

Mayor Lee Webster called the special meeting to order at 6:00 p.m. Council Members present were Kris Dawson, Jerry Tretwold, Dave Freels, Bob Fateley and Art Smyth. Also present were Finance Director Pamela Olsen, Public Works Director JD Smith, WWTP Operator Lynn Lawson and Deputy Clerk Desha Dawson.

PUBLIC LEVY MEETING – FIRE DISTRICT #15:

Mayor Webster stated that the EMS Fire District #15 would like to have Public Levy Meeting at 7:00 pm on October 14th at the Columbia Cove Community Center. At this meeting, volunteers will be meeting with the Public to go over levy issues in hopes of having it pass on the November 4th ballot. They have asked that the facility use fees be waived. All Council members were in favor of waiving the use fee for the Fire District #15 Public Levy Meeting to be held at the CCCC.

GEBBERS FARMS ANNEXATION REQUEST:

Mayor Webster stated that the purpose of the meeting tonight is to go over any further questions or concerns as the annexation request submitted by Gebbers Farms continues to be considered. He also stated that there would be an Executive Session, approximately 1-hour and 30 minutes, during tonight's meeting to discuss potential litigation and personnel.

Also joining in the meeting tonight via conference call are the Kennewick JUB engineers Levi Schoolroy, Spencer Montgomery and Rick Door. JUB had submitted a Potential Study Consideration outline that Mayor Webster would like to review with the goal being to establish a list of items that would be evaluated for impacts in order for the City to determine appropriate conditions of annexation and preparation of a development agreement. There are four (4) key areas targeted, with several evaluation topics under each of those.

Council Member Tretwold asked if the County Plan, which is currently submitted and under review by them, will be the one that Gebbers will follow through with if the City annexation does not go through. Mr. Erlandsen stated that this plan had to go to the County in order to proceed with development plans and will be the one followed if City Annexation is not approved. Gebbers needs to move forward with the development whether it is annexed in by the City and to follow the City Annexation proposal, or through the County if not annexed.

With respect to the C1 parcel – Mayor Webster asked if this is not developed now would the City need a new development plan for this in the future? Roger Erlandsen stated this would go through the City as any development plan would go through.

Public Works Director Smith also noted that with respect to the C1 parcel, the City has been working with Erlandsen's on the water line locates for the current proposed plan and any future development plans. The current plan is for the new Phase I facility to tie into the existing 6-inch line on Indian Avenue. The line size will be based on flow studies.

Mayor Webster started with the first key area – Transportation. The areas of evaluation should include:

- US 97/Main Avenue
- US 97/Indian Avenue
- Main Avenue/7th Street
- Indian Avenue/7th Street.

The need to review the transportation portion is to determine future traffic conditions. Public Works Director Smith noted that Kurt Danison of Highland Associates recommended including both sides of US Hwy 97 in the study as well as the right of way on Indian Avenue. Public Works Director Smith also stated that Mr. Danison has recommended that the City approach the County with respect to getting the surrounding right of way, as it is easier to get the right of way on an application

for annexation rather than trying to obtain it later on.

Current traffic flow outlined on Gebbers initial outline shows the trucks entering at the Gebbers Homestead, looping around to the new pre-size, following along the railroad tracks behind the current packing shed and then entering back on the roadway at North 7th Street at the railroad tracks.

Police Chief Ron Oules stated his concern with respect to the truck traffic coming out on North 7th Street at near the railroad tracks. He stated that when you start piling all of the straddle trucks onto N. 7th going back to the Hwy 97 intersection, along with all of the other car traffic this could pose a big problem. This is already a bad intersection and from a safety view – he sees this as a potential hazard.

Council Member Fateley asked that if the trucks are entering back on to Hwy 97, is that an issue that the City or State would need to deal with? Public Works Director Smith stated that the City has the final say on roads and accesses within the City limits, following the State standards of course. Roger Erlandsen stated that the burden of proof is on the applicant to prove that there will be no adverse impact on our traffic flows – as well as covering the costs of those studies. Council Member Fateley also asked if the engineers will be considering future impacts, such as traffic increases during the different harvest seasons.

Mayor Webster indicated that he would like the impact on North 7th Street added to the Transportation study as well.

Mayor Webster then went on to review the second key area – Storm Water. As indicated by JUB, the storm water management plan should be developed in accordance with the Storm Water Management Manual for Eastern Washington.

Mayor Webster then went on to review the third key area – Water Distribution and Water Rights. This area of the study was included to determine the expected demand conditions within the annexed areas and the impacts to the City's existing and master planned water supply and distribution system. JUB noted that the areas of analysis should include review or determination of:

- Average day, maximum day and peak hour water demands from annexed areas.
- Expected minimum and maximum pressures
- Consideration for a separate pressure zone, including determining the required supplemental storage and pumping required to serve area
- Fire flow demand required in annexed area
- Available water rights
- Existing water system capacity and pressures, including fire flow capacity
- Current City water rights

Council Member Fateley asked if there has been any discussion of Gebbers bringing water rights to cover what they will be using. Roger Erlandsen stated that the applicant (Gebbers) feels that the new water saving equipment, projected to save 1-million gallons per month, is a significant water savings and that the City will benefit from this and that this is in essence the water they are bringing to the table. They (Gebbers) are reluctant to give up any water rights at this time as this is a critical component of their business – no water, no crops. They do, however, realize the City's concerns with respect to water.

Council Member Fateley asked what will happen if Gebbers has an increase in their need for water, for example, when the Phase II portion of the facility is built. We are only looking at what they will need for the Phase I portion of the facility. What about Phase II?

Erlandsen stated that Gebbers would be required to present the City with a development plan with respect to Phase II. The City could then determine if it could need the water needs for that facility or not. Public Works Director Smith stated that if Phase II – or any future development in the annexed area – came before the City, the Annexation Agreement could state that whoever is requesting to develop in the

future would have to bring water, no matter what.

Mayor Webster then went on the fourth key area of the study – Wastewater Collection and Treatment. The annexation request should include sufficient information to adequately determine the impacts to the City’s existing and master planned collection and treatment systems. The analysis should include review of the following:

- Projected flows and organic loading from the annexation, including magnitude and location
- Projected flow and loading patterns, e.g. seasonal and diurnal, particularly from commercial and industrial dischargers
- Process methodology in the commercial and industrial areas, e.g. chemical usage and discharge of constituents that are typically absent in municipal wastewater
- Monitoring systems for commercial and industrial dischargers
- Conveyance capabilities of the existing collection system including gravity collection and capacity of the existing lift stations
- Available capacity at the waste water treatment plant

Council Member Fateley asked how many connections the City currently has and how many we will lose if the facility is tied into our system. Public Works Director Smith stated that the City currently has 652 connections. If the new facility were tied into our system, we would lose approximately 244 connections.

Council Member Smyth asked what the time line is on going from using old plant to the start of the new plant, as the original proposal stated 2 years. Roger Erlandsen stated that the timeline is still unsure and is basically going to be determined on testing. Gebbers is committed to reducing their total water use, but the testing at the new plant will determine how soon it will be fully operational.

Public Works Director Smith asked if there is no economical determination for re-use, why they (Gebbers) couldn’t use the additional filtration pond in the mean time. This was originally submitted in the County Plans, however, could this be an option in the City Plans as well.

Levi Schoolroy, JUB Engineer, stated that we should look into the possibility of needing to upgrade our current plant. If we cannot handle future upgrades at the current facility, the City will more than likely need to look at moving the treatment plant somewhere else.

Council Member Freels asked if we were to “max” out at our current facility, what it would cost to upgrade. Mr. Schoolroy stated that it is approximately \$10.00 per gallon, mid to high is up to \$20.00 per gallon. Depending upon when – not knowing future cost projections – we could be looking at close to \$20-million dollars for an upgrade.

Mayor Webster stated he has heard some treatment plant facilities have had to put in cooling towers at their treatment plants as the State has begun monitoring temperatures. Mr. Schoolroy stated that it may not be a bad idea to have Temperature Monitoring added to the areas of study listed above. WWTP Operator Lynn Lawson stated that from what he understands, the temperature limits on discharge and industrial temperatures on discharge permits are more focused on the water coming into the plant – not so much on what is going out. (The DOE does not have any set standards on temperature monitoring on what is going out).

Mayor Webster asked who would typically cover the costs of these impact studies – The City or the applicant. Spencer Montgomery, JUB Engineer, stated that typically the developer or “applicant” should bear the burden of funding the engineer – which should be approved by the City with City Engineer reviewing such study when completed. If the City does the analysis plan, then the costs of the study could be charged to the applicant.

Roger Erlandsen stated that he believes the applicant (Gebbers) would prefer to use their own engineer with the City Engineer reviewing their study. Council Member Tretwold asked if Gebbers Engineer sends it to our City Engineer for review, who pays that cost? Mr. Erlandsen stated that the applicant would pay for the City Engineer review fees.

Public Works Director Smith also stated that he would like to get together and talk with Mr. Erlandsen about the different kinds of flow meters as he would like to get their input on which kind to install on the line that discharges currently back to our treatment plant from the Gebbers warehouse. Currently, we are unaware of exactly how much water they are discharging back to the plant and installing a flow meter is the only way to accurately measure how much is actually being discharged.

Mayor Webster stated that the next step will be to meet with the applicant and the Engineers to go over these key bullet points noted above, with the recommended study additions and to keep moving forward in this annexation process. The Public Hearing for the annexation and zoning will be held at the next regularly scheduled City Council Meeting on October 8th.

BREAK:

Mayor Webster adjourned at 7:20 pm from the Council Meeting for a 10-minute break, at the end of which Council will resume into Executive Session.

EXECUTIVE SESSION – APPROXIMATELY 1 HOUR AND 30 MINUTES
RCW 42.30.110 DISCUSSION: POTENTIAL LITIGATION AND PERSONNEL:

Mayor Webster announced at 7:30 pm that the City Council would convene to Executive Session to discuss personnel. The Executive Session ended at 9:10 pm.

REGULAR SESSION:

Mayor Webster reconvened to Regular Session.

MOTION: Council Member Freels made the motion to reduce the number of Officers, having four Patrol Officers on staff and give each of those four (4) officers a \$430.00 per month increase in pay. Council Member Dawson seconded the motion. The motion failed.

MOTION: Council Member Fateley made the motion to keep five (5) Patrol Officers on staff and give each of those five (5) officers a \$430.00 per month increase in pay as well as an additional \$100.00 stipend to Officer Marcos Ruiz for language differential. The money for these increases is to come out of the Police Department Budget. Council Member Tretwold seconded the motion. The motion passed with a vote of three (3) to two (2). Council Member Tretwold, Council Member Fateley and Council Member Smyth were in favor; Council Member Freels and Council Member Dawson were opposed.

ADJOURNMENT

With there being no further business to come before the Council the special meeting was adjourned at 9:20 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC