

09/10/2008

Mayor Lee Webster called the meeting to order at 6:00 p.m. Council Members present were Kris Dawson, Dave Freels, Art Smyth and Jerry Tretwold. A quorum was present. Council Member Bob Fateley and Public Works Director JD Smith were absent. Also present were Police Lieutenant Kelly Hook and Finance Director Pamela Olsen.

Council Member Tretwold moved to approve the minutes from the Regular City Council Meeting on 08/13/08 as submitted. The motion was seconded by Council Member Freels 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 09/10/2008 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 #41943 through #42029 in the total amount of \$111,019.85. Payroll Fund voucher numbers #11101 through #11168 in the total amount of \$91,018.01.

MAYOR WEBSTER

MIKE SAINT & WAYNE MASON: AMERICAN LEGION POST #97:

Mike Saint and Wayne Mason, of the Brewster American Legion, presented to Council to discuss two issues, one of those being the Gavel Passing, the other being the local gambling tax.

Mr. Saint spoke first with respect to the 2009 American Legion Gavel Passing. This event is similar to the Olympics as it has to be "bid" on in order for the City to host the event. In 2009, the City of Brewster will be hosting the Gavel Passing. The biggest concern for this event is that it happens to be on the same weekend as the Annual Chamber of Commerce Salmon Derby. Mr. Saint feels that having these two events happen on the same weekend will pose great issues with respect to lodging and has asked that the City please consider moving the Salmon Derby dates for 2009.

Mayor Webster stated that he understood their concern, but the decision to move the Derby dates is not up to the City Council, as it is a Chamber event. Mr. Saint stated that he did not realize it was the Chamber's event. Mayor Webster also stated that there was meeting set up with the Chamber and the Legion to discuss the issue, and a phone conference had been held with Marge Udell.

Mayor Webster also stated that there are currently nine (9), of fifteen (15) requested spaces reserved at the RV Park for those attending the Gavel Passing. The City is looking into the possibility of adding nine to twelve (9 to 12) more spaces at the RV Park for next season, if we can afford it. Nine (9) spaces are guaranteed for the Legion Members in July/August of 2009, plus the three over-flow spaces, no matter what. The other six (6) requested spaces will be reserved as well, if the City is able to add the additional spaces to the park as hoped next year. Mayor Webster also stated that Ron Anderson has offered space at his Annex lot, and the City is going to allow RV parking between the fire hall and the Legion.

Wayne Mason then addressed Council regarding the gambling tax that is paid by the

Legion for their pull-tabs. Mr. Mason stated that the pull-tab revenues have dropped significantly, as well as other revenues – like bingo – which stopped once the Bingo Casino opened in Okanogan. He states that the Legion does make some money by having the pull-tabs, but is not very much and is probably spending more in time and money in tracking and reporting.

Mr. Mason stated that basically what the Legion is requesting is some form of break or tax relief for their pull-tabs with respect to the City Gambling Tax. Finance Director Pamela Olsen stated that the City cannot give them a “break”, but can allow a “relief” from the gambling tax for a set period of time. Mr. Mason stated that as everyone knows, the Legion has been hard pressed for money and is barely staying afloat. Council Member Tretwold stated that a couple of years ago, Monte Butler had presented to Council requesting the same, but the City could not do so at that time. Council Member Tretwold also went on to state that he feels the Brewster American Legion is a monument to our town, a historic place, as well as a great tribute to our US Soldiers – past and present. Council Member Tretwold believes that the City should not turn their backs on this local monument. Council agreed.

Mr. Mason also stated that if the Legion were to receive tax relief, they are not going to waste the opportunity to save money. The Legion staff and volunteers have been, and will continue to, find ways to cut costs, save money and keep their doors open for their Veterans and Soldiers.

MOTION: Council Member Freels made the motion for the City of Brewster to allow the American Legion Post #97, a service organization, to receive a two-year Tax Relief from the City Gambling Tax, effective on this date, with review and potential reinstatement of the Tax at the end of the 2-year relief. Council Member Tretwold seconded the motion and the motion passed unanimously.

LIZ DRIESSEN- BREWSTER SCHOOL HOSTS PROGRAM:

Liz Driessen, HOSTS Program Director, presented to speak with Council and all of those in attendance to the meeting with respect to the Brewster Elementary HOSTS Reading Program. This program is designed to help 2nd, 3rd and 4th grade students who are struggling with reading through a reading mentor program. She would like to encourage anyone interested in becoming a mentor to contact her. She feels this is a great way for the community to become involved with helping our children to succeed in reading. Mrs. Driessen stated that you can individually volunteer your time, or form a group of mentors who can visit on a rotating schedule. Each mentor session is one-half hour. There are flexible schedules available as well.

The HOSTS Program also accepts donations, which helps fund mentor appreciation items, buying books, etc. Anyone interested in becoming a mentor, or who wishes to donate to the program, is encouraged to contact her directly at the Brewster Elementary School.

ORDINANCE NO. 810 – AIRPORT OPERATIONS POLICIES:

MOTION: Council Member Freels made the motion to table Ordinance No. 810 and any discussion regarding the ordinance until the Airport Commission had a chance to review it first. Council Member Dawson seconded the motion and the motion passed unanimously.

GEBBERS FARMS ANNEXATION REQUEST:

Mayor Lee Webster announced that Gebbers Farms has presented City Council with a letter of intent to commence annexation; 10% initiators petition. Finance Director Pamela Olsen has certified the petition received and accurate. Mayor Webster asked if the City Council would like to hold the required meeting with the initiators during this Council Meeting, Wednesday September 10th. Mayor Webster also stated that this would not be a Public Hearing, rather an opportunity for the applicant/initiators to inform the Council of its plans and for the Council to decide if it is at all interested in allowing the process to move forward. Council agreed with holding that meeting tonight.

MOTION: Council Member Smyth made the motion to accept the proposed annexation and proposed zoning regulations to be processed pursuant to state law as outlined in the initiators petition, and approve setting the date for the presentation by Gebbers Farms for the Annexation Request for this Council meeting, September 10th. Council Member Freels seconded the motion and the motion passed unanimously.

Representatives from Gebbers Farms, Erlandsen's Surveying/Engineering and Gene Callan – Architect, presented before Council. Mr. Callan proceeded to the power point presentation which is a summary of the annexation proposal.

In the proposal, there are five areas, including:

1. Annexation of the Western Parcels
2. Connection to City water and sewer services
3. Place HI and C1 zoning (as shown)
4. De-annex Honda Bowl Parcel (as shown)
5. Formalize legal access to Water Reservoir

Mr. Callan went on to state the intent of item #4 (de-annexation) and #5 (legal access to reservoir). He stated that Gebbers is offering "de-annexation" of the Honda Bowl, which would take away any further water/sewer connections, ie: no development of this area. Also, Gebbers would like to "formalize" the City access to the City Water Reservoir with a cross easement through Gebbers land.

With this proposal, it is understood that it needs to be a "win-win" situation for all involved – Gebbers, City and the State. Time is an issue and Gebbers hopes to have the new line up and running by harvest of 2009. The Apple House fire has pushed up the need to build this new plant as they have lost that facility for use. One benefit to the new pre-sort line equipment planned for installation as it will save approximately 1-million gallons of water per month. Currently it is estimated that Gebbers Warehouse is using approximately 1.2 million gallons of water during the pre-sort process and the new equipment would use approximately 235,000 gallons, thus creating a huge water savings.

Mr. Callan then went on to show slides of the areas in the proposed annexation area, showing designs with both County Plans and City Annexation Plans. It is proposed that the new annexation area follow the existing, and to include 28 acres of land around the grain elevators, along the railroad tracks, down to Indian Avenue and back up to Hwy 97. It also proposed that the single family homes in the "homestead" area stay "C1" (general commercial) zoning, as well as the Indian Avenue "triangle". Also, in this triangle area, Gebbers is willing to allow the City an easement ("land donation") to

place the new "Welcome to Brewster" sign at the western gateway. The rest of the proposed land (grain elevator road, along railroad tracks and behind homestead area) is proposed to have "HI" (heavy industrial) zoning.

It is also proposed that the trucks hauling in the apples to the pre-sort would enter at the "homestead" entrance, loop around to the new shed, follow the road along the railroad tracks, go around the end of the sheds on 7th Street and then re-enter the highway prior to the shipping/loading docks. The idea for this re-designed traffic loop is to help reduce and or eliminate the truck congestion in the area of the Brewster Market Place, Brewster Drug entrances across from the Gebbers Warehouse offices/shipping docks, which has been a safety issue for quite some time. This annexation also shows the possibility of removing the Quik-E-Mart and carwash in the future, which would allow for more parking and/or truck traffic routes.

The annexation request also asks for this new facility to be tied into the City's water and sewer system. There are two main water lines that the City has that pretty much "dead-end" and do not connect to anything. Gebbers would be willing to pay for the completion of these two lines, creating a loop, of which they would be connected to for water service.

With respect to the connection to the City sewer, Mr. Callan reviewed the current and projected water use/sewer discharge amounts. Based upon calculations from Gebbers Farms and account history print-outs from the City, the current existing pre-size equipment is using 1.2 million gallons per month. Of the pre-size discharge water and the existing packing and other domestic discharge water (2.45 million gallons total), approximately 1.5 million gallons per month is being pumped to a water reservoir and hauled away in trucks and field sprayed. Approximately 807,000 gallons per month are sent back to the City's treatment plant.

The proposal shows that the new facility would use approximately 235,000 gallons per month for the pre-size. Of the pre-size discharge water, along with the existing packing waste water and existing packing and other domestic water uses (around 1.4 million gpm) approximately 1.2 million gpm of that total would be discharged back to the City's treatment plant with controlled discharge, as such to not "overload" the system. Mr. Callan stated that Gebbers is looking into potential sustainable re-use (landscape irrigation) of the filtered processed water in the summer months which would reduce the average return to the City's treatment plant by about 100,000-150,000 gpm, therefore dropping the total return down to around 700,000 to 800,000 to the treatment plant.

Mayor Webster asked if the previously proposed containment pond was still going to be built. Roger Erlandsen and Mr. Callan stated that this is still in the plan, but the original plan is to return the 1.2 million gpm. The proposed water storage facility would eventually allow for the water re-use (landscape irrigation, possible irrigation water for schools). Since the water would be "recycled" and not mixed with the actual treatment plant sewer water, it could be used for irrigation and the City may be able to get a "water credit" for re-using "grey" water or "class B" water.

Mayor Webster also stated that our WWTP recently went through a quite extensive and expensive upgrade. JUB & Shannon Plumbing performed the upgrades and stated that for the size of our treatment plant, we have pretty much "maxed out" our upgrade capacity. We therefore need to be very cautious with the amount of growth we allow versus what our treatment plant has the capacity to handle. The real concern with this proposal is not necessarily the amount of water that will be used, rather the amount that will be returned to our sewer treatment plant. Right now, Gebbers Warehouse is

paying a water and sewer rate based on total consumption, ie: water in equals the amount discharged. Since they are hauling nearly 1.5 million gpm, we don't really have an accurate account of just how much is being discharged back to the plant. One way to accurately monitor how much flow is coming back into the treatment plant is to install a meter that measures those discharge amounts.

Council Member Freels asked just how much more water the new pre-size facility will require, and will this include the current pre-size facility. Tory Wulf stated that once the new pre-size facility is built and in operation, the old pre-size facility will not be in use. Mr. Wulf stated that the entire facility, including the new pre-size plant, will use approximately 1.5 million gpm less than the current. The new plant will use approximately 235,000 gpm – not including the existing packing plant.

Mayor Webster asked if Gebbers was aware of, and in compliance with, ordinance No. 795. Roger Erlandsen stated that he believed the City would actually gain 1-million gpm, based on the proposed plant and the lower water use and potential for water recycling. He also stated that the City may see a net increase in residential water, as well as the lessened return to our treatment plant.

Mr. Callan concluded his presentation by going over the land use goals of Brewster's Comprehensive Plan as well as going over the proposal summary. He stated that the proposal has been submitted to the County, but Gebbers would prefer annexation into the City with City utility connections. He also stated that Gebbers would like to expand their 110 year-old fruit growing and processing operation. He also stated that this has the potential to provide a new annual tax income for the City, as well as the future building permit revenue and property tax revenue. Mr. Callan stated that Gebbers would like to hear from the City by the 26th of September whether this is something they are interested in pursuing further or not, as they need to either proceed with the County submitted plans, or continue with the new City proposal. Mayor Webster stated that he is interested in researching this further.

Council Member Tretwold stated that the City should form a committee, including the Public Works Director, the Building Inspector, the treatment plant operator as well as Council and other pertinent members of the City.

Mayor Webster stated that he would like to have a special meeting on Wednesday, September 17th, which would include the Public Works Director, JD Smith, and treatment plant operator Lynn Lawson, who are both absent from this Council meeting tonight. He feels that before any further decisions are made, Council and relevant department heads should meet to discuss this further, keeping in mind the two-week deadline Gebbers is under. A meeting for the aforementioned date and time will be set and notification will be sent out to the parties involved.

WELCOME TO BREWSTER SIGNS – JERRY TRETWOLD:

Council Member Tretwold stated that he has collected the \$2000.00 from the Chamber for the previously proposed "Welcome to Brewster" signs to be placed at the North and South ends of town. He would like to get the \$2000.00 (out of the 2% hotel/motel tax money) from the City of Brewster for their portion of the sign. The total cost will be right around \$6000, and Tretwold is going to ask for business to donate as well, possibly \$200.00 each, to help cover the remaining cost. With Gebbers new plant proposal, and the availability to place these signs, he does not want to miss out on the opportunity and would like to proceed immediately. No permit will be required for these signs.

The locations for the signs are at Hwy 97 and Indian Avenue as well as Hwy 97 and Old Hwy 97. One location has power for the lighted sign; the other sign could possibly be solar powered. Council Member Tretwold also stated that he would check with the WSDOT for approval of the North entrance sign.

MOTION: Council Member Tretwold made the motion that the City of Brewster issues a check in the amount of \$2000.00, out of the 2% hotel/motel tax monies, to the Chamber of Commerce for the Welcome to Brewster signs. Council Member Smyth seconded the motion and the motion passed unanimously. Council Member Tretwold will pick the check up tomorrow.

FINANCE DIRECTOR PAMELA OLSEN:

No report at this time.

DARREN MOORE, BUILDING INSPECTOR SPEAKING FOR PUBLIC WORKS DIRECTOR - J.D. SMITH - OOT

HIGHWAY 97/MAIN STREET SIDEWALK PROJECT UPDATE:

Building Inspector Darren Moore stated that the curb work has been completed on the project. The crew is currently placing the forms for the sidewalks and they should start pouring on Monday. So far, everything is running on schedule. A few changes were made regarding the Main Street entrances, but these were minor changes and did not impede the progress of the project.

AIRPORT REPORT – DAN SMITH, COMMISSION CHAIR:

Airport Chairman Dan Smith stated that there was nothing new to report with regard to the last meeting. He did state that the airport beacon was out again. It will be \$3500-\$5000 to replace it, but they are hoping to rebuild it, which will cost much less.

Council Member Tretwold mentioned the power line that would run from Smith's home, along the garden and out towards Chapman's waste lagoon and back towards the highway for signage and light pole power at the entrance. Having this power line in place would allow for Chapman to hook up an agitator for the waste lagoon which would help decrease the odor as well as power for the sign, lights, etc.

Council Member Tretwold and Airport Manager Dave Smith have talked with the PUD Manager George Howe regarding this. Council Member Tretwold stated that as he understands it, the City will have to pay for the pipe, even though originally this was included in the original contract with the PUD. The City also has the option of putting the pipe in themselves, at which time the project could also be completed.

In September of 2006, the contract with the PUD to have this line placed was set for \$8000. To put in 3-phase power now would cost the City three times that amount. Council Member Tretwold stated that we cannot do this on our own financially. It would also require an easement through Gebbers property. Council Member Tretwold stated that he has a copy of the easement and Gebbers is willing to sign it.

Our old contract for the power through the PUD is now null and void. When Council Member Tretwold spoke with Mr. Howe about a new contract and what the costs would be, Mr. Howe stated that the cost has gone up about 10%. This would be right

around \$9000 for the entire project. Council Member Tretwold stated that the opportunity is re-presenting itself and he wants to jump on it now. Mr. Howe can have the contract done by next week. Council Member Tretwold is asking the Mayor and the rest of the Council for permission to proceed with the new contract and easement. Mayor Webster stated that he would like to review the new contract; compare it to the previous and if they are close to the same, he stated he would be willing to sign it.

Council Member Tretwold also stated that the PUD has indicated that they could run the line through the tubes for the PAPI lights and would like to talk with Mr. Howe about having this included in the contract as well.

MOTION: Council Member Freels made the motion for Council Member Tretwold to proceed with the new contract for power placement by the PUD at the Airport, as long as the new contract amount is at the projected \$9,000.00, which the Mayor stated he would sign this contract. This also includes the inquiry into the availability and cost of the wire (2000 ft) that will be needed for the PAPI lights. This will be an extra cost, in addition to the \$9,000.00 for the power placement contract. Council Member Smyth seconded the motion and the motion passed unanimously.

WWTP UPDATE:

Building Inspector Moore stated Shannon Plumbing is here to begin the final completion phase. The roof on the head works building is now being placed. They are beginning work to get the clarifier ready for the upgrades. The final completion date is set for February 2009.

LIEUTENANT KELLY HOOK - POLICE DEPARTMENT:

POLICE DEPARTMENT UPDATE/STATS:

Lieutenant Hook reported that there were 160 calls for service logged in August. He also stated that there were 19 agency assist calls. With respect to overtime, there were 70 hours of overtime for the month of August; 7 hours on the Apple House Fire and 48 hours for security at the banks, Columbia Cove Community Center functions and DUI emphasis patrols. Most of this overtime is reimbursed, so there were only actually 15 hours of actual OT for the department.

PUBLIC COMMENT:

Cheryl Schweitzer, Quad City Herald Reporter, asked that since the Fire District Contract had been terminated, with no new contract in place, would there be coverage for the Brewster area? Mayor Webster stated that the Public Safety Committee does have a contract for coverage. The District is asking that the new contract continue the same as previous. Mayor Webster stated that the new contract is being worked on currently, and that the Brewster area will have no interruption in their emergency services.

BREAK:

Mayor Webster adjourned at 8:20 pm the Council Meeting for a 10-minute break, at the end of which Council will resume into Executive Session,

EXECUTIVE SESSION – APPROXIMATELY 30 MINUTES
RCW 42.30.110 DISCUSSION: PERSONNEL:

Mayor Webster announced at 8:30 pm that the City Council would convene to Executive Session to discuss personnel. The Executive Session ended at 9:00 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 9:01 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC