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

*Motion by Councilwoman Nupp to excuse absences of Councilwoman Wuesthoff and Councilman Schalock, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried.*

**Audience Comments:**
- Jarod Arnold presented his concerns regarding proposed resolution/policy/ordinance on public records. The Mayor stated his concerns would be addressed later on in the meeting.
- Mike Bentz announced that Chewelah was appointed by the Washington State Arts Commission as a Creative District.

**Approval of/Changes to Proposed Agenda:**
*Motion by Councilman Norvell to approve agenda as presented, seconded by Councilman May. Roll call vote taken with all in favor. Motion carried.*

**Mayor Announcements/Appointments (including):**
- I was able to do a lot of networking at AWC's annual conference.
- I attended a workshop on fifth generation small cell siting. The FCC has decided it will preempt city's rights to control their rights-of-way. Basically, when a wireless company wants to put a 5G apparatus on any of our poles, we have to let them, so we have to come up with some standards. Richard Hixson and I have met with Avista for groundwork assistance on this. We haven't been approached yet, but we'll need to get an ordinance in place.

**Presentation:** None

**Consent Agenda:**
*Motion by Councilman Norvell approving Consent Agenda consisting of:*
- >June 5th and 19th Regular Minutes
- >June Payroll and Claim Vouchers
*Seconded by Councilwoman Norvell. Roll call vote taken with all in favor. Motion carried.*

**Committee/Commission Reports:** None

**City Administrator Report:**
- Addressing Councilwoman Norvell’s concerns, the C/A explained that the building permit for the Bauman Meats building was originally submitted as an application for a 10 or 12-unit apartment building. Because of parking issues/requirements we decided to break that into 2 phases in order to allow enough time to deal with the railroad and come up with parking arrangements, amongst other things . . . including getting the sidewalk around the ADA ramp before phase 2 would be allowed to move forward. The actual sidewalk was poured around that ramp today.
One of the things we do every year is patch the concrete benches at center stage. We have someone coming in to do the patchwork on Monday and Tuesday so that there will not be any exposed rebar or sharp edges. The company presented some potential long-term fixes and I'd like to discuss those with the Park/Cemetery committee. These could clearly be paid for with hotel/motel funds.

Public records policy needs to change to readily reflect what case law decisions are made. Most of the information in the draft public records policy came from the Attorney General model rules. Our City Attorney added some extra language so it's more detailed than what the AG suggested.

During discussion, the City Attorney recommended adding the following language before paragraph (2) of Section C of the draft policy for clarification: "Pursuant to Chewelah Municipal Code 2.68.070, ". The policy needs to reflect emergent case law some of which would necessitate changing how the policy is structured. I think from a legal standpoint, particularly given the incredibly short timeframes that are involved in public records, having to wait even a two week cycle let alone a month for City Council to approve a policy change could create a disconnect between the policy we have available and the way that we respond to an incoming request during that time. That alone could be argued as bad faith and expose the City to 6 or 7 figures in damages, depending on how it plays out.

The City Attorney read Resolution No 19-06 with the addition of the following language to item 2.: ", subject to the following: a) Any changes shall be provisionally effective upon publication by the City on its website. b) The City Council must be notified of any such changes no later than one week following such publication. c) Any such change shall be subject to City Council rejection. If City Council fails to do so for any such change within 30 days of being notified, such change shall be permanent." Motion by Councilman Norvell to adopt Resolution 19-06 Adopting Public Records Policy as read into the record by City Attorney, seconded by Councilwoman Nupp. Roll call taken with all in favor. Motion carried.

Motion by Councilman May to add the following language before paragraph (2) of Section C of the draft policy: "Pursuant to Chewelah Municipal Code 2.68.070," as recommended by City Attorney, seconded by Councilwoman Nupp. Roll call vote taken with all in favor. Motion carried.

City Attorney Report: None
Police Chief Report: None
Fire Chief Report: None

Old Business: None

New Business:
- The C/A stated that the current side sewer policy which says that the City is responsible for replacing the side sewer if it is in the public right-of-way was adopted in 2004 because at the time the person in charge didn’t trust contractors to do the job correctly, whether backfilling or a new installation. What really should have been done was have the council establish an inspection fee and the ability for the City to be on site to make sure the contractor did the work properly. The current policy can lead to some “grey areas” and confusion. Referencing the AWC contact booklet, I contacted all the cities through the letter “M” and they all make side sewer connections to the main the responsibility of the home owner. The City Attorney recommended changing the last sentence of 13.24.100(B) to “The property owner is responsible for routine operational maintenance of the side sewer from the city main, including the connection to the main, to
the building plumbing.” The clerk read the introduction of Ordinance #934 as revised. Motion by Councilman May to adopt Ordinance #934 making side sewer lines the responsibility of private property owners, seconded by Councilman Norvell. Roll call vote taken with Councilwoman Nupp voting against, remaining votes in favor. Motion carried.

- The clerk read the introduction of Ordinance #935. The City Attorney recommended adding the following language at the end of Section 4(C): “, and the entire request shall be considered closed.” Also, in Section 4(C) change thirty business days to “thirty calendar days.” Motion by Councilman Norvell to adopt Ordinance #935 amending the Chewelah Municipal Code Chapter 2.68 – Public Records with changes as recommended by City Attorney, seconded by Councilman May. Roll call vote taken with all in favor. Motion carried.

- Motion by Councilwoman Nupp to table Resolution 19-03 regarding cemetery fees for clarification, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried.

- Motion by Councilman Norvell to read Resolution 19-04 by title and changes, seconded by Councilman May. Roll call vote taken with all in favor. Motion carried. The clerk read Resolution 19-04 by title, noting changes. Motion by Councilman Norvell to adopt Resolution 19-04 Adopting Revised Fee Schedule for Building Code Ordinance, seconded by Councilwoman Norvell.

- Motion by Councilman May to adopt Resolution 19-05 authorizing submission of application for Community Economic Revitalization Board (CERB) grant, seconded by Councilman Norvell. Roll call vote taken with all in favor. Motion carried.

Adjournment:
At 8:11 PM, motion by Councilwoman Norvell to adjourn, seconded by Councilman Wight. Roll call vote taken with all in favor. Motion carried.

Mayor Dorothy L. Knauss

Clerk/Treasurer Pamela McCut