

LEAVENWORTH CITY COUNCIL MINUTES
January 26, 2010

Mayor Pro-tem Peter DeVries called the January 26, 2010 Leavenworth City Council meeting to order at 6:01 p.m., and led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Pro-tem Peter DeVries, Tibor Lak, Michael Molohon, Lucky Moore, Elmer Larsen, and Cheri Kelley Farivar.

Staff Present: Rich Brinkman, Terry McCauley, Connie Krueger, Chantell Steiner, David Schettler, and Michelle Brooks.

Mayor Pro-tem DeVries excused Councilmember Robert Francis and Mayor Rob Eaton.

APPROVAL OF THE CONSENT AGENDA

Mayor DeVries asked for a motion to approve the consent agenda as follows:

Consent Agenda:

1. Approval of Agenda
2. Approval of January 12, 2010 Study Session Minutes
3. Approval of January 12, 2010 Regular Meeting Minutes
4. Approval of January 19, 2010 Special Meeting Minutes
5. 2009 Claims \$56,777.08, 2010 Claims \$47,644.53
6. 2009 Final Payroll \$15,391.10

Councilmember Lak moved to approve the Consent Agenda. The motion was seconded by Councilmember Larsen and passed unanimously.

Councilmember Larsen noted that in the minutes from the December 8, 2009 Regular Meeting the Oath of Office needed to be corrected to reflect Councilmember DeVries being sworn in rather than him.

PUBLIC SAFETY REPORTS

Lieutenant Kent Sisson presented the monthly report to Council. He then reviewed the report which included items such as Christmas Lighting, Patrol Division Schedule Adjustments, Sheriff's Office Annual Report, and statistical information pertaining to reported incidents, citations, warnings, and arrests within the City of Leavenworth for the months of November and December 2009.

Councilmember Tibor Lak questioned the discrepancy between numbers relating to the DUI offenses. Lieutenant Sisson stated that he would research these line items and numbers then report back to Council.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Cheri Kelley Farivar reported that she attended the AWC Elected Officials seminar and that it was extremely informative and well worth the effort.

Councilmember Larsen reported that the Residential Advisory Committee (RAC) met and discussed garbage services including trash receptacle sizes. He noted that they also discussed the landscaping at the pump station. Councilmember Larsen announced that Rob Clark will be stepping down and will need to be replaced.

Councilmember Larsen distributed an email exchange between him and an area resident. He stated that he wants to formally move that the RAC be a standing committee of the Body. Councilmember DeVries stated that as Mayor Pro-tem he was assigned to Committee appointments and had already added the RAC as a standing committee, therefore, a motion was not necessary. Councilmember Lak noted that the RAC is an important committee because it is the only committee that actively interacts with the citizens.

Councilmember Lak reported that the Economic Development Committee met with the Carillon Bell Committee to discuss restarting the bells. He will be working closely with the Carillon Bell Committee and will be bringing more information to the next Study Session.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Pro-tem DeVries reported that the H1N1 vaccination is still available at the Chelan-Douglas Health District and encouraged Staff and Council to get the vaccination. He stated that the Finance Committee met and that retail sales tax is down from 2008 by about \$87,000. The hotel/motel tax is down by about \$37,000, and noted that in 2008 the real estate excise tax was at \$157,752 compared to the 2009 amount of \$56,000. Mayor Pro-tem DeVries noted that the property taxes were up slightly, however that was likely due to the reassessments that were done by the Auditor's Office.

Cheri Farivar noted that the new legislation pertaining to annual property assessments versus the recent process of assessing every four years would soon take affect and that this reevaluation process would have immediate impacts on property tax revenues for the City.

Mayor Pro-tem DeVries announced that the Finance Committee will be conducting a building fee study and requested that all on-call contracts be added to the next Study Session agenda for review.

Interim City Administrator Rich Brinkman thanked the City Council for honoring him with the opportunity to be the Interim Administrator and further recognized Wenatchee Valley Community College for cooperation with this temporary placement.

Community Development Director Connie Krueger reported that the Planning Commission is working on the Bavarian Design and Underground Parking Code updates. She noted that the Comprehensive Plan updates will begin soon.

Councilmember Larsen interjected and again expressed his reservations about contracting out services and encourages Director Krueger to keep filing for extensions if possible. Lengthy discussion took place regarding Legislative requirements for the Comprehensive Plan updates and timelines.

Mayor Pro-tem DeVries asked that all Planning Commission agendas and minutes be place in Councilmember's boxes.

Finance Director Chantell Steiner reported that the Finance Department and a staff member from Community Development have been working with BIAS over the last two days learning the new upgrade to the Financial Software. She announced that as of today online bill pay and the ability to pay with a credit card is now ready and fully functional, and that marketing materials will be implemented to get the word out. Director Steiner said that the annual carryover for 2009 to 2010 was \$64,000 more than what was originally budgeted.

Public Works Director Dave Schettler reported that he has been researching trash receptacles and costs. Councilmember Larsen asked Director Schettler to give an update on Backflow Preventer Testing. Director Schettler briefed Council on the research he has been doing regarding the City contracting with a single provider for the required testing that will help to reduce the costs for the individuals required to test.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. 6:30 p.m. – Public Meeting – Leavenworth Municipal Code

Community Development Director Connie Krueger presented an overview of the proposed code amendments. Councilmember DeVries asked what the definition of an unintentional wetland was and whether Director Krueger was comfortable with interpreting the definition. Director Krueger explained and stated that she was comfortable with interpreting it. Councilmember Larsen expressed concerns with private roads and fire access and said that he wants to refer the proposed code amendments back to the Planning Commission. Director Krueger explained that the item Councilmember Larsen is concerned with is not a part of these amendments or process and suggested passing of the current amendments. She then explained how the process works.

Councilmember Larsen reiterated his frustrations that Council is not getting an opportunity to review these items until late in the process. Director Krueger suggested and recommended doing a docket process for various amendments. Councilmember Larsen commented on the process of Code Amendments and his frustrations. Director Krueger explained that much of what is in the packet presented this evening has come from Interim Controls and other items that have been covered extensively by Council prior to Councilmember Larsen's appointment. She again suggested the docket process be added to the March Study Session for review about how the process would work best to incorporate better communication in the future.

Council proceeded to make a motion to approve item 1, however, it is noted in these minutes that this item would not be an item for motion and is not identified as such; therefore, no motion is recorded.

2. Ordinance 1354: Appeals and Payment of Appeal Fees

Director Krueger reviewed this Ordinance and explained that before the proposed code language of this ordinance was reviewed and decided upon by the City's Planning Commission, it was part of an Interim Control as outlined in Ordinance 1349.

Councilmember Molohon moved to approve Ordinance 1354: Appeals and Payment of Appeal Fees. The motion was seconded by Councilmember Lak and passed unanimously.

3. Ordinance 1355: Utility Amendments, Vesting Dates, etc.

Director Krueger stated that she and City Attorney McCauley recommend tabling this item so that it may be broken down into several smaller Ordinances.

Councilmember Lak moved to table Ordinance 1355: Utility Amendments, Vesting Dates, etc. The motion was seconded by Councilmember Molohon and passed unanimously.

4. Sea Reach Contract

Director Krueger explained that this Contract is for the City's Wayfinding Signage Project that will utilize and create signage throughout the community.

Councilmember Cheri Kelly Farivar moved to approve the Sea Reach Contract. The motion was seconded by Councilmember Molohon and passed unanimously.

Councilmember Farivar noted this was her first motion as a new Councilmember. Mayor Pro-tem DeVries reiterated that this is a good project that cannot be done in house. Councilmember Molohon said he was impressed with the firm.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Director Schettler distributed information on the cost of trash receptacles and explained the pricing. He stated that these were part of the Interlocal Agreement with the City of Tacoma.

City Attorney Terry McCauley expressed concerns with meeting the bid requirements. Interim City Administrator Brinkman assured Attorney McCauley that this item will not be approved without Attorney approval.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Steve Demarest, 321 9th Street and 7205 Icicle Road: Mr. Demarest wanted to acknowledge that Attorney McCauley followed through with having a decision to him regarding his business license by January 26th and hopes that he can get further response to questions he has regarding the City's decision.

Councilmember Larsen asked that a review of City projects be given to Council by the next Study Session.

EXECUTIVE SESSION

Mayor Pro-tem DeVries announced that Council was going to enter into executive session at 7:11 p.m. under RCW 42.30.110 (1)(b) to discuss public property acquisitions for approximately fifteen minutes with no action to be taken.

Councilmember Molohon moved to enter into executive session for approximately fifteen minutes to discuss public property acquisitions with no action to be taken. Councilmember Larsen seconded the motion, which passed unanimously.

Councilmember Lak moved to reconvene the meeting at ___7:35 p.m. The motion was seconded by Councilmember Molohon and passed unanimously.

ADJOURNMENT

Seeing no other business, Councilmember Farivar moved to adjourn the January 26, 2010 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Molohon, which passed 4 to 1 with Councilmember Lak opposed. The meeting adjourned at 7:35 p.m.

APPROVED

Peter DeVries
Mayor Pro-tem

ATTEST

Chantell Steiner
Finance Director/City Clerk