Regular Council meeting of January 17, 2012.

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

Meeting called to order by Mayor Spieth. Pledge of Allegiance given. Copies of the January 3rd meeting minutes were read and approved as corrected.

In December 2011, the Oroville City Council received a Notice of Intent to Commence Annexation Proceedings from Simon and Dorothy Thiessen, owners of property located at #5 and #9 Balmes Road. Council set the meeting of January 17, 2012 as the date to meet with applicants. Stan Porter was in attendance representing the Thiessen's, and explained that the owners want to annex the two parcels, and will do a short plat, with each of the lots having a river view. Branch submitted a staff report, highlighting items the council needs to determine:

1. Whether the city will accept, reject, or geographically modify the proposed annexation *(staff recommends geographic modification to include adjacent parcel numbers 4900650000, 490035000 and 49000640002)*;
2. Whether it will require the simultaneous adoption of a proposed zoning regulation, if such a proposal has been prepared and filed (as provided for in RCW 35A.14.330, and RCW 35A.14.340) *(staff recommends that zoning recommendations be developed by the Planning Commission and a hearing held on the proposal, based on results of geographic modification, prior to the Council hearing on the annexation)*; and
3. Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed *(staff recommends that taxation, fees, etc. be the same as existing residents within the incorporated boundary)*.

After discussion on potential zoning and lands that should be included in the annexation, Naillon moved to accept the Thiessen annexation proposal conditioned on inclusion of Parcels 4900650000, 490035000 and 49000640002 as a portion of the annexation area, zoning and comprehensive plan designations to be recommended by the Planning Commission, and that all parcels annexed to be taxed and assessed at the same rates as those properties currently within the City. Koepke seconded the motion. Motion carried.

Jones presented information on the close-out of the Main Street Sidewalk Project. The $72,716.60 additional funding required to close the project was approved, with STPR covering 86.5% and TIB 13.5%. Motion by Roley and seconded by Hart the final reimbursement application be submitted. Motion carried.

Clerk highlighted tasks that were needing to be completed, which included the "no wake " zone; Veranda Beach Resorts Late Comer's Agreement; Border Patrol Station water connection; and other items.

Clerk also asked Council if they approved another application for funding NorthEnd Water system improvements, including Well
#1 improvements. Noel and Branch discussed the application; that is was announced that projects should be submitted as a potential project the state legislature might consider bonding for in order to create jobs; that it is unknown at this time whether it would be a 100% grant, partial grant or a loan; and that the deadline is Jan. 27th. The project will be the same one that Rod and Chris and Mark Varela discussed with the Tech Team at the IACC conference in October. Council authorized the application.

Chris Branch and Clay Warnstaff submitted Ordinance #814, an interim ordinance of the City of Oroville, Washington, adopting a moratorium on the establishment of medical marijuana dispensaries, collective gardens and the licensing and permitting thereof; defining "medical marijuana dispensary; providing for a public hearing establishing an effective date and providing that the moratorium, unless extended, will sunset within 6 months of the date of adoption. Much discussion followed, including land use impacts of collective gardens, dispensaries, processing facilities and production facilities; degrading of neighborhood aesthetics due to shuttered up homes, offensive odors, increased night-time traffic, parking issues and loitering from potential purchasers looking to buy from a collective member; serious risk of fire hazard due to overloaded service connections used to operate grow lights and fans; illegal structural modifications; and criminal issues such as home invasions, burglaries of medical marijuana facilities, theft and property damage, to name a few. In the ordinance, the city acknowledges the right of qualified health care professionals to prescribe the medical use of marijuana as well as the right of patients to designate a "designated provider" who can provide rather than sell marijuana to only one patient at any one time. Also discussed were the conflicts between state and federal laws. The interim ordinance will allow the Community Development Director and Planning Commission, with Chief Warnstaff's input, to develop recommendations for the city to adopt. Motion by Koepke and seconded by Roley Ord. #814 be adopted as read and a summary be published as required by law. Motion carried.

Jones reported that the city will need to start paying an annual fee of $523. in order to be able to submit ambulance charges to Medicare.

Meeting temporarily adjourned at 8:02 for a 15 min. executive session re: personnel.

Executive session continued at 8:18 for another 15 min.

Meeting reconvened at 8:34 p.m. No action taken as a result of the executive session.

Airport committee and Mayor to work on Airport Service Manager's Agreement renewal.

Mayor Spieth is working on making committee assignments for 2012.

Clerk presented several year-end / historical financial data worksheets for council's review. Data included sales tax history, criminal justice expenditures, city utilities, and other revenues and expenditures.

Motion by Koepke and seconded by Neal the final 2011 expenditures, vouchers #12635-12667, $38,530.51 and the 1/17/12 vouchers of $15,549.87, #12690-12703 be paid be paid; that the Jan. 15th payroll of $37,150.99, #12668-12689 be approved and the meeting be adjourned at 8:34 p.m. Motion carried.

Minutes approved _____   _____
                                                                    Mayor

                             _____
                             Clerk