



City of Cashmere

101 Woodring Street
Cashmere, WA 98815
Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

CASHMERE CITY COUNCIL MEETING
MONDAY, SEPTEMBER 24, 2018 6:00 P.M., CITY HALL

AGENDA

CALL TO ORDER

FLAG SALUTE

EXCUSED ABSENCE

ANNOUNCEMENTS & INFORMATION

- August Financial Report is on the website

PUBLIC COMMENT PERIOD - For Items Not on the Agenda

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of August 27, 2018 Regular Council Meeting
2. Regular Council Meeting September 10, 2018 was cancelled
3. Payroll and Claims Packet Dated September 10, 2018
4. Payroll and Claims Packet Dated September 24, 2018
5. Set Public Hearing for October 22nd on revenue sources and possible increase in Property tax
6. Set Public Hearing for November 12th on Preliminary Budget for 2019
7. Set Public Hearing for November 26th on the Final 2019 Budget

BUSINESS ITEMS

1. Resolution No. 05-2018 Adopting a revised Employee Handbook
2. Ordinance No. 1269 Amending and adding provisions to the City Park regulations
3. Discussion on Goals and Objectives for 2019
4. Discussion on public engagement ideas for Cashmere's future

PROGRESS REPORTS

ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS
Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)

MINUTES OF THE CASHMERE CITY COUNCIL MEETING
MONDAY, AUGUST 27, 2018 AT CASHMERE CITY HALL

OPENING

Mayor Jim Fletcher opened the regular City Council meeting at 6:00 p.m. at City Hall. Administrative Assistant, Tammy Miller took minutes.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jim Fletcher	
Council:	Daniel Scott Chris Carlson Dave Erickson Kameon Smith Derrick Pratt	
Staff:		Kay Jones, Clerk-Treasurer Chuck Zimmerman, City Attorney Tammy Miller, Administrative Assistant

FLAG SALUTE

ANNOUNCEMENTS & INFORMATION

The Port of Chelan County is holding a ground breaking ceremony at the Mill Site on September 5th, 3:00 p.m.

PUBLIC COMMENT PERIOD - For Items Not on the Agenda

No public comments.

APPROVAL OF AGENDA

MOVED by Councilor Scott seconded by Councilor Carlson to approve the agenda as submitted. Motion carried 5-0.

CONSENT AGENDA

Minutes of August 13, 2018 Regular Council Meeting
Claims Packet Dated August 27, 2018

Claims Direct Pay and Checks #39134 through #39153 totaling \$199,067.43
Manual Check #39129, and #39133 refunds not needing prior approval

MOVED by Councilor Scott and seconded by Councilor Smith to approve the items on the consent agenda. Motion carried 5-0.

REQUEST FROM WASTE MANAGEMENT (WM) FOR AN EXTRAORDINARY RECYCLING RATE INCREASE

Pursuant to Section 2.7.2 of the contract with Waste Management for solid waste services, WM is seeking an extraordinary rate increase to recover the increased costs of recycling. Tami Yager and Curt Razen from WM were present to distribute educational pamphlets and discuss the causes for the rate increase request as well as implementing a contamination service charge and protocols, changes to the acceptable recyclables list and changes to the contract language

on recycling. These requests are based on "Operation Blue Sky", recycling market changes implemented by the Chinese Government in 2018. The council was able to ask questions and after a healthy discussion between both parties, WM will bring back options for the City Council to consider.

EMPLOYEE HANDBOOK – UPDATED TO INCLUDE NEW STATE LAWS AND REQUIREMENTS

MOVED by Councilor Erickson and seconded by Councilor Scott to have Chuck Zimmerman draft a resolution adopting the revised Employee Handbook. Motion carried 5-0.

DECLARE CITY PROPERTY SURPLUS

MOVED by Councilor Pratt and seconded by Councilor Scott to surplus 14 wastewater aerators. Motion carried 5-0.

INFLATABLE PLAY EQUIPMENT IN CITY PARKS

The City has received several inquiries regarding bounce houses in the City parks. The City codes do not address whether inflatables or bounce houses are allowed or prohibited.

Councilor Erickson shared issues with the Wenatchee parks involving bounce houses and also commented that the PUD doesn't allow them in any of their parks as well.

MOVED by Councilor Scott and seconded by Councilor Carlson to direct Chuck Zimmerman to draft an ordinance addressing bounce houses in City Parks. Inflatables and bounce houses will be allowed on City property with a Special Event Permit only. Motion carried with 3 voting in favor and Councilors Pratt and Smith voting no.

LAGOON CLEANUP

Mayor reported that the lagoon cleanup had started and with only half of Cell #3 emptied, (494 tons), the cost was \$27,000; which would put the total for Cell #3 at \$54,000 and Cell #1 at \$122,000. The Mayor made the call to stop any further removal until further Council input could be had.

The Council would like to research the probability of assistance from the Department of Ecology in the form of grants before going any further.

Tami Yager said she would investigate the chance of the City getting a better rate from Waste Management as well.

BUILDING INSPECTOR SERVICES EMPLOYMENT AGREEMENT

The City had an Interlocal Agreement with the City of Leavenworth to provide interim Building Inspector services. The City of Leavenworth notified the Mayor that due to the increase in their building permits, they were terminating the Interlocal Agreement at the end of August.

The Mayor meet with Frank Spaun to discuss providing Building Inspection Services for Cashmere on a part-time basis.

MOVED by Councilor Scott and seconded by Councilor Smith to allow the Mayor to sign Employment Agreement for Frank Spaun. Motion carried with four voting in favor and Councilor Erickson voting no.

PROGRESS REPORTS

Mayor Fletcher reported that the Director of Operations job had been accepted by Steve Croci. Steve will be in and out during the month of September and expected to be in the office full time starting October 1st.

On Friday, August 21st, the Mayor had received a call that the Lagoons were on fire. Spontaneous combustion created by the piling of the bio-solids was the cause; the fire was managed by spreading out the piles of bio-solids.

Mayor Fletcher had a visit from the Cashmere Food Bank requesting help in relocating the Food Bank. The old recycling building was discussed as a possible solution.

ADJOURNMENT

Mayor Fletcher adjourned the meeting at 7:15 p.m.

James Fletcher, Mayor

Attest:

Tammy Miller, Administrative Assistant



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NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE REVENUE SOURCES AND POSSIBLE INCREASE IN PROPERTY TAXES

The Cashmere City Council will hold a public hearing on Monday, October 22, 2018 at 6:00 p.m. at the Cashmere City Hall on the City of Cashmere Revenue Sources and possible increase in Property Taxes. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Please publish one time only on October 10, 2018.

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).



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NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE PRELIMINARY 2018 BUDGET

The Cashmere City Council will hold a public hearing on Monday, November 12, 2018 at 6:00 p.m. at the Cashmere City Hall on the City of Cashmere preliminary 2019 budget. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Please publish one time only on October 31, 2018.

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NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE FINAL 2018 BUDGET

The City of Cashmere preliminary 2019 budget has been filed with the City Clerk-Treasurer. The Cashmere City Council will hold a public hearing on the final 2019 budget for the City of Cashmere on Monday, November 26, 2018, at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street. Copies of the preliminary budget are available by November 19th at Cashmere City Hall, 101 Woodring Street, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk
CITY OF CASHMERE

Publish twice, November 7 and November 14

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PROCLAMATION

WHEREAS, Chelan County Public Utility District has a legacy for 80-plus years of producing clean, carbon-free, low-cost and reliable public power while enhancing the quality of life for county residents, and

WHEREAS, Chelan County PUD is a trusted steward of the county's bountiful natural resources including the Columbia River, its tributaries and the fish, wildlife and habitat that nurtures us all, and

WHEREAS, Chelan County PUD, as a customer-owned utility with a governing board of locally elected individuals, ensure local control to provide not only safe and reliable electric service to more than 1.8 million residents throughout the Northwest, as well as a world-class broadband network, water and wastewater services and a magnificent park system for local residents, and

WHEREAS, Chelan County PUD is an energy efficiency leader offering expertise and financial incentives to encourage customers to use electricity and water wisely while maintaining comfort and saving them money, and

WHEREAS, in 2016-17, Chelan PUD and its customers exceeded the energy efficiency target by 137%, saving enough electricity to power 1,600 homes, and

WHEREAS, Chelan County joins public power utilities across the country in providing affordable services that help customers maintain comfort in their home and be profitable in their businesses while conserving resources;

NOW, THEREFORE, the Cashmere City Council, in the county of Chelan, the state of Washington, does hereby proclaim the week of October 1-6, 2018 as

PUBLIC POWER WEEK

in Cashmere and urges city residents to join them in celebrating the benefits of locally owned public power.



Signed this 24th day of September, 2018


Mayor Jim Fletcher

Staff Summary

Date: 9/24/2018
To: City Council
From: Jim Fletcher, Mayor
RE: Resolution 05-2018 Adopting a revised Employee Handbook

At a previous council meeting we reviewed and discussed changes to the City of Cashmere Employee Handbook. The attached resolution formally adopts the final version of that Handbook. The final version of the handbook is attached.

Staff Recommendation:

MOVE to Approve Resolution 05-2018 Adopting a revised Employee Handbook

RESOLUTION NO. 05-2018

A RESOLUTION OF THE CITY OF CASHMERE, WASHINGTON, ADOPTING A REVISED EMPLOYEE HANDBOOK, REPEALING PRIOR INONSISTENT RESOLUTIONS, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cashmere previously adopted Resolution 03-2013, which established an Employee Handbook (in addition to the Union Contract) setting forth the general rights and responsibilities of City employees; and

WHEREAS, the Mayor and City staff recommended revising the Employee Handbook to reflect recent changes in the state laws, particularly related to paid sick and family leave benefits; and

WHEREAS, the City Council has determined it is in the best interest of the City to revise and update the Employee Handbook to incorporate changes in applicable state laws; and

WHEREAS, the City Council has had an opportunity to review the proposed policy set forth in this Resolution and has determined that approval of this Resolution would be in the best interest of the public and will assist the Mayor and City management in proper management of the employees of the City;

NOW THEREFORE the City Council of the City of Cashmere, Washington hereby resolves as follows:

Section 1. The revised Employee Handbook as set forth in Exhibit A, attached hereto, is hereby adopted.

Section 2. Resolution 03-2013, and any prior inconsistent resolution addressing matters set forth in the attached Employee Handbook, are hereby repealed.

Section 3. Effective Date. This Resolution shall be effective immediately upon passage by the City Council.

RESOLVED by the City Council the ____ day of _____, 2018.

APPROVED:

MAYOR JAMES FLETCHER

ATTEST:

KAY JONES, CITY CLERK-TREASURER

Staff Summary

Date: 9/24/2018
To: City Council
From: Jim Fletcher, Mayor
RE: Ordinance No. 1269 Amending and adding provisions to the City Park Code

At a previous meeting we discussed the use of inflatable bounce houses at City Park Property. Council on a split vote directed staff to prepare an ordinance prohibiting inflatable bounce houses except for a Special Events Permit. The attached draft ordinance banning inflatable bounce houses is for your consideration. The Council may choose to approve as is, or make amendments prior to approved, or may reconsider and not approve the ordinance. Amendments to this code are intended to reduce risk of liability to the city by assuring proper use of inflatable structures while on City property.

Staff Recommendation:

To provide clear direction to City staff so they can respond to inquiries from the citizens, I recommend making any amendments as deemed necessary by the council and approve Ordinance No. 1269 Amending and adding provisions to the City Park Code.

ORDINANCE NO. 1269

AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON AMENDING CHAPTERS 12.24 AND 12.32 OF THE CASHMERE MUNICIPAL CODE, AMENDING AND ADDING PROVISIONS TO THE CITY PARK REGULATIONS AND SPECIAL EVENT PERMIT PROCESS PRIMARILY RELATING TO THE USE OF INFLATABLE PLAY EQUIPMENT ON CITY PROPERTY; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City staff, Mayor, and City Council have studied the issue of whether and when inflatable play equipment, also known as air-supported bouncy houses, should be permitted to be used on City property; and

WHEREAS, the City Council has determined that use of the City property, including right of ways and City parks for this purpose should be limited to instances when Special Event Permits have been applied for and obtained from the City; and

WHEREAS, the City Council finds that adoption of this Ordinance is in the best interest of the public health, safety and welfare of the citizens of the City; now therefore,

THE CITY COUNCIL OF THE CITY OF CASHMERE DO ORDAIN AS FOLLOWS:

Section 1. Chapter 12.24 of the Cashmere Municipal Code is hereby amended to read as follows:

Chapter 12.24
PARK REGULATIONS

Sections:

12.24.010 Park hours designated.

12.24.020 Littering prohibited.

12.24.025 Inflatable Play Equipment – prohibited – exceptions

12.24.030 Civil penalties.

12.24.010 Park hours designated.

It is unlawful to camp in any park of the city or to remain, stay, or loiter in any park between 10:00 p.m. and 6:00 a.m., except that overnight use of parks may be permitted for special purposes upon approval by the mayor. (Ord. 574 § 1, 1978; Ord. 481 § 1, 1974).

12.24.020 Littering prohibited.

It is unlawful to throw any refuse, garbage, broken glass, crockery, nails, shrubbery, trimmings, junk, or advertising matter in any park or to deposit any such material therein except in designated receptacles. (Ord. 481 § 2, 1974).

12.24.025 Inflatable Play Equipment – prohibited – exceptions.

It is unlawful to set up and/or use inflatable play equipment (also known as air supported “bouncy houses”) in city parks, except in instances when a special event permit has been issued by the city pursuant to the provisions of Chapter 12.32 of this code.

12.24.030 Civil penalties.

Any person violating any provision of this chapter shall pay a civil penalty to \$50.00 for the first offense, a civil penalty of \$100.00 for the second offense, and a civil penalty of \$250.00 for the third offense or any subsequent offense. (Ord. 904 § 1, 1997) Any person who violates any provision of this chapter shall be guilty of a civil infraction and shall, upon conviction thereof, be punished by a monetary penalty in any sum not to exceed \$500.00 for each day that a violation continues to occur.

Section 2. Chapter 12.32 of the Cashmere Municipal Code is hereby amended to read as follows:

Chapter 12.32
SPECIAL EVENT PERMIT

Sections:

- 12.32.010 Definitions.
- 12.32.020 Permit required.
- 12.32.030 Application – Form – Contents.
- 12.32.040 Review of application.
- 12.32.050 Mayor to issue permit – Criteria for issuance.
- 12.32.060 Revocation of permit.
- 12.32.070 Appeals.
- 12.32.080 Violations – Penalties.

12.32.010 Definitions.

As used in this chapter, the following terms shall have the meaning set forth below:

“Mayor” means the city mayor or his or her designee.

“Person” means any individual natural person, partnership, corporation, limited liability company, or other legal entity.

“Right-of-way” means and includes every public street, alley, road, sidewalk, and city-owned parking area located in the city, ~~with the exception of parking areas that are immediately adjacent to or an integral part of a city park.~~

“Special event” means any event or happening organized by the city, Cashmere Chamber of Commerce, Cashmere School District, any event associated with holidays observed by the city; and any community festivals observed by the city, including but not limited to Founders’ Day and Apple Days.

“Special event permit” or “permit” means the permit issued by the city following review of an application found to be consistent with the provisions of this chapter. (Ord. 1188 § 1, 2011).

12.32.020 Permit required.

It is unlawful for any person to hold or conduct any special event in the city which uses any part of city right-of-way or other city property unless such person has obtained and has in full force and effect a permit to do so issued by the city. (Ord. 1188 § 1, 2011).

12.32.030 Application – Form – Contents.

A. Any person desiring to apply for a special event permit shall do so by filing a written application with the mayor at City Hall. The application shall be made on forms provided by the city and shall include at a minimum, the following information:

1. The name, address, and telephone number of the applicant;
2. A full and complete description of the proposed use associated with the special event and the duration of such proposed use;
3. The proposed location of the special event and the dimensions and plans for any temporary structure, including inflatable play equipment, proposed to be erected or constructed in connection with the special event;
4. The location of the city right-of-way or city property proposed to be used for the special event, including the dimension thereof;
5. Such other and further information as the mayor may reasonably require to determine whether the application and proposed event meet all of the requirements for permit issuance established by this chapter.

B. All applications shall be accompanied by a nonrefundable application fee in an amount established by city council resolution from time to time. (Ord. 1188 § 1, 2011).

12.32.040 Review of application.

Upon receipt of a completed special event permit application, the mayor shall review the same and inquire of other departments within the city to establish whether the criteria set forth in CMC 12.32.050 are satisfied by the application. The mayor shall complete this analysis within 10 work days of receipt of an application for a special event permit. (Ord. 1188 § 1, 2011).

12.32.050 Mayor to issue permit – Criteria for issuance.

A. All permits issued under this chapter shall be issued by the mayor. A permit may be issued to the applicant only if all of the following criteria and conditions for issuance are met:

1. The proposed special event will not unreasonably endanger the participants, spectators, or the public;
2. The proposed special event will not unreasonably interfere with vehicular or pedestrian traffic flow at the proposed location;
3. Adequate plans for parking exist to meet the need generated by the proposed special event;
4. The mayor shall establish a specific period of time for the use of the right-of-way and/or city property for the special event;
5. The applicant must agree to indemnify, defend and hold the city harmless from any and all claims for bodily injury or property damage that may arise out of or in connection with the applicant's permitted special event;
6. The applicant and any inflatable play equipment owner/operator must secure and maintain in full force and effect throughout the duration of the special event permit, comprehensive general liability insurance for bodily injury and property damage in such amounts as the mayor deems necessary, which amounts shall not be less than \$1,000,000, and shall have the city of Cashmere named as an additional named insured on the policy-policies of insurance which shall include a provision prohibiting cancellation of said policy-policies except upon 30 days' prior written notice to the city;
7. Whenever in the judgment of the mayor any special event proposed requires the provision of additional city services, including, but not limited to, the employment of police officers to direct or block pedestrian or vehicular traffic, or the provisions of standby aid car or fire protection services, the applicant shall agree to directly provide for such services and/or to pay the city in advance of the special event for the actual costs of any such services;
8. The owner/operator of inflatable play equipment (also known as "bouncy houses") shall provide proof of compliance with Chapter 67.42 RCW and WAC 296-403A, as the same exist now or as they may hereafter be amended. A certified operator shall be present at the special event and shall operate the inflatable play equipment at all times it is in use; and

89. Such other and further conditions as the mayor deems necessary to reasonably ensure that the proposed special event does not create a likelihood of endangering those who may participate or be spectators.

B. If any of the above criteria are not met by the proposal, the mayor shall deny the permit or may issue the permit with conditions as the mayor deems necessary for the application to meet all of the criteria set forth above.

C. All conditions of the permit shall be subscribed on or attached to the permit.

D. All existing Cashmere Municipal Code provisions, ordinances, resolutions, and other policies of the city shall be observed by the applicant, including but not limited to, the city's sign code and noise ordinance. (Ord. 1188 § 1, 2011).

12.32.060 Revocation of permit.

All permits issued pursuant to this chapter shall be temporary, shall vest no permanent rights in the applicant, and may be revoked by the mayor at any time when the mayor determines that the criteria set forth in CMC 12.32.050 are no longer being met by the applicant. If any special event for which the permit has been revoked is not immediately discontinued, the mayor may cause the removal of any structure or obstruction from the right-of-way or other city property. The cost and expense of such removal of the obstruction shall be assessed against the applicant, including all professional fees associated with enforcement of collection of the same. (Ord. 1188 § 1, 2011).

12.32.070 Appeals.

All decisions of the mayor with respect to the issuance, denial, or revocation of any application or permit under this chapter shall be final unless an appeal to the city council is filed by an aggrieved party with the city clerk/treasurer within 20 days of the date of the decision being appealed. The city council shall consider the appeal at a public meeting of the city council held within 30 days of receipt of the appeal. The city council shall decide the appeal based upon its review and analysis of the criteria set forth in CMC 12.32.050. The decision of the city council shall be final, unless an aggrieved party files an appeal in Chelan County superior court within 30 days of the decision of the city council. (Ord. 1188 § 1, 2011).

12.32.080 Violations – Penalties.

Any person who violates any of the provisions of this chapter and/or the requirements of any special use permit issued pursuant to this chapter shall be guilty of a civil infraction and shall, upon conviction thereof, be punished by a monetary penalty in any sum not to exceed \$500.00 per day. Each and every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by any person constitutes a separate offense. (Ord. 1188 § 1, 2011).

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere at an Open Public Meeting on the ____ day of _____, 2018.

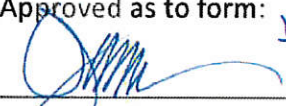
CITY OF CASHMERE

Jim Fletcher, Mayor

Attest:

Kay Jones, City Clerk/Treasurer

Approved as to form:



Charles D. Zimmerman
City Attorney

Ordinance No: _____

Passed by the City Council: _____

Published in the Cashmere Valley Record: _____

Effective date: _____

Staff Summary

Date: 9/24/2018
To: City Council
From: Jim Fletcher, Mayor
RE: Agenda Items 3 and 4 setting goals and objectives for 2019. Public engagement ideas for Cashmere's future.

Agenda Item 3 Goals and objectives.

We are preparing the budget for 2019. Establishing short term goals will assist staff in prioritizing the first draft of the 2019 budget. Additionally, goals and objectives will guide priorities for scheduling projects and activities of the City.

Recommendation: An open discussion of the Council's ideas, concerns, questions in order to provide staff with initial guidance in preparing for City operation in 2019.

Agenda Item 4 Public engagement ideas for Cashmere's future.

At previous meeting and discussions, the ideas for a community forum to be held possibly this winter have been mentioned. As we start October it is timely to start planning how we would like to encourage public engagement in discussions regarding Cashmere's future. Several areas of engaging the public are how to increase public awareness of City activities, methods to collect and respond to citizen concerns and questions, public demands for future acceptable levels of services. Methods to communicate may include public meetings, forums, website and social media. Other ideas and suggestions of the Council.

Staff Recommendation:

Consider an end goal of results desired for public engagement, discuss possible methods, and time schedules.
