

LEAVENWORTH CITY COUNCIL MINUTES
December 8, 2009

Mayor Robert Eaton called the December 8, 2009 Leavenworth City Council meeting to order at 6:04 p.m., and led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Robert Eaton, Peter DeVries, Tibor Lak, Michael Molohon, Lucky Moore, Elmer Larsen, Robert Francis, and Cheri Kelley Farivar.

Staff Present: City Attorney Terry McCauley, Connie Krueger, Chantell Steiner, Dave Schettler and Michelle Brooks.

SWEARING-IN OF COUNCILMEMBER

Finance Director/City Clerk Chantell Steiner led Councilmember's Robert Francis, Michael Molohon and Peter DeVries in the official oath of office for a Council position for the City of Leavenworth.

APPROVAL OF THE CONSENT AGENDA

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

Consent Agenda:

1. Approval of Agenda
2. Approval of November 24, 2009 Regular Meeting Minutes
3. Claims Vouchers \$93,885.56
4. November 2009 Payroll \$161,926.16
5. PRSA Voucher Request

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

PUBLIC SAFETY REPORTS

None.

Mayor Eaton announced that Chris Rudolph, Steven's Pass Resort, was going to do a presentation of a clip from the film that was made at Steven's Pass. Mr. Rudolph thanked the Mayor and Council for their support of this project and stated that January 16th the film will debut in Leavenworth as a benefit for the Leavenworth Winter Sports Club.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Tibor Lak reported that the Public Works Committee met with David Morgan and Leavenworth Recycles. He stated that there will be a temporary closure of the recycle center on Chumstick Highway being in January. Councilmember Lak said depending on how the curbside recycling goes the City will evaluate the potential of a recycling drop-off site at a different location later.

Councilmember Peter DeVries reported that the Finance Committee met with the Washington State Auditor for the City's 2007/2008 Audit Exit Interview and there were no findings. He then asked Finance Director Chantell Steiner if she would like to report additional information on the Exit Interview. Director Steiner

explained that the 2007/2008 audit was for accountability and financial statements. She noted that although there were no findings, the City will be receiving two management letters relating to the funding of the Downtown Project.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Eaton reviewed the morning Study Session items for the public, which included discussion pertaining to Council and Ad Hoc Committees, an emergency contact list of employees for non-911 emergencies, AWC Elected Officials Training, 2010 Budget Adjustments, Residential Advisory Committee Survey Results, Mr. Rob Johnson's proposed project, the City Administrator Search, Functional Classification of City Streets, Waterfront Park Regulations Amendments, and a Code Amendments Update.

Community Development Director Connie Krueger reported that she met with SHARE regarding the joint planning process, and that the Shorelines Master Plan will begin Phase 3 scope of work. Director Krueger reviewed the information from the morning Study Session regarding the approval a functional classification on several streets in the Downtown area. She stated this designation will allow the City to apply for additional funding that previously wasn't available to the City.

Councilmember Michael Molohon thanked Public Works Director Dave Schettler for updating the electrical system in Gazebo Park.

Mayor Eaton noted that Amtrak selected Icicle Station for their Christmas cards this year.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Motion to Authorize the Mayor to Sign the Golf Course Lease

Mayor Eaton stated that the Golf Course Lease has been signed by all parties and needs final approval by Council. He noted that the Auditor liked the language in the lease.

Councilmember Lak moved to authorize the Mayor to sign the Golf Course Lease. The motion was seconded by Councilmember Molohon and passed unanimously.

2. Resolution 12-2009: 2010 Rate and Fee Schedule

Director Steiner reviewed the changes Council requested at the November 10th meeting, particularly noting the Cemetery Rates. Councilmember Larsen suggested clarifying the language "Outside City" to "Outside School District"

Councilmember DeVries moved to approve Resolution 12-2009: 2010 Rate and Fee Schedule. The motion was seconded by Councilmember Larsen and passed unanimously.

Councilmember DeVries requested that an evaluation of fees as compared to other cities be done in January.

3. Resolution 14-2009: Revocable License for City Turn-Around Right-of-Way

Public Works Director Dave Schettler explained that the City and Barn Beach have expressed interest in having the existing turn-around at Barn Beach become an approved turn-around for a revocable right-of-way. He went on to say that this would allow buses to drop off and pick-up riders at Barn Beach and for the City to provide snow plowing of the turn-around.

Councilmember Larsen moved to approve Resolution 14-2009: Revocable License for City Turn-Around Right-of-Way. The motion was seconded by Councilmember Lucky Moore and passed unanimously.

4. Resolution 15-2009: Leavenworth Festhalle Fee Schedule

Mayor Eaton explained that Mr. Lyman Boyd provided Council with the 2010 proposed fee schedule for the Festhalle at the November Study Session for review and that the Finance Committee had met with Mr. Boyd to discuss capital needs for the facility.

Councilmember DeVries moved to approve Resolution 15-2009: Leavenworth Festhalle Fee Schedule. The motion was seconded by Councilmember Lak and passed 6 to 1 with Councilmember Francis opposed.

5. Resolution 16-2009: Ad Valorem Tax Levy

Director Steiner explained that after submitting Ordinance 1346: Ad Valorem Tax Levy to the County Assessor's office it was found that a form that is necessary to comply with the rules and regulations of the Department of Revenue was not included in the Ordinance. This Resolution corrects that.

Councilmember Molohon moved to approve Resolution 16-2009: Ad Valorem Tax Levy. The motion was seconded by Councilmember Moore and passed unanimously.

6. Ordinance 1350: Animal Protection

Director Steiner reviewed the recommendation of Stephanie Manriquez, Interim Director, Wenatchee Valley Humane Society to adopt a new code that would help animal enforcement officers in the prosecution related to cruelty of animals. She said that she included Chelan County Sheriff's Office as a 'society' as was requested.

Councilmember Francis moved to approve Ordinance 1350: Animal Protection. The motion was seconded by Councilmember Lak and passed unanimously.

7. Ordinance 1351: 2009 Budget Amendment

Director Steiner presented the year-end budget amendment and reviewed the discussion from the morning Study Session.

Councilmember DeVries moved to approve Ordinance 1351: 2009 Budget Amendment. The motion was seconded by Councilmember Lak and passed unanimously.

8. Ordinance 1352: Adoption of 2010 Budget

Director Steiner recapped the discussion from the morning Study Session and noted that the wage increases for Union Employees were not included in the 2010 Budget since negotiations were still not complete.

Councilmember DeVries stated that the Finance Committee will monitor the budget closely.

Councilmember DeVries moved to approve Ordinance 1352: Adoption of 2010 Budget. The motion was seconded by Councilmember Lak and passed unanimously.

9. Motion to Approve the Purchase of a Garbage Truck

Director Schettler said that the City of Tacoma has provided all information including their bid award for the purchase of their garbage trucks which the City of Leavenworth has chosen to piggy back onto via the terms of an Interlocal Agreement. He noted that the apparent low bid came in at \$230,665.70 with Western Peterbuilt, and that the estimated delivery of the garbage truck upon purchase approval would be mid-March to mid-April.

Councilmember Larsen exclaimed he thought that this was a major step in the right direction.

Isaac Kaplan-Wooler, 403 Cascade Street: Mr. Kaplan-Wooler asked if efficiency with the new garbage truck equated to a loss of jobs for employees. Councilmember Larsen clarified that it did not equate to a loss of jobs, however the new truck would enable one employee to handle the garbage routes rather than two, which would allow the second employee to work in other areas. It was also noted that the new truck would also likely lower L&I claims. Discussion ensued regarding the garbage cans and sizes, and it was noted that these specifics have not yet been worked out.

Chris Rudolph, 414 Ash Street: Mr. Rudolph suggested developing a surcharge per residence for the purchase of the new garbage cans so that low income residents can be assisted in obtaining the cans.

Anne Hessburg, 420 Cascade Street: Ms. Hessburg inquired if the community will have an option on can size for those who opt into the Waste Management Recycling contract. Councilmember Lak stated that Council will look into this possibility via a rate study. Mayor Eaton explained that for 2010 it would not be an option, nor would lower or multi-tier rates for those who recycle as 2010 will be the test year for the new recycle contract. Councilmember Larsen stated this process would be a slow and deliberate process so that it wouldn't have to be done twice.

Councilmember Lak moved to approve the purchase of a garbage truck. The motion was seconded by Councilmember Larsen and passed unanimously.

10. Motion to Approve Chamber/Lodging Association Agreement

Councilmember DeVries moved to table the approval of the Chamber/Lodging Association Agreement. The motion was seconded by Councilmember Lak and passed unanimously.

11. Ordinance 1353: Amendment to LMC 12.24 Waterfront Park Regulations

Community Development Director Connie Krueger reviewed the minor modifications that were discussed in the morning Study Session.

Councilmember DeVries moved to approve Ordinance 1353: Amendment to LMC 12.24 Waterfront Park Regulations. The motion was seconded by Councilmember Francis and passed unanimously.

12. Motion to cancel December 22, 2009 City Council Meeting

Councilmember Lak moved to cancel the December 22, 2009 City Council Meeting. The motion was seconded by Councilmember Molohon and passed unanimously.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Anne Hessburg, 420 Cascade Street: Ms. Hessburg asked if it was safe to assume that by Council's silence and lack of agenda item that the Council is going to let the Mayor's increased compensation expire at the end of the year without further public discussion. Council's consensus was that it was a safe assumption. Mayor Eaton stated that he was in support of the decision at this time.

EXECUTIVE SESSION

Mayor Eaton announced that Council was going to enter into executive session at 7:00 p.m. under RCW 42.30.110 (1)(b) to discuss acquisition of real estate for approximately thirty minutes with no action to be taken.

Councilmember DeVries moved to enter into executive session for approximately thirty minutes to discuss acquisition of real estate with no action to be taken. Councilmember Lak seconded the motion, which passed unanimously.

Councilmember DeVries moved to reconvene the meeting at 7:21 p.m. The motion was seconded by Councilmember Lak and passed unanimously.

ADJOURNMENT

Seeing no other business, Councilmember Molohon moved to adjourn the December 8, 2009 meeting of the Leavenworth City Council. The motion was seconded by Councilmember DeVries, which passed 5 to 2 with Councilmembers Lak and Francis opposed. The meeting adjourned at 7:21 p.m.

APPROVED

Robert C. Eaton
Mayor

ATTEST

Chantell Steiner
Finance Director/City Clerk