

MINUTES OF 4/24/08 CITY COUNCIL MEETING
135 East Johnson Avenue, Chelan, Washington

PRESENT: Mayor Goedde; Councilmembers Cooney, Greenfield, Harper, Papé-Miller, Morehouse, Morse; Administrator Fonfara; Attorney Galbraith; Clerk Liles; Planning & Community Development Director Gildroy. **EXCUSED ABSENCE:** Councilmember Weldy.

Mayor Goedde called the meeting to order at 7:00 p.m.

CONSENT AGENDA

Papé-Miller moved to approve the consent agenda as follows:

1. Approve Payroll Warrants No. 28436-28531 totaling \$133,162.55 and Claims Warrants No. 69973-070074 totaling \$198,238.84;
2. Approve Minutes of the 4/24/08 City Council Meeting, as presented;
3. Approve the Beverage Agreement with Eastern Cascade Vending, Inc. and authorize Mayor Goedde to sign the agreement, as presented;
4. Approve the Collective Bargaining Agreement with the Washington State Council of County and City Employees AFSCME/AFL-CIO Local # 846 CC and authorize Mayor Goedde to sign the agreement, as presented;

Seconded by Morse, motion passed unanimously.

REGULAR AGENDA

LORD ACRES INTERIM ZONING CONTROL: Mayor Goedde introduced a public hearing to consider extending the Lord Acre's interim zoning control previously approved by City Council. In order to establish that Council was impaneled free of objection and without violation of the Appearance of Fairness Doctrine, the Mayor determined the following: no person present objected to his participation or the participation of any Councilmember in these proceedings; no Councilmember had a personal interest in the matter at hand; no Councilmember had ex parte contact regarding the matter; all Councilmembers believed they could hear the matter fairly and impartially. The Mayor then opened the public hearing.

Gildroy presented the staff report, reviewing action by Council on this matter to date, i.e.: On 2/28/08 Council adopted an interim zoning control over the Lords Acres area, which prohibited the acceptance of development applications for certain specified projects until the Lord Acres Sub-area Plan is adopted. On 3/13/08, Council scheduled this public hearing based upon the requirement of RCW 35A.220 that if an interim zoning control is to last longer than sixty days, a public hearing must be held and findings of fact made to justify its extension.

Gildroy reported that a draft Sub-area Plan for the Lord Acres area was presented to the Planning Commission on 4/16/08. In response, the Commission asked that city staff and the sub-area steering committees resolve issues relating to transportation, utilities, trails, parks and design

standards for incorporation into the Sub-area Pan and that they finalize implementation measures. Gildroy therefore recommended extending the interim zoning control for six months, the maximum extension permitted, to allow completion of this work.

Gildroy noted that a letter from Mark McNaughton, Manager of the McNaughton Group, was received by the City Clerk earlier in the day and copied to Councilmembers. Gildroy assured Council that concerns expressed by McNaughton on behalf of Whiskey Ranch and Cascade Property Ventures were addressed in the proposed ordinance to extend the interim zoning control.

Gildroy and Galbraith then answered Council questions.

In response to the Mayor's call for public comment, the following people spoke in favor of extending the interim zoning control as recommended by staff: Mary Sherer, 48 Dietrich Road; George Lingard, 329 Highpoint Place; Paul Doughty, 400 Lord Acres Road; Mike Richardson, 75 Lord Acres Road; Mike Sherer, 48 Dietrich Road; and Linda Parlette, 661-15 Wheeler Hill Road in Wenatchee. There was no testimony against the extension.

There being no Council deliberation, **Morse moved to adopt ORDINANCE NO. 2008-1360 adopting findings of fact pursuant to RCW 35A.63.220 and continuing the interim zoning controls relating to the acceptance of applications for development in the Lord Acres area until August 28, 2008. Seconded by Morehouse, motion passed unanimously.**

TAIT BUSINESS PARK BINDING SITE PLAN: Mayor Goedde introduced a closed record public meeting to consider the Hearing Examiner's recommendation concerning the Tait Business Park Binding Site Plan. The Mayor explained the rules governing a closed record decision, and then established that Council was impaneled free of objection and without violation of the Appearance of Fairness Doctrine by determining the following: no person present objected to his participation or the participation of any Councilmember in these proceedings; no Councilmember had a personal interest in the matter at hand; no Councilmember had ex parte contact regarding the matter; all Councilmembers believed they could hear the matter fairly and impartially. The Mayor then opened the public meeting.

Gildroy presented the staff report, describing the Tait Business Park, explaining what a binding site plan is and reporting the Hearing Examiner's recommendation following the open record public hearing on 4/1/08. Gildroy recommended adoption of the Hearing Examiner's recommendation to approve the Tait Business Park Binding Site Plan, subject to certain conditions.

Gildroy and Cheryl Jones, representative of Applicant Jim Tait, answered Council questions. There being no testimony or deliberation, **Cooney moved to accept the Hearing Examiner's recommendations relating to the Tait Business Park Binding Site Plan and to adopt RESOLUTION NO. 2008-1181 approving the Tait Business Park General Binding Site Plan as conditioned in the Hearing Examiner's recommendations. Seconded by Greenfield, motion passed unanimously.**

CHELAN VALLEY CULTURAL ORGANIZATION: Dick Simonds, President of the Lake Chelan Historical Society, asked the City to join the Historical Society, Historic Downtown

Chelan Association, the Lake Chelan Arts Council and the Lake Chelan Chamber of Commerce in a partnership to be designated the “Chelan Valley Cultural Organization” (CVCO). Simonds explained that CVCO’s purpose would be to collect and maintain items reflecting the history and culture of the Lake Chelan Valley. Simonds then answered Council questions concerning the proposed organization.

Morehouse said he was reluctant to support the creation of yet another organization and suggested instead that the Historical Society expand its purpose to include the activities proposed for CVCO. Simonds responded, saying the Historical Society doesn’t have the funds, manpower or space to take on additional responsibilities.

Morse moved to support the concept of the Chelan Valley Cultural Organization and to direct the City Administrator to participate in the partnership’s development of this organization. Seconded by Papé-Miller, motion passed 5-1 with Morse, Papé-Miller, Cooney, Greenfield and Harper voting aye and Morehouse voting nay.

ROTARY CLUB FEE WAIVER REQUEST: Fonfara introduced a request from the Lake Chelan Rotary Club for waiver of fees associated with the Lake Chelan Century Challenge Bike Ride to be held on Saturday, June 14th. Fonfara reported that the event headquarters will be Don Morse Park and 300 participants are expected. The Rotary Club asks that the Special Event Application fee and park shelter fee be waived and that free parking passes be issued to event participants and support staff.

Attorney Galbraith explained that a waiver of fees could, in some circumstances, be construed as a gifting of public funds, which is prohibited by state law. However, Council may waive fees when the waiver can be shown to facilitate a municipal activity such as economic development. At Galbraith’s suggestion, **Morse moved as follows: In recognition and furtherance of the City’s authority and policy to encourage economic development in the form of recreation and tourism within the city and in recognition that the Lake Chelan Rotary Club’s conduct of the Lake Chelan Century Challenge Bike Ride will enhance recreation and tourism within the city, I move to waive the parking, shelter and special event fees that would otherwise be charged to the Lake Chelan Rotary Club in the conduct of the Lake Chelan Century Challenge Bike Ride on June 14, 2008. Seconded by Cooney, motion passed unanimously.**

At 8:28 p.m. Council meeting was recessed to allow the Mayor and Councilmembers to participate in the regular meeting of the Lake Chelan Airport Board. Council meeting reconvened at 8:29 p.m. following adjournment of the Airport Board meeting.

TENTATIVE AGENDA FOR THE MAY 8, 2008 CITY COUNCIL MEETING

The Tentative Agenda for the May 8, 2008 City Council meeting was distributed to the Mayor, Councilmembers and news media and briefly reviewed by Fonfara.

COUNCIL COMMENTS & REPORTS

SHORELINE MASTER PROGRAM UPDATE: Morehouse recommended hiring a consultant to work on the Shoreline Master Plan Update. Fonfara assured Morehouse that staff “is on it.”

DESIGN REVIEW BOARD: Morehouse asked that the next Council meeting's agenda include the consideration of establishing a "community planning association." Fonfara asked if he meant a design review board; Morehouse said he did.

DARK SKIES CODE: Morehouse asked that a committee be assigned to review the City's dark skies ordinance. At Papé-Miller suggestion, it was agreed that the Sustainability Committee would conduct the review.

UNTREATED WATER USE: Morse distributed an ordinance he'd drafted to repeal Chelan Municipal Code 13.20.090, which establishes the criteria for providing untreated city water to large scale recreational developments. Morse asked that the next Council meeting agenda include consideration of the proposed ordinance.

Fonfara explained that reconsideration of CMC 13.20.090 was initially included on this night's meeting agenda as was a proposed amendment to the City's water rights transfer code. Peter Fraley, the City's legal counsel on water issues, was scheduled to attend and advise on both matters. However, the water rights transfer amendment had to be rescheduled for May 22, so Fraley's attendance and reconsideration of CMC 13.20.090 were moved to that meeting's agenda as well.

HOME OCCUPATIONS: Morse distributed an ordinance he'd drafted to amend Chelan Municipal Code 17.56.060, which establishes the criteria for home occupations. Morse asked that the next Council meeting agenda include consideration of the proposed ordinance.

SUSTAINABILITY COMMITTEE: Morse said he'd suggested two topics for the Sustainability Committee to consider, but had received no feedback. Papé-Miller informed him that the Committee would consider his suggestions at their first meeting, which was scheduled for April 30.

PUD DOCK PERMITTING: Papé-Miller advised that the Public Utility District Commission would meet at 1:00 p.m. on April 28 to discuss the PUD's policy allowing private dock permits over PUD owned land, which may include land on Lake Chelan.

RECYCLING: Greenfield reported that she talked to the Middle School and High School art teachers about designing a mural to improve the appearance of the city owned recycle bins near Safeway. Design(s) would be submitted to Council for approval.

SAFEWAY FUEL STATION: At Greenfield's request, Fonfara explained the process whereby the Hearing Examiner reached his decision to approve the Safeway Fuel Station conditional use permit. There followed discussion relating to citizen concerns about the planned station.

LAKESIDE TRAIL SECTION J: Cooney noted that Lakeside Trail Section J is on the Tentative Agenda for May 8, 2008, and he said he'll need to be educated on that issue.

GOLF COURSE/LAKE HILLS DEVELOPMENT: At Cooney's request, Fonfara provided a brief update on the condition of the golf course and the Lake Hills Development project.

RECREATION/AQUATIC CENTER: Cooney noted that the Tentative Agenda for the May 8 Council meeting includes two items relating to the siting of an “aquatic center.” Cooney asked that the proposed facility be referred to with the more accurate term of “Recreation and Aquatic Center.”

WOOD CHIP GIVEAWAY: Cooney noted that the wood chip pile at Public Works is nearly gone and he commended Public Works Department staff for their exceptional customer service in that effort.

EARTH DAY: Cooney congratulated organizers of the local Earth Day event for a job well done.

POST OFFICE: Mayor Goedde noted that the Tentative Agenda for the May 8th Council meeting includes a public meeting to discuss expansion or relocation of the local post office. The Mayor explained that he’d received a letter from the U.S. Postal Service saying that Chelan’s post office would be expanded at its current site or relocated, and the May 8 meeting is to solicit citizen comment on the project. The Mayor reminded those present that the Postal Service was ready to begin construction of a new Chelan post office in 2005, but cancelled the project in the face of opposition to the selected site. The Mayor urged against letting that happen again.

TREE CITY USA AWARDS/ARBOR DAY: Fonfara reported that the City was awarded Tree City USA status for the year 2007 by both the Washington State Department of Natural Resources and the Arbor Day Foundation. The awards were presented by a representative of the Department of Natural Resources during a Rotary luncheon in Pingrey Park on April 22.

Mayor Goedde said it is his intention to make Arbor Day in Chelan a much bigger event next year.

SISTER CITY: Mayor Goedde asked that the City plant an oriental cherry tree in honor of Kato City, its Sister City in Japan. The Mayor said Chelan representatives will be traveling to Kato this summer and he’d like them to present to officials there a photograph of the tree along with a news article about the planting.

There being no further business, meeting adjourned at 9:00 p.m.

Prepared by:	Attested to:	Date approved by City Council:
Linda Allison-Liles City Clerk	Robert R. Goedde Mayor	May 8, 2008