

05/09/07

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.

Public Works Director, JD Smith informed the Council that Mr. Robert Arevalo had called previous to the meeting to announce he would be unable to attend and discuss lighting, signage, and dog control. Council Member Fateley moved to approve the changes to the agenda. The motion was seconded by Council Member Smyth and passed unanimously.

Council Member Fateley moved to approve the minutes for 04/16/07 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 005/09/07 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 40507 through 40598 in the total amount of \$109,959.45. Payroll Fund voucher numbers 10359 through 10409 in the total amount of \$74,891.51.

REQUEST FOR REDUCED EXCESSIVE WATER CHARGE- BENNETT

Becky Bennett spoke on behalf of her father, Richard Bennett who was requesting a reduction of the excessive water charge of over \$500 due to a problem that originated in February 2007. Ms. Bennett explained the problem began with a pipe rotting thus creating a flood resulting in excessive water usage. Public Works Director, JD Smith verified that the Bennett's had not shown negligence in the flooding matter. It was not something that could have been prevented. Smith had investigated the history of the Bennett's water usage and concluded that regular water use had been in effect up until February. Smith reviewed the readings for 3 months of the previous year and concluded that their average monthly bill was \$70.96. Based on this average, he offered the reduced water bill to be this amount for each of the months of February, March, and April.

MOTION:

Council Member Tretwold moved to approved the reduction of Richard Bennett's water bill to reflect the historic water usage from the previous year to be \$70.96 for each of the months of February, March, and April. Council Member Freels seconded the motion and motion passed unanimously.

Becky Bennett complained about the inactive rate applied to the monthly water bill while the water was turned off and not being used, but charged to maintain the water and sewer lines. Council Member Freels explained that water use is tight. The inactive fee is a small price to pay for guaranteed water use. Council Member Fateley stated that based on what is needed to support the City water system which is the number of existing residents, losing water usage completely by removing the meter compared to paying an inactive fee to guarantee water back on again when you needed it, seemed to offer an obvious choice. Council Member Tretwold asked the Bennetts if the rotten pipe had been repaired and needed their water turned back on. Mr. Bennett replied that he had not been able to find anyone to do the work as yet and would have to put in a new line. The Bennetts thanked the Council for their reduced water bill and for the explanation of their inactive fee imposed when you request your water to be turned off.

SENIOR TRANSPORTATION AND NUTRITION PROGRAM

Chris Zaferes of the Senior Transportation and Nutrition Program addressed the City Council regarding bus replacement. He stated that the Senior Bus is the only public transportation in the County for the senior community. The Program has asked the Senior Center to contribute \$18,000. Mr. Zaferes asked the City Council for \$1000 for the Bus Replacement Program. Their goal is to institute an annual donation from the City. The Director of Operations, Dianne Konsack, gave a brief history of the Program stating that currently there are 4 buses that are now 13 years old. Every two years a grant becomes available and the goal is to replace these buses. The Program is currently non-profit. She offered the possibility of using a percentage of the sales tax alleviating the requested annual \$1000 donation. The Council questioned if the Program asking for donations was legal and Ms. Konsack replied that the County Commissioners are encouraging them to ask the cities for donations. It was stated by Council that the Senior Center had been given \$2000 from the City in the past and had been responsible for deciding where to use those monies. When questioned about the donations from other cities, Jackie Bradley stated that there are 4 buses in Omak and their donation is \$1000, which also contributes to the operations fund, the City of Pateros is not asked to donate for the bus replacement program because they already donate, and though Brewster has only one bus, it is bigger and services Bridgeport, Pateros, and Brewster and so the donation request is the same as the City of Omak. Local businesses have been mailed letters asking for donations as well. Because of monies already allocated from the City Budget, Council Member Tretwold stated that he felt more comfortable agreeing to a one-time donation of \$1000 rather than a fixed annual donation.

MOTION:

Council Member Tretwold moved to approve a donation of \$1000 for one year toward the Bus Replacement Fund to be dispersed from the Capital Improvement Fund. Council Member Dawson seconded the motion and motion passed unanimously.

AMERICAN RED CROSS

Executive Director, Sheron Shelton of the North Cascades Chapter, addressed the Council by stating the American Red Cross is approaching all cities asking for donations. Contrary to popular belief, the Red Cross does not financially support the Chapters. Crisis situations must be paid from fund raising, planned events, and donations. Often the required training for officers in the field is funded by grants. It is difficult to get all the cities together to conduct a fundraiser to make the effort worthwhile; one of the reasons being that the number of volunteers is restricted. Therefore, there is a need to solicit donations from cities (the amount requested based on city population) to supplement the Okanogan Chapter. Ms. Shelton asked for \$1800 from Brewster, not as a one-time donation, but as an ongoing contribution. She offered to come back every year to request the monies to ensure that the services the Okanogan Chapter now has will remain. Ms. Shelton further discussed that the usual method of payment was in contract form and it was not specified as a donation, but as a payment for services. When asked about operating costs, Ms. Sheron replied that the Red Cross is nationally a non-profit organization, their hope is that the cities within the area of the Chapters will financially support that chapter, Leann Lifer is the Executive Director for the Transportation Program and their yearly operating budget is \$100,000. Chief Ron Oules suggested that the Red Cross representatives come back before the budget is set and perhaps apply for funds similar to a grant application.

MOTION:

Council Member Tretwold moved to award the North Cascades Chapter of the Red Cross \$1000 from the City of Brewster. Council Member Fateley seconded the motion and motion passed unanimously.

Council Member Freels wants to check with the City Attorney for legality of the Red Cross soliciting for funds as it may prove to be a tax problem. He suggested sending a copy of the contract from the Red Cross for the attorney's review. Finance Director Pam Olsen stated she would speak with Chuck Zimmerman, City Attorney, regarding any potential legal ramifications. It was agreed by all Council Members that they would like to see the dollars used locally. It was discussed that establishing a resolution denying these types of requests can end the repeat requests for donations to community services or designated dollar amounts to service groups. Council was not comfortable with the frequent requests and was afraid that the local service groups such as the Kiwanis, Lions Club, and the American Legion might take direction from these other non-local service groups and habitually ask for donations as well.

Action: Finance Director Olsen will speak with the City Attorney regarding legal ramification when donating to service groups and see if we can do a resolution regarding the matter.

INTRODUCTION OF NEW EMPLOYEES

Mayor Webster introduced Desha Dawson as the new Deputy City Clerk. Because of the strong applications submitted for the Deputy Clerk's position, the City drew upon those applications in hiring Sandra Miranda as the new Administrative Assistant. Ms. Dawson will begin work May 21, 2007, and Ms. Miranda will begin May 15, 2007. Mayor Webster is thrilled at the prospect of both joining the City staff. Jackie Moriarty and Debbie Minick will be hard shoes to slip into as they both took on any endeavor with total commitment.

2007 RECREATIONAL ACTION PLAN UPDATE

Mayor Webster stated that the survey for the Park and Recreational Plan is up and running. The survey focuses mainly on the RV Park, its needs and suggestions for improvement as well as the boat docks and fishing enhancements. Mayor Webster encouraged everyone to take the survey.

As an informational item, Mayor Webster stated that the Okanogan County Land Council invited Brewster to a county wide Land Management Conservation meeting.

FIREWORKS PERMIT

The Kiwanis had once again written a letter requesting permission to sell fireworks for the Fourth of July. They will work with the Fire Department as well as the Police Department to monitor fire conditions at the time of the sales.

MOTION:

Council Member Dawson moved to approve the sale of fireworks for the Fourth of July by the Kiwanis and Council Member Smyth seconded the motion. Motion passed unanimously.

ORDINANCE 795- WATER RIGHTS TRANSFER

Public Works Director, JD Smith referred to the hand-out regarding the Water Ordinance Committee and the action items they are currently addressing. These items came about from discussion by the committee members with the intention to ultimately adopt them into the proposed Ordinance 795. These items included how many water connections are available. The figure, 405, is based on water that is actually pumped versus what meters are used which determines the number of uses available. Roger Erlandsen, one of the Water Ordinance Committee members, suggested that a clear inventory of residential property owners would prove to be of further help. The gallons per day factor, which based on a 2006 well usage is typically 250,000 gallons by Chelan Fruit, 350 to 400 gallons daily, and 297 gallons daily for residential use was discussed. John Weiss will get back to the Water Ordinance Committee with the information determining the number of unimproved lots within the City Limits as determined by the County Assessor. Other issues included if irrigation water were brought in, who would perform the conversion to domestic and who would absorb the costs; and that the most current opportunity for the City to acquire water rights and property was to go through the Conservancy Board. When the issue of payment in lieu of water rights transfer is utilized, whether the funds would be dedicated to acquisition of water rights or placed in a general fund was raised, there was a strong consensus to acquisition for water rights. It was reiterated that the actions items brought before Council were for discussion only and no decision was being asked for at this time. Smith stated that the Water Ordinance Committee had proposed a 3 to 4 month research into all aspects of the water rights transfer issue before finalizing Ordinance 795 and bringing it again before City Council for approval. All Council Members are in favor of the Water Ordinance Committee to thoroughly address all issues.

Council Member Freels stated that he felt present land owners should have the first option to pay for water rights to guarantee water use. Further discussion included suggestions that an inactive rate be paid until the water is actually used or the meter is installed. The fee for a hook-up connection should be paid up front on empty lots. It was suggested Ordinance 795 should include the provision that the physical connections and meter installation would be installed at time of purchase of the land and then the landowner has 10 years to develop the land.

Looking ahead, the meter fees will rise in price, so the sensible action, financially speaking, would be to pay for the hook-ups now to guarantee water usage. Public Works Director Smith questioned if the City Council was suggesting a moratorium. It was discussed that perhaps when 10% of water usage was left, this could be used as a buffer zone. The suggestion was made that payment for water hook ups guaranteeing water usage be addressed by resolution thus offering a fair water acquisition opportunity for both existing and potential landowners. This would help diffuse future battles for water rights.

WWTP UPDATE

Shannon Heating and Plumbing was issued the Notice to Proceed on May 21, 2007. Public Works Director JD Smith spoke on the need to get an easement from Mr. Lucas and the Godbey- Red-E-Mix Plant to add 4 feet more space for the back flow valve. The permanent access is a problem as it occupies their driveway. The 16-foot extension needed would block the driveway. Moving the backflow box and sliding the pad over 4 feet toward Godbey's property line would not impede on either fence. The pad size could be reduced as another option rather than acquiring an easement from Godbey. The cost for redesign would be approximately \$2000, which is not included in the cost

of the project. Levi Shoolroy, of J U B Engineers, is working with Kris Erlandsen of Erlandsen and Associates on the redesign.

AIRPORT UPDATE

Airport Chairperson JD Smith reported that George Howe from the Okanogan PUD, who he is working with on getting the line extension installed, is going in a positive direction. The lines have been marked. Mr. and Mrs. Orford are eager to move their manufacturing plant out to the airport. They need 10 lots and are hoping to install 3-phase power. This is very expensive and the Orfords have been advised that the additional cost will fall on them. They are looking at the west end of the airport to locate their business. Smith stated that if he does not have a response from the Orfords by June 1, 2007; the Commission will go forward with single-phase power.

POOL UPDATE

Public Works Director JD Smith stated the needs of the pool which included: cover replacement, which is necessary, filters costing \$2134, pool heater repairs, pump and installation, the water slide pump is frozen due to its size being bigger than what is needed and the cost is \$4000, solar panels costing \$5526 and the solar panel pump being \$550. Both the heater and the pump will increase the water flow. All necessary work can be done for \$23,181. The City has been offered a \$25,000 conservation loan that will also help to reduce the PUD bill. Smith stated he would come up with firm figures on the yearly payment due on the \$25,000 loan.

Mayor Webster stated that he hopes the PUD will take responsibility for the water tables raising causing cracks in the pool surface. A lot of time and effort was administered for the Federal Energy Recreation Committee letter that was composed to support the need for the pool as a further asset to the RV Park. The annual cost for pool operation is \$70,000 and \$15,000 revenue is obtained from the RV Park. The financial gain of the Community Center was positioned against the Pool. It was debated if one of the facilities had to be given up, which would make the most financial sense. Council Member Freels suggested proposing a bond to the community to determine how badly the pool was wanted

Gary Knowlton will conduct the pool's maintenance. It was asked what the current temperature of the pool is. Smith will find out. There are two returning lifeguards from the previous year. There has been only one applicant for the pool's front desk position.

MOTION:

Council Member Tretwold moved to make the necessary pool repairs not to exceed the \$25,000 PUD conservation loan amount and Council Member Smyth seconded the motion. Motion passed unanimously.

Action: Public Works Director (PWD) JD Smith will submit the annual loan payment on the PUD Conservation Loan at the next Council meeting. He will also give the operating pool temperature.

POLICE DEPARTMENT UPDATE

Police Chief Oules gave the stats for the end of the month stating there were no major influxes. Oules reported that in the City of Spokane they amended their junk vehicle ordinance to reflect that effective June 22, 2007, any vehicle with expired licenses was grounds for impoundment. On the May 5, 2007 Celebration in the park, Oules stated

there were no problems and that everything ran smoothly. Twenty hours of overtime were needed because of the event. His only complaint was the schedule of events for May 5, 2007 was not submitted in a timely manner. Public Works Director, JD Smith stated that he had already spoken with the Public Works Crew on the matter. Chief Oules concluded that the State of Washington boasts a 96% daytime use of seatbelts. He alerted the Council that sometime later in May, a nighttime seatbelt program would be enforced for 4 days.

MUNICIPAL JUDGE CONTRACT/ORDINANCE

Police Chief Oules reported that Judge Ebenger is happy with the Municipal Judge contract. He has just not returned it as yet. Ordinance 797 will allow the City to pay the judge; therefore the ordinance needs to be passed. The fee has been increased \$3000 from last year.

MOTION:

Council Member Freels moved to approve Ordinance 797 pertaining to the Municipal Judge's contract and Council Member Smyth seconded the motion. Motion passed unanimously.

Chief Oules further reported that his staff has taken an aggressive approach in obtaining past due monies from the new collection agency and consequently have collected more outstanding debt. One employee is on the Family Medical Leave Act (FMLA), but the Department is doing fine. Because of the reduced number of officers, Chief Oules has had to be an officer and will be unable to conduct his administrative duties. Going forward, Oules is working on acquiring a grant for Traffic Safety. In summation, Oules stated that the new computer system has been a challenge.

PUBLIC COMMENT

Mayor Webster stated that Park and Rec Assistant Manager Miguel Garcia and his wife, Jessica recently lost their baby. Special accommodations have been made for the family and the funeral is May 10, 2007 at 1 pm. Public Works Crew member John LaBree volunteered his personal time to cover Miguel's duties.

EXECUTIVE SESSION – APPROXIMATELY 20 MINUTES TO DISCUSS PERSONNEL

Mayor Webster adjourned into executive session for approximately 20 minutes to discuss personnel at 8 p.m.

Mayor Webster reconvened into regular session at 8:20 p.m.

There was no action 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