

**CITY OF EAST WENATCHEE, WASHINGTON  
REGULAR SESSION OF THE CITY COUNCIL CONVENED  
MAYOR PRO TEMPORE CHUCK JOHNSON, PRESIDING  
NOVEMBER 24, 2009  
6:30 P.M.**

**ROLL CALL**

**Councilmember's Present:** Councilmember Raab, Councilmember Hendricks, Councilmember Barnhart, Councilmember Buckner, Councilmember McCourt, and Councilmember Johnson.

**Council Action:** A motion was made by Councilmember Raab, second by Councilmember Buckner, to excuse Councilmember Bremmer from this meeting. The motion carried, 6-0.

**Staff Present:** Dana Barnard, Devin Poulson, Lori Barnett, Brandon Mauseth, Randy Harrison, Joan Sims, Catalina Garibay, Dawn Collings, and Nick Gerde.

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMENTS**

Eastmont Metropolitan Parks District Director, Dave Schwab, presented a conceptual drawing of the Veterans Memorial that will be placed on the corner of Grant Road and Georgia Avenue. He said this memorial will consist of six basalt columns with six flags honoring the Military Service Branches: Army, Navy, Air Force, Marine Corps, Coast Guard, and Merchant Marines.

Don Speegle, 525 15th Street, East Wenatchee, said that in October of 2008 he brought in a petition requesting repairs be done to 15th Street NE from Eastmont Avenue to Baker Avenue. He said J & K Earthworks installed a pipeline along that stretch of roadway and the street was never repaired properly. He asked when the City plans on completing an overlay project on 15<sup>th</sup> Street NE.

Street Superintendent, Brandon Mauseth, said the City has looked at several options for 15th Street NE and identified it as a Capital Street Improvement Project for 2010. However, that project was removed from the 2010 preliminary budget during the October 27, 2009, City Council meeting. He added the Street Department will conduct maintenance and repairs until an overlay project can be completed.

Clyde Paulson, 707 S. Keller Avenue, East Wenatchee, said as a military retiree he is pleased to hear about the Veterans Memorial that will be put up at Eastmont Community Park. Mr. Paulson said he would like to address the telephone utility tax that was adopted by the City last year. He said he is not located within the city limits and since this tax went into effect it has been included on his bill, and even though he has spoken with city employees and the telephone company he continues to receive a utility tax on his telephone bill. He added there are a number of people in the county that are receiving this tax on their bill and he would like to know how this can be rectified.

City Treasurer/Finance Director, Nick Gerde, said the City attempted to avoid these billing problems in January before the tax went into effect by notifying the utility companies and cautioning them that the zip code extends beyond City limits. He said the City also provided the utility companies with GPS maps of the city limits and parcel boundaries.

Mr. Gerde advised County residents who believe they are being improperly billed to call their service provider regarding the improper billing of the tax. He said he would assist residents if necessary. However, he would need the customer to provide essential information from their bill.

Rick Stilwater, 405 Colorado Avenue, East Wenatchee, expressed concerns of potholes and deterioration occurring on Colorado Avenue. He suggested alleviating the placement of banners for special events and holidays and using those funds towards other areas of the budget.

### **BUDGET ISSUES**

City Treasurer/Finance Director, Nick Gerde, said the City's Finance and Budget Policy calls for a Financial Plan upon completion of the budget process. He said the Budget Committee will need to convene in the next several weeks to ratify the current Financial Plan.

### **CONSENT CALENDAR**

1. Consideration of Minutes – Regular Session, November 10, 2009
2. Consideration of Bills

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember McCourt, to approve the consent calendar as presented. The motion carried, 6-0.

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 in a listing, which has been made available to Council.

### **2009 Payables**

As of this date, November 24, 2009, Council does approve warrant numbers 22367 through 22447 in the total amount of \$111,503.71. Payables warrant number 22376 was voided.

### **September 2009 Payroll**

As of this date, November 24, 2009, Council approves warrant numbers 445 through 485 for advances and direct deposits, and warrant numbers 27859 through 27891 in the total amount of \$319,837.45, paid October 2, 2009, for the month of September 2009.

### **October 2009 Payroll**

As of this date, November 24, 2009, Council approves warrant numbers 486 through 502 for advances and direct deposits, and warrant numbers 27907 through 27975 in the total amount of \$314,731.18, paid November 3, 2009, for the month of October 2009.

### **ACTION ITEMS**

09-11-05 Authorization for the Mayor to sign a local agency agreement with Washington State Department of Transportation (WSDTT) regarding the Grant Road Overlay Project.

Street Superintendent, Brandon Mauseth, said the Local Agency Federal Aid Project Prospectus and Local Agency Agreement are required by the Washington State Department of Transportation in order to include the Grant Road Overlay Project with the East Approach to George Seller Bridge Project to be constructed in 2010 and 2011.

Mr. Mauseth said that during the November 12 Wenatchee Valley Transportation Council meeting, the City of East Wenatchee was awarded \$892,000 in additional Transportation Program (STP) funds for the "complete" grind and inlay overlay of Grant Road from SR28 to the Kentucky Avenue city limits. He added the total estimated cost for the Grant Road Overlay Project is \$1,641,600, total STP funding \$1,420,086, and the East Wenatchee local match \$221,600.

**Council Action:** A motion was made by Councilmember Hendricks, second by Councilmember Buckner, to authorize the Mayor to sign the Local Agency Federal Aid Project Prospectus and the Local Agency Agreement with WSDOT regarding the Grant Road Overlay Project. The motion carried, 6-0.

### PUBLIC HEARING

09-11-06 A public hearing regarding the final proposed 2010 Budget for East Wenatchee.

Mayor Pro Tempore Johnson opened the public hearing at 7:03 pm. Hearing no public comment Mayor Pro Tempore Johnson closed the public hearing at 7:04 pm.

### ORDINANCES

09-11-07 First reading of an ordinance adopting the 2010 Annual Final Budget for the City of East Wenatchee.

Mayor Pro Tempore Johnson read the ordinance title.

City Treasurer/Finance Director, Nick Gerde, said the 2010 East Wenatchee Preliminary Budget was made available to Council as well as the public on November 10, 2009. He added that the Stormwater line items in the Preliminary Budget are estimates based upon preliminary guidelines. Therefore, based on action taken on the agenda this evening regarding the Stormwater Utility, there may be a correction to the Preliminary Budget prior to adoption.

09-11-08 First reading of an ordinance amending the 2009 East Wenatchee Budget to appropriate funds for certain items which were not budgeted, but required for City operations.

Mayor Pro Tempore Johnson read first reading of the ordinance.

#### ORDINANCE NO. 2009-17

AN ORDINANCE OF THE CITY OF EAST WENATCHEE, WASHINGTON,  
AMENDING ORDINANCE NUMBER 2008-18 AMENDING THE CITY OF EAST  
WENATCHEE 2009 BUDGET.

City Treasurer/Finance Director, Nick Gerde, said during 2009 the City has learned that certain expenditures were not budgeted during the fall of 2008 and that other unanticipated expenditures were made that the City only learned about during 2009. Consequently, a budget amendment is necessary to acknowledge both of these situations.

Mr. Gerde said the funds affected which require an amendment include: the General Fund for the Stormwater Canyon A Project; increased Municipal Court revenues which have resulted in larger pass-through payments to the State; a payment to Douglas County for the Kentucky Annexation Public Works Trust Fund Loan that was missed by both the County and the City until this year, and certain reimbursements of expenses that were either not budgeted or under budgeted. He said with the passage of this amended ordinance, line item budgets will be adjusted to acknowledge these expenditures.

**Council Action:** A motion was made by Councilmember Buckner, second by Councilmember McCourt, to elevate the ordinance to second reading. The motion carried, 6-0.

**Council Action:** A motion was made by Councilmember Buckner, second by Councilmember Barnhart, to adopt the ordinance amending the 2009 East Wenatchee Budget. The motion carried, 5-1. (Hendricks)

09-11-09 First reading of an ordinance adopting the Greater East Wenatchee Storm Water Utility Budget for 2010.

Mayor Pro Tempore Johnson read the ordinance title.

Community Development Director, Lori Barnett, said in accordance with the Interlocal Agreement between Douglas County and the City of East Wenatchee, an annual budget must be adopted for the Greater East Wenatchee Storm Water Utility. She said the proposed budget includes costs associated with the National Pollutant Discharge Elimination System Phase II compliance requirements. The Stormwater Utility Management Team is proposing to pay for the projects and other tasks required by that permit and the cost of the permit itself through the Stormwater Utility. She said that for the past 3 years, the cost of that program has been covered by grant funds and the current expense fund. The proposed budget would move those expenses to the stormwater utility. She added the budget also includes a rate increase from \$35 per service unit to \$40 per service unit in 2010 and an additional \$5 increase in 2011 to help the City and County pay for the added responsibilities relating to the permit requirements. If the budget is adopted and the rate increase is accepted, a separate ordinance will be presented to amend the East Wenatchee Municipal Code to increase the rates. She added a public hearing must be held to consider the rate increase.

Ms. Barnett said the Douglas County Commissioners submitted a letter to the City today, inviting the City Council to a joint public hearing on December 15, 2009, to take public comment on the rate increase.

Councilmember Hendricks said due to the rate increase he will be voting no on this issue.

Finance Director, Nick Gerde, said he would like an indication of how Council would vote on this issue as he would need to make corrections to the 2010 Preliminary Budget.

**Council Action:** A motion was made by Councilmember Raab, second by Councilmember Barnhart, to elevate the ordinance to second reading. The motion failed 5-1, due to lack of a unanimous vote of the City Council. (Hendricks)

09-11-10 First reading of an ordinance amending the Shoreline Master Program to address the Department of Ecology changes.

Mayor Pro Tempore Johnson read first reading of the ordinance.

#### ORDINANCE NO. 2009-18

AN ORDINANCE OF THE CITY OF EAST WENATCHEE, WASHINGTON, AMENDING ORDINANCE 2008-07 AND ADOPTING AMENDMENTS TO THE DOUGLAS COUNTY REGIONAL SHORELINE MASTER PROGRAM; TO INCORPORATE THE CHANGES REQUIRED BY THE STATE DEPARTMENT OF ECOLOGY AND TO IMPLEMENT THE PROVISIONS OF RCW 36.70A.480(3)(a), CONTAINING A SEVERABILITY CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE.

Community Development Director, Lori Barnett, said the East Wenatchee City Council approved the revised Douglas County Regional Shoreline Master Program (SMP) on June 24, 2008. She reviewed the process that has occurred to date. She said Department of Ecology (DOE) has spent time considering the alternatives and sent correspondence to the City agreeing to most of the alternatives proposed and

requested consideration of minor changes. The ordinance and exhibits will amend the SMP to incorporate the changes agreed upon between the City and DOE.

**Council Action:** A motion was made by Councilmember Barnhart, second by Councilmember McCourt, to elevate to second reading. The motion carried, 6-0.

**Council Action:** A motion was made by Councilmember Buckner, second by Councilmember Barnhart, to adopt Ordinance No. 2009-18. The motion carried, 6-0.

09-11-11      First reading of an ordinance authorizing the Mayor to enter into a Franchise Agreement on behalf of the City with Charter Communications, regarding the use of the City's right-of-ways.

City Attorney, Devin Poulson, said this item has been moved to the December 8, 2009, Council meeting.

**COUNCIL REPORTS**

Mr. Gerde reported that the State Auditors have completed their work at City Hall and will be notifying the City to schedule an exit conference.

Councilmember McCourt submitted minutes from the Chelan-Douglas Health District meeting held on October 19, 2009.

Councilmember Johnson submitted minutes from the Link Transit Board of Directors meeting held on October 20, 2009.

**ADJOURNMENT** –7:55 p.m.

---

Dana Barnard  
City Clerk