

Mayor Lee Webster called the meeting to order at 6 p.m. Council Members present were Dan Smith, Art Smyth, John Scheller, Kris Dawson and Bob Fateley. Also present were Public Works Director JD Smith, City Clerk Misty Ruiz, Police Chief Ron Oules and Deputy Clerk Desha Dawson.

Council Member Scheller moved to approve the minutes from the Regular City Council Meeting on 9/14/2011 as submitted/with corrections. The motion was seconded by Council Member Fateley 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 10/19/2011 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 #44814 through #44830 for September in the amount of \$33,851.89 and voucher numbers #44831 through #44888 for October in the amount of 118,436.81. Payroll Fund voucher numbers #12777 through #12805 in the total amount of \$67,001.37.

**ADDITIONS/CHANGES TO THE AGENDA:**

Mayor Webster asked for the addition of a discussion topic regarding the Hotel/Motel Tax and the Okanogan Country Tourism Council.

**MOTION:** Council Member Fateley made the motion to approve the October 19, 2011 City Council Final Agenda with the addition of the Hotel Motel Tax and Okanogan Country Tourism Council discussion by Mayor Webster. Council Member Scheller seconded the motion and it passed unanimously.

**PUBLIC COMMENT:**

Scott Baker, Versatile Investments, asked what the status was regarding the lot that he owns which was noted to have incorrect boundary markings on survey (as marked, it shows it is half Gebbers property, half City property). He stated that he has someone interested in buying this lot and cannot move forward until this issue has been cleared up. Public Works Director Smith stated that he needs to follow up on this immediately, and will do so.

**MAYOR WEBSTER:**

**COUNCIL COMMITTEE APPOINTMENTS:**

Mayor Webster addressed the Council Committee vacancies. The committee appointments have not been updated for quite some time. The Finance Committee and the Public Safety Committee both have a vacancy. After discussion, Mayor Webster appointment the following Council Members to the committees listed below:

- FINANCE: Council Member Dawson and Council Member Fateley
- PUBLIC SAFETY: Council Member Scheller and Council Member Smyth
- PUBLIC WORKS: Council Member Fateley and Council Member Smyth
- PARKS/CCCC/POOL: Council Member Dawson and Council Member Smith
- AIRPORT/CEMETERY: Council Member Dawson and Council Member Scheller

HOTEL/MOTEL TAX-OKANOGAN COUNTRY TOURISM COUNCIL:

Mayor Webster stated that he received a letter from the Okanogan Country Tourism Council requesting to receive 10% of our hotel/motel tax for funding of their services that they provide within Okanogan County. Council Member Dawson and Council Member Smyth asked what services we actually receive from them. Mayor stated this was a good question. Clerk Ruiz stated that we have received approximately \$4000 in hotel motel tax this year. The Mayor is not in favor of this request. Ruiz stated we could use our hotel/motel tax at our own RV Park. Council agreed.

MISTY RUIZ – CITY CLERK TREASURER:

MONTHLY FINANCE REPORT:

Ruiz explained that the auto sum calculator did not add up the totals for the Monthly Finance report correctly, and noted the differences. She also stated the property tax monies will be coming in soon which will help cover some of our unpaid insurance premiums that are due. She did note that the Municipal Court fund balance will go down due to a payment that will be made soon this month.

TRANSFER OF D.A. DAVIDSON ACCOUNT TO WELLS FARGO:

Clerk Ruiz is asking for Council approval to transfer our DA Davidson Investment funds to Wells Fargo. Wells is our checking manager. Our fees are high for this as our bank balances were not ever high enough to get lower rates for our management fees. If we transfer our DA Davidson Investment Account to Wells, it will bring our balances up high enough to lower our monthly fees. There are no transfer fees for doing this.

**MOTION:** Council Member Smyth made the motion to approve the transfer of our DA Davidson Investment Account to Wells Fargo. Council Member Smith seconded the motion and the motion passed unanimously.

PUBLIC WORKS DIRECTOR JD SMITH:

PUBLIC WORKS UPDATE:

Public Works Director Smith stated that he is currently working on a couple of compliance issues regarding the mobile vendors (taco wagons) on Main Street. One of the vendors (Puerto Neuvo located next to the El Rinconcito) has been issued a letter regarding the location and storage of his propane tanks. This is a month-to-month license, so if he does not comply, we will not let him renew.

The other compliance issue pertains to the “El Torito” taco wagon. The current ordinance states that mobile vendors cannot be located on Main Street, and cannot use the Main Street right of way. Currently, the El Torito is located just off the sidewalk on Main Street (Pedro DelaCerde property between Boesel Motors and Witt Trailer Court) which is out of compliance per ordinance. Public Works Director Smith stated that a letter has been issued notifying them of the non-compliance. The owners, and land owner, have both stated they understand the violation, but have requested they be allowed to stay in the current location until November 1<sup>st</sup>, at which time they will move.

Council Member Fateley asked if they had received any information upon inspection regarding location, and limitations on this kind of license prior to it being approved. He again stated that somewhere in one of our City Ordinances, it states that there is a limit

on the number of mobile vendors, and where they can be located. Public Works Director Smith stated that even though a City official (prior Building Inspector/Code Enforcer) handled this, this person allowed them to locate here. Ultimately, our hands are tied. We have to issue a letter stating what the violation is before we can cite them for it. Public Works Director Smith stated he believes it is fair to allow them to stay in this location until November 1<sup>st</sup>, considering the circumstances.

**MOTION:** Council Member Smith made the motion to approve extending the stay of the El Torito taco wagon until November 1<sup>st</sup>, due to an error in the City issuing them the permit to operate at this location. After November 1<sup>st</sup> they will move from the Main Street to an acceptable location. This allowance applies only to this particular vendor, this time only, and no one else. Council Member Smyth seconded the motion and the motion passed with a vote of four (4) in favor, and one (1) opposed (Council Member Fateley opposed).

#### REQUEST FOR SAFETY HOIST:

Public Works Director Smith is asking for Council approval to purchase a 10ft Gantry A-frame portable electric hoist with a 4-ton lift capability for \$6,500. He stated that this would be used primarily for pulling the lift station pumps, however can be used in other areas of the City ie: Water. The lift pumps have been pulled multiple times this year due to failures, each time requiring the rental of Godbey's boom truck at \$500 per visit. These pumps weigh approximately 800 pounds and it takes about 2500 lbs of force to break the seal in order to pull them. The issue is safety. At the treatment plant, the workers have to go 30ft down into the hole where the pump is located in order to hook it up to be pulled. There is nothing for them to hang on to. His fear is that someone will be injured, or killed, as a result of the way these pumps are currently being pulled for service. The cost of purchasing this hoist will be split between water and streets, if approved.

**MOTION:** Council Member Smith made the motion to approve the purchase of the 10ft Gantry A-frame portable electric hoist, for improved safety on sewer and water repairs and projects, at a cost of \$6,500 (split between water/streets). Council Member Smyth seconded the motion and the motion passed with a vote of four (4) in favor, one (1) opposed (Council Member Dawson opposed).

In other Public Works business, Public Works Director Smith stated that the City has hired Kerry Heen on a part-time, temporary 30-day schedule to help out in the Parks Department due to an employee shortage at this time. Mr. Heen has signed an affidavit stating that he understands this is a temporary position. He has fit in well with the crew, with a couple of the FTE's stating that he has done a good job helping with winterization and his knowledge in this area been instrumental in helping with pump repairs, etc.

#### BUILDING INSPECTOR POSITION ELIMINATION:

The wages and benefits for this position were eliminated after the resignation of the previous building inspector in August of this year. Public Works Director Smith stated that we will need to do an amendment to the Union Contract to eliminate this position. Public Works Director Smith and Mayor Webster have met with City Engineer,

Erlandsen & Associates, regarding an on-call inspector contract. Due to the City's current financial state, contracting on an as needed basis would greatly benefit the City overall. Roger Erlandsen will be presenting a proposal within the next month.

If approved, the City will have on-call building inspecting services provided through our City engineer. Council Member Fateley does not want this proposal sent to Paul Parmley (Union Rep) and prefers that this letter of intent be sent directly to his supervisor, as there have been problems in the past when dealing with Mr. Parmley directly.

**MOTION:** Council Member Smyth made the motion to eliminate the Building Inspector position for the City of Brewster due to financial reasons, and moving forward with on-call inspecting services through our current City Engineer, Erlandsen & Associates. Council Member Smith seconded the motion and the motion passed unanimously.

AIRPORT FEES LETTER TO SMITH'S (GOLDEN WINGS AVIATION):

Public Works Director Smith stated that he and Julie Norton of Ogden Murphy Wallace have been reviewing the Mylar maps at the Airport. Smith's (Golden Wings Aviation) have been issued another letter. New Leases are in draft form, however, the City Council Airport Committee needs to review the Airport Policy/Regulations and then sit down with OMW to decide whether or not we will renew these particular leases. As per Julie at OMW, the hold up on finalizing the leases is the review of the Policies/Regulations. This needs to be done now. Newly appointed Airport Council Committee members Scheller and Dawson plan to meet on Monday, Oct. 24<sup>th</sup> at 4 pm to do just this.

Public Works Director Smith stated there are several leases being reviewed: one month to month commercial lease on thirteen (13) lots, another lease that is due in February and two (2), 25-year non-commercial leases (exp. 2030). These are being reviewed by OMW. Invoices have been issued as of 10/14. Fateley asked if back money is due on any of these leases. Public Works Director Smith said yes.

Scott Baker of Versatile Investments asked if other lease fees had gone up 3-times the previous amount like his just did (which he has paid to the City in full-current). Public Works Director Smith stated that the month to month fees have gone up, but not others and this is what's being reviewed. Baker stated that if the others have not and do not go up like his did, he wants a refund. Public Works Director Smith stated that if it is determined he was over charged he will be issued a refund for the overage amount. (Public Works Director Smith stated that the error in fees lies with the previous Finance Director – and the rates were not set or being charged correctly).

Baker asked how much longer this is going to be allowed to happen. When will it be done and resolved? Council Member Scheller stated that he and Council Member Dawson will be meeting on Monday to go over the Policy/Regulations for the Airport and this will be resolved – soon. Again, Public Works Director Smith stated that Baker will be reimbursed if it is determined that the fees he was assessed for his lot fees were overcharged.

POLICE CHIEF RON OULES:

STATS AND UPDATES:

Police Chief Ron Oules stated that overtime is in line with normal. Twenty-nine (29) hours were reimbursed, eighteen hours (18) were contractual, with the City only actually paying out for three-and-a-half (3.5) hours.

The vest replacement grant was approved, which covers 1/3 of the cost of the vests. There is some government money available to cover the difference; however, this will deplete that fund somewhat.

He went on to state that he has applied for the DOA Police Vehicle Grant. Grant coordinator, Rose Running, does have concerns about the City being able to cover the remaining amount loaned given the current financial status of the City. Clerk Ruiz stated that things are rebounding a bit, and covering the loan amount for the replacement vehicle should not be a problem. Oules stated that if we are approved for the grant, the vehicle the department will receive a V8, rear wheel drive Dodge Charger. Dependability wise, this is a good thing as repairs are historically at a minimum with this vehicle.

**FIFTEEN MINUTE EXECUTIVE SESSION TO DISCUSS PERSONNEL:**

At 7:20 pm, Mayor Webster announced that Council will now convene into a fifteen minute executive session to discuss personnel.

At 7:35, Mayor Webster announced the closing of the executive session, and reconvened into the regular session.

**MOTION:** Council Member Smyth made the motion to approve Police Chief Ron Oules request for Officer Tim Rieb to attend the Fit for Training Duty class. Council Member Dawson 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 7:37 p.m.

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Mayor Lee Webster

ATTEST:

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City Clerk/Treasurer, Misty Ruiz