

LEAVENWORTH CITY COUNCIL MINUTES
January 11, 2011

Mayor Pro Tempore Tibor Lak called the January 11, 2011 Leavenworth City Council meeting to order at 6:00 p.m., and led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Pro Tempore Tibor Lak, Peter DeVries, Michael Molohon, Elmer Larsen, Robert Francis, Cheri Kelley Farivar and Larry Meyer.

Staff Present: Joel Walinski, Terry McCauley, Chantell Steiner, Connie Krueger, and David Schettler.

APPROVAL OF THE CONSENT AGENDA

Mayor Pro Tem Lak asked for a motion to approve the consent agenda as follows:

Consent Agenda:

1. Approval of Agenda
2. Approval of December 14, 2010 Study Session Minutes
3. Approval of December 14, 2010 Regular Meeting Minutes
4. 2010 Claims \$126,567.21, 2011 Claims \$205,801.18
5. December 2010 Payroll \$172,816.26

Councilmember DeVries moved to approve the Consent Agenda with the addition of adding item number 8, Position of Mayor. The motion was seconded by Councilmember Larsen and passed unanimously.

PUBLIC SAFETY REPORTS

None.

COUNCILMEMBER AND COMMITTEE REPORTS

None.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Pro Tem Lak reviewed some of the items on the agenda from the study session held earlier in the day. Mayor Pre Tem Lak commented on the discussions held previously with Superintendent Steve McKenna of the Cascade School District. Mr. McKenna provided the Council and attendees with information regarding the upcoming school bond and levy. The total amount for the bond is \$46,400,000.00, for 20 years. This would add an additional \$1.46 per thousand on property taxes. Mayor Pro Tem Lak also mentioned discussion that was held regarding winter parking regulations. There has been an increased dilemma with residents leaving their vehicles parked on the streets making it nearly impossible for snow removal.

City Administrator Walinski informed Council that discussions will be held regarding the newsletter starting at the February Study Session. Administrator Walinski asked Council to start gathering ideas, he hopes to have the newsletter delivered to the public prior to March 1st.

Community Development Director Krueger advised Council of the meeting that was held on Monday with the Downtown Steering Committee. Director Krueger stated that there is a document that they have been compiling for the wayfinding signage strategy; this document lays out locations of new signage for the directional signage as well as the signage that pertains to pedestrians. Director Krueger also reported that the Downtown Steering Committee had been discussing the funding of future projects. Some of the items on the list for funding included; The Royal Lady Plaza, The Front Street Project, The Gazebo and possibly placing a Kiosk in that area. Director Krueger stated that more information will be provided to the Council regarding construction costs as the projects near fruition. Director Krueger also reported on the completion of the Water System Plan. The final draft has been submitted to the Washington State Department of Health for final review. Director Krueger stated that the Water System Plan has been a time consuming project, the last time that it had been updated was 2002.

Finance Director Steiner reported that the interfund loan to the pool has been paid in full. Although, with the end of the year invoices trailing in, an electrical bill reverted the pool fund back in the hole by \$108.00. Director Steiner stated that she will be doing a retroactive interfund loan from December 31, 2010 and will be paid in full on January 1, 2011. Director Steiner also reviewed sales tax, and hotel motel tax figures. In 2010 the City came in at \$76,000 over in retail sales tax above 2009 figures. Also, in 2010 the City was \$28,684 over in hotel/motel tax above 2009.

Public Works Director Schettler reported that the City is moving forward with the Icicle Station Phase 2 Project. The survey for the project has been completed, once the certificate of insurance has been received for the consultant the design can move forward.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Election of Mayor Pro Tempore

Administrator Walinski commented on the agreement that was made by the Council to re-visit the issue of Mayor Pro Tempore after the first of the year. He identified a need to update the Council rules in accordance with State law and past practice to have the election of Mayor Pro Tempore on the first meeting in the new year following a general election. Administrator Walinski stated that tonight the Council will be electing a Mayor Pro Tempore by an open Council election.

Councilmember DeVries nominated to appoint Tibor Lak in the current year as Mayor Pro Tempore. The nomination was seconded by Councilmember Farivar and passed 6 to 1 with Councilmember Francis opposed.

2. Interlocal Agreement State of Washington, Department of Printing

Director Steiner explained that this agreement is solely to obtain a price list from the State for their printing services. We would like to use them as an option for future printing projects which may include; newsletters, 3 part forms, publications and/or distributions. Director Steiner stated that the City will research costs and compare them to local businesses. The City would like to support local

merchants, although, if the price difference is significant it would be helpful to have this interlocal agreement in place to allow the opportunity for purchase through the State.

Councilmember Meyer moved to approve the Interlocal Agreement with the State of Washington, Department of Printing. The motion was seconded by Councilmember Molohon and passed unanimously.

3. District Court Services Agreement

Administrator Walinski stated that the Council is being asked to approve the continuation of the Interlocal Agreement between the City and Chelan County for District Court Services. Administrator Walinski explained the terms of payment related to this agreement. The District Court retains all fines, forfeited bails, court costs, as well as payments arising from new offenses and probation fees. Administrator Walinski noted that he has asked for numbers from the County Sheriff's office to analyze the cost effectiveness, although, he has not been able to receive those figures at this time. Administrator Walinski stated that those numbers are not tracked on a normal basis and would have to be researched further. Administrator Walinski informed Council of the opportunity to renew this 4 year contract or explore different options, which would entail further research with limited results.

Councilmember Francis moved to approve the District Court Services Agreement. The motion was seconded by Councilmember Farivar and passed unanimously.

Councilmember Farivar moved to direct Administrator Walinski to work in coordination with City Attorney Terry McCauley to revise the penalty portion of all parking fines. The motion was seconded by Councilmember DeVries and passed unanimously.

4. Transportation Improvement Board Agreement: Front Street Division to SR2

Administrator Walinski stated that this would be a motion to accept the \$800,000 grant award for the Front Street Construction Project which was awarded to the City by the Transportation Improvement Board (TIB).

Attorney McCauley stated that he has reviewed the grant agreement and recommended that the City include language in the construction contracts that would protect the City against grant funding being discontinued.

Councilmember DeVries moved to approve the Transportation Improvement Board Agreement. The motion was seconded by Councilmember Molohon and passed unanimously.

5. Public Works Board Amendment to \$1M Loan Agreement

Administrator Walinski stated that the current Public Works loan award is for a 5 year period, this amendment would allow the City to move the loan to a 20 year payback period at .5% interest. He explained how the TIB funds triggered the requirements of this loan for the extension to occur.

Councilmember Larsen moved to authorize the Mayor to sign the Public Works Board amendment. The motion was seconded by Councilmember DeVries.

Attorney McCauley asked if the motion could be amended to include a review by bond counsel.

Councilmember Larsen moved to reconsider the first motion. The motion was seconded by Councilmember DeVries and passed unanimously.

Councilmember Larsen moved to authorize the Mayor to sign the Public Works Board amendment subject to bond counsel Hugh Spitzer's review and approval. The motion was seconded by Councilmember Molohon and passed unanimously.

6. Ordinance 1384 Dangerous Dogs

Attorney McCauley reviewed the legal aspects and liabilities involved with this type of ordinance for dangerous and potentially dangerous dogs.

Councilmember DeVries moved to approve Ordinance 1384. The motion was seconded by Councilmember Farivar and passed unanimously.

7. Cupola Funding

Administrator Walinski reviewed new figures for the Cupola along with the new request made to Projekt Bayern. The revised total for the project is \$25,458.00. Projekt Bayern has agreed to pay \$16,000.00 which would leave the City's portion of the funding at \$9,500. Director Schettler reported that the contract completion date is set for April 15th, three weeks before Maifest.

Councilmember DeVries moved to approve the Cupola Funding. The motion was seconded by Councilmember Meyer and passed unanimously.

Attorney McCauley commented on the history of the bells and the contributions by his family.

Bill Lynn – 9700 E. Leavenworth Rd.: Mr. Lynn noted that Arlene Blackburn's husband handcrafted a plaque for the original Caroline Bells. Mr. Lynn suggested creating an area to place this 3 x 4 foot plaque and possibly adding names of other major fund contributors.

8. Position of Mayor

Councilmember DeVries reviewed a previous discussion held with Mayor Eaton relating to his current job announcement with Amtrak. Councilmember DeVries asked legal counsel if Mayor Eaton was to relocate, what would the procedure be with the position of Mayor. Attorney McCauley responded by noting if Mayor Eaton were to change his residency to California then the Mayor's position would then have to be vacated by law. Attorney McCauley then stated that the Council would then fill his position for the remainder of his term. Councilmember DeVries also pointed out that if the position was filled with a councilmember we would then have to fill that particular councilmember's seat.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

None.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Bill Lynn – 9700 E. Leavenworth Rd.: Mr. Lynn requested an update on the noise ordinance.

Administrator Walinski stated that there has been a tentative time line set to review the ordinance with Council in late March so action can then take place in April.

EXECUTIVE SESSION

Mayor Pro Tem Lak announced that Council was going to enter into executive session at 6:47 p.m. under RCW 42.30.110 (1)(b) Property Acquisition, for approximately one half hour with possible action to be taken.

Councilmember DeVries moved to enter into executive session for approximately one half hour to discuss property acquisition, with possible action to be taken. The motion was seconded by Councilmember Meyer.

Councilmember DeVries moved to reconvene the meeting at 7:24 p.m. The motion was seconded by Councilmember Farivar and passed unanimously.

ADJOURNMENT

Seeing no other business, Councilmember Molohon moved to adjourn the January 11, 2011 meeting of the Leavenworth City Council. The motion was seconded by Councilmember DeVries, which passed unanimously.

The meeting adjourned at 7:25 p.m.

APPROVED

Tibor Lak
Mayor Pro Tempore

ATTEST

Chantell Steiner
Finance Director/City Clerk