REGULAR COUNCIL MEETING  

**September 4, 2019**

**Officials In Attendance:** Mayor Dorothy Knauss; Councilmen Payton Norvell, John May, Evan Schalock and John Wight; Councilwomen Nicole Norvell, Cori Wuesthoff and Carra Nupp  

**Staff Present:** City Attorney Mike Waters, Clerk/Treasurer Pamela McCart

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

**Dedication of 9/11 Memorial Wall in Council Chambers**  

**Audience Comments:** None

**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.*

**Executive Session to Discuss Potential Litigation:**  

At 6:38 the Mayor announced that the Council would go into executive session for twenty minutes to discuss litigation. At 6:48 the Mayor announced a five-minute extension. At 6:53 the Mayor announced an additional five-minute extension. At 6:58 the Mayor called the meeting back to order.

**Mayor Announcements/Appointments (including):**

- 2020 Budget Workshop scheduled for September 10th at 6:00 PM.

**Presentation:** None

**Consent Agenda:**  

*Motion by Councilman May approving Consent Agenda consisting of:*
  > August 7th and 21st Regular Minutes
  > August Payroll and Claim Vouchers

*Seconded by Councilwoman Nupp. Roll call vote taken with all in favor. Motion carried.*

**Committee/Commission Reports:**  

*Park, Councilman Schalock:* Met with Community Celebrations about a few things that we might want to get done with them. Talked about a few updates to the cemetery on 395 – we got a few bids on things and will come back to Council.

*The Mayor referred a request from the Girl Scout Troupe to the Park Committee.*

**City Attorney Report:**  

At the last meeting there was a presentation by the tribe with respect to fueling operations at the airport. The way that it was presented was that the City would effectively be lending its grant for development to the tribe in order to help with that. A couple of points on that -- I think that the actual structure of that is still in flux but early research is showing that there is case law out there that the constitutional prohibition lending is actually in the Washington State Constitution Article 8 Section 7 that “no county, city, town or other municipal corporation shall hereafter give any money or property or loan its money or credit to or in aid of any individual, association, company or corporation”. There is case law that effectively indicates that an Indian tribe is none of those things so the lending prohibition that is in the state constitution would not necessarily apply to that situation -- but I would caution exactly what structure the deal is going to take – it’s not final yet -- sounds like
what they presented is a loan and even if it ended up being a loan it appears by the early research that would not be an issue, would not be unconstitutional under Washington law, because it would be going to another sovereign governmental entity -- but there is still significant opportunity that it wouldn’t even be categorized as a loan – it still needs to be finalized.

**Police Chief Report**
**Fire Chief Report**

**Old Business:** None  
**New Business:** None

**Adjournment:**
At 7:25 PM, *motion by Councilwoman Nupp to adjourn*, seconded by Councilman Norvell. Roll call vote taken with Councilman May voting against, remaining votes in favor. *Motion carried.*

Mayor Dorothy L. Knauss  
Clerk/Treasurer Pamela McCart