

MINUTES OF THE 11/25/08 REGULAR CITY COUNCIL MEETING
135 East Johnson Avenue, Chelan, Washington

PRESENT: Mayor Goedde; Councilmembers Cooney, Greenfield, Harper, Morehouse, Morse, Papé-Miller, and Weldy; Administrator Reinbold; Attorney Galbraith; Clerk Liles; Planning/Community Development Director Gildroy; Parks & Recreation Director Sablan.

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. 30039 through 30113 totaling \$117,179.85 and Claims Warrants No. 71359 through 71422 totaling \$154,265.53;
2. Approve Minutes of the 11/6/08 Special City Council Meeting and Minutes of the 11/13/08 Regular City Council Meeting;
3. Acknowledge appointment of Judge Thomas Warren to complete the unexpired term of Dave Harkey in Position #1 on the Planning Commission, reappointment of Judge Thomas Warren to serve in Position #1 on the Planning Commission for a term commencing 1/1/09 and expiring 12/31/13, and reappointment of Mark Tesch to Position #2 on the Planning Commission for a term commencing 1/1/09 and expiring 12/31/13;
4. Confirm Mayor Goedde's appointment of Terri Emery to Parks & Recreation Advisory Board Position #1 for a term beginning January 1, 2009 and expiring December 31, 2010 and Mayor Goedde's reappointment of David Stephens to Parks & Recreation Advisory Board Position #2 for a term commencing 1/1/09 and expiring 12/31/10;
5. Appoint Jim Reinbold to the Performing Arts Center Advisory Board for a term commencing immediately and expiring September 30, 2009 and Cal Vaughn to the Performing Arts Advisory Board for a term commencing immediately and ending September 30, 2010.

Seconded by Weldy, motion passed unanimously.

PUBLIC INPUT

LAND ACQUISITION/PRESERVATION: Bob Eier, 1056 East Johnson, urged the City to acquire that property near Lakeside Park known as "the Three Fingers" (also known as "Goodfellow fills") so it can be preserved for public use. Eier said he'd like to see a park there and non-motorized boating. Eier added that if the City doesn't acquire the property, he plans to work with Chelan County and Goodfellow Brothers, the property owners, to see that the property is set aside for public use.

REGULAR AGENDA

LORD ACRES INTERIM ZONING CONTROL: Mayor Goedde opened a public hearing to take testimony concerning a third extension of the Lord Acre's interim zoning control established by City Council on 2/28/08. At the Mayor's request, Gildroy provided the staff report, including his recommendation that the zoning control be extended until February 9, 2009, when it is expected the Lord

Acres Sub-area Plan will be in effect. Mayor Goedde then called for any public comment either for or against the requested extension.

Hank Lewis, 788 Grant Road in Wenatchee, stated he wished to testify on behalf of Mark McNaughton, a Lord Acres area property owner. Lewis reported that in McNaughton's opinion, it is reasonable to extend the interim zoning control until the sub-area planning process is completed.

There being no further public testimony, Mayor Goedde closed the public hearing and called for Council questions and/or discussion. There being none, **Morehouse moved to adopt Ordinance No. 2008-1374 adopting findings of fact pursuant to RCW 35A.63.220 and continuing the moratorium on the acceptance of applications for development in the Lord Acres area. Seconded by Greenfield, motion passed unanimously.**

AQUATIC/COMMUNITY CENTER FEASIBILITY: Sablan reported receiving six responses to the City's request for qualifications (RFQ) to conduct an Aquatics/Community Center Feasibility Study. Sablan outlined the review/selection process and announced that the selection committee recommends hiring ORB Architects to conduct the study. Sablan outlined the reasons for that choice and recommended that Council award the contract to ORB at this time. Sablan noted that staff is still negotiating with ORB to determine ORB's compensation and the scope of the study, so should negotiations fail, a second recommendation will be brought to Council.

Responding to Council questions, Sablan then listed the names of those on the selection committee and outlined the feasibility study process. Cooney said it was important that ORB understand that the emphasis should be on a recreation center as opposed to a swimming pool, and Sablan assured him that the RFQ addressed that issue.

Mike Sherer, 48 Dietrich Road, encouraged everyone to continue supporting the center even if it turns out not to include everything everyone wants.

Weldy moved to award the contract for the Aquatics/Community Center Feasibility Study to ORB provided negotiations between the City and ORB are successfully completed. Seconded by Papé-Miller, motion passed unanimously.

PLANNING AREA FOR PUBLIC LANDS ADJACENT TO PUBLIC WATERS: Sablan recommended creating a sub-planning area to include those public lands adjacent to public waters extending from SR97A milepost 232.64 (the west end of the Goodfellow fills) westerly to Water Street, then northerly along Water Street to Terrace Avenue, and westerly along Terrace Avenue to its intersection with Evergreen Street. Sablan explained that the intent is to collaborate with the P.U.D. to fully utilize right of ways and easements adjoining public waters to create opportunities for open space establishment and recreation for the public benefit consistent with the City's Comprehensive Plan, the Lakeside Trail Plan and the City Council Strategic Plan.

There followed a series of questions from Cooney concerning the origin and purpose of the proposed sub-planning area. Sablan, VanEpps, Gildroy and Papé-Miller provided background information and explained that the goal is to preserve, create and enhance recreational opportunities, lake access and view corridors for the public benefit.

Papé-Miller moved to adopt Resolution No. 2008-1189 establishing a planning area within which the City will seek ways to fully utilize right of ways and easements adjoining public waters in order to create opportunities for open space and recreation for the public benefit. Seconded by Harper,

motion passed 5-1-1 with Papé-Miller, Harper, Greenfield, Morse and Weldy voting aye, Morehouse voting nay and Cooney abstaining.

LAKESIDE PARK BOAT LAUNCHING RESTRICTIONS: Sablan reported that in response to Council's request, he had researched the possibility of amending the Municipal Code that prohibits the launching of boats at Lakeside Park during the summer months. Specifically, the proposed amendment would allow the launching of non-internal combustion watercraft at the park during the period from the Wednesday before Memorial Day through Labor Day. Sablan then presented his findings and, based on safety concerns, recommended against amending the code.

Thomas Clark, 555 Antoine Creek Roa, spoke in favor of the amendment, saying non-motorized boats and boats powered by small motors aren't a danger to swimmers. Mayor Goedde responded, explaining that if those boats are permitted to launch at Lakeside Park, operators of jet skis and power boats will assume launching of their watercraft there is permitted, and that's where the danger and the liability for the City lies.

Cooney moved to accept the recommendation of the Parks and Recreation Director to continue the prohibition of boat launching at Lakeside Park during the summer season. Seconded by Morehouse, motion passed unanimously.

AGREEMENT WITH COUNTY FOR INMATE HOUSING: Reinbold reminded Council that consideration of an agreement with Chelan County for the housing of inmates was tabled at the November 13, 2008 Council meeting due to Council's objection to a provision in the agreement granting the County the right to refuse maximum security inmates. Reinbold reported that he met with Phil Stanley, Director of the Regional Justice Center to discuss Council's concern, and Stanley subsequently submitted a revised agreement for Council consideration – one without the controversial provision concerning maximum security inmates.

Reinbold further reported that Stanley had invited Council to tour the Regional Justice Center and has offered to attend a Council meeting to provide information and answer any questions Council may have.

Harper moved to authorize Mayor Goedde to sign the interlocal agreement with Chelan County for the housing of inmates at the Chelan County Regional Justice Center during 2009 as presented. Seconded by Morse, motion passed unanimously.

HEARING EXAMINER AGREEMENT: Gildroy recommended approval of a proposed agreement with Andrew Kottkamp for Kottkamp's services as the City's Hearing Examiner in 2009 and 2010. Gildroy noted the following differences between the proposed agreement and the 2008 agreement with Kottkamp for these services: Kottkamp's fee for regular hearings would increase from \$450 to \$525 per hearing, his hourly rate for special hearings would increase from \$115 per hour to \$130 per hours, and he would report to the City annually rather than semi-annually.

Following brief discussion, **Morehouse moved to authorize Mayor Goedde to sign the agreement with Andrew Kottkamp for his services as Hearing Examiner in 2009 and 2010 as presented. Seconded by Morse, motion passed unanimously.**

MEETING CANCELLATION: Mayor Goedde offered Council the opportunity to consider canceling the last meeting in December as has been done in past years. There being no discussion, **Papé-Miller moved to cancel the regular City Council meeting scheduled for December 23, 2008, to avoid conflict with holiday plans. Seconded by Cooney, motion passed unanimously.**

COUNCIL CANDIDATE INTERVIEWS: Reinbold explained as follows. Council packets included copies of letters the City received from citizens interested in appointment to the Council position currently held by Dave Weldy, who resigned effective December 31, 2008. The four candidates, Bill Crego, Bob Eier, George Lingard and Peter Rodionoff, were invited to attend this meeting and answer the following questions: 1) What is the most positive thing that is happening in the City of Chelan? 2) What is the most negative thing that you see happening? and 3) How would you consider handling these issues? Each candidate will have ten minutes to answer the three questions. Lingard was unable to reschedule long stand plans that conflicted with this meeting and therefore was not present, but had submitted his answers in writing for Council consideration. After candidates answer the questions, Council discuss candidate qualifications in executive session. The decision and appointment will be made in open session during the December 11, 2008 Council meeting, and the new Councilmember will be sworn in on January 8, 2009.

Candidates then answered the three questions in the following order: Rodionoff, Crego and Eier.

At 8:38 p.m. Council meeting recessed to permit the Mayor and Councilmembers to participate in the regular meeting of the Lake Chelan Airport Board. Council meeting reconvened at 8:39 p.m. following adjournment of the Airport Board meeting.

COUNCIL REPORTS/COMMENTS

LAKESIDE PARK BOAT LAUNCHING: Morehouse said he'd intended to vote for amending the code on boat launching at Lakeside Park, but after hearing Sablan's report, changed his mind due to the danger to swimmers.

PLANNING COMMISSION: Cooney said he applauds the Mayor for appointing Tom Warren to the Planning Commission.

COUNCIL MEETING CONDUCT: Cooney said Council discussions should be positive with the airing of all views and public input encouraged.

SECTION J LAKESIDE TRAIL: Cooney asked if Council would be provided cost comparisons between routing Section J of the Lakeside Trail along the highway and routing it along the lake. VanEpps said providing that information was beyond the scope of the consultants' responsibilities. Sablan added that he wasn't aware of anyone conducting such a comparison.

GRAFFITI: Greenfield noted that as soon as Council adopted new code to address graffiti, a lot of new graffiti has appeared. There followed brief discussion concerning recent incidents of graffiti.

COMPUTER RECYCLING: Papé-Miller reported that Mayor Goedde signed the agreement needed to start collecting and recycling computers at the City's recycling center.

Mayor Goedde said that a press release on the new computer recycling program is planned.

WOODIN AVENUE BRIDGE RESTRICTIONS: Papé-Miller reported that the Department of Transportation has advised that an ordinance is required to prohibit triple axel vehicles from using the Woodin Avenue bridge. VanEpps said he believes code to that effect already exists, but he will check.

SNOW REMOVAL: Mayor Goedde said he hopes that citizen input will cause the Department of Transportation to reconsider their plan to begin plowing snow to the side instead of the center of the street.

PARKING GARAGE: Mayor Goedde reported that the Port District is willing to help fund a parking garage feasibility study.

ASSOCIATION OF WASHINGTON CITIES: Mayor Goedde said that AWC is working against unfunded mandates.

THANKSGIVING: Mayor Goedde reminded everyone that the Apple Cup Café will again host Thanksgiving dinner and everyone is welcome.

PERFORMING ARTS CENTER: Reinbold reported meeting with the PAC Board, School District and Chelan Valley Players. Various concerns were aired and it was decided to reactivate the PAC Board, which hasn't been meeting on a regular basis. The School District is considering assigning an employee as the PAC contact.

STATE AUDIT: Reinbold reported that the State is currently conducting a City of Chelan audit. He'd attended the entrance conference and provided information to Council by email. He will let Council know when the exit conference will be held.

EXECUTIVE SESSION

At 8:57 p.m. meeting adjourned for a twenty minute executive session for the purpose of evaluating candidates for Council Position No. 1. Regular meeting reconvened at 9:17 p.m.

There being no further business, meeting adjourned at 9:17 p.m.

Prepared by:
Linda Allison-Liles, City Clerk

Attested to:
Robert R. Goedde, Mayor

Date approved by Council:
January 8, 2009