

**CLARKSTON CITY COUNCIL MINUTES**  
**November 25, 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 checked="" type="checkbox"/> Baumberger
<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 potential property acquisition to the Executive Session.

**APPROVAL OF MINUTES:** MOTION BY BEADLES/BLACKMON to approve the minutes of the November 12, 2013, Regular Meeting. Motion carried.

**COMMUNICATIONS:**

A. **From the Public:** Brian Shinn, 945 4<sup>th</sup> Street, said the commissioners are able to meet with the City on Monday, December 2 at 6:00 p.m.

Bill Thomas, 909 6<sup>th</sup> Street, asked the council not to pass a moratorium on recreational marijuana. He feels there has been plenty of time to review the laws and prepare regulations. Thomas said marijuana sales should begin around April of next year and that will bring additional revenue to the city. He said he wants to work with the city to make the new industry safe and keep illegal sales out. He distributed some information he has prepared to the council members.

Kristy Sharp, 2420 Linda Lane, spoke on behalf of Clarkston EPIC. She said EPIC is a coalition whose goal is to reduce underage drinking and substance abuse. She read a letter of support for the City to adopt a moratorium. The letter said the city should wait and watch what happens in other cities before deciding how to adopt regulations. A survey indicates that Clarkston youth already have a high incidence of marijuana use.

Keith Mellinger, 1635 Stafford Court, Clarkston, asked the council not to pass the moratorium. He said it will create tax revenue for the state. He said there is only a 30 day window to apply for a license to have a retail establishment. He commented that the federal government has stated they will not interfere with the state's new laws legalizing marijuana. He said he has applied for a state license, but delaying it in Clarkston will just cost him thousands of dollars.

Councilmember Blackmon asked how legalizing marijuana will reduce use by the youth when alcohol is regulated but there is a serious underage drinking problem. Mellinger said that he thinks a lot of the illegal marijuana comes from people who medical grow permits and this should help eliminate that accessibility.

Bill Thomas said the expansion of liquor sales into supermarkets has made it much more accessible to kids. Thomas said no one under 21 will be allowed in a store that sells marijuana.

William Finch, 2041 Marilyn Way, said he feels this is a fundamental issue of freedom. He said there is a lot of ignorance about marijuana. Finch said hemp is an industrial plant that has been kept out of the market place because of the laws. He said he would like to see cannabis sold here.

Councilmember Baumberger said the moratorium is not a yes or no on marijuana. It gives the City time to be sure that our zoning and business regulations are compatible with state law and also fit with the community needs.

Robert Dunn, 1401 Highland, said the state has set regulations and allows a month to apply for a state license. He said a six-month moratorium will force potential businesses to locate elsewhere

because they can't make a plan. Baumberger said the moratorium may not last six months and interested persons should plan on attending meetings of the Planning Commission.

**B. From the Mayor:**

**C. From Staff:** PWD Martin reported that he received a letter from a member of the public thanking the street and sanitation crew for doing such a good job.

**COMMITTEE REPORTS:**

**Finance:** Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for November 25, 2013, of \$900,936.36. MOTION BY PROVOST/BEADLES to approve the bills. Motion carried.

**Public Safety:** No meeting.

**Public Works:** No meeting.

**Admin Committee:** Councilmember Manchester said committee met on November 25. Chief Cooper discussed Assistance for Firefighter grants. The applications would be due by December 6. They are working on two grant applications. One would purchase a system to remove exhaust fumes from the vehicle bays and purchase thermal imaging cameras and a rotary cutoff saw. It requires a 5% match. The other grant would be to replace the utility truck. It also requires a 5% match. Councilmember Provost asked the cost of the new truck. Cooper said the City's share would be about \$7,500, but it would not be purchased until 2015. MOTION BY PROVOST/BEADLES to authorize the grant applications. Manchester said Clerk Storey discussed potential foreclosures for nonpayment of utility bills. Storey said we have several accounts that have been non-responsive to any collections efforts. Storey said she is looking for some direction from council. City Attorney Grow said there is cost involved, but those costs are added to the amount due and would be collected eventually. Councilmember Beadles said the City needs to back up what they say. Provost said it is a disservice to the majority of residents who do pay their bills. MOTION BY PROVOST/SMITH to move toward with foreclosure on properties as needed. Motion carried.

**Community Development:** No meeting.

**PUBLIC HEARING:**

**2014 Budget**

Mayor Warren opened the hearing at 7:33 p.m. Clerk Storey gave a brief presentation of the status of the budget. She said the Preliminary Budget was made available on the 19<sup>th</sup>. She said while all funds are in the black in this budget, there are some areas of concern. The General Fund ending balance is getting dangerously low, with an anticipated ending balance of just over \$200,000. The Street Fund is also struggling to have enough to do the work needed. This budget will transfer almost all the funds out of the Street Reserve Fund to bring it into balance. The reserve was built to have matching funds for projects or for Southway Bridge repairs that loom on the horizon. The Sanitation Fund is planned to move to an automated system for regular garbage in 2014. The purchase of new totes will come from the Sanitation Reserve and the new truck will be financed. The rate increase for 2014 is planned at 1.5%. If the City moves forward with an automated system the whole residential rate structure will have to be reviewed. Decisions will need to be made as to whether we have two sizes of containers and whether we rent the containers or provide them as part of the base rate.

Storey said council should probably plan dates for workshops.

Beadles said he believes that we may a rate increase of more than the planned 1.5%. He said he believes the City should move forward with the automated system. Mayor Warren commented that council should look at moving forward with the license tab fee of \$20. It would provide a guaranteed flow of funds for

street maintenance and projects. Councilmember Nash said Public Works Committee should take the lead on the license tab fee.

Mayor Warren closed the hearing at 7:39 p.m.

Council set a budget workshop for November 26 at 6:00.

### **UNFINISHED BUSINESS:**

#### **Ordinance No. 1515, Moratorium on Recreational Marijuana Businesses, 2<sup>nd</sup> Reading for Action**

Ordinance No. 1515 was read by title. MOTION BY PROVOST/BAUMBERGER to adopt Ordinance No. 1515. Councilmember Nash said he sees pros and cons of the moratorium. He feels that the citizens voted for this and he needs to support that vote. Councilmember Provost said it is not proper to discuss your vote prior to the vote. Baumberger said if the moratorium is adopted that staff move forward to develop the needed ordinances without delay. Motion carried; 6-1, Nash opposed.

### **NEW BUSINESS**

#### **A. Contract for Public Defender with Neil Cox**

MOTION BY MANCHESTER/BEADLES to approve the contract with Neil Cox for public defender. Motion carried.

#### **B. Final Acceptance of 12<sup>th</sup> Street Improvement Project**

PWD Martin commented that the project was successful and came in under budget. MOTION BY BEADLES/NASH to accept the 12<sup>th</sup> Street Project as final. Motion carried.

#### **C. Work for Others Agreement with Asotin County**

Councilmember Manchester said the contract has changed in that it does not have an expiration date, but will roll forward every year. MOTION BY MANCHESTER/BEADLES to approve the agreement subject to addition of indemnification language. Provost asked if there will come a time when the contract would need to be renewed. Martin said it will stay in force until either party wants to change or terminate the agreement. Motion carried; 5-2, Provost and Smith opposed.

#### **D. Resolution No. 2013-08, 2014 Property Tax Levy**

Resolution No. 2013-08 was read by title. MOTION BY NASH/BEADLES to approve Resolution No. 2013-08. Beadles commented that the 1% increase does not generate a lot of money. Motion carried; 6-1, Smith opposed.

### **COUNCIL COMMENTS:**

Councilmember Nash wished everyone a Happy Thanksgiving.

Councilmember Beadles said in the process of an open house regarding a new high school it was mentioned that they might acquire Beachview Park. PWD Martin said they have previously talked about using a portion of the park, but not purchasing it.

### **MEDIA QUESTIONS:**

### **EXECUTIVE SESSION:**

Council went into executive session at 7:57 p.m. to discuss possible property acquisition. Anticipated length of session is 15 minutes with no action as a result of the session. Council returned to open session at 8:09.

### **ADJOURNMENT:**

Meeting adjourned at 8:09 p.m.

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Vickie Storey, City Clerk

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Kathleen A. Warren, Mayor

Total Fund Expenditures, 11/25/13	CK #55124-26, 55148-55212, Oct2013	\$754,710.55
Total Payroll, 11/15/13	CK #55127-55147	\$146,225.81