

LEAVENWORTH CITY COUNCIL MINUTES

March 11, 2008

Mayor Rob Eaton called the March 11, 2008 Leavenworth City Council meeting to order at 6:00 P.M., and led the City Council in the Flag Salute.

ROLL CALL

Mayor Eaton excused City Administrator Rich Brinkman, as he is attending the Washington City Manager's Conference.

Council Present: Mayor Eaton, Peter DeVries, Tibor Lak, Cathy Miller, Chris Rader, Michael Molohon, Lucky Moore, and Elmer Larsen.

Staff Present: 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 add Item #5, PRSA Voucher # 100 - \$30,000.00 and Item #6, Resolution 4-2008: Declaring an Emergency in the City of Leavenworth Water Reservoir Reconstruction Project.

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

Consent Agenda:

1. Approval of the Agenda
2. Approval of February 26, 2008 Special Meeting Minutes
3. February Payroll \$117,251.82
4. Claims Vouchers \$89,850.24
5. PRSA Voucher # 100 - \$30,000.00
6. Resolution 4-2008: Declaring an Emergency in the City of Leavenworth Water Reservoir Reconstruction Project

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

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Rader reported that she attended a LINK Board meeting. She stated that LINK received a long term contract to purchase diesel at \$2.72 per gallon through 2010, and they will be replacing 11 buses this year as well as asking Congress to earmark funds for an additional six. She went on to say that LINK is currently addressing the ADA concerns for the riders.

Councilmember Miller reported that the Parks Board met and spent the majority of the meeting discussing items that were in the budget and purchased. She stated that Evie Carpenter, Purchasing Officer was present at the meeting. She also reported that they discussed possibly having the Senior

Woodshop Class at Cascade High School build additional benches, and that there was a brief discussion about the Farmer's Market.

Councilmember Lak reported that the Economic Development Committee has been meeting over the last few months and will be submitting a letter to the Leavenworth Echo regarding the Obststadl Project and asking the public for constructive written comment on this development. This would allow the Committee to compile issues of public concern and investigate them while exploring the concept of a potential agreement. He added that the deadline to submit written comment is by April 22, 2008. He stated that the Economic Development Committee has also been meeting with the project coordinators, Chamber, FestHalle and other various groups during this discovery phase.

Councilmember DeVries reported that the Finance Committee met and that the hotel/motel tax was up from prior years, as well as sales tax. He stated that they also discussed the PRSA Voucher Request.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Eaton reported that he has been meeting on a monthly basis with the County and that communications with the County has been very positive. He also stated that he has been active with Regional Waste Planning and DOE Feasibility Studies. Mayor Eaton reported that he met with Amtrak and the groundbreaking is tentatively set for the spring of 2009. He noted that on May 15th he will be giving a presentation on the impact of passenger rail to small communities.

Community Services Director Connie Krueger reported that there have been many permits coming in. Director Krueger also reported that recently \$5 million in Surface Transportation Program funds became available for Chelan and Douglas Counties. She stated that these funds were limited to use on either the Chumstick Highway or Highway 2 due to the guidelines in the application, and that Hammond Collier Wade and Livingston has been asked to assist with applying. She noted that some ideas for these funds would be bridge lighting on Highway 2, a trail on the Chumstick Highway, or a pedestrian overpass on Highway 2.

Public Works Director Dave Schettler reported that the 9th Street project is going well and that Pipkin Construction is on schedule and very experienced with projects such as this. He stated that the South Sewer Interceptor project is now underway and that Forsgren Associates is currently surveying the manholes for slope as well as conducting a route location study. Director Schettler reported that Varella & Associates has begun the design for the Reservoir 1 Reconstruction project and with Council approval the auxiliary power generator should be in place for demolition in June 2008. He noted that he has begun a street repair assessment to assess repairs needed from damage occurring this winter.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Ordinance No. 1307: Flags, Flagpoles, Towers, and Tower Structures

City Attorney Terry McCauley explained that he would be speaking on behalf of City Administrator Rich Brinkman in his absence. Attorney McCauley reported that in 2005 the City of Leavenworth passed Ordinance 1246 and Title 14 of the Leavenworth Municipal Code, which caused litigation. He went on to say that Ordinance No. 1307 would amend Ordinance 1246 to provide additional clarity in the standards regulating flags, flagpoles, towers and tower structures in the City of

Leavenworth and would allow interim controls. He recommends passing this subsequent ordinance in light of the current outstanding litigation.

Councilmember Rader moved to approve Ordinance No. 1307: Flags, Flagpoles, Towers, and Tower Structures. Councilmember DeVries seconded the motion, which passed unanimously.

2. Motion to Renew the Lease Agreement with Upper Valley MEND

City Attorney McCauley explained that Upper Valley MEND asked for a five year extension on their current lease with the City for the Community Cupboard and Homeless Shelter.

Councilmember Miller moved to approve renewal of the Lease Agreement with Upper Valley MEND. Councilmember Lak seconded the motion, which passed unanimously.

3. Motion to approve Lease Agreement with Leavenworth Summer Theatre

City Attorney McCauley presented the Lease Agreement with Leavenworth Summer Theatre and stated that he has reviewed this document with the parties involved and all have reached an agreement.

Lyman Boyd, Leavenworth Summer Theatre: Mr. Boyd explained that as part of their agreement with the Leavenworth Chamber of Commerce, the Chamber has a right to review the Lease Agreement and they have not been able to review this document yet. Mr. Boyd asked for time to allow the Chamber to review the document. Consensus was that this could still be done even if action between the City and Leavenworth Summer Theatre takes place. Mr. Boyd also asked to make one amendment to the presented document; the language on page 3, section h, final sentence to read "There shall be no access to the second floor for use or storage."

Councilmember DeVries moved to approve the Lease Agreement with Leavenworth Summer Theatre as amended. Councilmember Lak seconded the motion, which passed unanimously.

4. Motion to hire Fire Inspection Employee

Director Krueger explained that the City has been unable to comply with the provision for fire inspection in the contract for services with Chelan County Fire District No. 3 due to current staff schedules and workload. She asked that in order to re-establish this service the City outsource and hire a Fire Inspection Employee at an estimated rate of \$7,000.00 per year.

Councilmember Rader moved to hire a Fire Inspection Employee. Councilmember Molohon seconded the motion, which passed unanimously.

5. Motion to authorize an additional appropriation of \$7,000.00 for the Autumn Leaf Festival Association

Mayor Eaton explained that he spoke of the Autumn Leaf Festival Association's request for a one-time appropriation of \$7,000.00 to assist with the purchase of a new trailer at the morning Study Session. He stated that the Association has made remarkable effort to bring the group back to a viable PR Association.

Councilmember DeVries moved to authorize a one-time appropriation of \$7,000.00 for the Autumn Leaf Festival Association and to recognize the tremendous efforts the Autumn Leaf Festival Association has made. Councilmember Lak seconded the motion, which passed unanimously.

6. Motion to approve expenditure for an auxiliary power generator for the Reservoir No. 1 Replacement Project

Director Schettler explained that this auxiliary power generator is necessary for the Reservoir No. 1 Replacement Project to provide the two existing wells with power to meet demands for the water distribution system when the Reservoir is taken offline for demolition and reconstruction. He stated that during the bid opening bids were received from two of the three manufacturers. Kohler bid \$47,620.00 and Cummins bid \$45,798.00. He noted the City's on-call engineer reviewed and recommended Cummins, who has an eight to nine week delivery period and met all of the requirements.

Councilmember Miller moved to approve Resolution 4-2008: Declaring an emergency in the City of Leavenworth Water Reconstruction Project requiring immediate purchase of an auxiliary power generator. Councilmember Molohon seconded the motion, which passed unanimously.

Councilmember Miller moved to approve awarding the purchase of an auxiliary power generator to Cummins for the amount of \$45,798.00. Councilmember Rader seconded the motion, which passed unanimously.

7. Motion to approve Resolution 3-2008: Opposing Senate Bill 2467

Mayor Eaton explained this Resolution was presented before Council during the February 26, 2008 Special Council Meeting as an informational item and is now being presented for action.

Councilmember DeVries moved to approve Resolution 3-2008: Opposing Senate Bill 2467. Councilmember Lak seconded the motion, which passed unanimously.

8. Motion to approve Agreement for Emergency Services with Chelan County

Mayor Eaton stated this is a standard annual agreement for the provision of emergency services and that the cost only increased slightly. Director Krueger recommended asking Emergency Services for accountability similar to that of the Chelan County Fire District #3 and Chelan County Sheriff Department. The consensus was to ask the County for some kind of accountability the next time the City meets with the County.

Councilmember Rader moved to approve the Agreement for Emergency Services with Chelan County. Councilmember DeVries seconded the motion, which passed 6-1, with Councilmember Lak opposed.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Director Krueger explained that these items were discussed in the morning study session and will be presented to Council in the future.

ADJOURNMENT

Seeing no other business, Councilmember DeVries moved to adjourn the March 11, 2008 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Molohon, which passed unanimously. The meeting adjourned at 6:52 P.M.

APPROVED

ATTEST

Robert C. Eaton, Mayor

Chantell Steiner
Finance Director/City Clerk