

MINUTES OF THE JULY 14, 2011 CITY COUNCIL MEETING
City Hall, 135 East Johnson Avenue, Chelan, Washington

1. CALL TO ORDER

The meeting was called to order at 6:02 p.m.

2. ROLL CALL

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

Staff present: Administrator Reinbold, Clerk/Administrative Assistant Liles, Finance Director Grant, Parks & Recreation Director Sablan, Planning/Community Development Director Gildroy, Public Works Director Van Epps, Receptionist/Clerical Assistant Gallucci, Senior Accountant/Assistant Finance Director Lingle, Development Program Manager Reynolds, Recreation Assistant/Information Technologist Hayter.

3. AGENDA CHANGES

Mayor Goedde announced that the executive session scheduled for later in this meeting would include consideration of real estate acquisition in addition to discussion concerning potential litigation.

4. CITIZEN COMMENTS

GOODFELLOW FINGERS: Gene Starcher, 106 East Woodin Avenue, distributed copies of a letter addressed to Gildroy from Gendler & Mann, a law firm representing the Chelan Basin Conservancy (CBC). The letter was dated February 25, 2011, and written by Michael W. Gendler in response to a notice that the City was accepting public comment on a short plat application submitted by GBI Holding Company for a six lot subdivision on six acres of fill in Lake Chelan commonly known as the "three fingers" or "Goodfellow fingers". Gendler's letter argued against approving the short plat. Starcher asked that Council read the letter after the meeting to prepare for discussion when this issue can be scheduled as a Council meeting agenda item. Starcher explained that the intent is to convince the City to compel the Goodfellow Brothers to remove the fill.

Members of CBC distributed copies of Gendler's letter, a timeline of events relating to the three fingers entitled "Case History of the Three Fingers"; two maps of Lake Park marked to illustrate items listed on the timeline; a copy of GBI's preliminary short plat; a copy of the schematic site plan for GBI's Planned Development District application (which was withdrawn in December 2010); and a letter from Councilmember Morse to Gildroy dated December 30, 2010 in which Morse expressed his concerns and encouraged further exploration of legal issues relating to the three fingers.

CBC member Tammy Hague, 2129 Prospect, explained that CBC recognizes that GBI's application will be considered by the Planning Commission rather than City Council, so it wants to inform Council on the issues involved. Hague then described CBC and explained its purpose - protecting public rights to Lake Chelan, including its shoreline.

Russ Speidel, Wenatchee, said he owns property at 100 Lake Chelan Shores Drive in Chelan and is a member of CBC. Speidel explained that CBC wants to open a dialogue with the City Council and the public and to inform them of CBC's position, which is that the Goodfellow Brothers should be ordered to remove the three fingers fill. Speidel then reviewed the documents distributed by CBC.

Steve Milner, 7530 Chelan Ridge Road, said he had three requests of the City: remove the remaining "Keep Out" and "No Trespassing" signs from the three fingers, prepare an inventory of all encroachments on the public access points described by Speidel, and come up with a plan for restoring public access to the lake from lower Wapato to the South Shore.

CHELAN MAN: Larry Bradley, 2015 Terrace, asked that access to his neighborhood be restricted during the Chelan Man event in the same way that certain downtown streets are restricted to only residential traffic during Memorial Day weekend. Bradley said it's probably too late to restrict traffic for the 2011 Chelan Man, but he'd like Councilmembers to come to Lakeside during the weekend to observe the problem.

Sablan reported that staff is working on ways to address problems related to large events and will be proposing policies for Council consideration.

WATER FOWL/DOG PARK: Michelle Curry, 113 Center Street, said that waterfowl and their excrement continue to be a problem in Lakeside Park. She asked if there is data on how Liz Tweten's waterfowl abatement services are working out. She observed that the planned dog park could be the answer to the waterfowl problem. She asked that the dog park include a washing area.

5. CONSENT AGENDA

Lingard moved to approve the consent agenda as follows. Seconded by Harper, motion passed unanimously.

- A. Approve Minutes: June 2, 2011 Special City Council Meeting, May 26, 2011 Regular City Council Meeting, June 9, 2011 Regular City Council Meeting;
- B. Approve Warrants: Claim Warrants No. 77068-77284 totaling \$538,935.38, Payroll Warrants No. 36101-36346 totaling \$385,371.48;
- C. Confirm Appointment: Jennifer Witherbee to Position #4 on the Library Advisory Board;
- D. Excuse Absence: Councilman Morse from July 14, 2011 City Council Meeting.

6. SPECIAL PRESENTATIONS

- A. WELL CITY AWARD: Mayor Goedde announced that City of Chelan earned a WellCity Award from the Association of Washington Cities Employee Benefit Trust and explained that the award recognizes best practices in promoting employee health. The Mayor reported that the City's Wellness Committee (James Hayter, Agnes Kowacz, Pat Lingle, Julie Merchant, Jim Reinbold) had put a lot of work into this effort over the past year, and a majority of city employees participated in the wellness program. The Mayor presented a plaque and certificates to those Wellness Committee members in attendance.
- B. SMART COMMUNITIES AWARD: Mayor Goedde announced that the City of Chelan received the Governor's 2011 Smart Cities Award for the downtown land use and development code completed as part of the City's Downtown Master Plan. The Mayor presented Gildroy with a trophy and certificate. The Mayor also noted that the Downtown Master Plan and Senior Center project both received an honorable mention in the AWC Community Excellence Awards Program.

7. RECESS

At 6:28 p.m., meeting was adjourned so the Mayor and Councilmembers could participate in the regular meeting of the Lake Chelan Airport Board. Council meeting reconvened at 6:29 p.m. following adjournment of the Airport Board meeting.

8. PUBLIC HEARINGS

None

9. ORDINANCES, RESOLUTIONS AND OTHER ACTION ITEMS

- A. LAKESIDE TRAIL SECTION J: Van Epps displayed the Lakeside Trail Construction Plan prepared by Shea-Carr-Jewell and noted that Dave Allen, Project Engineer, was present to answer any technical questions. Van Epps then reviewed the Construction Plan, and he and Allen answered Council questions.

Cooney said he likes the Lakeside Trail but would vote against constructing Section J because he thinks spending a quarter of a million dollars is ridiculous. Cooney said he would prefer a simple blacktop trail constructed with volunteer labor. Cooney said he objects to both the cost and the fact that the entire trail can't be built because there is no easement for Section I. Further, he doesn't want to make development pay for the trail – the City should go after grants to fund its construction.

Larry Bradley, 2015 Terrace Avenue, asked that motorized vehicles not be allowed to use the trail. Bradley said he doesn't see how garbage will be collected or mail delivered to his neighborhood once Section J is constructed, and he predicted that larger vehicles wouldn't be able to negotiate the corner at Water Street and Terrace Avenue without driving on the trail.

Bob Eier, 433 East Nixon, said the consultants had done an outstanding job in designing Section J, and the City should proceed with its construction. Eier said the trail would provide much needed public access to the lake and be a boon to the community. Eier objected to Cooney's participation in the discussion, contending that Cooney represents the interests of a certain Lakeside property owner.

Harper moved to accept the final design for Lakeside Trail Section J and to authorize staff to proceed with the project. Seconded by Lingard, motion passed 5-1 with Harper, Lingard, Isenhardt, McCardle and Morehouse voting aye and Cooney voting nay.

- B. AQUATICS/COMMUNITY CENTER: Sablan provided a brief history of the aquatics/community center feasibility study and listed its funding sources. Sablan then reported as follows: The *Lake Chelan Community Recreation and Aquatics Center Feasibility Study* prepared by ORB had been distributed for Council review. The preferred sites for the center as determined by the study are the School District's community field and the PUD property on Farnham and Webster directly across from the high school. The Lake Chelan Aquatics and Community Center Committee has selected the community field.

Robert Fifer, speaking for the Lake Chelan Aquatics and Community Center Committee, reported that the committee is currently looking for funding from private donations, service organizations, potential user groups and grants and may decide to form a recreation district. Fifer also reported that the School District likes the community field as the facility's location, but wouldn't want to commit to it without the community's support and is asking the Committee to poll residents.

McCardle, also a committee member, assured Council that committee members are smart people and aware of the financial problems other entities have experienced in operating similar facilities. McCardle reported that the committee won't proceed with construction until it has built up cash reserves – enough to cover not only construction, but to pay for one year's operating expenses.

Lingard asked what it is Council is being asked to do and what the City's involvement would be from this point forward. Sablan explained that the CDBG grant close-out process requires that Council accept the completed study. That acceptance will end the City's involvement in the aquatics/community center project.

Bob Eier, 433 East Nixon, said he's all for a community pool as long as it isn't located in Don Morse Park and as long as the City doesn't get stuck with its maintenance and operation.

McCardle moved to accept ORB's *Lake Chelan Community Recreation and Aquatics Center Feasibility Study* as presented. Seconded by Isenhardt, motion passed unanimously.

- C. APPROVAL OF CHANGE ORDERS: Reinbold asked Council to authorize the Mayor and/or City Administrator to approve change orders within parameters established by City Council. Reinbold suggested the following criteria: the project must be City approved, the change order must be limited to 10% of project cost, there must be a consultation between the Mayor and/or City Administrator and the appropriate department director and/or engineering staff before the change order is authorized, and there must be a report submitted for approval at the next council meeting. Reinbold explained that the purpose was to allow projects to progress with minimal interruption due to minor change orders.

Morehouse said he likes the proposal except he would prefer a dollar amount instead of a percentage of project cost. Discussion on that topic ensued.

Lingard said he would prefer requiring authorization by both the Mayor and the City Administrator instead of by one or the other.

Isenhart moved to adopt Resolution No. 2011-1232 relating to the granting of authority to approve change orders with the following changes to the resolution as proposed: change orders to be limited to 10% of the project cost up to a ceiling of \$30,000 and change orders to require authorization by both the Mayor and the City Administrator. Seconded by Harper, motion passed unanimously.

10. MAYOR, COUNCIL COMMENTS

LAKESIDE TRAIL

McCardle – She is glad staff listened to Section J neighbors and is happy with tonight’s action. It is important to continue expanding the trail system so the community’s safety and quality of life is improved while also preserving existing neighborhoods as much as possible.

Lingard – He would like to see workshops scheduled to study the remaining Lakeside Trail sections. He wants Council to look at the cost of each section and the factors delaying construction. He wants to see the trail completed, especially Section I.

Cooney - He objects to Eier’s insinuation that his position on Section J is influenced by Scott McKellar. He made it a point three years ago to stop discussing the trail with McKellar and hasn’t done so since. He is on Council to represent the citizens.

Harper – The three fingers outcome will affect Section I of the trail. The City is making progress on the trail.

Morehouse – He likes the trail plan but not the cost.

AQUATICS/COMMUNITY CENTER

McCardle – She is glad progress is being made with aquatics/community center planning and is proud of the work done by the Lake Chelan Aquatics and Community Center Committee. The committee’s fiscal approach is smart and the proposed design is fantastic.

Morehouse – He’s glad to see the project moving forward.

ICE SKATING RINK

McCardle - She is in the early stages of an effort to get a full season ice skating rink for the community – maybe where the bumper boat facility in Don Morse Park used to be.

MEETING PARTICIPATION

Isenhart – She thanks citizens for coming to the meeting and for testifying.

STAFF RECOGNITION

Isenhart - She is extremely impressed with city staff – with how much they care about citizens.

Morehouse – Congratulations to staff for the WellCity and Smart Community awards.

THREE FINGERS

Morehouse – It’s important that Councilmembers study the three fingers situation. He appreciates the information provided by tonight’s visitors.

CHELAN MAN

Morehouse – He would like to do something about parking in Lakeside during this year’s Chelan Man event but doesn’t know if that’s possible.

AWC CONFERENCE

Mayor Goedde – He wants to thank the Councilmembers and staff who attend the 2011 AWC Conference.

VIA HIGHWAY 97

Mayor Goedde – He is getting involved in VIA 97, an organization promoting travel on Highway 97 between Leavenworth, Washington and Vernon, British Columbia. He'll be attending a VIA 97 meeting tomorrow.

11. CITY ADMINISTRATOR'S REPORT

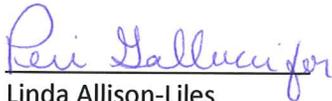
None

12. EXECUTIVE SESSION

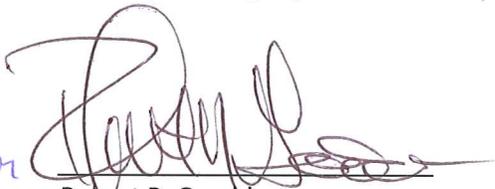
Reinbold estimated the executive session to consider potential litigation and real estate acquisition would last 45 minutes. At 8:45 p.m. Council adjourned to executive session. Regular meeting reconvened at 8:30 p.m. following adjournment of the executive session.

13. ADJOURNMENT

There being no further business, meeting adjourned at 8:30 p.m.



Linda Allison-Liles
City-Clerk



Robert R. Goedde
Mayor

7/28/11