

11/14/2007

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

Council Member Freels moved to approve the minutes for 10/10/2007 with correction to the PUD Extension minutes, first page, fourth paragraph, line four, to read "Chelan Co. PUD" instead of "Douglas Co. PUD". The second correction was on page four, paragraph one, line two, to read "It will also provide four (4) months wages for the project as well as the costs of having our essential records sent to Ellensburg for proper archiving long-term storage which will be saved on a portable hard disk". The motion was seconded by Council Member Dawson and passed unanimously to approve the minutes with the above noted corrections.

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 11/14/2007, 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 #41077 through #41166 in the total amount of \$206,690.25. Payroll Fund voucher numbers #10656 through #10688 in the total amount of \$ \$75,505.47.

#### **OTHER BUSINESS:**

Council Member Freels stated that he had reviewed the bills to be paid. He recalled that the Council had previously discussed budget expenditure limits and that he noted one amount in the bills to be paid for November was over \$2,000.00. This is the amount that he was of the understanding needing to have pre-approval. It had been previously discussed during the November 6<sup>th</sup> budget meetings that those amounts requiring pre-approval be proposed at \$5,000.00 for Public Works and \$3,000.00 for all other departments. No definite decisions had been made at that time.

Council Member Tretwold then asked how to go about setting the amount and who within the City would be authorized to approve these purchases. It was suggested that the Mayor and one (1) of the two (2) members of the Finance Committee be those who are authorized to make the approval. The Council Members on the Finance Committee are Council Member Freels and Council Member Fateley. An alternate could be appointed in the event that the Council Members on the Finance Committee were unavailable.

**MOTION:** Council Member Freels made the motion to require all purchases over \$2,000.00 to have pre-approval by the Mayor and at least one (1) of the two (2) members of the Finance Committee. Council Member Dawson seconded the motion and the motion passed unanimously.

#### **MAYOR WEBSTER**

#### **BREWSTER COMPREHENSIVE PLAN:**

Kurt Danison was present to discuss the Brewster Comprehensive Plan. He stated that the staff report, transmittal letter and Resolution had previously been handed out to the Council for review. Mr. Danison then read over the staff report and went over the revisions and changes that had been made. He also noted that this is at least the third time that changes and revisions have been fine tuned.

The land use development had the biggest effect on the Comp Plan. The business district has been reduced and the commercial areas have been expanded. The Urban Growth Area has been expanded to include land out to Starr Ranch Growers, as well as to the Airport. The City will be keeping the Reservoir areas.

Mr. Wyss had requested that the UGA be expanded to include the area out to the Hanford Cut-Off Road (Gebbers Request). This request was declined by the County Commissioners, so is now in the hands of the City Council. Mr. Danison noted that we will soon be asked to design a plan to begin our Urban Area expansion.

Council Member Tretwold asked the question that if the Urban Growth Area is expanded in the areas requested, and we the City stake claim to this land within our UGA, can anyone else come in and use this land. Mr. Danison stated that yes, they could but it would ultimately be the responsibility of the City of Brewster to provide services to these areas, once they are annexed. The County can, however, come in and make changes until the land is annexed by the City. (Annexation would require 60% property owner agreement or a vote).

Council Member Tretwold asked Mr. Danison what he would recommend in this situation. Mr. Danison stated that the decision is up to the City of Brewster and we would probably only want to take this on if there were a reasonable return. Basically, the City would control any development. It would have to be done to City standards. Mayor Webster noted that it would mean the City of Brewster would be able to set standards of land development within the Urban Growth Area. Once the land was annexed the City would then become responsible for road maintenance and utility service.

Mr. Danison noted that when the City looks at expanding the Urban Growth Area, we need to look long and hard at the long term improvements and other upgrades that will be required within the Public Works Department, ie: Wastewater Treatment Plant. He advised not to make quick decisions, but think it through and weigh the pros and cons.

Council Member Tretwold noted that in the October 12<sup>th</sup> minutes, there was discussion regarding the Gebbers Family's request for a land swap – re: the Paradise Hill Road and the City property. Previously, they had requested more than the City could allow. As it is now understood, they would like the area cleaned up around the Canyon Pump, possibly moving the old equipment to the airport. Council Member Tretwold asked how this trade could be done so that both parties are pleased.

It was recommended that we send a rough draft of the land swap agreement to our City attorney for review. Council Member Tretwold stated he was comfortable with the new Urban Growth Area of the Comp Plan as presented, but would like to postpone the motion to approve it for at least one month in order to get the land swap agreement in place.

#### PUBLIC HEARING - BREWSTER COMP PLAN:

Mayor Webster opened the Public Hearing for Resolution No. 07-11 regarding the updated City of Brewster Comprehensive Plan. With there being no public comment brought forth, Mayor Webster closed the Public Hearing.

#### RESOLUTION NO. 7-11, UPDATED CITY OF BREWSTER COMP PLAN:

It was recommended that Resolution No. 07-11, regarding the adoption of the updated City of Brewster Comprehensive Plan and Maps be tabled until the December 12<sup>th</sup> City Council Meeting. This would allow for further review of the Comp Plan as presented.

**MOTION:** Council Member Tretwold made the motion to table Resolution No. 07-11 regarding the adoption of the updated City of Brewster Comprehensive Plan and Maps until the December 12<sup>th</sup> City Council Meeting. Council Member Freels seconded the motion and the motion passed unanimously.

ORDINANCE #801 – HIGHWAY ACCESS MANAGEMENT PLAN:

Public Works Director Smith suggested that this ordinance be tabled until December, allowing Council to have enough time to review the ordinance as well as the RCW's and WAC codes relating to the Highway 97 project. Public Works Director Smith handed out maps and the RCW/WAC information to the Council Members.

**MOTION:** Council Member Fateley made the motion to table Ordinance #801 for further research until the December 12<sup>th</sup> Council meeting. Council Member Dawson seconded the motion and the motion passed unanimously.

DONATION REQUESTS:

Mayor Webster noted that he had received a letter from the Okanogan County Transportation and Nutrition Program, asking for a \$1,000.00 donation in 2008 for the Bus Replacement Program. He also noted he had received a request for a donation of a little over \$2,000.00 from the Economic Alliance Program, also in 2008.

We have previously donated money to these programs in the past, and the Mayor would like the Council to keep these amounts in mind when going over the 2008 Budget.

FINANCE DIRECTOR:

PUBLIC HEARING FOR PRELIMINARY BUDGET:

Mayor Webster opened the Public Hearing for the City of Brewster Preliminary Budget. With no public comment brought forth, Mayor Webster closed the Public Hearing for Preliminary Budget.

PUBLIC HEARING FOR PROPERTY TAXES:

Mayor Webster opened the Public Hearing for the City of Brewster Property Taxes, Levy Certifications.

Finance Director Pamela Olsen informed the Council that our rate is down to \$2.77 per \$1,000.00, which is down from the previous \$3.75, which is due to the 1% lid.

No public comment was brought forth. Mayor Webster closed the Public Hearing regarding the City of Brewster Property Tax, Levy Certifications.

RESOLUTION NO. 7-13, EMS:

The Brewster City Council Members have received and reviewed Resolution No. 7-13, regarding City of Brewster EMS Property Tax Levy.

**MOTION:** Council Member Fateley made the motion to approve Resolution No. 7-13, regarding the City of Brewster EMS Property Tax Levy. Council Member Freels seconded the motion and the motion passed unanimously.

RESOLUTION NO. 7-14, PROPERTY TAX:

The Brewster City Council Members have received and reviewed Resolution No. 7-14, regarding City of Brewster Property Tax Levy.

**MOTION:** Council Member Fateley made the motion to approve Resolution No. 7-14, regarding the City of Brewster Property Tax Levy. Council Member Freels seconded the motion and the motion passed unanimously.

RESOLUTION NO. 7-15, 2008 CITY OF BREWSTER RATE INCREASES:

Council had received and reviewed Resolution No. 7-15, regarding the amendment of resolutions 03-08 and 02-01; setting the fees charged for water and sewer services; environmental and land use applications; parks, swimming pool and RV park usage; equipment rental; cemetery; airport; licenses, permits and NSF; and Police Department services and containing a severability clause.

**MOTION:** Council Member Tretwold made the motion to approve Resolution No. 07-15, regarding the amending of Resolutions 03-08 and 02-01 and setting fees to be charged by the City of Brewster, as noted above. Council Member Dawson seconded the motion and the motion passed unanimously.

BUDGET MEETING:

Finance Director Olsen asked the Council Members to confirm a date for the next budget meeting. All Council Members agreed on Monday, December 3<sup>rd</sup> at 5:30 pm in Council Chambers.

POLICE CERTIFICATION EXPENSE RESOLUTION MEETING:

Finance Director Olsen announced that there would be a meeting on Thursday, November 13<sup>th</sup> at 7:00 PM at the Koala Street Grill in Omak. This meeting is to discuss Police Academy Reimbursement for rural communities and to obtain further support for this Resolution. Jackie Bradley and Chris Zaferes had attended our August City Council meeting asking for our support of this Resolution. A letter of support for this Resolution from the City of Brewster has been sent to Jackie Bradley, dated August 13, 2007.

PUBLIC WORKS:

WWTP UPDATE:

Public Works Director JD Smith stated that the Wastewater Treatment Plant upgrade is running on schedule. It was noted however, during the upgrade that we have exceeded our computer program capacities and there is now a need to update the computer program and monitoring system. It was estimated that the computer system upgrade would cost \$7500.00. Public Works Director Smith noted that he had received an e-mail today stating that it appears the software (system integrator) was included in our initial bid for the WWTP upgrade process and will be updated to accommodate the new system.

GEBBERS FARMS WASTEWATER DISCHARGE:

Richard Thomason, representative from Gebbers Farms, presented to Council with a request for a tap into our City sewer system for additional discharge from the packing

lines. This would primarily be for the cherry pack lines, which run June through August. The request is for an additional 200,000 cubic feet of discharge per month. It is estimated that during peak, the amount discharged would be 47,000 gallons per day, low discharge at 26,000 gallons per day with an average of 33,000 gallons per day. Public Works Director Smith stated he spoke with Mr. Thomason prior to the Council meeting this evening and had done some figures on this, as well as assessing whether or not our system could handle the excess discharge.

It is figured that a 4-inch pipe would need to be installed to accommodate the excess discharge. Gebbers Farms would be responsible for the installation of the pipe and a larger holding pond as well as the costs associated. Public Works Director Smith has also contacted the DOE. They stated that this excess discharge will not put Gebbers Farms over their current discharge permit levels. Mr. Thomason stated that Gebbers is working with the DOE on this project to ensure that they are staying within their standards.

The reason Gebbers Farms is requesting the allowance for extra discharge into our system is because currently, the excess processing water that is not pumped into our system is being pumped into water trucks and spread out on their dirt roads and other areas that the water can be spread. What Gebbers Farms is looking to do is find the best way to accommodate the larger discharge amounts in coordination with the State DOE requirements and permits.

Gebbers is currently discharging roughly 20% of what they take in as far as actual consumption through the meter. Basically, they are not discharging the exact amount of water they are taking in. They are paying for their water based on actual use, but the discharge rate is based on total consumption. They are allowed a 15% evaporation break on their monthly billing. Public Works Director Smith stated the City would need to come up with a cost breakdown as far as what would be charged, if at all, for the excess discharge.

Council Member Tretwold asked about allowing Gebbers to build a larger holding pond and set up a discharge contract for four or five years while Gebbers Farms works on a different way to upgrade their system to the DOE specifications. Mr. Thomason stated that Gebbers could remove some of their orchard and have a larger containment pond to hold the excess water, with a hold time of approximately four (4) days, but would rather be allowed to have that excess water go into our system. The question, however, is if our system could handle that.

Public Works Director Smith stated that if we were to allow this excess discharge of 200,000 gallons, in the proposed discharge amounts, the City would lose 143 water connections at the treatment plant. The City currently has 500 connections. Council Member Freels stated he was leery to proceed with this plan, as he does not feel it would be wise to give up that many water connections. Council Member Fateley commented he believes that we may be taking on a problem bigger than we can handle.

Council Member Fateley also asked if this were something that the City could allow for one year, thus allowing Gebbers Farms and the City to come up with a definitive plan. Mayor Webster suggested allowing certain discharge amounts, possibly less than requested. Would these be options to consider? Council Member Tretwold brought up the idea of having a certain discharge time, perhaps at night. Public Works Director Smith stated that we would not want to allow a large quantity discharge as this would dilute the system. A steady, moderate discharge would work better, and chemical adjustments could be done at the treatment plant if needed.

Council Member Fateley asked if there were a way the City could have an agreement in place with Gebbers Farms to have the water discharged on a part-time set up, for example only allowing the excess discharge amounts in the winter.

After much discussion, Mayor Webster stated that he would like to have Public Works Director Smith, Lynn Lawson – Treatment Plant Manager, and Mr. Thomason set up a proposal agreement regarding fees, charges or allowances for the excess discharge. Council Member Freels also suggested having it stated in this proposal that the agreement would be for a set amount of time, not a permanent agreement.

**ACTION:** Public Works Director Smith will get together with Lynn Lawson and Mr. Thomason to go over a proposal agreement.

#### HELMICK STREET VACATION:

The request for a street vacation made by Tom Helmick regarding an 80x20x17 section of land located at Douglas Street and First Street was discussed. Roger Erlandsen, representative of Eastbay Development, recommended that the City not proceed with this vacation. The same issue was raised in 1991, and the City does not want to lose this piece of property, but is willing to work with Mr. Helmick as far as placement of a gate and potential use of the property.

**MOTION:** Council Member Tretwold made the motion to deny the street vacation requested by Mr. Tom Helmick. Council Member Fateley seconded the motion and the motion passed unanimously.

#### ANGLE TRAILER PARK:

Public Works Director Smith discussed the proposed rate increased for the Angle Trailer Park in 2008. The rate increases will be effective May 1, 2008 upon lease renewals. These increases will include flat rates for water, sewer and garbage as well as a small increase in the lot rent fees. Public Works Director Smith had worked with Chuck Zimmerman of Ogden, Murphy & Wallace regarding notification requirements and revising the lease agreements.

A notification letter regarding the rate increase was sent out to all of the ATP customers/owners on November 1, 2007. Currently, there are thirty-eight (38) trailers at the park. All of these units are utilizing water/sewer/garbage and Public Works Director Smith feels that by raising the lot rent fees to \$250.00 for singlewides and \$300.00 for doublewides is the most effective way to cover the fees for lot rent and flat rate utility charges.

#### HIGHWAY 97 SIDEWALK PROJECT:

Terry Mattson and James Reynolds of the Wenatchee DOT, Bryant Kuechle of the JUB Langdon Group and Jeff Peters JUB Engineers-Kennewick, were all present to discuss the Highway 97 project that will include sidewalks, access management, safety crossings and lighting at the south end corridor and the intersections of US 97 and 7<sup>th</sup> Street.

Jeff Peters, JUB Engineers-Kennewick, stated that the exhibits presented tonight are preliminary and displayed more for discussion and planning. He plans to go over any business/public comments with Public Works Director Smith and the DOT. After these discussions are held, JUB Engineers will plan to have an open house to allow public

input and review of the final maps. There are some design issues regarding a raised sidewalk along Gebbers large lot between the Chevron and the Triangle Shell that will need some additional planning.

Crosswalk lighting is another area that will need some additional planning. Mayor Webster asked about crosswalk lighting and pedestrian warning signals as some of these intersections are not safe. Mr. Peters stated that there are several options available. There are also some concerns with drainage. It was mentioned that a swale could be installed to collect water and then drain into Swamp Creek.

Public Works Director Smith stated that the DOT has contacted the property owners and met with them to discuss their concerns regarding access changes. The property owners were encouraged to voice their concerns and give input for any ideas regarding this project. Bryant Kuechle with the JUB Langdon Group (which involves the public portion of JUB's planning) met with several businesses and owners including Triangle Shell, Chelan Fruit, Brewster Market Place, Brewster Drug, Tory Wulf and John Wyss. The maps proved to be good starting points for discussions with the businesses regarding crosswalks placement, points of entry and lighting.

Mr. Kuechle stated that there will be a public open house with revised maps for review. He also stated he would like to have the City's help in how to go about contacting the residents of Brewster so that everyone who wants to be involved in the process has all of the information needed.

Council Member Dawson stated she would like to see something done regarding set entrance and exit points at the Gebbers Farms warehouse directly across from Brewster Market Place. This can be particularly dangerous during harvest when there are several vehicles trying to enter the highway from both sides, all heading different directions.

Council Member Fateley stated his concern regarding the sidewalk as he feels this may encourage skateboarders and bicyclists to use this for recreation, which has the potential for pedestrian and traffic issues. He would like JUB and the DOT to keep this in mind during their planning process.

Police Chief Oules asked about the possibility of an island at 7<sup>th</sup> Street and highway 97. If this were installed would it be raised, painted, or simply a curb design with vertical markers.

Council Member Tretwold asked Mr. Mattson about a previous concern he had with respect to the intersection of Bridge Street and Highway 97 and the installation of an island. Council Member Tretwold believes this is a big area of concern regarding pedestrian traffic and their safety. He notes that several people have difficulty crossing in this area, including people in wheelchairs. He would like the DOT and JUB to strongly consider installing a pedestrian island, with handicap access, to allow for safe crossing at this intersection. Mr. Mattson questioned if this island could be moved down Bridge Street, rather than right at the intersection. Council Member Fateley noted he did not believe it would be used as much if it were moved down Bridge Street and believes there is more of a need at the intersection.

Mr. Mattson said that the DOT did look at this intersection and if an island were possible. He stated that the DOT is apprehensive to place a raised island, or "safe-zone", as this will most like affect the turning radius of large vehicles and semi-trucks turning left from Highway 97 onto Bridge Street. Mr. Mattson also stated that if this island that Council Member Tretwold suggested to the City Council is deemed a necessity, we would need to be persistent and recommended that this idea be mentioned at the public open house, as this may help sway the decision.

Public Works Director Smith stated that there will be a meeting to discuss the changes and requests with all of the departments and agencies involved, including TIB. The DOT will oversee the project. He noted that since there are Federal monies involved, it would be wise to have all of the groups meet to discuss this project together.

Public Works Director Smith stated that a public meeting – open house – should be planned and held at the Rec Center. Smith noted that this meeting has been tentatively set for December 6<sup>th</sup>, but the actual date will depend upon how quickly JUB can process their notes and produce the new maps. JUB will be sending meeting notices out to the business owners. As noted, JUB would like to get together with the City and find an effective way to notify the public of when the meeting will be held.

Mayor Webster asked about the access that is planned for the new Coulee Dam Credit Union, which will be relocating to 106 Highway 97 near the train overpass. Mr. Mattson stated he believed that there was going to be a one-way entrance and a one-way exit. He also stated that he thought they would be implementing a 35 mph speed limit that will go into effect in the spring of 2008. This speed limit would be in effect for the entire length of Highway 97 within the City limits.

#### RODDER PUMP PURCHASE REQUEST:

Public Works Director Smith noted that the rodder pump went out and can be rebuilt, but with no guarantee how long it will hold out. This rodder pump is a necessity for the City and is used when the sewer systems get blocked up. Public Works Director Smith spoke with Seattle Pump on November 16<sup>th</sup>, and was given a quote of \$5694.10 – without shipping – to purchase a new rodder pump. Unblocking the sewer lines without this rodder pump is basically impossible. We have recently had one claim for \$893.00 by a resident whose basement flooded during a recent sewer blockage problem.

**MOTION:** Council Member Freels made the motion to purchase the new rodder pump for the City of Brewster, in order to assist in clearing sewer blockages when they occur. Council Member Dawson seconded the motion and the motion passed unanimously.

#### NEW CITY OF BREWSTER VEHICLE:

Public Works Director Smith wanted to inform the Council that he had purchased a 2002 Ford F-150, four-door pick-up as the new City (Public Works) vehicle. This truck will replace the 2003 Ford Explorer that was purchased by the Police Department. The Building Inspector will now use the Ford Ranger for his service vehicle as the GMC Jimmy he was assigned is no longer running.

#### POLICE DEPARTMENT – RON OULES

##### PD UPDATE:

Police Chief Ron Oules stated that the department overtime is right in line with predicted for the year. He noted that he has been on vacation, and will be off quite a bit over the next month. He stated that Officer Hook has commented that overall, criminal activity has reduced somewhat, but that it usually does start to slow down this time of the year. Chief Oules also noted that the calls for service have reduced as well.

He informed the Council that he has ordered the equipment necessary to outfit the newly purchased 2003 Ford Explorer for patrol. He did stated, however, that they are waiting for a call back from the company that makes the screens (divider between the front and back seats of the vehicle) as they had a large influx of orders and it could be

awhile before they receive the screen for the Explorer. He does expect that the vehicle will be ready for patrol use within the next month or so.

**EXECUTIVE SESSION – APPROXIMATELY 30 MINUTES:**

Mayor Webster adjourned into executive session for approximately 30 minutes to discuss potential litigation at 8:25 p.m.

Mayor Webster reconvened into regular session at 9:00 p.m.

**ADJOURNMENT**

With 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