

**CITY OF EAST WENATCHEE, WASHINGTON  
REGULAR SESSION OF THE CITY COUNCIL CONVENED  
MAYOR STEVEN C. LACY, PRESIDING  
AUGUST 11, 2009  
6:30 P.M.**

**ROLL CALL**

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

**Staff Present:** Dana Barnard, Brandon Mauseth, Devin Poulson, Lori Barnett, Randy Harrison, and Catalina Garibay.

**PLEDGE OF ALLEGIANCE****PRESENTATION****Eastmont Metropolitan Parks District – Veterans Memorial**

Eastmont Metropolitan Parks District (EMPD) Director, Dave Schwab, said the EMPD and VFW Post #3617 are combining efforts and resources to build a Veterans Memorial which will be constructed at the Eastmont Community Park. The intent of the memorial is to honor past and present veterans who have served in the military while living in Douglas County or who is a veteran and currently a resident of Douglas County. He said this project will be paid for by selling engraved pavers to the Veterans, businesses, or anyone interested in purchasing them. The pavers will be available in multiple sizes with prices ranging from \$100 - \$1000. He added the monument will be a six sided structure honoring veterans in each branch of the armed services Army, Navy, Coast Guard, Air Force, Marine Corps, and the recently added Merchant Marines.

Mayor Lacy asked questions regarding how a veteran would be qualified as a resident of the Douglas County. Mr. Schwab said the applications will go to a review board to verify if the applicant is eligible. He added they do not intend on making it hard for applicants to apply.

**Misawa Sister City Association – Tim Detering**

Misawa Sister City Association President, Tim Detering, introduced this year's delegation going to Misawa, Japan: Councilwoman Sandra McCourt, Apple Blossom Queen Katherine Safar, Apple Blossom Princess Breanna Allstot, Apple Blossom Princess Rebecca Higgins, Philip Safar, Jay Higgins, Kim Browning, Vitek and Emily Siroky, Gary Wiggins, Elena Wiggins, J. La Verne Bergstrom, Deanna Walter, Skyler McKinney, Emily Abbott, Rachel Bagley, Emily Browning, Zhaotong Liu ( Bobby), Sean Martin, Annie Neff, Bradyn Rookard, Anne Safar, Meryl Safar, and Devyn Walter. He thanked East Wenatchee and the City Council for their ongoing support.

Mayor Lacy presented Ambassador Certificates to the student delegation. He said on behalf of the City of East Wenatchee and the Wenatchee Valley, he appreciates their participation in representing our valley.

**DEPARTMENT REPORTS****Community Development**

Community Development Director, Lori Barnett, submitted a map of the 130 city owned parcels totaling approximately 45 acres. She explained that when the City or County purchase right-of-way for any reason, the Assessors Office assigns a parcel number, the parcel is then listed as city owned property. She

said some of these parcels are storm water detention ponds, and of the 130 parcels, the only parcels large enough to build on would be the parcel below the Fred Meyer wall, and the parcel on Colorado Avenue in which the City Council has authorized the surplus of that parcel. She added this Parcel will be sold at a public auction to be held on September 15, 2009.

Ms. Barnett said the City was recently notified that the Census Bureau has determined that East Wenatchee's population would put them into an entitlement for Community Development Block Grant money. She explained that the entitlement funds from the Community Development Block Grant go to the largest city within the metropolitan statistical area unless there is another City with a population over 15,000. All the Community Development Block Grant money that has been coming to the Wenatchee Valley as a result of that metropolitan statistical area classification has gone to the City of Wenatchee. She said the City of Wenatchee has been receiving approximately \$300,000 a year, with that money going into housing programs and to improvements in distressed areas within the City.

Ms. Barnett said she questioned the notification she received from the Federal Government asking them to verify that they were correctly assigning approximately \$114,000 to the City of East Wenatchee since the City is not at the 15,000 population. She said they have confirmed that the City of East Wenatchee is eligible for these funds which would require the City to have a consolidated plan that tells them how the City is going to spend this money. The City must respond by September as to whether we are willing to accept this money. She added this would require a lot of additional paperwork and Council would need to take action to authorize staff to take on that responsibility and send the letter accepting the money.

Mayor Lacy said he spoke with Ms. Barnett about this issue and weighed the pros and cons. He said he would recommend Council authorize staff to do the required work to receive the grant funds.

**Council Action:** A motion was made by Councilmember Buckner, second by Councilmember Johnson, to authorize the staff to do the required work in order to accept the federal grant money of approximately \$114,000. The motion carried, 7-0.

Community Development Director, Lori Barnett, reported that the More Than A Trail, Eastside Shoreline Exhibit and Riverside Social held on August 4, 2009, was attended by approximately 220 individuals who took the opportunity to engage in dialog and educate themselves. She added, due to the short time frame to respond to Washington State Department of Transportation, the County Commissioners would like to meet with the City Council prior to the regular scheduled Council meeting on August 25, 2009, at 5:30 p.m. She asked Council if they would be available to attend this workshop prior to the City Council meeting. Council agreed to the time and date of the workshop.

### **Street Department**

Street Superintendent, Brandon Mauseth, gave an update regarding the requirements for the National Pollutant Discharge Elimination System (NPDES) permit. He said the City is required to adopt their elicit discharge detection and elimination ordinance through our NPDES permit with Department of Ecology by August 15, 2009. He added due to scheduling issues the City did not make that deadline. Therefore, a public hearing date has been set for August 25, 2009.

### **Legal Department**

Legal Assistant Intern, Gavin Johnson, presented House Bills that have recently gone into effect:

#### **HB 1264**

Amending the various business entity status to allow for government agencies to serve as registered agents of the business entity. This bill appears to open up opportunities for various business expansions

into areas where a business does not have physical presence or a geographic location by using a public governmental agency to serve as a registered agent for the business.

### **ESHB 5367**

This bill allows for nightclubs to obtain spirits, beer, and wine nightclub licenses. These businesses primary sales must derive from the sale of alcohol, and there primary hours must be between 9 p.m. and 2 a.m. In addition, an annual fee of \$2,000 is required as part of the license. The Liquor Control Board (LCB) can also revoke the license, and refuse to grant the license if it determines that the numbers of nightclub licenses already granted for the community are sufficient for the reasonable needs of the community. In addition, the bill allows for the city to object to liquor license renewals 30 days before the expiration date of the renewal, which gives authority to the local jurisdiction to regulate any problem areas.

### **SSB 5732**

The Substitute Senate Bill focuses on drivers who operate a vehicle with a suspended license. The new section added to this bill allows for individuals who are convicted of driving with a suspended license to participate in a re-licensing diversion program. This program should be designed to assist these drivers to regain their license and insurance, and pay their outstanding fines. Overall it would appear that the bill aims to remedy the effects of drivers who are unable, or simply do not pay for previous traffic violations. These programs should decrease DWLS (Driving While License Suspended) violations by providing alternative routes to regain their licenses and pay outstanding traffic fines.

### **MAYOR'S REPORT**

Mayor Lacy reported that there have been ongoing meetings involving himself, City Treasurer, Nick Gerde, and City Attorney, Devin Poulson with regards to the union contract. He said he has asked Mr. Gerde go through the proposed contract in order to identify the areas that would result in any significant or insignificant cost increase to the city. The results will be brought to Council in executive session to consider and respond, prior to meeting with union representatives. He added this executive session will be on the August 25, 2009, Council agenda and he anticipates the executive session to take approximately one hour.

### **CONSENT CALENDAR**

1. Consideration of Minutes – Regular Session, July 28, 2009
2. Consideration of Bills

**Council Action:** A motion was made by Councilmember Johnson, second by Councilmember McCourt, to approve the consent calendar as presented with the amendment to the roll call removing Councilmember Johnson from being present. The motion carried, 7-0.

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 August 11, 2009, Council does approve warrant numbers 21966-2205 in the total amount of \$178,428.64.

**PUBLIC HEARING**

09-08-01 A public hearing to consider a Petition for vacation of a portion of unimproved 16<sup>th</sup> Court NW adjacent to the Cascade Unitarian Fellowship Church property located at 1550 Sunset Highway.

James Ray Dunn, 1520 Sunset Highway, East Wenatchee, submitted a letter of support in favor of the vacation of an unimproved portion of 16<sup>th</sup> Court NW.

Mayor Lacy opened the public hearing at 7:10 p.m.

Ernest Collard, 1600 Sunset Highway, East Wenatchee, said he has a 12 foot easement on that property and is asked if they are planning to build on that property as it is on his easement.

Mayor Lacy said his understanding is that they can not build a building that will block an easement.

Cascade Unitarian Fellowship Church representative, Larry Tobiska, said he has not seen a description of where the easement is located. He said he would like to be allowed time to address this issue with Mr. Collard as the Church would like to obtain a final decision from City Council this evening due to time constraints with the seller of the property.

Mayor Lacy said his recommendation will be to hold first reading of the ordinance in order to give the Church representatives an opportunity to meet with Mr. Collard to resolve any issues without the involvement of the City Council.

Mayor Lacy closed the public hearing at 7:21 p.m.

**ACTION ITEMS**

09-08-08 Final approval of the subdivision known as the Plat of Tanglewood Townhomes located at 411 19<sup>th</sup> Street NE.

Councilmember Buckner recused himself from this agenda item.

Community Development Director, Lori Barnett, said Sand Canyon Legends LLC, has submitted an application for final approval of the 10 lot, zero-lot line, townhome style project known as Tanglewood Townhomes. She said they are asking for final approval of the plat of Tanglewood Homes and authorization for the Mayor to sign the necessary documents upon completion of the outstanding items listed and all conditions have been satisfied by the City Engineer.

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember Raab, to approve the Mayor's signature on the subject to completion of outstanding items listed for the plat known as Tanglewood Townhomes located at 411 19<sup>th</sup> Street NE. The motion carried, 7-0.

**Mayor Lacy said Council Bill 09-08-03 will be moved to the end of the agenda to allow discussions between Mr. Collard and the petitioners regarding the vacation of a portion of 16<sup>th</sup> Court NW.**

**ORDINANCES**

09-08-04 First reading of an ordinance amending Ordinance 89-05 for the project commonly knows as Countryside Condominiums, to permit the processing of a short plat to establish a separate lot for the existing detached single family home.

Mayor Lacy read first reading of the ordinance.

ORDINANCE NO. 2009-11

AN ORDINANCE OF THE CITY OF EAST WENATCHEE, WASHINGTON AMENDING THE ORDINANCE 89-05 FOR THE PROJECT COMMONLY KNOWN AS COUNTRYSIDE CONDOMINIUMS, TO PERMIT THE PROCESSING OF A SHORT PLAT TO ESTABLISH A SEPARATE LOT FOR THE EXISTING DETACHED SINGLE-FAMILY HOME, AND SETTING AN EFFECTIVE DATE.

Community Development Director, Lori Barnett, said it amends original project and planning commission recommendation staff does request to elevate to second reading.

Mayor Lacy said if there are no objections from Council he will elevate the ordinance to second reading. No objections were heard.

**Council Action:** A motion was made by Councilmember Bremmer, second by Councilmember Johnson, to amend Ordinance 89-05 for the project commonly known as Countryside Condominiums, to permit the processing of a short plat to establish a separate lot for the existing detached single family home. The motion carried, 7-0.

**COUNCIL REPORTS**

Councilmember McCourt submitted minutes from the Housing Authority of Chelan County meeting, held on June 18, 2009, and from the Chelan-Douglas Regional Support Network meeting, held on July 6, 2009.

Councilmember Raab submitted minutes from the Solid Waste Advisory Committee meeting, held on August 6, 2009.

Councilmember Bremmer said he attended the Greater Wenatchee Bicycle Advisory Board (GWBAB) Committee meeting. He said they discussed preparing a plan regarding bicycle routes for the City of East Wenatchee.

09-08-03 First reading of an ordinance vacating a portion of unimproved 16<sup>th</sup> Court NW, lying NW of SR 28, in the City of East Wenatchee, Washington, containing conditions limiting access and providing for dedication of right-of-way adjacent to SR 28 as compensation for the vacation.

Mayor Lacy read first reading of the ordinance.

ORDINANCE NO. 2009-12

AN ORDINANCE OF THE CITY OF EAST WENATCHEE, VACATING A PORTION OF 16TH COURT NW, LYING WEST OF SR 28, IN THE CITY OF EAST WENATCHEE, WASHINGTON, CONTAINING CONDITIONS LIMITING ACCESS AND PROVIDING FOR DEDICATIONS OF RIGHT-OF-WAY ADJACENT TO SR 28 AS COMPENSATION FOR THE VACATION, AND SETTING AN EFFECTIVE DATE.

Mayor Lacy said if there are no objections from Council he will elevate the ordinance to second reading. No objections were heard.

**Council Action:** A motion was made by Councilmember Johnson, second by Councilmember Raab, to adopt ordinance vacating a portion of unimproved 16<sup>th</sup> Court NW, lying NW of SR 28, in the City of East Wenatchee, Washington, containing conditions limiting access and providing for dedication of right-of-way adjacent to SR 28 as compensation for the vacation. The motion carried, 6-1. (Hendricks)

**ADJOURNMENT** – 7:45 p.m.

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Dana Barnard  
City Clerk