

**CLARKSTON CITY COUNCIL MINUTES**  
**July 22, 2019**

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

STAFF: Chief Hastings, Chief Baskett, Clerk Austin.

**AGENDA CHANGES:** None

**APPROVAL OF MINUTES:** Minutes of the July 8, 2019 Regular Meeting were approved as distributed.

**COMMUNICATIONS:**

- A. **From the Public:** Chris Deal, 1265 Elm Street
- B. **From Mayor:** None
- C. **From Staff or Employees:** Attorney Richardson provided Mr. Deal a synopsis of the process that the City must follow in dealing with code complaints. Chief Baskett gave an overview to Council on the details of Resolution 2019-13 for the EMS Levy. Clerk Austin provided Council with the information on the Business Licensing Services Agreement.

**COMMITTEE REPORTS:**

**Finance/Admin:** Councilmember Murray reported that the Committee met with Chief Baskett regarding the EMS Levy, reviewed the Business Licensing Services Agreement, reviewed and approved the bills for payment. Total expenditures for the June EOM of \$83.02 and the July 22, 2019 period of \$214,639.67. MOTION BY ANDREWS/EVANS to approve the bills as read. Motion Carried

**Public Safety:** Mayor Lawrence advised that there was no meeting.

**Public Works:** Mayor Lawrence advised that there was no meeting.

**Outside Organizations:** None

**UNFINISHED BUSINESS:**

A. **Ordinance 1632, Zone Change – 917 Chestnut Street, 2nd Reading (Public Works)** MOTION BY MURRAY/EVANS to approve the ordinance. Councilmember Murray asked Attorney Richardson if he could provide his opinion on whether this Zone Change could be considered to be spot zoning. Attorney Richardson advised that he believed that it was his opinion that the Zone Change would be considered spot zoning. Murray asked what the problem is for the City if they allow spot zoning. Richardson advised that the City is being asked to change zoning for one property within a vast area of an R-2 zone. The property is not contiguous with any commercial zones. This is a zone change that would benefit one property owner with no strong, credible or accurate benefit to the public. Murray asked what options were available to the City. Richardson advised that the Council could adopt the ordinance, and if there was a contention, it would have to be appealed to the Superior Court. If the Council believes this to be spot zoning the issue can be remanded to the Planning Commission to reopen the hearing to get a redetermination, or remand it for further deliberations to provide information how this would be a benefit to the public. Murray asked if the property is sold as offices, would it be a legal, non-conforming use.

Richardson advised that it is part of the church, and churches are legal in all zones. Councilmember Andrews asked for clarification that if it was sold as an office could it be restricted so that it couldn't become a different commercial use like a grocery store later. Richardson advised that was a question that had not been asked previously, and he would have to research it. Councilmember Larsen asked if there were also parking regulations that would need to be followed if it were to be sold as a commercial office. Richardson advised that zoning for offices does require adequate parking. Richardson clarified that the Planning Commission did include statements on why it would be a public benefit, but he advised he wasn't persuaded by their argument. MOTION TO TABLE ORDINANCE BY ANDREWS/PROFITT. Motion Carried. MOTION TO REMAND THE FINDINGS TO THE PLANNING COMMISSION FOR DELIBERATION BY ANDREWS/EVANS. MOTION TO AMEND TO SET DATE OF RETURN OF DELIBERATION BY AUGUST 26, 2019 BY PROFITT/MURRAY. Vote on amendment. Amendment carried. Vote on motion as amended. Motion Carried.

**CONSENT AGENDA:** MOTION BY LARSEN/HOLMAN to approve the consent items. Motion Carried

- A. **Resolution 2019-13, EMS Levy (Finance/Admin)**
- B. **Business Licensing Services Agreement (Finance/Admin)**

**NEW BUSINESS:**

A. **Discussion - Jail Interlocal Agreement (Public Safety)** Mayor Lawrence announced a recess at 7:35pm for 10 minutes for Council to review the Agreement. Council returned to session at 7:45pm. Mayor Lawrence advised that the agreement was reviewed by the City Attorney, City Clerk and the Mayor. There were a few issues that needed to be clarified, and the Jail Committee had resolved those in the version being presented to Council. MOTION BY LARSEN/ANDREWS TO AUTHORIZE Mayor Lawrence to sign the agreement. Murray asked if the Capital Projects Fund is the same as Public Safety Jail Fund. Jail Committee Attorney Trae Turner advised that it was a subordinate fund to the Public Safety Jail Fund. The funds would only be created if the Sales Tax measure is adopted by the voters. Asotin County has to put up money prior to the collection of the sales tax, and has allocated \$1.7 million as a minimum amount to be contributed by the County. The various costs will be fronted by county. Attorney Richardson clarified that the agreement gives specific powers to the board to make sure that everyone is represented. Andrews asked about the entities that are mentioned such as tribal entities and asked for clarification if this included the Nez Perce Tribe and Lewiston in the agreement. Turner advised that it would not include Lewiston but the contract was written so that if the Tribe, or the Federal Marshal, or DOC would like to house prisoners, they would be able to contract for bed space. Larsen asked for clarification regarding the Tribe contributing funds to the project. Chief Hastings advised that the Tribe is not a partner but would be able to purchase bed space. Profitt asked if entities are not a member of this agreement, they would not be a partner later. Turner advised that preference would be given to the entities that have contracted beds to be the 5<sup>th</sup> member of the Committee. Andrews asked if they had decided on a location for the jail. Turner advised that to keep costs down, it would be built on land that the County owns. That is the purpose of hiring the architect to determine this. Evans asked if a design had been established, one with a central control room. Turner advised that is the option that is being looked at. The County has selected an architect, but has not signed the contract yet. Motion carried.

**COUNCIL COMMENTS:** None

**PRESS QUESTIONS:** Tribune Reporter Sandaine asked what GEMT was an acronym for. Clerk Austin advised it stood for Ground Emergency Medical Transport.

**EXECUTIVE SESSION:** Mayor Lawrence advised that the Council would be adjourning to Executive Session for approximately 30 minutes to discuss negotiations. No decisions will be made during the session. The session began at 8:05pm. Council returned to session at 8:35pm.

**ADJOURNMENT:**

Meeting adjourned at 8:35pm.

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Steve Austin, City Clerk

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Monika Lawrence, Mayor

Total Fund Expenditures 7/22/19	Ck # 68776-68829	\$71,367.25
Payroll 7/19/19	Ck # 68764-68775	\$143,272.42