

Regular Council Meeting of October 20, 2020

Pursuant to Proclamation 20-28 issued by Governor Inslee on March 24, 2020 and further amended, which prohibits in person meetings, this regular meeting was attended only by the Mayor, Councilmembers and staff, as social distancing requirements could be met; call in number was provided to the public.

Present were: Mayor Neal, Councilmembers Naillon, Marthaller, McElheran and Hart.

Absent: Moser.

Meeting called to order at 7:00 pm by Mayor Neal. Pledge of Allegiance given.

Copies of the October 6th council meeting minutes were read and approved.

Copies of the October 13th budget workshop minutes were read and approved.

Sue Edick and Ashley Range with the Oroville Housing Authority (OHA), Marty Miller, Sheryl Stansell and Collin Thompson with the Office of Rural and Farmworker Housing (ORFH) and Randy Vanhoff with ZBA Architecture called in to discuss the Oroville Harvest Shelter Renovation proposal. Ashley Range, OHA Executive Director, discussed the overall mission of the OHA and background of the OHA. Sue Edick gave a history of the Oroville Harvest Shelter, the proposed renovation and connection to City sewer. Marty Miller, ORFH, introduced Sheryl Stansell and Collin Thompson; Miller explained that the OHA is looking for a letter of support from the City for the proposal, further discussed the proposal and explained the current use. Miller also stated that OHA is looking for initial support and that zoning requirements will be addressed as the project moves forward. Randy Vanhoff, ZBA Architecture, discussed his company's background with the OHA and explained the preliminary site plan drawing; also discussed Department of Health requirements that have to be met. Councilman Naillon asked about the timeframe for trailer demolition; Miller stated that they are planning to start construction the summer of 2021 and it will be a phased project, so the trailers will remain in use while half of the project is constructed, then removed when the second half of the project is built, but the trailers will be removed. Naillon complemented the proposed design. Councilman McElheran questioned the vetting process of occupants, as he has concerns about criminal behavior at the site. Miller stated that the OHA would not tolerate criminal behavior; McElheran stated that it occurs. Sue Edick stated that if there is evidence or knowledge of criminal behavior, they need to be made aware of it; McElheran stated that officials are not allowed on the property. Edick stated that she would like to meet to go over the forms that they use for compliance. Mayor Neal requested that the forms be provided to the Council for review, then a meeting can be set up. Councilman Naillon stated that he had toured the existing facility previously and appreciates the proposed concept for the renovation; questioned new occupancy and what their plan is with the area where the trailers are. Edick stated that the proposed project will be in the trailer location. Miller stated that the occupancy for the Harvest Shelter will be slightly reduced, but overall, the entire site will remain the same. Heather Marthaller questioned how enforcement is handled on-site; Miller stated that the OHA oversees compliance. Draft letter of support read to the public by Clerk Denney. Councilman Naillon clarified intent of the project and occupancy numbers. Edick discussed the occupancy numbers; Sheryl Stansell also commented on overall occupancy numbers. Councilman Marthaller questioned security, if staff is responsible and how does the enforcement process work. Ashley Range stated that when needed, law enforcement is called. Miller stated that the OHA is responsible for oversight of their own regulations; further discussion on law enforcement being contacted when needed. Motion by Naillon, second by Hart that Mayor Neal sign the letter of support to the Washington State Housing Trust Fund for the Oroville Harvest Shelter Renovation project. Those in favor: Naillon, Marthaller and Hart; opposed: McElheran. Motion carried. OHA and ORFH members thanked the Council for the letter of support and opportunity to discuss the project.

Public Hearing for the rezone of 1207 Main Street and text amendments to City Zoning Code opened by Mayor Neal. Neal explained that the purpose of the hearing is to take testimony and establish the record on the application for the rezone of parcel No. 4027280075 located at 1207 Main Street from C2 to I2 submitted by Charles and Danielle McNeil, DBA Fung Guy Farms, of Oroville, Washington. The rezone request is to change the Official Zoning Map and a minor amendment to the text of the zoning code that would allow agricultural production activities within the I2 zone. Mayor Neal explained that the public hearing will proceed in an orderly fashion and he would like everyone's cooperation in the following procedure:

Everyone present will be given an opportunity to be heard; when addressing the City Council, begin by stating your name and address. Speak slowly and clearly. Only one person will be allowed to speak at a time.

Mayor Neal asked if there are any Councilmembers present that need to excuse themselves, for any reason, from the hearing; no.

Mayor Neal stated that the concern is that the hearing be fair in form and substance as well as appearance. Therefore, Mayor Neal would like to ask if there is anyone in the audience who objects to his participation as Mayor, or any Councilmembers' participation in the proceeding; no.

Mayor Neal asked if any of the Councilmembers have an interest in this property or issue, stand to gain or lose financial benefit as a result of the outcome of this hearing, or do not believe that they can hear and consider this in a fair and objective manner, then please state that fact now; no.

Mayor Neal asked if any member of the City Council engaged in communication outside of this hearing with opponents or proponents on this issue to be heard; no.

Mayor Neal stated that the purpose of this hearing is for the City Council to hear and consider the pertinent facts relating to the rezone and text amendment request, and to approve, deny, or approve with conditions.

Mayor Neal introduced Planner Kurt Danison; Danison presented the staff report, which included the background, application information, public hearing held before the Planning Commission, Planning Commission and Staff recommendation and exhibits.

Councilman Naillon expressed concern about rezoning the property to Industrial Two, which would allow uses that the City would not want located in the heart of downtown. Danison stated that the building takes up the entire property of the rezone. Naillon stated that the zone will outlast the building and the City needs to look at the future use of the property and take into consideration the long lasting repercussions. Danison stated that the council can modify the decision. Mayor Neal stated that he is also concerned about changing the zone, which would allow additional uses that the City would not want in that location. Councilman Marthaller questioned how the use can be allowed without allowing the additional I2 uses. Councilman Naillon felt that it would be better to allow the use under the Conditional Use Permit (CUP) process. Councilman McElheran expressed his concern about the types of Agriculture uses that this may allow that the City would not want allowed inside City Limits. Mayor Neal asked if the use could be allowed under a CUP. Danison stated that Councilman Naillon had a good point about additional I2 uses that could be allowed on this property. Danison discussed the recommendation of adding a new chapter to implement a Special Use Permit process.

Mayor Neal opened the discussion up to the proponent. Charles McNeil stated that he is working on improving the building, discussed operation process and that they are willing to comply with permitting. Mayor Neal stated that the McNeil's have invested a lot in the property, unfortunately, they did so before they had approval or permits from the City; Neal would like to see everything done correctly moving forward and feels that more research is needed into how to allow the use that would be in the best interest of the City. Councilman Naillon agreed that the City needs to look at a long term solution.

Planner Danison suggested that the City Council continue the public hearing for 30 days to allow time for him to meet with Councilman Naillon and Mayor Neal to review options; Council agreed that would be the best for the City.

Mayor Neal opened the discussion up to the public; no public response.

Motion by Hart, second by Marthaller that the public hearing for the Rezone of 1207 Main Street and Text Amendments to the City Zoning Code be continued to the November 17th City Council meeting; motion carried. Danison to work with Clerk Denney to schedule a time to meet to discuss the options with Naillon and Neal.

Resolution #575 declaring surplus vehicles and equipment reviewed. Motion by McElheran, second by Marthaller that Resolution #575 be approved; motion carried.

Email from Julianna Crawshaw received regarding request for 1728 Main Street building use. Councilman Naillon questioned end date; Mayor Neal stated that the City can limit the use time. Councilman McElheran agreed with Naillon's previous request that a policy be looked into. Clerk Denney stated that she had Deanna Rowton research existing policies used by other communities and there really is not a policy available; Denney will forward the information City Hall has so far. Karen Frisbie stated that there is an RCW that prohibits religious use of municipal buildings. Discussed that additional research is needed. Councilman Marthaller questioned who should be allowed to use the building, as the Chamber had been the first to ask. Request tabled until more information is received.

Camis Contract Amendment #8 received. Clerk Denney stated that it is for the 2021 season and the fee schedule will be unchanged. City has discussed for several years that a new reservation system needs to be looked into. Heather Marthaller asked about the term of the agreement; Clerk Denney stated that it is from October 1, 2020 through September 30, 2021. Clerk Denney stated that reservations are currently being made through Camis for the 2021 season. Discussed need for a clean break so that the City does not get tied into the contract again. Motion by Marthaller, second by Hart that Contract Amendment #8 for Campsite Reservation and Accounting System between the City and Camis be approved, notifying Camis that the 2021 season will be the final year; motion carried.

WSLCB Renewal Applications Notice for Frontier Foods and the Quik Mart received; no comments.

City Hall Holiday Closure request submitted. Clerk Denney and City Hall staff are asking that City Hall close at noon on Wednesday, November 25th, the day before Thanksgiving, and all day Thursday, December 24th; closure will be in addition to the legal holidays, with staff using vacation time. Motion by Naillon, second by Marthaller that the closure be approved; motion carried. Clerk Denney thanked the Mayor and Council for the approval, it is greatly appreciated by City Hall staff.

2021 North Central Washington Narcotics Task Force (NCWNTF) Operational Agreement received. Councilman McElheran expressed his support of the NCWNTF and discussed the benefit to Oroville. Motion by McElheran, second by Naillon that Mayor Neal be authorized to sign the agreement; motion carried.

Police Department update received from Chief Langford. Based on budget workshop discussions, Chief Langford requested that the Council authorize Mayor Neal to enter into a contract for vehicle leasing, as long as it is understood that any payments will not be due until 2021. Clerk Denney asked Chief Langford if he was looking at spending \$26,000 for two cars as discussed in the budget workshop; Chief Langford said that he was. Motion by McElheran, second by Marthaller that Mayor Neal be authorized to enter into a lease agreement for two vehicles for \$26,000 annually; motion carried.

Councilman Marthaller questioned if Clerk Denney knew about FAA CARES Act funds that would cover the City's share of grants; Clerk Denney stated that she will be talking with J-U-B about it.

Motion by McElheran and second by Naillon the vouchers \$161,077.98, #28029-28059 (void 28042), DOR-EFT, be paid, the October 15, 2020 payroll of \$40,990.19, #28003-28018, Direct Deposit Run, EFT #202045-202046, be approved and the meeting be adjourned at 8:30 pm. Motion carried.

Minutes approved _____

Mayor

Clerk