

**CLARKSTON CITY COUNCIL MINUTES**  
**November 24, 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

Chief Cooper explained that the council room is at capacity and where the exits are located.

**AGENDA CHANGES:** MOTION BY BEADLES/BLACKMON to limit public comment to 15 minutes for each side on the marijuana issue. Motion carried; 5-2, Baumberger and Nash opposed. Mayor Warren added an Executive Session for litigation.

**APPROVAL OF:** MOTION BY BEADLES/NASH to approve the minutes of the November 10, 2014, Regular Meeting. Motion carried.

**COMMUNICATIONS:**

**A. From the Public:**

Mayor Warren explained to the audience that council is not required to allow the public to speak except at a public hearing and asked them to be respectful to other speakers. She started the comments with those who are in favor of the marijuana ban.

Colleen Squires, 1216 20<sup>th</sup> Ave, said she is a business owner in Clarkston. She berated the council for not going to the legislature to get a share of the marijuana tax money.

Alice White, 742 13<sup>th</sup> Street, said nothing good comes from recreational marijuana. She encouraged the council to pass the ban and for the mayor not to veto it.

Dick Sherwin, 3095 Barr Rod, Lewiston, commented that there have been lots of comments, but few facts. He told the council that they are not under any mandate to vote the way the popular vote went. It is the council's job to do what is best for the community. There is nowhere in the bill that requires a city to allow production or sales of marijuana. There is nothing in the bill that addresses medical marijuana. He said that Asotin County voted against the initiative.

Zac Stevens, 1466 16<sup>th</sup> Ave, said he works with teens at the Clarkston Teen Center. He believes that with marijuana legal and available kids will use it. It shouldn't be about the tax money. It should be about what is good for the community. He urged the council to vote for the ban.

Melissa Welter, representing EPIC, recapped why the ban is so important to the youth of the area. She referred to a study that shows marijuana use in young people can lower IQ by as much as 8 points. She said marijuana is the most abused substance among the youth. She said legalizing it makes teens believe it is safe. She said this decision is a public safety issue and council has a duty to keep the public and our youth safe.

Robert Rosenberg, 2317 Billy Meadow Lane, said he doesn't care about marijuana, but because the voters approved the initiative, it should be upheld. Mayor Warren said he is speaking on the wrong side of the issue.

Rhonda Granlund, 1213 Chestnut, said she supports the ban. She doesn't think any amount of money is worth the effects it might have on the children and vulnerable of the community.

Louie Jewel, 2240 6<sup>th</sup> Ave, quoted a Bible verse. He supports the ban because he believes it a choice of life and death, a choice between bringing a blessing or a curse into the community. He believes it will be a curse for the City.

Marv Welter, 326 3<sup>rd</sup> Street, Lewiston, said that 35 years ago he read an article that indicated the active ingredient in marijuana stays in the system for 21 days. He said it also said it harms the brain and

lowers IQ. He said recent studies say the same thing.

Sherri Greenup, 508 Sycamore, said this won't be an easy decision. She said she doesn't think the city will lose the lawsuit. She quoted numbers from the poison control center say have been 210 reported marijuana poisoning incidents in the first nine months of this year, more than all of last year. She said marijuana affects the brain, especially those of young people who are still developing. Colorado has shown that fatal accidents have increased with drivers shown to have only marijuana in their system. High doses of marijuana can cause temporary psychotic incidents. She said the estimated cost of social services and medical care resulting from increased use of marijuana is much higher than the tax revenue the city might receive. She stated that she believes that Councilmember Kolstad has a conflict of interest on this subject and should refrain from voting.

Ian Smith, 1412 12<sup>th</sup> St, Asotin, stated that God gave all seed bearing plants and marijuana is one of them. He suggested the city should outlaw candy and forks because they make people fat.

Janet Duman, 928 4<sup>th</sup> St, said marijuana is already here. And alcohol is already here. It isn't going away. She said kids can easily get marijuana now and she doesn't want to see kids smoking marijuana laced with meth. She commented on the stores that sell pipes for smoking meth and other drugs and that is a much bigger problem.

Robert Rosenberg said he doesn't understand how the council can ban something the voters voted in. He reminded council that they were voted in.

Melissa Andrews, 721 11<sup>th</sup> St, said she lobbied for this bill. She believes that the vote should count. She said she worked in a juvenile detention center and was let go for being too nice to the kids.

Karina Kaman, said kids are already getting marijuana and stealing alcohol from Walmart. She said her daughter is in EPIC. But this is what the voters wanted and should be honored.

Tim Black, 208 Roosevelt, said he has read the ordinance that is being considered by the council. He said he doesn't believe a ban is the only effective way to protect this community. He said prohibition does not work, but promotes criminal behavior. He said the ban is a move in the wrong direction and other means need to be considered. He said education and treatment are more effective means of controlling the damage.

Heather McQuary, 1382 Maple, asked if council believes that nature is harmful. She asked council to consider the health benefits of marijuana. She asked council to think of the revenue.

Councilmember Nash asked the council to extend the time for people to speak. Council said an amount of time was allotted and it has been used.

Darris Knapp said he volunteered to work at the waste water treatment plant as an intern for his college studies. He said he holds a medical marijuana card and was fired because of it. He said he needed the credits for his Walla Walla Community College class. City Attorney Richardson said this is a personnel issue and should not be discussed. Mayor Warren asked Mr. Knapp to quit speaking. Warren attempted to recess the meeting, but council did not comply.

**B. From Mayor:**

**C. From Staff:**

### **COMMITTEE REPORTS:**

**Finance:** Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for November 24, 2014 of \$225,234.19. MOTION BY PROVOST/BEADLES to approve the bills. Motion carried.

**Public Safety:** Committee met on November 18. Councilmember Beadles said that Chief Cooper is negotiating a new contract with Port of Whitman for fire service. Discussion is ongoing with Clearwater Paper for a fire agreement. Butch Aiken presented the county budget for emergency services. He is requesting \$9,000 from the City. Committee recommends approving the County's proposal of \$65.56 per prisoner per day, with any increases subject to negotiation. Committee recommends the Mayor respond to the County's letter regarding court filing fees, suggesting a tiered approach.

**Public Works:** Committee met November 19. Councilmember Nash said committee discussed an outdoor dining area for a restaurant on Sycamore that was proposed several years ago. A new owner is interested in moving forward with that plan. If the project moves forward it will be an opportunity to make some stormwater improvements on that block. He said there are stormwater funds available for such a project.

**Admin Committee:** Councilmember Manchester said committee met earlier today. They heard a report from Barb Henderson the feasibility of the City operating its own municipal court. Manchester asked council to review that report for discussion at the next meeting. They also reviewed the proposed contract with the City Attorney.

**Community Development:** No meeting...

### **PUBLIC HEARING:**

#### **Public Hearing on the 2015 Budget**

Mayor opened the public hearing at 7:44 p.m. Clerk Storey presented an overview of the proposed budget by fund. She said she has done some revisions as a result of last week's budget workshop. She said the ending balance is in better shape now due to some updated revenue estimates and the inclusion of some one-time money that was omitted in the first version of the budget.

Sherry Greenup, commented about some potholes in the streets and asked if there is funding to fix them. Martin said the particular potholes she referred are on a state route.

Sandy Fromdahl, 1759 6<sup>th</sup> Ave, said if the council would allow Mr. Jackson to open his marijuana store, it would generate money for the city.

A member of the audience asked if there is any way to provide transportation to the Boys and Girls Club. Councilmember Baumberger said the public transit runs regular routes every half hour and she should check the schedule.

Robert Dunham, 928 9<sup>th</sup> Street, asked if the city has a sales tax on general sales and what the rate is. Storey explained that the total tax rate is 7.7% and how it is distributed. The City receives 8/10 of one percent. He asked if there is a means to levy a specialized sales tax. Mayor Warren said there are some special taxes, but most require approval of the voters. He commented that the marijuana retail store in Pullman is generating about \$120,000 in sales a month and that volume of sales could bring about \$1,000 to Clarkston.

The public hearing was closed at 7:52.

A budget workshop was set for November 25 at 6:00 p.m.

### **UNFINISHED BUSINESS:**

#### **A. Ordinance No. 1532, Prohibiting Recreational Marijuana Businesses – 2<sup>nd</sup> Reading for Action.**

Ordinance No. 1532 was read by title. MOTION BY BEADLES/PROVOST to approve Ordinance no. 1532. Beadles said he has done a lot of research and finds information on both sides. He said the council's decision is whether having a marijuana retail store on Main Street is a good thing for the city. He is concerned about the impacts on our youth. Beadles said he thinks the city should approve the ban and if it turns out to be a wrong decision, it can be changed later. Reports show that the black market has not diminished in Colorado since marijuana was legalized.

Councilmember Nash commented that he believes in the benefits of medical marijuana, but not so much so with recreational marijuana. He said if the ban is approved there is still room for discussion.

Councilmember Kolstad said he thinks there are two main issues. He supports keeping marijuana away from children. He doesn't understand why the Council would cede the marijuana market to the black market instead of selling a tested, regulated product. A retail store cannot sell to an underage person. If council wants to see the black market continue they should vote for the ban. He said education is the key, not prohibition. He said November 2014 statistics indicate that tobacco, marijuana and alcohol

use is down. Kolstad said that isn't because these items are illegal for young people. It is a result of education, partially funded from marijuana taxes.

Councilmember Blackmon, disagreed that the black market will go away if legal marijuana is allowed. He said a report from Colorado indicates that 40% of the users buy it off the street instead of from a legal source.

MOTION BY PROVOST/BEADLES to call for the vote. Motion carried; 6-1, Nash opposed.  
Motion carried; 5-2, Baumberger and Kolstad opposed

**NEW BUSINESS:**

**A. Resolution No. 2014-17, Setting the 2015 Property Tax Levy**

Resolution No. 2014-17 was read by title. MOTION BY BEADLES/PROVOST to approve Resolution No. 2014-17. Motion carried; 6-1, Kolstad opposed.

**B. Ordinance No. 1533, Setting 2015 Sewer Rates, 1<sup>st</sup> Reading**

Ordinance No. 1533 was read by title.

**C. Ordinance No. 1534, Setting 2015 Sanitation Rates– 1<sup>st</sup> Reading**

Ordinance No. 1534 was read by title.

**D. Prisoner Per Day cost for Asotin County Jail**

Councilmember Beadles said Public Safety Committee recommends council approve the proposed \$65.56 per day rate. MOTION BY BEADLES/NASH to approve the rate at \$65.56, with any future increases to be negotiated. Motion carried; 6-1, Kolstad opposed.

**E. District Court Filing Fee Increase Proposal**

MOTION BY BEADLES/PROVOST for the mayor to send a letter requesting more time to prepare a proposal for a tiered rate. Councilmember Provost encouraged the council to look at the report provided regarding a municipal court. Motion carried.

**COUNCIL COMMENTS:**

Councilmember Nash offered congratulations to the Clarkston football team.

Councilmember Beadles commented that smoking, alcohol and other drugs does so much damage to the kids and others in the community. He said parents need to set a good example for their kids. He asked how many toured the high school when a new one was proposed and wondered if people have money for marijuana, why can't they vote for a new school.

**MEDIA QUESTIONS:**

**EXECUTIVE SESSION:** Council went into executive session at 8:19 to discuss litigation. Expected duration is 12 minutes. No decisions will be made as a result. Councilmember Baumberger excused himself from the executive session. Council returned to open session at 8:31.

**ADJOURNMENT:**

Meeting adjourned at 8:31 p.m.

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Vickie Storey, City Clerk

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Kathleen A. Warren, Mayor

Total Fund Expenditures, 11/24/14	Ck #57884, 57906-45, Oct Excise	\$77,089.51
Payroll, 11/15/14	Ck #57885-57905	\$148,144.68