

03/14/07

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

Council Member Freels moved to approve the minutes for 02/14/07 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 03/14/07 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 40340 through 40428 in the total amount of \$99,502.14. Payroll Fund voucher numbers 10272 through 10309 in the total amount of \$67,694.82

OUTSIDE BURN POLICIES

Fire Chief Mike Webster stated that he had nothing as yet on the Burning Ordinance regarding outdoor burn policies. He expressed a need to sit down with Council Member Tretwold and Council Member Freels and discuss the idea of modifying the City of Omak's burning ordinance to reflect Brewster's needs. A meeting was scheduled for Monday, March 19, 2007 at 3 pm in the Harmony House conference room. Chief Webster concluded saying there is no burn ban in effect. He emphasized that only natural vegetation is allowed to be burned and that all fires must be out by dusk. Council Member Tretwold questioned when the debris on Mike Chapman's property on Jay Avenue will be cleaned up from the burn he had conducted earlier this year. It was suggested that the procedure to initiate the cleanup should begin with a letter limiting the response time. The letter should also address the concern of safety to the adjacent neighbor.

MOTION:

Council Member Freels moved to send a letter to Mike Chapman regarding the immediate cleanup and Council Member Fateley seconded the motion. Motion passed unanimously.

Action: Building Inspector Darren Moore will issue a violation notice to Mike Chapman. Darren will review the Nuisance Ordinance to confirm that Mike cannot bury the debris in a hole currently on the property.

CHAMBER OF COMMERCE FEE WAIVER

Colleen Couch, of Sterling Savings Bank, requested that the yard sale fee be waived for the citywide yard sale that is to be held during Bonanza Days on Saturday, June 15th and Sunday, June 16, 2007. The citywide yard sale under the Chamber of Commerce letter will expand and offer another attraction during the Brewster Bonanza Days celebration. A list of all participants will be supplied.

MOTION:

Council Member Freels moved to waive the yard sale fee for the citywide yard sale to be held during the Bonanza Days celebration and Council Member Tretwold seconded the motion. Motion passed unanimously.

ORDINANCE #795- WATER RIGHTS

Mayor Webster gave a summary of the proposed ordinance stating that developers requesting annexations to and property development in the City would be required to transfer their water rights to the City or pay a fee to obtain additional water rights. The ordinance was prepared by Pete Fraley, an attorney with Ogden Murphy Wallace, who deals with water rights ordinances.

Rick Witt had many questions and concerns that included the time element that the water rights issue was presented to the public and not enough time allowed for it to be reviewed by the community. Mayor Webster replied that this idea was originally introduced approximately four months ago, but the ordinance was just recently written. Other questions included the amount of water the City currently has and how that amount measures against annexation and property development. It was affirmed that the East Bay development has transferred their water rights to the City. The City is using 92 % of its supply leaving 8% for future use. There are other factors that are now being calculated into the actual usage such as unmetered use in water leaks and 15% of unaccounted pumped water that will be recovered in the Waste Water Treatment Plant upgrade. Because of the many questions and issues brought to light, the Council decided to further the discussion of the water rights transfer until the next scheduled meeting in April. It was suggested to invite Pete Fraley to the next meeting to be present to answer questions and resolve issues. Mayor Webster asked Rick Witt to bring in his questions of concern in writing prior to the April meeting so the Council would have time to review them.

MOTION:

Council Member Tretwold moved to further the discussion of the Water Rights transference ordinance for one month and Council Member Fateley seconded the motion. Motion passed unanimously.

ORDINANCE # 796 BUILDING MAINTENANCE FUND

Finance Director Pam Olsen stated that Council Member Tretwold had requested that a fund be established from the current expense fund reflecting the percentile already used to be put into a fund exclusive to labor, and supplies for repair and maintenance of the City Hall building.

MOTION:

Council Member Fateley moved to approve the Building Maintenance Fund and Council Member Tretwold seconded the motion. Motion passed unanimously.

HIGHLANDS ASSOCIATES ANNUAL CONTRACT AGREEMENT

Finance Director Olsen explained that the contract was a yearly contact for yearly work allocated. This would involve 208 plus hours at a fee of \$13,520.00.

MOTION:

Council Member Tretwold moved to authorized Mayor Webster to sign the Annual Contract agreement with Highlands Associates and Council Member Smyth seconded the motion. Motion passed unanimously

Finance Director Olsen explained Agreement #2. This entails the preparation of the Park and Rec Survey. This will be broken into 4 tasks. Task #1 involves a letter to the

Federal Energy Regulatory Commission addressing the supporting data for the need of a new RV park facility. There are future Interlocal Agency Committee grants available to expand Brewster's economic growth. This survey will enhance the current accumulated data. Questions were researched from other cities that have previously conducted similar survey. The projected timeline for the Park and Rec Survey is March 19, 2007- first draft: March 20, 2007 review of draft: March 23, 2007-News release draft: and March 26, 2007 release of final draft. The survey will be available on the city's website as well as obtaining a copy at City Hall.

MOTION:

Council Member Tretwold moved to approve Task #1 of the Highlands Agreement #2 and Council Member Smyth seconded the motion. Motion passed unanimously.

ORDINANCE 797- MUNICIPAL COURT JUDGE

Finance Director Olsen stated that Chuck Zimmerman, City Attorney, corrected the error in the ordinance relating to Municipal Judge one year compensation to a four-year regulating compensation as dictated by state law. Chief Oules replied that he did not believe that Judge David Ebenger was aware of an ordinance regulating a four-year compensation as his contract is for one year. It was discussed that negotiations take place every year on a four-year contract. The ordinance must first be in place before the contract can be established. Council Member Fateley suggested striking the first sentence of Section 1 relating to the compensation item.

MOTION:

Council Member Freels motioned to withdraw the proposed Ordinance 797 and to further the discussion at the next scheduled meeting. Council Member Smyth seconded the motion and the motion passed unanimously.

Action: Chief Oules will bring a list of objections regarding Ordinance 797 to the next scheduled meeting for discussion.

AIRPORT COMMISSION UPDATE

Airport Commission Vice- President Jeff Spurgeon was present to discuss the 2007 Aviation Conference in Puyallup attended by Chairman JD Smith and Airport Manager Dave Smith. Six boxes of apples were donated by Gebbers Farms and distributed at the main information booth. Brewster was mentioned to all who received apples and the city's name was announced over the PA system throughout the show. They met with the new FAA Operations Manager and learned of two upcoming grants what will integrate with the security issues currently facing the airport. Chairman Smith is to meet with the new PUD manager in Brewster to discuss the date of the trench dig for the power line extension.

POLICE DEPARTMENT UPDATE

Police Chief Oules reviewed the stats and stated that over 100 over time hours can be expected later in the year. The summation of the recent drive by shooting, narcotics dealings and subsequent investigations involved a lot of overtime hours. Chief Oules did not have the Speed Ordinance ready relating to changing boundaries of speed limit signs reducing speed further out into the County.

Action: Chief Oules will have some information put together for the April Council meeting.

CUSTOM APPLE SEWER CONNECTION

Mayor Webster read a letter from Steve James of JUB Engineers regarding the proposed Custom Apple Sewer Connection. The issues addressed include the 516 connections of remaining capacity based on 250 gallons per day average use. If 25,000 gallons per day are used, it equated to 100 connections, leaving 416 connections for future growth. The current system wide average use is 289,000 gallons per day. The letter also suggested questions that should be asked of Custom to help the City make better decisions about the Custom Apple Connection: present the projected connection costs and rates to Custom Apple, and work with Custom to get a firmer proposal. It is unknown when the last contact was made with Custom, but the timeline must be met. Council Member Tretwold suggested that going through the Kirk orchard would avoid the need for a lift station. It may be better for the City to expand the system to serve the property owners along Sunset Drive.

PUBLIC COMMENT

Rick Witt suggested that Section 13.12.030 B of proposed Ordinance 797 stating that upon application for a building permit on an existing lot of record, the owner of the property shall transfer water rights needs clarification.

Action: Finance Director Pam Olsen will research to see if the City has a written policy in place policy stating an individual cannot purchase a water meter until a building permit is purchased.

EXECUTIVE SESSION – APPROXIMATELY 15 MINUTES TO DISCUSS

PERSONNEL

Mayor Webster adjourned into executive session for approximately 15 minutes to discuss personnel at 7:30 p.m.

Mayor Webster reconvened into regular session at 7:45 p.m.

No action was taken.

ADJOURNMENT

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

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC