

MINUTES OF THE APRIL 28, 2011 CITY COUNCIL MEETING
City Hall, 135 East Johnson Avenue, Chelan, Washington

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Goedde called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

Elected Officials Present: Mayor Goedde; Councilmembers Cooney, Harper, Isenhardt, McCardle, Morehouse, Morse, Lingard.

Staff present: Administrator Reinbold, Attorney Galbraith, Finance Director Grant, Parks & Recreation Director Sablan, Planning & Community Development Director Gildroy, Public Works Director VanEpps, Sgt. Huddleston, Recycling Center Coordinator Beaton, Permit Technician Williams, and Acting City Clerk Gallucci.

3. AGENDA CHANGES

- A. Add Link Transit's Future Presentation
- B. Add Chelan PUD Lake Chelan Lake Level Presentation

4. CITIZEN COMMENTS

None.

5. CONSENT AGENDA

Morehouse moved to approve the consent agenda as follows. Seconded by Morse, motion passed unanimously.

- A. Approve Claim Warrants: #76684 – #76777 totaling \$284,436.19 and Approve Payroll Warrants: #35491 - #35574 totaling \$140,279.88;

6. SPECIAL PRESENTATIONS

- A. Community Services Work Group Recognition – Bea Murphy and Ken & Mary Ross
Bea Murphy and Ken and Mary Ross were presented plaques for their outstanding service with the Community Services Work Group. Beaton reported to Council that among various projects, Ken and Mary Ross began the metal drive on their own and have been instrumental in the continued success of the program. Mary also began the Sixth Grader's Clean-Up Day and has seen a reduction in the amount of litter overall. Bea Murphy has been actively involved in Earth Day since the inception of the event. She called for volunteers to help with the Earth Day beginning in January. A standing ovation was given by the City Council and the audience.
- B. Link Transit's Future Presentation – Richard De Rock present a handout and addressed the City Council regarding the changes coming to Link Transit's Service due to decreased revenue. Various routes will have limited service or be cut based on the efficiency and connectivity of the route. Staff positions will be reduced and the Chelan, Cashmere, and Leavenworth Trolleys will be eliminated. Link would like to offer the Trolley to the Chelan Community which has to be kept in public ownership for eighteen months and then may be moved to private ownership.
- C. Chelan PUD Lake Chelan Lake Level Presentation – Scott Buehn and Michelle Smith presented a handout and addressed the City Council regarding Chelan PUD's plans to accommodate the spring runoff without excessive amounts of spill. They will generate electricity at the project's

two generators through the spring. Depending on the amount of snow melt, Lake Chelan may be drawn down further or may begin to fill.

7. PUBLIC HEARINGS

- A. None.

8. ORDINANCES, RESOLUTIONS AND OTHER ACTION ITEMS

- A. MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES: Gildroy presented information regarding a moratorium on medical marijuana dispensaries. Gildroy explained the proposed moratorium would allow the City the opportunity to see how the legislature responds. Currently, the City has no areas zoned for the dispensaries and the moratorium would give the City time to amend the zoning code, if necessary. The City would hold a public hearing on June 23, 2011, to gather the community's input and to determine if the moratorium should be continued.

Following brief discussion, **Harper moved to adopt Ordinance 2011-1421 enacting a ban on medical marijuana dispensaries and setting a public hearing date for June 23, 2011. Seconded by Morse, motion passed unanimously.**

- B. LAKERIDER SPORTS CONCESSION AGREEMENT: Sablan stated the Parks Department had requested proposals for recreational concessions at Don Morse Park and Lakerider Sports submitted the only one. Sablan recommended approval and there being no discussion, **Isenhart moved to authorize the Mayor to sign the 2011 Non-Motorized Watercraft and Bicycle Rental Concession Agreement with Lakerider Sports as presented. Seconded by Lingard, motion passed unanimously.**

- C. DON MORSE PARK DOCK REMOVAL: On February 24, 2011 Council authorized the Mayor to sign an agreement with Allan Construction for the removal of two docks and dock footings for \$7100.00. Sablan explained Mr. Allen stated the bid submitted was for removing the two docks and did not include the removal of the footings. He contends a clerical error is responsible. Sablan requested Council authorize the Mayor to sign an agreement authorizing payment for an additional \$6500.00 for the removal of dock footings. During Council's discussion, concern was expressed the requested action would set a precedence for future contracts as the City has procedures in place for change orders; legal issues including the possibility it may be construed as gifting of public funds, which is unconstitutional; and, is just not an acceptable way of doing business. Council stated although an unfortunate situation, the City can only do what it is authorized to do. Council did ask staff to determine if there was any legal way to work with Mr. Allan to resolve the issue.

Following the discussion, **Morse made a motion against authorizing the Mayor to sign an agreement with Allen Construction, Inc. for removal of Don Morse Park dock footings at a cost of \$6,500 including tax. Seconded by Cooney, motion passed unanimously.**

- D. SHORELINE RESTORATION PROJECT: Sablan requested modification of an existing agreement with J.A. Brennan Associates to include additional work required by the Army Corps of Engineers.

After brief discussion, Isenhardt moved to accept staff's recommendation to approve Amendment 4 and Amendment 5 to J.A. Brennan Associates' Scope of Work for the Shoreline Restoration/Beach Enhancement/Marina Expansion Project and to authorize the Mayor to sign the contract amendment dated April 12, 2011. Seconded by Morse, motion passed unanimously.

- E. THIRD PARTY VENDOR SERVICES FOR ELECTRONIC UTILITY PAYMENT: Grant requested Council's approval to use a third party vendor for utility customers to pay their bill on line with a credit card. The fee range for this service will be \$2.95 to \$4.95 depending on which third party vendor is selected.

Following brief discussion, McCardle moved to authorize the Mayor to enter into an agreement with a third party provider of electronic payment services for the receipt of utility bill payments. Seconded by Lingard, motion passed unanimously.

- F. REQUEST CONCERNING CITY ADMINISTRATOR'S WAGE & BENEFIT PACKAGE: Grant explained Administrator Reinbold is requesting the City fully fund medical premiums for him and his spouse at a cost of \$312.70 per month. Reinbold has had adjustments to his medical premiums the same as other employees but has had no wage adjustments since October 31, 2008. Lingard voiced concern this could set precedence for non-represented staff. Morse requested the vote be postponed until Council reviews Reinbold's contract. Support for this agenda item was voiced by several council members.

There being no further discussion, Cooney moved to approve the City Administrator's medical premiums for 2011 be fully funded by the City for the employee and spouse, effective May 1, 2011. Seconded by Morehouse, motion passed, 6-1 vote with Cooney, Morehouse, Harper, Isenhardt, Lingard, McCardle voting aye and Morse voting nay.

9. RECESS (AIRPORT BOARD MEETING)

At 7:38 p.m. the 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 7:39 p.m. following adjournment of the Airport Board meeting.

10. MAYOR, COUNCIL COMMENTS

- A. HABITAT FOR HUMANITY PROCLAMATION: The Mayor read a Proclamation declaring May 7, 2011 as Habitat for Humanity Day in Chelan.
- B. WATERSHED PLAN: Morse reported we have a proposed Lake Chelan Watershed Plan with a pending request for 3800 acre feed of water at 10,000 gallons per minute. Morse said, Mike Kaputa, Director of Chelan County Natural Resources Department, advises the City to make it very clear to Department of Ecology why we need that amount of water. The City has six weeks to comment and clarify with DOE. Van Epps will work with the consultant on the watershed plan.
- C. LARGE SCALE RECREATIONAL WATER USE: Morse explained that CMC 1320.090 states if you have recreational project of 50 acres or more, you can obtain untreated water from the City for the initial development. Morse feels this is misleading to the public as it implies there will

continue to be water available for the project and this could lead to a lawsuit. Morse feels this Ordinance could impact the City's application with the Department of Ecology for increased water rights. He will bring a draft ordinance to the next City Council meeting to discuss repealing the existing ordinance.

- D. SUSTAINABILITY COMMITTEE: Morse said the Committee would work on the first four segments of the Sustainability Plan. They will refine the elements and in a month or two report to Council before making their presentation to the Planning Commission. McCardle stated she is happy to have an action plan in place with dates to follow.
- C. PUD PRESENTATION: Morehouse thanked Chelan PUD for coming in and said he is glad the water management issue is due to too much water and not too little.
- E. HISTORIC DOWNTOWN DESIGN COMMITTEE: Morehouse attended the Historic Downtown Design Committee meeting. The lamppost outside the Ruby Theatre was not the original design. The original design was to include lighting under the awning on the front of the theater. Doesn't know if this is something Council needs to work on but thinks we should get rid of the light pole as it would help the City's beautification process.
- F. DOWNTOWN SIGNS: Morehouse would like to get rid of the signs on the lampposts downtown. He suggested putting the parking allowance on the curb and removing the Right Turn Only sign on the post in front of BC McDonald's.
- G. WOODIN AVENUE BRIDGE: Morehouse said the Woodin Avenue Bridge is not on the Historic Registry but was mentioned by the Main Street Program when they did the tour a couple of years ago as a very significant bridge. Morehouse suggested we need to determine what the City needs to do to place the bridge on the Historic Registry.
- H. SAFEWAY CORNER BEAUTIFICATION PROJECT: Cooney reported a conceptualized drawing had been completed and there are some individuals in town who are pricing it out. The first drawing hit a snag at the Park Board Meeting so now there is another drawing in progress. The goal is to bring the drawing before Council sometime this summer.
- I. PUBLIC WORKS COMMITTEE: Cooney brought two Initiatives before the Public Works Committee. The first is to revisit the General Facility Charges (GFC). Community and some staff feel \$15,000 per ERU is a lot. Cooney would like to test out one to two years of reductions to GFC charges and potentially spur growth in the City.
- J. LAKESIDE TRAIL: Cooney suggested instead of asking development to pay for the trail as development happens, the City should just take the bull by the horns and build the Lakeside Trail in a more timely manner. Goedde stated it should be presented as a safety issue.
- K. STAFF: Cooney praised Craig stating he did a good job with the Planning Commission, holding his own and promoting sidewalk business tables. Cooney said the tables would give the town a more European feel and he feels that will increase business.
- L. FAST FOOD RESTAURANT: Cooney said there is a lot of talk regarding a fast food restaurant coming to town. He will present some creative ideas at the General Government Committee meeting to handle this.

- M. SUSTAINABILITY COMMITTEE STRAW POLL: Isenhart reported the results of the straw poll. She was very pleased with the number of responses which were received.
- N. TOURISM: McCardle reported three things which she feels will increase tourism in Chelan aside from the lake-related tourism. 1) ESPN did a special on Back Country Skiing in Stehekin; 2) A writer from Great Outdoors will be here the weekend of May 21 & May 22 who is a huge mountain biker and back packer; and 3) NW Epic Series is doing a 30/60 mile endurance bike ride on June 11, 2011.
- O. ALLEN CONSTRUCTION: McCardle wants to take this experience and help more of the local contractors and familiarize them with the process of working with a government agency. She would like to get tools in place to help local contractors and make sure this does not happen to anyone else. Goedde stated he doesn't feel rejecting Allan's request was the right thing to do, but it was the legal thing Council had to do.
- P. LAW ENFORCEMENT CONTRACT: Goedde commended Cheryl and Jim for their presentation at the Sheriff's meeting. He reported the County is asking for a forty-one percent increase for service, which means the City has to come up with an additional \$240,000 to pay for the cost next year. If the citizens want seven full time officers the City will have to really take a hard look at where we can make adjustments.
- Q. REGIONAL SMALL TOWN MEETING: Goedde reported this is being held in Soap Lake on May 3, 2011 and said he Goedde feels this is a good opportunity to share ideas with other small cities.

10. CITY ADMINISTRATOR'S REPORT

- A. BENEFIT PACKAGE: Reinbold thanked the Council for their consideration.
- B. MEETINGS: Reinbold reported the schedule of the various meetings scheduled for the week.

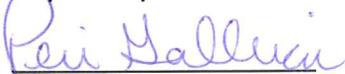
12. EXECUTIVE SESSION

None

13. ADJOURNMENT

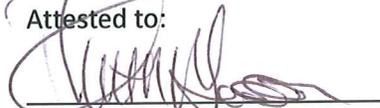
There being no further business, meeting adjourned at 8:11 p.m.

Prepared by:



Peri Gallucci
Acting City-Clerk

Attested to:



Robert R. Goedde
Mayor

Date approved by Council:

5/26/11