  
**January 11, 2022 – 6:30 PM**

**Call to Order**  
**Roll Call**

**Council Committees – 2<sup>nd</sup> Tuesday**

Economic Development 3:45 PM

Parks 4:30 PM

Public Works 5:15 PM

**Consent Agenda**

1. Approval of Agenda
2. Approval of December 14, 2021 Study Session and Regular Meeting Minutes
3. December 2021 Payroll \$250,503.18
4. 2021 Claims \$366,522.21
5. 2022 Claims \$29,985.64
6. Project Acceptance – Smith Excavation AC Pipe Removal
7. Local Agency Agreement – Pine Street Phase II Study
8. Resolution 02-2022 – Mayoral Proclamation – Extension of Emergency Proclamation Exemptions
9. Mayoral Appointment to the Design Review Board Position No. 3 – Expires 12/1/2024

**Comments from the Public on Items Not on the Agenda**

**10. Public Hearing – Six-Year Transportation Improvement Plan @ 6:45 PM**

**Resolutions, Ordinances, Orders, and Other Business**

11. Action: Resolution 01-2022 – Six-Year Transportation Improvement Plan
12. Action: Motion to Elect Mayor Pro Tempore
13. Action: Professional Services Agreement – Feshhalle Mgmt. Contract – Gather Leavenworth
14. Action: Ordinance 1644 – Zoning District Amendments (*Tabled from 12/14/2021*)
15. Action: Ordinance 1645 – Stipend for Design Review Board
16. Action: Ordinance 1647 – Stipend for Planning Commission
17. Action: Teamsters Union Contract 2022 – 2024
18. Action: Ordinance 1646 - 2022 Salary Schedule
19. Action: TIB Fuel Tax Agreement for the Ski Hill Drive Sidewalk Project
20. Action: Well No. 1 Rehab Supplemental Agreement No. 1 – Aspect Consulting

**Councilmember and Committee Reports**

**Mayor / Administration Reports**

**Information Items & Future Considerations**

21. Economic Development Committee Agenda Items
22. Parks Committee Agenda Items
23. Public Works Committee Agenda Items
24. Development Services December Report
25. Remanded Planning Commission Recommendations

**Adjournment**

**(Next Ordinance is 1648 – Next Resolution is 3-2022)**

**1. City Council Meeting Agenda:**

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

**2. Study Session & Regular Meeting Minutes – 12/14/2021:**

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

**3. December 2021 Payroll:**

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

**4. 2021 Claims:**

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

**5. 2022 Claims:**

This item is included under **TAB 5.**

**6. Project Acceptance – Smith Excavation AC Pipe Removal**

In summer 2021, Public Works staff identified a need to properly remove and dispose of asbestos-concrete pipe stored on City property. Subsequently, staff procured three (3) pipe removal estimates with Smith Excavation submitting the lowest responsive bid. Smith Excavation was awarded the contract and started pipe removal work on August 19, 2021. The original contract amount was \$14,000; however, following the start of work, Smith Excavation discovered four (4) additional layers of buried asbestos-concrete pipe. The initial estimated quantity of asbestos-concrete pipe was approximately 35 tons. The discovery of additional pipe increased the quantity to 90 tons of asbestos-concrete pipe. As a result, the final contract price increased to \$58,913.42.

The following item is included under **TAB 6:**

- Final Contract Voucher Certificate

**7. Local Agency Agreement – Pine Street Phase II Study**

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. The proposed Local Agency Agreement between the City of Leavenworth and WSDOT, when fully executed, will obligate the federal STBG funds for the Pine Street Phase II Study.

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

- Local Agency Agreement between the City of Leavenworth and WSDOT

**8. Resolution 02-2022 – Mayoral Proclamation – Extension of Emergency Proclamation Exemptions**

On December 30, 2021, Mayor Florea approved and adopted Proclamation 2021-05, which extends the emergency declaration through April 15, 2022 and will allow the Front Street Closure to continue through April 15, 2022. Resolution 02-2022 confirms and ratifies the Mayoral Proclamation and action.

The following items are included under **TAB 8:**

- Proclamation 05-2021
- Resolution 02-2022

**9. Mayoral Appointment to the Design Review Board Position No. 3 – Expires 12/1/2024**

The Mayor requests City Council confirmation of his appointment of Gary Day to Design Review Board Position No. 3. This position became available upon the resignation of Robert “Bob” Smith who is a founding member of the Board. The current term expires December 1, 2024. The Leavenworth Municipal Code (LMC) requires that all Design Review Board members are appointed by the Mayor with confirmation by the City Council.

Gary and his wife visited Leavenworth in 2017 and fell in love with the Bavarian Community. They designed and built a Bavarian style home on Pine Street in 2019, at which time they decided to make Leavenworth their permanent home. Gary and his family are of German descent and have made many trips to the German and Austrian Alps. Gary has developed a great interest in Bavarian style architectural, building material, colors, and murals.

There are no items included under **TAB 9.**

**10. Public Hearing – Six-Year Transportation Improvement Plan @ 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 10, See TAB 11.**

**SUPPLEMENTAL COUNCIL AGENDA**

**11. Resolution 01-2022 – Six-year Transportation Improvement Plan**

The City Council is being asked to consider approval of Resolution 01-2022, which amends the City of Leavenworth’s 2022-2027 Six-Year Transportation Improvement Plan (TIP). The proposed TIP amendment corrects year headings in Exhibit A. In addition, the amendment adds the Ski Hill Drive Sidewalk Project. A public hearing on the Six-Year TIP is being held prior to approval of the final document.

Once the City Council has approved the amended Six-Year TIP for 2022-2027, the amended City TIP projects will be entered into the WSDOT format for submission to WSDOT for inclusion on the State Transportation Improvement Plan (STIP). The STIP is a planning document used by the State of Washington; projects that have qualified for state funding or will be considered for state funding need to be identified in the STIP document. The City has the ability to amend the STIP at a later date should another project be identified that the City might consider in a grant program.

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

- Resolution 01-2022
  - **MOTION:** *The Leavenworth City Council moves to approve Resolution 01-2022 Six-Year Transportation Improvement Plan.*

## **12. Motion to Elect Mayor Pro Tempore**

The Council is being asked to consider the appointment and designation of a Mayor Pro Tempore. The action could be the confirmation of the standing Mayor Pro Tempore or the selection and confirmation of another sitting councilmember.

The duties of the Mayor Pro Tempore include the recommendation of councilmembers to standing committees with the appointments approved by the City Council, and to serve as the presiding officer at the Council Meetings in the Mayor's absence.

At this time, the following procedure is recommended:

- Mayor: Nominations are now in order for the office of Mayor Pro Tempore.
- Nominations taken from the floor.
- Mayor calls for any further nominations - if none, announces nominations are closed.
- Election then occurs by show of hands in support of each nominee.
- A full majority of four (4) is needed for the confirmation.

The following items are included under **TAB 12:**

- RCW 35A.12.065 Pro Tempore Appointments
- RCW 35.27.160 Mayor – Duties – Powers – Mayor Pro Tempore
  - **MOTION:** *The Leavenworth City Council moves to nominate and appoint Councilmember \_\_\_\_\_ as Mayor Pro Tempore.*

## **13. Professional Services Agreement – Festhalle Mgmt. Contract – Gather Leavenworth**

Mayor Florea seeks Council approval of a Professional Services Agreement (PSA) with Ashley Coffin of Gather Leavenworth for management services of the Leavenworth Festhalle. Gather Leavenworth has been providing management services at the Festhalle since September of 2021 at a flat monthly rate of \$3,000. This new agreement is for one year (2022) at a flat monthly rate of \$3,550. The Festhalle Oversight Committee and Consultant will review and may revise the terms of service and compensation in six months.

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

- Professional Services Agreement – Gather Leavenworth
  - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement with Gather Leavenworth for Festhalle Management Services at a flat rate of \$3,550 per month.*

#### **14. Ordinance 1644 – Zoning District Amendments (Tabled from 12/14/2021)**

The City Council remanded the Planning Commission recommendation for a new Residential 8 zoning district at the December 14, 2021 City Council meeting; however, the remaining amendments to the zoning map were approved, as presented, which included changes to the Osborn property and minor amendments to the zoning map. The Ordinance and attachment have been updated to reflect the direction/action of the Council.

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

- Ordinance 1644
  - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1644 amending the Official Zoning Map consistent with the 2021 Comprehensive Plan.*

#### **15. Ordinance 1645 – Stipend for Design Review Board**

The City Council discussed the option of providing a stipend to the Design Review Board at the December 14, 2021 Study Session. In acknowledgement of the value the Board provides to the Community and the time commitment to serve, the Council generally agreed that a stipend was appropriate. By approving Ordinance 1645, the Council would be providing a \$50 stipend for attending (at least 80% of) a meeting.

The following item is included under **TAB 15:**

- Ordinance 1645
  - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1645 providing a stipend for Design Review Board members.*

#### **16. Ordinance 1647 – Stipend for Planning Commission**

The City Council discussed the option of providing a stipend to the Planning Commission at the December 14, 2021 Study Session. In acknowledgement of the value and the time commitment to serve, the Council generally agreed that a stipend was appropriate. During a review of Chapter 2.40 Planning Commission, other sections of code are recommended for amendment, including:

- Retitling 2.40.030 from compensation – removal to Vacancies – Removal.
- Removing Secretary requirements from 2.40.040 and replacing it with Organization and Training,

- Restating the quorum requirement for clarity and ease, Section 2.40.050.
- Adding RCW and LMC Title 21 reference to Section 2.40.060 Powers and duties.
- Clarifying recommendations and reports Section 2.40.070 to include the annual docket process.
- Adding a new 2.40.080 Compensation section.

By approving Ordinance 1647, the Council would be providing a \$50 stipend for attending (at least 80% of) a meeting.

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

- Ordinance 1647
  - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1647 providing a stipend for Planning Commissioners.*

### **17. Teamsters Union Contract 2022 – 2024**

The City Council is being asked to review and consider approval of the new labor union contract with Teamsters Local Union No. 760 which represents the majority of the City of Leavenworth employees. The City of Leavenworth employs approximately 38 full time employees, of which 32 of those employees are covered under the collective bargaining agreement. The City Council has had an executive session regarding the status of the contract negotiations over the past six months. The Contract is for a three-year period from January 1, 2022 through December 31, 2024. The contract was reviewed by the bargaining unit members and ratified.

One remaining aspect of this negotiation is the need to separate the Supervisor's from the existing contract and to create a new Supervisor Bargaining Unit and subsequent contract; this work is underway and that new contract will be forthcoming for Council review for approval. Within this contract the Supervisors have been identified as not being covered by this agreement; the City and Union do however have a tentative agreement on the development of the Supervisor's Bargaining Unit Contract. The Supervisor position wages have been established through this contract negotiation and are included at this time for clarity within this contract.

The following item is included under **TAB 17:**

- 2022 – 2024 Labor Agreement
  - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2022 – 2024 Labor Agreement with the Teamsters Local Union #760.*

### **18. Ordinance 1646 – 2022 Salary Schedule**

The City Council is being presented with the 2022 Salary Schedule for final approval of wages that will be effective as of January 1, 2022; timing of this approval in December was delayed due to the ongoing negotiations with the Teamsters Local Union that has now been ratified by the Union.

This schedule includes the Mayor, Council, Non-Bargaining Unit, Bargaining Unit, part-time, and seasonal pool related employees.

The Mayor and Council wages are set by Ordinance and have been included as approved by the Council in 2021.

The Non-Bargaining position wages are recommended by the Mayor and are based on several wage analysis factors that includes a review of other local area positions, position duties, expectations, and experience.

The Bargaining Unit wages are negotiated through the Union Contract and are not subject to additional changes once the contract has been approved.

The part-time and seasonal wages are recommended by the Mayor with input from the staff and is being requested to include wage increases that will be competitive with local businesses in Leavenworth. These proposed increases, on average, are approximately 20% over the 2021 rates due to the increased demand for local workers since 2020 and pressure on the economy to pay at a minimum of \$15 per hour for entry level workers. Due to the Staff's desire to have slightly higher than entry level workers in most of these positions, Staff requests increasing the minimum base starting wage slightly higher to be competitive and attract more potential applicants. Staff would like the Council to also be aware that there were several vacancies in 2020 and 2021, specifically in the Parks (both years) and Pool (2021) divisions, that were never filled partly due to the lower wage ranges.

The following item is included under **TAB 18:**

- Ordinance 1646
  - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1646 the 2022 Salary Schedule.*

## **19. TIB Fuel Tax Agreement for the Ski Hill Drive Sidewalk Project**

In August 2021, City Public Works staff applied for a Transportation Improvement Board (TIB) sidewalk program grant for constructing a new sidewalk on Ski Hill Drive. The proposed project includes filling sidewalk gaps with new sidewalk along the west side of Ski Hill Drive from US 2 to Evans Street. On December 1, 2021, the City received a notice of grant award from the TIB. TIB funding is in the amount of \$333,965 with the City providing matching funds in the amount of \$58,935. Total estimated project cost is \$392,000 with design beginning in 2022 and construction scheduled for 2023. The City's matching contributions are eligible for Transportation Benefit District (TBD) funds.

The following items are included under **TAB 19:**

- TIB Notice of Grant Award Letter
- TIB Fuel Tax Agreement



- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the proposed Transportation Improvement Board Fuel Tax Agreement in the amount of \$333,965.*

## **20. Well No. 1 Rehab Supplemental Agreement No. 1 – Aspect Consulting**

The City Council had a discussion regarding inadequate water production from Well No. 1 at the July 13, 2021 Study Session. Subsequently, City Public Works staff reviewed Statements of Qualifications (SOQs) from three (3) consulting firms using the City’s MRSC-managed Consultant Roster. A selection committee comprised of City staff ranked the SOQs accordingly, and ultimately selected Aspect Consulting, LLC (Aspect) as the most qualified consulting firm for the City of Leavenworth’s Well No. 1 Rehab Project. City Council awarded a contract to Aspect Consulting with a not to exceed amount of \$18,000 on September 14, 2021.

Aspect’s scope of work included reviewing existing data associated with the City’s current Water System Plan, maintenance records and water quality data pertaining to Well No. 1, assessing Well No. 1 performance (e.g., video inspection, flow testing), and developing a technical memo outlining findings and rehabilitation recommendations.

Aspect Consulting staff completed three (3) site visits for the purpose of well video inspections, flow testing, and water sampling. Following the completion of necessary fieldwork, Aspect published a draft technical memo on December 8, 2021 (see provided materials). The technical memo outlined findings and recommended rehabilitation measures. The main finding is that Well No. 1 has a substantial performance reduction (exceeding 74 percent) since the well was tested in 1989. Aspect Consulting is recommending aggressive rehabilitation measures that include mechanical and chemical treatments to clean the well screen and reduce bacterial activity. In addition, Aspect Consulting recommends altering the well intake height and reconfiguring pump startup and shutdown procedures to prevent air entrainment.

Proposed Supplemental Agreement No. 1 will allow Aspect Consulting to proceed with developing plans and specifications for rehabilitating Well No. 1. Further scope of work tasks include rehabilitation oversight, post-rehabilitation pump testing and analysis, and final technical memo development. The not to exceed amount associated with proposed Supplemental Agreement No. 1 is \$44,400. If approved, the updated total not to exceed contract amount will be \$62,400. Costs associated with the Well No. 1 Rehab Project are supported by the City’s Water Fund.

The following items are included under **TAB 20:**

- Aspect Consulting Draft Technical Memo – Well No. 1 Rehabilitation
- Supplemental Agreement No. 1
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign Supplemental Agreement No. 1 associated with the September Professional Services Agreement between Aspect Consulting and the City of Leavenworth.*

**21. Economic Development Committee Agenda Items**

This item is included under **TAB 21.**

**22. Parks Committee Agenda Items**

This item is included under **TAB 22.**

**23. Public Works Committee Agenda Items**

This item is included under **TAB 23.**

**24. Development Services December Report**

This item is included under **TAB 24.**

**25. Remanded Planning Commission Recommendations**

Future City Council Meeting: After the Planning Commission's March 2, 2022 meeting, the City Council will be reviewing the Planning Commission's recommendations on the remanded items, for lot size standards for duplexes and a new Residential 8 zoning district. In the meantime, the Planning Commission and staff will be hosting public meetings, considering public comment, providing information and considering the remanded items. The public is encouraged to participate.

There are no items included under **TAB 25.**