

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, April 25, 2016**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
April 11, 2016 Regular Meeting and April 18 Workshop**
- 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 – April 19**
 - C. Public Works – April 19**
 - D. Administrative/Intergovernmental – April 25**
 - E. Community Development – April 19**
 - F. Outside Organizations – Health District, EMS Council, Valley Vision, PTBA, SEWEDA, MPO, Regional Stormwater, Lodging Tax Advisory**
- 7. UNFINISHED BUSINESS:**
- 8. NEW BUSINESS:**
 - A. Ordinance No. 1562, Repeal CM 5.06, Medical Cannabis Operations – 1st Reading**
 - B. Ordinance No. 1563, Beekeeping – 1st Reading**
 - C. Ordinance No. 1564, Amending CMC 10.54 – 1st Reading**
 - D. Ordinance No. 1565, Vacate a Portion of Maple Street – 1st Reading**
- 9. COUNCIL COMMENTS**
- 10. EXECUTIVE SESSION: Negotiations**
- 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.

Individuals with disabilities may request reasonable accommodations by calling (509) 769-0131 at least three days prior to meeting.

CLARKSTON CITY COUNCIL MINUTES
April 11, 2016

ROLL CALL: Terry Beadles, Skate Pierce, Belinda Campbell, Brian Kolstad, Kelly Blackmon, Monika Beauchamp.
Absent/Excused:

STAFF:

Chief Cooper Clerk Storey City Attorney Richardson PWD Martin

AGENDA CHANGES: Committee reports were dispensed with with the exception of Finance for this meeting only. An executive session will be held after interviews to discuss the qualifications of the applicants.

APPROVAL OF: Minutes of the March 28, 2016, Regular Meeting were approved as presented.

PUBLIC HEARING:

Proposed Vacation of Maple Street in Block 27

Mayor Lawrence opened the public hearing at 7:04 p.m. PWD Martin introduced the application. Martin explained that in reviewing an application for an addition to a building at 517 Diagonal, it was discovered that a prior addition encroaches on City right-of-way (Maple Street). Collier Electric, the current property owner, has requested that the City vacate a portion of the north half of Maple Street.

Don Fouste, secretary of the Eagles, spoke regarding the requested vacation. Fouste said that portion of Maple Street is used by the Eagles and Emerald Garden. Fouste suggested only the portion that has already been encroached upon should be vacated.

With no further comment, Mayor Lawrence closed the public hearing at 7:07 p.m.

INTERVIEW AND APPOINT NEW COUNCIL MEMBER:

Mayor Lawrence explained the process for interviewing and appointing a new councilmember to fill the vacancy left by George Nash's resignation. The applicants, in order of interview, are: John Murray, Lee Flerchinger, Melyssa Andrews, Taylor Bond, Sheila McDougall, Pat Holman, Rosemarie Villarreal, Devin Curtis, and Richard Hayward II.

Council adjourned to executive session to discuss qualifications of the candidates at 7:47 p.m. Estimated time of session is 10 minutes. Council returned to open session at 7:58 p.m.

John Murray was nominated by Beadles/Beauchamp. Motion carried 4-2, Blackmon and Campbell opposed. Murray took the oath of office and was seated at the council table.

COMMUNICATIONS:

- A. From the Public:
- B. From Mayor:
- C. From Staff:

COMMITTEE REPORTS

Finance: Councilmember Beadles reported the bills were reviewed and approved for payment. Total expenditures for the March 31, 2016 of \$713.11 and for April 11, 2016 of \$419,990.61. MOTION BY BEADLES/KOLSTAD to approve the bills. Motion carried.

Public Safety:

Public Works:

Admin Committee:

Community Development:

Outside Organizations:

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Discussion and Recommendation on Maple Street Vacation Application

Councilmember Kolstad asked Mr. Foust how the vacation affects the Eagles. He said that delivery trucks use the right-of-way and there may not be enough room. Murray asked what the alternative is. Foust said if trucks have to park at the street and off-load there could be additional charges.

Brian Collier explained to the council where he wants to extend his building. He said patrons of the other businesses often block his doors when they park.

Murray asked how much space is between the adjacent building and the right of way. Collier said the proposed addition is 800 sq feet, 32 x 25 feet. He said he is willing to work with the Eagles for access.

Martin said a street vacation normally goes by property lines. He said if there is an option to vacate a lesser portion of the street, that could be looked at. City Attorney Richardson said an ordinance can be written to do whatever council decides.

MOTION BY KOLSTAD/ directing staff to prepare an ordinance to vacate only the portion of the street that is needed to cure the encroachment. Motion carried.

B. Resolution No. 2016-03, Sole Source Authorization for Vehicle Exhaust System

Resolution No. 2016-03 was read by title. MOTION BY KOLSTAD/BEADLES to approve Resolution No. 2016-03. Motion carried.

C. Interlocal Agreement with Asotin County for Small Works Roster

PWD Martin explained the purpose of a small works roster. This Interlocal agreement will allow the City to work from Asotin County's small works roster. MOTION BY PIERCE/BEAUCHAMP to authorize the mayor to sign the Interlocal agreement. Motion carried.

D. Authorize Street Closure, Cruzin to Clarkston Car Show

MOTION BY BLACKMON/BEAUCHAMP to authorize the street closure as requested. Motion carried.

COUNCIL COMMENTS:

Councilmember Beauchamp said she was excited to see so much interest in the open council position and she hopes they continue to participate.

Councilmember Campbell commented that staff is working on the beekeeping ordinance.

EXECUTIVE SESSION:

Council went into Executive Session at 8:30 p.m. to discuss litigation and union negotiations. Anticipated length of session is 30 minutes and no decisions are anticipated as a result of the session. The session was extended for an additional 10 minutes at 9:00. The session was extended for an additional 10 minutes at 9:10. Session was extended for an additional 10 minutes at 9:20. Session was extended an additional 5 minutes at 9:30.

Council returned to open session at 9:35.

ADJOURNMENT:

Meeting adjourned at 9:35 p.m.

Vickie Storey, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures, 3/31/16	Ck #20160301-06	\$713.11
Total Fund Expenditures, 4/11/16	Ck #61367-61444	\$124,290.74
Payroll, 3/31/16	Ck #61321-66	\$295,699.87

CLARKSTON CITY COUNCIL MINUTES

**Workshop
April 18, 2016**

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Mayor Lawrence.

ROLL CALL: Terry Beadles, Monika Beauchamp, Kelly Blackmon, Belinda Campbell, John Murray,
Skate Pierce

Absent: Brian Kolstad

STAFF: Clerk Storey, City Attorney Richardson

Michael Connelly presented a training session on public officials' duties, responsibilities and liabilities.

ADJOURN:

Meeting adjourned at 7:50 p.m.

Vickie Storey, City Clerk

Monika Lawrence, Mayor

Public Safety Committee

April 19, 2016

Attendance: Chief Hastings, Chief Cooper, Mayor Lawrence, Skate Pierce, Dick Jones, Terry Beadles

Discussion on Bike Racks for the city hall and other areas of the city was presented. Chief Hastings will contact Clarkston High and Lewiston High about building racks for the city. Skate will lead the Community Development Committee for locations that might need bike racks in the city.

The Police Department will provide a medical drop box to allow citizens to dispose of prescription drugs that are no longer needed.

The Chief is pursuing funding for a youth good behavior program this summer.

Chief Hastings discussed the recent high school disturbance.

Thermal imaging cameras purchase was presented by Chief Cooper. Two cameras are needed to provide a camera for each fire engine. Some budget funding allocation transfer will be requested to complete the purchase. Each camera has a purchase price of about \$6000.00.

A draft copy of the fireworks discharge ordinance should be available for committee review at our next meeting.

The Fire Department will complete the bid specifications to purchase an ambulance chassis for mounting our box housing on. The chassis to go out of service has 140,000 miles, it is a 2002 model. The old box will receive new paint to match new chassis cab, new LED lights, new heating and air conditioning.

COMMUNITY DEVELOPMENT MEETING
APRIL 19TH, 2016

Attendance: Monika Beauchamp, Skate Pierce, Tricia York, Marshall Doak, Peggy Shinn, Monika Lawrence, Jim Martin

Jim gave us the final draft of the ordinance 1563 for beekeeping in the City limits. We will put this on the agenda for a first reading at the April 25th meeting. Community Development committee will continue to look at drafting a new, small animal ordinance.

Peggy Shinn addressed the committee concerning litter control. Our current code is very limited and needs to be expanded in regards to flyers, papers, political pamphlets and other such materials that are strewn about driveways, yards, sidewalks, etc. The committee feels that a litter ordinance needs to be addressed.

A draft ordinance, #1562 was presented to repeal ordinance 1505, which established business registration regulations for medical cannabis operations. This will be presented to Council for a first reading on April 25th.

Valley Vision had sent a brochure requesting the City of Clarkston resume funding to support Valley Visions efforts to further economic development in the Valley. This could be open for discussion but our budget has been set for the year. Not sure if there is an opportunity to resume that funding at this time.

Skate Pierce asked the question if the City of Clarkston has a comprehensive master plan. The mayor found an old version of a master plan that we can take a look at, at our next meeting.

ORDINANCE NO. 1562

AN ORDINANCE REPEALING ORDINANCE NO 1505 OF THE CITY OF CLARKSTON AS CODIFIED AT CHAPTER 5.06 OF THE CLARKSTON MUNICIPAL CODE, WHICH ESTABLISHED BUSINESS REGISTRATION REGULATIONS FOR MEDICAL CANNABIS OPERATIONS.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0,

Repealer

The following is hereby repealed:

Ordinance No. 1505, enacted on September 10, 2012 as codified at Chapter 5.06 of the Clarkston Municipal Code, which establishes business registration regulations for medical cannabis operations is hereby repealed.

SECTION 2.0

Savings Clause.

Ordinance No. 1505, which is being repealed by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 3.0

Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION 4.0

Effective Date.

The effective date of this ordinance shall be July 1, 2016.

Passed by the Clarkston City Council at a regular meeting thereof this _____ day of May, 2016.

Approved:

Monika Lawrence, Mayor

Approved as to Form:

Todd Richardson, City Attorney

Attest:

Vickie Storey, City Clerk

Date of Publication: _____

ORDINANCE NO. 1563

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 6.24, WHICH ESTABLISHES REGULATIONS FOR BEEKEEPING WITHIN THE CITY LIMITS AND REPEALING ORDINANCE NO. 409, ENACTED APRIL 28, 1941.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1.0

Repealer. The following is hereby repealed:

Ordinance No. 409, entitled “An Ordinance Prohibiting the Keeping of Bees and Prohibiting the Maintaining of Apiaries within the Corporate Limits of the City of Clarkston, Washington” is hereby repealed.

Section 2.0

Sections:

6.24.010	Purpose
6.24.020	Definitions
6.24.030	Location
6.24.040	General Requirements
6.24.050	Remedies
6.24.060	Violation - Penalty

6.24.010 Purpose:

The intent of this section is to establish standards for beekeeping in a manner which will not endanger the health, peace, and safety of the citizens of the city and which will assure that beehives are appropriately placed, maintained and managed. This section is enacted for the welfare of the public as a whole and not for any specific individual, group or class.

6.24.020: Definitions:

As used in this chapter, the following words and terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning.

“Apiary” means the assembly of one or more colonies of bees at a single location, or a site where hives of bees or hives are kept or found.

“Apiarist” or “beekeeper” means a person who owns or has charge of one or more colonies of bees.

“Bees” or “honeybee” means all life stages of the common domestic honey bee of the species *Apis mellifera*.

“Beekeeping equipment” means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards.

“Colony” means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

“Front Yard” means a yard area between side lot lines, measured perpendicular to and extending a specific distances into the lot from the front lot line. The distance from the front lot line will be determined by the zoning designation of the subject property.

“Hive” means a manufactured receptacle or container prepared for the use of bees.

“Person” means a natural person, individual, firm, partnership, company, society, association, corporation or every officer, agent, or employee of one of these entities.

“Property” means a parcel of land under common ownership.

“Re-queening” means the replacement of an existing queen as a means to alter the behavior of the hive.

6.24.030: Location:

Apiaries are allowed in the following locations within the City:

- (1) Residential zones with single family dwellings only.
- (2) Identified educational facilities in any zone where apiary training occurs.

In addition, the location shall meet the General Requirements (6.24.040) of this Chapter.

6.24.040: General Requirements:

- (1) Hives shall not be located in a front yard.
- (2) Hives shall not be placed closer than 10 ft. from a public alley right of way or 20 ft. from a public roadway right of way or sidewalk, and no closer to a property line than 10 ft. where no public rights of way are involved.
- (3) Fencing / Screening shall be installed 6 ft. in height between hives and property lines when hives are located within 20 feet or less from a property line. The length of the fence shall protrude a minimum of 5 feet on either side of the hive.
- (4) A constant adequate water supply shall be provided on the same property as the hive.
- (5) Up to two hives are allowed on single family dwelling lots.
- (6) When a colony exhibits aggressive behavior, the beekeeper must re-queen the colony.
- (7) Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition with adequate space and managed to prevent overcrowding.
- (8) Beekeepers must register hives with the Department of Agriculture in accordance with the Revised Code of Washington 15.60.021 or as amended.
 - (a) Each person owning one or more hives with bees, brokers renting hives, and apiarists resident in other states who operate hives in Washington shall register with the director by April 1st of each year.
 - (b) The registration application shall include:
 - (i) The name, address, and phone number of the apiarist or broker;
 - (ii) The number of colonies of bees to be owned, brokered, or operated in Washington that year;
 - (iii) A registration fee as prescribed in rule by the director, with the advice of the apiary advisory committee; and
 - (iv) Any other information required by the department by rule.
 - (c) The director shall issue to each apiarist or broker registered with the department an apiarist identification number.

6.24.050 Remedies:

Property used in violation of the provisions in this ordinance shall constitute a nuisance, and the city may, in addition to or as an alternative to other remedies that are legally available for enforcing this title, institute injunction, abatement or other appropriate proceedings to prevent, enjoin temporarily or permanently, abate or remove the unlawful situation.

6.24.060 Penalty:

A violation of this title shall be considered a misdemeanor. Each day that the violation continues, the violation shall be considered a separate offense. Upon conviction of a violation in any provision of this title, the defendant shall be punished by a fine of not to exceed \$1,000.00 or imprisonment not to exceed 90 days, or by both such fine and imprisonment.

Section 3.0

Severability:

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4.0

Corrections by City Clerk or Code Reviser:

Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 5.0

Effective Date:

This ordinance shall take effect thirty days after its passage, approval and publication, as provided by law.

PASSED by the City Council of the City of Clarkston this _____ day of May, 2016.

APPROVED:

Monika Lawrence, Mayor

ATTEST:

Vickie Storey, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

Passed by the City Council:

Published:

Effective Date:

ORDINANCE NO. 1564

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 10.54 OF THE CLARKSTON MUNICIPAL CODE, WHICH ESTABLISHES REGULATIONS FOR KEEPING AND CONTROL OF ANIMALS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 10.54 is hereby amended as follows:

10.54.010 Keeping animals

~~It is unlawful to keep or maintain any livestock, horses, mules, cattle, sheep, goats fowl, rabbits, pigs, chickens, ducks, geese, bees and apiaries within the corporate limits of the city.~~

It is unlawful to keep or maintain any livestock, horses, mules, cattle, sheep, goats, fowl, rabbits, pigs, chickens, ducks or geese within the corporate limits of the city.

10.54.020 Animal enclosures.

~~The erection, construction or maintenance of any barn, building, chicken house, hutch, apiary and/or the erection or construction and maintenance of any enclosure designed or intended for the keep of any animal or fowl prohibited in CMC 10.54.010 is expressly prohibited.~~

The erection, construction or maintenance of any barn, building, chicken house, hutch and/or the erection or construction and maintenance of any enclosure designed or intended for the keeping of any animal or fowl prohibited in CMC 10.54.010

SECTION 2.0

Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 3.0

Severability. If any one or more section, subsection, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is held to be unconstitutional or invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances, and the same shall remain in full force and effect.

SECTION 4.0

Effective Date. This ordinance shall take effect thirty days after its passage, approval and publication.

PASSED by the City Council of the City of Clarkston, Washington this _____ day of May, 2016.

.

Monika Lawrence, Mayor

Authenticated:

Vickie Storey, City Clerk

Approved as to Form:

Todd Richardson, City Attorney

ORDINANCE NO. 1565

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, VACATING A PORTION OF MAPLE STREET RIGHT OF WAY LOCATED ADJACENT TO BLOCK 27

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1.0

SECTION 1: Purpose. The purpose of this Ordinance is to vacate that portion of Maple Street directly south and adjacent to Block 27 of Clarkston as described in Section 2.

SECTION 2: That the owner, Bryan T. Collier, of abutting property has petitioned for the vacation of said right of way and that notice was given as required by law and a public hearing was held on April 11, 2016 to vacate said Maple Street right of way more particularly described as follows:

Commencing at the intersection of the centerlines of 5th Street and Maple Streets; thence west along the centerline of Maple Street a distance of 172.5 feet to a point on the east boundary of a previous vacation as established in City Ordinance #777; thence north along said boundary a distance of 2 feet to the true place of beginning, said point being 28 feet south of the north right of way line of Maple Street; thence east a distance of 28 feet parallel to the centerline of Maple Street to a point; thence north a distance of 17 feet to a point; thence east a distance of 50 feet, parallel to the centerline of Maple Street to a point; thence north to a point on the north right of way line of Maple Street; thence west along said right of way line a distance of 78 feet to a point on the east boundary of a previous vacation as established in City Ordinance #777; thence south 28 feet to the true place of beginning.

SECTION 3: That the Maple Street right of way as described in Section 2 is hereby vacated and the City of Clarkston does hereby and forever relinquish any and all claims of right, title and interest to the same and the whole thereof, saving and reserving to the City of Clarkston an easement thereon said property vacated to build, repair and maintain any public utilities and services thereon, and subject further to any easements, restrictions and rights-of-way for utilities on said property which may now exist thereon.

SECTION 4: Except as otherwise stated herein, this ordinance shall be in full force and effect five (5) days after passage, approval and publication as required by law.

DATED this _____ day of May, 2016.

Approved:

Monika Lawrence, Mayor

Attest:

Vickie Storey, City Clerk

Approved as to form:

Todd Richardson, City Attorney