

Mayor Lee Webster called the meeting to order at 6:00 p.m. Council Members present were Art Smyth, Jan May, Dan Smith, Ramiro Villagrana and Tim Rieb. Also present were Public Works Director Lynn Lawson, City Clerk Misty Ruiz, Police Chief Ron Oules and Deputy Clerk Desha Dawson.

❖ **PLEDGE OF ALLEGIANCE –**

ADDITIONS/CHANGES TO THE AGENDA:

The agenda was approved as submitted.

MINUTES APPROVAL:

The minutes from July 10, 2013 City Council Meeting were reviewed.
The Special Meeting Minutes from July 25th and 31st were reviewed.

MOTION: Council Member Smith made the motion to approve the above minutes. Council Member Smyth seconded the motion and it passed unanimously.

PAYROLL AND ACCOUNTS PAYABLE APPROVAL:

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, August 14, 2013, the Council, by a majority vote, does approve for payment those vouchers included in the voucher payment list and further described as follows:

July Manual Claims Fund voucher numbers 48926, 48928-48931, 48933-48940, 48942-48919, 48953, 48954 and 48972-48996 as well as August Council voucher numbers 640-645, 52250, 52258, 52260, 52261 and 52265-52321 in the total amount of \$184,962.33.

July Payroll Fund voucher numbers 616-639, 48873-48880, 48923-48927, 48932, 48941, 48955-48971 and 48997-49019 in the total amount of \$135,017.81.

MOTION: *Council Member Smyth made the motion to approve the above noted bills and payroll for payment. Council Member Rieb seconded the motion and it passed unanimously.*

PUBLIC COMMENT:

STEVE HOGAN – ATV USE:

Mr. Hogan has presented to Council this evening to request their consideration of opening the first 3/10's of a mile from 7th Street up the Rat Lake Road, to the City limits sign for the use of ATV's and UTV's. The County has recently opened up more than 300+ miles of road to these vehicles. Many County roads are being opened up to ATV/UTV use, although it is still a new process. City attorney Chuck Zimmerman stated that if the City were to consider this, it would need to be in ordinance form. Mayor Webster stated that we will check into this further and agreed with Council Member Smith's statement that we should be aligned with what the County is doing with respect to this particular road. Zimmerman agreed stated that we should wait and see what the County does and then make our decision based on that.

GUILLERMO MENDEZ – BUSINESS LICENSE QUESTION:

Mr. Mendez is here to follow-up on his previous question about the City allowing a flea market/farmers market. He still wishes to pursue something like this at his rented building at 309 Hwy 97 (old Goehry's car lot). City attorney Zimmerman stated that the City has many rules and requirements regarding the sale of used or new items, itinerant and stationary vendors. It has not been determined as of yet by Mr. Mendez if the vendors would be permanent or temporary, which either require certain permits or not be permitted under our BMC. Zimmerman suggested that Mr. Mendez submit an application and pay the non-refundable fee for such a request. At that time, the City can make an accurate analysis of the request. Mayor Webster suggested that Mr. Mendez also review our City of Brewster Municipal Code to discern between what is allowed and not allowed.

Mr. Mendez also inquired about the use of scooters. He has several businesses that he has to go to and fro, and having a scooter would make it much easier. Chief of Police Ron Oules stated that whatever he chooses to use, has to be DOT approved.

KARL WORD – GOEHRY MEMORAL BASKETBALL COURT:

Mr. Word presented tonight to state that the Goehry Memorial Basketball court is becoming a reality. In two-weeks, he has raised over 20K, and is hoping to raise more money in the spring. He thanked the Council and Mayor for their help in all of this. It is outstanding how quickly this idea has come into place. He has an anonymous person willing to make a large donation. This donation could be used for pool repairs and/or reopening the Rec Center. Mr. Word would like to start workshops with the Council to keep ideas flowing and keep the momentum moving forward. He hopes that the Park and Rec Board will re-form and that the community continues to support this and other projects.

Mayor Webster asked if Mr. Word would be willing to meet with him tomorrow and discuss it further. Mayor Webster is in agreement that things need to keep moving forward, especially in this positive atmosphere and community involvement. Mr. Word stated that he will join the Chamber if needed, talk with the business owners and just keep this community moving in a positive direction with the help of the City and the citizens. Brewster is coming back. He will do whatever it takes! Council thanked Mr. Word for his hard work and dedication to this community.

Brandon Medina, Summer Food Program worker, also stated that he would like to see the Rec Center reopen, and is willing to volunteer his time to be there for certain hours of the day for the children to use after school. Mayor Webster stated that this is something that will need to be discussed with Head Start, as they lease the entire building. Mayor Webster, Public Works Director Lynn Lawson, Brandon and the director of Head Start will meet to discuss this further.

MAYOR WEBSTER:

ACTION LIST FOLLOW-UP:

The action item list from the July meeting was reviewed (see attached). The following requests, notes and discussions are outlined on the action item list for August 2013.

GOEHRY MEMORIAL BASKETBALL COURT CONTRACT REVIEW:

Two copies of a rough draft agreement were presented to the City. These agreements were drafted by our City Attorneys. One draft listed the Chamber as the sponsor; the other is blank. Finding a sponsor, should the Chamber choose not to, will not be an issue. Chuck Zimmerman, City attorney, stated that this agreement is tailored to benefit the City and give them flexibility on the project – which is to be done by volunteers with donated equipment, labor, etc.

MOTION: *Council Member Smith made the motion authorizing Mayor Webster to enter an agreement as approved by the Mayor, with an entity as selected by the Mayor, to build the concrete basketball court in the area depicted on the exhibit prepared by Erlandsen's Office, at no expense to the City.*

COUNCIL TRAINING CLASS – SET DATE:

City Attorney Chuck Zimmerman announced to Council that he would like to schedule a date for WCIA Council Training that he will be providing through our new insurance carrier. He would like to have this take place in October. It will be a 1 ½ to 2 hours devoted specifically to Council Member Training. Council has agreed to have this meeting on either the 23rd or 30th of October, depending on how the groups schedule looks. Once all of the Council members have checked their schedules, a solid date will be decided and confirmed.

MISTY RUIZ – CITY CLERK TREASURER:

MONTHLY FINANCE REPORT:

Clerk Ruiz reviewed the revenue and expenditure report. As stated before, the City is on track and doing well. Ruiz also noted that with the change in City insurers, there will be two payments made this year as we will be changing from a September renewal to December with our new insurance provider.

ORDINANCE NO. 850 – AMENDMENTS TO UTILITY BILLING PROCEDURES:

Ruiz briefly discussed Ordinance No. 850. Review and changes will take place before the final draft is presented to Council for approval. This ordinance is being written by our City attorneys and has to do with Utility billing procedures. Deputy Clerk Dawson will also review this and discuss any changes with Julie Norton of OMW.

GENERAL ELECTION BALLOT – SALES TAX:

Clerk Ruiz reviewed the proof of the sales tax issue that the City of Brewster will be placing on the Special Election ballot this fall regarding Sales and Use Tax for Criminal Justice services (one-tenth of one-percent increase in sales tax). City Attorney Chuck Zimmerman has reviewed this and approves. Council also agreed.

LYNN LAWSON – PUBLIC WORKS DEPARTMENT:

PUBLIC WORKS UPDATES:

ORDINANCE NO. 849 – SMALL WORKS ROSTER/VENDOR LIST:

Ordinance No. 849 was reviewed by the Mayor and the City Council.

MOTION: *Council Member Smyth made the motion to approve Ordinance No. 849, adding new chapter 1.28 to the BMC establishing procedures for a vendor list for the purchase of supplies, materials and equipment and a small works roster process to award public works contracts. Council Member May seconded the motion and it passed unanimously.*

CITY BASKETBALL COURT FENCING BID REVIEWS:

Public Works Director Lynn Lawson reviewed the bids that were received from Chaparral Fence and Yakima Fence. The lowest bid of the two was from Yakima Fence, for \$14,642, for a four-sided 12' high fence at the City basketball court.

MOTION: *Council Member Smith made the motion to approve the lowest bid for the 4-sided, 12' high fence from Yakima Fence at a cost of \$14,652, to be installed at the City basketball court. Council Member May seconded the motion and it passed unanimously.*

BID FOR FIREHALL OFFICE IMPROVEMENTS:

Public Works Director Lawson stated that the Fire District #15 Chief is in need of a new office space. It has been decided by the District that he will move his office to the Brewster Fire Hall. However, this space will need to be remodeled prior to his moving in. Lawson stated that he has received three bids for the remodel. The lowest bid came from Sachse Construction at a total cost of \$6996.00.

MOTION: *Council Member Smith made the motion to approve the Sachse Construction bid of \$6996.00 for the Fire Hall, District Chief office remodel. Council Member Rieb seconded the motion and the motion passed with a vote of four in favor and one (Smyth) abstained.*

DOE WASTE WATER TREATMENT PLANT AWARD:

Public Works Director Lynn Lawson reviewed the letter the City received from the Department of Ecology, awarding the City of Brewster WWTP the Outstanding Performance Award for 2012, and having full compliance with State requirements. We are one of one-hundred and seven waste water treatment plants to receive this award. Clerk Ruiz stated that this is the 7th year in a row our treatment plant has received the award. Mayor Webster and Council applauded plant operator Lawson and his crew for their outstanding and continued efforts.

ITINERANT VENDOR APPLICATION REVIEW:

A new application for an itinerant vendor was submitted for Council review. It is a brand new application. It appears to be a door to door vendor, which is prohibited by our BMC. Further review of this will take place once more information is received from the applicant.

CHIEF OF POLICE RON OULES:

STATS AND UPDATES:

Chief Oules stated that there were four burglaries in one night recently. When officers responded to one break in, the thieves were already breaking into another. They have a good idea of who it is, but are lacking enough evidence to proceed. Oules would like to install surveillance video cameras, possibly with money left in the budget this year. Local businesses have been very helpful and cooperative.

Overtime for the month is high; however notes that the 4th of July costs the City money every year. All officers are on duty, and they all receive holiday pay. Security is reimbursed. Overall, regular overtime stats are not bad.

15 MINUTE EXECUTIVE SESSION – POTENTIAL LITIGATION:

At 7:45 PM, Mayor Webster announced that Council will now convene into a 15-minute Executive Session to discuss potential litigation. City Attorney Chuck Zimmerman is present.

8:00 PM - Extended 5-minutes

8:05 PM - Extended 5-minutes

At 8:10 PM, Mayor Webster announced the closing of the executive session. Council will now convene back into regular session. No action was taken.

ADJOURNMENT: With there being no further business to come before the Council, the meeting was adjourned at 8:10 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Treasurer, Misty Ruiz