

## **REGULAR COUNCIL MEETING**

**July 01, 2015**

**Officials in Attendance:** Mayor Dorothy Knauss; Councilmen John May, John Wight and Payton Norvell; Councilwomen Sharon Ludwig, Carra Nupp, Roberta McMillin and Krisan LeHew.

**Staff Present:** City Administrator Mike Frizzell, City Attorney Charles Schuerman, Clerk/Treasurer Pamela McCart

The Mayor called the meeting to order at 6:30 PM.

**Audience Comments:** None

*dlk  
pym*

### **Announcements/Appointments, including:**

- Mayor's Youth Award to Jessica Eide.
- At the AWC annual conference which she attended last week, the Mayor was elected to the AWC Board of Directors - this also means that she co-chairs the Small Cities Advisory Committee for this next year. The Board had a conference meeting today from Olympia. In their third session the legislators passed the operating and capital budgets. Within the operating budget, all of the state shared revenues we were afraid would be taken from us in order to fund education are intact. The full \$50 million in liquor excise taxes will be restored to cities and counties - that's a huge win for us. House Bill 2136 gives a share of taxes from marijuana production/processing/sales to cities and towns but it does not give any money to municipalities which have banned marijuana (which we have). The best part of that bill for us is that they did not preempt our ability to regulate our own land use - there was some movement in the legislature at one time to pass a law that cities could not ban the production/processing/sale of marijuana within their boundaries but that did not pass. There are new revenues in the tax arena -- they alluded it may have something to do with internet sales. The Public Works Trust Fund as we know it is gone -- that was the large source of money that cities could access for infrastructure, roads, streets, water, sewer, etc. They're taking money from there to fund education. The transportation package passed -- in general it gave cities more authority for transportation benefit districts (which we have not elected to do) - that is the additional \$20 car tab fee. The classroom size did not pass because it takes a 2/3 majority in both houses to suspend an initiative which was passed in the last two years. In all, our united efforts to affect the legislative process did do some good.

### **Consent Agenda:**

Motion by Councilwoman Ludwig approving Consent Agenda consisting of:

- >June 3<sup>rd</sup> Regular Minutes
- >June Payroll and Claim Vouchers

Seconded by Councilwoman LeHew. Roll call vote taken with all votes in favor. Motion carried.

### **Committee/Commission Reports:**

- Finance/Councilwoman Ludwig: Still working on financial policies. Met with Fire Department Chief with regard to wages.

### **City Administrator Report:**

- Facilities Committee met and is moving forward with some of the properties to sell to fund the new building.
- Design on the new building is basically complete at this point. Looks like will be advertising for bids the 9<sup>th</sup> and 16<sup>th</sup>, open bids on 23<sup>rd</sup> and accept low bidder at August 5<sup>th</sup> meeting. Still looking at construction being completed in October.

- A multi-department surplus sale will be held on Friday the 24<sup>th</sup> from 9 to 3. Will be set up for public viewing. Sealed bids will be tabulated the following Monday and bidders contacted.

**City Attorney Report:**

- The lawsuit for the abatement action on 1002 Tamarack Lane so that we will be able to remove the nuisance of that half burned out building is now at the point in time where we can go to court to obtain a judge's order of abatement -- and then the city administrator will work on issuing a contract to get bids. It will take about three years for the city to recoup its costs. There's a Washington state statute before we did our action on abatement that we put in place. That statute allows us to put the costs of any work we have to do on the tax rolls -- and then the county treasurer will foreclose those just as the county treasurer forecloses other taxes. That means there's a three year waiting period before you can actually get your money back. But that's better than not being able to get it at all. It has the same priority as county taxes. The Mayor added that the City has been receiving a rash of calls to abate nuisances but the process is not as easy as it used to be and it is costly upfront.

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Rjm*

**Old Business:** None

**New Business:**

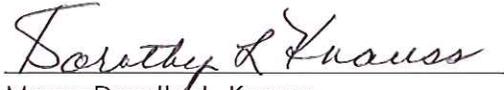
- The Clerk read the introduction of Ordinance #885. Motion by Councilwoman Ludwig to adopt Ordinance #885 Amending the 2015 Budget, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried.
- The Clerk read the introduction of Ordinance #886. Motion by Councilman May to adopt Ordinance #886 Amending Section 18.12.065(B) of the Chewelah Municipal Code regarding use of barbed wire (commercial fencing), seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried. The C/A stated that this ordinance not only addresses the state fence requirement for tow/impound yards, it also fixes some of the non-conforming uses such as the bus yard fencing which already has barbed wire.
- Discussion regarding Planning Commission: Councilman May expressed his concern that a Board of Adjustment would give non-elected citizens the ability to make decisions that were in opposition to what this council says — it'd be different if it went before a judge. The City Attorney stated it is true that statute provides for the requirement that you have a body that is able to hear those appeals that is other than just the city council but the ultimate arbitrator is the Superior Court. This is just an intermediate process that is done in house. RCW 35A.63.100 states "The action of the board of adjustment shall be final and conclusive, unless, within twenty-one days from the date of the action, the original applicant or an adverse party makes application to the superior court . . ." So you'd have a Board of Adjustment that makes a decision and after that anybody who is in this process is allowed to go to the Superior Court to appeal.

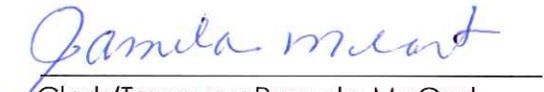
Councilwoman LeHew stated that during one of the Small City Advisory Meetings she attended, Chris Branch with the City Oroville told her "whatever you do, do not get rid of your planning commission". I didn't have time to ask him why. I don't have strong feelings either way, but I'd like to know why. It'd be interesting to talk to another city that has done so.

The Mayor stated the discussion would continue next month.

- No opposition by Council for the following street closures:
  - Wounded Warrior Car Cruise/ Friday August 7<sup>th</sup> 7pm-9pm: Second, Clay, Fourth & Main
  - Chewelah Arts Guild/ Friday August 7<sup>th</sup> 8pm to 11pm for dance: half block on Third/Main
  - Italian Car Club/ Saturday July 18<sup>th</sup> 11:00am to 2pm: portion of Fourth Street next to ChewVino

The Mayor adjourned the meeting at 7:08 PM.

  
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Mayor Dorothy L. Knauss

  
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Clerk/Treasurer Pamela McCart