

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 Fateley moved to approve the minutes from the Regular City Council Meeting on 5/23/2011. The motion was seconded by Council Member Dawson 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 06/22/2011 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 #44452 through #44612 in the amount of \$121,329.42. Payroll Fund voucher numbers #12602 through #12652 in the total amount of \$77,199.61.

ADDITIONS/CHANGES TO THE AGENDA:

Mayor Webster asked for the addition of the Public Works and Non-Union Employee contracts under section #4 of the Mayor's agenda items.

MOTION: Council Member Fateley made the motion to approve the June 22, 2011 City Council Final Agenda with the addition of the above items. Council Member Scheller seconded the motion and it passed unanimously.

PUBLIC COMMENT:

LEAK ADJUSTMENT REQUESTS:

Four utility customers, Les Schwab, Episcopal Church, John Walden and Rodolfo Pamatz presented to Council to request leak adjustments on their May billing. Each customer had leaks verified and repaired. These leaks were significant. Public Works Director Smith stated that some leaks are due to improper winterization and he encouraged all customers to properly prepare their lines for winter. He also stated that because we do not read the meters all winter, typically the first read of the year is when the leaks are detected. Council has received and reviewed the adjustment requests and the projected amounts that will be credited to each account for water overage.

MOTION: Council Member Smyth made the motion to approve the leak four (4) adjustment requests as submitted. Council Member Dawson seconded the motion and the motion passed unanimously.

SCOTT BAKER – AIRPORT:

Scott Baker, owner of Versatile Investments, and a lease holder at the Anderson Field Airport, presented to Council this evening to voice concerns he has about airport operations. He asked Council how they are dealing with the issues that come up at the airport. Ordinances were passed to ensure compliance, yet people are still violating them. Mr. Baker stated he has tried to follow the rules. He leases land and a helicopter pad, yet they (Smith's) continue to use his pad. Mr. Baker stated that he has had the police called on him several times for "violations", yet when anyone else violates the

rules/ordinance, nothing is done? He is frustrated in that it appears the City is not following through with the ordinances are rules that have been set in place.

Mr. Baker went on to state that he cannot believe that we (City) have an elected official on our Council who lives at the Airport and watches all the events unfold, yet does nothing about it and still continues to hold his seat on the Council. He asked how the other Council members can sit back and watch another Council member allow violations of the ordinance(s) to occur that they all voted for and passed.

Public Works Director Smith stated that there are currently three tie downs available at this time, one being used by Mr. Baker (Versatile Investments), one by the Smith's (Golden Wings Aviation) and for transient tie down use. All other aircraft are parked in front of the hangars. Council Member Scheller asked if phone calls regarding the violations had been made. Public Works Director Smith stated yes they have. Code Enforcer Darren Moore has been out to take pictures. Letters have been sent out and citations will be issued for violations.

Council Member Dan Smith stated that the issues at the airport with respect to his father's business (Golden Wings Aviation) are just that. These issues are his father's, not his. He has no other comments regarding this issue. Mr. Baker had stated that there were people living in a motor home located at the airport, owned by the Smith's. As he understands, this is a violation. Mayor Webster asked if there are indeed people living in the motor home. No comment was made. Mayor Webster stated that he took the silence as a "yes". If there are people living in this motor home on airport property, it is a violation.

Council Member Fateley asked if there are truly as many violations being made at the Airport as indicated. Public Works Director Smith stated yes, there are. Council Member Fateley then stated that if this is indeed the case, then we (the City) need to start the legal process to terminate the lease(s) of those who are in violation. Council Member Dawson and Council Member Scheller agreed. Council Member Smyth stated these ordinances are in place for a reason and need to be followed to a "T". Council Member Fateley stated that this problem has gone on long enough and we have spent enough money on it. It needs to be taken care of.

Dave Smith Jr, Golden Wings Aviation, commented that he will no longer tolerate the slanderous and derogatory remarks that are being made about him and his family (and their business) and it "will come to a head this year".

3rd STREET ROAD CONDITION COMPLAINT:

Residents August Layton, Loretta Layton and Sherry Dildine presented to Council to request that their road be graded. They stated it is in terrible shape with many potholes and it is nearly impassable. Mr. Layton stated that he has stated to City staff on numerous occasions that the road needs to be graded but no one has shown up. He is frustrated that nothing has been done. Public Works Director Smith stated that this road has never been designated as a "street", it is more or less an extension of 3rd street and is basically an alley or an access. Smith agreed that it needs to be repaired and graded. The City grader was broke down for quite some time and there were several water and sewer issues that needed to be addressed at the time the grading was scheduled. He stated that it will be graded by next Monday. He also informed them that this road will be dirt for quite some time as the City does not have the finances to pave it at this time. We will, however, be looking at placing gravel in the mean time.

MAYOR WEBSTER:

SUNRISE DISPOSAL RATE INCREASE APPROVAL:

Sunrise Disposal had presented a rate increase proposal for the City of Brewster garbage collection service. This is the first rate increase in 2 years.

MOTION: Council Member Fateley made the motion to approve the Sunrise Disposal rate increases for Garbage Collection in the City of Brewster, effective July 1, 2011. Council Member Smith seconded the motion and the motion passed unanimously.

BRYAN NASS – COLVILLE TRIBE DEPT. OF FISH AND WILDLIFE WEIR PROJECT PRESENTATION:

Bryan Nass, Senior Fisheries Biologist with LGL Northwest, presented to Council this evening to give a presentation on the Colville Tribes Weir Project. This is a pilot project and will take place in the Okanogan River near Malott over the next three months. During this project they will be testing capture, handling, passage, environmental impacts as well as assessing the structures. The weir will be in operation in seven day blocks, one week in July, one week in August and one week in September. This is an evaluation only project, there will be no fish harvested. He stated that no boats will be able to pass through the weir when the project is in operation, however, they have planned to have it operational during the time when the river level is at the lowest. A slide show followed the discussion.

A video of the presentation was given to Council to review later on, if desired. Mr. Nass stated that if anyone had any questions, they could contact him directly.

RESOLUTION NO. 11-08 – OKANOGAN CO. EMERGENCY MANAGEMENT PLAN:

Council received, and reviewed, Resolution No. 11-08 which declares support and adoption of the updated Okanogan County Comprehensive Emergency Management Plan, which is required of all Cities within the County for protection of persons and property in the event of a disaster and provides coordination of emergency management functions with other public agencies and organizations.

MOTION: Council Member Smyth made the motion to approve Ordinance No. 11-08, adopting the Okanogan County Comprehensive Emergency Management Plan. Council Member Dawson seconded the motion and the motion passed unanimously.

POLICE DEPARTMENT LABOR CONTRACT:

Mayor Webster asked for Council to review the Public Works, Police Department and the Non-Bargaining Unit Employees Contracts. During the past few months, these contracts have been approved by the Public Works and Police Department and now need Council approval. In this contract, effective 2012, the Union employees will receive a 1.5% wage increase and will begin to pay the increase in their health and welfare benefits up to 5%, with anything over the 5% being split 50/50 between the employee and the City. The non-bargaining unit employees (Public Works Director, Clerk/Treasurer and Chief of Police) have a contract stating that they understand they are waiving their rights to be in a bargaining unit and will receive health and welfare benefits. This form will also be signed by any part-time and seasonal employees as well.

MOTION: Council Member Smyth made the motion to approve the Public Works and Police Department contracts, as well as the contract between the City and the non-bargaining unit employees (dept. heads, seasonal and part-time employees). Council Member Smith seconded the motion. The motion passed with a vote of four (4) in favor, and one (1), Dawson opposed the vote.

All Council members asked that in the future, they would like to receive any updates or changes to the current contract when it is up for review and changes again.

MISTY RUIZ – CITY CLERK TREASURER:

MONTHLY FINANCE REPORT:

Clerk Misty Ruiz presented Council the with monthly costs/revenue report which is generated out of Springbrook, the City software program. She also put a column on this report showing the current account balances. The financial outlook for the City is improving, slow but sure. She stated that there will be a \$6K credit into the cemetery fund for perpetual care. Typically, the City would reinvest this money, however, given the current financial status she feels it is best if we put this money back into the budget. Clerk Ruiz stated that the jail fees were not paid this month, and she has contacted the County regarding this. There is an \$80K Public Works Trust loan that needs to be paid by July and in order to do this; we need to cut where we can. She did state, however, that she will pay whatever the Council asks her to pay, given that the money is in our account to do so. Mayor Webster stated that we have known this Public Works Trust bill has been coming, and we have all but 10K of it to this point. He commended the staff on their efforts to cut costs and implement the spending freeze, only making necessary purchases.

Council Member Scheller stated that he feels the City is in “bad shape” and we need to start thinking about making some hard decisions. He believes it would be in the City’s best interest, financially, to lay off employees. He thinks that each department should lay off one employee, with the wages/benefits from those employees to go into a reserve fund to cover necessary costs, and not to be used unless Council has approved it.

MOTION: Council Member Scheller made the motion to have each department, Public Works, Administration and the Police Department, lay off one (1) employee with the wages/benefits of those three employees to go into a reserve fund that is only used on Council approval for any spending. These lay off’s would be effective August 1, 2011. Council Member Dawson seconded the motion. The motion died due to lack of a majority vote with two (2) in favor of the lay off’s and three (3) opposed. (Scheller/Dawson in favor; Fateley/Smith/Smyth opposed).

Clerk Ruiz stated that she cannot afford to lay off an employee, or lose any part of her current staff. Public Works Director JD Smith stated that he has already had to lay off one FTE and one PTE. Police Chief Ron Oules stated that before any decisions are made, Council should strongly consider talking to Clerk Ruiz about our current financial situation and go over the figures with her, as they are improving with many cut backs and savings we have already implemented. Council Member Smith stated that before any decisions are made with respect to lay off’s, it may be better to pencil

out furlough days and compare that to laying off three (3) people. Mayor Webster agreed. Council Member Scheller stated he would be willing to look at this idea.

Council Member Fateley stated that the overall efficiency of the City is good – from our system to our safety and other customer services. He believes that if we start cutting our employees, we will jeopardize our efficiency to run the City, which will affect our citizens. Council Member Scheller stated that we can lay off these employees, and bring them back to work if that particular area started to have efficiency issues.

Fateley stated that he would vote against laying anyone off at this time. Council Member Smith stated that he is not ready to vote on lay off's and that is why is suggested the furlough days, stating we need to look at the whole picture before a decision like this is made.

Mayor Webster asked for a comparison of furlough days vs. lay off's and what the difference in savings would be. He also stated that Council needs to have a good look at the current financial status of the City and be educated on where we are now, versus a couple of months ago. He believes we are headed in the right direction and there may be more ways we can save money for the City instead of laying off employees.

Mayor Webster suggested that Council hold a mid-year City Finance review meeting, and suggested that this meeting be held on July 20th at 6pm, City Hall. All Council was in favor of the meeting and agreed on the date. Notices will be sent out regarding this.

DESIGNATION OF SIGNERS ON CITY SAFETY DEPOSIT BOX:

Mayor Webster stated at this time, he would like Council to approve the new City Safety Deposit box signers, and to authorize the removal of retiring Clerk Treasurer, Pam Olsen and prior Deputy Clerk Jackie Moriarty, as a signer on this accounts.

The new signers will be Misty Ruiz, Clerk/Treasurer, Desha Dawson, Deputy Clerk and Mayor Lee Webster. These changes will be effective on today's date.

MOTION: Council Member Smyth made the motion to approve the designation of Misty Ruiz, Desha Dawson and Mayor Lee Webster as the City Security Deposit Box signers, and removing Pam Olsen and Jackie Moriarty as signers, on the above named accounts, effective the date of this motion. Council Member Dawson seconded the motion and the motion passed unanimously.

Signature line:

Misty R. Ruiz, City Clerk/Treasurer

Desha J. Dawson, Deputy Clerk

Mayor Lee Webster

ORDINANCE NO. 834 – CHANGE OF REGULAR COUNCIL MEETING DATE:

Clerk/Treasurer Misty Ruiz presented Council with Ordinance No. 834, which would effectively change the regular monthly City Council meeting date from the third Wednesday of each month to the second Wednesday of each month.

MOTION: Council Member Fateley made the motion to adopt Ordinance No. 834, changing the meeting date of the regular City Council to the second Wednesday of each month, effective July 2011. Council Member Smyth seconded the motion and the motion passed unanimously.

MOTION: Council Member Smyth made the motion to set the date the City Council Members will receive their Council Packets to the Friday before Council. 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 the current finances of the City are impacting services, specifically streets and repairs. We will get to them as we can, and as the budget allows. We have had water issues, and those repairs are necessary.

BIOLOGIST UPDATE:

Public Works Director Smith stated the Biologist Group did come and stay at the Columbia Cove Park, utilized the Rec Center and conducted all the area studies they planned to do. They had a great time and thanked the City for its hospitality and help during their stay. Public Works Director Smith stated that a bill for their stay was sent out, totaling \$8,305.00.

AIRPORT:

Council had previously voted and approved for the City to provide the 5% matching funds and authorized the submission of an application for State and Federal assistance for improvements at the Anderson Field Airport. He was not aware that the City needed to do this approval in the form of a Resolution. He has spoken with USKH, City airport engineers, and they have stated that it may be too late to start on any projects in 2011 and they have recommended waiting until 2012. In doing this, we will lose the \$150K that is available to us, however, we can recuperate this in 2012. Public Works Director Smith stated that given the time constraints and our current financial status, he believes it would be best to wait and therefore, Resolution No. 11-09 is no longer needed.

Public Works Director Smith also stated that USKH will be issuing us a refund check for \$10,000. We were apparently billed for services we should not have been billed for. USKH found the error and they will be issuing us a refund. This money will go back into the Airport fund.

Public Works Director Smith stated that on reviewing the rates approved by Council, some of the rates (in particular the Airport lease rates) were not consistent with the approved increases. When he checked into this, he noted that of the commercial and non-commercial lease rates, the commercial rates were not being charged correctly according to what Council had approved.

Council Member Smith stated, as he understood, there were two rates charged at the airport. One rate was for aviation, the other for non-aviation.

Public Works Director Smith asked that Council review these rates for accuracy, as they are set by Council. Mayor Webster stated that the Airport Commission minutes should be reviewed. Public Works Director Smith stated that he will check into this, specifically on how the commercial and non-commercial designations are worded and what fees are being charged, and if needed, changes in the fees will be made.

WUE AND CCR REPORT:

The Water Use Efficiency report is due and Public Works Director Smith has this near completion. Our Consumer Confidence Reports are ready and will be distributed by the local swim team starting June 23rd. This is an annual report that is hand delivered to each customer.

KIWANIS FIREWORKS STAND and BREWSTER FIRE DEPT. FIREWORKS SHOW:

Both have presented applications, permits and insurance verification for the upcoming 4th of July fireworks show and fireworks stand. At this time, both need Council approval to proceed.

MOTION: Council Member Smith made the motion to approve the Kiwanis Fireworks Stand and the Brewster Fire Department Fireworks show. Council Member Smyth seconded the motion and the motion passed unanimously.

POLICE CHIEF RON OULES:

STATS AND UPDATES:

Police Chief Ron Oules stated that there were 34.5 hours of overtime for the month of May, with 21 of those hours being reimbursed. There has been a little bit of an increase in the stats, but this is due to school being out. 4th of July is coming up, there will be a little increase in the overtime for the patrols needed for that event.

On August 6th, Canfield and Associates will be holding their Firearms Simulator course. Police Chief Ron Oules encouraged the Council and Mayor to attend. This is very educational for the officers and would like them to participate as well. He also stated that he has not heard back from anyone regarding the police vest grant, but will keep Council informed.

Police Chief Ron Oules stated that his department continues to try and cut costs and keep spending to a minimum. He is, however, concerned about the officer training that his officers need, but is looking into ways to get this educational training with minimal or no cost to the City.

5 MINUTE EXECUTIVE SESSION TO DISCUSS PERSONNEL:

At 8:50 pm, Mayor Webster announced that the Council Meeting will now convene into an Executive Session, lasting 5-minutes, to discuss personnel.

At 8:55 pm, with no further discussion and no action, Mayor Webster announced that the Council will now convene back into Regular Session.

ADJOURNMENT:

With there being no further business to come before the Council, the meeting was adjourned at 8:56 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Treasurer, Misty Ruiz