REGULAR COUNCIL MEETING  January 2, 2020

Officials in Attendance: Mayor Dorothy Knauss; Councilmen Payton Norvell, Ryan Sieber, Bruce Nupp, and Evan Schalock; Councilwomen Nicole Norvell, Cori Wuesthoff and Ashley Grubb

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

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

Audience Comments: Steve Hedrick stated he has been working with the city planner for about a year with regard to the zoning text amendment to be discussed later in the meeting and hoped that the Council would move it along.

Approval of/Changes to Proposed Agenda:
The Mayor requested removal of Master Agreement with T-O Engineers from New Business as the contract is not ready. Motion by Councilman Norvell to approve agenda as amended, seconded by Councilwoman Norvell. Roll call vote taken with all in favor. Motion carried.

Mayor Announcements/Appointments (including):
- The Mayor announced appointment of Jerry Griffith to Civil Service Commission.
- 2020 Committee Appointments distributed to Council.
- Motion by Councilwoman Norvell to elect Councilman Norvell as Mayor Pro Tem, seconded by Councilman Sieber. Roll call vote taken with abstention by Councilmen Norvell and Nupp, remaining votes in favor. Motion carried.
- The Spokane Tribe of Indians awarded Impact Mitigation Funds of $16,000 to the Police Department and $9,500 to the Fire Department.

Presentation:
Alicia Ayars, Contract Planner, presented an update on the Comprehensive Plan Review process and the initial draft of Critical Areas Ordinance.

Zoning Text Amendment
Alicia Ayars: Steve Hedrick approached the City wanting to develop a mini-storage on his property which is zoned retail business (R-B). Right now, that is not a permitted use in that zone. So we looked at other options, one of which is to rezone it to another zone that would allow it, either conditionally or outright. We couldn’t do a variance on this because it is not a permitted use to begin with. The rezone didn’t make a lot of sense because of where his property is located — the backside is surrounded by residential and the front side faces a commercial business on HWY 395. He has a narrow driveway and his property sits back from the street. But if we had rezoned it to industrial then you could possibly be looking at future heavy industrial use applications right up against residential homes without a transition area. The third option was to do a zoning text amendment where you actually change the code to allow or conditionally allow the use within that zone. We wanted to put in some safeguards so the development would look nice and be a good neighbor to those residential uses. For the most part the City and myself were carrying the burden of writing the language for that zoning text amendment. As we got further down the road, we felt that the City was carrying the weight of this and we were also building into the code ways to prevent mini-storages from your true downtown area — so we proposed a minimum lot

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size of five acres. We realized that we hadn’t accepted the application in quite the right manner because it was accepted from the get-go that the City would write the amendment in order to provide those safeguards for the entire zone, not just thinking about Steve’s case -- it just made more sense for the City to take it on.

Mayor: When we changed from a planning commission to a hearing examiner, we made a blanket change in the city code – everywhere it said “planning commission” it now says “hearing examiner”. It wasn’t clear whether the City staff could initiate that zone text amendment, but the City Council can initiate the process – it would still have to go before the hearing examiner and go through the process.

City Attorney: For clarification this is a procedural question before the Council right now. The current code allows for one of these zone text amendments to be initiated only by the hearing examiner or the Council. As the Mayor pointed out when we got rid of the planning commission, we were unclear that the planning commission had two roles -- a planning role and a review role. In the text, when we replaced that with “hearing examiner” -- that is solely a review role. We basically left that avenue for initiating a text amendment undoable for the moment, so the only entity left on the city side that can initiate a text amendment is the City Council. If the Council decides to take a vote on this -- this is not a vote on approving the text amendment -- it’s not a vote on approving this particular text -- it’s merely a vote to initiate the process -- because administration, for all the reasons that the planner mentioned, felt it made more sense to come from the city side. There’s no one on the city side to do that except the City Council.

Motion by Councilman Nupp to initiate the zoning text amendment process, seconded by Councilman Norvell. After discussion, roll call vote taken with all but Councilman Nupp voting against. Motion failed.

Motion by Councilman Schalock for City Council to initiate zoning text amendment process to redefine R-B zoning to allow conditional use for mini-storage purposes, seconded by Councilwoman Wuesthoff. Discussion followed. Motion by Councilman Norvell to table motion to the next meeting, seconded by Councilwoman Grubb. Roll call vote taken with all in favor. Motion carried.

Consent Agenda:
Motion by Councilman Norvell approving Consent Agenda consisting of:  
>December 4th Regular Minutes  
>December Payroll and Claim Vouchers  
Seconded by Councilman Schalock. Roll call vote taken with all in favor. Motion carried.

Committee/Commission Reports:
Airport, Councilman Norvell: Looking at drafting an ordinance to address the feeding of deer. Should it be for Chewelah North or the whole town? The Mayor interjected and stated that the House passed legislation last week that makes it illegal to feed wildlife and if that passes the Senate and becomes law it would affect both sides of the City.

The Mayor stated that the Airport Governing Board needed to meet in order to prioritize the suggestions given by the Department of Fish/Wildlife at the last meeting and then bring those back to Council for discussion – also to discuss uniform hangar standards. She added that Mike Frizzell was spearheading logging on both sides of the runway which was one of the recommendations by Dept of Wildlife.
Mayor's Report (including):
- Received two quotes for website design: Municode, which currently codifies the City code, is $6,400 plus tax and a local designer came in at $16,000. The main reason for the disparity in cost is that Municode is geared toward government and already has template options -- the local designer would have to custom design the site. With Municode, in addition to the template designs, you could add other options for an additional cost. For example, it has the option for any citizen to receive notifications any time a subject is posted to the website. Mayor to forward Municode proposal with links to sample websites to Councilmembers.
- Job descriptions are subject to Council approval, but that duty can be delegated to the Mayor. Consensus of Council to delegate that — resolution to be drafted for next meeting to vote on.

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

Old Business:
- Motion by Councilman Norvell to nominate Councilman Nupp to serve on Local Firefighters Board of Trustees, seconded by Councilwoman Wuesthoff. Roll call vote taken with abstention by Councilman Nupp, remaining votes in favor. Motion carried.

New Business: None

Adjournment:
At 7:45 PM, motion by Councilman Norvell to adjourn, seconded by Councilman Schalock. Roll call vote taken with all votes in favor. Motion carried.

Mayor Dorothý L. Knauss

Clerk/Treasurer Pamela McCart