

LEAVENWORTH CITY COUNCIL MINUTES

July 12, 2011

Mayor Pro Tempore Tibor Lak called the July 12, 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 Tem Tibor Lak, Peter DeVries, Elmer Larsen, Robert Francis, Michael Molohon, Cheri Farivar, and Larry Meyer.

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

APPROVAL OF THE CONSENT AGENDA

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

Consent Agenda:

1. Approval of Agenda
2. Approval of June 28, 2011 Regular Meeting Minutes
3. Claims \$159,344.12
4. June 2011 Payroll 185,746.91
5. PRSA Voucher Request \$9,900.00

Councilmember DeVries motioned to approve the Consent Agenda. The motion was seconded by Councilmember Meyer and passed unanimously.

PUBLIC SAFETY REPORTS

None.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Meyer noted that the Leavenworth Village Art in the Park is having a successful year thus far. They continue to obtain new vendors every week. He also commented on a job well done for the Leavenworth Mosquito District. Councilmember Meyer stated that the District is working diligently and efficiently in order to keep the mosquitoes under control to prevent the necessity of spraying.

Councilmember Francis commented on the Parks Committee meeting that was held earlier. He noted that the committee discussed a possible sign to be placed at Lion's Club Park. This sign would be similar to the one being constructed for the golf course. Councilmember Francis stated that they had communicated the need for removable panels to inform the community of upcoming and current events being held at Lion's Club Park.

Councilmember Farivar informed Council and Staff that the City has been contractually obligated for the last several years to perform some landscape improvements to the booster station property. The

owner of the property previously brought this condition to Council's attention which had prompted the diligent efforts by Council and Public Works to create a wayside area. The Parks Committee and Public Works have researched wetland plants to place; Public Works did some clean up of the area and installed a bench as well as a drinking fountain. Councilmember Farivar reported that the area will be named Frankie's Wayside in honor of the owner of the property. When everything is finalized the City will hold a dedication ceremony to publicize our newest pocket park.

Councilmember Larsen commented on the meeting that was held by the Public Works Committee. He noted that they had spent a majority of their time discussing capital improvement projects relating to water and sewer utilities to occur over the next five years. He noted that this list was preliminary but needed to be included in the utility rate study that is currently underway.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Pro Tem Lak reported on the specific items that were discussed in Study Session held earlier in the day. Some of the topics discussed included the following: Quarterly Project Update by Nathan Pate, Quarterly Budget Amendment, Staffing Update, Public Works Trust Fund Applications, and a Payment Plan for Utility Connection Charges.

Administrator Walinski noted that the Planning Commission was going to meet this week to do some preliminary work on the Critical Areas Update as well as the Sign Code. He informed Council that there will be a public hearing on July 26th to gather input related to the revisions of the Critical Areas Update and the Sign Code.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

1. Motion to Set Public Hearing for Critical Areas Updates on July 26, 2011 at 6:00 p.m.

Councilmember Larsen motioned to Set Public Hearing for Critical Areas Updates on July 26, 2011 at 6:00 p.m. The motion was seconded by Councilmember Farivar and passed unanimously.

2. Water System Plan Review and Consumer Input

Public Works Director Dave Schettler reported on the water system plan update. The draft was submitted to the Department of Health (DOH) in January, shortly thereafter the City received comments back from the DOH. Director Schettler noted that the City reviewed and incorporated those comments before re-submittal. The Department of Ecology requires that the City makes the water system plan available to the public for review and comments. Director Schettler mentioned that a hard copy was available at the front counter of City Hall, along with a copy on the City's website. Director Schettler stated that this portion of the public Council meeting was noticed and fulfills the requirement at this time for receiving public comments. Mayor Pro Tem Lak asked the audience if there were any comments on the Water System plan; hearing no comments, Mayor Pro Tem Lak proceeded to the next agenda item.

3. Approval of MEND Request for \$25k from Affordable Housing Surcharge Funds

Administrator Walinski noted that the Council was being asked to consider approval for a \$25,000 fund request from Upper Valley MEND for the use of the City's affordable housing surcharge funds

to be used on the Titus/Chumstick affordable housing project. Administrator Walinski reviewed the process for collection of funds; the funds are collected as an added \$10.00 per recording, Leavenworth then receives 6% of this charge for every filing fee transacted with the County. On average the City has received \$6,888.00 over the last two years, and the current balance is \$38,896.00. Administrator Walinski reviewed the pertinent RCW's that define use of the funds and stipulations that can be incorporated, such as, "funds will only be used on future designs and engineering costs, it will not be used for reimbursement or for previously completed work." He also noted that in the event that the affordable housing project is not completed and the property is sold to a private party, Upper Valley MEND could be required to reimburse the City \$25,000, and those funds will be re-issued to the City's affordable housing surcharge fund.

Chuck Reppas stated that the conditions set forth were reasonable and acceptable to Upper Valley MEND.

Councilmember Larsen motioned to authorize the expenditure of \$25,000 of Affordable Housing Surcharge Funds to be provided to upper Valley MEND with the following conditions:

1. The Funds will only be used on future design and engineering costs and not be used for the reimbursement of previously completed work.

2. Funds will be used only on design and engineering costs associated with the affordable housing portion of this project.

3. In the event the Upper Valley MEND Affordable Housing Project is not completed and the property owned by Upper Valley MEND is sold to a private party, Upper Valley MEND shall reimburse the City \$25,000 and those funds shall be held again in the City of Leavenworth Affordable Housing Surcharge Fund.

The motion was seconded by Councilmember DeVries and passed unanimously.

4. Filling Mayor Vacancy

Councilmember DeVries expressed the legalities and timelines that the Council had to fill the Mayor's position. He requested that the Council consider not filling the position by a member of the community at this time and to table this item until September 1, 2011. He then suggested that the Council fill the position from amongst the Council until the new Mayor can take office after the election. Attorney Graafstra recommended a motion to continue this action item rather than tabling to coincide with Robert's Rules of Order.

Councilmember DeVries motioned to continue action on filling of the Mayor's Vacancy until September 13th. The motion was seconded by Councilmember Farivar and passed unanimously.

5. Resolution 13-2011 PWTF Loan Application for Front Street Project

Administrator Walinski noted that the Public Works Trust Fund loans are low interest and very competitive. He stated that the Council is being asked to approve a resolution for a PWTF loan for fiscal year 2013. These funds will be used for the Front Street reconstruction project which will include the area of Front Street from Division Street to the Highway 2 intersection. Administrator Walinski noted that the City has is considering including 15% matching funds to obtain the lower interest rate of .5%. He also stated that the City is working in conjunction with Hammond Collier Wade & Livingstone on this application which is due by July 21, 2011.

Councilmember Larsen motioned to approve Resolution 13-2011 PWTF Loan Application for Front Street Project. The motion was seconded by Councilmember Molohon and passed unanimously

6. Resolution 14-2011 PWTF Loan Application for East Leavenworth Road Main Project

Administrator Walinski reviewed some of the logistics behind buying the interest rate down as discussed previously in item 5. He noted that 15% matching funds is not required; it is a way to lower your interest rate. He also reported that the initial cost estimate of this water main project was \$600,000, although, after the engineers began to reveal more specifics, the current estimate is at \$750,000. The replacement project is for a portion of the water main along East Leavenworth Road, which is estimated to be 60 plus years old. Administrator Walinski added that Chelan County has postponed road work or maintenance due to the deterioration of the water main. He also commented on the fact that there have been discussions between the City and the County in hopes to support a partnership in trying to create a joint effort for the construction.

Bill Lynn – 9700 East Leavenworth Road: Mr. Lynn asked for clarification of the main line location. Director Schettler confirmed that the water main of topic is located directly under the roadway.

7. Ordinance 1394 Quarterly Budget Amendment

Finance Director Chantell Steiner noted that the above referenced budget amendment includes revenue streams for various grants that were awarded to the City and the Transportation Benefit District (TBD) funds that were passed by voters last November. The City will be implementing, and completing the street projects, therefore, those monies are being transferred from the TBD to the City.

Councilmember DeVries motioned to approve Ordinance 1394 Quarterly Budget Amendment. The motion was seconded by Councilmember Farivar and passed unanimously

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Pro Tem Lak identified the need for the upcoming special meetings. Administrator Walinski reviewed the potential need for an additional special meeting on July 19, 2011, before the special study session, to review construction contracts for upcoming street projects.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Eliana Villegas – 1557 Alpanse Strasse: Ms. Villegas informed Council of known interest amongst the community for a local gymnastics space. She asked Council for help in identifying an area that might be feasible to accommodate such an activity. She also noted speaking with Deputy Clerk Angela Reinhart at City Hall in possibly joining efforts with the wrestling club since they need a similar space. Councilmember Francis suggested speaking with the School District.

Bill Lynn – 9700 East Leavenworth Road: Mr. Lynn thanked the Council and Staff for the production of the current noise ordinance. He noted that the noise level has been better this year with minor complaints. Mr. Lynn also stated that with an ordinance as such in place, the Liquor Control Board has also been helpful with issues pertaining to the noise levels.

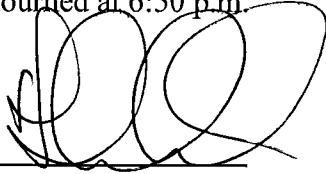
Russ Speidel – Previous Member of the Wenatchee School Board: Mr. Speidel briefly discussed his opinion regarding the purchase of the Fruit Warehouse. He encouraged the City to have an option to purchase the entire property if possible. He discussed the process of putting in language to include the option to buy purchase for future growth and development.

ADJOURNMENT

Seeing no other business, Councilmember DeVries motioned to adjourn the July 12, 2011 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Molohon and passed unanimously.

The meeting adjourned at 6:50 p.m.

APPROVED



Tibor Lak
Mayor Pro Tempore

ATTEST



Chantell Steiner
Finance Director/City Clerk