

MINUTES OF NOVEMBER 24, 2009 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 7:00 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

Elected Officials Present: Mayor Goedde and Councilmembers Cooney, Greenfield, Harper, Lingard, Morehouse, Morse and Pape-Miller.

Staff present: Administrator Reinbold, Attorney Galbraith, Clerk Liles, Finance Director Grant, Parks & Recreation Director Sablan, Planning & Community Development Director Gildroy, Public Works Director Van Epps, Chief Law Enforcement Officer Huddleston.

3. AGENDA CHANGES

At the Mayor's request, item 8F, Senior Center Construction Project Manager, and item 8G, Senior Center Construction Project Bid Awards, were moved up on the agenda to immediately follow item 8A, the Mertes Annexation Petitioner's meeting.

4. CITIZEN COMMENTS

None

5. CONSENT AGENDA

Pape-Miller moved to approve the consent agenda as follows. Seconded by Greenfield, motion passed unanimously.

- A. Approve Minutes: November 12, 2009 regular City Council meeting;
- B. Excuse absences: Greenfield from November 12, 2009 regular City Council meeting;
- C. Approve Claim Warrants: #73610 – #73692 totaling \$200,940.97,
Approve Payroll Warrants: #32459 - #32534 totaling \$117,623.86;
- D. Schedule special joint City Council/Planning Commission meeting for 6:00 p.m. on December 16, 2009 to review the Downtown Master Plan.

6. SPECIAL PRESENTATIONS

None

7. PUBLIC HEARINGS

- A. SHORELINE DEVELOPMENT MORATORIUM: Mayor Goedde introduced a public hearing to receive testimony on the Shoreline Development Moratorium enacted by Council motion on October 8, 2009. The Mayor outlined the hearing process and rules for testifying. The Mayor declared that no Councilmember had a personal interest in the matter at hand and all could consider it in a fair and objective manner.

Gildroy presented the staff report as set forth in his written report with the subject line "Shoreline Moratorium – Public Hearing" dated November 20, 2009.

The Mayor called for Council questions and comments. There being none, he opened the public hearing (7:11 p.m.) and called for public testimony. There being none, the Mayor closed the public hearing (7:12 p.m.).

There being no Council questions or deliberation, **Morehouse moved to adopt the findings of fact, conclusions of law and decision proposed by the Planning Director which justify the Preliminary Shoreline Development Moratorium and establish a work plan for the development and implementation of public access planning for the City's shorelines, and to continue the moratorium against the acceptance and processing of permit applications for land divisions of five or more lots or multi-family buildings of five or more units within 200 feet of the city's shorelines. Seconded by Lingard, motion passed unanimously.**

- B. 2010 CITY BUDGET: Mayor Goedde introduced a public hearing to receive testimony on the City's 2010 Preliminary Budget. The Mayor outlined the hearing process before calling for the staff report.

Grant provided Council with the following: a written account of changes made to the preliminary budget; revised Fund Summaries; and detailed Revenue & Expenditure Projections by fund. Grant reviewed the changes made to the Preliminary Budget as directed by Council following weekly workshops in October and a public hearing on November 12. Grant and Sablan then answered Council questions relating to the revised Preliminary Budget.

Reinbold noted that the Lake Chelan Arts Council had recently submitted a business plan and request for \$8,000 in funding from the 2010 Budget for their Outdoor Gallery. Mary Couchee, representing the Arts Council, provided additional information and answered Council questions. Council discussion ensued, culminating in Council's decision to postpone a response to the Arts Council request until after the first of the year.

Reinbold reported that due to budget cuts, the Chelan County Sheriff's Office was eliminating the Chelan substation clerical position currently held by Bob Cochran. Reinbold explained that with that cut, there would be nobody at the substation to assist people and all phone calls to the substation would be forwarded to Rivercom. At Council's request, Cochran described his duties and estimated the number of people he assists on the phone or in person at the substation. Representing the Sheriff's Office, Jeff Middleton, Chief of Operations, and Ron Hupp, Chief Civil Deputy, provided additional information and answered Council questions. Discussion ensued, culminating in Council's direction to staff to negotiate with the Sheriff's Office to amend the existing law enforcement services contract between the City and the County in an effort to retain the Chelan substation clerical position.

At 8:50 p.m., Mayor Goedde opened the public hearing and called for public comment on the 2010 Preliminary Budget. There being no response, the Mayor closed the public hearing at 8:51 p.m.

8. ORDINANCES, RESOLUTIONS AND OTHER ACTION ITEMS

- A. MERTES ANNEXATION: Gildroy reminded Council that on November 12, 2009 it had set this date for the required meeting between Council and annexation petitioner Gary Mertes. Gildroy reported that Mertes had filed a Notice of Intent to Commence Annexation requesting that the City initiate a direct petition method annexation as provided for by RCW 35A.14.120. Gildroy explained that Mertes wants to do a boundary line adjustment, which requires that both properties be in the same jurisdiction. However, the Mertes property is in the county while the other property is within city limits. Gildroy recommended accepting a geographically modified annexation area to include that portion of SR150 abutting the Mertes property.

There being no discussion, **Cooney moved that the petition submitted by Gary Mertes to annex parcel #272204310060 be accepted; the annexation area be geographically modified to include that portion of SR150 abutting the Mertes property; the annexation area be required to assume its share of the City's indebtedness; and the zoning be in accordance with the pre-annexation zoning map. Seconded by Lingard, motion passed unanimously.**

- F. SENIOR CENTER PROJECT: Reinbold recommended hiring Dave Fonfara on a temporary part-time basis as project manager for the Senior Center construction project to assure compliance with CDBG requirements. Reinbold suggested compensation of \$5,000 to be paid with CDBG grant funds.

Harper moved to authorize hiring a temporary part-time project manager for the Senior Center Construction Project. Seconded by Cooney, motion passed unanimously.

- G. SENIOR CENTER PROJECT: Reinbold reported as follows. The City advertised for sealed bids on Phase II of the Senior Center Construction Project, requesting separate bids for each of six project components: site improvement, building construction, HVAC, floor coverings, plumbing and electrical. Twenty-four contractors responded, some bidding on multiple components and others on a single component. Bids were opened on November 17.

Council was provided bid results and asked to award the base bid for each project component. Reinbold noted that alternate bids were submitted for all but the site improvement and HVAC system, and he explained that Council may be asked to award those bids at a later date depending on available funding and Senior Citizen Board recommendations.

Harper moved to award bids for Phase II of the Senior Center Construction Project to the lowest responsible bidders as follows:

Site improvement:	Hartwig Trucking & Excavation	(A) \$ 56,750
		(B) \$ 19,954
Building construction:	Tri-Ply Construction, LLC	\$202,300
HVAC:	Wadeco, Inc.	\$ 59,880
Flooring coverings:	Rubensteins Contract Carpet	\$ 16,610
Plumbing:	Apex Plumbing & Mechanical Piping	\$ 29,005
Electrical:	SLI Electric, LLC	\$ 51,210.

Seconded by Morehouse, motion passed unanimously.

- B. 2010 BUDGET: Grant stated that Council had held the required public hearing on revenue sources for the coming year, including consideration of possible property tax increases, and had directed her to prepare an ordinance authorizing the 2010 property tax levy. Grant explained that Council had not elected to include the 1% property tax increase as allowed by law, so the proposed ordinance would authorize only those revenues derived from new construction, improvements to property, increases in the value of state-assessed property and annexations.

There being no discussion, **Lingard moved to adopt Ordinance No. 2009-1399 authorizing a general property tax levy for the calendar year 2010. Seconded by Cooney, motion passed unanimously.**

- C. 2009 CHAMBER OR COMMERCE FUNDING: Reinbold reported that the City entered into an agreement with the Chamber of Commerce to fund an Event Promotions Manager position for 2007. The City funded the position in 2008 and budgeted to do so in 2009 as well. However, In processing the Chamber's invoice for 2009, staff discovered that the initial funding agreement was never extended to cover the following years.

Reinbold further reported that the person serving as the Event Promotions Manager left the Chamber's employ in 2009, so the position's duties were assumed by the Chamber's Communication Coordinator. The Communication Coordinator's pay was increased as compensation for the additional responsibilities. Noting that although the Event Promotions Manager position has been eliminated, the events management program continues, Reinbold recommended Council's approval of a revised agreement to satisfy the requirements of that program.

Mike Steele, the Chamber of Commerce Executive Director, provided additional information and answered Council's questions.

Morse moved to authorize the Mayor to sign the 2009 Funding Agreement with the Lake Chelan Chamber of Commerce for the Event Management Program in the amount of \$7,500. Seconded by Greenfield, motion passed unanimously.

- D. 2010 CHAMBER OF COMMERCE FUNDING: Reinbold reported that the Chamber of Commerce is asking the City to contribute \$10,500 to fund the Event Management Program in 2010. Reinbold presented a proposed funding agreement for 2010, which he said was essentially the same as the 2009 agreement except for the amount, which is \$3,000 higher. Reinbold noted that the Chamber has agreed to the Mayor's appointing a City representative to serve as a voting member on the Chamber Board.

Chamber Executive Director Mike Steele provided additional information and answered Council questions.

Cooney moved to authorize the Mayor to sign the 2010 Funding Agreement with the Lake Chelan Chamber of Commerce for the Event Management Program. Seconded by Morse, motion passed 5-2 with Cooney, Morse, Greenfield, Lingard and Pape-Miller voting aye and Harper and Morehouse voting nay.

- E. 2010 HDCA Funding: Reinbold recommended approval of an agreement with the Historic Downtown Chelan Association (HDCA) to fund the Mainstreet Program in 2010. Reinbold noted that the City supported HDCA in 2007, 2008 and 2009 with a \$1,500 annual membership fee and additional contribution of \$8,500 each year, although there was no funding agreement for 2008 and 2009. Reinbold reported that HDCA is requesting a membership fee of \$1,500 and contribution of \$28,500 for 2010 and has agreed to the Mayor's appointing a City representative to serve as a voting member on the HDCA board.

Reinbold, Grant and Ray Dobb's, HDCA's Treasurer, provided additional information and answered Council questions.

Cooney moved to authorize the Mayor to sign the 2010 Funding Agreement with the Historic Downtown Chelan Association. Seconded by Morehouse, motion passed unanimously.

- H. DOWNTOWN MASTER PLAN: At Gildroy's recommendation, **Lingard moved to authorize the Mayor to sign Amendment #1 to the City's Professional Services Agreement with Makers Architecture and Urban Design for preparation of the Downtown Master Plan to include a feasibility study on use of PUD property on the southeast corner of the intersection of Johnson Avenue and Columbia Street (currently the site of the Chamber of Commerce Visitor's Center and adjacent parking lot). Seconded by Morse, motion passed unanimously.**
- I. WATER USE EFFICIENCY PROGRAM: Van Epps reported that the "Water Use Efficiency Rule" issued by the Washington State Department of Health in accordance with the 2003 Municipal Water Supply Efficiency Requirements Act (SHB1338) requires the City to establish Water Use Efficiency goals and implement and evaluate certain water use efficiency measures. Van Epps explained that the City's Water Use Efficiency Program is a component of the City's Water Comprehensive Plan, and he reviewed staff's recommended goals and efficiency measures for 2009 as distributed to Council under the title "Water Use Efficiency (WUE) Program" dated November 20, 2009.

Following Council discussion and questions, **Morse moved to adopt the 2009 Water Use Efficiency Goals. Seconded by Morehouse, motion passed 4-1-2 with Morse, Morehouse, Cooney and Greenfield voting aye, Harper voting nay and Lingard and Pape-Miller abstaining.**

9. RECESS (AIRPORT BOARD MEETING)

At 10:30 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 10:35 p.m. following adjournment of the Airport Board meeting.

10. MAYOR, COUNCIL COMMENTS

CHAMBER OF COMMERCE: Morehouse said he has concerns about how the Chamber of Commerce spends money.

ECONOMY: Cooney said everyone has to address these tough economic times by either cutting expenses or helping to increase sales.

SCHOOL DISTRICT RECYCLING PROGRAM: Greenfield expressed appreciation for the School District's cooperation in establishing the School District Recycling Program. She said the recycling bins have arrived and the program will be implemented after the first of the year.

EXCUSED ABSENCE REQUEST: Greenfield asked to be excused from the 12/10/09 City Council meeting.

TOURISM PROMOTION: Lingard pointed out that there are people in the community who want a quiet town and can't be expected to support the promotion of tourism.

COMPLAINT: Lingard complained that Council didn't have as much time as usual to prepare for this meeting because it was held on Tuesday instead of Thursday due to the Thanksgiving holiday, and yet staff chose to present a very lengthy agenda.

LAKESIDE MICRO PARK: Pape-Miller complained that staff doesn't provide Council with all the documentation it needs to make informed decisions. She distributed a map to other Councilmembers which illustrated a private dock encroaching on public land adjacent to Water Street.

11. CITY ADMINISTRATOR'S REPORT

None

12. EXECUTIVE SESSION

At 10:45 p.m., Council adjourned to executive session to consider potential litigation. The Mayor estimated that the executive session would last at least an hour. Regular meeting reconvened at midnight following adjournment of the executive session.

13. ADJOURNMENT

There being no further business, Council meeting adjourned at 12:00 midnight.

Prepared by:

Attested to:

Date approved by Council: December 10, 2009

Linda Allison-Liles
City-Clerk

Robert R. Goedde
Mayor