

MINUTES OF THE APRIL 26, 2012 CITY COUNCIL MEETING
City Hall, 135 East Johnson Avenue, Chelan, Washington

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. ROLL CALL

ELECTED OFFICIALS PRESENT: Mayor Pro Tem Harper and Councilmembers Cooney, Higgins, Isenhart, McCardle, Morehouse. ABSENT/EXCUSED: Councilmember Steele.

STAFF PRESENT: Attorney Galbraith, Clerk/Administrative Assistant Allison-Liles, City Engineer Reynolds, Receptionist/Clerical Assistant Gallucci.

3. AGENDA CHANGES

None

4. CITIZEN COMMENTS

A. HOWE SOUND DOCK: Stan Morse, 219 Center Street, asked that the City require the Howe Sound Dock to be removed as mitigation for the Holden Mine cleanup project. Morse said the dock is hazardous and a liability to the City. He contended that a death or injury involving the dock is inevitable due to its condition and the attraction it holds for juveniles, and said the City would be targeted in the resulting lawsuit.

B. ASBESTOS: Paul Ayers, 328 East Wooden Avenue, stated that regulations relating to friable asbestos are being violated in Chelan, which poses a serious public health problem. Ayers reported that he was told asbestos had been removed from the Masonic Temple building before the City bought it, but doesn't believe that is the case. Since the temple is being renovated for use as a public library, he is concerned about the risk to the public. There should be a written asbestos report by an accredited AHERA building inspector, but he is unable to locate one. The City has no such record. There should be a sign on the door warning of the presence of asbestos, but there is none. Ayers provided the City Clerk with a Department of Labor and Industries document entitled "Asbestos in Construction", which explained the responsibilities of contractors, and a second document concerning the conviction and sentencing of persons in New York state involved in illegal asbestos removal.

5. CONSENT AGENDA

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

- A. Approve: Minutes of 4/12/2012 Regular City Council meeting;
- B. Approve: Claim Warrants No. 78944 - 79025 totaling \$540,255.50 and Payroll Warrants No. 38140 - 38236 totaling \$153,662.73.
- C. Excuse: Councilman Steele's absence from the 4/26/2012 City Council meeting.

6. SPECIAL PRESENTATIONS

- A. LAKE CHELAN HOSPITAL: Lake Chelan Hospital Administrator Kevin Abel provided information about the proposed replacement hospital project, including the existing hospital's history, why it needs to be replaced, what the proposed new hospital would cost and how it would be financed. Abel also presented the design concept for the proposed hospital. He then answered questions from Council and the audience.

Mary Pat Scofield explained that an organization named "Chelan Valley for a New Hospital" has been established to promote the proposed project. The group is just gearing up, but will soon have signs and a Facebook page. They are looking for people who would host coffee sessions in their homes so members of the organization can share information about the project with their friends, neighbors and relatives.

Cooney said he intends to ask the City Administrator to draft a resolution of support for the hospital replacement project and present it for Council approval.

- B. MUNICIPAL CLERK'S WEEK PROCLAMATION: Mayor Pro Tem Harper read a proclamation recognizing April 29 through May 5, 2012 as Municipal Clerks Week.

7. PUBLIC HEARINGS

None.

8. ORDINANCES, RESOLUTIONS AND OTHER ACTION ITEMS

- A. JOHNSON AVENUE PEDESTRIAN SAFETY PROJECT: Reynolds noted that on March 22, 2012, Council rejected all bids for construction of the Johnson Avenue Pedestrian Safety Project as too high. Further, WSDOT required the project be rebid because one of the submitted forms was outdated. At Council's direction, the project was rebid with two elements, intersection pavement grinding and a midblock crosswalk, removed from base bid specifications and listed as alternates.

Reynolds reported on the rebid as follows. The same three contractors who bid the first time (Hurst Construction, DRCl, and Pipkin Construction) again submitted bids. Hurst Construction was the low bidder at \$636,043.83 for the base bid, which is \$25,742 below available funding for the project; \$74,209.00 for Alternate A1, the midblock crossing; and \$18,516.40 for Alternate 2, grinding and overlay at intersections. Staff recommends accepting Hurst's base bid, but not Alternate A1, which would put the project well over budget and result in the loss of three or four parking spaces.

Following brief discussion, McCardle moved to award the bid for the Johnson Avenue Pedestrian Safety Project to Hurst Construction, LLC, the lowest responsible bidder at \$636,043.83; to authorize the Mayor to sign the contract with Hurst Construction, LLC; and to authorize staff to negotiate a change order for bid alternate A2, grinding and overlay at intersections. Seconded by Morehouse, motion passed unanimously.

- B. RIVERWALK PARK EASEMENT TERMINATION AGREEMENT: Galbraith explained that in 2009 the City and the PUD entered into the *Chelan Riverwalk Park Partial Easement Termination Agreement*, which contains certain City obligations that are to be completed no later than May 1, 2012. Galbraith reported that the City is unable to meet its obligations by that date, so an amendment to the agreement is proposed to extend the deadline to October 1, 2013. Galbraith noted that the date of the original agreement as listed in the proposed amendment distributed to Council was incorrect and would be corrected before the amendment is executed.

Isenhardt moved to authorize the Mayor to sign *Riverwalk Park Easement Termination Agreement Amendment No. 1*. Seconded by McCardle, motion passed unanimously.

9. COUNCIL COMMENTS

- A. HOWE SOUND DOCK: Morehouse asked Galbraith if the Howe Sound Dock is a liability risk for the City. Morehouse noted that he was told the Army Corp of Engineers refused to allow the dock to be torn down. Galbraith said if the dock hasn't been torn down because the Corp of Engineers isn't allowing it, he would assume the City to be without liability. Galbraith said he'd see if the City can declare the dock to be a public nuisance and order the owner to tear it down.
- B. MASONIC TEMPLE/NEW LIBRARY: Morehouse said that if the Masonic Temple needs asbestos testing, it should be done.

Isenhart said that if asbestos has been removed from the building, she would like to see documentation.

- C. HOSPITAL REPLACEMENT: Cooney, Higgins and McCardle spoke in support of the proposed new hospital.

Harper said it will be interesting to see how much business the new hospital generates in the Apple Blossom Center area.

- D. LAKE CHELAN PUBLIC TRAILS COMMITTEE: Cooney reported attending a meeting the previous night that was organized by Richard Uhlhorn for the purpose of reactivating the Lake Chelan Trails Committee.

- E. EDIBLE CHELAN/SUSTAINABILITY: Isenhart and McCardle reported on the Edible Chelan event held April 14, 2012. Isenhart distributed an excerpt from *Toward Sustainable Communities* by Mark Roseland and, using Roseland's criteria for a "sustainability report card", gave Chelan a grade of B+ for 2012.

- F. EARTH DAY FAIR: McCardle noted the large turnout for this year's Earth Day Fair.

10. CITY ADMINISTRATOR'S REPORT

There was no City Administrator's report.

11. RECESS (AIRPORT BOARD MEETING)

Council meeting was recessed at 7:23 p.m. to allow the Mayor and Councilmembers to participate in the regular meeting of the Airport Board. Council meeting reconvened at 7:24 p.m. following adjournment of the Airport Board meeting.

12. EXECUTIVE SESSION

There was no executive session.

12. ADJOURNMENT

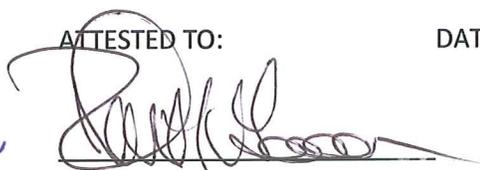
There being no further business, meeting adjourned at 7:24 p.m.

PREPARED BY:

ATTESTED TO:

DATE APPROVED BY COUNCIL: 5/10/2012


Linda Allison-Liles, City Clerk


Robert R. Goedde, Mayor