

**CLARKSTON CITY COUNCIL MINUTES**  
**September 22, 2014**

COUNCIL:

<input checked="" type="checkbox"/> Beadles	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input checked="" type="checkbox"/> Baumberger
<input checked="" type="checkbox"/> Kolstad	<input checked="" type="checkbox"/> Blackmon
<input checked="" type="checkbox"/> Manchester	

STAFF:

Chief Hastings    Chief Cooper    Clerk Storey    City Attorney Grow    PWD Martin

**AGENDA CHANGES:** An executive session was added for a personnel matter.

**APPROVAL OF MINUTES:** MOTION BY BEADLES/BLACKMON to approve the minutes of the September 8, 2014, Regular Meeting.

**COMMUNICATIONS:**

**A. From the Public:**

Kristi Sharpe, Clarkston EPIC, said she would continue to be a resource to the City for substance abuse prevention especially as it relates to the youth. She said there are 18 risk factors for substance use. Five of the 18 are related to community. The access, or perceived access, to drugs and alcohol is a big risk factor. Economic factors, feeling they are not valued are some other risk factors. The more risk factors that are out there, the higher the risk factor for substance abuse. Favorable attitudes at home and negative peer influences at school impact kids. She brought a letter from an MRSC attorney regarding the court decision on the City of Fife ban of marijuana businesses.

Councilmember Provost asked if she has copies of the risk factors and the letter from the MRSC attorney. She provided those.

Brian Stevens, 1466 16<sup>th</sup> Ave., said he represents Clarkston Teen Center. He said he has been working with the youth of Clarkston for six years. He said that often we don't think of the youth when making some of these decisions. The percentage of young people using drugs is rising. He does not feel the youth is invited to be heard when these decisions are made. But they are heard when they are in trouble and enter the system. He said marijuana is linked to school failure and can affect attention span for days in those with chronic use. The city needs to seriously consider where the marijuana shops are located. The message is that since it is legal now, it is okay to use.

Mary Hasselstrom, 909 Walk Lane, said she is opposed to any marijuana store and is opposed to the use. She said she was once married to a marijuana user who became addicted and it was a gateway to other drugs. There are many risks, including birth defects and other impacts such as learning disabilities when used by pregnant women. Teenagers will think if it is legal, it must be okay. Addiction leads to crime, increased need for social services and other problems.

Nick Hasselstrom, 909 Walk Lane, said he has no personal agenda against anyone. He said he lived in a house with an alcoholic father and used alcohol himself to escape. He said children in that environment don't have a choice about living with drugs or alcohol. He asked council to name one positive thing that the legalization of marijuana will bring to the city.

Kelly Jackson, 1045 Liberty Drive, said the positives that can come from legal marijuana are to help those with arthritis, asthma, bone cancer, Parkinson's, and other diseases.

Jose Romero, 1114 University, said that pot will hurt this community. He said the police department is already loaded with problems and this will just create more for them.

Vaughn Wasem, 1035 Liberty, said he looks at this as a business that will bring foot traffic to downtown. Having business of any kind will help Clarkston economically. It is already here and available, illegally. So, why not control it and get some tax revenue.

Patty Costello, 2617 3<sup>rd</sup> Ave, said she has five boys, three of whom have been marijuana users. One of them is clean now; the other two have had their lives ruined by marijuana. She asked council not to

allow it in Clarkston.

Dick Sherwin, 3905 Barr Road, Lewiston, said he has three grandchildren growing up in Clarkston. He has worked with homeless children and runaways. He said there are 200 children in Clarkston, many of whom have homes they cannot live in because of drugs. He does not see one positive thing that will come of legal marijuana. He commented that people who come to purchase marijuana are not likely to shop in other stores in Clarkston.

Ray Stevak, 1609 Richardson, Lewiston, said he is opposed to marijuana in Clarkston. He said there are doctors to treat illnesses that are supposedly helped by marijuana. He has seen it ruin lives and is opposed.

Melissa Welter, a Clarkston firefighter, thanked the council for allowing the fire department to apply for the grant two years ago and it has really helped with staffing at the department.

**B. From the Mayor:**

**C. From Staff:**

Dan Sokoloski, Clarkston firefighter, said the department was very happy when the city was awarded the staffing grant. He said part of his job is staffing for his shift. He said the second run ambulance is in service more often. It is on track to go on a call about 180 times this year. Reduced staffing will make it a lot more difficult to staff that second ambulance. Fire calls are also a concern with reduced staffing. Having the fourth person on staff makes it possible to enter a building during a fire without having to wait for additional firefighters to arrive. He said he understands the budget constraints, but for the department it is a question of safety.

**COMMITTEE REPORTS:**

**Finance:** Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for September 22, 2014 of \$455,704.08. MOTION BY PROVOST/BEADLES to approve the bills. Motion carried.

Provost stated that several months ago the city decided to move to an automated system for garbage service. We have discovered during this process that many people have not been paying for the level of service they are receiving. He asked PWD Martin to explain the current issue. Martin said that we have discovered that we did not order enough containers to cover the city. The cost of the additional containers needed is about \$28,000. He suggested that the cost be covered by the ending balance and not transferring funds to equipment reserve. MOTION BY PROVOST/NASH to authorize the purchase of the additional containers. Motion carried.

**Public Safety:** Councilmember Beadles said committee met on September 16. Chief Hastings presented the final version of an ordinance allowing Wheeled All-Terrain vehicles on city streets. Chief Cooper said there are no updates on the dispatch contract. The fire engine is due to leave the factory in the next few days. Cooper presented material about the budget and the retention of two firefighters hired under a grant.

**Public Works:** No meeting.

**Admin Committee:** Councilmember Manchester said committee met earlier today. Chief Hastings talked about Asotin County's proposal to increase jail costs. The County is asking for an increase of about \$5.00 per jail day. The proposed increase for court costs was also discussed. Mayor Warren said she spoke with Commissioner Fuller today and he will be providing more information regarding the proposals. Manchester also said the jail contract needs to be updated to reflect current services.

**Community Development:** Councilmember Beadles said committee met on September 16. They heard a presentation by Vern Owens about the Lewis Clark Bicycling Alliance. They discussed the benefits of bicycling as opposed to motor vehicles.

## UNFINISHED BUSINESS:

### NEW BUSINESS:

**A. Ordinance No. 1529, Amend Zoning re: Recreational Marijuana Businesses – 1<sup>st</sup> Reading**  
Ordinance no. 1529 was read by title.

**B. Ordinance No. 1531, Wheeled All-Terrain Vehicles – 1<sup>st</sup> Reading**

Ordinance No. 1531 was read by title. Councilmember Blackmon asked how this ordinance aligns with the county's regulations. Chief Hastings said both follow state requirements. Councilmember Beadles said it is expensive to convert an ATV to be street legal so he doesn't think that we will see much use. Councilmember Kolstad asked why to even allow it. Chief Hastings said Public Safety Committee was contacted by a citizen asking that it be allowed. He said he contacted several other cities that have allowed them for a while and they have not seen any real problems or safety concerns.

**C. Chief Cooper – Fire/Ambulance Staffing**

Chief Cooper explained that the FEMA SAFER grant allowed the city to increase staffing at the fire department by two career positions and a shared position filled by reserves for a period of two years. He said the increased staffing level has allowed the department to better serve the community, both in medical response and in fire calls. He said in fire response, requirements are for four responders to be on the scene before two can enter a building to rescue someone, unless it is a known rescue. He said that it is becoming harder to retain active volunteers.

Cooper said that today we received two calls at the same time and with a staff of four, we were able to respond quickly. He said in a critical medical call it is important to respond within four minutes.

Cooper explained that the bargaining agreement calls for 90 days' notice of a layoff. If a decision not to maintain the positions is made in December, there will be a 90 day delay in the effective date of any layoff. He said reducing staffing will result in additional call-backs when staff goes out on calls. The financial impact of those call-backs could be as much as \$48,000.

Cooper said he had hoped to have a resolution on the cost of dispatch going forward. That is not available yet, although we anticipate that our share may be reduced to about \$50,000. That could result in savings of up to \$150,000 in dispatch costs. But, the city is facing other increased costs. The county has proposed cost increases in jail costs, court filing fees and there are other unknowns such as the pending lawsuit on the public safety building.

Cooper said he has received a resignation from the junior member of the department. That might not have happened if his position had been more secure.

Councilmember Beadles said he appreciates the fire department and the services they provide. But in 2013 we overspent our income and 2014 appears to be on track to overspend revenues again. He urged caution. Councilmember Nash asked what would happen if we split the difference and maintained one position. Cooper said that would give the department two 4-man shifts and one 3-man shift. It would not be the ideal, but he would not turn it down. Councilmember Provost said he believes we have an excellent fire department. He said we have a budget problem and he feels our fund balances are lower than they should be. The beginning fund balance for 2013 was \$884,000 and 2014 dropped to \$714,178 in the General Fund. At this rate, in twelve years the city could be broke. He said that even though the current staffing allows the city to provide excellent service with 4-man staffing, he said he doesn't see how we can afford to maintain this staffing level without losing staff in other areas. Other departments have had level staffing for many years. He said the issue is the 90 day notice letter. If the letter is issued now and funding is available when the budget is completed, the layoff notice can be rescinded. He said he believes the 90 day notice should be issued by the end of this month. Provost said he is sure those new positions were hired knowing that the positions were funded by a grant for two years. **MOTION BY PROVOST/BEADLES** to issue the 90-day letters. Councilmember Baumberger said he can see why we are having this discussion because of the 90-day letter, but without a budget or even a preliminary available he doesn't see how a decision can be made on this issue. He said we have no idea what the 2015 budget is going to be. He will be abstaining which is essentially a no vote and wait until we have all the

facts and figures. Beadles explained to the audience that the carryover at year end is necessary to be able to pay bills at the beginning of the year.

Mayor Warren asked for a roll call vote. Vote was 3-1-3; Beadles, Manchester, Provost in favor; Blackmon opposed; Baumberger, Kolstad, Nash abstaining. Provost said he isn't sure about the abstentions, why not just vote no. Baumberger said it is not an issue to be voting on right now.

Mayor Warren said she is unsure of the result with so many abstentions. City Attorney Grow did not know either. Clerk Storey said she believes that there has to a majority of the members present to pass the motion. Since there was uncertainty about the result, the city attorney and mayor will research on Tuesday.

The council has adopted Robert's Rules of Order and after reviewing those rules and calling MRSC for an opinion, it was determined that the motion carried. Robert's Rules says that a vote requiring a majority means more than half of the votes cast by persons legally entitled to vote, excluding blanks or abstentions.

**COUNCIL COMMENTS:**

Councilmember Beadles said he appreciates the participation of the audience on the issue of marijuana. He said he doesn't like that the city may have to approve the sale of marijuana, but legally we don't seem to have much choice. He said he feels the only way to eliminate the sale of marijuana is for citizens to petition to overturn it.

**MEDIA QUESTIONS:**

**EXECUTIVE SESSION:** Council went into executive session at 8:17 p.m. for a personnel matter. Anticipated length of session is 10 minutes with no decision to be made as a result. Council returned to opens session at 8:26 p.m.

City Attorney Grow said he researched Roberts Rules on the vote. It says that if there is a quorum present it takes a majority of those casting a vote, with blanks not counted as a vote. He said that abstentions are a blank. Mayor Warren still wants to check the law.

**ADJOURNMENT:**

Meeting adjourned at 8:30 p.m.

\_\_\_\_\_  
Vickie Storey, City Clerk

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Total Fund Expenditures, 9/22/14	Ck #57420-82, Aug Excise	\$312,159.59
Payroll, 9/15/14	Ck #57397-57419	\$133,544.49