

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, JULY 22, 2013**

1. **CALL TO ORDER: 7:00 P.M.**
2. **PLEDGE OF ALLEGIANCE:**
3. **AGENDA CHANGES:**
4. **APPROVAL OF MINUTES:
July 8, 2013 Regular Meeting**

5. **COMMUNICATIONS:**
 - A. **From the Public (Please limit comments to 3 minutes)**
 - B. **From the Mayor**
 - C. **From Staff or Employees**

6. **COMMITTEE REPORTS:**
 - A. **Finance – Audit Report on Current Bills**
 - B. **Public Safety – July 16**
 - C. **Public Works – July 17**
 - D. **Administrative/Intergovernmental – July 22**
 - E. **Community Development – July 16**

7. **UNFINISHED BUSINESS:**

8. **NEW BUSINESS:**
 - A. **Final Acceptance of Public Safety Building Remodel Project (PW)**
 - B. **Contract Approval for 12th Street Project (PW)**
 - C. **Resolution No. 2013-05, 2014 EMS Levy (PS)**
 - D. **Final Decision on Zone Change Application No. 2013-01, 13th & Poplar (CD)**

9. **COUNCIL COMMENTS**
10. **MEDIA QUESTIONS**
11. **ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

CLARKSTON CITY COUNCIL MINUTES
July 8, 2013

CALL TO ORDER: Mayor Warren, 7:00 P.M.

COUNCIL:

<input checked="" type="checkbox"/> Beadles	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input type="checkbox"/> Baumberger, absent
<input checked="" type="checkbox"/> Smith	<input checked="" type="checkbox"/> Blackmon
<input checked="" type="checkbox"/> Manchester	

STAFF:

<input checked="" type="checkbox"/> Chief Hastings	<input checked="" type="checkbox"/> Chief Cooper	<input checked="" type="checkbox"/> PWD Martin
<input checked="" type="checkbox"/> Clerk Storey	<input checked="" type="checkbox"/> City Attorney Grow	

AGENDA CHANGES: Councilmember Manchester added to New Business consideration of an employee position reclassification.

APPROVAL OF MINUTES: MOTION BY BEADLES/NASH to approve the minutes of the June 24, 2013, Regular Meeting. Motion carried.

COMMUNICATIONS:

A. From the Public

David Domolecny, 1430 Chestnut, said he has called the police department the past two nights regarding aerial fireworks in his neighborhood. He is opposed to the litter left behind and feels the noise is very annoying. He said he feels fireworks are dangerous to humans and to property and should be banned, not only in Clarkston but the entire country, except for professional displays, with a requirement that they clean up all debris after the display is finished.

Chief Hastings said there were fewer complaints this year than in the past. He informed Mr. that his residence is outside the city limits and his complaint would have been handled by the Sheriff's office. Chief Hastings said that Public Safety Committee has been discussing placing some limits on fireworks.

Chief Cooper agreed that fireworks are dangerous and can cause injury and property damage. The fire department responded to eight fires that were started by fireworks. None were serious this year. Cooper suggested the city consider limiting the period that fireworks can be used. He said he doesn't hear much support for a total ban on fireworks. He said he saw a lot of debris left from fireworks in the city.

Councilmember Nash he doesn't support a total ban but would like to see people clean up after themselves.

B. From the Mayor

C. From Staff

Clerk Storey distributed the second quarter financial report.

COMMITTEE REPORTS:

Finance Committee: Councilmember Provost reported all bills have been audited and approved. MOTION BY PROVOST/BEADLES to authorize payment of the bills, total expenditures for July 8, 2013 of \$337,112.82. Motion carried...

Public Safety: Councilmember Beadles reported that committee met on July 2. Chief Hastings shared maps the county has developed that show the restricted areas for growing, processing or selling marijuana based on I-502.

Committee discussed placing some limits on discharge of fireworks in the future. Suggested dates would be July 3 and 4 and December 31. Chief Cooper said the department will set up barricades to eliminate parking on Beachview and Adams to provide better fire access on the 4th.

There was some discussion of the dispatch contract. Committee is waiting for additional information before proposing an amendment.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met on July 8. Manchester said he met with Chief Cooper and the department secretary on June 26 to discuss reclassification of the secretary position. The reclassification request was made by Chief Cooper and Manchester said he gave Cooper permission to move forward.

Community Development: No meeting.

UNFINISHED BUSINESS:

NEW BUSINESS

A. Reclassification Request

MOTION BY MANCHESTER/NASH to approve the reclassification as requested. Councilmember Blackmon asked what justifies the reclassification. Chief Cooper said the addition of ambulance service has increased responsibilities of the position and the confidentiality to comply with HIPPA. Duties have increased in other areas also. Councilmember Provost reminded council that we are discussing a position description as opposed to an individual, so any person in that job would be required to perform the same duties. Councilmember Smith asked if there will be a change to hours. Cooper said it is a ¾ time position and he is not proposing to change that. Motion carried.

COUNCIL COMMENTS:

Councilmember Beadles commented that the bargaining agreement with police and fire will require a 4.5% increase in 2014. He also commented that management has not had an increase in two years and the council should be making plans to address that.

Councilmember Beadles said that Public Safety Committee will continue to work on modifying the fireworks regulations.

Councilmember Blackmon said he would like to remind people that it is Independence Day and the signing of the Declaration of Independence that we celebrate on the 4th and he is grateful that we live in a county where we are fortunate enough to have freedom.

MEDIA QUESTIONS:

ADJOURNMENT:

Meeting adjourned at 7:25 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 7/8/13	CK #54102, 54160-54234	\$85,211.27
Total Payroll, 6/30/13	CK #54103-54159	\$251,901.55

Public Safety Committee

July 16, 2013

Attendance: Chief Hastings, Chief Cooper, Bill Provost, Terry Beadles

Chief Cooper reviewed the proposed 2014 Ambulance Budget. The proposed budget will reflect an increase of \$53,677.00. The notable 2014 budget items are listed on page 1 of the proposed budget. The committee recommends council action for the proposed budget (Agenda Item).

Chief Hastings discussed the dispatch contract. City Attorney Todd Richardson provided the committee with written information that he had been able to obtain. However, additional information is pending from our request. We will request that Todd meet with the committee on August 6th to discuss the additional details.

Public works

PUBLIC WORKS COMMITTEE
7/17/13

1. Zoning change. Public Works agrees with Community Development to accept Planning and Zonings denial of the zoning change requested

2. Public Safety Building. We are asking for a move for final acceptance with conditions.

Agenda Item

3. 12th St. Approval. Make a motion for the Mayor to sign the contract with the winning bidder.

Agenda Item

4. Building Inspector. Feeling out subbing out to county (what we are doing right now)
would like Council's feelings on a secretary/ girl friday for Jim (to deal with everyday
phone calls and minor office visits)
Need ideas for Code Enforcement Officer

Community Development Committee

July 16, 2013

Attendance: PWD Jim Martin, George Nash, John Smith, Michelle Peters, Belinda Campbell, Wanda Keefer, Alesia Ruchert, Terry Beadles

Michelle presented the visionary concept of a Jet Boat museum and visitor center for the Hells Canyon Visitor Bureau. The proposed building will be located at 14th & Bridge Streets. The concept includes purchasing a building lot and construction of the structure. Some of the proposed funding will come from the city fund that includes the sale of the convention center the balance would be funded through grants and other sources.

PWD Martin presented the rezoning request that was reviewed by the Planning and Zoning Committee for Mr. Bill Dietrich. The rezoning request includes property at 13th and Poplar Street. The finding by the committee was a denial of the request. Community Development recommends that the Council concur with Planning and Zoning on the denial (Agenda Item).

Wanda presented the Port Of Clarkston broadband project. The Port is working on the following recommendations:

- #1 Convene regular community stakeholder meetings.
- #2a Create a public education and information campaign.
- #2b Develop a pilot project.
- #3 Encourage greater competition among internet service providers.
- #4 Plan infrastructure build-out.
- #5 Identify infrastructure funding sources.
- #6 Seek ways to leverage existing first response tower sites for greater connectivity.

Additional information is available by contacting the Port.

City of Clarkston
Public Works Director
829 5th St.
(509) 758-1662
(509) 769-6019fax

Memo

To: Council

From: James E. Martin, PWD

CC: Mayor Warren

Date: July 18, 2013

Re: Public Safety Building Final Acceptance

We have been advised by our project Attorney that it would be important to do the official final acceptance of the Public Safety Building project. The project would be considered "final" but with conditions relating to all claims involved.

Public Works Committee discussed the issue on July 17th.



Jim

AGREEMENT

THIS AGREEMENT, made this 15th day of June, 2013, by and between the CITY OF CLARKSTON, STATE OF WASHINGTON, hereinafter called "OWNER", and McCall's Classic Construction, Inc., doing business as a corporation hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the 12th Street, Chestnut St. to Highland Ave Project.

2. The CONTRACTOR will furnish all the material, supplies, tools, equipment, labor and other services necessary for the completion of the PROJECT described herein.

3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS on the NOTICE TO PROCEED date and will complete same within 45 calendar days, unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ 422,465.30, and as shown in the BID schedule.

5. The term "CONTRACT DOCUMENTS" means and includes the following:

- (A) ADVERTISEMENT FOR BIDS
- (B) CONTRACTORS NOTES
- (C) PROPOSAL - BID SCHEDULE
- (D) BID BOND
- (E) NOTICE OF AWARD
- (F) AGREEMENT
- (G) CONTRACT BOND (by a Washington approved bonding company)

- (H) NOTICE TO PROCEED
 - (I) CHANGE ORDER
 - (J) SPECIAL PROVISIONS
 - (K) TECHNICAL SPECIFICATIONS, SPECIAL PROJECT SPECIFICATIONS, SUPPLEMENTAL SPECIFICATIONS, DRAWINGS, MAPS
 - (L) GENERAL CONDITIONS
 - (M) ADDENDA
- No. 1, dated May 8, 2013

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in triplicate each of which shall be deemed an original on the date first above written.

OWNER:

THE CITY OF CLARKSTON

BY: Kathleen A Warren

Name: Kathleen A Warren

Title: Mayor

(SEAL)

ATTEST:

Vickie Storey
Name: Vickie Storey
Title: City Clerk

CONTRACTOR:

McCALL'S CLASSIC CONSTRUCTION

BY: Randy Mialc

Name: RANDY MIALC

Address: 945 BEACHVIEW BLVD.

(SEAL)

ATTEST:

Name: _____

APPROVED AS TO FORM:

Jamie W. Shaw
CITY ATTORNEY

DATED: 7-15-2013

RESOLUTION NO. 2014-05

A RESOLUTION PLACING AN EXCESS PROPERTY TAX LEVY FOR EMERGENCY MEDICAL SERVICES AND RESCUE ONE UNIT, OPERATED BY THE CITY OF CLARKSTON, ON THE BALLOT AT A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2014 IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the City of Clarkston has established and operates a Rescue One Unit providing emergency medical services and ambulance transport to the residents of the City of Clarkston; and

WHEREAS, the City portion of the cost of said Rescue One Unit services for 2014 is anticipated to be \$526,722.00; and

WHEREAS, if the Rescue One Unit is discontinued, the City will be unable to meet its obligations to IAFF #2299, a labor contract; and

WHEREAS, RCW 84.52.052 AUTHORIZES AN EXCESS PROPERTY TAX LEVY TO SUPPORT OBLIGATIONS OF CONTRACT AND FOR OTHER PURPOSES UPON VOTER APPROVAL; and

WHEREAS, the lack of emergency medical services care to the residents of the City of Clarkston constitutes an emergency dealing with health and welfare of the citizens of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSTON IN REGULAR MEETING ASSEMBLED AS FOLLOWS:

SECTION 1.0

That a special election is to be held in the City of Clarkston, State of Washington, on November 5, 2013, in conjunction with the state general election to be held on the same date. This election is for the purpose of submitting an excess levy proposition as authorized by RCW 84.52.052 in the amount of \$526,722.00 to the electors of said City for their approval or rejection, the proceeds thereof be placed in the Ambulance/EMS Fund of the City to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit.

SECTION 2.0

Proposition: Shall the City of Clarkston, Washington, authorize the County Commissioners of Asotin County to levy in the year 2014 as part of the ad valorem real property taxes to be collected for the City in 2014 the sum of \$526,722.00, which will require a rate of approximately \$1.31 per thousand dollars of assessed valuation of the aforesaid City based upon

the assessment ratio of 100 percent of true and fair value. Said tax levy is to be in addition to the maximum levy provided by law for such City. The proceeds thereof are to be placed in the EMS Fund to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit, which shall be submitted to the electors of said City for their approval or rejection in the form of the following ballot title:

**CITY OF CLARKSTON, WASHINGTON
EMERGENCY MEDICAL SERVICES EXCESS
TAX LEVY**

The City Council of the City of Clarkston, Washington, adopted Resolution No. 2013-05 concerning a proposition to finance emergency medical services. This proposition, if approved, would permit maintenance and operation of Rescue One Emergency Medical Services through the levy of a special excess tax for collection in 2014 of \$526,722.00 requiring approximately \$1.31 per thousand dollars of assessed value (based on 100% of true and fair value). Should this proposition be approved?

LEVY YES

LEVY NO

SECTION 3.0

The Clerk of the aforesaid City is hereby directed to immediately transmit to the Asotin County Auditor a copy of this Resolution duly signed and attested and upon receipt of which the Asotin County Auditor is hereby requested to concur in the finding of an emergency and to take all procedural steps necessary and as are required by law to the end that this proposition shall be submitted to the voters of said City.

DATED this 23rd day of July, 2013.

Kathleen A. Warren, Mayor

Authenticated by:

Vickie Storey, City Clerk

City of Clarkston
Public Works Director
829 5th St.
(509) 758-1662
(509) 769-6019fax

Memo

To: Council

From: James E. Martin, PWD

CC: Mayor Warren

Date: July 17, 2013

Re: Planning Commission Finding of Fact

We recently dealt with a zone request of the northwest corner of 13th Street and Poplar. William Dietrich requested a change from R-2 Medium Residential to SC, Service Commercial in order to relocate some storage unit business from his business on Bridge Street to make room for a new endeavor of RV sales.

The Planning Commission conducted a public hearing June 17th and upon review of the situation and taking testimony concerning the change, decided to deny the request. The "Finding of Fact" is attached for your review. I would be looking for Council's adoption of the findings.

Thanks,

Jim



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CLARKSTON**

RE:)	
ZONING MAP CHANGE APPLICATION #2013-01)	
)	FINDINGS OF FACT
Bill Dietrich)	
546 13 th , 1310, 1316 Poplar)	CONCLUSIONS OF LAW
)	AND DECISION
)	

This matter having come before the Planning Commission of the City of Clarkston, Washington on June 17th, 2013 for public hearing pursuant to public notice as required by law, on a request for a Zoning Code map change that would change property at 546 13th St, 1310 and 1316 Poplar. from Medium Density Residential (R-2) to Service Commercial (SC) in order to allow commercial use, and the Commission having heard the staff report and recommendation of other interested parties who appeared and being fully advised in the matter, issues the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Clarkston City Code section 17.09.010 establishes the authorization to initiate amendments to the Zoning Code.
2. All applicants, the titled owners of the subject properties have submitted zoning map change application #2013-01.
3. All applicants filed said application with the City for the map change for the Medium Density Residential zone on March 28, 2013 and paid the applicable fee.
4. The City set a public hearing before the Planning Commission for June 17th, 2013 and provided notice to the public as required by law.
5. The Planning Commission held a public hearing on June 17th, 2013 and took testimony from the applicant, city staff and the public.
6. As a result of the testimony, the Planning Commission has determined that the proposed use is not consistent with the Comprehensive Plan and would be detrimental to the

residential character of the neighborhood. The zoning map change is therefore denied for the following reasons:

- a. The proposed zone change is not consistent with the Comprehensive Plan.
- b. The change would have a negative effect on the residential character of the neighborhood.

CONCLUSIONS OF LAW

1. The proposed zone change does not follow the anticipated evolution of the comprehensive plan and zoning standards.

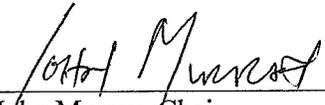
Based on the foregoing Conclusions of Law, the Planning Commission hereby enters the following...

DECISION

1. Application No. 2013-01 for a zoning map change of the Zoning Code is denied and a recommendation will be made to the City Council for final action.

DATED this 24th day of June, 2013.

PLANNING COMMISSION
OF THE CITY OF CLARKSTON

By: 
John Murray, Chair

ATTEST: 
Vickie Storey, City Clerk