



City of Leavenworth

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City Council
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PLEASE TAKE NOTICE – RETURN TO IN PERSON MEETINGS

In consideration of the current COVID-19 pandemic restrictions being lifted in Washington State, the City Council will be returning to in person meetings beginning in April. At this time, we will continue to offer the zoom option for attendees that are not able to attend in person. We encourage all City Council and Staff to plan to attend in person, if possible. Staff will ensure hosting of the zoom 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. At this time, we continue to hold shorter scheduled meetings for Committee meetings and will provide updates as changes occur. We look forward to seeing you in person.

MEETINGS LINKS VIA ZOOM CONFERENCING

April 26, 2022 Pacific Time (US and Canada)

Afternoon Committee Meetings 3:30 – 6:00 PM

Housing 3:30 – 4:30 PM * Public Safety 4:30 – 5:15 PM * Finance 5:15 – 6:00 PM

**All Committee Meetings use the same zoom meeting link beginning at 3:30 PM
Councilmembers will attend based on their specific assignments.**

Join Zoom Meeting

<https://us02web.zoom.us/j/86928840155?pwd=UjRzOWF2RHJURkhZdW8zeVVDckVldz09>

Meeting ID: 869 2884 0155

Passcode: 806068

Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/86120737102?pwd=VzNPdFNFZzgreEJmck0xdEdWaEZoUT09>

Meeting ID: 861 2073 7102

Passcode: 179440

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/keVTshFMv>

LEAVENWORTH CITY COUNCIL AGENDA
Leavenworth City Hall – Council Chambers
April 26, 2022 – 6:30 PM

Call to Order

Flag Salute

Roll Call

Council Committees – 4th Tuesday

Housing – 3:30 PM – 4:30 PM

Public Safety – 4:30 PM – 5:15 PM

Finance – 5:15 PM – 6:00 PM

Consent Agenda

1. Approval of Agenda
2. Approval of April 12, 2022 Study Session Minutes
3. Approval of April 12, 2022 Regular Meeting Minutes
4. 2022 Claims \$431,323.32
5. Mayoral Reappointment of Planning Commissioners Steven Booher, Colin Forsyth, and Alison Miller – Expires April 2022
6. Resolution 06-2022 Festhalle Facilities Policy
7. Cemetery Master Plan

Public Safety Report: Corporal Monika Haynes, Liaison Officer

Comments from the Public on Items Not on the Agenda

Public Hearing: Affordable Low-Income Incentive Program @ 6:30

Resolutions, Ordinances, Orders, and Other Business

8. Action: Ordinance 1654 – Affordable Low-Income Housing Incentives
9. Action: Resolution 5-2022 – Personnel Policy Update
10. Action: Professional Services Agreement – Waterfront Park Restroom Force Main – Relocation Design and Construction Engineering Services with RH2 Engineering

Councilmember and Committee Reports

Mayor / Administration Reports

Information Items & Future Considerations

11. Housing Committee Agenda Items
12. Public Safety Committee Agenda Items
13. Finance Committee Agenda Items
14. March Planning Commission Minutes

Adjournment

(Next Ordinance is 1655 – Next Resolution is 7-2022)

1. City Council Meeting Agenda

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

2. Study Session Minutes – 4/12/2022

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

3. Regular Meeting Minutes – 4/12/2022

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

4. 2022 Claims

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

5. Mayoral Reappointment of Planning Commissioners Steven Booher, Colin Forsyth, and Alison Miller – Expires April 2022

The Mayor requests Council confirmation to reappoint the following positions to the Planning Commission for a 4-year term.

- Position No. 1 – Steven Booher
- Position No. 6 – Colin Forsyth
- Position No. 7 – Alison Miller

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

6. Resolution 06-2022 Festhalle Facilities Policy

The Leavenworth Festhalle Facilities Policy was originally approved by the Council on April 23, 2013 by Resolution 10-2013. The Policy provides operational guidelines on the rental and use of the Festhalle Facility. The Festhalle Oversight Committee has recommended an addition to the “Denial / Appeal” section, to include the following three points on page 7:

2. An application will be denied if the applicant has been found to be in violation of Resolution 07-2020, which establishes Rules and Standards of Conduct for anyone using City Facilities. (Exhibit C)
3. An application will be denied if the applicant has any past due debt to the City of Leavenworth for any other services or accounts. Outstanding debt must be brought current before any application for the Festhalle will be considered.
4. Any denial shall be appealed to the Mayor, City Administrator, or Mayor Designee. Their decision shall be final and no further appeals will be granted.

Additionally, Resolution 06-2022 has been attached to the Policy as Exhibit C. The Festhalle Oversight Committee discussed the policy amendments at the March 14, 2022 Committee meeting

and approved the amendments and recommendation for Council approval by unanimous vote at the April 11, 2022 Committee meeting.

The following items are included under **TAB 6:**

- Resolution 06-2022
- Feshhalle Facility Policy redline changes (pages with changes included)

7. Cemetery Master Plan

The City Council reviewed the Cemetery Master Plan at the February Study Session before requesting public comment, which resulted in three public comments, all encouraging more landscaping and park-like seating/reflection amenities. Public comments were addressed in the Recommendation Memo through the recommendations for additional trees and landscaping, support of pathways, plaza, seating, upgrades to the maintenance building and overall long-term maintenance (through the endowment).

At the prior meeting, Council had requested a comparison of pricing, using local cemeteries. That information has been compiled. It shows that the Mountain View Cemetery rates are lower than area cemeteries. Changes to the Cemetery rates, as addressed in the Recommendation Memo, should be fully re-evaluated with a finance consultant based on the recommended improvements and endowment requirements after Council’s acceptance of the Master Plan with Recommendation Memo.

Cemetery	Adult Lot	Infant Lot	Cremaains Lot	Niche				Open/Closing
Mountain View Cemetery	\$650	\$375	\$375	Row 1	Row 2	Row 3	Row 4	Burial \$400 – \$600 Niche \$175 - \$350
• City Limits	\$700	\$425	\$425	\$400	\$375	\$350	\$325	
• Cascade School District	\$1075	\$475	\$590	\$440	\$415	\$390	\$365	
• Outside Cascade S.D.				\$1050	\$900	\$800	\$750	
Cashmere Cemetery	\$1,100	\$550	\$900	\$1000				Burial \$425 Niche \$125
Evergreen Memorial Park	\$1800 - \$2500	\$60 (endowment care only)	\$1500	\$1300-\$5000				Burial \$1095 Niche \$595
Wenatchee Cemetery	\$1,173	\$511	\$706	Outside Niche - \$978 - \$1,205 Inside Niche - \$1093 - \$4,629				Burial \$659 Niche \$270

At this time, staff is requesting the acceptance of the Master Plan and the Recommendation Memo, which provides overall cemetery improvements and next steps. The improvements are not listed in a priority order but would start with platting a new section of the cemetery with 8.5’ x 3’ plots for grave-liners.

The following items are included under **TAB 7:**

- Recommendation Memo & Cemetery Master Plan
- Public Comments

SUPPLEMENTAL COUNCIL AGENDA

8. Ordinance 1654 – Affordable Low-Income Housing Incentives

The public hearing time is provided for the City Council to take comment on the proposed new affordable low-income housing incentive program. This program is designed to incentivize development of low-income housing by flexing some of the regulation standards, including but not limited to, reduced front yard setback, increase in lot coverage, increased density, and, for lower incomes, reduced parking requirements.

The Planning Commission reviewed the initial draft code at a public hearing in November. At that time, it was determined that additional work on the draft was needed. The Planning Commission continued to review the proposal and make modifications based on public comment through the April 6, 2022 hearing.

The new code provides incentives for housing associated with the most needed type of housing, for those with the highest cost burdened homes and those with incomes below the 50% AMI, as noted in the Housing Action Plan:

Income Group	Distribution of Household Income	Share of Housing Need	Distribution of Households Experiencing Housing Cost Burden*	Share of Housing Need
<30% AMI	14%	15	36%	40
30-50% AMI	13%	14	30%	33
50-80% AMI	19%	21	23%	25
80% > 100% AMI	9%	10	3%	3
>100% AMI	46%	51	9%	10
Housing needed to meet growth target:		110		110

This income level is traditionally required to have public support or incentives to compete with the market rate housing construction market.

The Planning Commission is recommending adoption of the Affordable Low-Income Housing Incentives program.

During the April 12th Study Session a request to notice property owners adjacent to Tourist Commercial was made. While only five lots, adjacent to Residential 6 zoning, are vacant, all owners were mailed notice of the proposed code. An additional request to add a chart showing the number of affordable units in the Residential zones and Tourist Commercial zone was made; however, the Tourist Commercial zone does not have a density limitation so the number of dwellings permitted, regardless of affordability, would be determined by other factors, such as parking, lot coverage and height. Similarly, within the Residential zones, the proposal would permit one additional dwelling per lot (resulting in an option for one single-family, one ADU and one affordable unit) regardless of lot size but still required to meet all other standards. For these reasons, a chart would not be practicable.

At this time, the Council is being asked to consider and act on the Planning Commission recommendation to adopt the Affordable Housing Incentive Program.

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

- Staff Report, dated February 4, 2022 with correction to summary of changes
- Height Diagram showing 188 Hwy 2 from the alley with mock building heights
- Public Comment Letter (note, one comment received after completion of Planning Commission workshops; other comments during Housing R-8 and duplex amendments included items related to Affordable Housing Incentives)
- Ordinance 1654

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1654 creating a new Leavenworth Municipal Code Chapter 18.24 Affordable Low-Income Housing Incentives.*

9. Resolution 5-2022 – Personnel Policy Update

Council and Staff reviewed the Personnel Policy Updates at the April 12th Study Session and reviewed questions relating to proposed changes. The document provided for approval today includes acceptance of all changes in the prior document with exception to new changes now included in redline (page 36 of the policy) for a final review in regard to travel and meal reimbursements. Additionally, appendices have now been included for reference.

The Council discussed the need to consider travel reimbursement rates and exploring utilizing the State's Per Diem rate structure so that future changes in rates would be nimble and adjusted accordingly by the State based on cost-of-living changes. In researching the concerns with taxation, Per Diem rates do require taxing employees within their payroll when they are provided the Per Diem allowances if they do not follow the existing procedures for submitting a travel reimbursement form with accompanying detailed receipts. Transitioning from the existing policy would not streamline the process for employees but would increase the staff review and approval process to ensure each travel reimbursement is requested at the correct rates per region. Since travel reimbursements are infrequently used, the existing policy does provide simplicity, efficiency, and flexibility. However, after reviewing the existing policy language (pages 34-36 of the policy), staff is recommending a change to the meal rates and no change to the hotel and mileage reimbursement policies. The City Administrator currently has the flexibility to approve hotel room rates to ensure employee expenses are covered, staff recommends maintaining the existing policy language for hotel room rates. Mileage reimbursement rates are also currently covered within the personnel policy and are set at the standard IRS mileage rate that is adjusted each year by the IRS; this rate is also in accordance with the State's Per Diem rate structure.

In reviewing the meal rates, staff supports approving the State's Per Diem rates identified in the mid-range – i.e. Tier 2, currently identified as pink on the attached map, with breakfast at \$17, lunch at \$21, and dinner at \$31 (note that these rates have been incorporated in Appendix 3 Travel Reimbursement Rates, which are required for travel upon an employee's return from training). This is a slight increase from the prior proposal of breakfast at \$15, lunch at \$20, and dinner at \$30. Language has been added in the personnel policy to allow the Administrator to utilize the

higher regional rates when travel is within these regions. By going in this direction, the City will no longer need to have a separate resolution for meal rates and adjustments can be made over time based on the State's Per Diem rates.

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

- Resolution 5-2022
- State Per Diem Rates – Effective for 2022
- **MOTION:** *The Leavenworth City Council moves to approve Resolution 5-2022 amending the City of Leavenworth Personnel Policies.*

10. Professional Services Agreement - Waterfront Restroom Sewer Force Main - Relocation Design and Construction Engineering Services with RH2 Engineering

The City Council is being asked to approve and authorize the Mayor to execute a Professional Services Agreement (PSA) between RH2 Engineering and the City of Leavenworth for design and construction engineering services in the amount of \$99,850. This proposed PSA is associated with the Waterfront Park Restroom Sewer Force Main Relocation project.

The purpose of the above-mentioned project is to relocate a 4-inch pressurized sewer line (force main) associated with the Waterfront Park restroom. The reason for relocating the 4-inch sewer force main is a result of mutually agreed upon provisions established by the April 2, 2020 settlement agreement between Mr. Rob Johnson and the City. Per terms outlined in the April 2, 2020 settlement agreement, the City has until October 31, 2022 to abandon the sewer force main and electrical service associated with the Waterfront Park restroom.

A selection committee comprised of City Public Works staff evaluated three (3) statements of qualifications (SOQs) from the City's MRSC-managed Consultant Roster and found RH2 Engineering to be the most qualified firm for this project.

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

- RH2 Engineering Professional Services Agreement
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign a Professional Services Agreement between RH2 Engineering and the City for design and construction engineering services associated with the Waterfront Restroom Sewer Force Main Relocation project in an amount not to exceed \$99,850.*

COMMITTEES, INFORMATIONAL & FUTURE CONSIDERATION ITEMS

11. Housing Committee Agenda Items

This item is included under **TAB 11.**

12. Public Safety Committee Agenda Items

This item is included under **TAB 12.**

13. Finance Committee Agenda Items

This item is included under **TAB 13.**

14. March Planning Commission Minutes

This item is included under **TAB 14.**