REGULAR COUNCIL MEETING  
January 3, 2018

Officials in Attendance: Mayor Dorothy Knauss; Councilmen John May, Payton Norvell, Evan Schalock and John Wight; Councilwomen Nicole Norvell, Cori Wuesthoff and Carra Nupp
Staff Present: City Administrator Mike Frizzell, City Attorney Mike Waters, Clerk/Treasurer Pamela McCart

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

Oaths of Office:
The City Attorney administered oaths of office for:
Dorothy Knauss  Mayor for term ending 12/31/21
Nicole Norvell  Council Seat 1 for term ending 12/31/21
Cori Wuesthoff  Council Seat 2 for term ending 12/31/21
Payton Norvell  Council Seat 3 for term ending 12/31/21
John Wight  Council Seat at-Large for term ending 12/31/19

Mayor’s Youth Award – Jessica Cochran

Audience Comments: None

Approval of/Changes to Proposed Agenda:
Councilman Norvell requested that Commissioner Wes McCart be listed under “Presentations” regarding airport. Councilman May requested that a 15-minute Executive Session to discuss personnel issues be added as the next item. Motion by Councilwoman Nupp to approve proposed agenda as amended, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried.

Executive Session:
At 6:38 the Mayor announced that the Council would go into executive session for fifteen minutes to discuss a personnel issue. At 6:53 the Mayor called the meeting back to order.

Mayor Announcements/Appointments, including:
• Students in “mock” government project will take place prior to the February 21st Regular Meeting.
• Mayor announced reappointments of Police Chief-Mark Burrows, Fire Chief-Dave DeVeau, City Administrator-Mike Frizzell and Clerk/Treasurer-Pamela McCart.
• Motion by Councilman Wight to re-elect Councilman Norvell as Mayor Pro Tem for 2018, seconded by Councilman Schalock. Roll call vote taken with abstention by Councilman Norvell, remaining votes in favor. Motion carried.
• Mayor noted Committee appointments for 2018.

Presentation:
Wes McCart, Chairman for Stevens County Commissioners, presented a concept to assist the City with the purchase of the airport from DNR. Regarding the purchase cost of $259,000, the Commissioners propose a $100,000 contribution and a $150,000 loan (with the City putting up the remaining $9,000). Additionally, the Commissioners propose to contribute up to $50,000 toward infrastructure improvements to help kick-start the development. The County would be utilizing funds that have been set aside to improve public facilities for economic development purposes. Commissioner McCart also said that the Commissioners would require one seat on the airport board and that if the property was ever to be re-sold by the City, the City would be required to reimburse the County for its economic development contributions. Commissioner McCart presented a 25-year loan
scenario with interest-only payments for the initial five years but he stressed that it was a concept and the Commissioners would need to research the feasibility of a long-term loan. There are many details to work out in terms of legalities and what that loan will look like. Motion by Councilman May to approve concept for airport funding presented by County Commissioner McCarr, seconded by Councilman Wight. Roll call vote taken with all in favor. Mayor to work out the details with the County Commissioners and DNR. Final purchase and financing agreements to come back to City Council for subsequent approval.

Consent Agenda:
Motion by Councilman Norvell approving Consent Agenda consisting of:
> December 6th Regular Minutes
> December Payroll and Claim Vouchers
Seconded by Councilman Wight. Roll call vote taken with all in favor. Motion carried.

Committee/Commission Reports: (Finance Committee under C/A Report)

City Administrator Report, including:

- Solicited bids from three local contractors to repair/replace the civic center walk-in cooler. None of them had time to respond, so I was able to obtain a quote of just under $5,000 from D&M Refrigeration in Spokane — this is to completely replace all the equipment to make the cooler functional again (the interior evaporator and a new pump, all new lines, valves etc.). We have approximately $6,000 in the civic center reserve fund to accomplish this. Additional shelving on one side has also been requested — I can build that out of wood. I need a vote tonight because Cork 'N Keg is coming up in February and the refrigeration company requires a minimum of three weeks to get it in place. Motion by Councilwoman Nupp to approve bid from D&M Restoration to repair the civic center cooler, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried. The C/A noted that very soon the heating unit in the civic center may need to be upgraded as well if it can't be repaired.

- The C/A stated that he received two bids for the fire station at the Golf Course. Chairman Norvell stated that the Finance Committee reviewed four financing options: interfund loan (payback period too short), USDA loan (high interest, long application time frame), voted bond (might not pass, may take time), or a councilmanic bond (recommended). The Mayor explained that a councilmanic bond would be voted on by the council and would be repaid from existing funding sources — no additional taxes. The money to build the station would be immediate and there would be a term over which to repay the bonds. The next step would be for me to contact bond counsel. Motion by Councilman May to accept recommendation of Finance Committee and pursue councilmanic bond for funding construction of fire station at the Golf Course, seconded by Councilwoman Wuesthoff. Roll call vote taken with all in favor. Motion carried.

- Motion by Councilwoman Nupp to award construction of Fire Station at Golf Course to apparent lowest, responsible bidder Barnards Building LLC in the amount of $147,250.60 contingent upon available financing, seconded by Councilman Wight. Roll call vote taken with abstention by Councilman Norvell, remaining votes in favor. Motion carried.

City Attorney Report: (See Old Business)

Police Chief Report, including: Working on procuring bids for replacement canine vehicle. Also, Department of Corrections is interested in renting a portion of the police department (interview room) for 40 hours/month.

Fire Chief Report, including: Firefighter Watts discussed the opportunity for the Fire Department to purchase a used 1996 Pierce Lance pumper truck from the City of Stillwater,
Minnesota. It's listed for $19,000 and there would be transport costs. Motion by Councilman Norvell authorizing expenditure of up to $25,000 from Fire Reserves toward the purchase, transport and outfitting of a used fire truck contingent upon approval of City/Administrator, Mayor, Fire Chief and Shop Mechanic, seconded by Councilwoman Nupp. Roll call vote taken with all in favor. Motion carried.

Old Business:
- November 29th letter from Colin and Diane Mai in which they requested the ability to buy an additional acre adjacent to the NW corner of the fourteen acres they had previously purchased: City Attorney Mike Waters stated that last year the Mai's purchased the eastern portion of a parcel owned by the City (14 acres) leaving the City with 46.8 acres. Not long after that the western 20 acres were sold to Dwight and Linda Smith -- that left the City with 26.8 acres. The City has the power to buy and sell property if the Council chooses to declare such property surplus. The issue with this particular parcel is that when it was obtained in the 1950's/60's at least some of it was involved in utility purposes having to do with water supply. There were some wells and water lines on it. The original sales that were done were of parcels that were essentially bereft of that infrastructure. The eastern parcel was sold with, I believe, an abandoned well on it. The western parcel has an emergency well that was used as a primary well up to about 40 years ago but it has issues with lack of disinfection, water quality, and filtration and so it's been held as a back-up well and hasn't been used as a primary well for over 40 years. The question is whether that water Infrastructure places this parcel under the purview of RCW 35.94.040 which is a short revision of the law from 1973 that addresses the lease or sale of land or property originally acquired for public utility purposes. Essentially it says that if property was originally acquired for public utility purposes, a public hearing is required before a sale can progress. The recommendation here is that much like the eastern/western parcels there's a good argument to be made that the portion being sold was not acquired for public utility purposes and I still say that logic still stands for the previous sales; however, under this situation I think that the cautionary approach probably makes sense because that center parcel that the City still owns was specifically retained for public utility purposes -- even though it's not very actively used there is a water reservoir on there and I believe it's a 12" water main -- obviously any impingement on the main would need to be handled by an appropriate easement for the City to access. The Mai's are requesting to buy the northeastern single acre that borders their property. There's just a little bit of water main crossing it. Given the fact that it was retained for utility purposes, if the Council were to choose to declare that one-acre parcel surplus -- to be cautious -- I recommend that a public hearing on that sale be held in accordance with RCW 35.94.040 and then, depending on the Council's wishes and the results of that hearing, then it would be in compliance with the law should the Council go ahead and sell that acre to the Mai's. I believe the offer is that they would cover all associated costs and would purchase the acre at the same per acre price as the original purchase. My reading of the statute would be that the public hearing should come after a declaration of surplus. So, if the City declared it to be surplus, it would then hold a public hearing after which the Council can have a resolution that causes that actual conveyance to occur. I think an actual legal description would be needed in order to declare the one-acre surplus.

The C/A stated that the Mai's want to build in the upper left-hand corner above the road but by the time they place house on the knoll Diane realized that the shop would be too close to the house so they're asking to purchase the additional acre in order to be able to place the shop farther from the house.

Councilman Norvell requested that the matter be tabled to January 17th regular meeting.
C/A noted that he would ask the Mai’s to provide answers to Councilwoman Norvell’s inquiries (topographical map with spot elevations, better description of why they want the site, list of Stevens County setback requirements mentioned in purchase proposal) as well as a legal description.

- **Response from Bob Belknap regarding City pool:** The Mayor read Mr. Belknap’s email response in which he expressed that he was no longer interested in pursuing the rehabilitation of the facility.

  *Motion by Councilwoman Nupp to table matter to February 7th regular meeting and directing administration to coordinate with local newspaper to get information out to public as a last attempt to see if anyone is interested in salvaging the pool, seconded by Councilwoman Wuesthoff.*  
  Roll call vote taken with Councilmen May and Wight voting against, remaining votes in favor. Motion carried.

**New Business:** None

**Adjournment:**
At 8:35 PM, *motion by Councilwoman Nupp to adjourn, seconded by Councilman Norvell.* Roll call vote taken with all in favor. Motion carried.

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Mayor Dorothy L. Kneuss

Clerk/Treasurer Pamela McCart