



City of Leavenworth

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City Council
Elmer Larsen - *Mayor*
Peter D. DeVries
Tibor Lak - *Mayor Pro-Tem*
Michael Molohon
Robert Francis
Cheri Kelley Farivar
Larry Meyer
Vacant Council Position
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall - Council Chambers
November 22, 2011 - 6:00 p.m.

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of November 8, 2011 Study Session Minutes
3. Approval of November 8, 2011 Regular Meeting Minutes
4. Claims \$322,565.73

Public Safety Reports

Councilmember and Committee Reports

Mayor/Administration Reports

Public Hearing on 2012 Final Budget @ 6:15 PM

Resolutions, Ordinances, Orders and Other Business

- | | |
|--------|---|
| Action | 1. Approval Traffic / Foot Patrols for Christmas Lighting – Joel Walinski |
| Action | 2. Approval of Special Use Permit Christmas Lighting Festival – Joel Walinski |
| Action | 3. Ordinance 1402 Bond Funding Water Rights – Chantell Steiner |
| Action | 4. Ordinance 1403 Bond Funding Refinancing Fire Hall – Chantell Steiner |
| Action | 5. Ordinance 1404 Amending LMC Chapter 2.01 Mayor – Joel Walinski |
| Action | 6. Resolution 20-2011 Personnel Policy – Joel Walinski |
| Disc | 7. Review of Rate & Fee Schedule – All Staff |
| Action | 8. Resolution 21-2011 Agreement for Municipal Bond Financing - Meadowlark Development – Joel Walinski |
| Action | 9. Approval of Chumstick Utility Trunk Line Preliminary (30%) Engineering – Joel Walinski |

Information Items for Future Consideration

1. 2011 Budget Amendment / 2012 Budget Adoption / Rate & Fee Schedule Adoption – 12/13

Comments from the Public on Items Not on the Agenda

Adjournment

Reminder: Transportation Benefit District Meeting to Follow

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| <u>Council Committees -4th Tuesday –</u> Econ. Dev. 4:00 Finance 5:00 |
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(Next Ordinance is 1405 - Next Resolution is 22-2011)

SUPPLEMENTAL COUNCIL AGENDA

1. Approval Traffic / Foot patrols needed for Christmas Lighting

The City Council is being asked to consider approval of additional Chelan County Sheriff staffing to provide traffic and crowd control for the Christmas Lighting Ceremonies in December. The estimated amount at this time is \$5,575 for the additional 88.5 deputy sheriff hours. The added service is for five deputies for 3.5 hours on Saturdays and four deputies for 3 hours on Sundays for the three weekend events. The cost per hour is limited to the individual deputy's 2011 pay rate. In 2010 the added deputy costs were \$4,507.41

- **MOTION:** *The Leavenworth City Council approves the request for the additional 88.5 hours of deputy sheriff's officer time at an estimated cost of \$5,575 for the Christmas Lighting Ceremonies in 2011.*

2. Approval of Special Use Permit Christmas Lighting Festival

The City Council is being asked to approve the renewal or the Special Use Permit (SUP) with the Leavenworth Chamber of Commerce ("Chamber") for the Christmas Lighting Ceremonies. The SUP, included in section 2 of the packet, allows for the "Chamber" to have a "Glühwein" tent in Front Street Park and allows for the closure of 8th Street between Commercial Street and Front Street for vendor booths under the control of the "Chamber". This SUP was originally approved in 2008 with an automatic renewal to review language changes and updates on an annual basis.

The SUP does include charges for street closure and ROW use (Exhibit B of SUP). As part of the motion to approve, the City Council is also being asked to waive these fees. The Light Festival is one of the three City recognized official City sponsored Special Events, adopted by resolution (RES# 6-2011 Attached), staff would recommend consideration of the waiver of fee requirement for this SUP.

The City will also be closing Front Street from Hwy. 2 to Ninth Street for all six (6) event days. The hours for closure are flexible depending on attendee numbers and activities.

- **MOTION:** *The Leavenworth City Council approves the Special Use Permit with the Leavenworth Area Chamber of Commerce for the Christmas Lighting Ceremonies in 2011, furthermore the City Council waives the fees for the Special Use Permit in 2011, 2012, and 2013.*

3. Ordinance 1402 Bond Funding Water Rights

Included in section 3 of the packet is the draft Ordinance for Council approval pertaining to the Bond Funding for Water Rights costs for replenishment to the Water/Sewer Fund. In accordance with the Financing Schedule, the final interest rates will be set by the Bond Underwriter, Martin Nelson & Company, on Monday, November 21, 2011. The City completed the bond rating with Standard & Poor's and was issued a rating grade of "A", which will ultimately help to lower the set rate for financing. The City will seek recommendations from the underwriters prior to the evening meeting as to the rate being presented for adoption purposes that evening.

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1402, relating to contracting indebtedness; providing for the issuance, sale and delivery of \$_____ par value of Limited Tax General Obligation Bonds, 2011, to finance the cost of preserving City water rights and other purposes as approved by ordinance, and paying the costs of issuance*

and sale of the bonds; fixing the terms and covenants of the bonds; and providing for related matters.

4. Ordinance 1403 Bond Funding Refinancing Fire Hall

Included in section 4 of the packet is the draft Ordinance for Council approval pertaining to the Bond Refinancing for the 1997 General Obligation Bond of the Fire Hall. As identified above for the Bond Funding for Water Rights, the City will seek recommendations from the underwriters for adoption purposes.

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1403, relating to contracting indebtedness; providing for the issuance, sale and delivery of \$_____ par value of Unlimited Tax General Obligation Refunding Bonds, 2011, to provide the funds with which to perform a current refunding of the City's outstanding Unlimited Tax General Obligation Bonds, 1997, and paying the administrative costs of that refunding and the costs of issuance and sale of the refunding bonds; providing for the call, payment and redemption of the outstanding bonds to be refunded; fixing the terms and covenants of the bonds; and providing for related matters.*

5. Ordinance 1404 Amending LMC Chapter 2.01 Mayor

The Council is being asked to approve Ordinance 1404 which amends Chapter 2.01 of the Leavenworth Municipal Code. There are two modifications which are noted below (underlined language added)

- a. LMC 2.01.010 Personnel Officer - "The responsibilities of the mayor or his/her authorized representative shall include
- b. LMC 2.01.020 Policies to Supersede existing city council resolutions - "Personnel Policies developed by the Mayor shall be adopted by resolution by the City Council and supersede any previous city council resolutions relating to personnel administration."

The change in LMC 2.01.010 is necessary so the ordinance and new personnel policy are consistent with each other. The change to LMC 2.01.020 is to provide clarity to the language on how the personnel policies are developed and adopted. The full ordinance with recommended changes is included in Section 5 of your packet information.

- **MOTION:** *The Leavenworth City Council moves to approve Ordinance 1404 which amends Chapter 2.01 sections 2.01.010 and 2.01.020.*

6. Resolution 20-2011 Personnel Policy

The City Council is being asked to adopt Resolution 20-2011, located in section 6 of the packet, pertaining to the City of Leavenworth Personnel Policy. By passing this resolution the Personnel Policy will supersede any and all previous personnel policies the city may have in place or may have previously adopted by resolution. The personnel policy has been reviewed by the Washington Cities Insurance Authority legal staff, all current city employees, the City Attorney, and the City Council. A copy of the document was also provided to the collective bargaining agent of the city employees who are members of the Teamsters Local Union No. 760. The personnel policy will continue to need modifications and changes as labor laws are changed, labor agreements are modified, and as changes continue to occur in the workplace. No changes have occurred to the policy that was provided to the Council on October 11, 2011, therefore, a copy is not included in the packet; however, copies will be available at the meeting.

- **MOTION:** *The Leavenworth City Council moves to approve Resolution 20 – 2011 City of Leavenworth Personnel Policy.*

7. Review of Rate & Fee Schedule

In preparation for consideration for approval of the 2012 Rate and Fee Schedule the Council is provided an updated draft Rate and Fee Resolution for 2012 for review. The main point of review this fall has been on the utility rate and fee schedules and simplifying the system development charges (Hook-up Fees). The Council spent a significant amount of time this spring reviewing the development services fees and made amendments at that time that are already incorporated in this draft document. At this time the Council is scheduled to adopt the Rate and Fee Resolution on December 13, 2011. It is anticipated that the fee structure for pool charges in 2012 will be updated at a later date. Staff will also be working on getting the recycling center started later this year which may need a rate review mid-year. The review tonight is to again look at the Utility Rate Structure and the simplification of the table associated with the system development fees. A copy of the Rate and Fee Resolution is included in Section 7 of the packet materials. In addition a “clean copy” of the water rates section only is provided for your review.

8. Resolution 21-2011 Supporting for Municipal Bond Financing - Meadowlark Development – Upper Valley Mend Development

The City Council is being asked to adopt Resolution 21-2011 which is a resolution committing the City to provide an \$815,000 Municipal Bond for the construction of the main trunk line utility connectors for water and sewer for the Meadowlark (Upper Valley MEND Affordable Housing Project). The resolution outlines a number of criteria that would need to be met by the City, Upper Valley MEND, and private land owners. Once those criteria are met, the City would then bond for the construction project. The debt service of the municipal bond would be assessed to individual land owners. The private property owners would enter into a utility reimbursement agreement with the City to pay back their assigned costs (principle, interest and administrative fee) to the City. The proportional debt service assigned to the affordable housing portion of the project, estimated at \$193,489, would be either reimbursed to the City via the award of a Community Development Block Grant (CDBG) or through the collection of Service Development Charges for the project and sales tax revenues generated by the project. Tonight’s discussion is preliminary. Representatives from MEND will be in attendance to provide a presentation of their request. The following documents are provided in section 8 of the packet for your review:

- Resolution 21-2011 – Agreement to Enter into Municipal Bonding
- Meadowlark Preliminary Site Master Plan – October 31, 2011*
- Upper Valley MEND Phase I Cost Allocation, Summary, Brian Thompson Royer*
- Upper Valley MEND Phase I Spreadsheet, August 9, 2011*
- Petition Annexation Process Memo, Nathan Pate, November 16, 2011

*Provided by Upper Valley MEND

- **MOTION:** *The Leavenworth City Council moves to adopt Resolution 21-2011 supporting a commitment to Municipal Bond Financing.*

9. Approval of Chumstick Utility Trunk Line Preliminary (30%) Engineering

The City Council is being asked to approve an engineering contract with Hammond Collier Wade & Livingston, Engineers (HCWL) in the amount of \$17,278 for the water and sewer trunk line evaluation. This contract will provide the evaluation of a gravity drain system vs. a pump station

system, the initial line design and site plan, and engineered estimated preliminary cost for construction. Upper Valley MEND has requested the City move forward on the engineering and are willing to cost share on this phase of the project. MEND has committed up to \$16,000 for this phase of the project.

Proposals were requested from two firms for this project HCWL and Torrence Engineering, LLC. HCWL has worked with the City on the design of the Chumstick Multi-use Trail and Torrence Engineering has worked with MEND on their site plan developments. The Torrence Proposal was in the amount of \$41,000. The main difference in the proposal is that the Terrance Proposal presupposes the construction of a sewer pump station and focuses on the design of a lift station. However, no documentation has been provided by Torrence Engineering to substantiate that claim as of this time.

The estimated completion time of the 30% project is December 16, 2011. At this time no additional survey work or geotechnical work are expected to be needed. HCWL has confirmed they can deliver by the date specified.

- **MOTION:** *The Leavenworth City Council approves the engineering contract proposal with Hammond Collier Wade and Livingston, Engineering for the 30% Design of the Water and Sewer Trunk Line Evaluation and Design.*