

**LEAVENWORTH CITY COUNCIL MINUTES
December 13, 2011**

Mayor Larsen called the December 13, 2011 Leavenworth City Council meeting to order at 6:03 p.m. and led the City Council in the Flag Salute.

ROLL CALL

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

Staff Present: Joel Walinski, City Attorney Thom Graafstra, Dave Schettler, Nathan Pate, Chantell Steiner and Sue Palmer.

Mayor Larsen amended the agenda by moving action item 3, 2012 Sheriff Contract to be the first agenda item.

APPROVAL OF THE CONSENT AGENDA

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

Consent Agenda:

1. Approval of Agenda
2. Approval of November 22, 2011 Regular Meeting Minutes
3. Approval of November 30, 2011 Special Meeting Minutes
4. Claims \$309,068.02
5. November 2011 Payroll \$152,256.28
6. PRSA Voucher Requests for \$7,266 and \$98,971.78

Councilmember DeVries motioned to approve the Consent Agenda with the noted change. The motion was seconded by Councilmember Lak and passed unanimously.

PLAQUE PRESENTATION–TERRY GILDERSLEEVE 25 YEARS OF SERVICE RECOGNITION

Terry Gildersleeve was unable to attend.

PUBLIC SAFETY REPORTS

Sheriff Burnett reported on the staffing challenges within the Sheriff's Department. He stated that he is focused on the future and identified various tasks which need to be accomplished in order to be a benefit to the community. He spoke to the level of service and how officers are scheduled throughout the day. He noted that they will be hiring three new officers which he felt would help to better provide for the citizens within the City as well as the unincorporated areas of the county. He added that they will be working with the Chelan School District and stressed

the importance of working with the school districts throughout the county. He stated that their goal is to give the City of Leavenworth the best level of service they are able to provide. In closing, he noted that the Sheriff's Department will vacate their office at City Hall and will be moving in to an office at the Fire Hall beginning in 2012.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Meyer reported that Link Transit is celebrating its twentieth year. He noted that Rich DeRock of Link Transit would like to give a presentation to the Councilmembers at an upcoming meeting. He stated that Link has had another successful year and revenues are positive. He noted that the new electric buses have had minor battery problems, although they are working through this issue. It was noted that Link is having an open house on Friday at the Columbia Station.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Larsen reported on the morning Study Session. He stated that the discussions included the 2012 Final Budget, Rate & Fee Schedule, 2012 Draft Agenda Items, Law Enforcement contract and Wenatchee Valley Humane Society contract. He said that there is still quite a bit of discussion in regards to the water conservation aspect of the Rate & Fee Schedule. He noted that they are looking at renovating the cemetery sign in the near future.

City Administrator Joel Walinski reported on the Tri-Commission meeting which included members of the PUD, Chelan County and the Port Authority. He stated that the Director of the Pangborn Airport had resigned and they are currently reviewing the selection process for a replacement. He added that the Airport authorities do not expect this to slow down expansion of the runway, although it is currently a five year project. He stated that he met Steve Dunk with the Public Works Trust Fund (PWTF) and noted that they are changing the application processes for receiving funding from the PWTF. He added that they want to simplify the process as they have the revenue available and would like lending to be easier and be made available for a wider array of projects such as parks and possibly parking structures. Mayor Larsen added that the City expressed concerns with transferring the approval process to regulatory agencies which had been mentioned by Mr. Dunk.

City Attorney Thom Graafstra addressed the Fruit Warehouse and stated that they are not under contract yet. He added that the Nelson Legacy Group is still unsettled as to the language regarding the environmental risk in the contract. He feels that they are making some headway regarding the environmental aspects of the project. He spoke to different scenarios of pollution and security regarding the fruit warehouse property which may or may not take place while the City is under contract. He stated that the Nelson Legacy Group's attorney will be drafting the new language and they should see this tomorrow. He added that they will likely have the final documents by the end of the week and possibly entering into a contract at that time.

Finance Director Chantell Steiner reminded Council that the Association of Washington Cities (AWC) will be offering training to the newly elected officials. She also told them about the holiday breakfast for all City employees and Council scheduled for December 21 at 7:00 am at

Kristall's Restaurant. She added that the Mayor is putting on this breakfast and this is the first time the Mayor has invited Council. Director Steiner also noted that the Water/Sewer Bond reserve loan to the water fund has been paid back due to receiving the recent bond funds. She briefly updated as to the recent bond refinancing and the money the taxpayers are saving.

Public Works Director Dave Schettler reported on the Downtown Streetlight Project. He said that the three new streetlights are now working. He added that there are still some accessory items and banners to be added. He also reported that he met with the gazebo committee and the design and structural plans are near completion. He said that they would like to put it out for bid soon, as they expect this project to be completed prior to MaiFest. He reported on the train station and stated that they should be finalizing design plans in early 2012.

Development Services Manager Nathan Pate reported on the Park and Recreation Plan. He updated the progress and timelines involved. He addressed the Planning Commission public hearing for Chelan County which he recently attended where they were to adopt the City's development regulations in the urban growth area. He stated that it was passed, although they still need to go before the board for final adoption on December 27. He stated that they did not adopt other portions of the City's plans such as signage and infrastructure requirements. Discussion ensued as to how the final adoption process for the City's Park Plan will take place and what obstacles need to be overcome. He also stated that the Planning Commission would be having a joint meeting with Council in January, so as to settle the 2012 Planning Commission docket. He updated Council as to the recruitment progress in filling the two Planning Commissioner and one Design Review board positions. It was suggested that Council help in recruiting for the Design Review Board position, as this position needs much more pertinent experience and is difficult to fill. Manager Pate briefly updated everyone on the remaining projects of the year and noted their progress.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. 2012 Sheriff Contract

Councilmember Robert Francis recused himself and exited Council Chambers.

Administrator Walinski gave a brief update regarding the terms of the contract. He stated that the City service levels from the Sheriff's Department as outlined in the contract will remain at the current level. He added that other services are included in the contract should they be need, such as investigation by the detectives division, crime scene analysis and special operations. He stated that the City is still obligated to pay for additional Officers during special events, festivals and other necessary occasions. He then addressed RiverCom services and the contract amounts. He stated that the total contract has an increased cost of 21% in 2012 and an additional increase of 9% in 2013 with RiverCom increases unknown at this time for 2013. There was much discussion as to RiverCom charges and cost per incident. Administrator Walinski explained how the cost had been broken down to the average cost per incident. He also stated that the new contract establishes an oversight committee consisting of the Sheriff, County Commissioner, the Mayor and a Councilmember. He summarized that most of the discussion regarding the Sheriff Contract

has been about cost, therefore, going forward they need to continually look at different avenues and options of providing police services to the community.

Sheriff Burnett then addressed how the officers will be scheduled, how they have reallocated resources within the Sheriff's Department and what they are doing to provide a quality level of service for the citizens. There was an informal discussion amongst Council and the Sheriff in regards to these questions.

Councilmember DeVries motioned to approve the 2012 – 2013 Law Enforcement Agreement with Chelan County. The motion was seconded by Councilmember Meyer and passed 5-0. Councilmember Francis recused himself from the discussion and vote because of his employment with Chelan County Sheriff's Department.

2. Resolution 23-2011 Water System Plan Adoption

Director Schettler stated that the City of Leavenworth is required to submit an updated Water System Plan (WSP) to the Department of Health (DOH) for review and approval every six years. He said that the City has been working with the DOH and Varela and Associates Engineering and stated that the plan is now ready to be approved by Council. He noted that the WSP must be adopted by resolution by the City Council in order to move forward to final approval with DOH.

Councilmember Molohon motioned to approve Resolution 23-2011 Adopting the Water System Plan. The motion was seconded by Councilmember Lak and passed unanimously.

3. 2012 Wenatchee Valley Humane Society Contract

Administrator Walinski briefly addressed the contract and discussed the expectations of the community regarding animal control services. He then spoke to the different cost scenario options provided by the Wenatchee Valley Humane Society (WVHS).

Executive Director Dawn Davies (WVHS) addressed costs and concerns throughout the county. She addressed the levels of service and how the WVHS calculated the cost increases. Ms. Davies then spoke to the costs of pet licensing through the county and suggested that Leavenworth review its fee in order to be consistent with other community rates. There was much discussion as to the different cost scenarios options outlined in the proposals and what level of service is best for the citizens. It was stated that Council still needs to continue looking at the costs as well as the level of service.

Councilmember Molohon motioned to approve the 2012 Wenatchee Valley Humane Society Contract in the amount of \$14,627 with the additional rebate. The motion was seconded by Councilmember Farivar and passed 5-1 with Councilmember Lak opposed.

4. Motion to Set a Meeting Date for Annexation Request on January 10, 2012 @ 6:30 PM

Manager Pate stated that Upper Valley MEND, Titus LLC and John Agnew have presented an letter of intent and request for annexation into the City. He then explained to Council the process

of setting a meeting date to meet and decide if this request will be accepted and what conditions will apply to this acceptance.

Councilmember DeVries motioned to set a meeting date for an Annexation Request on January 10, 2012 at 6:30 PM. The motion was seconded by Councilmember Lak and passed unanimously.

5. Resolution 22-2011 Rate & Fee Schedule

Administrator Walinski briefly addressed the few changes that have been made from the morning study session regarding the pre-application fee and the water utility fees. He noted that the water conservation would not go into effect until July 2012. He addressed the garbage utility fees and stated those changes. He added that the stormwater utility will not go into effect until July as they are still working on this facet. He touched on the affordability of the rate structure and noted the low income, senior and disabled discount to eligible citizens.

Councilmember Farivar motioned to approve Resolution 22-2011 Rate & Fee Schedule. The motion was seconded by Councilmember DeVries and passed unanimously.

6. Ordinance 1405 Final 2011 Budget Amendment

Director Steiner briefly summarized the assorted adjustments to the operations and maintenance costs in the City's various funds. She also noted an error to the ending balance in the garbage fund. It was stated that this ordinance is just basic bookkeeping needed in order to close out the City's year end books.

Councilmember Francis motioned to adopt Ordinance 1405 Final 2011 Budget Amendment. The motion was seconded by Councilmember Lak and passed unanimously.

7. Ordinance 1406 Adopting 2012 Budget

Director Steiner addressed the 2012 budget and stated that it will be adopted at the fund level. She noted the summary of the totals of estimated revenues and appropriations for each separate fund. She added that there have been no changes since the final public hearing.

Councilmember Meyer motioned to adopt Ordinance 1406 Adopting the 2012 Budget. The motion was seconded by Councilmember Molohon and passed unanimously.

8. Council Vacancy Process

Administrator Walinski addressed Council and explained the different selection processes in filling the vacant Council seat.

Councilmember Farivar added that they currently have an interested party who is a past Councilmember and recently ran for a Council position. She stated that this is a unique scenario

and she feels that the voters of Leavenworth have spoken; therefore they have a likely candidate to support.

Mayor Larsen asked Ms. Carolyn Wilson if she would be interested in the vacant Council position. Ms. Wilson stated that she would gratefully accept the appointment.

a. Motion to Approve Council Vacancy Process of Appointing Carolyn Wilson

Councilmember Francis motioned to approve the process of filling the Council vacancy through the appointment of Ms. Carolyn Wilson to the vacancy on the City Council. The motion was seconded by Councilmember Meyer and passed unanimously.

City Attorney Thom Graafstra stated to Councilmember Farivar that she needs to vacate and resign her current Council seat prior to appointing that seat to Ms. Wilson. He suggested that the Council move to amend the agenda by adding item 11 to the agenda to fill the vacant position and allowing for Councilmember Farivar to resign after item 10 creating the vacancy.

Councilmember Molohon motioned to amend the agenda and add action item 11 to appoint vacant Position No. 4 City Council seat. The motion was seconded by Councilmember Meyer and passed unanimously.

9. Motion to approve Change Order for the Downtown Streetlight Project

Director Schettler addressed the additional construction costs incurred while completing the Downtown Streetlight Project. He recommended that Council approve the change order as this was an unavoidable incident.

Councilmember Lak motioned to approve the change order with Leavenworth Electric and Excavation in the amount of \$1,638.58 for the Downtown Streetlight Project. The motion was seconded by Councilmember Molohon and passed unanimously.

10. Cancel December 27, 2011 Council Meeting

Mayor Larsen stated that they would not have a second Council meeting in the month of December as they will have completed their business with the passage of the budget this evening.

Councilmember DeVries motioned to cancel the December 27, 2011 regularly scheduled Council meeting. The motion was seconded by Councilmember Lak and passed unanimously.

Councilmember Farivar stated that she resigns her City Council position and provided the City Clerk with her written resignation.

11. Appoint Vacant Position No. 4 City Council Seat

Councilmember DeVries motioned to appoint Ms. Carolyn Wilson to fill the vacancy of Position Number 4 of the Leavenworth City Council effective December 14, 2011 through the term of

office, December 31, 2013. The motion was seconded by Councilmember Lak and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Larsen announced that the Transportation Benefit District (TBD) meeting would be immediately following the Council meeting. He stated that all subcommittee meetings are cancelled for the remainder of the month. He reminded everyone that the Oaths of Office will occur after the TBD meeting.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA.

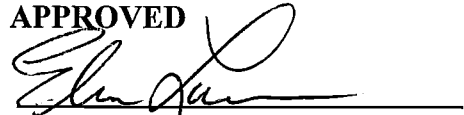
None.

ADJOURNMENT

Seeing no other business, Councilmember Meyer motioned to adjourn the December 13, 2011 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Molohon and passed unanimously.

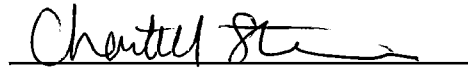
The meeting adjourned at 7:55 PM.

APPROVED



Elmer Larsen
Mayor

ATTEST



Chantell Steiner
Finance Director/City Clerk