

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, JULY 26, 2021, 6:00 P.M., CITY HALL

DUE TO THE COVID-19 PANDEMIC AND THE GOVERNOR'S PROCLAMATION; THE PUBLIC CAN ATTEND IN PERSON, CALL-IN OR LOG-IN TO ZOOM TO PARTICIPATE IN THE CITY COUNCIL MEETING. PLEASE CALL-IN OR LOGIN 5 MINUTES PRIOR TO MEETING.

To Join the Meeting Go To https://zoom.us Meeting ID: 882 719 9871 Passcode: 788276 Audio Only: PH# 1-(253)-215-8782

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

ANNOUNCEMENTS

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

- 1. Minutes of July 12, 2021, Regular Council Meeting
- 2. Payroll and Claims Packet Dated July 26, 2021

BUSINESS ITEMS

- 1. CMC 5.40 Vendors Farmers Market
- 2. Selection of contractor for the Asphalt Pavement Overlay project
- 3. Selection of contractor for the BST Alley Chip Seal project
- 4. Selection of contractor for the Safe Routes to School project

PROGRESS REPORTS

ADJOURNMENT

MINUTES OF THE CASHMERE CITY COUNCIL MEETING MONDAY JULY 12, 2021 AT CASHMERE CITY HALL — In Person and Digital

OPENING

Mayor Jim Fletcher opened the regular City Council meeting via in person and digital conference at 6:00 p.m. at City Hall. City Clerk-Treasurer Kay Jones took minutes.

Due to the COVID-19 pandemic and the Governor's proclamation; public can attend the council meeting in person, by phone or by digital conference.

ATTENDANCE

Present

Not Present

Mayor:

Jim Fletcher

Council:

Vacant

Chris Carlson
Dave Erickson
Jayne Stephenson
Derrick Pratt

Staff:

Kay Jones, Clerk-Treasurer

Steve Croci, Director of Operations

Chuck Zimmerman, City Attorney

Public:

Bill Forhan, Cashmere Valley Record – digital

Paul Fuller, Citizen - digital

ANNOUCEMENTS

No announcements.

PUBLIC COMMENT

Tyler Rice, residing just outside city limits, spoke to the Council again regarding his concerns with the \$10 per weekend the venders are required to pay for the Farmer's Market. He believes the Farmers Market is a benefit to the community and the permit fees are too high. He voiced concern that the City Pool is still not opened.

APPROVAL OF AGENDA

Mayor Fletcher amended the agenda with the addition of Chuck Zimmerman discussing private driveways on undeveloped City rights-of-way.

MOVED by Councilor Pratt and seconded by Councilor Stephenson to approve the agenda as amended, with the addition of Chuck Zimmerman discussing private driveways on undeveloped City rights-of-way. Motion carried 4-0.

CONSENT AGENDA

Minutes of June 14, 2021, Regular Council Meeting
June 28, 2021, Regular Council Meeting Cancelled
Payroll and Claims Packet Dated June 28, 2021
Claims Direct Pay and Check #41233 through #41264 totaling \$111,366.53

City Council Minutes July 12, 2021

Payroll and Claims Packet Dated July 12, 2021

Claims Direct Pay and Check #41268 and #41270 through #41293 totaling \$220,744.70 Payroll Direct Deposit and Check #41265 through #41267 totaling \$105,471.32 Manual Check #41269 not needing prior approval

MOVED by Councilor Erickson and seconded by Councilor Pratt to approve the items on the Consent Agenda. Motion carried 4-0.

RIVERSIDE CENTER MARKETING AND SERVICES PROPOSAL

The City advertised for a request for proposals to manage Riverside Center. One proposal was received, which was submitted by Gather Leavenworth, LLC. The submittal does not propose a building management service, instead proposes a marketing and event management service with 50% of building rental fees paid to the city. The city would then be responsible for all building utilities and event custodial services.

Some of the advantages of the proposal include event management, a staff person onsite at all events, increased marketing of the center, online event scheduling, and additional services provided by local businesses.

Some disadvantages include variable monthly revenue which is difficult to predict, increased staff time, providing custodial services after events and increased operating expenses for utilities and wifi.

Ashley Coffin and Whitney Coffin, owners of Gather Leavenworth, introduced themselves and explained that they have years of experience in both event coordinating and venue management. Riverside Center is a great venue with inside and outside areas. They are excited for the opportunity to add Riverside Center to their list of venues. They believe if marketed correctly, there will be more use of the Center than ever before.

MOVED by Councilor Erickson and seconded by Councilor Stephenson to continue working with Gather Leavenworth on a contract for marketing and event coordinating services for Riverside Center. Motion carried 4-0.

CHUCK ZIMMERMAN TO DISCUSS PRIVATE DRIVEWAYS ON UNDEVELOPED CITY RIGHTS-OF-WAY Attorney Chuck Zimmerman addressed the City Council regarding private driveways on undeveloped City rights-of-way. If a building permit is submitted for a lot abutting an undeveloped right-of-way there are three options the City could consider; require the applicant to build the road, allow a special use permit to use the City right-of-way as a driveway or the City could vacate the right-of-way.

Chuck recommended the City address building permits on undeveloped City rights-of-way and put a process in place for future use.

Chuck will draft an ordinance outlining the process and requirements for an applicant to apply for a special use permit to use the City's right-of-way as a driveway when building on an undeveloped right-of-way.

2021 SOLID WASTE COLLECTION RATE MODIFICATION REQUEST

The Solid Waste Contract with Waste Management states that "in the event an annual increase in the CPI exceeds 4% in any year, the Contractor and the City may negotiate an annual increase in excess of 4% at the request of Contractor. Any increase in excess of 4% of the CPI must be agreed to in writing by the City.

Waste Management sent a letter requesting the City approve the actual change in CPI Index of 5.86% for solid waste collection rates, considering the business challenges created by COVID.

City Council Minutes July 12, 2021

The City Council discussed the contract language and the CPI index of 5.86% and Waste Management's business challenges.

MOVED by Councilor Pratt and seconded by Councilor Stephenson to deny the increase in excess of the annual maximum of 4%. Motion carried 4-0.

<u>INTERAGENCY DATA SHARING AGREEMENT WITH WASHINGTON STATE AUDITOR'S OFFICE</u>
Under a bill passed by the Legislature this year, data sharing agreements (DSAs) are required for all state and local governments sharing data. This includes the data the City exchanges with the State Auditors during audits.

The proposed agreement formalizes all the steps taken to protect data, without requiring changes to existing data sharing practices.

MOVED by Councilor Erickson and seconded by Councilor Carlson to approve the Interagency Data Sharing Agreement with Washington State Auditor's Office. Motion carried 4-0.

LAW ENFORCEMENT UPDATE ON CONTRACT RENEWAL

The Chelan County Sheriff's Department presented the Mayor and Clerk-Treasurer with the 2022-2025 cost analysis for contracts with cities. The numbers they provided indicate the cost increase for 2022 for law enforcement services will be 5.26% and the following three years will be 4.09%. The County is drafting a new 4-year agreement for law enforcement services and a new 4-year lease agreement for space at City Hall. Both will be presented at a future meeting for Council approval.

PROGRESS REPORTS

The City received a letter from Chelan County Fire District No. 6 - Notice of Termination of the Interagency Agreement for Fire Protection Services.

Mayor Fletcher reported that he is meeting tomorrow with the Cashmere Fire Chief, Fire District No. 6 and Ballard Ambulance, to discuss the Interlocal Agreement for Emergency Medical Aid Services.

The City has applied for grant funding in the amount of \$900,000 to finish the road and sidewalks on Sunset Highway out to the city limits. The City's project was score #3.

Councilor Carlson would like to discuss the Farmer's Market and Vendor Fees on the next agenda. Mayor Fletcher stated that the Council needs to remember to treat all vendors using City property the same.

ADJOURNMENT

Mayor Fletcher adjourned the meeting at 7:01	. p.m.	
	James Fletcher, Mayor	-
Attest:		
Kay Jones, City Clerk-Treasurer		

Staff Summary

Date:

7/22/2021

To:

City Council

From:

Jim Fletcher, Mayor

RE:

CMC 5.40 Vendors

Permit Fees

As stated in CMC 5.40.010 Permit – Required. "Wonprofit vendors are required to obtain a permit, but are exempt from paying the permit fee". Cashmere Community Farmers Market (LCCFM) is licensed as a Washington not for profit corporation and is exempt from a fee. Vendors participating at the market would also need to be licensed as not for profit corporations to be exempt from a fee.

A. Permit fees as set by resolution of the city council are:

Vendor Permits: Quarterly \$150.00, Event \$50.00 or Multiple Vendor \$50.00 plus \$10.00 per vendor.

CCFM was not charged a permit fee; all commercial vendors are subject to a per day \$10.00 fee. This is consistent with the permit issued to Cashmere Chamber of Commerce for Founders Day.

Any fee structure must be uniformly applied to all vendors, asking to use city parks. This may be an individual vendor permit or a multi-vendor permit operating under a sponsoring agency.

City code CMC 5.40 does not specifically define a Quarterly Permit other than requiring a sponsoring agency. Application by CCFM requested every Sunday for a six-month period up to a total of 26 events. The city issued the first a quarterly permit May 1 to July 31 with 13 Sunday events. A second quarterly permit will be issued for the period Aug 1 to Oct 31, the remaining 13 Sunday events. The daily vendor fee reflects the actual number of businesses present on any specific Sunday.

Community market programs are expanding to include programs like makers markets, art fairs, and community fundraising events. Fees are appropriate for several reasons.

- Consistent and fair to all vendors presently using city parks.
- Defray additional cost to the city for maintenance of the park.
- Funding improvement projects benefiting public and vendors.
- Avoid gifting of public assets, vendors are paying for what they use.

Staff Recommendation:

Take no action, The second quarter permit will be issued to CCFM under the same terms and conditions as the first quarterly permit. Defer further discussion on CMC 5.40 until fall to discuss the broader implications of all types of community markets and commercial uses of city properties.

Attached:

CMC 5.40 Vendors

Draft 2nd Quarter permit to Cashmere Community Farmers Market

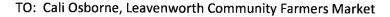
5.40.010 Permit - Required. SHARE

A. **Vendors** shall be authorized to conduct business on public property of the city provided they have first obtained a permit to do so and otherwise comply with the rules and conditions set by the city of Cashmere and all other applicable statutes and ordinances of the city of Cashmere, county of Chelan and state of Washington, including but not limited to the Chelan County health department and State of Washington Department of Revenue. Nonprofit **vendors** are required to obtain a permit, but are exempt from paying the permit fees. The permit required by this chapter is separate from and in addition to a business license that may be required under Chapter 5.04 CMC.

B. The following permits may be obtained:

- 1. Quarterly. This permit is effective for three consecutive months from the issue date of the permit.
- 2. Event. This permit is effective for four consecutive days as designated by the permit.
- 3. Multiple **Vendor** Event. This permit is effective for four consecutive days as designated by the permit and is intended for purchase for community events by a sponsoring agency.
- C. Permit fees shall be set by resolution of the city council and shall be published in the City of Cashmere General Information and Utility Regulations and Rates booklet, adopted by resolution of the city council from time to time.
- D. In addition to the fees charged for the permits, the city may also charge for electricity use and for extra dumpsters or portable toilets in an amount to be established by the city of Cashmere. (Ord. $1275 \S 4$, 2019; Ord. $1104 \S 1$, 2007).





RE: Permission to use City property at Simpson Park

Date: July 27, 2021

Application by Leavenworth Community Farmers Market (Farmers Market) dated April 1, 2021, for a multi-vendor event permit, to use Simpson Park for a Cashmere Community Farmers Market.

BRABT

The second quarterly permit is approved subject to the following conditions.

- 1. **Second Quarterly Multi-Vendor Permit** is issued for three months starting August 1, 2021, ending October 31, 2021.
- 2. **Permit application fee** of \$150.00 is waived for the Cashmere/Leavenworth Community Farmers Market as a qualified non-profit.
- 3. **Vendor fee required** in the amount of \$10 per vendor per Sunday event. Farmers Market may collect the \$10 vendor fee from vendors and remit to the city following each market event or pay the \$10 on behalf of the vendors.
- 4. **Approved location** the Market shall operate within Simpson Park as shown on Exhibit A. All other areas in the park are open to the public.
- 5. Certificate of Insurance with City of Cashmere listed as additional insured.
- 6. **Date and Time** for Market events will occur on Sundays starting between 9:00 A.M. and 1:00 P.M. Set up may start no earlier than 7:30 A.M clean up must be completed before 3:00 P.M.
- 7. **Number of Vendors** a maximum of 20 vendors on any Market Sunday event. Vendors will be offering produce and artisan goods, and will sell only from a booth, tent stakes not allowed.
- 8. **Vendors Identified** a list of vendors who participated at each Market event to include vendors state business license UBI number. A City of Cashmere business license is also required on each vendor, city business license endorsement to the state UBI can be obtained on-line at secure.dor.wa.gov/home/login. License fees are waived on qualified vendors.
- 9. **Temporary signs** for Market vendors/activities are allowed in Simpson Park only during Market hours. All other signs are subject to permits and must be approved by the City three days in advance of the Market event.
- 10. **Cleaning Simpson Park** shall be the responsibility of the Market including removal of all event related refuse from the park.

11. Park rules

- Inflatable play equipment not permitted
- No camping, no driving on the lawn
- Alcohol is not allowed in City parks.
- Music volume must be kept at a level which does not cause disturbance to the neighborhood.
- Water and electricity are not available on site.

Exhibit A



Vendor booths may vary in size if needed though are typically a 10x10 space. We hope to have around 20 vendors though expect a fluctuation between 10-25 depending on the weekend. All equipment is non-permanent usually in the form of pop-up tents and collapsible tables.

Area permitted to Farmer Market outlined in Rel 2021



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/10/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the

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Staff Summary

Date:

7/20/2021

To:

City Council

From:

Steve Croci

RE:

Asphalt Overlay Project

The City requested bids to provide an asphalt overlay to Yakima and Peshastin Streets. The City received three bids (see table below). Central Washington Asphalt was the low bid at \$51,984.00.

Contractor	Peshastin St	Yakima St	Total
Central WA Asphalt	\$39,421.20	\$12,562.80	\$51,984.00
Granite Construction Company	\$43,969.80	\$14,133.15	\$58,102.95
Central Paving	\$70,000.00	\$22,500.00	\$92,500.00

Staff Recommendation:

MOVE to select Central Washington Asphalt for the asphalt overlay project and authorize Mayor to sign documents.

Staff Summary

Date:

7/20/2021

To:

City Council

From:

Steve Croci

RE:

Chip Seal Overlay Project

The City requested bids to provide a chip seal overlay to a few alleys. A separate bid was provided for each alley. The City received bids from two contractors (see table below). I recommend hiring A & W Paving to chip seal Lincoln and Weeds alleys for \$51,470.

Contractor	Lincoln	Weeds	Fire Hall	Library	Total
11 7 7 7	Railroad to	Woodring to	Woodring to	Woodring	
	Lincoln	Maple	Blue Star	to Vine	
Square Feet	9,300	8,400	17,000	15,000	
A&W Paving	\$27,000.00	\$24,470.00	\$43,320.00	\$45,800.00	\$140,590.00
Central WA					
Asphalt	\$27,697.73	\$25,017.30	\$50,630.25	\$44,673.75	\$148,019.03

Staff Recommendation:

MOVE to select A&W Paving for the chip seal overlay on Lincoln and Weeds Alley and authorize Mayor to sign documents.

BUDGET INFORMATION:

ROADWAY MAINTENANCE OVERLAY

Budget =

\$100,000

Recommendation =

\$103,454

Asphalt Overlay (Peshastin and Yakima St) =

\$51,984

Chip Seal Overlay (Weeds and Lincoln Alley) =

\$51,470

Over budget amount = \$3,454

SAFE ROUTES TO SCHOOL

ESTIMATED

Engineers estimate

\$184,064

WSDOT Grant Funding

\$160,064

City's costs

\$24,000

ACTUAL

Bid amount

\$293,449

WSDOT Grant Funding

\$160,064

City's Cost

\$133,385

DIFFERENCE:

Actual Cost to City

\$133,385

Estimated Cost to City

-\$24,000

Budget Amendment

\$109,385





300 Simon Street SE, Suite 5 East Wenatchee, WA 98802 1.800.720.8052 / rh2.com

July 22, 2021

Mr. Steve Croci City of Cashmere 101 Woodring St. Cashmere, WA 98815

Sent Via:

US Mail

Subject:

Evaluation of Bids and Recommendation of Award

Pioneer Ave Safe Routes to School Federal Aid No. HLP-SR19(012)

TA-6835

Dear Steve:

This letter summarizes our review of the two bids received for the Aplets Way Overlay project and our recommendation for award. Presented below is our evaluation and review of the bids based on the attached summary of the bid tabulation for the project.

The City received two proposals at the time of the bid opening at 1:00 p.m. on Thursday, July 15th, 2021. Of the two bidders, JM Pacific Construction, Inc., of Moses Lake, Washington, was the apparent low bidder at \$293,449.00, this includes applicable sales tax. The project cost is more than what was anticipated (see attached bid tabs), however, the project will provide a substantial improvement to non-motorized users on Pioneer Avenue.

We have worked with the owner of JM Pacific on several past projects, and find them to be a qualified contractor. Contingent upon WSDOT approval, we recommend award of the project to JM Pacific Construction, Inc.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

RH2 ENGINEERING, INC.

Y Marie

Erik Howe, P.E. Project Manager

EH/kj

Enclosure: Bid Tab - 1 copy

cc: Mr. Brian Pearson, WSDOT

OREGON LOCATIONS

WASHINGTON

LOCATIONS

Bellingham Bothell (Corporate) East Wenatchee Issaquah Richland

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PLASTIC CROSSWALK LINE

PEDESTRIAM PUSH BUTTON REPLACEMENT

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ADVANCED REDESTRIAN CROSSING SYSTEM NO. 1

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REMOVING STRUCTURES AND OBSTRUCTION

MOBILE ATION

PEDESTRIAN CROSSING SYSTEM MO. 2 PEDESTRIAN CROSSING SYSTEM NO. 1

PEDESTRIAN CROSSING SYSTEM NO. 5