

Mayor Lee Webster called the meeting to order at 6:00p.m. Council Members present were Dan Smith, Art Smyth, Kris Dawson and John Scheller. Council Member Bob Fateley was excused. 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 11-09-2011 with clerical corrections and Special Meeting Minutes from 11-17-2011 as submitted. The motion was seconded by Council Member Smyth 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 12/14/2011 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 #44947 through #44956 for November A/P #2 in the amount of \$5,410.34 and voucher numbers #44957 through #45019 for December A/P in the amount of \$109,972.20. Payroll Fund voucher numbers #12806 through #12835 in the total amount of \$65,906.86.

ADDITIONS/CHANGES TO THE AGENDA:

There were changes/no changes or additions to the Final Agenda.

MOTION: Council Member Smith made the motion to approve the December 14, 2011 City Council Final Agenda, with the cancellation of the Executive Session. Council Member Scheller seconded the motion and it passed unanimously.

CHUCK ZIMMERMAN – OGDEN, MURPHY, WALLACE:

City Attorney Chuck Zimmerman presented to discuss the Ogden, Murphy Wallace 2012 City rate schedule for services they provide to us as our City Attorney. Zimmerman reviewed the rates, of which our rates are the lowest of any municipality they work for. Zimmerman commented that he enjoys working with the staff of the City of Brewster, and Mayor Webster stated the same. Ogden, Murphy, Wallace has represented the City since 1987.

MOTION: Council Member Scheller made the motion to approve retaining the services of Ogden, Murphy, Wallace as our City Attorney, and the new fees associated with those services. Council Member Smyth seconded the motion and the motion passed unanimously.

PUBLIC COMMENT:

No public comment was brought forth.

MAYOR WEBSTER:

PUBLIC HEARINGS:

DEPT. OF AGRICULTURE POLICE DEPARTMENT VEHICLE GRANT:

Mayor Webster declared the Public Hearing for the Department of Agriculture Police Department Vehicle Replacement Grant open. No public comment was brought forth. Mayor Webster declared the public hearing closed.

COMP PLAN REVIEW WITH FSA AMENDMENTS:

Mayor Webster declared the Public Hearing for the Comp Plan with FSA amendments open. No public comment was brought forth. Mayor Webster declared the public hearing closed.

2012 FINAL BUDGET – ORDINANCE NO. 837:

Council reviewed Ordinance No. 837, Final Budget for 2012. This included the previously requested change to the late fees, and excluding Exhibit G on the rate schedule until further review.

MOTION: Council Member Smyth made the motion to approve Ordinance No. 837, Final Budget for 2012. Council Member Smith seconded the motion and the motion passes unanimously.

2011 BUDGET AMENDEMENT - ORDINANCE NO. 838:

MOTION: Council Member Smyth made the motion to approve Ordinance No. 838, 2011 Budget Amendments. Council Member Scheller seconded the motion and the motion passes unanimously.

COUNCIL MEMBER BOB FATELEY – LETTER TO MAYOR/COUNCIL:

Mayor Webster briefly reviewed a letter he had received from outgoing Council Member Bob Fateley. Council Member Fateley did not attend the December Council Meeting. Mayor Webster thanked Council Member Fateley for his 20+ years of service as a City Council Member, stating he did a phenomenal job and does not want Mr. Fateley's years of dedicated service to our City to go un-noticed. Council agreed and applauded Mr. Fateley.

MISTY RUIZ – CITY CLERK TREASURER:

MONTHLY FINANCE REPORT:

City Clerk Ruiz outlined the monthly finance report, stating that there are improvements in our finances compared to where we were a few months ago. She noted that by raising our sewer rates in 2012, this will help the fund greatly as we will be paying for sewer services out of the sewer fund – rather than out of water as had previously been done.

Clerk Ruiz also noted that after the numbers were compared, Rodstols came back with better rates than the State company and we will be contracting with Rodstol for our copy machine services. The new copier will be here and installed soon. We will be keeping the old copier as a backup.

PUBLIC WORKS DIRECTOR JD SMITH:**PUBLIC WORKS UPDATE:****SANITARY SURVEY:**

Public Works Director Smith stated we had our Sanitary Survey performed on October 14th by Andy Cervantes with the DOH. The survey/inspection went very well with review and inspection of our water source, storage and distribution. There were six (6) areas on this inspection that require correction. There were no write ups or findings noted – only corrections. We have 45 days to respond to these recommendations for correction – three of which have been addressed and corrected with the other three being addressed and corrected within the next two weeks. The total cost of this survey/inspection is \$1,836, with the City paying half of this fee at \$918.

DOE WATER RIGHTS:

Public Works Director Smith addressed the City of Brewster water rights with the DOE. Previously, it had been the consensus of Council to waive or apportion the 1,000 acre feet of water we applied for. We currently do not have an immediate demand or immediate need to request or use it. Public Works Director Smith stated based on emails and conversation with the DOE, if we do not request all, or a portion of what we have been given – we can “shelf” it and still keep our water rights. We do not lose our apportioned amount, however, we will have to wait until the next cycle or pool of water to come through before we can request all or a portion of our rights. Right now, for example, if we request 200 acre feet in 2012 – we have to show a demand for it as well as pay the \$40 per acre ft, which would come up to \$8000.

Council Member Scheller asked if we can wait and think about this before making a final decision. He does not want us to pass on requesting an amount of water, then find out that we did indeed need it and then have to wait five years for the pool of water to become available. Council Member Scheller recommended that Public Works Director Smith contact the DOE and get specifics on this and see what our options truly are. Public Works Director Smith stated he will contact the DOE with these questions and will set a special meeting date later this month to discuss this further.

BOAT LAUNCH UPDATE:

Public Works Director Smith stated that the PUD has started the dock project and it is progressing well. They have placed the pilings for the new dock. The additional launch ramp will be in place soon. He noted that the pilings appear to be off set, but this is due to how the dock is going to be placed. He is very pleased with the fact that this project is being completed and should improve the use of the launch for the boaters and fishermen this next year.

WASHES ON PLAZA WAY:

Public Works Director Smith addressed the wash outs on the hillside below Plaza Way (between Plaza Way and railroad tracks) below the Busching, Kelpman and Anderson residences. These are large wash outs and although they are not on City property (he believes this is Gebbers property or one of the LLC's) they will soon start to affect City property if not taken care of soon. Public Works Director Smith will contact the property owners and see about splitting the cost of any repair between Gebbers and the City as it does affect both parties.

ITINERANT VENDOR REQUEST #5 (TACO WAGON):

There has been another inquiry for an additional taco wagon vendor. We have not received an application as of yet. Public Works Director Smith wanted to inform council of this, as there had been previous discussion on possibly numbering the amount of mobile/itinerant vendors. Public Works Director Smith stated this was an inquiry only and that this person has not submitted an application, or paid the fees, however he wanted Council to be aware that there have been more inquiries.

LIQUOR STORE RELOCATION:

Public Works Director Smith stated that he has received notification that the Liquor Store may be moving its location from the current, located on Bridge Street, to the Witt Mini-Mall area at the corner of 7th and Main. The issue with this possible relocation is that it will put the Liquor Store within 500 ft of a Church or School (Calvary Baptist Church/preschool). If they decide to relocate, they must send notifications out to any Church or School located within 500 ft of the potential business site at which time the school or church can agree or object to the location of the store wishing to sell hard liquor. Although nothing is for sure as of yet, Public Works Director Smith stated that the City ordinance regarding such businesses follows that of the which is outlined in the State regulations for the same.

SET PUBLIC HEARING DATE FOR WATER COMP PLAN:

Public Works Director Smith has requested that Council set a Public Hearing date for the Water Comp Plan. There will be an open house on January 9th at 6 pm, City Hall, where City Staff and the City's consultant will be available to answer any questions regarding the updates to the Water Comp Plan and the Water Use Efficiency goals.

MOTION: Council Member Smyth made the motion to set the Public Hearing Date regarding the Water Comp Plan for Wednesday, January 11th, at the Regular City Council Meeting. Council Member Smith seconded the motion and the motion passed unanimously.

Public Works Director Smith also noted that at the November City Council Meeting, when Council set the Public Hearing date for the Comp Plan with FSA amendments, it was to be approved at that time, and it was not. He is asking for Council to approve the Comp Plan with the FSA amendments. (Council has received this previously and have reviewed it).

MOTION: Council Member Smyth made the motion to approve the Comp Plan for the City of Brewster, with the FSA amendments. Council Member Scheller seconded the motion and the motion passed with Council Member Dawson, Council Member Scheller and Council Member Smyth in favor. Council Member Smith abstained from the vote.

POLICE CHIEF RON OULES:STATS AND UPDATES:

Police Chief Ron Oules stated that stats and overtime are in line with normal. There were 56 hours of overtime for the PD, with 50 of those hours being contractual.

FALSE SECURITY ALARMS:

Police Chief Ron Oules stated that over the past year, his department has been dealing with the issue of False Security alarms in which it is faulty security equipment triggering a security alarm. The PD is responding to an abnormally high amount of security alarms that are not true alarms or break-ins. Out of the 35 unfounded burglar alarms – 17 of those were from solely from one business. Police Chief Ron Oules stated that he has asked this business owner to remedy the issue, which has not been done to his knowledge. He feels that if this does not change, the City needs to look to a way to enforce these businesses to fix their faulty alarm systems. It costs his department time and money each time an officer has to respond to repetitive false alarms.

One way he sees to remedy the situation is to put an ordinance in place regarding False Security Alarm Responses. For example, set a number of false security alarms that the PD will respond to, fees for excessive alarms and penalties for not fixing the problem. Police Chief Ron Oules will have a draft ordinance drawn up for Council review in January.

ADJOURNMENT:

With there being no further business to come before the Council, the meeting was adjourned at 7:30 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Treasurer, Misty Ruiz