

Mayor Lee Webster called the meeting to order at 6:06 p.m. Council Members present were Kris Dawson, Art Smyth and John Scheller. Council Member Bob Fateley and Council Member Dave Freels were absent. 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 Smyth moved to approve the minutes from the Regular City Council Meeting on 9/23/09 as submitted. The motion was seconded by Council Member Dawson and passed unanimously.

Minutes/date corrections also approved include:

Council Retreat – September 21, 2007
Budget Meeting - November 6, 2007
Budget Meeting – December 3, 2007

Budget Meeting - August 6, 2008
Budget Workshop – October 24, 2008

03/24/2008 Special Meeting Minutes (Land Swap)

MOTION: Council Member Smyth made the motion to approve the above Minutes, not previously approved. Council Member Dawson seconded the motion and the motion passed unanimously.

Date change/amendment to Council Minutes from June 11, 2008 to reflect Special Meeting minutes for 4/24/08 were approved (not 5/24/08 – typo) and for the Council Minutes from July 9, 2008 to reflect Special Meeting minutes approved from 6/4/08 were approved (not 7/4/08 – typo).

MOTION: Council Member Smyth made the motion to approve the above date corrections to the above previously approved minutes. Council Member Dawson seconded the motion and the motion 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 09/23/2009 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 #43013 through #43103 in the amount of \$160,004.33. Payroll Fund voucher numbers #11729 through #11774 in the total amount of \$85,869.31.

ADDITIONS/CHANGES TO THE AGENDA:

The Mayor asked if there were any additions or changes to the final agenda. No changes or additions were brought forth.

MOTION: Council Member Smyth made the motion to approve the agenda as is. Council Member Scheller seconded the motion and the motion passed unanimously.

MAYOR WEBSTER:

RESOLUTION 09-06 – RATE AMENDMENTS:

Mayor Webster asked Council if they had had sufficient time to review Resolution 09-06 from the last Council meeting. The Council felt they had had sufficient time to review the rate amendments included in Resolution 09-06 and did not wish to proceed with discussion.

MOTION: Council Member Smyth moved to approve Resolution 09-06 as presented. Council Member Dawson seconded the motion and the motion passed unanimously.

DOE- LAGOON PERMITS:

Peter Severtson, Certified Soil Scientist with the State Solid Waste Program, and Wendy Neet the Septage & MRW Specialist from the State Department of Ecology presented to Council to discuss the permits for the lagoon at the Airport. Mr. Severtson explained to Council the specific guidelines for bio-solids permits, required by the State. Mike Chapman, the current permit holder, is no longer in control of the lagoon and the City has taken it over. The City currently has a bio-solids permit for the Waste Water Treatment Plant. The State is here tonight to discuss the permitting process and options and offer their assistance in getting the City on track for proper permits.

Mr. Severtson stated that there are two very specific details that need to be in place in conjunction with the bio-solids permit. One of those being that we have an operations plan outlining who is using it, how the City would deal with odor complaints, etc. It needs to be well written and be approved. The other issue is the septage itself and how it will be dealt with. The City has control of the lagoon and we need to decide on how it will be maintained – ie: discharge into the treatment plant itself through metered discharge, or install a separate lift station. Mr. Severtson stated that if metered discharged to the treatment plant is decided, it will need to be researched extensively to ensure that our current discharge permits at the treatment plant are not violated. Chemical balance upset is a major concern, however, it can be regulated.

Another option would be a land application permit, which required designation of a specific site, Public Notice and Public Hearing as well as SEPA. On the land application permit, the City could retain control with a designated person e in charge of the application, or assign a third party applicator. Mr. Severtson cautioned using a third party applicator as there could be ramifications if a violation is committed. If the third party applicator does not apply the materials properly or leaves a mess, then the violation will fall on the City. Public Works Director Smith asked if the City could consider using both the WWTP discharge and third party applicator options together. Mr. Severtson stated that we could do both. He did recommend discussing the Treatment Plant discharging with Lynn Lawson, WWTP operator, beforehand. He stated that he strongly recommends investigating into a discharge schedule at the Treatment Plant, and stated we should contact Richard Markley for more insight into this.

Mayor Webster asked about transfer of the permit from Mike Chapman to the City. Mr. Severtson stated that there are problems with transfer of a permit. There are provisions noted to do this, but it is awkwardly worded and recommended that if the City desires

land application that we go through the permit process starting from scratch and go through all of the required processes for our own permit. The lagoon site is not up to standard, and the land application site that Mr. Chapman was using is not acceptable. Application at this site cannot continue and need to stop. There was another non-permitted site that was being used on deeded Reservation land and that is a big no-no and will not continue. With respect to the lagoon, an aerator would help immensely in generating bacteria and controlling the odor. Evaporation plays a major role in lagoon levels as well. Although a lagoon can never be completely anaerobic, they do have their ups and downs and an aerator should be installed.

There is a current land application permit issued to the City for the John Wright Ranch property. With some modifications, this site could be used by the City if desired. The State is willing to work with us on this. Council Member Scheller asked what the major problems and concerns are with respect to a land application site. Mr. Severtson stated that odor is the major problem. Application cannot be "random" and is a very calculated and specific procedure that needs to be strictly followed. Council Member Scheller asked if the bio-solids are always applied in an agricultural setting. Mr. Severtson stated that under a bio-solids program, it is always an agricultural application.

Mr. Severtson noted that the City is at an advantage because we have control over the lagoon which allows us to monitor and regulate the amounts being discharged into the lagoon as well as who is using it. As for a land application permit, he recommends applying for one, even if we don't use it.

Mr. Severtson stated that the City needs to begin moving forward with the permit applications as soon as possible. The lagoon is filling up right now, and the process needs to get started right way, before we end up with even bigger issues than permits.

Mayor Webster stated that if we take into consideration the evaporation factor, the possibility of discharging some of the liquids from the lagoon into our Treatment Plant and secure a piece of land for a land application site that the City should be doing pretty well with respect to the lagoon. He also understands that time is an issue and will meet with Public Works Director Smith the day after this Council Meeting to get started on the process.

Mr. Severtson and Ms. Neet both stated that the City can contact them with any questions, concerns or help with the process of obtaining the permits, designating a land application site or any other issues that arise.

PUBLIC COMMENT:

SCOTT BAKER – VERSATILE INVESTMENTS:

Scott Baker of Versatile Investments presented to Council with a verbal proposal for a hangar project at the Airport he would like to do. It consists of placing a hangar with seasonal living quarters on lots #52 through #63, as well as installing a fuel dock and sprayer station. He stated that he realizes the ordinance clearly outlines that no septic systems are allowed, and that no living quarters are allowed in the hangars. He asked if there could be a variance granted in this case, as it would not be a permanent residence and there are other individuals with hangars that have these allowances, even though they were made prior to the Ordinance.

Public Works Director Smith stated that he would need to double check if these lots were available, as the current Airport plan layout does not show any plans for development past lot #63. As for supplying water to the hangar, a line could be run from the main for temporary water service while the new well is being drilled. Mayor Webster stated that he has no issues with the seasonal living quarters – if this is allowed by the ordinance. Mr. Baker could state a set number of calendar days per year he believed the living quarters would be occupied, and if it were to exceed that he could request an extension from Council.

Mr. Baker went on to explain his concept, which includes building a large hanger and enclosing two Atco trailers inside the building, completely containing them so they are not visible. It will essentially look like one big building. He will be placing pads for the helicopter parking, per ordinance. As for the fuel dock and sprayer station, he would be willing to put in a card lock system for others to be able to use as well.

It is required that there be 100-feet between hangars for proper helicopter take-off. The Smith family spray station is located on lot #51. Dave Smith Jr. stated that his family had requested additional spray station/hangar space, but were denied this by the City. Mayor Webster stated that this request was never formally submitted to the City. Public Works Director Smith stated that Dave Smith Sr. had requested the additional space, yet retracted that request at a later date and it was not pursued any further.

With respect to Mr. Baker's current request, Finance Director Pamela Olsen stated she had spoke with Council Member Bob Fateley, who is absent from this meeting, but had stated to her he did not have an issue with what Mr. Baker was planning to do. Although Council is in a general agreement that this is a good idea, they do not want to approve anything until the ordinance can be reviewed to see if this is even allowed. Public Works Director Smith stated he does not feel comfortable approving anything tonight as well, and believes that the ordinance needs to be reviewed and the City Building Inspector needs to review the plans. If any variances would be permitted, those need to be researched and investigated further before any decisions are made. Council Member Smyth agreed with Public Works Director Smith.

Mr. Baker stated that he understands that things need to be done correctly and that there are processes that need to be followed and is willing to meet with the City Building Inspector and go over the plans, as well as meet with the Mayor, Public Works Director and Council to go over it further. Police Chief Ron Oules also agreed stating that Council needs to make sure that all rules, regulations and processes are being reviewed and considered before any decisions are made.

Mayor Webster recommended to Mr. Baker that he present a written proposal as well as building plans so that each member of Council, Public Works Director Smith and City Building Inspector Darren Moore so that each person involved in this process will have a very informed and well outlined idea of what his intentions are, as well as if there will be any variances required. A special meeting of the Council can be called together if need be, if all of the information is presented. Mr. Baker asked if he would be permitted, should the hangar be built, to do any improvements such as planting grass, placing gravel and/or paving. Public Works Director Smith stated that there are no stipulations on improvements to the area around an individual's hangar.

Mr. Baker stated he would present a written proposal for the lot lease, as well as site plans, building plans, CAD drawings, a written operations plan and a variance request

for the housing/sewer for his proposed project for the Building Inspector, Public Works Director, Mayor and Council to review further.

RECESS: At 7:40 pm, Mayor Webster announced that Council would adjourn for a 5 minute recess.

Mayor Webster announced that the recess had ended at 7:45 pm and Council would now reconvene into Regular Session.

OCCDA – FACILITY LEASE AGREEMENT:

The new Head Start Lease Agreement has been drawn up by City Attorney Chuck Zimmerman and presented to Council for review and approval. The new lease fee has been established. OMW changed one portion of the lease agreement pertaining to any meetings that will be held by the OCCDA to have verbal, not written approval. Public Works Director Smith stated that all the improvements that OCCDA had committed to doing have been done. The lease effective date is September 1, 2009 and is a 5-year lease, which can be amended on an annual basis if desired.

MOTION: Council Member Dawson made the motion to authorize Mayor Lee Webster to sign the OCCDA Early Head Start and Head Start Program Facility Lease Agreement, effective September 1, 2009. Council Member Smyth seconded the motion and the motion passed unanimously.

FINANCE DIRECTOR PAMELA OLSEN:

MONTHLY FINANCE REPORT:

Finance Director Pamela Olsen stated that the Airport, Streets and Pool funds are still in the red, but will recover once the property tax monies are received. The Recreation Center is in the black and doing well.

PUBLIC WORKS DIRECTOR - J.D. SMITH

PLANNING COMMISSION UPDATE:

Public Works Director Smith stated that during the last Planning Commission meeting, the commission had met and discussed the Urban Growth Area, specifically zoning and land use requirements. Kurt Danison is researching the land use development portion and will be drawing up a map with an overlay. Once this has been completed and reviewed, the commission will then make their recommendation to Council.

Public Works Director Smith stated that it was recently discovered there were big discrepancies in the County Comprehensive Plan with the County designating the UGA's for all towns and cities within Okanogan County. It also stated that some of the plans are listed under GMA requirements but we are not a GMA County. Kurt Danison has invited representatives from all cities and towns within Okanogan County to meet and come up with a plan to present to the County, including maps. After this, a meeting will be set up with the County Commissioners to discuss this before anything goes into effect. Long and short of the problem for the City of Brewster is that we do not want the County to be the ones to designate our Urban Growth area.

WUE RULES – PUBLIC HEARING/RESOLUTION 09-07:

Public Works Director Smith stated that each City in the State of Washington has to have a Water Use Efficiency Rule in place as well as goals for conservation. The WUE Rules were publicized in September. To date, we have not received any written or verbal public input.

Public Works Director Smith outlined our conservation goals. These include: public education on ways to conserve water; reclamation of water; replacing old meters and calibrating those that can be as well as metering the Angle Trailer Park (39 trailers currently serviced by 3 meters); and distribution of dye tablets to area residents to check for toilet leaks – which can add up to hundreds of gallons a year.

He stated that during this Council Meeting, we will hold the Public Hearing for the Water Use Efficiency Rules. If no public comment is submitted, he has asked Council to consider approval of the Resolution 09-07 which will be filed with the State. We will then be required to report yearly with respect to maintenance of our WUE Rules with changes made if needed.

PUBLIC HEARING: Mayor Webster opened the Public Hearing regarding the City of Brewster Water Use Efficiency Rules. No public comment was brought forth. Mayor Webster then announced the Public Hearing closed.

MOTION: Council Member Scheller made the motion to approve Resolution 09-07, adopting the City of Brewster Water Use Efficiency Rule. Council Member Smyth seconded the motion and the motion passed unanimously.

DCPUD#1 BOAT LAUNCH IMPROVEMENTS – PUBLIC HEARING:

Mayor Webster stated that the out of water projects for the DCPUD park/shoreline improvements to Columbia Cove are ready to be submitted. These include the proposed improvements to the boat launch, moving the basketball court, parking and lighting. The 30-day comment period was held and no comments were submitted. The SEPA and JARPA applications have been submitted. It is at this time, we will hold the Public Hearing.

PUBLIC HEARING: Mayor Webster opened the Public Hearing regarding the DCPUD Shoreline Improvements at Columbia Cove. No public comment was brought forth. Mayor Webster then announced the Public Hearing closed.

MOTION: Council Member Smyth made the motion to authorize the drafting of the Resolution for the DCPUD Shoreline Building Permit for the Columbia Cove Park improvements. Council Member Scheller seconded the motion and the motion passed unanimously.

ATP ORDINANCE #817, (Amendment to #726):

Public Works Director Smith presented Council with Ordinance #817, which amends prior Ordinance #726, subsection 15.24.020 (B) (13), amending Angle Trailer Park rules to permit dogs in the park under certain conditions outlined in the Ordinance.

MOTION: Council Member Scheller made to motion to adopt Ordinance #817, amending the ATP rules to now permit the tenants to have dogs in the ATP under certain conditions. Council Member Dawson seconded the motion and the motion passed unanimously.

ATP GRANT APPLICATION:

Public Works Director Smith had submitted a grant to the Public Works Board for the meter installation and upgrades the City would like to do at the Angle Trailer Park. Currently there are only three meters supplying water to the 39 trailers at the park. Public Works Director Smith stated that out of 200 grant applications, only 16 were selected. These were deemed "shovel ready" projects and were all on the west side of the state. Public Works Director Smith, Mayor Webster and City Engineer Roger Erlandsen of Erlandsen & Associates to discuss drawing up a plan to submit for a shovel ready project next year with permits and applications in place. The Angle Trailer Park desperately needs individual meters as we are losing millions of gallons per year in revenue.

TRAINING:

Public Works Director Smith stated that one of his employees, Jerald Aldridge, needs to attend classes this fall to complete the 1.6 CEU's he will need to maintain his certifications. There is a class being offered in Moses Lake and another in Liberty Lake – both in the same week. Smith wanted to inform Council of Mr. Aldridge's attendance to these classes as well as the fees. The cost for both classes is \$260.00, plus hotel accommodations for two nights and other associated travel expenses. Council agreed that Mr. Aldridge should attend these classes to maintain his certification.

GRAFFITI:

Public Works Director Smith stated that there have been many problems with graffiti at the Grade School and at Vista Park homes. The trail has bit hit many times as well. A steam cleaner was rented to try and remove the graffiti from the sidewalk at Vista Park, but this did not work. The crew then tried sandblasting, which worked much better. A machine was rented from Chelan.

Smith has done some research on an anti-graffiti sealant clear coat product that can be applied to signs and posts that does not allow paint and permanent marker to adhere to the surface. He can order a kit for \$398.00 which includes 3 and 5 gallon containers of different variables of the products. He does believe this product would be cost effective to sample and even purchase for further use when you compare it to the man hours, rent on equipment for cleanup and other supplies used for removal. He is also considering the placement of security cameras at several locations which may help in curbing the graffiti as well as help identify those who are doing it.

POLICE CHIEF RON OULES- POLICE DEPARTMENT:

Overtime totals are up this time of year, as expected, with a total of 69 hours of OT. Per Police Chief Ron Oules, half of these hours are reimbursed. The calls for service (Agency Assist) are in the single digits for the first time in a long time. Oules did state that for the year totals, however, the calls for service may be up as much as 10% due to the other months when calls for assist were higher. Brewster is busy right now and the

officers are busy as a result.

Oules also stated that officer scheduling is an issue right now. The officers are behind on their paperwork as a result of being out on more patrols. The average traffic stop is around 6-8 minutes, which requires at least that much time (if not more) to process the reports.

As stated prior, the Brewster Police Department had applied for the COPS Grant (officer replacement) which were not selected. East Wenatchee was the only agency that received funding for an officer through this grant in the first round.

The Department had also applied for an anti-graffiti grant, and was not selected to receive any funding for this as well. The grant was for \$5,000 and only two were given nationwide.

Police Chief Ron Oules stated that the meeting with local business owners regarding Police coverage was productive and many business owners responded. A November meeting is planned for further discussion. Cheryl Schweitzer will be doing an article on this and he will contact her.

ADJOURNMENT:

With there being no further business to come before the Council, the meeting was adjourned at 8:33 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC