

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 John Scheller. A quorum was present. Also present were Public Works Director Smith, Chief of Police Ron Oules, Finance Director Pamela Olsen and Deputy Clerk Desha Dawson.

Council Member Freels moved to approve the minutes from the Regular City Council Meeting on 05/13/09 as submitted. The motion was seconded by Council Member Dawson and passed unanimously.

Additions and changes to the agenda included the addition of the Columbia Cove Community Center update; the former Plaza Point (Gamble Landing) and associated reduction in City limits; EMS Contract; and a 15 minute Executive Session to discuss potential litigation. Taken off of the agenda were the Chapman Lease/Airport Lagoon and the WWTP Training request.

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 06/10/2009 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 #42695 through #42762 in the total amount of \$168,222.51. Payroll Fund voucher numbers #11582 through #11628 in the total amount of \$86,667.73.

**PUBLIC COMMENT:**

**ERIC FREELS – LOG CHURCH FENCE VARIANCE REQUEST:**

Eric Freels presented on behalf of the Community Log Church to request approval for fence placement on the Church property located at the corner of 4<sup>th</sup> Street and Hanson Street. The fence would enclose the grass area at the Annex building, where school is held and feel the placement of this fence is necessary for the safety of the children who attend school and Church as this is their activity area. The City Ordinance states that the fencing cannot be any higher than 4 feet; the Church is requesting that the fence be allowed at 6 feet. Mr. Freels stated the fence will be hurricane fencing (chain-link) and will not affect field of view for any vehicle approaching the intersection. Also, because of the angle of the property, the fence will only be approximately 4 ½ feet high at the corner.

**MOTION:** Council Member Smyth made the motion to grant the Community Log Church and the contractor placing the fence, Eric Freels, a variance on the fence height from 4' to 6'. Council Member Freels seconded the motion. The motion was then withdrawn by Council Member Smyth.

Council Member Fateley stated that if this is indeed a variance request, he believes that there are proper forms and procedures that need to be filed and followed prior to the Council granting a variance, including a Public Hearing. Mr. Freels stated that he would contact City Hall and file the appropriate documents. Public Works Director JD Smith stated that he would also discuss this with the City Building Inspector, Darren Moore.

**EMS CONTRACTS – COUNCIL MEMBER KRIS DAWSON:**

Council Member Dawson stated she has met and talked with Tonya Vallance of the Brewster EMS. The question at that time from Ms. Vallance was if there were any progress on getting the contract(s) signed, and when. Council Member Fateley stated that the currently hold-up is that there is some contract wording that needs to be reviewed with respect to when the rent fees will be put into effect. The City has requested that these fees be retro-active back to January 1, 2009, while the District has requested the fees to be established effective the date it is signed. It is also stated that the contract is in effect 6-years from the date signed. City Attorney Chuck Zimmerman had stated that the contract would in fact run effective 6-years, beginning January 1, 2009.

**COLVILLE TRIBE DEPARTMENT OF FISH & WILDLIFE LIVE CAPTURE PROJECT UPDATE:**

Joe Peone and Keith Kutchins of the Colville Confederated Tribes presented to Council to review the Live Capture Program and give an update on what has taken place over the past year.

Mr. Peone stated that since last year, the State has approved the Chief Joseph Dam Hatchery with an approximate start date in March of 2010. The Tribe is very excited about this due to the number of fish it will bring to the local waters for both the Tribe and the sports fishing season. The hatchery at Chief Joseph Dam is designed to help decrease mortality rates and will “feed” other acclimation ponds located on the Okanogan River, hopefully increasing the returns.

Mr. Peone went on to review the Salmon Harvest Agreement and the Live Capture Selective Fishing Project. It is currently in the 2<sup>nd</sup> (second) year. It is a 3-year project. The Tribe is integrating traditional and modern gear. They also reviewed the results of the live capture gear from October 2008 to current. A total of 802 fish were harvested, 479 were hatchery origin and 323 were natural origin. 297 fish were released, with a total survival rate of all fish captured/released of .92%. These results are significantly better than those from last year, due to changes in gear and other natural factors.

Mr. Peone stated that there will be a meeting held by the Colville Tribe to discuss the Chief Joseph Hatchery Project as well as the Salmon Harvest/Live Capture Project which will be open to the public for a question and answer session. It was suggested by Public Works Director Smith that the meeting could be held at the Columbia Cove Community Center, as there are many local anglers and out of town anglers coming in for the opening of the salmon season and this location may be better suited for the meeting. Mr. Peone and Mr. Kutchins will consider this and contact City Hall for more details.

Mr. Peone stated that the Tribe wants to meet with the sports fishermen as well as any of the general public who is interested in the projects currently underway and what the impacts and benefits will be. Mr. Peone believes that the more voices we have representing our waters and our interests in the salmon returns to this area, the better chance we have at emphasizing the importance of the salmon in our area to Congress. He stated there needs to be more representatives, other than the Colville Tribe and the support of the local Cities and sports fisherman is greatly needed. The numbers of the fish returned to this area will benefit everyone.

Public Works Director JD Smith stated that during the 2008 Salmon Derby, there was a 26% decrease in the numbers of fish caught during the derby when compared to the prior two-years. He stated he is concerned about the impact of the Salmon Harvest/Live Capture Project on the derby numbers. Mr. Peone stated that the Tribe is willing to work with the derby Directors to make sure that the harvest project does not negatively affect the derby. He also stated that he and the others involved in this project would like to meet with the derby Directors to go over concerns and questions, as well as the possibility of the Tribe donating to the derby.

Mayor Lee Webster stated that he is willing work with the Tribe and help them on whatever may be needed to get the message to Congress. Council Member Bob Fateley thanked the Tribe for coming and sharing this valuable information with us, and we will keep in contact with them regarding the project(s).

**MAYOR WEBSTER:**

**OKANOGAN COUNTY SOLID WASTE DISPOSAL INTERLOCAL AGREEMENT:**

Mayor Webster had received a letter from the Okanogan County Department of Public Works, Solid Waste, requesting a one-year extension of the Interlocal Agreement between the City of Brewster and the County for the Solid Waste Disposal System, until March of 2010. This extension would allow for time to update the OCSW Comprehensive Plan of September 2005.

Council Member Fateley stated that he would be in favor of this extension, as long as there were no changes in charges or the agreement itself.

**MOTION:** Council Member Smyth made the motion to approve the extension of the Interlocal Agreement between the City of Brewster and the Okanogan County Department of Public Works, Solid Waste Department for one-year (March 2010). Council Member Dawson seconded the motion and the motion passed unanimously.

**GAMBLE LANDING (Formerly "Plaza Point") DEVELOPMENT AGREEMENT & REDUCTION IN CITY LIMITS:**

Mayor Webster reviewed an e-mail sent from Roger Erlandsen of Erlandsen & Associates. This e-mail stated that the Gebbers Farms Incorporated would like to continue with the Plaza Point (now referred to as "Gamble Landing") and would like to continue to work with the City of Brewster regarding the completion of the Development Agreement. Also at this time, they would like to have the previously resolution regarding the reduction in the City limits property (north end of 7<sup>th</sup> Street, above the Ron Oules residence) approved and placed on the fall ballot for voter approval.

Mayor Webster and Public Works Director Smith will be meeting the week of June 15<sup>th</sup> through the 19<sup>th</sup> along with Roger Erlandsen to further discuss this issue and Mayor Webster would also like to proceed forward with discussions including Council and the parties involved. The Mayor would like for Council to review the entire packet, with possible discussion at the next City Council meeting.

**DEPARTMENT OF ECOLOGY:**

Mayor Webster stated that the Department of Ecology would be attending the July 8<sup>th</sup> City Council meeting, at which time they will be presenting an award for the 2008 "Wastewater Treatment Plant Outstanding Performance" to the City of Brewster and the Waste Water Treatment Operators.

**FINANCE DIRECTOR PAMELA OLSEN:**

**MONTHLY TREASURERS REPORT:**

Due to a computer problem, the Monthly Treasurers Report is not available. The report will be done and ready for review at the July Council Meeting.

Council Member Dawson asked if the City of Brewster had seen similar revenue losses due to loss of revenue tax, like those Wenatchee had reported recently in the Wenatchee World. Finance Director Olsen stated that we have not at this time. Council Member Fateley stated that the decline in sales tax revenues in Wenatchee may be due to the fact that the car dealerships are not doing as well, as one of the major sales tax revenues for many large cities is car dealers.

**DAN SMITH – AIRPORT REPORT:**

Airport Chairman Dan Smith stated that the Airport Commission did not meet last month due to lack of a quorum. He went on to state that he had spoken with Mary Vargas, who is the one of the department heads at the FAA for funding. The 2011 start date is still in place for the Westside Taxiway and Airport Improvements. A consultant will be hired prior to the project start, and the City should be receiving a packet with project information enclosed.

**EDDIE ALLEN – COLUMBIA COVE COMMUNITY CENTER UPDATE:**

Director Eddie Allen stated that as of June 10, there were 185 active members at the Community Center and anticipates this number to go up. On June 15<sup>th</sup>, the Youth Soccer Program started with approximately 90 (ninety) children signing up. Allen is currently in the process of setting up a meeting for an adult basketball league with teams from Brewster, Bridgeport, Pateros and the Tri-Cities participating. This will also increase memberships.

The City Pool opens this Friday, June 12<sup>th</sup> at 1:00 pm. Admission is \$1.00 and one canned food item for the Food Bank. Swimming Lessons will start on July 16<sup>th</sup>. The Summer Lunch Program starts on June 15<sup>th</sup>. Jerry Haight will be preparing the meals and heading the program in conjunction with Director Allen. In 2008, there were almost 9,000 children who were provided with lunches here at the Brewster Community Center through the Summer Food Program.

Director Allen also stated that there are 9 (nine) scheduled events at the Rec Center for the upcoming months of July and August, with total of 18 (eighteen) more by the end of his year.

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

**PLANNING COMMISSION UPDATE:**

Public Works Director Smith stated that at the last meeting, there was discussion about the Urban Growth Boundary, with current review and changes being made. A packet will be presented to Council once the Planning Commission has completed all necessary reviews.

**GEBBERS FARMS UPDATE – WATER RATES AND CONNECTION FEES:**

Public Works Director JD Smith stated that the project is moving along well. The main line has been connected and the water system to the new facility is active. June will be the first month for utility billing and rates need to be established, as well as the connection fees. Smith stated that he checked with several local cities for rate comparisons, however, no one has a meter in place larger than a 6" meter. The GFI complex meter is actually two meters; a 10" high demand meter and a 2" standard meter, which is for the day to day use at the facility. Essentially, the account will be set with two meters on the system; each charged a flat monthly rate based on meter size, as well as overage charges, which are consumption based, and utility taxes. (Each meter will be allowed 600 cubic feet, and then charged a rate of \$1.60 per 100 cubic feet of overage).

Based on our current flat rate meter charges, Public Works Director Smith figured the fees for the 10" meter on the percentage increases from a ¾" meter flat rate up to the 4" meter flat rate (4" is the largest meter we currently have on the system). Based on the percentage increases, this would set the flat rate for the GFI 10" meter at \$534.30 per month. They would be charged the already established 2" meter rate of \$59.04 for their 2" meter. The flat rate billing per month for both meters would be \$594.34, with additional consumption charges at \$1.60 per 100 cf of overage and associated utility taxes per meter as well.

As for the connection fees, an amount of \$16,982.00, was determined to be an appropriate fee for the 12" meter connection. Again, Public Works Director Smith checked with local cities for comparisons. GFI had installed the water line and placed the meters themselves, therefore no City labor was involved. The above rate will cover the connection fee, perpetual maintenance and improvements on the line.

**MOTION:** Council Member Fateley moved to approve the flat rate billing fees and connection rate recommended by Public Works Director JD Smith and as noted per the contract agreement between the City of Brewster and Gebbers Farms Incorporated. Council Member Freels seconded the motion and the motion passed unanimously.

**WWTP UPDATE – SUBSTANTIAL COMPLETION FOR CLARIFIER AND HEADWORKS:**

The Secondary Clarifier and head works building is now complete with only a small punch-list of things to cover, however, the project is more or less complete. A request has been sent in to receive the final funding monies.

WATER SERVICE LINE REPAIRS:

On a follow-up from last month, the leak at the Carlos Negrete Trailer Park (Tammy Ottinger) has been located and repaired. Due to the fact that the area was basically a maze of old lines – water and sewer – it was very difficult to pin-point the exact problem. However, it was finally discovered that an old service line that had previously fed hydrants had been pushed down into the sewer line by some old tree branches. As agreed upon at the last Council meeting, the account for Carlos Negrete Trailer Park had been charged a flat rate for sewer, and was charged a flat rate until the problem could be located and repaired. Now that it has been repaired, as of June 1, the account will be charged its previous sewer rate which is consumption based.

Public Works Director Smith also stated that there have been some repairs going on at Apple House, with a possible 6" line tap into our system in 2010.

ON-CALL CITY ENGINEER RECOMMENDATIONS:

Public Works Director JD Smith stated there were 12 (twelve) applications submitted for the On-Call City Engineer. As stated prior, all applicants were judged on a point system. There were many qualified applicants with some being more City oriented, while others were more architecture oriented. All were scored on various criteria by Public Works Director Smith, with review and scoring also performed by Waste Water Treatment Operator Lynn Lawson.

Public Works Director Smith stated that the combined scoring was very close, with the tie breaker being location and availability. Public Works Director Smith and Treatment Plant Operator Lawson discussed the top scoring applicants and now present to Council with their recommendations for Primary Engineer and a pool of 4 (four) other top scoring applicants which would be designated as a "pool". It was felt that a "pool" of three to four other qualified engineers would be necessary, so in the event that the primary engineer cannot perform the task and cannot sub-out a project, we can then use an engineer from our selected "pool".

Public Works Director Smith and Treatment Operator Lynn Lawson are recommending, based on scoring, availability and location, that the Primary On-Call City Engineer be Erlandsen & Associates. They have also recommended that the On-Call City Engineer "Pool" consist of: RH2 Engineering, A-Colyar Engineering, Skillings-Connolly Engineering and Gray-Osborn Engineering.

**MOTION:** Council Member Fateley moved to approve the Primary On-Call City Engineer and the On-Call City Engineer Pool as recommended above by Public Works Director JD Smith and Waste Water Treatment Operator Lynn Lawson. Council Member Freels seconded the motion and the motion passed unanimously.

PURCHASE AUTHORIZATION – CITY POOL:

Public Works Director Smith informed Council of the need to purchase 10 (ten) drums of pelletized chlorinator at \$224.00 per barrel, a total of \$2240.00, plus tax and shipping of approximate \$300.00. He has requested Council approval for this purchase, as it is more than \$2000.00.

**MOTION:** Council Member Freels made the motion to approve the purchase of the pelletized chlorinator for the City Pool, a cost of approximately \$2600.00. Council Member Smyth seconded the motion and the motion passed unanimously.

**POLICE CHIEF RON OULES- POLICE DEPARTMENT:**

**POLICE DEPARTMENT UPDATE/STATS:**

Lieutenant Kelly Hook presented the Police Department Stats and Updates for May 2009. He stated that there were 143 (one-hundred forty-three) calls for service in May and 61 (sixty-one) citations written. Training costs for the month were \$439.00, of which approximately \$200.00 will be reimbursed.

The department applied for a "Stonegarden" grant for approximately \$9,600.00. He is unsure of when the money will come in and what it is to be used for, but will keep Council informed of this.

There are two new Brewster Police Department Reserve Officers on force now. They are Corey Fortner and Aaron Dickinson. The two were to be sworn in at this meeting, however were given the wrong dates. They will be sworn in at the next City Council Meeting on July 8<sup>th</sup>, 2009.

Lieutenant Hook presented Council with the 2009 Task Force Operational Agreement. This is an agreement that is renewed on an annual basis, and the fees have increased \$1000.00 from last year. The fee is now \$3000.00. Mayor Webster stated that he believes this is money well spent as we do greatly benefit from the work that the Task Force does for our local area. Police Chief Ron Oules stated that the City would easily pay that amount out of pocket, or more, if we had to do this ourselves.

**MOTION:** Council Member Fateley made the motion to approve the Mayor to sign the 2009 Task Force Operation Agreement, and to pay the associated fee of \$3,000.00. Council Member Freels seconded the motion and the motion passed unanimously.

**RECESS:**

Mayor Webster announced at 8:25 pm that there would be a 10 minute recess, at the end of which, Council would reconvene into Executive Session.

**EXECUTIVE SESSION – APPROXIMATELY 15 MINUTES – POTENTIAL LITIGATION:**

At 8:35 pm, Mayor Webster announced that the Council would convene into Executive Session for approximately 15 minutes to discuss potential litigation.

At 8:55 pm, Mayor Webster announced that Council would reconvene into Regular Session.

06/10/2009

**MOTION:** Council Member David Freels moved to authorize Mayor Lee Webster to sign the "Mutual Release of All Claims" on the Chapman Property, lots 1 through 7, at the Brewster Municipal Airport. Council Member John Scheller seconded the motion and the motion passed unanimously.

**ADJOURNMENT**

With there being no further business to come before the Council, the meeting was adjourned at 8:57 p.m.

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Mayor Lee Webster

ATTEST:

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City Clerk/Finance Director Pamela Olsen, MMC