



**City of Leavenworth**  
700 HIGHWAY 2 / POST OFFICE BOX 287  
LEAVENWORTH, WASHINGTON 98826  
(509) 548-5275 / FAX: (509) 548-6429

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

## **LEAVENWORTH CITY COUNCIL AGENDA**

Leavenworth City Hall - Council Chambers  
February 8, 2011 6:00 p.m.

### **Call to Order**

### **Flag Salute**

### **Roll Call**

<b><u>Council Committees - 2<sup>nd</sup> Tuesday</u></b> Parks 4:00    Public Works 5:00
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### **Consent Agenda**

1. Approval of the Agenda
2. Approval of January 25, 2011 Regular Meeting Minutes
3. Claims \$79,714.60
4. January 2011 Payroll \$159,521.61
5. Ratification of District Court Services Interlocal Agreement

### **Public Safety Reports – Sheriff Office Introductions**

### **Councilmember and Committee Reports**

### **Mayor (Study Session Report) / Administration Reports**

### **EXECUTIVE SESSION: RCW 42.30.110(1)(i)(C) Potential Litigation**

### **Resolutions, Ordinances, Orders and Other Business**

- |        |   |
|--------|---|
| Action | 1. Approval for Claim of Reimbursement – Joel Walinski                                      |
| Info   | 2. Discussion Prohibiting Noise Disturbance Ordinance – Joel Walinski                       |
| Action | 3. Resolution 1-2011: Support of TBD Funds for STP Residential Street Grant – Joel Walinski |

### **Information Items for Future Consideration**

1. Reminder: No Council Meeting on February 22 per LMC 2.04.030
2. Reminder: Public Disclosure Commission Filing Deadline is April 15, 2011
3. Special Use Permits: Farmer's Markets and Art in the Park
4. Planning Commission 2011 Work Program

### **Comments from the Public on Items Not on the Agenda**

### **Adjournment**

**(Next Ordinance is 1385 - Next Resolution is 2-2011)**

The City of Leavenworth is committed to providing reasonable accommodations in accordance with the Americans with Disabilities Act. Please contact City Hall at (509) 548-5275 at least 72 hours prior to a scheduled meeting to request an accommodation.

## SUPPLEMENTAL COUNCIL AGENDA

### 1. Approval for Claim of Reimbursement

This item is a place holder for the Council consideration as a result of the **EXECUTIVE SESSION: RCW 42.30.110(1)(i)(C) Potential Litigation.**

### 2. Discussion Prohibiting Noise Disturbance Ordinance

The Council is being asked to review the current draft of Ordinance No. 1371. The draft ordinance with several changes is attached for review, changes are highlight.

**Background Information:** The Council approved Ordinance No. 1371 on July 13, 2010 and Mayor Eaton later vetoed the ordinance and asked the Council to review and reconsider several stipulations included in the ordinance. The Council held a special session on August 11, 2010 to hear from the community on proposed changes to the ordinance. As a result of that meeting, the council directed City staff to conduct noise monitoring measurements. This work was accomplished on several days in September and October of 2010. Those results were reported back to the Council at the November 9, 2010 Study Session. The discussion at that Study Session included the following items:

- A review of State Law regarding noise and noise levels Chapter 173-60-30,40 WAC;
- Sound Levels and Human Response information and review;
- MRSC Overview of Noise Ordinance;
- A review of the procedure and findings of noise decibel readings taken by City Staff on several occasions through September and October of 2010;
- A review of several ordinances currently in place in other Washington cities: Seattle, Sammamish, Battle Ground;
- Inclusion of exemptions and variance procedure discussions

The draft ordinance included for tonight's discussion was developed from the comments provided by the Council. The Council is being asked tonight to provide final direction on the proposed ordinance. The ordinance will then be developed and reviewed by legal staff and presented to the Council on March 8, 2011 for consideration of approval.

### 3. Resolution 1-2011: Support of TBD Funds for STP Residential Street Grant

The Council is being asked to approve Resolution 1-2011 which provides the use of Transportation Benefit District Funds to be used as match grant funds for the STP Residential Street Grant. The grant application was submitted on January 28, 2011. Resolution attached.