

Regular Council meeting of August 20, 2013.

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

Meeting called to order by Mayor Spieth. Pledge of Allegiance recited.  
Copies of the August 6<sup>th</sup> meeting minutes were read and approved with one typo correction.

Continuation of the Public Hearing on Block 25 right-of-way vacation. Mayor stated that the reason the August 6<sup>th</sup> Public Hearing on the matter was continued until this evening was to allow additional time to clarify two issues. Branch reported that there is documented easement to both the Cool property and the vacant lot that provides access to those properties across the north end of the Hancock property. The proposed Ordinance retains the vacated alley as a non-exclusive general municipal easement. Noel reported maps indicate the sewer main is approximately 8' south of the alleyway's north boundary line and that the retaining of the vacated alleyway for the utility easement should be adequate.

Public hearing closed. Motion by Koepke and seconded by Roley that the City of Oroville adopt by reference the Staff Finding of Facts and Conclusions and pass Ordinance No. 828 enacting the same with the conditions as recommended by Staff. Motion carried, 3 For, 1 Against and 1 Abstained. Hearing closed.

Closed Record Hearing – ORO CUP 2013-2.

Mayor Spieth opened the hearing by stating "Tonight we are holding a Closed Record Hearing on a zoning conditional use permit application. The file identification number is ORO CUP 2013-2. Please understand that state and local law does not allow for public input during a closed-record land use hearing. An open record hearing has already been conducted before the Planning Commission where verbal testimony was taken. The purpose of this hearing is to consider the Planning Commission's hearing record and recommendation for a final decision by the Council.

The application is to install a 4' diameter dish antenna on the exterior of the existing telecommunication tower at the 48' elevation in order to have direct line of sight communication with the Pickens Mountain facility. The project site is 2019 1/2 Highland Drive."

Mayor asked if there were any challenges to the City's Council's jurisdiction in this matter; none stated.

Mayor asked if any member of the Council wished to excuse themselves for potential conflict of interest or appearance of fairness issues, or to disclose any information that may raise such issues; none stated.

Mayor inquired if any member of the Council wished to disclose any communications they may have had in the community regarding this project that may be seen as affecting their ability to judge this application in a fair and equitable manner; none.

Mayor asked if anyone present who wished to challenge any of the Council membership, or himself as Mayor, for conflicts of interest or appearance of fairness issues in conducting this hearing; none.

Mayor Spieth then asked Chris Branch to identify the record documents:

Branch stated the hearing record consists of the following:

Documents:

1. The minutes of the City of Oroville Planning Commission July 17, 2013 meeting and the draft minutes of the City of Oroville Planning Commission August 7, 2013.
2. WA2 Oroville 2013, ORO CUP 2013-2 hearing record documents and exhibits.

Exhibits:

1. Declaration of Notice regarding the notice of the Planning Commission's Recommendation to the Parties of Record.

The Mayor then stated that the proposal was now open for discussion among the Council and that they may also ask staff at this time to clarify any issues of record.

Councilmember Naillon read through the hearing packet, including viewing the photos of the proposed dish to be added, and feels there isn't any huge visual impact. Neal asked several questions about whether this dish antenna could be housed inside the existing tower; response was no, it can not. Neal also asked if this added dish was more for data than cellular use and the answer was yes.

Since there were no other questions or concerns, Mayor Spieth then closed the discussion and asked for a motion for a decision.

Motion by Naillon the city adopt by reference the Planning Commission's Finding of Facts and Conclusions and approve the conditional use permit application as recommended by the Planning Commission. Koepke seconded it. Motion carried 4 For, 1 against.

Hearing Closed.

Chris Branch gave presentation on the Pacific Northwest Trail Website; links to the Whistler Canyon and Similkameen Trails, and other trails; information about various areas; and uploaded photos and comments from hikers. Chris encouraged everyone to take the time to explore the sites that encourages others to come to our area. Council reviewed the letter from Dept. of Commerce stating we did not receive funding for conducting an income survey and completing a water/sewer rate study. An income survey is needed in order to apply for CDBG funds.

Discussion on consideration of becoming an ATV Community. Mayor Spieth stated he felt it would be in the best interest to delay any further action until the two law suits that have been filed against ATV use have been settled.

Jones reported that the FAA has requested the city change the Transfer of 2010 Entitlement Funds from the Olympia Port to Felts Field in Spokane. Council all agreed that they would prefer the funds to go to an eastern Washington airport and authorized the Mayor to execute the new Transfer of Entitlements document.

Notice from Wendy Steever, stating she would no longer be able to fulfill her agreement in regards to taking stray dogs and the upkeep of the pound. Clay stated he's working on an agreement with a new group and will present information at the next council meeting.

Council discussed the proposed ordinance that would amend the number and make up of the tree board. Motion by Naillon and seconded by Neal Ord. #829 be adopted as read and a summary published.

Mayor Spieth appointed the following to serve on the tree Board:

Lynn Chapman, Chair  
Lee Chapman, Marcy King, Dolly Engelbretson, Mike Cantwell, Joan Cool,  
and Barb Drummond as members  
Vicki Hinze, Secretary

Chris Branch and Neysa Roley, Ex-officios  
Council confirmed all appointments.

Jones gave the first reading of Ord. #830, a 2013 Budget Amendment. Amendment is necessary to increase Airport Fuel Purchase amount and to provide for the Champerty Shores water service connection fees and Veranda Beach Late Comer's funds.

Clerk read an e-mail from Okanogan County Health outlining a one-time Tire Disposal/Recycling Project, funded through the Dept. of Ecology. Council expressed interest in participating and chose Oct. 28 and 29 as possible dates. The city just needs to provide a location that a 28' trailer can be placed (and monitored so that appliances, etc. aren't also left at the site) and should arrange for some group to help load all the tires. Clerk suggested the High School Football Team or the Border Patrol Explorer. Supt Noel expressed concern about how much time or equipment will be used on assisting residents from outside the city limits, since this program is open to everyone in the north county, not just Oroville residents. Council felt the benefits of the overall project outweighed the possible few dollars that the city may spend. Naillon was going to pass the word on to the school about whether or not the football team could volunteer and Roley to inquire with the Border Patrol.

Dept of Ecology submitted request to locate an air monitoring trailer inside the city's storage area at 29 Kernan Street. The city would receive \$50. per month cover what electricity the monitor may use and for space rental. Council approved an agreement be prepared and the Mayor be authorized to sign.

Clerk reported that the Mary Vargas, FAA had contacted her about changing the city's 2010 Entitlement Funds Transfer from the Olympia Port to Spokane's Felts Field. Motion by Hart and seconded by Neal the transfer be changed from the Olympia Port to Felts Field and that the Mayor be authorized to sign said transfer. Motion carried.

Resolution 527, voicing the city's opposition of conducting a study on and/or enacting border crossing fees, was read. Motion by Naillon and seconded by Koepke Resolution 527 be passed as read and copies of the Resolution be sent to a variety of Federal Legislators and President Obama. Motion carried.

Chris Branch shared a copy of the new pamphlet "Mosquito Messenger", which outlines what a Mosquito Control District does. Efforts are underway in Okanogan County to educate people on mosquito control districts and the advantages of becoming one. It is hopeful that the issue may be on the 2014 ballot.

It was discussed that the Mayor has still not received a response from School Supt. Steve Quick regarding the Mayors letter in regards to the removal of the trees on the Main Street side of the grade school. City Supt. verified that all the trees were on city right-of-way. Council requested Mayor Spieth send a second letter, as they feel the city's questions deserve a response. Some council reported people are still questioning the removal of the trees, many stating that except for one, the trunks did not indicate that the trees were unhealthy and that the trees had historical value. According to the Oroville Municipal Code, a school official should have discussed with the city any issues about the trees and that total tree removal was far beyond "tree maintenance".

Clerk reminded council that the new utility billing system and cash management programs were being installed Aug. 21 and the staff will be in training both the 21<sup>st</sup> and 22<sup>nd</sup>. Consequently, staff will close the office 4 to 5 hours each day in order to receive non-interrupted training.

Motion by Neal and seconded by Naillon that the August 15<sup>th</sup> payroll of \$45,287.44, #15769-15797 be approved; that vouchers # 15808-15833, \$55,432.47 be paid and the meeting be adjourned at 8:28 p.m. Motion carried.

Minutes approved: \_\_\_\_\_  
\_\_\_\_\_ Mayor

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Clerk