

**CITY OF MEDICAL LAKE**  
**City Council Regular Meeting**

6:30 PM  
May 21, 2024

Council Chambers  
124 S. Lefevre Street

**MINUTES**

**NOTE: This is not a verbatim transcript.** Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

**COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT**

**Councilmembers**

Keli Shaffer  
Lance Speirs  
Don Kennedy  
Ted Olson  
Tony Harbolt

**Administration/Staff**

Terri Cooper, Mayor  
Sonny Weathers, City Administrator  
Glen Horton, Parks & Recreation Director  
Koss Ronholt, Finance Director  
Roxanne Wright, Administrative Assistant  
Elisa Rodriguez, City Planner

**REGULAR SESSION – 6:30 PM**

**1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL**

- A. Mayor Cooper called the meeting to order at 6:34 pm, led the Pledge of Allegiance, and conducted roll call.
  - i. Council members Pritchard and Maxwell submitted requests for absence.
    - 1. Motion to approve made by councilmember Kennedy, seconded by councilmember Harbolt, carried 5-0.

**2. AGENDA APPROVAL**

- A. Section 6A, the copy of the records management policy was left out of the agenda packet. Council was provided with a hard copy.
- B. Section 9A Resolution 24-655 Historic Preservation ILA with Spokane County – strike, final language not received from Spokane County.
- C. Section 10A Ordinance 1115 – the wrong version of the ordinance was included in the agenda packet. Council was provided with the correct copy.
  - i. Motion to approve agenda as amended made by councilmember Kennedy, seconded by councilmember Harbolt, carried 5-0.
- D. Additional change noted by Mayor Cooper regarding agenda order. Move the Executive Session after last Citizen Comments.
  - i. Motion to approve additional change made by councilmember Olson, seconded by councilmember Speirs, carried 5-0.

### 3. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. Mayor Cooper acknowledged comments received by citizens via e-mail regarding shipping containers and the topic of the Executive Session. All council members received the e-mails. *The full comments are part of the official record on file at City Hall and can be requested in person or by sending an e-mail to [records@medical-lake.org](mailto:records@medical-lake.org).*
- B. Tammy Roberson, Medical Lake resident – spoke on her submitted comments.
- C. Judy Mayulianos, resident – speaking as a resident and a Planning Commissioner but not on behalf of the Planning Commission. Shared comments about the last council meeting regarding shipping containers decision.
- D. Carl Munson, resident of Medical Lake and Planning Commissioner– Shared about things that impressed him about Medical Lake when he moved here. Encouraged the city council to think long-term for Medical Lake.
- E. Diane Nichols, Medical Lake resident – spoke on shipping containers and referenced her submitted e-mail comments.
- F. Larry Stoker, owner of Monark Storage – spoke on shipping containers and referenced previous speaker’s comments. Addressed the new prefab units on site.

### 4. ANNOUNCEMENTS / PROCLAMATIONS / SPECIAL PRESENTATIONS - None

### 5. REPORTS

- A. Public Safety
  - i. FD3 Deputy Chief Bollar – concerns regarding defensible space around homes. If anybody has questions or needs assistance, FD3 has trained technicians that can come out to homes and focus on developing a one-hundred-foot defensible space perimeter. Call FD3 for information. DSHS debris pile has been filled with high compacting sand. DSHS monitoring hourly. FD3 was rewarded with a Department of Natural Resources grant for \$20,000 to help with chipping and debris clean-up for families that can’t burn or afford clean up. Mayor directed Sgt. Boler to contact the Long-Term Recovery Group to coordinate.
  - ii. SCSO Under-Sheriff Kittilstved – discussed DSHS debris pile, he and some staff went and toured site. Impressed with barricades and efforts to identify it to keep people out. No calls there. Ramping up for summer. Extra duty for city events being coordinated. Crime trends leveled out. Local deputies enjoy their post and will stay. Clarified that Medical Lake does have twenty-four-hour coverage with two dedicated deputies that do alternating shifts.
- B. Council Comments
  - i. Councilmember Shaffer – Finance Committee met and reviewed claims and the Department of Revenue Audit.
  - ii. Councilmember Speirs – no report.
  - iii. Councilmember Kennedy – General Government Committee met and discussed Public Works updates. He attended regional transportation council.
  - iv. Councilmember Olson – Public Safety Committee discussed specialized patrol for certain areas, sheriff’s office is amenable.
  - v. Councilmember Harbolt – no report.
- C. Mayor – Avista will hold a meeting to explain their exercises this summer that will cut power to localized areas based on extreme heat, low humidity, high winds. They will give notice five days before. Sign up with Avista to be alerted.

D. City Administrator & City Staff

- i. Koss Ronholt, Finance Director - Shared Salary Commission's process, decision, and next steps.
- ii. Sonny Weathers, City Administrator – no report

6. WORKSHOPS

A. Records Management Policy Update

- i. Mr. Ronholt – reviewed updated policy with council (see attached). Will bring forward as a Resolution at next meeting.

B. Fireworks

- i. Discussion of risk for the community and the trauma from last summer's fire.
- ii. Mr. Weathers reviewed the existing code that allows fireworks, but the fire chief can say no depending on conditions. Air quality is also a concern. Mayor – we are still under a state of emergency, so there are powers there that could be exercised. Deputy Chief Bollar – tough to predict weather conditions but they do expect to see later summer and early fall, more average, but late spring, early summer could be the biggest risk.
- iii. Sheriff Kittilstved – spoke on enforcement – they will support whatever is decided.
- iv. Mayor asked council if they were favorable to plan a public display if fireworks banned. Yes.

C. Kitchen Design

- i. Glen Horton, Parks and Recreation Director – reviewed new design plan. Council in agreement to move forward with an RFP for the build.

7. ACTION ITEMS

A. Consent Agenda

- i. Approve **May 7, 2024**, minutes.
  1. Correction to Staff present – add Elisa Rodriguez, City Planner.
  2. Motion to approve as amended made by councilmember Kennedy, seconded by councilmember Shaffer, carried 5-0.
- ii. Approve **May 21, 2024**, Payroll Claim Warrants numbered **51250** through **51257** and Payroll Payable Warrants numbered **30111** through **30122** in the amount of **\$170,094.89** and Claim Warrants numbered **51315** through **51361** in the amount of **\$284,065.53**.
  1. Motion to approve made by councilmember Shaffer, seconded by councilmember Speirs, carried 5-0.
- iii. Approve 2023 Annual Report Submission
  1. Koss gave a brief review of the report.
  2. Motion to approve submission made by councilmember Olson, seconded by councilmember Shaffer, carried 5-0.

8. PUBLIC HEARING – none

9. RESOLUTIONS

A. 24-655 Historic Preservation ILA with Spokane County – stricken

B. 24-675 Extra Duty Deputy Contract for 2024

- i. Mr. Weathers reviewed. Councilmember Kennedy questioned contract start term of May 6<sup>th</sup>. Change it to May 21<sup>st</sup>.
  1. Motion to approve correction made by councilmember Kennedy, seconded by councilmember Harbolt, carried 5-0.
- ii. Motion to approve Resolution as amended made by councilmember Olson, seconded by councilmember Speirs, carried 5-0.

C. 24-678 Grant Writer Professional Services Agreement with Positive Impact Grant Writing

- i. Mr. Weathers reviewed and fielded questions.
  - ii. Motion to approve made by councilmember Speirs, seconded by councilmember Olson, carried 5-0.
- D. 24-679 Reimbursement Agreement for I-90 Business Loop Signs
- i. Mr. Weathers reviewed. Councilmember Kennedy pointed out that the sign on page 103 should have the arrow in the other direction. Mr. Weathers will communicate with WSDOT to ensure accuracy.
  - ii. Motion to approve made by councilmember Kennedy, seconded by councilmember Olson, carried 5-0.

## 10. ORDINANCES

- A. First Read 1115 Shipping Containers Text Amendment
- i. Elisa Rodriguez, City Planner provided clarification to comments from resident Diane Nichols regarding definitions. Applicant's new containers (prefabricated), look similar to shipping containers but the current code sees them as a building.
  - ii. Discussed and suggested changes. Remove "similar storage containers". Correct the dates in highlighted text, they don't line up with outline given at previous meeting. Ms. Rodriguez will double-check the dates and update if necessary.
  - iii. Gave a presentation. See attached.
  - iv. The 200 ft requirement for screening needs to be removed. Should reflect that screening is required without condition.
  - v. Motion to continue first read to the June 4<sup>th</sup> meeting made by councilmember Shaffer, seconded by councilmember Kennedy, motion carried 3-2 with councilmembers Speirs and Olson voting nay.
- B. Second Read 1124 Ziplly Franchise Agreement
- i. Legal counsel read onto the record.
  - ii. Motion to approve made by councilmember Olson, seconded by councilmember Speirs, carried 5-0.
- C. Second Read 1125 Comcast Franchise Agreement
- i. Legal counsel read onto the record.
  - ii. Mr. Weathers reviewed amended language in section 10.2. (see attached)
    - 1. Motion to approve as amended made by councilmember Kennedy, seconded by councilmember Shaffer, carried 5-0.
    - 2. Mayor Cooper requested that the format of the ordinance be corrected for consistency.

## 11. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS –

- A. none

## 12. EXECUTIVE SESSION - Complaint or charge against a public official or employee (RCW 42.30.110)

- A. Mayor Cooper explained the process. Purpose found in RCW 42.30.110(f) complaint or charge against a public official and secondly in RCW 42.330.110(i), matters of potential litigation. Session began at 8:37 pm and will end at 8:50 pm. Mayor recused herself from discussion.
- B. Executive session requested seven more minutes; the end time will now be 8:57 pm.
- C. The council returned to chambers at 8:57 pm ending the executive session and regular session continued.

## 13. EMERGENCY ORDINANCES - none

## 14. UPCOMING AGENDA ITEMS - none

**15. CONCLUSION**

- A. Motion to conclude meeting at 9 pm made by councilmember Kennedy, seconded by councilmember Harbolt, carried 5-0.



Terri Cooper, Mayor



Koss Ronholt, Finance Director/City Clerk

6/6/24  
Date

# City of Medical Lake

## POLICY & PROCEDURES

### Records Management

#### Financial Policy 14.105

#### Policy Purpose

*This policy is established to implement guidelines and procedures for the management, retention, and disclosure of public records in compliance with the Revised Code of Washington (RCW), and to ensure transparency, accountability, and accessibility of public records.*

#### Definitions

- **Public Records** - As defined in RCW 42.56.010(3), public records include any written, electronic, or recorded information maintained by the municipality, regardless of physical format or characteristics, that is prepared, owned, used, or retained by the municipality.
- **Public Records Officer** - The designated official(s) responsible for the management, maintenance, and retrieval of public records within the municipality.
- **Identifiable Record** – An identifiable record is one in existence at the time the records request is made and that City staff can reasonably locate.

#### I. Compliance and Oversight

1. The municipality will appoint a designated Public Records Officer responsible for overseeing the implementation and enforcement of this policy. The City Clerk shall be designated as the Public Records Officer. The City Clerk, or designee, shall have the authority to fulfill all responsibilities listed in this policy or otherwise required by state law.
2. The Public Records Officer will periodically review the policy and procedures to ensure compliance with applicable laws, regulations, and best practices.
3. The municipality will maintain documentation of public records management activities, including record requests received, responses provided, and any related correspondence, in accordance with RCW 40.14.070.

#### II. Public Records Requests

1. **Requests** - Any individual may request access to public records of the municipality. Requests are recommended to be made in writing and submitted to the Public Records Officer, but oral requests are accepted as well.
2. **Form** – Any person who wants to inspect or receive a copy of identifiable public records of the City is encouraged to make the request using the City’s Public Records Request Form (Attachment A) or in writing in one of the following ways:
  - a. By using the City’s request form, available for pickup at City Hall or, by downloading it from the City’s website.
  - b. By letter, fax or e-mail addressed to the City’s public records email: records@medical-lake.org
3. **Included Information** – The following information should be included in the request:
  - a. Name and address of requestor;
  - b. Other contact information, including telephone number and email address;
  - c. Identification of the requested records adequate for the Public Records Officer to locate the records; and
  - d. The date and time of the request
4. **Prioritization of Requests** – The Public Records Officer may ask a requestor to prioritize the records described within a request that are requested, so that the most important records may be provided first.

Otherwise, requests shall be completed based on the assigned complexity tier and order received within such tier (See Section IV)

5. **Request Confirmation** - The municipality will respond to public records requests promptly, as required by RCW 42.56.520. If additional time is needed to gather and review the requested records, the requester will be notified within five (5) business days of the receipt of the request, as per RCW 42.56.520.
6. **Fees** - Fees for public records will be assessed in accordance with RCW 42.56.120 and Section 8 of the City's Administrative Fee Schedule. The municipality will provide an estimate of the applicable fees, if any, to the requester before proceeding with the record production. Such fees shall be assessed for installments and must be collected before the installment is furnished to the requestor.
7. **Exemption** - In the event that a requested record is exempt from disclosure under RCW 42.56, the municipality will provide a written explanation of the exemption(s) cited as the basis for denying access. The Washington State Legislature has enacted numerous laws which prohibit or exempt the disclosure of other classes of information. MRSC maintains and publishes a list of these exemptions in Appendix C of the Public Records Act guide, as seen in Attachment B.
8. **Providing "fullest assistance"** – These rules and any related policies or procedures identify how the City will provide fullest assistance to requestors and provide timely as possible action on public records requests, while preventing excessive interference with other essential functions of the agency. All assistance necessary to help requestors locate particular responsive records shall be provided by the Public Records Officer, provided that the giving of such assistance does not unreasonably disrupt the daily operations of City Hall or other duties of any assisting employee(s) in other City departments. Due to staffing capabilities and the other essential duties of administrative staff, the time allocated by City Staff for the fulfillment of public records requests shall be a maximum of sixteen (16) hours per month or four (4) hours per week. The City Clerk will keep an accurate and current monthly log of such hours.
9. **Good Faith Compliance** – The City, and its officials or employees are not liable for loss or damage based on release of public records if the City, official or employee acted in good faith in attempting to comply with the Public Records Act.
10. **Installments** – When the request is for a large number or scope of records, the Public Records Officer may provide access for inspection and copying in installments if he or she reasonably determines that it would be practical to provide the records in that manner. If the requestor fails to pay the fees for or inspect the entire set of records of one of the installments within thirty (30) days, the Public Records Officer may stop searching for the remaining records and close the request. The Public Records Officer will provide the requestor with a description of what documents are included in each installment and notice when each installment is available.
11. **Overbroad Requests** – The City may not deny a request for identifiable public records solely because the request is overbroad. However, the City may seek clarification, ask the requestor to prioritize the request so that the most important records are provided first, and/or communicate with the requestor to limit the size and complexity of the request. When a request uses an inexact phrase such as "all records related to", the Public Records Officer may interpret the request to be for records which directly and fairly address the topic. When the requestor has found the records he or she is seeking, the requestor should advise the Public Records Officer that the requested records have been provided and the remainder of the request may be cancelled.
12. **Withdrawn or Abandoned Requests** – If the requestor withdraws the request, fails to fulfill the requestor's obligations to inspect records, fails to respond to a request for clarification from the Public Records Officer within thirty (30) days, or fails to pay the fee or final payment for the requested copies, the Public Records Officer will document closure of the request and the conditions that led to closure.

### III. Public Record Request Procedures

1. **Receive** request for public records. If request is oral, provide written confirmation to requestor.
2. **Date Stamp** the request, then log it in the Public Records Request Log. Information shall include the request number, date of receipt, records requested/request description, date of initial response, date the request is due, date completed, assigned Complexity Tier (See Section IV), and notes about communication with the requestor and details regarding the completion of the request.

3. **Estimate** cost of providing the records request, based on the City's fee schedule and/or RCW 42.56.120, as applicable.
4. **Within five (5) business days** of receipt of the request, do one or more of the following:
  - a. Make the records available for inspection or copying;
  - b. Acknowledge the request and provide the requestor with a reasonable estimate of when the City will respond to the request. For requests that estimate longer than thirty (30) days, the City will provide a breakdown of records requested along with estimates for each record;
  - c. Acknowledge the request and ask for clarification of a request that is unclear or overbroad, and provide, to the greatest extent possible, a reasonable estimate of the time needed to respond to the request if it is not clarified; or
  - d. Deny the request, notify the requestor of the denial, and provide a written statement of the specific reasons for the denial, with reference to the policy or law on which the denial was based.
5. **If applicable**, provide notice to third parties whose rights may be affected by the disclosure.
6. **Identify and collect** responsive records, and document steps taken.
7. **If applicable**, identify any requests related to email or other correspondence from or to City officials, staff, or officers, perform the following applicable procedure:
  - a. If the requested correspondence is from or to a City email or device, request that the City's IT perform an email search for the key words or phrases included in the request. The Public Records Officer may then prepare the records produced from the email search for review, using his or her best judgment to consolidate records that truly pertain to the request; or
  - b. If the requested correspondence is from or to a personal email or device, notify the official, staff, or officer of the request and request that they complete and sign an Affidavit of Search and Response to Public Records Request (Attachment B).
8. **Identify exemptions**, if any, and redact or withhold exempt documents. Consult the City's legal team, if necessary.

#### IV. Request Complexity Tiers and Treatment

The City recognizes that each public records request has varying degrees of complexity and requirements of staff time for fulfillment. As noted in Section III.2, public records requests shall be assigned a complexity tier based on the contents of the request. Public records requests shall be fulfilled in the order that they are received, prioritizing lower tier requests first and higher tier requests last.

1. **Tier 1 - Simple Requests**
  - a. Description: Requests that are straightforward and require minimal time to fulfill.
  - b. Examples: Meeting minutes, agendas, basic financial reports.
  - c. Estimated Fulfillment Time: Less than 1 week.
2. **Tier 2 - Moderate Complexity Requests**
  - a. Description: Requests that involve more detailed records or information but can still be fulfilled within a reasonable timeframe.
  - b. Examples: Contracts, budgets, correspondence between officials.
  - c. Estimated Fulfillment Time: 2-4 weeks.
3. **Tier 3 - Complex Requests**
  - a. Description: Requests that involve extensive research, compilation, or redaction of records.
  - b. Examples: Comprehensive financial audits, large-scale data sets, legal documents.
  - c. Estimated Fulfillment Time: 4-8 weeks or more, depending on the complexity.
4. **Tier 4 - Specialized Requests**
  - a. Description: Requests that require specialized expertise or resources to fulfill.
  - b. Examples: Requests for specialized data analysis, historical records preservation, extensive environmental impact reports.
  - c. Estimated Fulfillment Time: Varies greatly depending on the nature of the request, with timelines agreed upon on a case-by-case basis.



5. **Tier 5 - Litigation or Legal Requests**

- a. Description: Requests related to ongoing or potential litigation, or requests requiring legal review.
- b. Examples: Requests for privileged documents, records subject to attorney-client privilege.
- c. Estimated Fulfillment Time: Varies significantly based on legal proceedings, with timelines determined by legal counsel.

V. **Retention and Destruction of Public Records**

1. **Retention** - The municipality will adhere to the retention schedules established by the Washington State Archives and the Local Government Common Records Retention Schedule (CORE). Records will be retained for the required periods as specified in the applicable schedules.
2. **Destruction** - The destruction of records will be conducted in accordance with RCW 40.14, including any specific procedures or requirements outlined in the retention schedules.
3. **Destruction Logs** - The municipality will maintain an up-to-date inventory of records destroyed, including the dates of destruction, authorized individuals, and the disposal method employed.

VI. **Training and Education**

1. The municipality will provide regular training and education programs to employees involved in the creation, maintenance, and disclosure of public records. The training will cover the requirements of RCW 42.56 and any updates or changes to the law.
2. Employees will be educated on the proper classification, retention, and disposition of public records, as well as the importance of maintaining the integrity and accessibility of these records.

# Ordinance 1115 Shipping Containers

1

## Amended Language

17.42.030(D)(4)

All containers shall be screened from all neighboring properties and rights-of-way by a fence or hedge. Fences shall be solid or chain link with slats of no less than six (6) feet in height. Hedges shall be evergreen with a mature height of no less than six (6) feet. No screening is required when the shipping container is placed greater than 200 feet from a property line. If a site is composed of multiple properties, the screening applies only to the outermost property line.

2



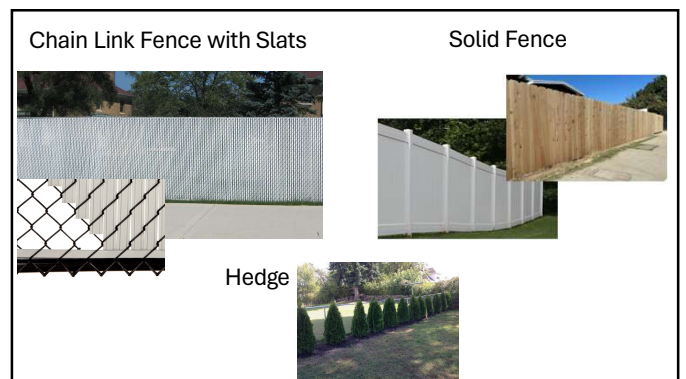
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4



5



6

**10.2 Cable System Specifications**

Grantee will undertake a voluntary construction of its Cable System with an all fiber system architecture, with Fiber Optic cable deployed from its Headend to our system serving Subscribers. The Cable System will be capable of delivering high quality signals that meet or exceed FCC technical quality standards regardless of any particular manner in which the signal is transmitted. Grantee agrees to maintain the Cable System in a manner consistent with, or in excess of these specifications throughout the term of the Franchise.

**10.3 Closed Captioning**

Equipment must be installed so that all closed captioned programming received by the Cable System shall include the closed caption signal so long as the closed caption signal is provided consistent with FCC standards.

**10.4 No Income Discrimination**

Grantee's construction decisions shall be based solely upon legitimate engineering decisions and shall be consistent with applicable law.

**10.5 Enforceability of Design and Performance Requirements**

Grantee acknowledges that the minimum Cable System design and performance requirements set forth in this Franchise are enforceable, to the extent allowed by law.

**10.6 System Review**

The City may hold a hearing to review whether or not the Cable System and the Cable Services offered by Grantee are meeting demonstrated community needs and interests, taking into account the cost of meeting those needs and interests. The parties recognize that, as of the effective date, the City is not permitted to require the provision of specific Video Programming pursuant to this subsection.

**SECTION 11. TECHNICAL STANDARDS****11.1 Technical Performance**

The technical performance of the Cable System shall meet or exceed all applicable technical standards authorized or required by law, including, FCC technical standards, as they may be amended from time to time, regardless of the transmission technology utilized. The City shall have the full authority permitted by applicable law to enforce compliance with these technical standards. Grantee shall promptly take such measures as are necessary in order to correct any performance deficiencies fully and to prevent their recurrence.

**SECTION 12. STANDBY POWER AND EAS****12.1 Standby Power**

Grantee shall provide standby power generating capacity at the Cable System Headend capable of providing at least twenty-four (24) hours of emergency operation. Grantee shall maintain standby power supplies that will supply back-up power of at least four (4) hours duration throughout the distribution networks, and four (4) hours duration at all nodes and hubs. In addition, throughout the term of this Franchise, Grantee shall have a plan in place, along with all resources necessary for implementing such plan, for dealing with outages of more than two (2) hours. This outage plan and evidence of requisite