

Mayor Lee Webster called the meeting to order at 6:00 p.m. Council Members present were Art Smyth, Kris Dawson, Jerry Tretwold, Dave Freels and Bob Fateley. Also present were Public Works Director JD Smith, Chief of Police Ron Oules and Finance Director Pamela Olsen.

Council Member Tretwold moved to approve the minutes from the 7/04/08 Special Meeting as submitted and the minutes for the regular City Council Meeting on 06/11/2008 with correction to page seven (7), paragraph one (1), line three (3) to read as "Mayor Webster proposed possibly contacting the Methow Valley Art Commission..." instead of "Council Member Tretwold. The motion was seconded by Council Member Fateley 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 07/09/2008 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 #41774 through #41847 in the total amount of \$176,394.55. Payroll Fund voucher numbers #11042 through #11100 in the total amount of \$85,097.58.

**OTHER BUSINESS:**

**LINDA THOMASON-CHELAN FRUIT COLD STORAGE WALL MURAL, HWY 97**

Linda Thomason presented to Council with an idea to beautify the Hwy 97 corridor at the intersection of Hwy 97 and Bridge Street. Her idea is to have a mural depicting area culture and history painted on the large white wall of the Chelan Fruit (old Magi) building. She stated she has talked with a local artist who is interested in the task, with the total project cost being around \$6,000. Colleen Couch, Chamber President, and Linda have gone over design ideas. The Chamber is willing to donate \$1,500 to the project with the rest of the money possibly coming from Chelan Fruit/Chelan Fresh. Mrs. Thomason asked if the City would be able to help with some of the cost, possibly \$1,000. Finance Director Olsen stated that the only way the City can help fund a project like this is if it is done with a contract, and the amount could be paid out of the 2% monies. Mrs. Thomason will check into getting a contract drawn up for this.

MOTION: Council Member Freels made the motion to contract the mural artwork on the Chelan Fruit building, with the contracted amount of \$1,000 to be paid out of the 2% monies. Council Member Tretwold seconded the motion and the motion passed unanimously.

**MAYOR WEBSTER**

**NCRTPO – ANDY LAMPE & TOM HANSON:**

Andy Lampe, County Commissioner, and Tom Hanson of the WSDOT presented to discuss the upcoming meeting for the North Central Regional Transportation Planning Organization meeting that will be held in the early fall regarding public transportation in the Okanogan Valley. Mr. Lampe and Mr. Hanson stated that they are here tonight to request a letter of support from the City of Brewster, showing that the City does have

an interest in this study. It does not cost anything, as it is only a study. Mr. Hanson stated that the purpose of the study is to determine how much of a need the citizens and business owners in Okanogan County feel that there is for public transportation. The study will focus on meeting with colleges and employers to determine the need. Commissioner Lampe stated that at a time when gas prices are the highest we have ever seen, this study may show that the need is greater than expected.

Police Chief Oules asked who will fund the study. Mr. Hanson stated that the Wenatchee Valley Transportation Council and the WSDOT are funding the study. If this project does indeed go through, it would be funded by incremented sales tax increases which are all voted on by the citizens it will affect.

Commissioner Lampe stated that although it will not be free to ride the bus, some people may benefit significantly in saving money not having to drive themselves in their private vehicles. Mr. Hanson stated that if there are enough letters of support from the surrounding communities, they will be putting together a committee with representatives from each city/town. Council Member Tretwold asked if it had to be an elected official, or could it be anyone within the community. Mr. Hanson stated that's he would check into this, but stated it should be an elected official, preferably the Mayor, as they are elected by the citizens of the towns and cities.

Mayor Webster stated that he would indeed send a letter of support for this Public Transportation Study.

#### HARLAN TVERBERG STREET CLOSURE REQUEST FOR TOOL SALE:

Harlan Tverberg, Owner of Rio Auto Supply, has submitted a street closure request to close 4<sup>th</sup> Street to the alley behind his store for his annual tool sale.

MOTION: Council Member Fately made the motion to approve the closure of 4<sup>th</sup> Street, to the alley, behind Rio Auto Supple for the annual tool sale. Council Member Freels seconded the motion and the motion passed unanimously.

#### FINANCE DIRECTOR PAMELA OLSEN:

##### MONTHLY TREASURERS REPORT:

Finance Director Pamela Olsen stated that every fund is currently in the black. Council Member Tretwold noted that the Reserve Fund is growing, which is what he was hoping to see. Council Member Tretwold also noted that he would like to have a meeting soon to go over our current budget to see how things are looking going into year-end. It was suggested that a meeting be held the first week of August to go over current budget/funds.

Mayor Webster noted that he would like to hold the Annual Budget Retreat in September or October. He would also like for the Department Heads to focus more on 1-year, 5-year and 10-year plans rather than having "wish lists" of items for their departments. The Mayor stated he is more interested in ideas, changes and directions of the departments.

MOTION: Council Member Tretwold made the motion to hold a meeting the first week of August to go over the current budget/funds. Council Member Freels seconded the motion and the motion passed unanimously.

Deputy Clerk Desha Dawson will contact the Mayor and Council Members to set the date and time for the meeting. The tentative date at this time is August 6<sup>th</sup> at 5:30 pm.

**PUBLIC WORKS DIRECTOR - J.D. SMITH**

**MONTHLY PLANNING COMMISSION REPORT:**

Public Works Director Smith stated that the Planning Commission did not have a quorum for their last meeting, therefore no meeting was held and there is no report.

**AIRPORT REPORT – DAN SMITH, COMMISSION CHAIR:**

Dan Smith, Airport Commission Chair, stated that at the last Airport meeting, the commission had a list of several proposed ordinances. It was decided at that meeting to have Council review the rough draft of the proposed Ordinance No. 810.

**ORDINANCE NO. 810:**

Council had reviewed Ordinance No. 810. Dave Smith, Airport Manager, asked that Council not pass this tonight as he believes it will do more harm than good. There are some areas of safety and general regulations for airport operation, particularly with respect to helicopters, that needs to be reviewed in more detail. Council Member Fateley asked if the Ordinance before Council tonight had gone through Manager Dave Smith or Commission Chair Dan Smith. They both stated that neither one had seen this Ordinance prior to tonight.

City Attorney Chuck Zimmerman stated that he was asked to review the preliminary rules and regulations for the Airport. He stated that when he reviewed the list, there was too much room for discretion. He also stated that he went over several areas of the rules and regs that were not implemented into Ordinance No. 810 as they were not relevant and needed to mirror the FAA on exact wording with the need to make sure that the rules are set up on a decision making basis, who is enforcing them and who is in charge. The Mayor stated that we need black and white rules and regs as well as ordinances. The Mayor also stated that the Airport Commission should be working with the Airport Manager to come up with the list of rules and regulations for the Airport operations. Once they have come up with a list they can all agree on, it should then be forwarded to the City Attorney for review, and then back to the Commission so they can make the formal recommendation to Council.

Mr. Zimmerman stated that the ordinance basically mirrored the rules and regulations drawn up by Airport Manager Dave Smith. The current rules and regulations were approved, although he had sent a letter back stating that they needed to go over them again before approving them. Mr. Zimmerman stated that there should be one revision to the Ordinance, subsection 2.56.090(L)(3) to read as follows: 3. "Vehicles used to tow or trailer rotorcraft to take off and landing locations shall not be left in areas not designated for vehicle parking and shall be removed from aircraft parking and/or operation areas". Mr. Zimmerman also stated that

Scott Baker, who owns a hangar at the Airport as well as working for Gebbers Farms, voiced his frustration over what he feels is a lack of communication and ability to agree on what is best for everyone at the airport, managers, commission members, and hangar owners.

Council Member Fateley stated he believes that there have been great strides made in an effort to come up with rules and regulations for Airport Operations and also feels that the Airport Commission and Chuck Zimmerman can work together to make sure that everyone will benefit from the changes being made. The Mayor also stated that this meeting and all other Airport meetings are geared towards doing what is best for the public. It is a public Airport and we are going to do whatever is best for the public and anyone who does business at the Airport. Dave Smith, Airport Manager, stated that when the rules and regs were set by the Commission and the ideas were discussed, all of the approved rules and regs were made in the best interest of the citizens and the patrons of the Airport. Council Member Tretwold stated he would encourage anyone who has a hangar or aircraft at the airport to go over what the Commission has recommended so that everyone affected can have input on what is going to be approved.

MOTION: Council Member Dawson made the motion to approve Ordinance No. 810 with revision to subsection (L)(3) as noted by City Attorney Chuck Zimmerman. Council Member Tretwold seconded the motion. The vote was one (1) Council Member in favor and four (4) opposed; therefore the motion did not pass. The votes were negative due to procedural issues, not due to substance.

Public Works Director Smith stated that the airport Commission has been working very hard to get the rules and regulations in place. He does realize there are still a lot of issues to go over; parking being one of those issues, but does believe the Commission is headed in the right direction at this time. Tory Wulf, Gebbers Farms, stated that he believes there are good plans and ideas to resolve some of the issues and is in favor of the current plan. Dave Smith, Airport Manager and Dan Smith, Airport Commission Chair, are also in favor of the current plan which consists of the Airport Manager meeting with the City Attorney to review the current list of rules and regulations which will then go back to the Airport Commission for review/revisions. Once the Airport Commission feels they have culminated a rules and regulations draft that is agreeable to everyone, it will then go to Council for final review.

Mayor Webster indicated that before anyone from the Airport or the Commission contacts Mr. Zimmerman regarding this or any issue, he would like to be contacted first.

MOTION: Council Member Fateley made the motion to send the list of the rules and regulations, as well as Ordinance No. 810, to the Airport Commission for review. The Airport Manager, Dave Smith, will then work with City Attorney Chuck Zimmerman on the final draft of both documents. These documents will then be presented to City Council for approval at that time, with amendment to the Ordinance if needed. The motion was seconded by Council Member Smyth and the motion passed unanimously.

CHUCK JONES / VRA AGREEMENT – RESOLUTION NO 08-02:

Chuck Jones presented to discuss the Voluntary Regional Agreement, Resolution 8-02. This agreement is between five (5) cities including Brewster, Bridgeport, Pateros, Entiat and Rock Island. This resolution will allow us to enter into an interlocal agreement allowing evaluation of the feasibility of developing a Voluntary Regional Agreement. This agreement allows the cities who have water rights requests submitted for many years that have not been filled to date, have priority when requesting that these water rights be granted. The City of Brewster has been waiting nearly 15 years for our water rights to be granted and by participating in this VRA, this will give us an advantage over other cities who are making current requests for water rights.

Mr. Jones stated that this Resolution is simply stating that the City of Brewster agrees to enter the Interlocal agreement with the other cities and will hopefully get the ball rolling in our favor.

**MOTION:** Council Member Tretwold moved to approve Resolution #08-02, allowing the City of Brewster to enter into an Interlocal Agreement by and between the cities of Bridgeport, Entiat, Rock Island, Pateros and Brewster to evaluate the feasibility of developing a Voluntary Regional Agreement pursuant to RCW 90.90.030. Council Member Fately seconded the motion and the motion passed unanimously.

WWTP EASEMENT, SOUTH LIFT STATION:

Public Works Director Smith stated that the easement has been signed and filed with the County Auditors. The City is working with Gia Lucas and Pedro DelaCerde, property owners. Payment has been made to the Lucas' for the easement. The Clarifier will be completed in August; the fence will be put up after the Clarifier completion.

HIGHWAY 97/MAIN STREET SIDEWALK PROJECT UPDATE:

Public Works Director Smith stated that Hurst Construction, out of Wenatchee, had the winning bid for the Highway 97/Main Street Sidewalk Project. They came in \$57,000 below the bid estimate. The projected start date is August 1<sup>st</sup>, with 45 days to complete the project. TIB received the bid and sent the City a letter to proceed. Rick Door has also been contacted by Public Works Director Smith with the go ahead to proceed.

POLICE CHIEF – RON OULES:

POLICE DEPARTMENT UPDATE/STATS:

Police Chief Oules stated that the Police Department stats are pretty much the same in comparison to last year. Agency Assist calls are up due to harvest and the fact that the labor camps are open. He also stated that for this time of year, they are receiving a lot of suspicious circumstance calls, which is due to the time of year as well.

Police Chief Oules stated that the PUD walk trail is open. His officers have been patrolling this area regularly and Oules does believe that this has helped cut down on the illegal activities that were previously taking place.

Overtime is in line with what is expected for this time of year. Bonanza Days and the 4<sup>th</sup> of July Celebration did require extra coverage. There were issues with gangs/fights during the 4<sup>th</sup> of July Celebration in the park, but not a lot of calls regarding illegal fireworks.

Chief Oules stated that loud music continues to be a problem. The department has had a 40% increase in citations issued for loud music when compared to the same time last year. Oules stated that this is the main complaint that is called in to the BPD within the City.

Oules also stated that there have been a couple of break-ins at local businesses recently. The PD is pretty sure they have a person of interest in both cases.

**PUBLIC COMMENT:**

**RON PASLAY – VARIANCE REQUEST:**

Ron Paslay, Brewster resident, presented to council with a variance request to build a large garage, attached to his home. Mr. Paslay has contacted his neighbors regarding his plans for the garage and they do not have any problem with what Mr. Paslay plans to build. Mr. Paslay presented Council with the variance application, blueprints and drawings of the proposed garage. His hope is to have this approved by next Council so he can start construction in the fall, with the project being completed by winter.

Finance Director Pamela Olsen and City Attorney Chuck Zimmerman checked the BMC to verify what the time constraints are with respect to variances. Mr. Paslay was informed that if the letters could be sent out as soon as possible to the surrounding property owners notifying them of his intentions, a Public Hearing could be held in August. The variance request could more than likely be passed by next Council if none of the property owners opposed his request.

Mr. Paslay thanked the Council for their time and would be looking forward to the meeting next month.

**EXECUTIVE SESSION – APPROXIMATELY 15 MINUTES**  
**RCW 42.30.110 DISCUSSION: POTENTIAL LITIGATION:**

Mayor Webster announced at 8:10 pm that the City Council would convene to Executive Session to discuss potential litigation. The Executive Session ended at 8:25 pm. No action or comment was presented.

**ADJOURNMENT**

Mayor Webster reconvened to Regular Session. With there being no further business to come before the Council, the meeting was adjourned at 8:27 p.m.

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Mayor Lee Webster

ATTEST:

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City Clerk/Finance Director Pamela Olsen, MMC