

08/08/07

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.

Council Member Freels moved to approve the minutes for 07/11/07, with changes to the Plaza Point Update as requested by Council Member Tretwold and to Mr. McHugo's nuisance report as requested by Mayor Webster. The motion was seconded by Council Member Tretwold and passed unanimously to approve the minutes with the changes as noted above.

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 08/08/07 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 40812 through 40888 in the total amount of \$156,696.00. Payroll Fund voucher numbers 10458 through 10519 in the total amount of \$86,167.09.

DEPARTMENT OF ECOLOGY – WWTP AWARD

Denise Mills from the Department of Ecology, Yakima office, was at this evening's City Council meeting to present the City of Brewster's Waste Water Treatment Plant with an Outstanding Performance Award for 2006. Here to accept the award were Lynn Lawson and Bob Freeman, employees of the City of Brewster. This award is given to those WWTP's with 100% compliance with testing and discharge monitoring reports. During 2006, Brewster's Waste Water Treatment Plant performed 2,300 samples, all of which were received and reported on time and were 100% compliant with the standards set by the DOE.

Ms. Mills noted that of the 321 waste water treatment plant facilities in the State of Washington, only 56 of them received perfect record of operation awards, with Brewster being one of them. She stated that it is a great honor to receive this award and the City of Brewster obviously has a great crew working for them. The City Council commended Bob and Lynn for the great work and for receiving top honors for our Waste Water Treatment Plant.

MIKE WEBSTER – FIRE DEPARTMENT:

Mike Webster, Brewster Fire Chief, presented to the City Council with the proposal of purchasing a new command vehicle, with monies from the reserve fund. The current command vehicle is a 1989 Chevy Blazer. The vehicle he would like to purchase is owned by Doug Bradley. It is a 1997 Chevy Tahoe. It is white with an automatic transmission, 4-wheel drive and new tires. It has 135K miles and has been well maintained. Fire Chief Webster has driven the vehicle and notes that it drives well and is in overall good condition. The price Mr. Bradley is asking for it is \$6000.00. Blue Book on this vehicle is set at \$6,500.00. Fire Chief Webster also presented the proposed costs, if this vehicle were purchased, to perform the radio change-out, have the decals placed on the vehicle and licensing fees/registration. He also presented price comparisons of similar vehicles for sale in local ads and listings.

Council Member Tretwold feels that the current vehicle is not what he would call dependable and the vehicle that Fire Chief Webster would like to purchase is in good condition. Council Member Fateley knows Mr. Bradley and the vehicle he has for sale and feels that if the Fire Department were to purchase this vehicle, it would be a good

investment. Mr. Bradley has been the only owner of the Tahoe.

Council Member Fateley asked if the current vehicle, the 1989 Chevy Blazer, could be sold as surplus. Fire Chief Webster stated that the Fireman's Association purchased this vehicle back in 1999 and this would probably have to go through them.

Public Works Director J.D. Smith noted that Fire Engine #28 is in excellent condition. He also stated that he does not foresee any future problems or major repairs to the main fire fighting vehicles that could deplete the fund. Finance Director Pam Olsen stated that there is currently \$13,000.00 available in the equipment reserve fund, which is specifically for these kinds of purchases. Finance Director Olsen also confirmed that with the purchase of this vehicle, the reserve fund would not be depleted.

MOTION: Council Member Tretwold moved to approve the purchase of the 1997 Chevy Tahoe from Doug Bradley for \$6000.00, as well as the associated costs for the radio change out, decals and licensing/registration. Council Member Freels seconded the motion and the motion passed unanimously.

JACKIE BRADLEY/CHRIS ZAFERES – Resolution for Law Enforcement

Okanogan County Clerk Jackie Bradley and Chris Zaferes presented the Council with a Police Certification Expense Resolution. This resolution is asking the State to pay for the costs of sending a recruit or officer to the police academy rather than having the City of their origin pay the cost. Currently, police academy training is costing some cities as much as \$20,000.00 for five (5) months of training.

Mr. Zaferes stated what appears to be happening in some cases is an officer will go to the academy at the expense of the city, then once trained will work for that city for a short period of time and then move on to a larger city for more pay. Mr. Zaferes and Ms. Bradley feel that this Resolution will help place the burden on the State of Washington, rather than the small towns. Several cities including Omak, Tonasket and Okanogan have been experiencing similar problems.

There are twenty-seven (27) counties that will fall under this Resolution. The 7th Legislative District has endorsed this Resolution. Currently, Mr. Zaferes and Ms. Bradley are contacting non-partisan Chamber and City offices to complete the endorsements from the small towns and cities affected by this. They are asking the City of Brewster to compose a letter of support for this Resolution. All Council members present were in full support of this Resolution, as well as Police Chief Ron Oules.

MOTION: Council Member Tretwold moved to approve the City of Brewster sending a letter of support for the Police Certification Expense Resolution, signed by Mayor Webster. Council Member Freels seconded the motion and the motion passed unanimously.

MAYOR WEBSTER:

CITY DONATION RESTRICTIONS – Resolution 07-09:

Mayor Webster presented the Council with Resolution No. 07-09. This Resolution is to establish a Council policy restricting donations of money from the City's general operating funds to private organizations, including but not limited to nonprofit charitable organizations. If approved, this Resolution will be effective immediately upon passage by the City Council.

MOTION: Council Member Freels moved to approve Resolution 07-09, establishing a policy restricting donations of money from the City's general fund to private organizations. Council Member Fateley seconded the motion and the motion passed unanimously.

PUBLIC WORKS DIRECTOR - J.D. SMITH:

PLAZA POINT UPDATE:

Public Works Director Smith presented the Council with the new Plaza Point Development Agreement dated August 7, 2007. Plaza Point is a thirty-four (34) acre, twenty-nine (29) lots, gated, private development. Gamble Ranch Resorts will have ultimate control of the Development sales, with the lots being sold and the owners moving in as a group.

The new draft agreement was drawn up during the last Plaza Point meeting including representatives from the City of Brewster, Gamble Ranch and Erlandsen & Associates. There were verbiage changes/revisions made to this agreement, regarding specific issues the City had wanted addressed.

The first change/revision was made on page 2, section 3(e) of Repairs and Utilities. This section was changed to reflect the added cost of placement and compaction of asphalt. It states that the Home Owner's Association will reimburse the City for the cost of asphalt required for such repair or maintenance as well as the cost of placement and compaction of said asphalt within thirty (30) days of billing by the City. Roger Erlandsen stated that they are working on the issue of reserves for repairs.

The second change/revision was on page 2, section 4 of Height Limitations, stating that the height of all buildings, trees, fences and shrubs within the development shall be limited to twenty-six (26) feet above the average grade of the building pad for "each lot" within the development.

The third change/revision was made on page 3, section 6(b) of Yard Irrigation System for the maintenance of the Common Yard Areas and the common area designated on the Plat. It states that the Yard Irrigation System shall be separate from the facilities that provide domestic water to the Development, with a single line providing water to the Development through a meter and backflow device installed at the cost of the Home Owners' Association. Each lot will be connected to the Yard Irrigation System thereafter with an underground sprinkler system and not less than two (2) hose bib connections with one in the front and one in the rear of the residence. The Yard Irrigation System shall be designed and constructed according to the standards of the Brewster Municipal Code and the City of Brewster will operate and maintain that portion thereof as set out in subsection (d) will be conveyed to the City upon completion.

The fourth change/revision was made on page 2, section 6(c), regarding Conveyance of Irrigation Water to the City which states that upon approval of the final plat, the Developer shall cause the conveyance to the City of an adequate supply of water sufficient to maintain the Common Yard Areas, based upon a landscape plan prepared by the Developer and provided to the City.

The fifth change/revision was to page 3, section 7 regarding Storm Water. The original plan had infiltration system that required a pump. This new draft does not. Roger Erlandsen stated that GeoTech had drilled and determined the infiltration rates. Early reads had indicated that an infiltration system would be adequate, but now GeoTech has recommended that the infiltration system include a pump. This current draft will be

changed to reflect the storm water system within the Development to require a pumping system. Mr. Erlandsen stated that they will get a new draft drawn up and by that time, the grade plan should be done, as well as the irrigation plan, to cover all of the irrigation needs and requirements.

Public Works Director Smith has asked the Council take their time in reviewing this draft in its entirety, taking into account the above noted changes/revisions that will be made. One thing Public Works Director Smith noted was that the subject of accessory dwellings will need to be addressed at the next Plaza Point meeting, which should take place once the landscaping agreement is completed. He encouraged the Council members to contact him at any time regarding questions about the current draft.

SIDEWALK PROJECT HIGHWAY 97 DOT:

Representatives from the Washington State Department of Transportation including Don Becker, Abigail Johnson and Terry Mattson of the WSDOT US-97 Pedestrian Safety Project, presented to the City Council to discuss the Sidewalk Project for Highway 97 in Brewster. A few years ago, the WSDOT found a need to improve pedestrian safety for high traffic areas in the State of Washington. The City of Brewster feels that there is a need to improve pedestrian safety along the highway from Main Street and 97 intersection to Bridge Street and 97 intersection.

Don Becker stated that the project will include placing sidewalks along the highway as well as placing set exit/entrance points at the Brewster Market Place, Gebbers Farms Packing Shed and the Triangle Shell and therefore be safer for both pedestrian and car traffic. At times, these areas can get quite congested with vehicles trying to enter the highway and has a very high probability for accidents. Another area that will be affected by the project is Gebbers big lot, next to the Chevron. This area is not developed and will need to be allowed to make changes as set by the City as far as what they will be allowed for access points and road approaches to the highway.

Terry Mattson stated that one of the issues they are going over is with respect to storm water. He asked if there were a way to tie into a drain system at the west end of town. Public Works Director Smith stated that there is a drain system on 7th Street and he will check into possibly tying into this system.

The other issue is with respect to sidewalk width. Currently the City of Brewster's Code stated that the curbs are to be six (6) inches with sidewalk width at seven (7) feet. The WSDOT states that their criteria for sidewalk width is five (5) feet and they would need a variance to change those measurements if the City wants the seven (7) foot width.

Another issue was with respect to maintenance and snow removal. Public Works Director Smith stated that the City would be responsible for snow removal and maintenance.

Council Member Fateley questioned the need for sidewalks along highway 97. He stated that traffic studies and crosswalk placement may be a more needed study, but questioned the need for a sidewalk running the length of the highway. He also stated that maybe studies into different lane configurations or the possible need for traffic lights could also be considered.

Council Member Tretwold stated that he feels the area of need is at the intersection of Bridge Street and highway 97, suggesting the possibility of an "island" that would give pedestrians a place to stand and wait while trying to cross the highway at the Triangle Shell.

Mr. Mattson stated that what he is hearing from the Council is that the main issue is the parallel crossings. He is not sure about changing what Legislation has approved for this project, but stated that the State has some set flexibility limits, but the project is focused on Highway 97. The sidewalks are "free", but would like to make sure that they are fulfilling the cities needs before they continue with the process.

Currently, the DOT is in the process of setting up a meeting with the business owners who will be affected by this project to get their input. JUB Engineering will be running the scope of the work to be done. Surveyors will be collecting data over the next two weeks with the hopes of having a public meeting with the engineers sometime in October. JUB and the WSDOT will be meeting with the property owners before the public meeting.

The engineering phase is set to take place through 2008 with the actual work beginning in 2009. Public Works Director Smith stated that the City would like to continue the Main Street design out to the highway. Lighting along the highway will be set to DOT standards, stated Becker.

Public Works Director Smith will copy the questionnaire sent to him by the State and will get copies to the Council for review. Mr. Mattson stated that if there are any questions, he would be willing to meet with the City and the Council Members at any time to discuss the project.

PUBLIC HEARING SIX-YEAR STREET PLAN, Resolution No. 07-06:

Mayor Lee Webster opened the Public Hearing for Resolution No. 07-06 during the regular City Council Meeting. Public Works Director Smith submitted the preliminary Six Year Comprehensive Street Program which will run from the year 2008 through 2013. This Six Year Street Program, once filed with the Secretary of Transportation of the State of Washington, will keep Brewster on the front end when it comes to receiving funding for improvements. With there being no public comment, the Public Hearing was closed.

MOTION: Council Member Freels moved to approve Resolution 07-06, City of Brewster's Six Year Comprehensive Street Program for calendar years' 2008 through 2013. Council Member Smyth seconded the motion and the motion passed unanimously.

DESIGNATION OF A VOTING REPRESENTATIVE FOR THE R.T.P.O. - Resolution 07-08:

Resolution No. 07-08 was presented to the Council for their approval. This Resolution will designate a voting representative and an alternate to the North Central Regional Transportation Planning Organization. This is a group that holds quarterly meetings, and the City of Brewster is an active member. This resolution designates Public Works Director as the voting representative and the City Building Inspector as the alternate.

MOTION: Council Member Fateley moved to approve Resolution 07-08, designating the Public Works Director as the voting representative and the City Building Inspector as the alternate voting representative for the North Central Regional Transportation Planning Organization. Council Member Smyth seconded the motion and the motion passed unanimously.

MOSQUITO SPRAYING:

At the last regular City Council meeting, the question was raised regarding the necessity and costs of mosquito spraying in the City of Brewster. As noted, Public Works Director Smith had collected data regarding total acreage and potential costs. It is estimated that there is approximately 704 acres within the City of Brewster. Public Works Director Smith met and spoke with Dave Reynolds, Assistant Public Works Director, and they had determined that there were at least four key areas that would be priority for spraying. Those areas included the City Park, Columbia Cove, Erlandsen's cove and the cemetery. This would be approximately 30 acres and the cost would be around \$600.00.

Public Works Director Smith stated that he had questioned twenty-two (22) citizens and asked them if they felt there was a problem with mosquitos in the area. He stated that none of the twenty-two (22) people questioned felt there was a big enough problem to justify spraying at this time. Public Works Director Smith noted that during the recent salmon derby, Pat Conley from the White Elephant had passed out mosquito repellent stickers to most of the derby contestants as a precautionary measure.

Council Member Fateley stated that the information collected was very useful, but noted that we are nearing the end of the mosquito season and it may not be cost effective to spray for mosquitos at this time. It was recommended that we save this information so that in the spring of next year, we can re-evaluate the need and go on from there.

NUISANCE COMPLAINT:

At the July City Council meeting, a report of a nuisance complaint that had been discussed regarding primarily bikes on the sidewalks and pedestrian safety on Main Street. Police Chief Oules stated that since that prior discussion, that there appears to be less bicycle traffic on the sidewalks. Public Works Director Smith also noted that he had personally stopped and asked people riding bikes on the sidewalks to not do so. It was also felt that the lessened bike traffic was also in part due to the Police Department stepping up the enforcement as well.

Public Works Director Smith had obtained sample signs that would be posted in areas where no bicycles or skateboards would be allowed on the sidewalks. The signs, if purchased, would be \$28.95 each. He stated that to post the areas needed, we would need at least eight (8) signs. These signs would be posted by banding them to the light poles. He believes that purchasing these signs would be money well spent.

POLICE CHIEF RON OULES:

POLICE DEPARTMENT UPDATE:

Police Chief Oules noted that the thefts have continued to rise, which is typical for this time of year and usually starts around cherry harvest. There have been a lot of problems with graffiti in Brewster. The Police have a person(s) of interest. Council Member Dawson asked who is responsible for the clean-up and removal of graffiti from homes and businesses?

Police Chief Oules stated that unfortunately, it is the responsibility of the homeowner/business owner, but the PD does have graffiti removal on hand that can be purchased. Public Works Director Smith stated that according to City's Public Nuisance Ordinance, if a home has been tagged with graffiti it is the responsibility of the homeowner to clean it. The City will contact them twice regarding clean up and if the

homeowner does not clean it up, the City will remove it and send the owner a bill. Police Chief Oules stated that anyone can contact them regarding clean up advice and of course, to report graffiti.

Council Member Dawson also asked if there were any way to block the river walk entrance, as there has been quite a bit of vandalism on the trail, as well as cars driving and/or parking at the entrance. Public Works Director Smith stated that the City could put up a fence or post a sign, but it would require the help of the Police Department to enforce it.

TAKE HOME CARS:

Council Member Tretwold asked if the Take Home Car Policy for the Police Department had been completed. This Policy has not been completed to date and should be available at the September Council Meeting.

OVERTIME:

Police Chief Oules stated that the department is still working with a limited staff. There are two officers not on active patrols. Overtime is currently at 106 hours for the month of July, but is actually around fifty (50) when you consider in the holidays and overtime amounts that are reimbursed. Chief Oules is not sure exactly how long the two officers will be out, but hopes to have a full staff soon.

STATS:

Police Chief Oules presented to BPD Incident Report for the month of July. According to this report, there were a total of 185 reports/complaints for July. This is an accurate count and since going to the Spillman Software program, this is now giving a more detailed and correct way of tracking all incidents. He also compared Brewster to other local agencies of about the same size and stated that when compared to Oroville, we are logging roughly 200 more incidents/complaints per month. Police Chief Oules stated that his officers are busy.

COURT:

Police Chief Oules reported that collection of monies owed from citations issued are up considerably. In July, the department had collected close to \$9,000.00. This is not necessarily due to increased citations, but more importantly due the new methods of collecting the money, including collection services for old debts. So far in 2007, compared to 2006, the department is \$5,000.00 over what they had collected for the same time period.

PATROL CAR CAMERAS:

Police Chief Oules stated that there are currently three (3) cameras installed and in use in the patrol cars for the Police Department. There are two (2) cameras left to be installed, but these should be in and operational by the 11th. An instructional in-service was set for the 13th of August, but Chief Oules stated that the officers who have been using them have reported that they are relatively easy to use. All of the officers, including Police Chief Oules, have stated they are very excited to have the cameras available and they believe that these cameras will help them tremendously in their daily patrol duties, whether it be routine traffic stops or higher levels of criminal activities they encounter. Once again, Police Chief Oules thanked the Mayor and the Council for approving the addition of these cameras to the Police Department and feels it will benefit everyone in this community.

EXECUTIVE SESSION – APPROXIMATELY 45 MINUTES:

Mayor Webster adjourned into executive session for approximately 45 minutes to discuss potential litigation at 7:45 p.m. Mayor Webster reconvened into regular session at 8:30 p.m.

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