

02/14/07

Mayor Lee Webster called the meeting to order at 6:00 p.m. Council Members present were Bob Fateley, Art Smyth, Kris Dawson, Dave Freels and Jerry Tretwold.

### **SPECIAL RECOGNITION**

Mayor Webster had intended on presenting former Council Member George Webster with a special recognition for the years he had served on council. Unfortunately Mr. Webster was unable to attend the meeting.

### **BUILDING MAINTENANCE FUND**

Council Member Tretwold discussed the progress of a building maintenance fund being established to encompass all repair and maintenance for the City Hall building. Finance Director Pam Olsen stated that she was still working on an Ordinance.

**Action: Finance Director Pam Olsen will prepare and present an Ordinance establishing a new building maintenance fund for the March 14, 2007 meeting.**

### **APPOINTMENT OF THE PUBLIC WORKS DIRECTOR**

Mayor Webster introduced JD Smith and asked council for confirmation of employment to place him in as the new Public Works Director. Council Member Fateley requested a 5 minute executive session.

Mayor Webster adjourned into executive session for approximately 5 minutes to discuss personnel at 6:05 p.m.

Mayor Webster reconvened into regular session at 6:10 p.m.

### **MOTION:**

Council Member Freels moved to confirm employment of JD Smith to the Public Works Director position. The motion was seconded by Council Member Tretwold and passed. Council Member Dawson abstained, stating that she was not involved in the hiring process. Mayor and Council welcomed Smith.

Council Member Tretwold moved to approve the minutes for 01/10/07 as corrected and the minutes for 02/02/07 as sent. The motion was seconded by Council Member Smyth and passed unanimously.

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 on a listing, which has been made available to the City Council.

As of this date 02/14/07 the Council, by a majority vote, does approve for payment those vouchers included in the voucher payment list and further described as follows: Claims Fund voucher numbers 40240 through 40339 in the total amount of \$165,466.37 Payroll Fund voucher numbers ????? through ????? in the total amount of \$?????.

### **WASTEWATER TREATMENT PLANT PHASE II BID AWARD**

Levi Shoolroy, JUB Engineers, gave council a brief history of the reasoning behind the recent re-bid of the Phase II Wastewater Treatment Plant Upgrade. Shoolroy reported that the new bids were opened on February 7, 2007 at 2:00 pm in the council chambers.

Shoolroy reported that Shannon Plumbing & Heating from Coeur d'Alene Idaho were the apparent low bidders with a bid of \$2,876,000 for the base bid and \$122,000 for Alternative #1. Shoolroy stated that JUB Engineers are currently working on another project with Shannon Plumbing & Heating and are pleased with their performance.

Mayor Webster questioned the change order process. Mr. Shoolroy explained that the city retains a 5% contingency which provides a buffer for changes and/or modifications. JUB reviews all claims and then would discuss any financial issues with the City.

### **MOTION:**

Council Member Freels moved to approve Shannon Heating & Plumbing's bid of \$2,876,000 for the base bid and \$122,000 for Alternative #1 contingent upon funding. The motion was seconded by Council Member Fateley and passed unanimously.

### **PROPOSED SEWER PROJECT**

Levi Shoolroy, JUB Engineers, began discussion on the sewer line that is being purposed by Custom Apple Packers (Custom). Shoolroy explained that Custom is currently treating their waste in a lagoon, but soon will need to come up with a better way. Custom has approached the City wanting to install either a gravity flow line or a force main line up Sunset Drive. Shoolroy shared with council a sheet prepared by JUB showing a range of 10,000 gallons per day up to 25,000 gallons per day, (information provided by Custom on usage). Shoolroy stated that range showed an average of between 40 to 100 houses per day actual usage. With the new capacity achieved by the completion of the Phase II Upgrade, they would be using approximately 1/3 of the capacity of the treatment plant. Council Member Freels voiced his concerns regarding having enough capacity to accommodate the city's growth. Council contemplated the impact on our system that Custom could have and the City's ability to afford a future upgrade. Council Member Tretwold stated that he would encourage Custom to bring a comprehensive plan to the Council and then have JUB Engineers review the plan.

Mr. Shoolroy stated that if Custom was to discharge their wastewater at night it would have a lesser impact on the treatment plant as far as operations go.

Council directed Mr. Shoolroy to report back to his co-worker Steve James and formulate a list of questions that should be posed to Custom before the City considers a proposal.

**Action: Public Works Director Smith will work with JUB Engineers on this project.**

### **OKANOGAN COUNTY PUBLIC HEALTH ISSUES**

Paul Waterstrat, Okanogan County Health Department was present to discuss current health issues facing Okanogan County. Mr. Waterstrat reported that Okanogan County has a high hospitalization, accident, mortality and premature birth rate according to the national average. He stated that the reasons for some of the statistics are because of transport distances, young mothers and STD's. Mr. Waterstrat left a learning CD with the Mayor and Council for their review.

### **FIRE DEPARTMENT UPDATE - OUTSIDE BURNING POLICY**

No report was given.

### **WATER RIGHT TRANSFER AGREEMENT**

Mayor Webster discussed a water right transfer agreement with the Port Columbia/East Bay Development. Mayor Webster stated that there are approximately 8 acres involved in the transfer and that for each acre there are 4 acre feet of water allocated. This would mean approximately 32 acre feet of water transferred.

#### **MOTION:**

Council Member Fateley moved to authorize the Mayor to move forward with this agreement on the City's behalf. The motion was seconded by Council Member Smyth and passed unanimously.

#### **COMMUNITY CENTER UPDATE**

Park and Rec Director Jerald Aldridge was present to give the council an update on his recent work with the Community Center. Mayor Webster commended Aldridge on the success of the recent town meeting he held to solicit ideas for the Community Center. Aldridge reported that he had started his Community Center Awareness Campaign by selling "I support the Rec Center" buttons. Aldridge's efforts resulted in \$300 in revenue from the button sales and an attendance of 105 people at the town meeting. Aldridge continued by listing the ideas that he had received at the meeting and the feasibility of each idea in regards to staffing, revenue possibilities and volunteers. Council Member Tretwold concurred with Mayor Webster stating that the meeting went well. Tretwold suggested that Aldridge only take on the projects that he feels would work for the Community Center. Council Member Dawson asked that the rental fee structure be revisited. Aldridge replied that he would like to standardize the rental fees and memberships regardless of whether an individual lives inside or outside the city limits. Aldridge reported that to date he has 216 members at the community center. Aldridge showed the Mayor and Council his new process for soliciting donations. Aldridge explained that he has set up three levels in which a sponsor can contribute and depending on the level in which a business or individual wants to sponsor, Aldridge has set up a list of benefits they would receive. These benefits are advertising on the City's web page, your name on a sponsor board that is displayed at the Community Center or a 3 x 3 banner that would hang in the gym at the Community Center. Lastly, Aldridge encouraged the mayor and the council to become sponsors.

#### **WATER ISSUES**

Mayor Webster discussed briefly the City of Chelan draft ordinance produced and provided to the City by Pete Fraley, Attorney at Ogden Murphy Wallace regarding water right transfers and funding security.

#### **MOTION:**

Council Member Smyth moved to have staff prepare a similar ordinance as referred to above regarding water rights for the March 14, 2007 council meeting. The motion was seconded by Council Member Freels and passed unanimously.

**Action: The City Clerk's Office staff will work with Pete Fraley to prepare an ordinance for the March meeting.**

#### **COUNCIL COMMITTEE ASSIGNMENTS**

Mayor Webster discussed updating the Council Committee assignments, they are as follows:

**Park, Community Center, Pool, Cemetery & Library**

Council Member Dawson & Council Member Smyth

**Airport**

Council Member Tretwold and Council Member Dawson

**Finance**

Council Member Fateley and Council Member Freels

**Public Safety (Police & Fire)**

Council Member Freels and Council Member Tretwold

**Public Works (Water, Sewer & Garbage)**

Council Member Smyth and Council Member Fateley

The council members name that appears first is the chairperson.

**RESERVOIR HILL ROAD PAVING**

Dr. LuWayne Stout was present to discuss the paving of Reservoir Hill Road. Dr. Stout explained that the road had been previously deeded to the City in exchange for the city providing maintenance and surfacing. Dr. Stout stated that he had received an \$8,000 estimate back in 2005 and is still willing to donate \$5,000 towards the project. Mayor Webster stated that he would look into the options and cost and get back to Dr. Stout.

**Action: Mayor Webster will contact Dr. Stout with an update.**

**RESOLUTION #07-01 – ADOPTING A NATIONAL INCIDENT MANAGEMENT SYSTEM**

Mayor Webster discussed Resolution #07-01 adopting a National Incident Management System. Mayor Webster stated that in order to receive aid in case of an emergency we need to have this resolution in place.

**MOTION:**

Council Member Fateley moved to approve Resolution #07-01 as presented. The motion was seconded by Council Member Smyth and passed unanimously.

**DOUGLAS COUNTY PUD/FOYLE PROPERTY**

Mayor Webster reported to council that the Douglas County PUD had revised their deadline to have a recreation plan in place in regards to the Foyle property on Sunset Drive. Mayor Webster stated that the new deadline is April 2, 2007 and his opinion is that the City does not have enough time to complete a plan. Council Member Tretwold suggested doing a plan anyway. Tretwold stated that if the City does nothing , we will get nothing.

**MOTION:**

Council Member Tretwold moved to develop a recreation plan by the Douglas County PUD's deadline of April 2, 2007. The motion was seconded by Council Member Smyth and passed unanimously.

**FEDERAL ENERGY REGULATORY COMMISSION MEETING**

Mayor Webster announced to council that the Federal Energy Regulatory Commission

(FERC) would be holding a meeting on February 28, 2007 at 7:00 pm at the Community Center. Mayor Webster encouraged everyone to attend.

### **OKANOGAN COUNTY TRANSPORTATION & SENIOR NUTRITION PROGRAM**

The Okanogan County Transportation and Senior Nutrition program submitted a letter to the council requesting a \$500 sponsorship to assist in the senior nutrition program for the Brewster area. Finance Director Olsen was asked to research the legality of sponsoring this service.

**Action: Finance Director Olsen will research the legality of this type of sponsorship.**

### **OKANOGAN COUNTY TOURISM COUNCIL**

Mayor Webster discussed the 2007 membership dues for the Okanogan County Tourism Council. Mayor Webster stated that the dues are \$40.00 for the year. Council agreed to pay the dues.

**Action: The 2007 dues will be paid.**

### **ORDINANCE #794 – RELATING TO THE ENFORCEMENT OF VIOLATIONS OF CITY ZONING**

Building Inspector Darren Moore discussed Ordinance #794 relating to the enforcement of violations of City zoning. Moore stated that by approving this ordinance he would have more leverage to enforce our current zoning laws. Moore explained that this ordinance would make an infraction a civil matter, meaning that a fine could be attached to each infraction and could even be assessed on a daily basis depending on the severity of the infraction.

#### **MOTION:**

Council Member Smyth moved to approve Ordinance #794 as presented. The motion was seconded by Council Member Freels and passed unanimously.

### **SNOW REMOVAL ON SIDEWALKS**

Building Inspector Moore discussed Section 8.16.020 – Nuisances of the Brewster Municipal Code (BMC) relating to sidewalk snow removal. Moore read his proposed revision to the code: "All snow and ice not removed from public sidewalks within reasonable time, no more than 24 hours for commercial zones and 48 hours for residential zones after the snow and ice has ceased to be deposited thereon. Snow shall not be pushed within 5 feet of fire hydrants, nor piled atop water meter lids. Snow removed from sidewalks shall not be placed in public streets or alleyways. All persons living at or owning of such residents or commercial business are responsible for keeping their sidewalk cleared. Sidewalks will be considered clear if the shoveled path extends the full width of the sidewalk and length of property."

#### **MOTION:**

Council Member Tretwold moved to approve the amendment to Section 8.16.020 as presented. The motion was seconded by Council Member Fateley and passed unanimously.

**Action: Section 8.16.020 of the BMC will be amended as shown above.**

## **MANUFACTURED HOMES/NON-CONFORMING USES**

Building Inspector Moore discussed manufactured homes and non-conforming uses in regards to them. Moore referred to single-wide manufactured homes and whether a separate roof could be built over the structure to perpetuate the existence of the home. Council Member Fateley questioned the definition of manufactured homes. Council agreed to have Moore research the issue further and report back with his findings at a future council meeting.

**Action: Moore will research this issue and report back to council at a later date.**

## **AIRPORT COMMISSION UPDATE**

Airport Commission Chairman JD Smith reported that Anderson Field Airport does not qualify for Homeland Security Field Officers, however, the airport does qualify for security equipment such as security cameras and fencing. Smith reported that he had the opportunity to speak with Mike McCool with Immigration Customs Enforcement and Bill Dingfield an Aviation Security Inspector with the Department of Homeland Security out of Wenatchee and that both had given him positive feedback.

## **AIRPORT WELL ESTIMATE**

Chairman Smith reported that he had received two estimates for the Airport well. The first bid was received from Windle Enterprises and came in at \$12,358 for an 8" well including tax but excluding a 15 horsepower pump. The second bid was received from MVM Drilling and came in at \$7,925 tax and a pump excluded. MVM Drilling would also offer a 20% discount on the pump if purchased through them. Chairman Smith discussed the airport well with Asst. Public Works Superintendent Dave Reynolds and discovered that with a Class B well there are Federal and State Regulations that need to be addressed and that an engineer will need to be consulted. Smith reported that with a Class B well you can have up to 25 hook ups.

## **2006 MAYOR'S AWARD**

Mayor Webster announced that JD Smith received the 2006 Mayor's Award at the January 2007 Chamber Banquet for his community involvement, his work with the Anderson Field Airport and the Brewster Chamber of Commerce.

## **POLICE DEPARTMENT UPDATE**

Police Chief Ron Oules distributed and discussed his annual and monthly stats. Oules discussed the new Spillman Software package that the police department is receiving training on. Oules stated that the entire county could share information and have an overall better tracking system. Oules reported that the Municipal Court had recorded approximately \$44,646 in revenue for 2006.

Oules briefly discussed a drive-by shooting case that he and his department were currently investigating. Oules emphasized that the shooting was not a random shooting and he believed it was gang related.

Council Member Smyth questioned Oules on loitering issues, wanting to know what the police could do. Oules explained that, unfortunately, individuals usually don't spend any measurable amount of time in one location and that they hang out at different times throughout the day. Oules stated that an officer will make contact with individuals in question and wished there were more that could be done.

Chief Oules discussed setting the reduce speed signs out further in the county in order to control the speed better within the City limits. Oules will bring more information back to council at the March meeting.

**Action: Chief Oules will bring more information regarding speed limit reduction to the March Council meeting.**

**PUBLIC COMMENT**

There was no public comment.

**EXECUTIVE SESSION – APPROXIMATELY 15 MINUTES TO DISCUSS POSSIBLE LITIGATION**

Mayor Webster adjourned into executive session for approximately 15 minutes to discuss possible litigation at 9:05 p.m.

Mayor Webster reconvened into regular session at 9:20 p.m.

There was no action taken.

**ADJOURNMENT**

There being no further business to come before the Council the meeting was adjourned.

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Mayor Lee Webster

ATTEST:

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City Clerk/Finance Director Pamela Olsen, MMC