

**LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES**  
**July 12, 2011**

Mayor Pro Tempore Tibor Lak called the July 12, 2011 Study Session to order at 9:00 a.m.

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

Staff Present: Joel Walinski, David Schettler, Nathan Pate, and Chantell Steiner.

**1. Executive Session RCW 42.30.110 (1)(i)(A) Litigation**

Mayor Pro Tempore Tibor Lak announced that the Council would be in executive session for approximately 45 minutes for discussion of potential litigation.

Councilmember DeVries motioned to enter into executive session for approximately 45 minutes to discuss potential litigation. The motion was seconded by Councilmember Farivar and passed unanimously.

Councilmember DeVries motioned to enter back into the regular study session at 10:05 a.m. The motion was seconded by Councilmember Farivar and passed unanimously.

**2. Quarterly Update Future Council Agenda Items / Project Tracking / Permitting Activity**

Development Services Manager Nathan Pate reviewed various current development projects including the Cascade Medical Center, Posthotel, and Mountain Meadows. He then provided an additional handout on the Upper Valley MEND project and proceeded to answer Council questions on the various projects. Council questioned whether code changes were needed for any of the projects and City Administrator Joel Walinski noted that he does not believe so as staff is able to work with the developers to accommodate when needed through the current code language. Manager Pate noted to the Council that he just received the application for the Latter Day Saints Church development. He then reviewed and answered Council questions pertaining to the building permits and explained why the need for a permit when it involved a window replacement and/or structural changes. Councilmember Larsen reiterated his concerns with the requirement for permits and would like to see them only be required when necessary. Staff noted that permits are only required when it is specified in the International Building Codes.

Administrator Walinski reviewed the annual objectives, project tracker and future agenda items with the Council. He explained that Staff has created a "New Business Welcome Letter" that is included and gave a brief update on the status of the new website. Councilmember Farivar noted that she would like Staff to review item four in the welcome letter pertaining to inspections done by the Fire Department to ensure the accuracy of the language. Council added that it would be good to include comments about advertising, support of wearing Bavarian clothing, signage requirements through the Design Review Board, and the website address. Council and Staff briefly discussed the timing of the Fire Department annual inspections. Councilmember Meyer was provided an update on the status of the flag pole in Lion's Club Park and various light poles that are being installed soon.

**3. Quarterly Budget Amendment**

Finance Director/City Clerk Chantell Steiner reviewed the budget amendment and noted that the amendments included are for identifying the Transportation Benefit District dollars for multiple street projects and coinciding grant dollars from the Wenatchee Valley Transportation Council

#### **4. Staffing Update**

Administrator Walinski updated the Council on the reductions of staff over the last year noting four total positions in Finance, Community Development and Public Works/Parks. He explained that he is exploring options for a new administrative assistant position to do day to day administrative tasks such as minutes for meetings, filing, the City Newsletter, and website updates. He said he is looking at using a temp agency for the next few months. He then reviewed the expectations and level of service that has been discussed by Councilmembers for the downtown, especially during weekends, to keep the restrooms and garbage cans clean and empty. Discussion ensued on the need to also look at alleyways in the future and the purchase of a low-cost cart for toting the necessary equipment.

#### **5. Public Works Trust Fund Applications**

Administrator Walinski reviewed two applications that Staff is working on for Public Works Trust Fund low-interest loans for the utility portions of the Front Street and East Leavenworth Road Main projects. He discussed the funding options and use of utility funds for matching funds and identified the potential construction to occur in 2012 on Front Street and 2013 for East Leavenworth Road. Public Works Director Dave Schettler reviewed the leakage issues that have been identified along the East Leavenworth Road water main and the immediate need to move forward with repairs as soon as funding can be secured. Administrator Walinski noted that the City could apply for other projects as well but said that a project such as Upper Valley MEND's would not score well due to the funds being available for emergency and maintenance of existing utilities rather than new construction of utilities.

#### **6. Payment Plan for Utility Connection Charges**

Administrator Walinski briefed the Council on past discussions to assist single family residences for new development in the Urban Growth Area (UGA). This program would allow for a payment plan with an administrative fee and low interest to pay back over a set period of time while protecting the current water system and future expansions of the system. He would like to know if Council is still interested in pursuing this further. Council briefly discussed how this could assist current residences and noted that it would likely not be able to assist new construction due to mortgage requirements. Discussions included moving forward with exploration of a payment plan for buy-in charges for those required to hook up in the UGA. Staff explained that buy-in charges help to cover costs associated with the construction of the original main lines, connection to other lines, reservoir and pumping station construction and maintenance, low-density support, the lack of property tax support, and other service agreements such as the Utility Rate Study. Discussion ensued on the UGA, fees in general and annexations. Council commented about looking into whether the buy-in charge could be added to a monthly utility bill if a payment plan is established.

#### **7. Approval of MEND Request for \$25K from Affordable Housing Surcharge Funds**

Administrator Walinski briefed the Council on the current status of funds for Affordable Housing Surcharges that the City has. He reminded the Council that Upper Valley Mend has requested

\$25,000 for this year and an additional \$25,000 for next year to assist them with engineering and design for their project. He reviewed the legal uses for the funds and said that Council can require conditions for use of the funds. Council discussed the need to ensure that the funds are only used for the affordable housing portion of the project and not for any of the private sector portions and having the ability for reimbursement of the funds should the project not move forward and the land be sold. Councilors questioned the overall viability of the project in this economic time. Director Schettler voiced concerns also with several issues relating for the need for future needs of right-of-way for utility improvements and roadways.

## 8. Council Open Discussion

Councilmember Meyer asked for clarification on the Noise Ordinance. Administrator Walinski updated the Council noting that no comments were received from the Department of Ecology; therefore, the Ordinance went into full effect as of June 22<sup>nd</sup>. He added that any complaints from outside the City limits would need to be reported to the Sheriff's office under County regulations as a public nuisance. Councilmember Larsen questioned whether or not Mr. Demarest has done any of the mitigation that he had previously discussed with Council. Staff noted that they did not believe any new mitigation was done outside; however, he has been working on some potential changes that may move the entertainment indoors.

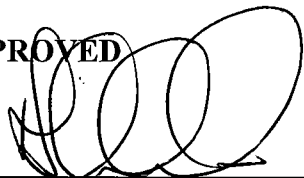
Councilmember DeVries addressed the Council pertaining to the replacement of the Mayor. He said that he is opposed to bringing in someone from the Community for such a short period of time that would require a lot of time and education from Staff and Council to get them up to speed. Councilmember Molohon is supportive of a community member being appointed but would rather see them appointed near the end of the 90-day requirement to appoint someone to the position. Council proceeded to discuss the various options available including the potential to appoint from amongst the Council and the timelines for appointment. It was noted that the appointment should occur no later than the first meeting in September.

Councilmember Meyer acknowledged receipt of a letter to the Council from Mr. Ken Kohnhorst.

Councilmember Larsen identified the need to move forward with a decision for the Link Trolley's. He and Administrator Walinski would meet to discuss this further.

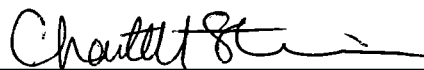
Study Session adjourned at 11:56 a.m.

**APPROVED**



**Tibor Lak**  
**Mayor Pro Tempore**

**ATTEST**



**Chantell Steiner**  
**Finance Director/City Clerk**