

Regular Council meeting of November 1, 2011.

Present were: Mayor Spieth, Councilmembers Koepke, Naillon, Neal, Hart and Roley.
Absent: None.

Mayor Spieth called the meeting to order. Pledge of Allegiance was given. Copies of the Oct. 4th meeting minutes were read and approved with one typo correction.

Councilmember Naillon was welcomed back from medical leave.

Branch discussed the draft Thorndike Development Agreement, which would be between Scott Thorndike, Okanogan County and the City of Oroville. Thorndike is proposing a 4 lot Short Plat and all four lots will be served by the Eastlake Sewer System. City staff is recommending additional language be added to the agreement, adding the requirement of payment of the city's system development fees; and the addition of a description of the entire existing Thorndike property, which eventually will be served in the future, adding upsizing of a sewer extension and lift station to serve all existing property. Rocky DeVon added that all fees, etc. would be paid upon the closing of the sale of the first lot. Noel commented that the short plat should also include dedicated rights of way for the utilities and roadway access, as the city will not maintain a sewer main / lift station on private land. Right of ways need to address the entire build out of the property, not just the four lots. After additional discussion, Naillon moved that the Mayor be authorized to enter into the three party agreement as soon as the staff feels the language is suitable. Motion seconded by Hart. Motion carried.

David Taber stated that he would be installing a hydro-cooler on his property at 9th and Bob Neal Road, pretty much like the same operation as the portable hydro-cooler that has been located farther to the south on the same piece of property for the last several years. Taber inquired about the city's water and sewer connection requirements and explained that he planned on using the existing well for the water; stated that he planned to plumb the building for city water and sewer in the future, should the operations expand and/or change; and added that use is agricultural and only seasonal (cherry harvest). Branch discussed the existing city requirements, including the fact that as it is currently written, the code requires sewer connections on properties used for recreation (i.e. all the city parks). A proposed amendment to the city's sewer ordinance was discussed and council authorized staff to draft amending ordinance providing for season agricultural and public recreation properties exceptions, and to eliminate the conflict that exists between 13.08.010 and 13.12.050 (one states if sewer is within two hundred feet of the property line and the other states two hundred feet to the building) by making the requirement of connection if within two hundred feet of the property line.

Veranda Beach submitted a Late Comer's Agreement for recapturing oversizing costs incurred with their construction of water and sanitary sewer mains. Jones reported that the staff:

- Agrees with the formula used to determine eligible costs
- Approves setting September 29, 2011 as the date the city accepted the facilities as part of the water and sewer system of the city
- Agrees with both the water and sewer "benefit" area maps, as depicted on Exhibits C and D
- Agrees with the addition of 10% to be collected from the Reimbursement payments to cover the city's administrative costs
- Agrees with a 15 year timeframe for the Late Comer's
- Approves the rest of the stipulations as set forth in the agreement.

The agreement did not have the legal description attached, as they are still waiting for that to be completed by the surveyor. Motion by Naillon and seconded by Neal the Mayor be authorized to execute the agreement upon receipt and acceptance of the legal description. Motion carried.

Fire Chief Noel gave status report on Fire Hall door installation and ladder fire truck acquisition.

Coordinator Donahue reported that 263 has been returned to service after repairs from the accident in June. "Kinks" are still being checked out before final acceptance.

Clerk Jones reported that staff had met with Jim Hammond, Veranda Beach, regarding the existing Industrial Park Building Lease, which expires December 31st. Veranda Beach is requesting the lease be extended one year, in hopes that next year a new five year lease could be negotiated. Rental terms will remain the same for the one year extension. Motion by Naillon and seconded by Neal existing lease with Veranda Beach be extended to December 31, 2012. Motion carried.

Water service, fire flows, ERU's for city system development fees and water allocation fees for the new Border Patrol Station being constructed west of Shirley Road 3½ miles north of Oroville discussed. Branch explained that staff has been working with Army Corp of Engineers and Border Patrol reps for several months now and after much discussion and consideration, seem to be nearing agreement regarding the fees for the facility itself (based on capacity being built, not estimated uses) and what allowance the city did provide. However, fire flow requirements are still being reviewed by Varela & Assoc. on behalf of the city, and which may require them to make system improvements such as constructing a reservoir and transmission line.

Discussion was then directed to the city's existing ERU schedule and how recently the city has encountered a few applications in which the proposed uses do not clearly fall within some of the schedules classifications. The formula used to set ERU's has not been updated since system development fees were imposed in 1995 and other formulas may be more accurate. Having a study done by our engineers to be considered.

Resolution No. 517, declaring certain vehicles and items to be surplus to the city's needs reviewed. Motion by Neal and seconded by Roley Resolution 517 be passed as read and that the best method of disposal each "group type" of the items will be determined by city staff. Motion carried.

Chief Warnstaff reported that 2012 Stonegarden grant funding includes three new vests for the officers and an "automatic" portable automated external defibrillator, which will be carried in the Officer on Duty vehicle each shift. Officers are frequently the first on the scene and the automated external defibrillator could be used to save a life while waiting for EMT's to arrive.

Motion by Naillon and seconded by Hart that the Oct. 18th vouchers of \$31,994.19, #12199 – 12225 and the Nov. 1st vouchers of \$39,025.29, #12285 – 12309 all be paid, the October 15th payroll of \$38,717.35, #12173 – 12198 and the October 31st payroll of \$64,999.94, #12226 – 12284 both be approved and the meeting be adjourned at 8:22 p.m. Motion carried.

Minutes approved _____

Mayor

Clerk