

**CITY OF EAST WENATCHEE, WASHINGTON  
REGULAR SESSION OF THE CITY COUNCIL CONVENED  
MAYOR STEVEN C. LACY, PRESIDING  
JULY 14, 2009  
6:30 P.M.**

**ROLL CALL**

**Councilmember's Present:** Councilmember Buckner, Councilmember Raab, Councilmember Bremmer, Councilmember Barnhart, Councilmember McCourt, and Mayor Lacy.

**Council Action:** A motion was made by Councilmember Bremmer, second by Councilmember Raab, to excuse Councilmember Johnson from this meeting. The motion carried, 5-0.

**Council Action:** A motion was made by Councilmember Bremmer, second by Councilmember Buckner, to excuse Councilmember Hendricks from this meeting. The motion carried, 5-0.

**Staff Present:** Dana Barnard, Brandon Mauseth, Devin Poulson, Lori Barnett, Nick Gerde, Catalina Garibay and Dawn Collings.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION**

United States Census Bureau representative, Steve Pasion, said the U.S. Census Bureau will be conducting a count of everyone residing in the United States on April 1, 2010. He said questionnaire forms will be mailed to every household in March 2010, and when completing the form, the responses should represent the household as it exists on that day. He added the census determines the distribution of more than \$300 billion annually of government funding for critical community services. It also generates thousands of jobs across the country and it impacts your voice in Congress. Mr. Pasion asked the City for their official support by way of a proclamation committing to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

Mayor Lacy asked Council if there were any objections to supporting these efforts. Hearing none, Mayor Lacy said the proclamation will be placed on the agenda for the July 28, 2009, Council meeting.

**BUDGET ISSUES**

Mayor Lacy reported that the Budget Committee discussed the proposal that was presented to Council with respect to revising the City's statutory position relative to interest in late penalties on delinquent gambling taxes. He said the Budget Committee recommended making a revision to the ordinance which will be brought to Council in the form of a formal presentation. He added the Budget Committee has been working on process as it relates to planning the budget for the next year and the ensuing five years.

Councilmember Raab said he had asked for an issue to be brought before the Budget Committee regarding bonding for the repair of Grant Road. He said he would like the City to consider this option in order to complete the overlay needed on Grant Road.

Mayor Lacy said the City has received reports from a couple of the bonding companies with respect to the City's capability of bonding. He added that when consideration of bonding takes place he would like to

ensure it is not limited to Grant Road, but rather, take an overall look at debt financing and what the needs of the City are, as he would be concerned about exhausting our financing capability.

Mayor Lacy explained that a Councilmember may initiate a motion to borrow money and have it decided upon by Council at anytime, or the issue can go through the Budget Committee to be discussed prior to bringing it to Council. He said at this time he is not aware that we have the forecasting ability to know whether we can handle a debt service payment at this time. He added, in the meantime, the City will work on crack sealing Grant Road to preserve it until an overlay project can be completed.

### **DEPARTMENT REPORT**

#### **Finance Department**

City Treasurer / Finance Director, Nick Gerde said he would take comments or answer any questions Council may have regarding the financial report.

### **MAYOR'S REPORT**

#### **Welcome to East Wenatchee signage proposal**

Mayor Lacy said he would like to bring forward an issue previously discussed regarding the purchase of a welcome sign for the north entrance to Valley Mall Parkway. He said he appreciates Council's concerns regarding the expense. He said that when the Events Board was established in 2007 they were tasked with putting together a Strategic Tourism Plan which was intended to promote economic activities resulting from tourism. The Events Board presented the Strategic Tourism Plan to the City Council in December 2008. He added one of the issues that was included in this plan was for replacement of the East Wenatchee Welcome Sign. Therefore, when the sign was damaged in an accident last winter, the Events Board saw it as an opportunity to move forward with replacing the sign. They worked numerous hours which resulted in a design that has been presented to Council. He said he has explained the process with respect to state guidelines, stating that any project under \$35,000 can generally be handled by using our Small Works Roster. This process was used for this project and he believes Council should support the work of the Events Board.

**Council Action:** A motion was made by Councilmember McCourt, second by Councilmember Barnhart, to authorize the Mayor to enter into a contract with Graybeal Signs, Inc. to fabricate and install the welcome sign for East Wenatchee. The motion carried, 5-0.

#### **Greater Wenatchee Bicycle Advisory Board**

Mayor Lacy said the Greater Wenatchee Bicycle Advisory Board (GWBAB) sent a letter inviting agencies from the east side of the Columbia River to collaborate on issues related to bicycling. He asked if a Councilmember would be interested in attending this meeting as a representative of the City. Councilmember Bremmer said he would attend these meetings on behalf of the City. Mayor Lacy appointed Councilmember Bremmer to serve as the City's representative to the GWBAB.

### **CONSENT CALENDAR**

1. Consideration of Minutes – Regular Session, June 23, 2009
2. Consideration of Bills

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember Buckner, to approve the consent calendar as presented. The motion carried, 5-0.

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090 have been recorded in a listing, which has been made available to Council.

### **2009 Payables**

As of this date, July 14, 2009, Council does approve warrant numbers 21827 through 21911 in the total amount of \$173,635.13. Warrants 21815, 21826, and 21854 were voided.

### **ACTION ITEMS**

09-07-01 Authorization for the Mayor to sign a Services During Construction Supplemental Agreement to the existing Professional Services Agreement entered into with RH2 Engineering for Phase 2 and 3 of the Canyon A, Greater East Wenatchee Stormwater Utility Project.

Street Superintendent, Brandon Mauseth, said this is a supplement to the existing agreement with RH2 Engineering for the Canyon A Project which will provide construction administration and inspection services for the construction of Phase 2, installation of the pipeline from Valley Mall Parkway to SR 28. He said upon initiation of each phase of the project, a supplement to that agreement will be executed specific to the stage of the project, identifying the scope of work, cost and schedule. He added funding for the Canyon A Stormwater Project is covered by a Public Works Trust Fund Loan administered by the Greater East Wenatchee Stormwater Utility.

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember Raab, to authorize the Mayor to sign the Services During Construction Supplemental Agreement to the existing Professional Services Agreement entered into with RH2 Engineering for Phase 2 and 3 of the Canyon A, Greater East Wenatchee Stormwater Utility Project. The motion carried, 5-0.

### **RESOLUTIONS**

09-07-02 A resolution accepting a petition filed by the Cascade Unitarian Universalist Fellowship and the Upper Columbia Corporation of the Seventh Day Adventists vacation of right-of-way for 16<sup>th</sup> Court NE; authorizing the waiver of provisions of Resolutions No. 2009-14; setting a date for a public hearing to consider the vacation; and establishing an effective date.

Community Development Director, Lori Barnett, said the City Council adopted a uniform system for processing right-of-way vacation petitions in Resolution 2008-14 on September 23, 2008.

On June 22, 2009, the Cascade Unitarian Universalist Fellowship and the Upper Columbia Corporation of Seventh Day Adventists submitted a petition for vacation of 16<sup>th</sup> Court NW and requested that the City Council waive the following requirements in Section 7 of Resolution 2008-14:

- Petitioner's payment of deposit to cover appraisal and preparation of an appraisal of the property to be vacated.
- Accept dedication of right-of-way adjacent to SR 28 in lieu of monetary compensation paid to the City for the vacated portion of 16<sup>th</sup> Court NW.

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember Buckner, to adopt the resolution accepting a petition filed by the Cascade Unitarian Universalist Fellowship and the Upper Columbia Corporation of the Seventh Day Adventists for vacation of right-of-way for 16<sup>th</sup> Court

NW; authorizing the waiver of provisions of Resolutions No. 2008-14 and setting a date for a public hearing to consider the vacation. The motion carried, 5-0.

Mayor Lacy read the resolution title.

RESOLUTION NO. 2009-10

A RESOLUTION OF THE CITY OF EAST WENATCHEE, WASHINGTON, ACCEPTING A PETITION FILED BY THE CASCADE UNITARIAN UNIVERSALIST FELLOWSHIP AND THE UPPER COLUMBIA CORPORATION OF SEVENTH DAY ADVENTISTS VACATION OF RIGHT-OF-WAY FOR 16<sup>TH</sup> COURT NW; AUTHORIZING THE WAIVER OF PROVISIONS OF RESOLUTION 2008-14; SETTING A DATE FOR PUBLIC HEARING TO CONSIDER THE VACATION; AND ESTABLISHING AN EFFECTIVE DATE.

09-07-03 A resolution authorizing the Mayor to sign an Intergovernmental Cooperative Agreement with Douglas County for the Apple Capital Loop Trail Definition Project.

Community Development Director, Lori Barnett, said State legislature asked the Washington State Department of Transportation (WSDOT) to evaluate potential areas where land, not needed for transportation purposes, can be declared surplus and sold. The WSDOT right-of-way planned for the old riverfront highway is one of those potential areas. Since the Apple Capital Loop Trail was constructed on the right-of-way, there has been a local effort to identify lands that should be retained for the trail and potentially for other waterfront uses. The time frame for this effort is short with a projected completion by the end of August 2009, at which time we must respond to WSDOT. The Douglas County Regional Council authorized a grant of \$60,000 to cover staff costs (city and county) and consultant services for this project which has been named "More than a Trail".

**Council Action:** A motion was made by Councilmember Buckner, second by Councilmember Bremmer, to adopt the resolution authorizing the Mayor to sign an Intergovernmental Cooperative Agreement with Douglas County for the Apple Capital Loop Trail Project. The motion carried, 5-0.

Mayor Lacy read the resolution title.

RESOLUTION NO. 2009-11

A RESOLUTION OF THE CITY OF EAST WENATCHEE, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL GOVERNMENTAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF EAST WENATCHEE AND DOUGLAS COUNTY PERTAINING TO THE APPLE CAPITAL LOOP TRAIL DEFINITION PROCESS AND ESTABLISHING AN EFFECTIVE DATE.

**ORDINANCES**

09-07-04 First reading of an ordinance amending Ordinance No. 2008-05 pertaining to the interim adoption of Street Design Standards by extending its effective date period to December 27, 2009.

Mayor Lacy read first reading of the ordinance.

Mayor Lacy said that while determining the addition of a second driveway for Thomas Ebling, at 1130 Grant Road they realized the Streets Design Standards adopted on an interim basis had expired. He said the City needs to extend the effective period in order to keep some standards in place until permanent standards are completed. Therefore, if Mr. Ebling makes an application for this process the City Council will decide on it based on a recommendation of staff.

Community Development Director, Lori Barnett, said the City is required to hold a public hearing prior to adopting this ordinance as well as the following ordinance.

09-07-05 First reading of an ordinance amending Ordinance No. 2008-06 pertaining to the adoption of the Stormwater Management Design Standards by extending its effective date period to December 27, 2009.

Mayor Lacy read first reading of the ordinance.

### **COUNCIL REPORTS**

Councilmember Barnhart asked for clarification on the notice received from The Court of Appeals. City Attorney, Devin Poulson, said he believes the intent of the Water District is to file a petition for review of the Washington State Supreme Court. He said, essentially, this is the Court of Appeals saying our opinion is specific to the parties involved and it has no presidential value to anybody else. Therefore, it will not show up in the court records.

Councilmember Buckner submitted minutes from the North Central Washington Resource and Conservation Development meeting, held on June 10, 2009.

Councilmember McCourt submitted minutes from the Regional Support Network Governing Board meeting, held on June 1, 2009.

### **EXECUTIVE SESSION**

#### **Consideration of Acquisition of Property**

At 8:00 p.m. Mayor Lacy called a 10 minute executive session regarding consideration of acquisition of property involving the Lacy & Kane Property. Mayor Lacy recused himself from the executive session.

Council reconvened at 8:10 p.m.

**ADJOURNMENT** – 8:10 p.m.

---

Dana Barnard  
City Clerk