

Mayor Lee Webster called the special meeting to order at 6:00 p.m. Council Members present were Kris Dawson, Jerry Tretwold, Dave Freels, and Bob Fateley. Art Smyth was not able to be present he had an ambulance call that had to assist. Also present were Public Works Director JD Smith, Police Chief Ron Oules and City Attorney Chuck Zimmerman via phone and Administrative Assistant, Sandra Miranda.

GUEST PRESENT: Roger Erlandsen, Kris Erlandsen and Tory Wulf representing the Gebbers Farms, Independent Consultant Gary Walker representing the City of Brewster and Cheryl Sweitzer from the Quad City Herald.

EXECUTIVE SESSION RCW 42.30.110: DISCUSS POTENTIAL (NOT "PENDING" AS STATED IN AGENDA) LITIGATION

Mayor Webster stated that the Council would convene into Executive Session for approximately 30 minutes to discuss potential litigation. At 10 minutes into the Executive Session Mayor Webster excused himself from the meeting.

At 6:30 Council member Bob Fateley announced that the Executive Session would extend for another half hour. At 7:00 pm adjourned Executive session. No action taken. Reconvened into regular session.

OUTSIDE WATER USE AGREEMENT:

Mayor Webster prefaced the meeting by stating it was to discuss the Outside Water Use Agreement (OWUA) with Gebbers Farms Inc. (GFI) and that in addition, that Ordinance amendment No. 813 needed to be passed along with the OWUA. However, details of the OWUA needed to be discussed prior to consideration of either. - in re: comp plan.

He asked that PWD Smith discuss what the agreement entailed.

PWD Smith stated that based on the information they have as there are no plans submitted, the City's main water line would be extended from Main Ave. and Hwy 97 to the meter vault as shown on submitted line drawing.

GFI is proposing that the line from the meter vault to the subject property and fire line is to be private as shown in the submitted line drawing.

He also stated that there are some pros and cons to allowing a private line, one of them being possible contamination. Backflows are supposed to prevent the water from coming into the system.

PWD Smith stated that by allowing a private line; 1) The City does not have control at hydrants and fire control systems. 2) No control of backflow prevention in inadvertent contamination by someone connecting to a hydrant and filling a sprayer or truck without notification and proper backflow prevention. 3) A proper hydrant flushing program. 4) It is very rare that city's allow a system of this size to be private. 5) The system is a closed loop system, meaning there is not continuous water flow through the system. 6) Contamination could potentially sit there for years and be introduced into the drain water system. 7) If the Council elects to make this a private system, it is the recommendation of the PWD to let it remain private, even if the City annexed at a future date.

They (GFI) would have to take positive measures to reduce or eliminate possible contamination by using hydrant flushing and hydrants lockouts.

PWD Smith asked why not extend the water lines all the way to W. Indian Ave and highway 97 as this would be a benefit instead of crossing highway 97 at the midpoint from the meter vault directly to Indian Ave as depicted on the submitted drawing.

He stated that this would be better if we have a set of detailed plans.

Councilman Tretwold asked if it is more expensive to do it this way.

PWD Smith stated that as far as cost of pipe, there is not a significant additional amount of pipe needed, but the details would have to be worked out to get an exact dollar amount.

Roger Erlandsen stated that they do not have a final detailed draft yet because it is very hard to do, they would have to invest money in it, time, and effort and sometimes they get it all ready and it does not get anywhere.

There are a lot of benefits in putting it together but in the short process it would not be possible. The Gebbers Farms would like to see the water agreement be approved first and once this is done they would proceed with the engineering and work with the City to make sure all the requirements are met.

Tory Wulf asked why not tie in at the south side of the Highway (where GFI proposed). That would allow a loop alongside the south side of Highway 97 to the west end of Main and alleviate the need to cross the Highway again at Indian.

“That would be an easy sell” according to Tory.

Roger Erlandsen explained the reason why it made sense to cross at the point indicated by using the aerial map and proposed extension to both W. Main and W. Indian.

PWD Smith stated that he has no problems with the agreement to provide water but the details would have to be approved to make sure all the requirements are met.

PWD Smith has checked with the City of Omak and Chelan to find out what their experience had been. His request is that if it is going to be private it should stay private, even if it was annexed in the future. But in all cases every city stated it needs to be installed by a licensed contractor and meet all specification and standards and be inspected by the City during installation.

PWD Smith wants to make sure that all the details are approved before the water is delivered. He also clarified Section 5 in the water agreement page 5, line 5 “The extension...approved by the City”, that this meant the entire system to include the private line going into the new facility.

Tory Wulf and Roger Erlandsen stated that they will have a licensed and bonded contractor, specs and plans approved by the City and meet AWWA and APWA specifications.

Mayor Webster is concerned about the possible relinquishment of around 10 million gallons per year, which would mean a possible loss of \$24,000.00 per year income. One possibility is to disallow relinquishment.

PWD Smith stated that if they do relinquish water, that amount is subtracted from the historical use amount.

PWD Smith stated that positive controls on the hydrants it would be very simple by putting lockouts on the hydrants and the City also needs a hydrant flush plan from GFI.

Mayor Webster stated that Chuck Zimmerman suggested that one option is to allow a private system around the warehouse in exchange for extension of main line down Highway 97 to follow the Comprehensive Plan.

Gary Walker stated that industry standards would be that the entire system remain Public “It would be highly unusual to allow a private system”. If it did go private that the concerns of the City as mentioned by PWD Smith would have to be followed.

A motion to accept and pass Ordinance #813 was made by Councilman Fateley and Councilman Freels seconded the motion. Motion passed unanimously.

Councilman Tretwold motion to accept the Water Use Agreement, Councilman Freels seconded the motion. Motion passed unanimously.

NO PUBLIC COMMENTS

ADJOURNMENT

With there being no further business to come before the Council the special meeting was adjourned at 8:00 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Finance Director Pamela Olsen, MMC