

CLARKSTON CITY COUNCIL MINUTES

August 10, 2015

COUNCIL:

- | | |
|---|--|
| <input type="checkbox"/> Beadles, excused | <input checked="" type="checkbox"/> Nash |
| <input checked="" type="checkbox"/> Provost | <input checked="" type="checkbox"/> Manchester |
| <input checked="" type="checkbox"/> Kolstad | <input checked="" type="checkbox"/> Blackmon |
| <input checked="" type="checkbox"/> White | |

STAFF:

- Chief Hastings Chief Cooper Clerk Storey City Attorney Grow PWD Martin

AGENDA CHANGES: Councilmember Kolstad asked to add discussion of the hiring of Ken Harper to New Business. Mayor Warren added an executive session for litigation.

MOTION BY BLACKMON/PROVOST to excuse Councilmember Beadles. Motion carried.

APPROVAL OF MINUTES:

MOTION BY NASH/BLACKMON to approve the minutes of the July 27, 2015, Regular Meeting. Motion carried.

COMMUNICATIONS:

A. From the Public:

Mayor Warren asked the council to determine whether they want to extend the 3 minute time limit for all speakers. MOTION BY PROVOST/BLACKMON to limit time to three minutes per person. Nash said there may some instances when people need additional time. Warren said she wants to treat everyone the same. Motion carried, 4-2; Kolstad and Nash opposed.

Tom Martin, addressed the audience. He said he has been threatened several times on the telephone. He thanked Chief Hastings for coming to his home to speak with him. He said he called the phone company and they offered to trace the call. He encouraged people to speak without fear. Councilmember Blackmon commented that while people may have their differences, all should be treated with civility.

Colleen Squires, 1216 20th Ave, said there have been over \$2,400 raised to assist with funeral expenses for Mr. Spear who passed away recently. She said he had no money and no family.

Tom Martin, said that council listened to Sherri Greenup, who is opposed to marijuana and used her words to institute the ban on marijuana. She works for Agency on Long Term Care and he said that her employer told him that, as an employee of the agency, she should not be speaking on the topic. He said he does not think information she shared is accurate. He asked the council to rescind the ban.

Sandy Fromdahl, 1759 6th Ave, asked why the City is continuing with a lawsuit against Canna4Life and Greenfield when new people will be elected in November anyway. She said it is a waste of time and money.

Kevin Nollette, 928 16th Street, pointed out that the state estimated \$1.5 to 2.0 billion in sales in the next five years. He said last year's sales were over \$300 million with \$85 million of that being taxes. Some revenue will go back to the local jurisdictions that allow retail sales. He said 1% of that \$85,000 could hire an employee, go to public education or to repair the track at the high school.

Nathan Betts, 2315 Rolling Hills Court, asked council to reply to some of his comments. He asked why council pays to belong to AWC if they aren't going to listen to them. He asked if Mayor Warren has informed the council that the city would receive a substantial amount of money beginning in 2016. He asked how much money has been spent on attorneys for the Canna4Life and Greenfield cases. He asked who brought in Ken Harper. He suggested council review RCW 2.72.020 and 2.72.730.

Carina Kaman, 411 9th St, said no one has to use marijuana, but the city could use the tax revenue. She said proper parenting is the answer to keeping kids off drugs, not a ban.

Melyssa Andrews, 721 11th, spoke about a child who planned to be at this meeting, but couldn't because he has had five seizures today. She had several children holding signs. She said her daughter, who is 8, is on five medications which has stunted her growth. She spoke of another child who is autistic and mentioned a couple of others. She said the police have been called because of her daughter's behavior

issues because she can't get the medical help she needs. She said the tax revenue could do so much for children. She said she wants to be on the council and work for the kids and the elderly.

Joseph Banks, 1129 13th St., said the last speaker spoke about his stepson who has an incurable disease called FOP. He said the doctors just want to prescribe a lot of medications. It causes his bones and tissue to calcify. He feels the tax revenue from marijuana could help people like him. He said many medications have too many side effects.

Melyssa Andrews asked to be placed on the agenda for the next meeting. Mayor Warren said she will have to meet with one of the committees first. She said her topic is to discuss finances and economics among other things. She was referred to Finance committee.

Kelly Jackson, 1045 Liberty Dr, said there are now three laws on the books regarding marijuana, 1502, 5052 and 2136. He said the comments from council make him think they haven't read the laws. He said medical and recreational marijuana are joined now according to 5052. He said Canna4Life and Greenfield sell medical and recreational marijuana. He said banning both is not right.

B. From Mayor: Mayor Warren announced that Brady Woodbury, director of the Asotin County Health District will be speaking at City Hall at 6:30 on August 19. The event is sponsored by the Asotin County Democrats and Republicans.

Mayor Warren said she attended a session at AWC on marijuana funding and said there was no new information presented that hadn't already been in the newspapers. At the time of the conference the legislature was still in session and decisions had not been made about revenue distribution.

C. From Staff:

COMMITTEE REPORTS:

Finance: Councilmember Provost reported that committee has reviewed the bills. MOTION BY PROVOST/NASH to approve the July 31, 2015 invoices for \$412.79 and the August 10, 2105 invoices for \$409,238.08. Motion carried.

Public Safety: Councilmember Provost reported on the July 28 meeting. He said Asotin City Attorney Richards presented information on Asotin forming a municipal court. Asotin proposes that Clarkston's cost to participate would be \$60,000. He said there will be more discussion.

Chief Cooper addressed the Mutual Aid Agreement with Asotin County Fire District that is on the agenda for consideration. He expects the Fire District to approve it for signature at their meeting on August 11. He said it has been five years since there was a mutual aid agreement with the District. Cooper said the title will be changed to Intergovernmental Cooperation Agreement instead of Mutual Aid Agreement. He urged council to approve the agreement.

Committee discussed the retired fire engine. Cooper explained that the 1992 fire engine has been stored at Clearwater Paper fire department. An agreement is being considered that would allow Clearwater Paper to use the truck in exchange for. Clearwater will maintain and insure the truck. Cooper said the agreement should help us with our fire rating.

Committee discussed giving the fire chief authority to ban fireworks if climate conditions warrant. Committee is still researching options.

Councilmember Kolstad asked Chief Cooper why the language change on the mutual aid agreement. Cooper said it is due to some language on page 4 of the agreement that allows reimbursement of expenses in certain cases.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met August 10. There is nothing to report at this time.

Community Development: No meeting.

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Mutual Aid Agreement with Asotin County Fire District 1

Agreement name has been changed to Intergovernmental Cooperation Agreement. MOTION BY NASH/MANCHESTER to approve the agreement. Nash asked if both departments respond to a fire at the Port of Wilma, how the reimbursement works. Cooper said the City would bill and then reimbursement the Fire District. Motion carried.

B. Hiring of Ken Harper

Councilmember Kolstad commented that the City had authorized the hiring of Ken Harper to defend against Kelly Jackson’s lawsuit against the City. He said Harper appeared last week unexpectedly in the case against Matt Plemmons and Aaron Tatum. Kolstad stated that the council did not authorize any money to hire Harper and asked who authorized him to appear, why he was brought in since Plemmons is not suing the city and whether any money has been paid to him for the Plemmons case.

City Attorney Grow said that because the cases are closely related he spoke with Harper and the City’s insurance carrier (WCIA). WCIA agreed that Harper should be included. Grow said that he received an 80 page brief from Plemmons attorney on the Wednesday prior to the hearing and worked many hours on a response. He said as he worked, he realized that the two cases were inseparably connected so he called Harper and WCIA. Grow said his job is to protect the city. Grow pointed out that his contract authorizes him to associate with other attorneys if needed. He said there was no time to hold a council meeting. He discussed it with the mayor and with WCIA. He believes that WCIA is going to cover the cost for Harper to assist in the hearing. Grow said if WCIA does not cover the cost, the cost should be between \$3,500 and \$4,500.

COUNCILMEMBER COMMENTS:

Councilmember Nash thanked Ms. Squires for raising money to cover funeral expenses for Dale Spear. Councilmember Blackmon said he read that only jurisdictions who allow retail sales of marijuana will receive a share of tax revenue, which is fine with him. He thinks the information indicates that the cities are well within their rights to ban marijuana.

Councilmember Kolstad said he finds it astonishing that Clarkston is apparently the only city in the state that is criminally prosecuting two business owners for violating the business license ordinance. He said it seems that in our zeal to demonize marijuana, we would take two businessmen and try to throw them in jail and fine them. He said he doesn’t think that is what Clarkston is all about. He said it makes him sad because he is a proud citizen of Clarkston and thinks the council has lost sight of what Clarkston is about. He thinks it is reckless of the city to continue to pursue putting Kelly and Matt in jail.

MEDIA QUESTIONS:

EXECUTIVE SESSION: Council went to Executive Session at 8:07 p.m. for litigation. Anticipated length of session is five minutes. No action is anticipated as a result. Council returned to open session at 8:12 p.m.

ADJOURNMENT:

Meeting adjourned at 8:13 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

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| Total Fund Expenditures, 7/30/15 | Ck # 20150701-04, 06, 07, 10 | \$412.79 |
| Total Fund Expenditures, 8/10/15 | Ck # 59708-59785 | \$116,656.04 |
| Payroll, 7/30/15 | Ck # 59660-59707 | \$292,582.04 |