

12/10/2008

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

Mayor Webster announced that there would be three additions to the agenda – the Gebbers Farm Fence Location and Road Easement; Gebbers Annexation Update; and Employee (Teamsters) Wage Opener/Increases.

Council Member Fateley moved to approve the minutes from the Regular City Council Meeting on 11/12/08 with as submitted. The motion was seconded by Council Member Tretwold 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 12/10/2008 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 #42191 through #42279 in the total amount of \$196,795.01. Payroll Fund voucher numbers #11303 through #11342 in the total amount of \$244,192.25.

EXECUTIVE SESSION – RCW 42.30.110 – POTENTIAL LITIGATION:

Mayor Webster announced that Council would be adjourning into an executive session at 6:05 pm to discuss potential litigation for approximately 10 (ten) minutes. At 6:15 pm, Mayor Webster announced that the executive session had ended. He then reconvened into regular session at 6:16 pm.

PUBLIC COMMENT: No public comment was brought forth.

MAYOR WEBSTER

CITY OF BREWSTER CHRISTMAS PARTY:

Mayor Webster announced that the City of Brewster would be holding its annual employee Christmas Party at the American Legion Hall on Saturday, December 13th at 6:00 pm. The Mayor stated he had purchased 6 (six) turkeys and asked if any of the Council Members or Department Heads would be willing to help cook them. Council Member Tretwold, Council Member Smyth, Council Member Fateley and Public Works Director Smith stated they would be willing to help in the preparation of the turkeys for the Christmas party dinner.

TITLE 17 ZONING CHANGE REQUEST:

Kurt Danison, Okanogan County Planning Commission, reviewed the letter of transmittal, staff report and zoning code with Council. (Council had previously received the information being reviewed). Mr. Danison stated that what has been presented to Council is a zoning request and changes that now go along with the City of Brewster's Comprehensive Plan. What they are reviewing is the product of the

Planning Commission. Mr. Danison also stated that the changes include the following: Zone C1 has decreased in size a bit; Zone C2 has expanded and now includes the two lots near Harmony House; and there is now an Airport Zone, which we did not previously have.

Mr. Danison again emphasized that this is now in the hands of Council to review. The next step will be to set a Public Hearing, with Council action after this.

RESOLUTION NO 08-08 – ATP RATE INCREASES FOR 2009:

City Council Members had received and reviewed the 2009 Angle Trailer Park rate increase Resolution No. 08-08, as well as the letters that will be sent to each person who rents a lot at the ATP.

MOTION: Council Member Smyth made the motion to approve the 2009 Angle Trailer Park rate increases. The motion was seconded by Council Member Fateley and the motion passed unanimously.

MEMBERSHIP REQUESTS LETTER:

Mayor Webster stated that letters to the organizations requesting memberships in 2009 were sent out stating that at this time, our current budget would not allow us to maintain prior memberships, however, we would review our budget at mid-year with reconsideration of the memberships at that time.

PUBLIC TRANSPORTATION BOARD:

Mayor Webster stated that the Public Transportation Board is currently seeking people who would like to serve on the Board. If anyone is interested, please contact Mayor Webster and he will pass the information on to the DOT.

GEBBERS FARM FENCE LOCATION AND ROAD EASEMENT:

Mayor Webster stated that he and Public Works Director Smith had met with the City Attorney, Gebbers Farms representatives and their Attorney to discuss questions and concerns with respect to the Roadway Easement on Honda Bowl Road agreement. The Mayor presented Council with two agreements; a Roadway Easement and an Easement for Utility Lines, Roadway and Landscaping.

The second of the two above noted agreements includes discussion of fencing the City owned water reservoir. City would like to have an 8 foot fence with three-line angled barbed wire along with a 12 foot locking gate. The purpose of the fence is to secure the reservoir as well as provide a locked storage area for the City to store equipment. This equipment would include what is now currently stored on the Paradise Hill Road, as “cleaning” this area up has been a concern.

Council Member Fateley proposed going to the reservoir to do a “walk over” of the area so Council can have a better perspective of what is actually being proposed, and to make sure the City has a good visual of what this fenced area will consist of. Roger Erlandsen of Erlandsen and Associates stated he would be willing to meet with Council to go over the area, possibly placing some stakes and marking out the area.

Roger Erlandsen asked if the City would consider selling the property involved in this easement. Council Member Fateley stated that this could be a possibility, stipulating that the City would be allowed easement for access to the reservoir and equipment. Council would entertain an offer to sell the property if an offer were placed. This would not include the triangle portion of orchard property, stated Council Member Freels. Mayor Webster stated he would like to see it both ways, a "lump" offer, or broken into two separate offers.

Council Member Fateley stated that he is not willing to give up much with respect to the reservoir fence. The triangle piece of City property (with orchard on it) is our biggest bargaining tool, especially considering that Gebbers Farms has planted fruit trees on this property and has been harvesting fruit from it for many years.

Public Works Director Smith does not want to give up the City owned portion of the road, as we own this now and does not really want to have to obtain an easement if sold to maintain our reservoir. He is not saying in any way that he is swayed one way or the other, but wants all options and outcomes to be considered completely by the Council before any decisions are made with respect to the roadway easement agreements or proposed sale of the property.

GEBBERS ANNEXATION UPDATE:

Gebbers Farms has now presented Council with an Outside Water Utility Agreement with respect to the new pre-size facility (Phase I) that is being built, outside of the City limits. Prior discussion regarding a possible annexation of this property into the City limits had been discussed however the City is not in favor of an annexation at this time. Gebbers Farms does desire City utility service for water for this facility.

Mayor Webster stated that a moratorium was established approximately 10 years ago regarding addition of water connection/service outside the City limits. There is a threshold on the amount and we cannot go over this. The proposal at this time includes taking the water service from the current pre-size – which is inside the City limits – and transferring it to the new Phase I, pre-size facility – outside the City limits. An agreement between the City and Gebbers Farms will be required if this is approved.

Public Works Director Smith stated that the current pre-size water usage should be enough to cover Phase I of the new pre-size facility. The meter for the service would be moved as well. Gebbers Farms would then be charged the Outside City Limit rates for water service only, as there would be no discharge (sewer/discharge water) back to our WWTP.

Roger Erlandsen, of Erlandsen and Associates, asked if the Council would be willing to hold a Special meeting at a later date to go over the agreement in more detail. He also stated that if anyone had any questions they could contact him at any time. Mayor Webster stated that he and Council would review the proposed agreement with further discussions taking place as needed.

FINANCE DIRECTOR PAMELA OLSEN:

MONTHLY TREASURERS REPORT:

Finance Director Pamela Olsen stated that some departments are in the red, but

hopefully will be able to pull out into the black by year end.

ORDINANCE NO. 811: AMENDMENT TO THE 2008 FINAL BUDGET:

Finance Director Olsen stated this Ordinance needs Council approval in order to balance the funds for year end.

MOTION: Council Member Fateley made the motion to pass ordinance No. 811, amending the 2008 budget. Council Member Smyth seconded the motion and the motion passed unanimously.

PUBLIC HEARING: ORDINANCE NO. 808 - 2009 FINAL BUDGET:

Mayor Webster opened the Public Hearing for Ordinance No. 808, regarding the 2009 Final Budget for the City of Brewster. No public input was brought forth. Mayor Webster then closed the Public Hearing.

Council discussion took place following the Public Hearing being closed. The Mayor stated that at the Annual Budget Retreat, Council had asked that City Departments Heads take the same numbers as in the 2008 adopted budget, and cut 5% off of that. This would then give them their 2009 budget. The City Clerk and the Public Works Director Smith had taken last year's budget numbers, reduced this by 5% and also figured in a 5.9% wage increase based on the current CPI.

It had also been discussed that any reserve fund set up by the three departments in 2009 will require Council approval before money is taken out of them. Council Member Tretwold asked if the requests will be taking place at Council and not be held in "serial meetings", which according to the Open Public Meetings Act, are illegal. The Mayor stated that any request for funds out of the reserves would require Council approval at City Council Meeting. Council Member Dawson suggested that Council should consider any employee training requests also go before Council for approval.

Mayor Webster stated that this ordinance, Ordinance No. 808, was presented to Council tonight for review and approval. Finance Director Olsen stated that this is a working document and can be amended at a later date. Although there are things each department needs to iron out with their budgets, including wage negotiations, but it can be passed and amended at a later date if needed. This Ordinance does, however, need to be passed before the end of this year.

MOTION: Council Member Tretwold made the motion to pass Ordinance No. 808, with wage negotiations taking place at a later date. Council Member Smyth seconded the motion and the motion passed unanimously.

TEAMSTERS UNION EMPLOYEE WAGE OPENERS:

Council Member Fateley stated that he and Council Member Dawson had met with the Union Representative, Shop Stewards and Clerks Representatives to discuss the 2009 Collective Bargaining Agreement regarding wage increases. Council Member Fateley briefly reviewed the Public Works and the Police Department Wage Openers.

The Public Works Department and Clerical Staff have requested:

- 7% wage increase across the board.
- Building Inspector wage increase of 10% market factor w/ 7% added on for multiple certifications
- Longevity – double percentages (up 2% for each year)
- Maintenance of Health and Welfare Benefits (approximately \$80 per month increase per employee)
- Bring back stipend for certifications (\$100 per stipend)
- Bilingual stipend (\$100 per month) for bilingual skills – ie: Sandra Miranda
- 1% increase for Associate Degree; 2% for Bachelor Degree

Police Department and Clerical Staff have requested:

- 6% wage increase across the board; 7% for Municipal Court Clerk
- Longevity – no change
- 2% increase for Associate Degree; 4% for Bachelor Degree
- Bilingual stipend (\$100 per month) for bilingual skills
- Maintenance of Health and Welfare Benefits (approximately \$80 per month increase per employee)

Council Member Fateley stated that these requests are simply the wage openers for negotiations and that we are still in the negotiation phase of this process.

Council Member Dawson asked if there were job descriptions available for the employees. Finance Director Pamela Olsen stated all employees have a job description. Finance Director Olsen stated that she and Public Works Director Smith would go over the Public Works job descriptions and update them if needed.

Council Member Dawson asked if we could put a hiring freeze, considering the uncertain economic future. Council Member Freels stated this might not be a bad idea. Council Member Dawson also proposed the idea of having the employees possibly pay the increase in their Health and Welfare benefits.

MOTION: Council Member Dawson made the motion to approve a “no flex” 3% wage increase across the board for the City employees, with the employee paying the increase in their Health and Welfare Benefits for any amount over \$827.00. Council Member Freels seconded the motion and the motion passed unanimously.

Public Works Director Smith stated he and Finance Director Olsen had done exactly what Council had asked, with respect to the budget cuts, and had also budgeted in a potential 5.9% wage increase for their employees. The Police Officers received an approximate 9% to 12% raise in pay back in September of 2008 and may now be looking at an additional 3% on top of that. Public Works Director Smith would like consideration to be given to the fact that he and Finance Director Olsen have budgeted for more than the 3% noted in the motion above.

The Mayor also stated that he and Council Member Freels, Council Member Tretwold, Finance Director Pamela Olsen and Police Chief Ron Oules would be meeting on Friday, December 19th to go over the Police Department Budget. The meeting will take place at City Hall.

COMMUNITY CENTER – EDDIE ALLEN:

Recreation Center Director Eddie Allen shared an update on the Community Center with the City Council. Director Allen stated that there are currently 109 active members as of November 1, 2008. To date, there has been \$2978.24 in Donations received.

The youth indoor soccer program is set to start in January of 2009. A meeting was held regarding this and the parents are very excited for this to begin. Director Allen hopes to keep the lines of communication open. The adult Soccer program continues to do well and the Rec Center has received a total of three boxes of food to donate to the local food bank from the adult Soccer participants. Volleyball started up December 8th and there will be a tournament in January of 2009. Taekwondo classes for adult and youth have been going since September with a tournament scheduled for January 10th. AAU Basketball started November 4th, and the memberships continue to increase with more joining.

Director Allen is looking to start day programs after the first of the year. He currently has one day program – a mom and tot exercise program with two mom/tot duos now – but hopes to have more classes and participants arranged in January. Director Allen is hopeful to start an indoor Tennis program. He has met with the Senior Center members to see if there is an interest in a senior exercise program. Recently, Mr. Allen met with Brewster School Superintendent Aaron Chavez in hopes to get some after school programs started as well.

Rec Director Allen also stated that there have been 11 (eleven) weekend events since August of 2008 – which include weddings, baptisms and quinceaneras – and these have all gone relatively well. The loudness of the music has improved significantly, which was confirmed by the Mayor who lives close to the Rec Center. Director Allen believes that meeting with the families prior to these events to go over the rules and regulations have been very helpful. Police Chief Ron Oules stated that he worked one of the events this past Saturday and that they appear to be running smooth and relatively trouble free. He was impressed at how the events are coordinated.

Director Allen stated that the Security for these events is going very well, and continuity is maintained by having regular meeting so everyone is aware of what is expected.

Allen also announced that the DARE Cops-N-Kids Christmas Party and the Kids Christmas Shoppe would be taking place on December 13th and encouraged those who can help out to please do so.

Council Member Tretwold and Council Member Fateley both commended Mr. Allen for his hard work and enthusiasm with respect to the Rec Center as well as reestablishing the community communications and involvement since being hired for the position earlier this year. The Mayor also thanked Mr. Allen for all of his hard work and dedication.

PUBLIC WORKS DIRECTOR - J.D. SMITH

HIGHWAY 97/MAIN STREET SIDEWALK PROJECT UPDATE:

Public Works Director Smith stated the completion date for the project had been set as

December 5th, however a light post on Highway 97 had to be moved, which took a little more time. The light posts for Main Street are now installed and should be operational by December 11th. There is also a large volume dry well that has been installed in front of the old Apple Avenue Auto Parts building; therefore there should be no more puddle issues in this area.

AIRPORT REPORT – DAN SMITH, COMMISSION CHAIR:

Airport Commission Chair Dan Smith stated he had nothing to report at this time as far as activities or meetings. He did state that there are no parts available to repair the rotating beacon, so they will be exploring other options. Council Member Freels stated that the trench for the power line has been dug and the conduit is in. They are waiting for the okay from the PUD to begin the fill. There is a need to have the trench dug from the box to the sign, and Mike Judd will be doing this. Public Works Director Smith asked if anyone had checked into the issue regarding the landing lights not working when Med Star was attempting to land a week or so ago. Dave Smith Sr. stated that he would check into this. Public Works Director Smith also stated that Eric with the FAA had stated that Gebbers yard lights were too bright. This is a safety issue and needs to be addressed. One way to resolve the issue may be to put hoods on the lights.

PLANNING COMMISSION REPORT:

Nothing to report; Kurt Danison has presented the Title 17 Zoning Change Request to Council for review. Roger Erlandsen stated that the Planning Commission would like to set up a date to hold a work shop with Council to go over the UGB, which includes the current extension.

WWTP UPDATE:

Public Works Director Smith stated they are still working on completion of Phase II. There have been some issues with the clarifier tank. The manufacturer did not supply the spare parts for the Chlorine Injector that should have been included.

At 8:05 pm, Mayor Webster announced that Council would adjourn for a 5-minute (five-minute) recess.

At 8:10 pm, Mayor Webster announced that the recess had ended, and the Regular Council meeting would reconvene at this time.

POLICE CHIEF RON OULES- POLICE DEPARTMENT:

POLICE DEPARTMENT UPDATE/STATS:

Police Chief Oules stated that overtime is in line with normal for this time of year. Malicious mischief numbers are up, primarily related to gang graffiti. There was one night where 8 (eight) different victims were hit by graffiti. Hopefully, this case will be taken care of soon.

Police Chief Oules also stated that a suspect from a robbery/attempted homicide approximately 2 years ago, which involved a local Taco Wagon business owner, has been arrested in Las Vegas. Now, the issue is getting this suspect back to Washington, which could cost around \$1,300-\$1,400 to do so.

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Chief Oules also announced the Cops-N-Kids Christmas Party will be held from noon to 2 pm on Saturday December 13th, as well as the Kids Christmas Shoppe from 2 pm to 4 pm. The DARE Program raises money throughout the year to sponsor events for kids in the Brewster area. The Kids Christmas Shoppe is set up by the City of Brewster and funded through donations.

Council Member Tretwold stated that he and Council Member Fately had attended the DARE Graduation at the Brewster Elementary School this year. Both stated that this was a great program and would sure hate to see it ever go away. This is a great program for our elementary students and Officer Cariker has done an excellent job.

OTHER BUSINESS:

No other business was brought forth for discussion.

ADJOURNMENT

With there being no further business to come before the Council, the meeting was adjourned at 9:45 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC