



## City of Cashmere

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CASHMERE CITY COUNCIL MEETING  
MONDAY, MARCH 28, 2022, 6:00 P.M., CITY HALL

**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 - ROLL CALL – FLAG SALUTE

ANNOUNCEMENTS

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of March 14, 2022, Regular Council Meeting
2. Minutes of March 16, 2022, Special Council Meeting
3. Payroll and Claims Packet Dated March 28, 2022

BUSINESS ITEMS

1. Public Hearing on petition for annexation of 5701 Evergreen Dr. (Furniss annexation)
2. Ordinance No. 1310 Authorizing the Furniss Annexation pursuant to the petition method

PROGRESS REPORTS

- Follow up on Community Forum

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 MARCH 14, 2022, AT CASHMERE CITY HALL – In Person and Digital

OPENING

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

Public can attend the council meeting in person, by phone or by digital conference.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jim Fletcher	
Council:	John Perry Chris Carlson Shela Pistoresi - Digital Jayne Stephenson Derrick Pratt	
Staff:	Kay Jones, Clerk-Treasurer Steve Croci, Director of Operations Chuck Zimmerman, City Attorney Kate Schilling, City Attorney	
W&C:	Brian Bzdawka, President of O&M Marc Thomas, National Operations Leader Jay Sheeham, O&M Business Development Leader Dave Kitzmiller, Area Manager Anthony Naccarato, Client Manager	

EXECUTIVE SESSION – To Discuss Potential Litigation

At 6:02 p.m. Mayor Fletcher called an executive session for approximately 30 minutes to discuss potential litigation. No decision will be made.

The Mayor closed the executive session and reconvened the regular session at 6:30 p.m.

ANNOUNCEMENTS

Mayor Fletcher reminded the council members of the Community Forum – March 21, at 6:00 p.m. at Riverside Center.

PUBLIC COMMENT

Steve Dilly has been the owner of the Cashmere Mini Mart since 1993. Mr. Dilly is excited about the improvements on Sunset Highway; however, he is concerned with the access planned for his property. He sells gas so there is a lot of truck and trailer traffic. His concern is that the sidewalks and curb cuts will be too restricting for his customers to get in and out. He is a convenience store, so the access needs to also be convenient. Mr. Dilly proposed putting the sidewalk on the North side of the street, which would eliminate pedestrian and vehicle conflict on his side of the street. He wants the largest curb cut and access into his property. He requested a 140-foot curb cut, the same as the Shell Station at the other end of town. Mr. Dilly also requested that during the construction the City minimize the amount of traffic restriction, so his business is not greatly impacted.

APPROVAL OF AGENDA

MOVED by Councilor Perry and seconded by Councilor Stephenson to approve the agenda as amended with the order reversed. Motion carried unanimously.

CONSENT AGENDA

Minutes of February 28, 2022, Regular Council Meeting  
Payroll and Claims Packet Dated March 14, 2022

Claims Direct Pay and Check #41790 through #41802 totaling \$42,514.53

Payroll Direct Pay and Check #41787 through #41789 totaling \$84,386.81

MOVED by Councilor Perry and seconded by Councilor Stephenson to approve the items on the Consent Agenda. Motion carried unanimously.

ORDINANCE NO. 1309 GRANTING LEGAL NON-CONFORMING USE STATUS FOR A LIMITED USE IRRIGATION ONLY WELL TO BE DRILLED AT 300 SULLIVAN STREET

The proposed ordinance grants a legal non-conforming use status for the drilling of a well for the sole purpose of providing irrigation only to serve 712 Pioneer Street and 300 and 302 Sullivan Street, due to the timing of the initial effort to drill the well. The well shall under no circumstances be used for domestic consumption.

MOVED by Councilor Carlson and seconded by Councilor Pratt to approve Ordinance No. 1309 granting legal non-conforming use status for a limited use irrigation only well for the properties described on Exhibit A. Motion carried unanimously.

RESOLUTION NO. 02-2022 WATER METER REPLACEMENT

The City intends to replace approximately 1200 water meters. The Mayor and staff recommend using the best available technology. The Kamstrup Acoustic Leak Detection (ALD) water meters can detect leaks in the City's distribution lines and they can be read with Advance Metering Infrastructure (AMI). The ALD feature is an important feature for the City because of the age of the City water lines and because this technology is the most up to date technology. With the AMI technology the meter will be able to be read from the office.

MOVED by Councilor Pratt and seconded by Councilor Perry to approve Resolution No. 02-2022 Declaring a single source of supply, Kamstrup, and authorizing the Mayor and City staff to negotiate an agreement for the purchase and installation of Kamstrup water meters from Correct Equipment. Motion carried unanimously.

WOODARD & CURRAN OPERATIONS AND MAINTENANCE AGREEMENT

Mayor Fletcher spoke on the benefits of bringing in management level services to provide industry best practices and modern technology to operate and maintain facilities, assure operations meet all state and federal requirements, provide efficiency in preventative maintenance and records, employee training and career opportunities. With the goal of finding efficiencies that assist in controlling future cost increases and slow customer rate increases.

Anthony Naccarato summarized the process they've been through, answering the City's request for qualifications, the City's selection of W&C, site visits and performing preliminary assessments, and drafting a scope of work and budget. With the approval of this agreement, W&C will start the transition phase.

Dave Kitzmiller spoke on the plans for the transition phase. Kitzmiller will immediately order the safety equipment and software and schedule the arch flash study, he will start negotiations with the union then meet with the City's two employees. A W&C team will be sent to implement the asset management program and take inventory of all tools and equipment and employee training will begin. He would like to get as much done and in place as possible before the takeover date of May 1st.

Jeff Gomes, the former mayor voiced his concerns regarding a management company. He discussed how much equipment and pumps are at the plant to monitor and maintain. His concern is future rates, and he suggested a rate study be done with FCS Group before entering a management contract. Cashmere's sewer rate is already high for seniors on a fixed income and the county rates are 1.5 times higher.

Teamster representative Paul Parmley voiced his concerns regarding the two remaining employees in the Water/Wastewater department. He stated the two employees have been operating the plant since two other operators retired last year. He questioned whether the City had done enough to hire people to help operate the plants. He questioned the validity and openness of the City on getting to this point. He cautioned the council on moving forward and reminded them that it was still their choice.

Mayor Fletcher stated that he will resume negotiating with the Union on employee effects and he will have more information regarding the effects when W&C can speak with the union and employees.

The Mayor stated that the City did bring in temporary help for the department to complete and sign required reports in order to meet state requirements. Most of the applications the City received did not have the required certifications. There were a couple of applicants from the west side that were certified; however, they didn't think the wages were high enough for the increasing housing costs in the valley. The City did offer a job to a qualified operator able to run the plant, unfortunately they accept a job in a different state.

Mayor Fletcher asked each council member what their thoughts and concerns were with the agreement.

Anthony and Dave addressed every question and concern the council voiced. They assured the council they want to be partners with the City for a long time. They will develop maintenance and capital improvement plans. They will look for inefficiencies to reduce costs and a monthly maintenance report will be provide to the City to hold W&C accountable. The council was encouraged to call W&C clients to hear firsthand what they think and how they feel about the performance and partnership with Woodard & Curran. Woodard & Curran believes their clients feel more comfortable and confident with W&C on board.

There were three sections the council members questions and were not comfortable with. The City attorney suggested deleting language in Section 5.04, adding language to Section 8.01 and adding a new Section 11.08. Woodard & Curran were acceptable to reviewing and revising the three sections.

A couple council members were not ready to take action on the agreement. They wanted more time to go over the contract again and they wanted to contact and interview W&C clients before a final decision.

MOVED by Councilor Carlson and seconded by Councilor Perry to schedule a special council meeting Wednesday, March 16<sup>th</sup> to further discuss the agreement with possible action. Motion carried unanimously.

City Council Minutes  
March 14, 2022

PROGRESS REPORTS

Director Croci thanked Jason Williams and Jesus Espinoza for keeping the water and wastewater utilities running.

ADJOURNMENT

Mayor Fletcher adjourned the meeting at 8:51 p.m.

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James Fletcher, Mayor

Attest:

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Kay Jones, Clerk-Treasurer

MINUTES OF THE CASHMERE CITY SPECIAL COUNCIL MEETING  
WEDNESDAY MARCH 16, 2022, AT CASHMERE CITY HALL – In Person and Digital

OPENING

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

Public can attend the council meeting in person, by phone or by digital conference.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jim Fletcher	
Council:	John Perry Chris Carlson Shela Pistorosi Jayne Stephenson Derrick Pratt	
Staff:	Kay Jones, Clerk-Treasurer Steve Croci, Director of Operations  Kate Schilling, City Attorney	Chuck Zimmerman, City Attorney
W&C:	Anthony Naccarato, Client Manager Dave Kitzmiller, Area Manager Marc Thomas, National Operations Leader Brian Bzdawka, President of Operations/Management	

CONTINUED DISCUSSIONS ON THE UTILITIES OPERATIONS AND MAINTENANCE AGREEMENT WITH WOODARD AND CURRAN, WITH POTENTIAL ACTION

Mayor Fletcher started the conversation by showing the council a graph of the City's Water and Wastewater Capital fund reserves over the past several years, which have been steadily increasing. He also showed Woodard & Curran's budget for water and wastewater compared to the City's budget. The cost of maintenance and operations will go up due to the increase in services and scope of work W&C will be providing. If need be, the City will redirect funds to maintenance and operations instead of to the capital funds. With an asset management program and an increase in preventative maintenance, the life of the equipment will or should be extended, which will reduce or offset the need for capital purchases.

Director Croci stated it was in the best interest of the City to contract with Woodard & Curran. He believes they are the right company for Cashmere. Every interaction with them for the last several months has been positive and good. They use modern technology, and they invest highly in training and safety. They are nationwide, so they have great resources to pull from.

Mayor Fletcher asked every Council Member what their thoughts were.

Councilor Pistoresi stated that she is very comfortable with Woodard & Curran. In her line of work she is familiar with contracts with larger consulting firms. She has found Woodard & Curran great to work with.

Councilor Stephenson listed pros and cons. She sees more pros and is in favor of moving forward with a company that specializes in utility operations management.

Councilor Perry stated he was comfortable with the contract after the City attorney explain Section 11:01 regarding termination and retaining employees.

Councilor Carlson stated that he read the contract thoroughly. He believes its importance to keep up on maintenance and technology. He called other cities where W&C operated their facilities and spoke with mayors and council members. He asked what they would do differently if they were starting the process over. All of them said they would hire W&C sooner. They said W&C stayed within or came in below budget and one city said they helped them get grants in the amount of 35 million.

Councilor Pratt said he did a little research of his own and he's comfortable and believes Woodard & Curran is the right team, he's just of a different mindset and prefers to maintain control.

Councilor Pratt inquired about the next steps regarding the employees. Mayor Fletcher explained that the City will notify the union and with the contract approved Woodard & Curran can contact the union to start negotiations, after which they will contact the two city employees regarding employment opportunities.

Suggested revisions to the agreement included adding language to Section 11.01 to clarify and deleting language in Exhibit B, Section 2d.

MOVED by Councilor Carlson and seconded by Councilor Stephenson to approve the Agreement with the two revisions pointed out by council and authorize the Mayor to sign. Motion carried with four in favor and Councilor Pratt voting no.

#### ADJOURNMENT

Mayor Fletcher adjourned the meeting at 6:35 p.m.

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James Fletcher, Mayor

Attest:

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Kay Jones, Clerk-Treasurer



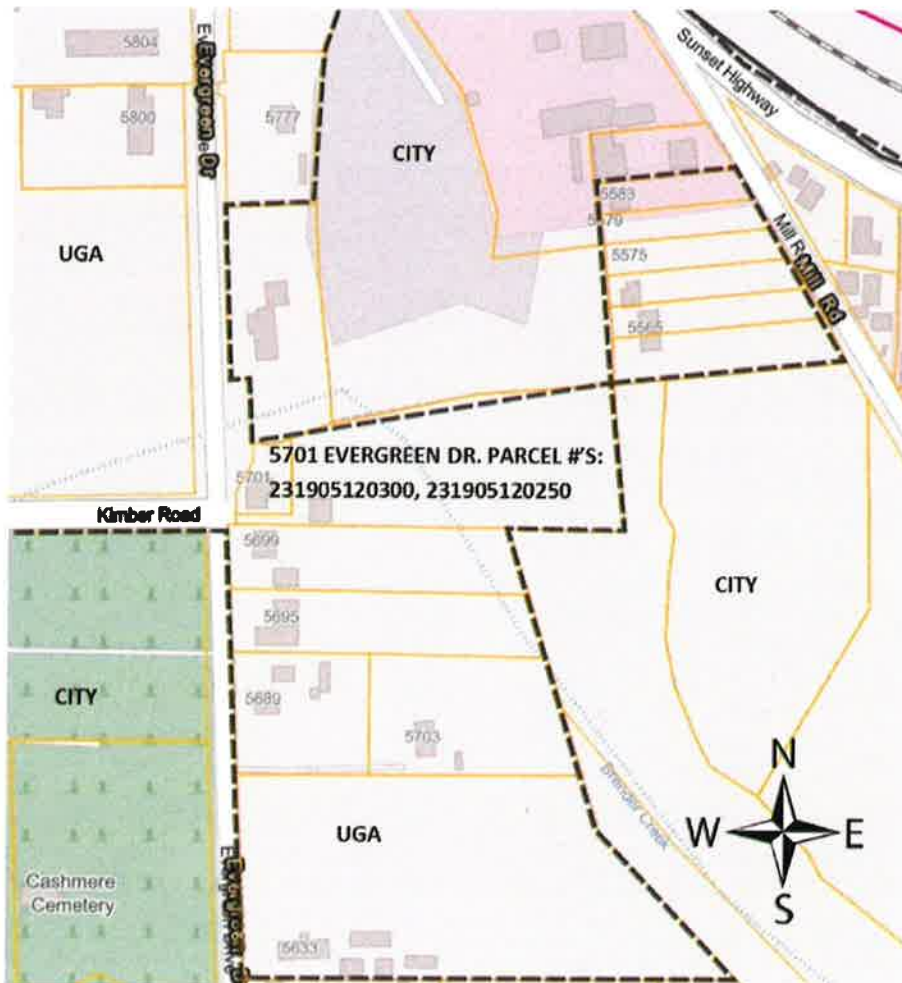
**NOTICE OF PUBLIC HEARING ON**  
**EVERGREEN RD AREA ANNEXATION**

Pursuant to RCW 35.13, the Cashmere City Council will hold a public hearing on Monday, March 28, 2022, at 6:00 p.m. at Cashmere City Hall, 101 Woodring Street on the following petition proposal for annexation into the incorporated City Limits of Cashmere:

The proposed annexation is located at 5701 Evergreen Drive, Cashmere WA 98815, also identified by Chelan County Assessor's Parcel Number's 231905120300 and 231905120250.

Complete legal description and site survey of the proposed annexation and petition are available at Cashmere City Hall for viewing by request.

The public is invited to attend and make comment or send written comments c/o Tammy Miller, Director of Planning and Building, City of Cashmere, 101 Woodring Street, Cashmere, WA 98815, [Tammy@cityofcashmere.org](mailto:Tammy@cityofcashmere.org)





**ORDINANCE NO. 1310**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE FURNISS ANNEXATION TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Petitioners, being the owners as defined in RCW 35A.01.040, of not less than ten percent (10%) in value, according to the assessed valuation of the property for which annexation is petitioned, prior to initiation of the petition, notified the City Council of petitioners' intention to commence annexation proceedings for the area commonly known as the Furniss Land Area annexation to the City of Cashmere (City); and

**WHEREAS**, the City Council met with said initiating owner on Tuesday, November 10 and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

**WHEREAS**, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owner of not less than 60 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City as legally described in Exhibit "A"; and

**WHEREAS**, pursuant to RCW 35A.14.130, the City fixed Monday, March 28, 2022, at the hour of 6:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; now therefore,

**The City Council of the City of Cashmere, Washington do ordain as follows:**

**Section 1. Annexation.** The real property commonly known as the Furniss Annexation in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, is hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

The real property annexed by this ordinance is legally described on the attached Exhibit "A" and generally depicted in the survey map on the attached Exhibit "B" incorporated herein by this reference.

**Section 2. Zoning.** Zoning of the annexation area shall continue as Multi-Family (MF), the zoning depicted for the annexation in the "Map of the Cashmere Zoning Ordinance".

**Section 3. Comprehensive Plan.** The annexed real property shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real property is hereby zoned in accordance with the Comprehensive Plan as Multi-Family (MF), as set forth in the City of Comprehensive Plan Land Use Designation Map.

**Section 4. Taxation.** The annexed real property described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at the date of annexation.

**Section 5. Summary.** The title of this Ordinance is hereby approved as a summary of this Ordinance.

**Section 6. Publication.** The City Clerk/Treasurer is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The Director of Planning & Building is further directed to file certified copies of this ordinance to the Boundary Review Board for Chelan County, Chelan County Auditor and Chelan County Assessor.

**Section 7. Severability.** If any section, sentence clause or phrase of this Ordinance shall be held invalid or unconstitutional by 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 8. Corrections.** Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, sections/subsections numbers and any references thereto.

**Section 9. Effective Date.** This ordinance shall take effect and be in full force five (5) days after the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 28<sup>th</sup> day of March 2022.

CITY OF CASHMERE

By: \_\_\_\_\_  
James Fletcher, Mayor

Attest:

\_\_\_\_\_  
Kay Jones, City Clerk-Treasurer

Approved as to form:

By: \_\_\_\_\_  
Charles D. Zimmerman, City Attorney

Passed by the City Council:  
Published in the Cashmere Valley Record:  
Effective date:  
Ordinance No:

## LOT A

That portion of the NE 1/4 of Section 5 T 23 N R 19 E W.M. Chelan County, Washington described as follows:

Beginning at the Center 1/4 of said Section a 3 1/2" Cased Aluminum Cap at the Junction of Pioneer Ave and Evergreen Dr, thence N 02°35'13" W 1377.67' to the Center North 1/16<sup>th</sup>, a 5/8" Cased Rebar at the Junction of Evergreen Dr. and Kimber Rd., thence N 84°12'10" E 30.05' to the 30' right of way of Evergreen Dr. the True Point of Beginning, thence along said right of way of Evergreen Dr. N 02°32'20" W 31.52' to Engineers Station 13+50 30' Left, thence continue along said right of way N 28°25'29" E 58.31' to Engineers Station 13+00 60' Left, thence continuing along the right of way N 02°32'20" W 28.17' to a 5/8" Rebar and Cap marked LS 14469 WCA, thence leaving said right of way S 87°52'13" E 37.66' to a similar Rebar and Cap, thence N 69°43'54" E along the North line of that parcel described in Statutory Warranty Deed Bennett to Free AFN 2510867 for 24.45', thence S 02°35'13" E 119.51', thence N 89°07'13" W 91.09' to the True Point of Beginning.

## LOT B

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 23 NORTH, RANGE 19, EAST OF THE WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AFORESAID GOVERNMENT LOT 2 AND RUNNING SOUTH ALONG THE WEST BOUNDARY FOR A DISTANCE OF 16.5 FEET; THENCE SOUTH 86°32' EAST FOR A DISTANCE OF 30.0 FEET TO THE TRUE POINT OF BEGINNING; CONTINUING SOUTH 86°32' EAST FOR A DISTANCE OF 229.68 FEET; THENCE NORTH 18°01' WEST FOR A DISTANCE OF 182.9 FEET; THENCE SOUTH 72°50' WEST FOR A DISTANCE OF 109.7 FEET; THENCE NORTH 86°27' WEST FOR A DISTANCE OF 68.16 FEET; THENCE SOUTH FOR A DISTANCE OF 132.0 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM PORTION CONVEYED TO CHELAN COUNTY FOR ROAD BY DEED RECORDED IN VOLUME 499, PAGE 300, UNDER AUDITOR'S FILE NO. 468480, RECORDS OF SAID COUNTY.

TOGETHER WITH: A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF GOVERNMENT LOT 2, ALL IN SECTION 5, TOWNSHIP 23 NORTH, RANGE 19, EAST OF THE WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND RUNNING SOUTH ALONG THE WEST BOUNDARY THEREOF FOR A DISTANCE OF 16.50 FEET; THENCE SOUTH 86°32' EAST PARALLEL TO THE NORTH BOUNDARY OF SAID SUBDIVISION FOR A DISTANCE OF 259.68 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; CONTINUING SOUTH 86°32'; EAST FOR A DISTANCE OF 405.92 FEET; THENCE NORTH 03°22' WEST ALONG THE WESTERLY BOUNDARY OF THE PLAT OF WILLOWDALE ADDITION FOR A DISTANCE OF 230.80 FEET; THENCE SOUTH 89°58' WEST FOR A DISTANCE OF 221.90 FEET; THENCE SOUTH 81°59' WEST FOR A DISTANCE OF 228.50 FEET; THENCE SOUTH 18°01' EAST FOR A DISTANCE OF 182.90 FEET TO THE POINT OF BEGINNING.

EXCEPT: That portion of the NE 1/4 of Section 5 T 23 N R 19 E W.M. Chelan County, Washington described as follows:

Beginning at the Center 1/4 of said Section a 3 1/2" Cased Aluminum Cap at the Junction of Pioneer Ave and Evergreen Dr, thence N 02°35'13" W 1377.67' to the Center North 1/16<sup>th</sup>, a 5/8" Cased Rebar at the Junction of Evergreen Dr. and Kimber Rd., thence N 84°12'10" E 30.05' to the 30' right of way of Evergreen Dr. the True Point of Beginning, thence along said right of way of Evergreen Dr. N 02°32'20" W 31.52' to Engineers Station 13+50 30' Left, thence continue along said right of way N 28°25'29" E 58.31' to Engineers Station 13+00 60' Left, thence continuing along the right of way N 02°32'20" W 28.17' to a 5/8" Rebar and Cap marked LS 14469 WCA, thence leaving said right of way S 87°52'13" E 37.66' to a similar Rebar and Cap, thence N 69°43'54" E along the North line of that parcel described in Statutory Warranty Deed Bennett to Free AFN 2510867 for 24.45', thence S 02°35'13" E 119.51', thence N 89°07'13" W 91.09' to the True Point of Beginning.



3/3/20

