

Mayor Art Smyth called the meeting to order at 6:00 p.m. Council Members present were Avis Erickson, Emmanuel Hurtado, Tim Rieb, Jan May and John Housden. Also present were Public Works Director Lee Webster, Fire Chief Dylan Gamble, Finance Director Misty Ruiz, City Attorney Chuck Zimmerman and Deputy Clerk Desha Rupeiks. Police Chief Nattalie Cariker was absent.

MOTION: *Council Member Erickson made the motion to excuse Chief of Police Nattalie Cariker from the meeting. Council Member May seconded the motion and it passed unanimously.*

The Regular Council meeting minutes from November 14, 2018 were reviewed. The final agenda for the December 12th City Council meeting was also reviewed.

MOTION: *Council Member Hurtado made the motion to approve the November Council meeting minutes as well as the final agenda for December. Council Member May seconded the motion and it passed unanimously.*

PAYROLL AND ACCOUNTS PAYABLE:

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 12/12/2018, the Council, by a majority vote, does approve for payment those vouchers included in the voucher payment list and further described as follows:

November 2018 Manual Claim Fund vouchers numbers 2836, 51900-59102, 59121 and 59126-59128 in the amount of \$39,642.06 as well as December 2018 Claim Fund vouchers numbers 1259, 1260, 2837, 59130, 59131 and 59135-59204 in the total amount of \$203,202.34.

November 2018 Payroll checks numbers 2805-2835, 59036, 59038, 59039, 59099 and 59103-59125 in the total amount of \$145,661.85.

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

PUBLIC COMMENT:

JUB UPDATES:

Steve James and Michelle Johnson of JUB Engineering were present to discuss our project updates. The manganese removal project is moving along well, with a test well package for five potential well sites. A draft bid package has been reviewed by Rural Development and will be submitted for final review next week. Additional archaeological review will be performed prior to drilling and site inspections will be completed this week with final reports due in January. Once the reports are shared with the appropriate agencies, we will advertise for bids. There will need to be Council approval for the drilling sometime in January.

The CCTV work collecting videos and conditions of the sewer system are still underway and they will soon be able to merge the videos with the GIS data.

DAN SMITH – AIRPORT QUESTIONS:

MOTION: *Council Member Erickson made a motion to authorize a 90-Day extension of the requirement for removal of the manufactured home from the City airport property leased by the Smith family. Council Member Hurtado seconded the motion and it passed unanimously.*

CHIEF OF POLICE NATTALIE CARIKER: Not present, excused.

FIRE CHIEF DYLAN GAMBLE:

Fire Chief Gamble reported no new updates, stating all is going well. The special made ax plaques were given to former Chief Mike Webster and Assistant Chief Bill Vallance to thank them for their years of service to the volunteer Fire Department and our community. Gamble stated that both were very appreciative and liked them very much.

BOYS & GIRLS CLUB UPDATES – HEATHER CARRINGTON: Not Present.

MAYOR ART SMYTH:

RESOLUTION NO: 2018-11 – TITLE 17 AMENDMENT, INTENT TO APPROVE:

City Attorney Chuck Zimmerman explained Resolution No. 2018-11, declaring the City Council's intention to approve an ordinance amending provisions in Title 17 of the BMC adding a definition of dormitory housing and providing for the same in the district use chart and amending provisions related to non-conforming uses following review of the same by the State Department of Commerce. This was previously reviewed by the Planning Commission following a public hearing with unanimous approval. As noted above, the next step is review by the Department of Commerce, then the Ordinance will be presented to Council for approval in 2019.

MOTION: *Council Member May made the motion to approve Resolution No. 2018-11. Council Member Rieb seconded the motion and it passed unanimously.*

ORD. No. 911 -DESIGNATING PROSECUTING AUTHORITIES FOR THE CITY:

MOTION: *Council Member Erickson made the motion to adopt Ordinance No. 911, adding a new section 2.18.130 to the Brewster Municipal Code, designating the City Attorneys and City Law Enforcement Officers as Prosecuting Authorities for purposes of prosecuting cases in the Municipal Court. Council Member Rieb seconded the motion and it passed unanimously.*

FINANCE DIRECTOR MISTY RUIZ:

MONTHLY FINANCE REPORT:

Ruiz reviewed the monthly finance report, noting there were no changes from the previous month.

PUBLIC HEARING - 2019 FINAL BUDGET:

The Public hearing was opened for the 2019 Final Budget. No public comment was brought forth. The hearing was closed.

ORDINANCE NO. 908 – 2019 FINAL BUDGET:

MOTION: *Council Member Housden made the motion to adopt Ordinance No. 908, the 2019 Final Budget for the City of Brewster. Council Member May seconded the motion and it passed unanimously.*

PUBLIC WORKS DIRECTOR LEE WEBSTER:

PROJECT UPDATES:

- The crew is going on week six of the sewer jetting project for the CCTV monitoring. They have found a significant amount of diaper and disinfecting wipes in the system, with the last incident being on Indian and 4th Street at the main. The crew has a general idea of where they came from and will be doing outreach education to customers in that area.
- The Airport Lagoon is gone and no longer in service.
- All of the lights at the west cove, boat launch and Rec Center were replaced.
- A tree causing concern at the corner of Douglas and 1st Street has been removed.
- The DOT is going to be looking into problem intersections in the City limits and addressing possible speed limit changes and intersection improvements.
- We are looking into performing fog sealing for the road improvements performed in 2018, and will be looking to get more chip seal done through the County in 2019.

POSSIBLE REAL ESTATE PURCHASE:

City Attorney Chuck Zimmerman recommended that the Council not hold an executive session on this matter. He then walked the City Council through the history of the recommended and negotiated land purchase concerning the real property located at 1108 Sunset Drive as follows:

- On November 16, 2017 the City Council approved an Agreement to Enter the Property at 1108 Sunset Drive with property owner, Jose Said Velasco ("Velasco").
- The City and Velasco entered into Amendment No. 1 to Agreement to Enter Property on July 20, 2018.
- On November 26, 2018, City Attorney Zimmerman received an appraisal from Kirk Dossier, MAI, Pacific Appraisal Associates, PLLC, concluding that the fair market value of the real property was \$145,000.
- The appraised fair market value was shared by the City with Velasco.
- Velasco provided the City with a comparison market analysis completed by Rikki Grow, Century 21 Realtor, claiming the range of value of the real property based on her market analysis is \$155,000 to \$165,000.
- Attorney Zimmerman explained the costs associated with an eminent domain proceeding and how paying an additional \$10,000 for a total purchase price of \$155,000 would save the City money and would be a reasonable administrative settlement to complete the purchase of the property.
- Attorney Zimmerman explained the situation with the lone remaining tenant on the property and the justification to pay \$2,000 for statutory relocation assistance to tenant Michelle Kruse in order to complete the transaction.

- Attorney Zimmerman explained that the Purchase and Sale Agreement would credit the City with \$20,000 of the purchase and sale price as outlined in the Agreement to Enter Property and in Amendment No. 1 to Agreement to Enter Property described above.

Following Attorney Zimmerman's presentation, the Council discussed the proposed purchase.

Councilmember Erickson made the following motion:

Motion to authorize Mayor to enter into a Purchase and Sale Agreement to buy Real Property at 1108 Sunset Drive from Said Velasco for \$155,000 and to pay \$2,000 to Michelle Kruse for relocation assistance. The Motion includes authority of City to pay 100% of closing costs and expenses and to complete the purchase of the property. The property purchase and relocation funds will be paid 100% from the City water fund.

Councilmember Rieb seconded the Motion.

Motion passed 5-0.

ADJOURNMENT

With there being no further business to come before the Council, the meeting was adjourned at 6:55 p.m.

Mayor Art Smyth

ATTEST:

Finance Director, Misty Ruiz