

CLARKSTON CITY COUNCIL MINUTES
May 28, 2019

ROLL CALL: Russ Evans, Pat Holman, Skate Pierce, Joel Profitt, John Murray and Melyssa Andrews. Belinda Larsen excused on MOTION BY PROFITT/ANDREWS. Motion Carried.

STAFF: Chief Hastings, Chief Cooper, PWD Poole, Clerk Austin.

AGENDA CHANGES: Add Item H, Special Event Permit – Clarkston Farmers’ Market to New Business and Personnel to Executive Session. Correct clerical errors of incorrect dates in Committee meetings. Correct Item F under New Business to Ordinance 1630.

APPROVAL OF MINUTES: Minutes of the May 13, 2019 Regular Meeting were approved as distributed.

PUBLIC HEARING: Surplus Property: WWTP, Sanitation

Mayor Lawrence opened the Public Hearing at 7:05 p.m.

PWD Poole presented Council with the information on the 2009 Chevy Pickup being surplus from the WWTP. Mayor Lawrence opened the floor to comments from the public.

PUBLIC COMMENT: None

PWD Poole presented Council with the information on the 1997 Mack Garbage Truck being surplus from Sanitation Department. Mayor Lawrence opened the floor to comments from the public.

PUBLIC COMMENT: None

PWD Poole presented Council with the information on the 1986 Ford Garbage Truck being surplus from Sanitation Department. Mayor Lawrence opened the floor to comments from the public.

PUBLIC COMMENT: None

The public hearing was closed at 7:10 p.m.

PUBLIC HEARING: Planned Development: 1388 Poplar Street

Mayor Lawrence opened the Public Hearing at 7:10 p.m.

PWD Poole presented council with the information on the Planned Development at 1388 Poplar Street. He introduced Tom Denlea the property developer. Mr Denlea presented Council with information on the project. Councilmember Murray asked what the rental price point would be anticipated to be. Mr Denlea advised that it would be in the range of \$700-\$800 for a single bedroom and around \$1000 for a two-bedroom unit. PWD Poole presented the Staff Report to Council. Murray asked if landscaping would be included in the parking area to include trees. PWD Poole advised that it would, and all development would be completed according to code. Councilmember Andrews asked if this would be open to any residents, or specific to income or other factors. Mr Denlea advised that they did not have a target resident in mind. Councilmember Pierce asked why this was a Planned Development if Zone R-3 allows for apartments. PWD Poole advised that the number of units in this development would not be allowed unless it was a planned development.

Mayor Lawrence opened the floor to comments from the public.

PUBLIC COMMENT: None

The public hearing was closed at 7:30 p.m.

MOTION BY PIERCE/PROFITT to Approve the planned development at 1388 Poplar Street. Councilmember Pierce asked PWD Poole if there were any further conditions required. PWD Poole advised that the development would have to follow the building code, so that will take care of any issues. Councilmember Profitt commented that it makes sense for this transition zone. PWD Poole agreed that a planned development is made for this type of situation, and that this is a good transition between Service Commercial and Residential. Councilmember Andrews advised that she approves of adding more housing in the City. Councilmember Murray advised that his only opposition is the rental prices. Motion Carried.

COMMUNICATIONS:

A. From the Public: Wendy Stelmack, 2nd Street near Beachview Park
Robert Dunn, 1040 Bridger Lane
Mike Stover, 1264 Bridge Street
Sgt Bo Tanner, 600 10th Street
Danielle Evans, Clarkston Farmers Market
Ian Smith, 1108 Boston Street

B. From Mayor: Mayor Lawrence announced that May 29 is Tribune Reporter Sandaine's Birthday.

C. From Staff or Employees: None

D. Presentation from TNT Fireworks: Beckie Burger: Mayor Lawrence introduced Beckie Burger from TNT Fireworks. Ms Burger introduced Jason Trout to present examples of safe and sane fireworks to the Council for consideration on the Fireworks Ordinance. Mr Trout advised he had been to multiple council meetings and commission meetings throughout the region discussing concerns that local governments have with fireworks sales and usage. Councilmember Profitt asked for clarification on the dates of sale in the RCW. Trout advised that sale dates were June 28-July 5, and Dec 27-31. The dates to use fireworks are June 28-July 5, and Dec 31-Jan 1. Councilmember Pierce asked which fireworks cause the most personal injuries. Trout advised that sparklers are probably the least safe and cause the most injury because they are often used without supervision and burn extremely hot. He advised that bottle rockets and firecrackers are probably next for most injuries. Councilmember Evans asked if all fireworks are manufactured in china. Trout advised that about 85% are. There are some that are made in Thailand, and some in Mexico. Evans asked if the manufacture process was governed by Federal Law. Trout advised that it was, and that a lot of the regulation came from the 1980's when the fireworks industry began to self-regulate. Test in China to sell here. Councilmember Murray asked what some of the other local governments were proposing from the times that Trout visited them. Trout advised that some were looking at very similar proposals to what is in the draft City ordinance. He advised that some were going to just change dates of sale or usage. Some cities wanted to ban all fireworks but that would stop sparkler sales and use also. Evans asked if Reservation sales fall under federal law like a City. Trout said it was a gray area. Councilmember Andrews mentioned that it is hard to regulate and prove who is the responsible party if the police investigate reports of illegal fireworks. She asked if the regulations are stricter, do the issues remain the same. Trout advised it is a two-part process, if the City is committed, and allocates resources to police for enforcement, then it can make an impact. Murray asked if private homeowner insurance covers damage from fireworks. Chief Cooper advised that it depends on the individual policy. He advised that in Lewiston the enforcement is good, but it took a couple of years. Cooper said we don't want to wait until a catastrophe happens to make a change. Andrews asked Commissioner Shinn if it would provide more problems for the County if the City changed the ordinance. Shinn advised it is already a problem, but the Sheriff shuts down public areas at midnight. He advised that there is no desire for further restrictions in the County, because the inconsistency will make it more of a problem for the County.

COMMITTEE REPORTS:

Finance/Admin: Councilmember Murray reported that the Committee discussed New Business Item A: Ordinance 1625, Budget Amendment and reviewed and approved the bills for payment. Total expenditures for the May 13, 2019 period of \$249,963.52. MOTION BY HOLMAN/ANDREWS to approve the bills as read. Motion Carried

Public Safety: Councilmember Evans reported on the May 21st meeting. The meeting started with a review of the draft ordinances Attorney Richardson had written. The Committee would like to present these ordinances for a first reading at the May 28th meeting with a second reading and a public hearing at our June 10th meeting. Beckie Burger will give us a presentation on safe and sane fireworks at our May 28th meeting. (Agenda item.) Chief Cooper reviewed the Payer Production Statistics of 2017 and 2018 with the Committee. This led to the discussion about the supplemental money we will be receiving from the Ground Emergency Medical Transportation program for the 2017 fiscal year. After paying our share of costs for the program, \$66,239.43, we will, in return, receive \$195,952.93 for our participation. Once we subtract the \$66,239.43, 15% for administration and management costs, we should gross close to over \$100,320.57. We have received some moneys has not been calculated in that amount. We will need a budget amendment and ordinance to pay the initial \$66,239.43. (Agenda item.) Chief Hastings was absent as he was attending a meeting in Spokane. Chief Cooper explained the breakdown of the GEMT funding. Councilmember Proffitt asked when the funding will be available. Cooper advised it would be the last week of July or first of August. Councilmember Pierce asked about other costs. Cooper advised there are payments to the consultant group but is offset by revenue that we wouldn't have received otherwise.

Public Works: Councilmember Pierce reported on the May 21st meeting. The Committee discussed the Update on the WWTP Transfer, and our potential Solar project on that property. If we get the grants, and back out of the deal we will owe Apollo Solutions 18,000-36,000 based on the level of the grants awarded. Mr. Simpson, with PUD, is going to discuss the solar project with the PUD board. The 2019 Street Maintenance Project is ready to head out to bid. Bid advertising will run on May 24 and 31st. The bid opening will be on June 4th at 11am. Earlier, the Committee discussed using a slurry coat on some sections of City streets. We have been advised it would be best to do the slurry coat and standard seal coat as two separate bids next year. We had an update on the remediation of 1513 8th St. We've been given judicial approval to demolish the buildings. We have a bid that was given earlier by a contractor on the small works roster. We will need to identify where we will source the funds to pay for the initial work. We will need to place a lien on the property to repay the loan. The demolition cost will be \$38,650. This will be on the agenda for Tuesday night's meeting. The Committee had a review of the pamphlets for Fats, Oils and Grease (FOG). FOGs are damaging to our public sewer lines. There was a discussion on the billboard at Bridge and Confluence Way. The Port informed the city that they are not interested in renting the space. We were given a sample Request For Proposal. We would have to advertise to potential companies who would like to lease the land and put up their own billboard. Council will need to decide how to proceed with this deal. The committee recommends that we allow this property to be a revenue generator for the city. We recommend a longer lease with regular updates to the rates. We were given an update on PD-2018-01. This planned development refers to the apartment complex located behind the future hotel on the corner of Bridge and 14th Street. It is a 36 Unit apartment complex with the entrance situated on Poplar Street. We were also informed of a planned development at 920 7th Street. Also, there is a large list of plan reviews coming up this summer. We had a review of Ordinances 17.20 and 17.21 for fencing. Currently the fencing ordinances are a subsection of Exceptions and should have their own section. We would like to improve the traffic safety of at intersections and improve language of our fencing ordinances to make the rules clearer for homeowners and more enforceable for the city.

Outside Organizations: None

UNFINISHED BUSINESS:

- A. Ordinance 1617, Zone Change – Fair Street, 2nd Reading (Public Works) MOTION BY Murray/Holman to adopt the ordinance. Motion Carried.**
- B. Ordinance 1618, Zone Change – Poplar Street, 2nd Reading (Public Works) MOTION BY ANDREWS/PROFITT to adopt the ordinance. Motion Carried.**
- C. Ordinance 1619, Zone Change – 1303 6th Street, 2nd Reading (Public Works) MOTION BY /PIERCE/Andrews to adopt the ordinance. Motion Carried.**
- D. Ordinance 1620, Zone Change – 1313 6th Street, 2nd Reading (Public Works) MOTION BY EVANS/HOLMAN to adopt the ordinance. Motion Carried.**
- E. Ordinance 1621, Zone Change – 1336 5th Street, 2nd Reading (Public Works) MOTION BY MURRAY/EVANS to adopt the ordinance. Motion Carried.**
- F. Ordinance 1622, Alley Vacation – Block 18, Lot 11-12, 2nd Reading (Public Works) MOTION BY HOLMAN/ANDREWS to adopt the ordinance. Motion Carried.**
- G. Ordinance 1623, Alley Vacation – Block 18, Lot 23-24, 2nd Reading (Public Works) MOTION BY EVANS/PROFITT to adopt the ordinance. Motion Carried.**
- H. Ordinance 1624, Alley Vacation – Block 18, Lot 33-34, 2nd Reading (Public Works) MOTION BY PROFITT/PIERCE to adopt the ordinance. Motion Carried.**

CONSENT AGENDA: MOTION BY PIERCE/PROFITT to approve the consent items. Motion Carried

- A. Local Agency Contract – McCall’s Classic Construction (Public Works)**
- B. Resolution 2019-08 – Transfer Vehicle from WWTP to Building (Public Works)**
- C. Resolution 2019-09 – Transfer Vehicle from Building to Parks (Public Works)**
- D. Resolution 2019-10 – Transfer Vehicle from Sanitation to WWTP (Public Works)**
- E. Resolution 2019-11 – Surplus Property (Public Works)**
- F. Quit Claim Deed – V-2019-01 Pring (Public Works)**
- G. Quit Claim Deed – V-2019-01 Ewing (Public Works)**
- H. Quit Claim Deed – V-2019-02 EGSRC Clarkston, LLC (Public Works)**
- I. Quit Claim Deed – V-2019-02 Paasch (Public Works)**
- J. Quit Claim Deed – V-2019-03 Canna4Life (Public Works)**
- K. Quit Claim Deed – V-2019-03 Wahlberg (Public Works)**
- L. Authorization to pay GEMT Invoice – WA State HCA (Public Safety)**

NEW BUSINESS:

- A. Ordinance 1625, Budget Modification, 1st Reading (Finance/Admin) 1st Reading, Motion will be at next meeting.**
- B. Ordinance 1626, Amend CMC 17.01.040, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.**
- C. Ordinance 1627, Amend CMC 17.10, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.**
- D. Ordinance 1628, Amend CMC 17.15, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.**
- E. Ordinance 1629, Amend CMC 17.20, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.**
- F. Ordinance 1630, Adopt CMC 17.21, 1st Reading (Public Works) 1st Reading, Motion will be at next meeting.**
- G. Ordinance 1631, Amend CMC 9.16 Fireworks, 1st Reading (Public Safety) 1st Reading, Motion will be at next meeting.**
- H. Special Event Permit – Clarkston Farmers’ Market**
MOTION by PROFITT/EVANS to approve the permit with condition of the insurance being in place before the June 1, 2019. Motion carried.

COUNCIL COMMENTS: Councilmember Murray asked why ordinances couldn't be on the consent agenda. Clerk/Treasurer Austin advised it was due to our code and the discussion and vote that is on the second reading. Councilmember Andrews wished a belated Memorial Day to all who served.

PRESS QUESTIONS: None

EXECUTIVE SESSION: Personnel. Mayor Lawrence that the Council would be in executive session for 5 minutes beginning at 8:38pm. She advised that it would be for 5 minutes and no action to be taken in executive session. At 8:43pm the session was extended for 2 minutes. The session ended at 8:45pm.

ADJOURNMENT:

Meeting adjourned at 8:45pm.

Steve Austin, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures 5/28/19	Ck # 68466-68517	\$104,180.46
Payroll 5/20/19	Ck # 68450-68463	\$145,783.06