

CLARKSTON CITY COUNCIL MINUTES
October 27, 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 Richardson PWD Martin

AGENDA CHANGES: Add litigation discussion to Executive Session.

APPROVAL OF MINUTES: MOTION BY NASH/BEADLES to approve the minutes of the October 13, 2014, Regular Meeting. Motion carried.

COMMUNICATIONS:

A. From the Public:

David Domolecny, 1340 Chestnut, stated that he voted against I-502. He has spoken several times to council meetings. He said that Asotin County voted against I-502. He said most who spoke in favor were medical marijuana users. He agrees that marijuana retail business would be bad for local business. He encouraged the council to ban marijuana.

Alice White, 742 13th Street, said she and her husband left California to move to Oregon and minister to a hippie culture and she has seen the effects of marijuana use. She has worked with prisoners and seen the effects of alcohol, marijuana and other drugs on people's lives. She is concerned with the impacts on jobs. She commented that there is nothing good that has ever come from marijuana.

Nick Hasselstrom, stated again that he is opposed to recreational marijuana. He is not opposed to medical marijuana for those who need it.

Sherry Greenup, 508 Sycamore, urged council to do the right thing for the community and adopt a ban. She said two judges have now upheld bans in the state. The law does not say that cities have to allow recreational marijuana business. It will not be an easy battle, but it is the right thing to do for the community. She said kids will normalize it if they see it everywhere and it is legal. She said she believes that Councilmember Kolstad does have a conflict in this issue and should refrain from voting.

Kelly Jackson, 1045 Liberty, said he has asked for a longer time slot on the agenda, but was told he would have to go through Public Safety Committee first. He said he called Councilmember Beadles but his call was not returned. He said he believes that Beadles is pushing his own agenda. He said if council wants to ban marijuana in the name of public safety, that they should also ban alcohol. He said the voters passed I-502 because they wanted marijuana to be safer. He said banning marijuana is a violation of the council's oath of office and read that oath out loud. He threatened to start a recall of councilmembers who vote to ban and to sue the city.

David Costello, 2513, said he is a California hippie and lived that lifestyle for many years. He said if council votes tonight to approve this, it is the wrong vote.

Ron Hilty, 1409 Elm, said he has seen what marijuana does and it is not good. He is not in favor of having marijuana sold in Clarkston. He said those who need medical marijuana can obtain it. He is concerned that kids will get it and he is totally opposed to marijuana.

Rick Laws, an attorney at 901 6th Street, said he understands there are a lot of strong opinions on this subject and they are just that. Opinions don't have to be based on facts. He spent all day in court working on the criminal docket. He said the criminal problems are fueled by alcohol and methamphetamine, not marijuana. He asked council to move marijuana out of the shadows and move it into the open and regulate it. He said he doesn't want the council to be misinformed. He guaranteed that the city would be sued if they ban marijuana.

Zach Stevens, 1466 16th Ave, Clarkston, said he works with a number of volunteers at the Clarkston Teen Center. He said he works with several kids who started on marijuana and have moved on to harder drugs. He believes that marijuana should not be a part of this community. He feels it would be easier for kids to get if it is sold in retail stores.

Rose Bunch, 1845 Solar Hills Drive, stated that this is a cash business. How will sales be tracked and how will the police officers determine if someone is driving under the influence. She thinks burglary will be more common.

Brian Stevens, 1466 16th Ave, said he also works at Clarkston Teen Center. He said young people are affected. He said we tried to drive alcohol and tobacco out of the shadows and look at the cost now. He said the young people are affected every day in their lives. Smoking increases apathy, causes a disconnect with relationships, makes them think they are invincible.

Isabel Landkammer, 934 Riverview, said as a mother new to the Clarkston area, said she believes marijuana laws are important. She said with or without laws, the kids will get marijuana if they want it. She said much of the problem is with the parents and education is important.

Marty Lukenbill, 401 4th Ave, Lewiston, said he works on 6th Street in Clarkston. He said he has smoked marijuana many times. He asked if the state passes a law, can the city just change it. He said he wouldn't recommend that kids smoke pot like he has, but he believes that alcohol is much more dangerous. He said he thinks the city has a duty to follow the laws of the state. He said he doesn't think marijuana deserves the amount of money it will take to fight it.

Stephanie Stevens, 1466 16th Ave, said she is against recreational marijuana. She works at the Teen Center and believes it is a gateway to other drugs. She is opposed to kids growing up and seeing marijuana more visible and accessible.

Matt Plemmons, 2049 Jacobs Court, said a lot of these arguments have been heard over the past year. The law has been passed and the voters of Clarkston approved I-502. He said if the majority of city voters approved it, the council has a duty to uphold their wishes.

Dan Lejameyer, 2575 26th St, Clarkston, works at the school district. He said since I-502, marijuana seems to be much more visible among the kids. It worries him that it will be that more available if there is a retail store on Main Street. He asked the council to keep the kids in mind as they make their decision.

Alice White, 742 13th Street, said she read the legal decision in the Fife case and there is nothing in the law that requires cities to allow marijuana businesses and it would not be breaking the law to ban it. Councilmember Baumberger questioned allowing White to speak a second time. Mayor Warren said she did not use her entire three minutes the first time.

Rob Sinner, 1333 Maple, said that his resource said the stores that are open so far have generated over \$6 million for the state. He believes that the City will be sued. He said marijuana will not be affordable for many people to purchase in a retail store. He said marijuana will be tracked from seed to store and there are many security measures in place. He said marijuana is rampant in Clarkston now.

B. From Mayor

C. From Staff:

COMMITTEE REPORTS:

Finance: Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for October 27, 2014 of \$164,630.07. MOTION BY PROVOST/BLACKMON to approve the bills. Motion carried.

Public Safety: Councilmember Beadles reported on the October 21 meeting. He said Sherry Greenup presented an argument for banning marijuana which is on the agenda. He said the evacuation of aging and long term care citizens in case of an emergency will be discussed in the future. Butch Aiken presented a request for funding for emergency management. Committee recommends approval of the Christmas parade. Chief Cooper reported that an agreement with Clearwater Paper is being reviewed. Councilmember Baumberger asked for a clarification. He questioned the marijuana ban as an agenda item and said it was not on his agenda. Mayor Warren said there was a revised agenda sent out that he should

have received. It was emailed out shortly after the original was sent.

Public Works: Met October 15 to discuss stormwater funding and talked about the Transportation benefit District.

Admin Committee: Councilmember Manchester said committee met earlier today. Marshall Doak discussed a proposed grant through CDBG for Walla Walla Community College. Marshall Doak, SEWEDA, said there is a new entrepreneur program at WWCC. There is an opportunity to expand the program with a grant from CDBG. He said the applicant has to be a municipal corporation. He said it is a \$40,000 grant to be paid out over four quarters. The City would be asked to cash flow the grant and then be reimbursed by the grant. SEWEDA would be the grant administrator and do most of the paperwork. The risk would be if SEWEDA did not do the paperwork properly or the college did not use the funds as intended. The workload for the lead agency would be minimal. Councilmember Provost asked if there is a timeline for moving forward. He said if the city is interested, he would work with staff to move the proposal forward. Councilmember Beadles asked what services would be provided with the grant. Doak said it would help with tuition and staffing and marketing the program.

Manchester said PWD Martin discussed a sidewalk situation with Walgreens. Martin said Walgreens is planning sidewalk work on the 4th and 5th Street sides, but did not plan improvements on the Bridge Street side which has several defects. Walgreens has a quote to replace curb, sidewalk and gutter at \$42,000. They have asked if the city would share in the cost at \$10,000. He said the project would include an ADA ramp at 4th and Bridge. There is \$25,000 in the budget for sidewalk work. He asked council authorization to allocate \$10,000 to this project. MOTION BY MANCHESTER/PROVOST to authorize the expenditure. Kolstad asked how it was missed in the project. Martin said it wasn't missed, that if there had been no sidewalk it would have been required. He said most developers would have planned to improve a sidewalk as part of their project.

Clerk Storey presented the Electronic Resource Policy and the 2015 contract with Kevin Wesley which are on the agenda.

Community Development: No meeting.

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Resolution No. 2014-15, Adopting Regional Stormwater Budget

PWD Martin said the stormwater budget for 2015 has been proposed. The capital fund is growing and it appears that there won't be a need for a rate increase for at least a couple of years. MOTION BY NASH/BEADLES to approve Resolution No. 2014-15, the 2015 stormwater budget. Motion carried.

B. Authorization to Apply for DOE Grant for Stormwater Improvements

PWD Martin explained that part of the budget just adopted provides funds to make capital improvements to the stormwater system. There is an opportunity to apply for a grant of approximately \$500,000 with a match of about \$74,000. This would fund projects from the plans recently completed. The match would come from the stormwater capital reserve. MOTION BY NASH/BLACKMON to authorize the grant application. Motion carried.

C. Resolution No. 2014-16, Electronic Resource Use Policy

Resolution No. 2014-16 was read by title. MOTION BY BEADLES/MANCHESTER to adopt Resolution No. 2014-16. Beadles commented that he thinks this policy is necessary and is well written. Motion carried.

D. 2015 Contract for Services, The Wesley Group

MOTION BY MANCHESTER/BEADLES to approve the 2015 contract with the Wesley Group. Motion carried.

E. Proclamation – National American Indian Heritage Month

Clerk Storey read the proclamation. MOTION BY BEADLES/KOLSTAD to authorize the proclamation. Motion carried.

F. Request for Annual Christmas Parade

MOTION BY BEADLES/NASH to authorize the request for the annual Christmas parade. Motion carried.

G. Discussion of Marijuana Ban

Councilmember Beadles said he finds it appalling that Mr. Jackson chose to attack members of the council on the marijuana issue. He said Mr. Jackson has mentioned medical marijuana many times, but I-502 does not address medical marijuana. Beadles said if a retail store is allowed in Clarkston he believes more crime will follow. He said his research shows that marijuana is an addictive drug. Beadles said he received a phone call from a downtown business owner who is opposed to retail marijuana. Beadles said he believes a ban is in the best interest of the community's youth. MOTION BY PROVOST/BLACKMON to ban marijuana. Mayor Warren said the motion should direct that an ordinance be written and presented. Provost amended the motion to include that direction be given to prepare an ordinance to ban marijuana businesses and Blackmon seconded the amendment. Motion carried, 5-2; Provost, Beadles, Manchester, Blackmon and Nash in favor, Baumberger and Kolstad opposed.

COUNCIL COMMENTS:

Councilmember Blackmon said he believes a ban is best for the community. Kids will get marijuana, just like they obtain alcohol now. Someone will purchase it for them. He feels there is nothing beneficial to community.

Councilmember Nash said this law was poorly prepared by the people who wrote the initiative. He is not opposed to medical marijuana.

Councilmember Kolstad said he sees a lack of understanding about where the legalization of marijuana is going in the state. He said that 330 letters were sent to medical dispensaries recently telling them they had to get a license or face enforcement, but medical dispensaries are not legal. He commented that someone with a medical card can possess up to one and half pounds and do whatever they want with it. He believes many sell it and there is no way to track or regulate it. He thinks the choice is whether to have a regulated market or a black market operation.

MEDIA QUESTIONS:

EXECUTIVE SESSION: Council went into executive session at 8:20 to discuss a personnel issue and potential litigation. Expected duration is 20 minutes. No decisions will be made as a result. Council returned to open session at 8:34.

ADJOURNMENT:

Meeting adjourned at 8:35 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 10/27/14	Ck #57639-83, Sept2014excise	\$28,433.57
Payroll, 10/15/14	Ck #57615-38	\$133,253.85