

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, APRIL 13, 2015**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
March 23, 2015, Regular Meeting,**

- 5. COMMUNICATIONS:**
 - A. From the Public (Please limit comments to 3 minutes)**
 - B. From the Mayor**
 - C. From Staff or Employees**

- 6. COMMITTEE REPORTS:**
 - A. Finance – Audit Report on Current Bills**
 - B. Public Safety – April 7**
 - C. Public Works – no meeting**
 - D. Administrative/Intergovernmental – April 13**
 - E. Community Development – no meeting**

- 7. UNFINISHED BUSINESS:**
 - A. Ordinance No. 1537, Budget Amendment – 2nd Reading for Action**

- 8. NEW BUSINESS:**
 - A. Agreement with Ken Nagy, Hearings Examiner**

- 9. COUNCIL COMMENTS**
- 10. MEDIA QUESTIONS**
- 11. EXECUTIVE SESSION: Union Negotiations**
- 12. ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

CLARKSTON CITY COUNCIL MINUTES
March 23, 2015

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

AGENDA CHANGES:

APPROVAL OF MINUTES: MOTION BY BEADLES/NASH to approve the minutes of the March 9, 2015, Regular Meeting. Motion carried.

COMMUNICATIONS:

- A. From the Public:
- B. From Mayor:
- C. From Staff:

COMMITTEE REPORTS:

Finance: Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for March 23, 2015 of \$215,572.04. MOTION BY PROVOST/BLACKMON to approve the bills. Motion carried.

Provost said committee discussed meeting times. Admin Committee will meet on Monday at 6:00 and Finance will meet at 6:15.

Public Safety: Committee met March 17. Committee approved sending proposed revisions to the jail contract to Asotin County for review. The City had received a signed copy from the County, but our attorney has some issues he wanted to see revised. The contract for patrol of the greenbelt is on the agenda. The police department won first place in the YWCA soup luncheon. Committee recommends having a meeting with the City of Asotin and the County Commissioners to discuss the court agreement. A request for approval to apply for a fire department grant is on the agenda.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met earlier today. There is nothing to report.

Community Development: No meeting.

PUBLIC HEARING:

Public Hearing on the Proposed Stormwater Construction Permit Fees

The Public Hearing was opened at 7:05 p.m.

PWD Martin explained that a review of the construction permit fees for stormwater have found that they are higher than needed to offset the cost of work involved. He said there is not as much involved with the medium sized projects, so the Interlocal is proposing that some fees be reduced.

There was no public comment, so the hearing was closed at 7:07.

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Michelle Peters, HCVB Report

Michelle Peters gave a report on the activities of the Hells Canyon Visitor Bureau. She said the organization is now known as Visit Lewis Clark Valley. She said they are changing their logo and their marketing strategies to capitalize on all the tourist attractions of the valley. She provided copies of the 2015 Visitor Guide and a short DVD. According to the Dean Runyon report for 2013, destination spending in the valley is about \$30 million. The impact is broken down into categories such as lodging, food, entertainment, retail, etc. Peters said this is the first year that the legislature has required that organizations using the lodging tax funds file a report annually showing how the funds were used. Required information includes number of room nights, attendance at sponsored festivals. Peters explained that it is difficult to determine how many people came to the valley due to their marketing efforts. But there are some studies and formulas that are recognized in the industry that she uses. Peters said there are bills in the house and senate that will help support the tourism industry that are moving forward and look promising. Revenues are generated from the industry based on the type of business. She said the state cut tourism funding and this will help replace it. Peters said about 16,000 visitors go to Hells Canyon every year. She also said the cruise ship business will be increasing this year with more boats coming in.

B. Ordinance No. 1537, Budget Amendment – 1st Reading

Ordinance No. 1537 was read by title. Storey explained that most of the amendment is to update the beginning fund balances to actual.

C. Corp Patrol Agreement

Chief Hastings explained that the agreement is basically the same as in previous years. The pay rates have been updated to match the current wages. The agreement authorizes 90 hours of patrol during the summer months. MOTION BY BEADLES/BLACKMON to approve the contract with the Corp. Motion carried.

D. Schedule Joint Meeting re: Court Contract

Councilmember Beadles said the committee met with City Attorney Richardson and Asotin Mayor Bonfield and Asotin's attorney. There are some issues that they feel need to be discussed and clarified. MOTION BY BEADLES/MANCHESTER to schedule a joint meeting. Councilmember Nash asked who will represent Clarkston. Beadles said Richardson will. Motion carried.

E. Approval to Apply for Fire Safety Grant for Residential Smoke Detectors

Chief Cooper said there is an opportunity to apply for a fire safety grant. It is a 95% grant. This grant would address safety issues in the community and provide smoke detectors with long life batteries to residences. He said the grant would be approximately \$40,000. Cooper said a 3-bedroom home would require 4 smoke detectors. The city's share of a \$40,000 grant would be about \$2,000. Councilmember asked if landlords are responsible for providing smoke detectors for rental units. Cooper said the landlord is responsible for smoke detectors and carbon monoxide detectors. Councilmember Blackmon asked if there are citations for landlords who do not provide safety equipment. MOTION BY BEADLES/KOLSTAD to authorize Chief Cooper to apply for the fire safety grant. Motion carried.

F. Resolution No. 2015-05, Stormwater Construction Permit Fee Schedule

MOTION BY NASH/MANCHESTER to approve Resolution No. 2015-05. Motion carried.

COUNCIL COMMENTS:

Councilmember Kolstad said that House Bill 2136 appears to be moving forward through the legislature. He said that would generate 5.8% tax revenue for jurisdictions that allow retail marijuana establishments. He estimated that would generate approximately \$60,000 to \$100,000 in revenue for the City according to information he received from the state.

MEDIA QUESTIONS:

ADJOURNMENT:

Meeting adjourned at 7:34 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 3/23/15	Ck #58750-58805, Feb2015Excise	\$85,469.61
Total Fund Expenditures, Payroll, 3/15/15	Ck #58729-58749	\$130,102.43

DRAFT

Public Safety Committee

April 7, 2015

Attendance: Chief Hastings, Chief Cooper, Bill Provost, Jim Braddock, Terry Beadles.

Chief Hastings discussed the Washington State proposed public records disclosure changes for police body cameras. Also, research is being conducted by the Chief on hardware and software available for body cameras.

Chief Hastings would like to partner with the Port of Clarkston for a grant application for a security camera at 2nd and Bridge. (Agenda item for council action).

Chief Cooper discussed future items that need consideration for radio communications.

The dispatch contract will need future action from the council. Chief Cooper presented some of the highlights.

Chief Cooper discussed a concept for limited reimbursement for Clarkston Fire Dept. paramedic students.

During a Fire Department business inspection, a door received some damage. It will be repaired by the Fire Dept.

Upon testing fire hydrants, a defective hydrant was discovered. It will have to be replaced.

ORDINANCE NO. 1537

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1536 WHICH ADOPTED THE 2015 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2015 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2015 budget, now therefore,

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Budget Amended. Section 2 of Ordinance No. 1536 passed by the City Council on December 22, 2014, shall be increased and amended as follows:

	EXPENDITURES	OTHER FINANCING USES
CURRENT EXPENSE (001)	5,642	
CURRENT EXP RESERVE (004)		4,000
SEWER O & M (400)		(53,240)
SEWER CONSTRUCTION (405)		139,700
PWTF LOAN (407)	86,460	
STORMWATER FUND (409)	50,000	
TOTALS	142,102	90,460

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2015 budget on or before December 31, 2015, as set forth in attached Exhibit A.

Section 3. Severability Clause. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

DATED the 13th day of April, 2015.

Authenticated:

Kathleen A. Warren, Mayor

Vickie Storey, City Clerk

**BUDGET AMENDMENT No 1 - 2015
ORDINANCE NO. 1537**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
GENERAL FUND				
001 000 001 308 80 00 00	\$ 1,078,148	\$ 155,894	\$ 1,234,042	Adjust to Actual
001 000 001 398 00 00 00	-	\$ 1,642	\$ 1,642	Patrol Car Repair
TTL REVENUES	\$ 1,078,148	\$ 155,894	\$ 1,234,042	
001 000 059 517 60 41 91	-	\$ 4,000	\$ 4,000	Not included in formula for budget
001 000 060 521 10 48 20	\$ 12,500	\$ 1,642	\$ 14,142	Repair covered by insurance
001 999 001 508 80 00 00	\$ 519,921	\$ 151,894	\$ 671,815	Adjust Ending Balance
TTL EXPENDITURES	\$ 532,421	\$ 157,536	\$ 689,957	
CURRENT EXPENSE RESERVE				
004 000 041 308 80 00 00	\$ 586,161	\$ 175	\$ 586,336	Adjust for Actual Beg Bal
004 000 041 381 20 00 00	-	\$ 4,000	\$ 4,000	Loan repayment
004 999 041 581 10 00 00	-	\$ 4,000	\$ 4,000	Loan to TBD
004 999 041 508 80 00 00	\$ 627,161	\$ 175	\$ 627,336	Adjust End Balance
		\$ -	\$ -	
EMPLOYEE BENEFIT RESERVE				
006 000 042 308 80 00 00	\$ 89,682	\$ 44	\$ 89,726	Adjust to actual
006 999 042 508 80 00 00	\$ 99,982	\$ 44	\$ 100,026	Adjust End Balance
COMMUNITY ENHANCEMENT PROJECTS				
007 000 043 308 80 00 00	\$ 38,120	\$ 8	\$ 38,128	Adjust to actual
007 999 043 508 80 00 00	\$ 38,220	\$ 8	\$ 38,228	Adjust Ending Balance
NATIONAL NIGHT OUT FUND				
010 000 066 308 80 00 00	\$ 3,411	\$ 40	\$ 3,451	Adjust to actual
010 999 066 508 80 00 00	\$ 2,861	\$ 40	\$ 2,901	Adjust End Balance
VICTIM RIGHTS FUND				
011 000 051 308 80 00 00	\$ 49,958	\$ 1,353	\$ 51,311	Adjust to actual
011 999 051 508 80 00 00	\$ 44,558	\$ 1,353	\$ 45,911	Adjust End Balance
VEHICLE REPLACEMENT FUND				
016 000 220 308 80 00 00	\$ 321,204	\$ (103,269)	\$ 217,935	Adjust to actual
016 999 220 508 80 00 00	\$ 295,659	\$ (103,269)	\$ 192,390	Adjust End Balance

**BUDGET AMENDMENT No 1 - 2015
ORDINANCE NO. 1537**

	Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
D.A.R.E. FUND					
017 000 063 308 80 00 00	Unreserved Beg Bal	\$ 4,667	\$ 32	\$ 4,699	Adjust to actual
017 999 063 508 80 00 00	Unreserved End Bal	\$ 1,917	\$ 32	\$ 1,949	Adjust End Balance
CDBG FUND					
037 000 170 308 80 00 00	Unreserved Beg Bal	\$ 32,154	\$ 5	\$ 32,159	Adjust to actual
037 999 170 508 80 00 00	Unreserved End Balance	\$ 7,154	\$ 5	\$ 7,159	Adjust End Balance
RESCUE UNIT ONE FUND					
102 000 081 308 80 00 00	Unreserved Reg Bal	\$ 4,972	\$ 44	\$ 5,016	Adjust to actual
102 999 081 508 80 00 00	Unreserved End Bal	\$ 6,972	\$ 44	\$ 7,016	Adjust End Balance
STREET FUND					
103 000 130 308 80 00 00	Unreserved Beg Bal	\$ 214,788	\$ 28,884	\$ 243,672	Adjust to actual
103 999 130 508 80 00 00	Unreserved End Bal	\$ 23,448	\$ 28,884	\$ 52,332	Adjust End Balance
STREET DEPT RESERVE					
105 000 133 308 80 00 00	Unreserved Beg Bal	\$ 75,686	\$ 19	\$ 75,705	Adjust to actual
105 999 133 508 80 00 00	Unreserved End Bal	\$ 75,886	\$ 19	\$ 75,905	Adjust End Balance
DRUG ENFORCEMENT FUND					
108 000 064 308 80 00 00	Unreserved Beg Bal	\$ 47,971	\$ 160	\$ 48,131	Adjust to actual
108 999 064 508 80 00 00	Reserved End Bal	\$ 39,071	\$ 160	\$ 39,231	Adjust End Balance
AMBULANCE / EMS					
120 000 084 308 80 00 00	Unreserved Beg Bal	\$ 135,136	\$ 63,618	\$ 198,754	Adjust to actual
120 999 084 508 80 00 00	Unreserved Ending Balance	\$ 69,728	\$ 63,618	\$ 133,346	Adjust End Balance
EMS RESERVE					
121 000 082 308 80 00 00	Unreserved Beg Bal	\$ 68,688	\$ 9	\$ 68,697	Adjust to actual
121 999 082 508 80 00 00	Unreserved End Balance	\$ 101,788	\$ 9	\$ 101,797	Adjust End Balance
LODGING TAX FUND					
130 000 211 308 80 00 00	Unreserved Beg Balance	\$ 539,253	\$ 7,031	\$ 546,284	Adjust to actual
130 999 211 508 80 00 00	Unreserved End Balance	\$ 536,563	\$ 7,031	\$ 543,594	Adjust End Balance
MUNICIPAL CAPITAL IMPROVEMENT					
202 000 240 308 80 00 00	Unreserved Beg Bal	\$ 130,329	\$ 701	\$ 131,030	Adjust to actual

**BUDGET AMENDMENT No 1 - 2015
ORDINANCE NO. 1537**

	Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
	Unreserved End Bal	\$	\$	\$	Adjust End Balance
202 999 240 508 80 00 00	Unreserved End Bal	\$ 175,629	\$ 701	\$ 176,330	Adjust End Balance
SEWER O & M FUND					
400 000 140 308 80 00 00	Unreserved Beg Bal	\$ 666,979	\$ (42,056)	\$ 624,923	Adjust to Actual
400 000 140 597 35 00 41	Trf to 407/PWTF Loan	\$ 400,650	\$ 86,460	\$ 487,110	Pay back overfunding
400 000 140 597 35 00 40	Trf to 406, Sewer Bond	\$ 300,000	\$ (139,700)	\$ 160,300	Reduce transfer
400 999 140 508 80 00 00	Unreserved End Bal	\$ 513,034	\$ 11,184	\$ 524,218	Adjust end balance
EQUIPMENT RESERVE FUND					
401 000 141 308 80 00 00	Unreserved Beg Bal	\$ 75,525	\$ 39	\$ 75,564	Adjust to actual
401 999 141 508 80 00 00	Unreserved End Bal	\$ 95,675	\$ 39	\$ 95,714	Adjust end balance
SEWER LINE RESERVE					
402 000 142 308 80 00 00	Unreserved Beg Bal	\$ 475,778	\$ 168	\$ 475,946	Adjust to actual
402 999 142 508 80 00 00	Unreserved End Balance	\$ 497,478	\$ 168	\$ 497,646	Adjust End Balance
SEWER CAPITAL REPLACEMENT					
403 000 143 308 80 00 00	Unreserved Beg Bal	\$ 60,985	\$ 14	\$ 60,999	Adjust to actual
403 999 143 508 80 00 00	Unreserved End Balance	\$ 81,085	\$ 14	\$ 81,099	Adjust End Balance
SEWER RESERVE FUND					
404 000 144 308 80 00 00	Unreserved Beg Bal	\$ 118,413	\$ 132	\$ 118,545	Adjust to actual
404 999 144 508 80 00 00	Unreserved End Balance	\$ 118,788	\$ 132	\$ 118,920	Adjust End Balanced
SEWER CONSTRUCTION					
405 000 145 308 10 00 00	Reserved Beg Bal	\$ 1,151,636	\$ 6,406	\$ 1,158,042	Adjust to Actual
405 000 145 597 35 00 10	Trf to 406/ Debt Svc	\$ -	\$ 139,700	\$ 139,700	Int pmt from Bond Proceeds
405 000 145 508 10 00 00	Reserved End Balance	\$ 502,636	\$ (133,294)	\$ 369,342	Adjust End Balance
SEWER REVENUE BOND					
406 000 146 308 80 00 00	Unreserved Beg Balance	\$ 62,370	\$ 1,516	\$ 63,886	Adjust to actual
406 000 146 397 35 00 40	Trf from 400	\$ 300,000	\$ (139,700)	\$ 160,300	Reduce trf
406 000 146 397 35 00 10	Trf from 405	\$ -	\$ 139,700	\$ 139,700	Interest payment from bond proceeds
406 000 146 508 80 00 00	Unreserved End Balance	\$ 21,720	\$ 1,516	\$ 23,236	Adjust End Balance

**BUDGET AMENDMENT No 1 - 2015
ORDINANCE NO. 1537**

	Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
PWTF LOAN					
407 000 147 308 80 00 00	Unreserved Beg Bal	\$ 678	\$ (2)	\$ 676	Adjust to Actual
407 000 147 397 00 35 41	Transfer from 400	\$ 400,650	\$ 86,460	\$ 487,110	Cover Loan Payment
407 000 147 591 35 79 20	PWTF Loan Principal	\$ 352,950	\$ 86,460	\$ 439,410	Increase to pay back excess loan
407 999 147 508 80 00 00	Unreserved End Balance	\$ 678	\$ (2)	\$ 676	Adjust End Balance
SRF LOAN					
408 000 148 308 80 00 00	Unreserved Beg Bal	\$ 2,078	\$ 15	\$ 2,093	Adjust to Actual
408 999 148 508 80 00 00	Unreserved End Balance	\$ 1,958	\$ 15	\$ 1,973	Adjust End balance
STORMWATER FUND					
409 000 049 308 80 00 00	Unreserved Beg Balance	\$ 17,095	\$ 21,548	\$ 38,643	Adjust to Actual
409 000 049 389 00 00 00	Reimbursement from Interlocal	\$ 30,000	\$ 50,000	\$ 80,000	From Capital Reserve
409 000 049 594 31 63 00	Improvements to real property	\$ -	\$ 50,000	\$ 50,000	Improvement project budget
409 999 049 508 80 00 00	Unreserved End Balance	\$ 5,865	\$ 21,548	\$ 27,413	Adjust end Balance
SANITATION O & M FUND					
410 000 150 308 80 00 00	Unreserved Beg Bal	\$ 54,129	\$ (16,469)	\$ 37,660	Adjust to actual
410 999 150 508 80 00 00	Unreserved End Balance	\$ 18,964	\$ (16,469)	\$ 2,495	Adjust End Balance
SANITATION EQUIPMENT RESERVE					
411 000 151 308 80 00 00	Unreserved Beg Bal	\$ 1,372	\$ (22)	\$ 1,350	Adjust to actual
411 999 151 508 80 00 00	Unreserved End Bal	\$ 21,672	\$ (22)	\$ 21,650	Adjust End Balance
TOTAL REVENUES			\$ 51,642		
TOTAL EXPENDITURES			\$ 55,642		
Other Rev			\$ 86,460		
Other Exp			\$ 86,460		

PROFESSIONAL HEARINGS EXAMINER SERVICES AGREEMENT

This agreement, effective the _____ day of April, 2015, between the City of Clarkston, a municipal corporation in and for the State of Washington, hereinafter referred to as "City", and Ken Nagy, hereinafter referred to as "Examiner".

NOW, THEREFORE, it is agreed by the parties hereto as follows:

1. Scope of Service. Examiner shall be responsible for adjudicating the following land use matters:

Variances
Conditional Use Permits
Appeals from Zoning Official Decisions

2. Manner of Service. Services provided by Examiner pursuant to this contract shall be performed in a prompt and competent manner in accordance with the rules and decisions of the courts of this state and the Clarkston Municipal Code.

3. Performance. Examiner's performance shall begin on April _____, 2015 and shall terminate one year from this date.

4. Payment. In consideration for Examiner's performance hereunder, City shall pay Examiner a fee of \$450.00 for each hearing. The payment is due within thirty days of receipt of an invoice from the Consultant after completion of each hearing. It is understood that the Examiner performs as an independent contractor and as such, is responsible for all taxes due.

5. Termination. This agreement may not be terminated by either party without good and sufficient legal cause, and only after thirty (30) days' written notice has been delivered to the other party.

6. Indemnification / Hold Harmless. Consultant shall defend, indemnify and hold the City, its officers, officials and employees harmless from any all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this agreement is subject to RCS 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials and employees, the Consultant's liability, including duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This

waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this agreement.

7. Insurance. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant.

The Consultant shall obtain the types of insurance described below:

1. Professional Liability insurance appropriate to the Consultant's profession with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit. Consultant shall furnish the City with a copy of the certificate of insurance prior to commencing work. Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the agreement.

6. Assignment. Examiner shall not assign or subcontract his responsibility for performance of this agreement without the prior written approval of the City.

DATED this _____ day of _____, 2015.

EXAMINER

CITY OF CLARKSTON

Ken Nagy

Kathleen A. Warren, Mayor