

**Town of Twisp
Council Minutes 03/09/10
6:00 PM**

Meeting called to order at 6:02 pm by Mayor Boosman.

Council Members Present: Clint Estes
 Tom Gehring
 Tom Mulgrew
 Soo Ing-Moody

Council members absent: None

Pledge of Allegiance

Council Member Mulgrew led the Pledge of Allegiance.

Interviews for Council Position #5

Mayor Boosman reported there had been one more person apply for Council Position #5, Todd Smith and that he would be interviewed along with Hans Smith and Les Stokes. Council asked a total of 5 questions of each applicant. The same questions were asked of applicant John Lomison at the February 23, 2010 meeting.

Executive Session – Approximately 30 Minutes to Discuss Qualifications of Applicants for Position #5 of the Twisp Town Council

Mayor Boosman adjourned into Executive Session for approximately 30 minutes to discuss qualifications of applicants for Position #5 of the Twisp Town Council at 6:25pm.

Mayor Boosman reconvened into regular session at 6:58 pm.

No action was taken; Council said they needed to have more discussion at the end of the meeting to reach a decision.

Request for additions and/or changes to the agenda

Additions: None

Changes: None

Public Hearing – CDBG and USDA financed Painters Addition/Hilltop Booster Station and Waterline Project Close-out

Mayor Boosman called the public hearing to order at 7:00 pm to discuss the completion of the Painter's Addition/Hilltop Booster Station and Waterline Project. Clerk Storms introduced Karen Kornher, RH2 Engineering. Ms. Kornher presented a framed project poster to the Town. Superintendent Johnson stated that Kornher and Project Manager Nate Andreini had both been

great to work with, recently helping finalize the scope and project. He said that the final work yet to be done was to add back drains so he could drain the reservoirs; these were not included originally. Clerk Storms reported the Town was very close on the budget, coming in approximately \$2,000 short of spending all the funding in the most recent estimate. Council discussed the positive comments they had heard regarding the improved water pressure. Clerk Storms reported the substantial completion notice had been received.

Motion:

Council Member Estes moved to accept the Community Development Block Grant and USDA financed Painter’s Addition /Hilltop Booster Station and Waterline Project as complete. The motion was seconded by Council Member Gehring and passed unanimously.

Mayor Boosman closed the public hearing.

Public Comment Period

Andy Mills was present to request the Council wait to consider Ordinance #618 regarding proposed Curse and Abuse Infractions until more citizens can be made aware of it. Mr. Mills explained he felt the ordinance infringes on personal choices and freedom of speech and law officers should not involve themselves in these issues.

Consent Agenda

- Approval of Minutes – 02/23/10
- Current Accounts Payable/Payroll

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 Town Council.

The following voucher/checks are approved for payment by a majority vote on this 9th day of March, 2010:

Payroll	#12392- #12413	\$18,317.47	03/01/10
Checks/Vouchers	#27217 – 27225	\$8,515.00	03/15/10
Checks/Vouchers	#27185 – 27216	\$13,155.81	03/09/10
Checks/Vouchers	#27180 - #27184	\$5,007.34	02/28/10
AWC	ACH	\$10,493.84	
NCNB	ACH	\$8,466.28	
Cashmere Valley Bank	ACH	\$1,254.99	03/01/10
FP Mailing Solutions	ACH	\$500.00	03/02/10

Motion:

Council Member Ing-Moody moved to approve the consent agenda as presented. The motion was seconded by Council Member Gehring and passed unanimously.

Census 2010 Update

The representative from the 2010 Census that made the arrangements to address Council was not present. This discussion was postponed.

Staff Reports

Rob Hall, Police Chief

Chief Hall reported on the following:

- Corrections to his report.
- Current issues with vehicle repairs – Officer Marshall’s vehicle failing.
- Code Enforcement - Working with Lori Rodio, Code Enforcement Officer clarifying her duties, responsibilities and authority.
- Commended Rick Balam for his help providing a smooth transition.
- Commended Mayor Boosman and staff, stating that Town staff has been an amazing group of people to work with. Pleasant, tremendously helpful and very willing to provide and share information.
- Lateral hiring process; one applicant may be coming in from Hawaii to check out the department and valley.
- Developing an expanded line item operating budget for his department for better tracking.
- PD equipment grant; spending the remaining grant funds on 3 more Video Mic’s and accessories and an all-in-one HP printer.
- Bullet-Proof Vest Grant; this grant would pay half the cost of new bullet proof vests. Apparently, after researching this grant, Chief Hall found that Twisp had been registered to participate in this grant since 2001, but had not taken advantage of the program.

Randy Johnson, Public Works Superintendent

Public Works Superintendent Johnson reported on the following:

- Cold mix cost – approximately \$2,200 was saved by sending a driver over the pass to pick up the mix rather than having it shipped.
- A letter was received and provided to Council from Mark Edson regarding the street conditions in Painter’s Addition.
- Listed streets the Public Works crew have patched
- Sewer BOD numbers are low with no apparent spikes; a graph showing BOD and COD numbers is being developed for the Council’s review.
- There was a cougar spotted near the treatment plant; there are plans by wildlife staff to trap it.
- Several leak detections for homeowners have been done by the crew.
- Sunflower Laundry – it was determined there was a water leak and they have requested a credit for water overage in accordance with the Town ordinance.
- Discussed reservoir maintenance; back online soon.
- A person living on Lincoln Avenue wrote a letter to Council complaining the street light on Massey Wills Lane is too bright. ACTION: Superintendent Johnson will contact the PUD to see what the cost would be to change the light to one of the newer lights.

Council Member Mulgrew thanked the public works crew for their efforts in patching the potholes and sweeping the streets.

Colleen Storms, Clerk/Treasurer

Clerk/Treasurer Storms reported on the following:

- Storms presented a Financial Snapshot to the council showing Comparative Sales Tax Receipts, Comparative Property Tax Receipts, Comparative Gas Tax Receipts and Utility Accounts Receivable. The report showed information from 2006 through February of 2010.
- The Town has collected the money due for utilities on the house in foreclosure.
- Presented a Cash Accounts Summary Report: Reviewed Operating Balances by Fund and Reserve Balances by Fund. In the last quarter of 2009 the Staff and Department Heads carefully monitored spending and the Clerk's Office staff took a 10% cut in hours for the last two months of 2009. With these efforts the Town came into 2010 with a better beginning balance than Storms had originally projected.
- Council Member Mulgrew questioned the Utility Repair Fund (405) – ACTION: Storms will ascertain if those funds are combined with the Water/Sewer Funds and report back to Council.
- Grants – A USDA grant for an additional police vehicle is currently being explored. This would be a grant/loan like the grant received by the Town in 2009 approximately \$15,000 in grant funds and approximately \$19,000 in loan funds. Regarding the Methow Watershed Council – The Governor took watershed planning out of her 2010 budget; however there is currently a bill in the house proposing watershed planning be added back in the budget. Storms urged Council to communicate to our local representatives about the importance of watershed planning to the Methow Valley.

Keith Comstock, Fire Chief

Fire Chief Comstock was not present.

Mayor's Report

Updated Council on conversations he has been having with Tim Flynn regarding Town water issues. Mayor Boosman would like to hold a water summit within the next couple of months with representatives of the Department of Ecology, Lee Bernheisel, Lee Hatcher, Watershed Coordinator and members of the Methow Watershed Council to start talking about actions that can be taken to improve Twisp's water issues.

Council Committee Updates

Council Member Gehring passed out a draft agenda for a kickoff meeting for trail planning. Council Member Ing-Moody suggested meeting to finalize the agenda on Monday, March 15th @ 4:30 pm at Town Hall. Council decided to hold the trail planning kickoff meeting on Wednesday, March 24th, at 7:00 pm at Town Hall. It was suggested that setting up a timeline would be helpful to keep on track and hit the quickly approaching grant application deadline.

Council Member Ing-Moody discussed the need to update the 1998 Park Plan; however Ing-Moody felt that the existing plan should be used as a guide only because, in her opinion, it lacks some key elements that would constitute a plan. The current plan also lacks information concerning trail planning.

OLD BUSINESS

Recycling – Use of Airport Property/2010 Metal Drive

Betsy Cushman and Gina Monteverde were present to discuss holding a metal drive. Ms. Cushman clarified that they were not asking the Town for help in purchasing fencing as was discussed at the previous Council meeting. They were present to ask the Council for permission to use the area at the airport for a metal drive; they will provide the fencing. Ms. Cushman has had conversations with a concerned neighbor and feels confident that they will address his concerns by providing consistent hours for dropping off items and securing the site.

Council Member Mulgrew asked if this event is profitable. Ms. Cushman reported she has researched prices and believes in the current economy it will be profitable. Council Member Mulgrew asked if car fluids spilling at the site are an issue to which Cushman replied that all cars are supposed to have the fluids drained prior to dropping them off. However, if there is a problem the contractor has the ability to take care of spills. Ms. Cushman reported the site will be fenced, locked and no trespassing signage posted. Items are sorted each day and copper and other more valuable items are taken to an off-site location.

Ms. Cushman reported if there are property owners with large amounts of metal that do not have a way of hauling items to the site she has the capability to relocate the equipment to their property.

Motion:

Council Member Gehring made a motion to authorize Methow Recycles to move forward with the metal drive at the airport property. The motion was seconded by Council Member Mulgrew and passed unanimously.

Set Date for Council Retreat

Mayor Boosman asked to have this issue on the next agenda; after the new Council Member has been appointed.

Appoint Planning Commission Member

The Council discussed the appointment of Vicki Hollowell to the Planning Commission. Ms. Hollowell who is the town's police clerk is also a resident of the Town, which is a requirement of this position. She has been attending planning meetings regularly already.

Council Member Ing-Moody asked if she could start receiving the Planning Commission agendas and minutes; all Council Members asked for the same. Council Member Estes suggested that Traci Day, the Planning Chairperson, or her designee attend one Council meeting a month to give the Council an update.

Motion:

Council Member Estes moved to appoint Vicki Hollowell to Position #2 of the Twisp Planning Commission. The motion was seconded by Council Member Ing-Moody and passed unanimously.

Sidewalks/Trails – Set Kickoff Meeting

The Council did not discuss this any further; discussion took place under Committee Reports.

NEW BUSINESS

Ordinance #618 – Curse and Abuse Infractions

Chief Hall discussed Ordinance #618 regarding curse and abuse infractions. Hall started off by stating he is a strong believer in the 1st Amendment and in the separation of church and state. Hall explained this started because of an interaction between a business staff person and patron in which the patron verbally abused the staff person upsetting her and making her feel unsafe. Hall shared that in Virginia this action is a criminal offense punishable by arrest if necessary. After realizing the State of Washington did not have any type of law regarding this action he discussed it with Okanogan County Prosecuting Attorney Karl Sloan who explained to him that action can only be taken if physical abuse or harassment escalates. Sloan suggested proposing an ordinance to the Town Council making this action punishable by infraction serving as a notice to the citizens of Twisp this is unacceptable behavior.

Council Member Estes asked how guilt would be determined in a “he said, she said” issue. Chief Hall stated like any infraction the defendant could go before the Municipal Judge to mitigate or contest the infraction.

Council discussed the definition of being cursed versus cursing or cussing. Council Member Ing-Moody stated she felt this ordinance could put our officers in a compromising position trying to exercise judgment in these cases. Chief Hall responded that 95% of a police officer’s job involves shades of grey and requires making judgments. Chief Hall explained he wants to deter the unnecessary abuse of others.

When asked to comment, Andy Mills said he felt this ordinance could affect freedom of speech and, regardless of what is said to a person, it is their choice how they receive or react to it.

Council Member Estes suggested Ordinance #618 is held over to the next meeting for review to allow additional public comment.

Ordinance #619 – False Alarms

Chief Hall discussed Ordinance #619 regarding false alarms and call-outs. Hall explained a recent situation where a business alarm went off in the early morning and two officers ended up responding. This alarm had gone off three or four times over the past few months and they think it may be caused by an in-store cat. Ordinance #619 would allow the Police Department to charge a fee for a business or individual that has repeated false alarm issues with their system and do not remedy it. Such call-outs affect the budget (i.e. overtime) and rest for the officers by needless call-outs. They could also become complacent after several false alarms, which could impact the effectiveness of future call-outs.

Council Member Ing-Moody felt the property owner should have more than one chance before being fined for faulty equipment, based on the fact it may take more than once to find out the equipment is malfunctioning. Several possible changes were discussed to build in opportunity for a person to fix the problem in a reasonable amount of time without penalty.

Council asked staff to re-draft the ordinance addressing their concerns and have it prepared to discuss at the next meeting.

Action: Re-draft Ordinance #619

Police Department Call-Outs

Chief Hall discussed the current call-out procedures and requirements for his department. Hall reported that currently 3 officers (including him) are covering the Town twenty-four hours a day, seven days a week. The impact of this policy on the Chief and his officers is that they can only count on their days off as being completely free of call-outs, which makes it hard to plan for child care and personal obligations that most people are free to do after work. Recruiting and maintaining a fully staffed department of three is made more difficult because of the impacts on officers of call-out requirements. The current situation is a strain on personnel, spouses and families.

Chief Hall is proposing a few changes such as: working with dispatch to make sure officers are not called out for non-life threatening issues, having officers work 5 – 8 hour days instead of 4 – 10 hour days like they currently are during peak seasons, making call-outs voluntary instead of mandatory, and working with other agencies if possible regarding scheduling.

Council Members briefly discussed some other options regarding interagency scheduling.

Agreement with Department of Natural Resources for Use of Airport Property

Mayor Boosman discussed a letter received from the Department of Natural Resources (DNR) requesting the Town consider entering into an agreement for use of the property near the airport for a fire camp if necessary. The Council was receptive to the proposal with the consideration of other agreements the Town has made for use of that particular property such as the metal drive and the youth soccer group. Council discussed that any revenue generated would go into the general fund and could be used for various Town needs.

Motion:

Council Member Mulgrew moved to accept the Department of Natural Resources agreement proposal to use our airport area, with stipulations regarding the previous commitments made to the youth soccer group and Methow Recycles for the metal drive. The motion was seconded by Council Member Ing-Moody and passed unanimously.

2% Hotel/Motel Tax Budget

Clerk Storms explained to Council that because there is a carryover of funds in the tourism fund, and the actual 2009 hotel/motel 2% tax revenues were higher than anticipated, she would like Council to consider increasing the hotel/motel 2% tax budget for 2010 to \$11,200. Storms listed the non-profit groups in the valley that received benefit from Twisp's 2% monies in 2009. As an alternative to increasing the budget for 2010, Storms explained the Council could choose to keep the extra revenue and spend it on the tourism center or other eligible uses.

Motion:

Council Member Ing-Moody moved to authorize \$11,200 be distributed to qualified non-profit

organizations sponsoring events or tourism promotion activities. The motion was seconded by Council Member Gehring and passed unanimously.

Leak Detection/Sunflower Washtub Laundry

Clerk Storms reminded Council that Superintendent Johnson had requested action regarding the leak found at the Sunflower Washtub Laundry.

Motion:

Council Member Estes moved to approve a credit of not more than \$250 for water overage charges due to a leak at the Sunflower Washtub Laundry. The motion was seconded by Council Member Mulgrew and passed unanimously.

Executive Session – Approximately 45 Minutes to Discuss Qualifications of Applicants for Position #5 of the Twisp Town Council

Mayor Boosman adjourned into Executive Session again for approximately 45 minutes to discuss qualifications of applicants for position #5 of the Twisp Town Council at 10:35 pm.

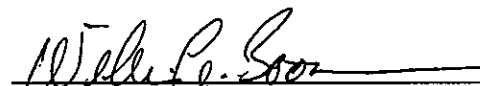
Mayor Boosman reconvened into regular session at 11:20 pm.

Motion:

Council Member Mulgrew moved to appoint Hans Smith to Position #5 of the Twisp Town Council. The motion was seconded by Council Member Gehring and passed unanimously.

There being no further business to come before the Council, the meeting was adjourned at 11:22 p.m.

APPROVED:



Mayor William A. Boosman

ATTEST:



Clerk/Treasurer Colleen G. Storms