

LEAVENWORTH CITY COUNCIL MINUTES

March 23, 2010

Mayor Eaton called the March 23, 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 Eaton, Peter DeVries, Tibor Lak, Michael Molohon, Lucky Moore, Elmer Larsen, Robert Francis and Cheri Kelley Farivar.

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

APPROVAL OF THE CONSENT AGENDA

Mayor Eaton moved to amend the consent agenda and amend Claims Vouchers to \$92,218.43. Mayor Eaton asked for a motion to approve the consent agenda amended as follows:

Consent Agenda:

1. Approval of Agenda
2. March 9, 2010 Study Session Meeting Minutes
3. March 9, 2010 Regular Meeting Minutes
4. Claims Vouchers \$92,218.43
5. Special Use Permit Agreement with Wenatchee Valley Farmer's Market

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

PUBLIC SAFETY REPORTS

A copy of the January and February monthly report was provided, however, no representative was able to be present as was noted on the report.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Francis reported that the Public Safety Committee met and discussed their purpose and goals. He stated that one goal that was discussed is to meet with the Chelan County Sheriff's Office.

Councilmember Lak reported that the Economic Development Committee met and discussed the Tenth Street Stormwater Improvement and Front Street Paver Project by the Gazebo. He noted that these items will be further discussed on the evening's agenda.

Councilmember DeVries reported that the Finance Committee met and the Retail Sales are up about 3.31 percent and Hotel/Motel taxes are up about 14.26 percent overall compared to 2009 year to date figures and is due to high December revenues. He reported that the Real Estate Excise Tax during the same time in 2008 was \$17,794; in 2009 was \$9,455 and currently is at \$14,459. Councilmember DeVries said that the Chelan-Douglas Health Department met and discussed the 2009 Annual Report. He also noted that the H1N1 virus has appeared to have dissipated.

Councilmember Larsen reported that Leavenworth Area Promotions (LAP) met last week and continued discussion of potentially utilizing “Woody” as the Leavenworth Ambassador. He also stated that LAP would like concurrence from Council to use some of their funding to hire a part-time desk person. Mayor Eaton recommended that Legal Council review this request to see if it is allowable to spend lodging tax dollars on a part-time office assistant.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Eaton announced that he received communication from the Chelan County Commissioners regarding their support of the Pine Street and Ski Hill projects. He reported that he spent the afternoon at a Summit meeting regarding budget issues.

Community Development Director Connie Krueger announced that the first set of comprehensive edits to the Shoreline Plan document is complete. She reported that the target adoption date for the Comprehensive Plan is July 2011. Director Krueger said that the Planning Commission interviewed various firms and will be contacting the firms that they were most interested in with additional questions. Councilmember Elmer Larsen questioned the due date of the Comprehensive Plan together with new legislation and Director Krueger reiterated the history on this and noted that the legislation does not apply to our entity. Director Krueger said that she and City Attorney Terry McCauley have also been working on amendments regarding code interpretation for festivals. She added that an evaluation on the Park Plan update has been completed and would like to review the evaluation with the Parks Committee at their next meeting.

Finance Director Chantell Steiner explained to Council the Claims for Payments Ordinance that she has drafted to address the weekly payments needed for LAP and the Pool and noted that this will be presented at the next Study Session for Council review. She announced that approximately \$10,000 came through the first month that Online Bill Pay was offered to utility customers, which equates to 5% of the total customers. She added that this has also cut down on the daily mail as well as increased the turnaround time for receiving payments. Director Steiner stated that she has drafted an Ordinance addressing the Investment of City funds that is currently being reviewed by the Finance Committee and will be presented to Council soon.

Public Works Director Dave Schettler reported that the garbage containers are starting to arrive, and that the garbage truck is expected to be delivered around the middle of April. He announced that garbage containers will begin to be delivered to customers later this month. Director Schettler stated that he has been working on the Front Street Paver Project which will be discussed later on this evening’s agenda, as well as the Festhalle Cupola for the Carillon Bells.

Councilmember Larsen suggested that information on the new garbage truck and containers be put in the City Newsletter with pictures and that Councilmember Lak do a radio interview on the topic. Director Steiner noted that Director Schettler is currently working with Deputy Clerk Carrie Brewer on putting together an announcement letter and asked if he could forward his ideas onto them.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance 1361: Charter Franchise Extension

Administrator Brinkman explained that this item was brought before Council previously but this extension required adoption by Ordinance. He noted that the fifteen year franchise agreement expired in November 2009 and that this request is to temporarily allow time for a new Administrator to negotiate a new contract.

Councilmember Larsen moved to approve Ordinance 1361: Charter Franchise Extension. The motion was seconded by Councilmember Farivar and passed unanimously.

2. Motion to Authorize Expenditure of up to \$45,000 for Tenth Street Storm Water Improvement

Administrator Brinkman explained the benefits of this project. He reiterated that this storm water project is consistent with the Downtown Master Plan and that the developer is committed to a cost-sharing contribution of \$10,000 as a good faith effort towards the City's approximate \$35,000 portion of the improvement, which is more than twice what his actual share of the benefit area is at \$3,780. Administrator Brinkman noted that the initial City portion estimate of \$45,000 includes room for contingency and that the actual cost to the City may only be approximately \$35,000.

Councilmember Lak spoke on behalf of the Economic Development Committee stating that they highly recommend and support going forward with this project. He said that this \$1.2 million dollar project will easily bring money back into the community as well as initially employ ten to fifteen people. Councilmember Lak expressed to Council that the Brewery's product will also be sold not only in Leavenworth but outside of town as well which will bring advertising to Leavenworth.

Councilmember Larsen moved to authorize an expenditure of up to \$45,000 for Tenth Street Storm Water Improvements and that this satisfies the storm water component of the Conditional Use Permit for Icicle Brewery. The motion was seconded by Councilmember Molohon and passed unanimously.

Oliver Brulotte, Icicle Brewery, expressed his appreciation to all of those who have invested their time and energy in this project and stated he is proud to be a part of Leavenworth.

3. Motion to Call for Bids for Construction of Carillon Bell Tower

Public Works Director Dave Schettler stated that the preliminary design of the Festhalle Cupola for the Carillon Bells has been completed and that the City is now ready to call for bids on this project.

Councilmember DeVries thanked Director Schettler for preparing the drawing of the Cupola and stated that he will be taking it to the Design Review Board. He asked Council's opinion about the roof and whether they wanted it to be the same as the Festhalle or Copper Clad. Councilmember Farivar inquired how Copper Clad would weather. Discussion ensued with regard to the roofing of the Cupola.

Councilmember DeVries moved to authorize the call for bids for construction of a Carillon Bell Tower. The motion was seconded by Councilmember Larsen and passed unanimously.

Mayor Eaton thanked the Carillon Committee for their commitment and dedication in pursuing this project.

City Attorney McCauley said that many years ago his family made generous contributions to the Carillon Bells and he remembers hearing them as a child. He is glad to see that they are being resurrected. Councilmember DeVries invited Attorney McCauley to push the button at the re-dedication ceremony and block party.

4. Front Street Paver Project Bid Update

Public Works Director Dave Schettler explained that the existing brick pavers in front of the Gazebo that extend out and across Front Street for the dance plaza are currently in such poor condition that it will be

very difficult to repair in such a manner acceptable for dancing. He said that the project is currently out for bid and that the engineer's estimate for this project is \$55,285. Director Schettler explained that bid opening is scheduled for 3:00 p.m. tomorrow and reviewed the various costs and options, including what the main bid was for. He noted that the construction repair work is scheduled to be completed prior to Maifest weekend. It was stated that the Mayor will need to schedule a special meeting to award the bid for this project so that it could begin in a timely manner in order to be completed on schedule.

Councilmember DeVries moved to approve up to \$55,000 for the Front Street Paver Project. The motion was seconded by Councilmember Lak and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

1. Quarterly Budget Amendment / Budget Update: Finance Director Steiner explained to Council that this will be coming before Council at the next Council meeting if the reports are able to be prepared in time and will include the Finance Committee Reports and a summary of the original budget and the updated budget by fund.

2. Budget Planning: Administrator Brinkman presented Council with the budget planning process and system he implemented in 2005. He stated that he believes Council would be more comfortable going back to this system based on concerns he has heard since returning as Interim City Administrator in January 2010. Administrator Brinkman presented the process/system's timeline and recommended maintaining a budget planning process/system. He stated that he hopes to begin part of the budget planning process prior to the new City Administrator starting.

Administrator Brinkman thanked the Mayor and Council for allowing him the opportunity to serve them again and stated that City Attorney McCauley, Director Krueger "the miracle worker", Director Steiner and Director Schettler have done a remarkable job serving the City and keeping things running. He reminded them that Leavenworth is a very "big" little city.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Bill Lynn, 9700 E. Leavenworth Road: Mr. Lynn asked for an update on the creation of a noise ordinance. Attorney McCauley explained that progress has been made in the way of creating a noise ordinance. He further stated that the City has had positive and productive meetings with Mr. Demarest and Mr. Demarest intends on complying with the ordinance.

Mayor Eaton announced that there were Boy Scouts in the audience this evening and asked that each of them introduce themselves. Daniel Tabatton, North Dryden Rd., Troop 19, First Class; Camen Hamilton, Titus Rd., Troop 19, Second Class; Darrin Wilkes, 289 Whitman, Leader; and Brad Summers, Wilson Rd., Leader.

EXECUTIVE SESSION

Mayor Eaton announced that Council was going to enter into executive session at 6:55 p.m. under RCW 42.30.110 (1)(i)(b) to discuss potential litigation and RCW 72.30.110 (1)(c) property acquisitions for approximately twenty minutes with no action to be taken.

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

Councilmember DeVries 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 DeVries moved to adjourn the March 23, 2010 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Moore, which passed 6 to 1 with Councilmember Lak opposed. The meeting adjourned at 7:36 p.m.

APPROVED

Robert C. Eaton
Mayor

ATTEST

Chantell Steiner
Finance Director/City Clerk