

## **LEAVENWORTH CITY COUNCIL MINUTES**

**April 13, 2010**

Mayor Eaton called the April 13, 2010 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 Eaton, Peter DeVries, Tibor Lak, Michael Molohon, Lucky Moore, Elmer Larsen, Robert Francis and Cheri Kelley Farivar.

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

Mayor Eaton excused Interim City Administrator Richard Brinkman due to an illness in the family.

### **PROCLAMATION: Apollo Club Week May 10<sup>th</sup> – May 16<sup>th</sup>, 2010 (Arnold Buchholz)**

Mayor Eaton read into record a Proclamation declaring the week of May 10<sup>th</sup> – May 16<sup>th</sup>, 2010 Apollo Club Week and presented the Proclamation to Mr. Arnold Buchholz.

Mr. Arnold Buchholz thanked the City of Leavenworth and stated that he and the Apollo Club appreciates the City of Leavenworth's help and being able to sing for the City.

### **APPROVAL OF THE CONSENT AGENDA**

Mayor Eaton moved to amend the consent agenda and amend Claims Vouchers to \$130,084.91 and add Item 5. Consideration of MEND's Request of Reduction in Water Connection Fees under Resolutions, Ordinances, Orders and Other Business. Mayor Eaton asked for a motion to approve the consent agenda amended as follows:

#### Consent Agenda:

1. Approval of Agenda
2. March 23, 2010 Regular Meeting Minutes
3. March 26, 2010 Special Meeting Minutes
4. March 2010 Payroll \$158,653.63
5. Claims Vouchers \$130,084.91
6. PRSA Voucher Request \$3,850.00
7. Special Use Permit Agreement with Leavenworth Farmer's Market

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

### **PUBLIC SAFETY REPORTS**

None.

## **COUNCILMEMBER AND COMMITTEE REPORTS**

Councilmember Larsen briefly reviewed the Residential Advisory Committee meeting report that he gave during the morning Study Session. He also said the Leavenworth Area Promotions (LAP) Committee met. Mayor Eaton stated that he met with Legal Counsel regarding LAP funds being used for hiring a staff person and found that it is a permitted use.

Councilmember Lak reported that the Public Works Committee met and discussed MEND/SHARE's request for waiver or reduction in Water Connection Fees on the Cornerstone Project. He stated that the Committee feels this project is a viable project and that the recommendation to Council is to reduce the Water Connection fee by 50% which will be covered in Item #5 on tonight's agenda.

## **MAYOR AND ADMINISTRATIVE REPORTS**

Mayor Eaton reviewed the items from the Study Session discussion that included various open discussion topics about the pre-sale of Oktoberfest tickets, an update on the search for a City Administrator, Planning Commission Appointment update, the Ice Rink, Building Permit fee review, fencing the City Shop property, an update on the RAC meeting, and a legislative update. Other topics of discussion on the morning Study Session agenda included Ordinance 1362: Budget Amendment, Ordinance 1363: Payment of Claims – Code Amendment, the Current Budget Status, and SHARE Project/CDBG Grant presentation. He added that he met with Ed Rogan, Waldron & Associates, and that applications for the City Administrator vacancy are holding at around 47, 12 of which are from Washington State. Mayor Eaton stated that he will meet on the 27<sup>th</sup> with Waldron & Associates to create a short list of the applications. Council will then review the short list candidates. He hopes that selection will occur by May 31<sup>st</sup>. Discussion ensued about the hiring process. Mayor Eaton reported that construction of the second shelter at Icicle Station has begun.

Community Development Director Connie Krueger reported that the Parks Committee discussed the Parks Plan update and RCO grant potential for the Ice Rink. There was discussion about the need to really involve the community in the Ice Rink project. Director Krueger recommends that the City take their time in developing this project and apply for the grant during the next two year cycle. She noted that the Regional Trails plan is eligible for the RCO grant as well. Director Krueger reported that the Public Works Committee discussed the Safe Routes to School grant application and that she will meet with Councilmember Larsen to discuss further. She said that the Downtown Committee met on Monday and reviewed the conceptual drawing of Commercial Street.

Finance Director Chantell Steiner stated that she has drafted an Ordinance addressing the Investment of City funds and will be discussing with Council Finance for presenting it to Council at the April 27<sup>th</sup> meeting. She reported that Deputy Clerk Michelle Brooks has received scholarships from several sources that will cover approximately 80% of the overall expenses for the final two weeks of classes towards completion of her certification for Municipal Clerk. She noted that this certification is typically achieved over a period of three years. Director Steiner reported she has been working on the Ford F-550 Utility Maintenance Truck application for funding and that the deadline is May 1<sup>st</sup> for this. She explained to Council that an Ordinance for this would need to be passed prior to submitting the application and will be presented at the next meeting.

Public Works Director Dave Schettler reported that the garbage truck has arrived and that garbage containers will begin to be delivered to customers over the next couple of weeks. He stated that he has developed a brochure that will go out to customers explaining the new schedule of three day garbage collection rather than the current five day schedule. Director Schettler reported that the Gazebo and Paver

projects are about one and a half weeks underway. He said that a change order was added for replacing the gazebo steps and that the project is still on track with an anticipated completion date of April 30<sup>th</sup>.

Councilmember Larsen questioned the status on the Johnson and Mountain Meadows projects. Director Krueger explained that the Johnson's have not applied for a building permit to date, however Staff has been meeting with them. She reported that the Mountain Meadows building permit is ready to issue but has not been picked up yet.

## **RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS**

### **1. Ordinance 1362: Budget Amendment**

Director Steiner provided Exhibit B and then recapped the review she gave during the morning Study Session.

Councilmember DeVries moved to approve Ordinance 1362: Budget Amendment. The motion was seconded by Councilmember Francis and passed unanimously.

Councilmember Farivar inquired about the Senior Planner's salary increase and Mayor Eaton explained that the adjustment was in his offer of employment and is a contractual obligation.

### **2. Ordinance 1363: Payment of Claims – Code Amendment**

Director Steiner briefly reviewed the need for this Ordinance as discussed during the morning Study Session.

Councilmember Molohon moved to approve Ordinance 1363: Payment of Claims – Code Amendment. The motion was seconded by Councilmember Lak and passed unanimously.

### **3. Motion to Extend Interim City Administrator Contract of Rich Brinkman through May 31, 2010**

Mayor Eaton explained the need to extend the Interim City Administrator Contract with Rich Brinkman. He stated that Interim Administrator Brinkman did a fantastic job working on the Icicle Brewery Project, and that he continues to do a stellar job on day to day business. There is a definite need to continue his contract until a new Administrator is hired and begins work with the City. Mayor Eaton stated that any overlap will be reviewed at a later date if it is determined to be needed. Finance Director Steiner stated that a budget amendment won't be needed on such a small amount as this.

Councilmember DeVries moved to extend the Interim City Administrator Contract of Rich Brinkman through May 31, 2010. The motion was seconded by Councilmember Molohon and passed unanimously.

### **4. Motion to Authorize the Mayor to Sign the Emergency Management Plan Executive Summary**

Mayor Eaton explained that this is simply a deliverable with no additional costs. He stated that the language has been modified to ensure new federal government guidelines have been met. Mayor Eaton reported that Chelan County Sheriff's Office stated that the plan is now compliant with FEMA.

Councilmember Larsen moved to authorize the Mayor to sign the Emergency Management Plan Executive Summary. The motion was seconded by Councilmember Moore and passed unanimously.

## 5. Consideration of MEND's Request of Reduction in Water Connection Fees

Mayor Eaton explained that this was discussed during the morning Study Session and then reviewed at the Public Works Committee meeting where a recommendation was made to waive 50% of the water connection fee.

Councilmember Larsen stated that he has concerns with regard to the tremendous impact on the system of the potential 100 to 150 affordable housing residences that may be built on the Chumstick/Titus property in regards to waiving connection fees. He said that this reduction in connection fees should not be set as precedence for future construction.

Councilmember Molohon stated that this is a onetime deal and there were special circumstances presented in this situation. Councilmember Francis recommended that contractors need to double check fees prior to bidding projects to help alleviate this issue in the future.

Mayor Eaton explained how Council is mandated to ensure that water and sewer systems financially support themselves. In the future, rather than granting a direct financial reduction in connection fees, it may be better to develop potential partnerships for grant dollars. Mayor Eaton said that he and the Public Works Committee will schedule a time to meet with MEND/SHARE and advise them of this.

Community Development Director Krueger discussed the resolution that was determined that allows for the waiver or reduction of utility fees and recommended this resolution be amended to include reduction of building permit fees.

Councilmember Lak moved to waive 50% of MEND's Water Connection Fee in the amount of \$4400.50 subject to attorney review. The motion was seconded by Councilmember Larsen and passed unanimously.

## **INFORMATION ITEMS FOR FUTURE CONSIDERATION**

1. Ordinance: Investment of City Funds: Finance Director Steiner explained to Council that this will be coming before Council at the next Council meeting after review by the Council Finance Committee.

## **COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

None.

Councilmember Francis reported that the Parks Committee met and reviewed the design and installation of a fence around the outflow pipe at the Trout Pond. He stated this is a safety issue and that funding is available from the PUD to do this. Councilmember Francis said that the ball fields have been tilled by Public Works' Crew and it is greatly appreciated.

Councilmember Larsen suggested having a central location or kiosk for people to post yard sale signs and that maybe this could be added to the Way Finding Strategy project. Director Krueger stated that two kiosks for this type of purpose have been suggested and will be discussed further.

Councilmember Lak reported that the Golf Course opened early and has had great attendance.

**EXECUTIVE SESSION**

Mayor Eaton announced that Council was going to enter into executive session at 6:48 p.m. under RCW 42.30.110 (1)(b) to discuss public property acquisition 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 property acquisition with no action to be taken. Councilmember Molohon 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 April 13, 2010 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Larsen, which passed 6 to 1 with Councilmember Lak opposed. The meeting adjourned at 7:22 p.m.

**APPROVED**

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**Robert C. Eaton**  
Mayor

**ATTEST**

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**Chantell Steiner**  
Finance Director/City Clerk