

**CITY OF CLARKSTON  
CITY COUNCIL AGENDA  
829 5<sup>th</sup> Street  
MONDAY, July 28, 2014**

1. **CALL TO ORDER: 7:00 P.M.**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL:**
4. **AGENDA CHANGES:**
5. **APPROVAL OF MINUTES:  
July 28, 2014, Regular Meeting**
  
6. **COMMUNICATIONS:**
  - A. **From the Public (Please limit comments to 3 minutes)**
  - B. **From the Mayor**
  - C. **From Staff or Employees**
  
7. **COMMITTEE REPORTS:**
  - A. **Finance – Audit Report on Current Bills**
  - B. **Public Safety – July 15**
  - C. **Public Works – no meeting**
  - D. **Administrative/Intergovernmental – July 28**
  - E. **Community Development – no meeting**
  
8. **UNFINISHED BUSINESS:**
  
9. **NEW BUSINESS:**
  - A. **Ordinance No. 1527, Amend Zoning, RV Hardship Exception – 1<sup>st</sup> Reading**
  - B. **Ordinance No. 1528, Amend Zoning, Definitions, Matrix, Add Neighborhood Zone – 1<sup>st</sup> Reading**
  - C. **Ordinance No. 1529, Amend Zoning, Definitions & Matrix re; Recreational Marijuana – 1<sup>st</sup> Reading**
  - D. **Agreement with Clarkston School District for Resource Officer**
  - E. **Resolution No. 2014-11, 2015 EMS Levy**
  - F. **Change Order, WWTP Construction**
  - G. **Ordinance No. 1530, Budget Amendment – 1<sup>st</sup> Reading**
  
10. **COUNCIL COMMENTS**
11. **MEDIA QUESTIONS**
12. **EXECUTIVE SESSION: Negotiations**
13. **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**  
**July 14, 2014**

COUNCIL:

<input checked="" type="checkbox"/> Beadles	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input type="checkbox"/> Baumberger, excused
<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  
Motion by BEADLES / NASH to excuse Councilmember Baumberger.

**AGENDA CHANGES:**

**APPROVAL OF MINUTES:** Councilmember Kolstad corrected that his vote on the approval of minutes was an abstention. MOTION BY BLACKMON/NASH to approve the minutes of the June 23, 2014, Regular Meeting as corrected. Motion carried.

**COMMUNICATIONS:**

**A. From the Public:** Jennifer Haddock, 631 3<sup>rd</sup> Street. Ms. Haddock said she purchased this house in April 2009 and has had major problems since she purchased it. She later discovered that it had been illegally flipped. She said that a law was enacted in 2007 requiring that a person had to be licensed contractor to “flip” a house. She asserted that the city allowed the work to be done illegally. Haddock said the work was inspected by former building inspector Jim Braddock and was not adequately inspected. She said there were problems with the plumbing being done incorrectly and she has had to make repairs. She said inspections reports required R-30 insulation where possible under the floors. Old insulation was used instead. She said plumbing was installed incorrectly, her kitchen floor sags and she had to install a new support beam. Haddock said roof supports were cut away from the trusses and a furnace was installed in the attic. She said her roof has dropped over a foot. She feels the city is responsible for the problems with her house.

Councilmember Provost asked Ms. Haddock if she had more to share. She said she had plenty to share. She was told by Jim Martin to file a claim with the City’s insurance. She cannot find an attorney to take her case. She wants the building inspectors held accountable. She said Jim Braddock has apologized to her for the problems. She said she is now unable to sell the house.

Martin said he has been working with Ms. Haddock and said there is some merit to her complaints. He has discussed the issue with the City’s insurance carrier and provided Ms. Haddock with a claim form. Councilmember Blackmon asked if she had a home inspection. She said she did and was not informed there were issues. She said the FHA inspector did not note any issues either.

Provost asked if she has returned the claim form. Haddock said she has not. Provost recommended she complete the forms and return them.

Councilmember Beadles asked if a permit was issued. Martin said there was. In order to flip a house without a contractor’s license, you are supposed to live in the house for at least a year after the work is done. But if the person who takes out the permit does not state they are flipping the house, the city does not have a way to know. The contractor’s license requirement is enforced by the State Dept of Labor and Industries. Martin agreed that the home was not as advertised. Martin said he will continue to work with Ms. Haddock.

**B. From the Mayor:**

**C. From Staff:**

**COMMITTEE REPORTS:**

**Finance:** Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for July 14, 2014, of \$654,654.99. MOTION BY PROVOST/NASH to approve the

bills. Motion carried.

**Public Safety:** No meeting.

**Public Works:** Councilmember Nash said committee met on July 2<sup>nd</sup> and discussed the Six Year TIP which is on the agenda for consideration.

**Admin Committee:** Councilmember Manchester said committee met earlier today. They discussed the RTPPO which is on the agenda for discussion.

**Community Development:** No meeting.

### **PUBLIC HEARING:**

Mayor Warren opened the public hearing at 7:17 p.m. PWD Martin explained that the Six –Year plan is an annual plan that goes through the MPO. The list of projects includes the intersection on 5<sup>th</sup> Street at Wal-Mart and Costco; US 12 / 2<sup>nd</sup> Street reconfiguration; signalization at 13<sup>th</sup> & Highland; Highland resurfacing; 13<sup>th</sup> Street resurfacing; and the Grantham Elementary Safe Routes project. Councilmember Nash asked if there are projected timeframes. Martin said it all depends on funding. Councilmember Beadles asked if there have been traffic studies on the 13<sup>th</sup> & Highland intersection because he has observed that the 4-way stop seems to work well.

Councilmember Provost asked about the schematic that shows the plan for 5<sup>th</sup> Street at Costco and Wal-Mart. Martin said that if left turns into Wal-Mart and out of Costco are eliminated, the right turn going west from Fair onto 5<sup>th</sup> would not be a problem. Councilmember Blackmon questioned the right turn only exit from the Costco parking lot onto Fair Street.

Robert DeMean, 950 Vineland, said Costco removed their right turn sign, but there is still a right turn only at 3<sup>rd</sup> & Bridge. He asked what would happen to the new businesses on the WalMart property if the intersection is changed. Martin said they would have an entrance off Fair Street.

There being no further comments, the public hearing was closed at 7:27 p.m.

### **UNFINISHED BUSINESS:**

#### **NEW BUSINESS:**

##### **A. Resolution No. 2014-09, Adopt Six Year Transportation Improvement Plan, 2015-2020**

Resolution No. 2014-09 was read by title. MOTION BY PROVOST/NASH to approve Resolution No. 2014-09. Blackmon asked if all these projects would be done in this 6-year time period. Martin said it is all dependent on funding. Motion carried.

##### **B. Planning Commission Recommendation for changes to the Zoning Code**

PWD Martin said the Planning Commission has been working for some time on changes that are needed to the City's zoning code. Those changes include updates to the matrix to include uses that are not currently included in the matrix; additions to the definitions; issues related to I-502; the addition of a new zone designation called Neighborhood Commercial. Martin said the new zone came about as work progressed on I-502. The current zoning has two "satellite" commercial areas that are somewhat isolated in residential neighborhoods. The new zone will allow uses that are not destination related, but are meant to serve the residential area they are located in.

Councilmember Nash thanked the Planning Commission for their work.

Councilmember Provost asked if the fact that marijuana growing, processing and retail are allowed by this code in certain zones, will those activities be allowed regardless of opposition. Martin said a marijuana business would have to meet all state requirements also. Provost asked if this is approved, can the council still prohibit marijuana business.

Martin explained that because there are several areas of the zoning code addressed in this proposal, the changes would be presented in separate ordinances. Councilmember Blackmon questioned the allowance of a distillery or brewery in the Downtown Commercial Zone. Martin said he would envision a micro-brewery, not a big manufacturing plant.

Blackmon asked if approving this zoning matrix will then allow marijuana sales in downtown. Mayor Warren said this is not a vote to approve the matrix. It will just direct staff to prepare the

ordinances. City Attorney Grow said that if an area is zoned for marijuana retail stores, he doesn't see how they can be refused.

John Murray, chair of the Planning Commission explained that zoning is the designation of land uses within the city. He said the Commission looked at marijuana businesses as if they were any other similar business; i.e. retail or manufacturing. He stressed that there are limited areas that will meet the state regulations and the zoning both. He said the intent of the new Neighborhood commercial zone is to allow limited commercial uses in a predominately residential area.

Councilmember Provost said he takes issue with the state telling the City that they have to allow certain types of business. He said there are several entities that have banned marijuana businesses. Murray said they are being sued. Provost said that shouldn't be the deciding factor. Murray said council can vote against the zoning changes. Murray said the Planning Commission took comments at several meetings and there was no opposition to location of marijuana business in Service Commercial.

MOTION BY NASH/BEADLES for staff to develop ordinances to reflect the changes recommended by the Planning Commission for council consideration and action. Motion carried.

**C. RTPO Membership Request, Resolution No. 2014-11**

PWD Martin said the RTPO (Regional Transportation Planning Organization) has asked the city to approve a resolution agreeing to be a member of the RTPO. There is no cost involved to the City. Discussion with Admin committee recommends that the City maintain membership at this time. MOTION BY BEADLES/PROVOST to approve Resolution No. 2014-11. Motion carried.

**D. Resolution No. 2014-10, Interfund Loan to Sanitation**

Resolution No. 2014-10 was read by title. MOTION BY BEADLES/BLACKMON to approve Resolution No. 2014-10. Motion carried.

**COUNCIL COMMENTS:**

Councilmember Beadles said he will be out of town and will miss the next meeting.

Beadles commented that when he took the oath of office part of it was that he would uphold the US Constitution and he is unsure how the council can approve something that is against Federal law.

**MEDIA QUESTIONS:**

**EXECUTIVE SESSION: Negotiations**

Mayor Warren announced that once the Executive Session is finished, council will return to open session and then there will be a meeting of the Transportation Benefit District.

Council went into executive session at 8:00 p.m. to discuss union negotiations. The session is anticipated to last 15 minutes and no action will be taken as a result of the session. The session was extended for an additional 5 minutes. The session was extended again for an additional 10 minutes. Council returned to open session at 8:27 p.m.

**ADJOURNMENT:**

Meeting adjourned at 8:27p.m.

\_\_\_\_\_  
Vickie Storey, City Clerk

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Total Fund Expenditures, 7/14/14	CK #56794-99, 56850-56951, 956765	\$383,366.36
Payroll, 6/30/14	Ck # 56800-49	\$271,288.63

July 15, 2014

Public Safety Committee

Attendance: Chief Hastings, Chief Cooper, Bill Provost, Terry Beadles, and Jordon Bailly.

Mr. Bailly discussed his concern of smoking near children playing at the Beach View Park playground. Research was presented about smoking, smoking near playgrounds, and smoking in parks. This document will be provided to the council in the next agenda. The issue is the safety concern for young children breathing second hand smoke. The committee would like council input on this issue.

The new patrol vehicle has arrived. Police equipment is being installed and the vehicle will be checked before patrol service.

Chief Hastings presented the SRO agreement for the next school year. The SRO program has been very successful for both the Clarkston School District and Clarkston Police Department. The committee recommends that the agreement be approved by the council. (Agenda item for council action).

The committee is reviewing ATV ordinances for future discussion.

The Chief is continuing his research on police body cameras.

Chief Cooper discussed fire department volunteers. Council members are encouraged to discuss volunteer ideas with the Chief.

## Proposal to Prohibit Smoking Near Public Playgrounds

### Impetus

- On 6-7-14, 11 cigarette butts were found in and around the small playground at Beachview Park during a cursory search.
  - A more thorough search on 7-11-14 resulted in 38 cigarette butts found, eight of which were within the playground borders.
- A visit to Beachview Park's large playground in June made it clear that smoking is not an occasional occurrence in public parks - parents smoked while children played, and cigarette butts were easily visible throughout the playground and surrounding park.

### Relevant Facts

#### *Smoke-free Laws*

- Neither the city nor the state have specific ordinances/laws regarding smoking in outdoor public places such as parks and playgrounds.
- 967 municipalities\* in the United States have "...specified that all city parks and/or specifically named parks are smoke free."<sup>1</sup>
  - Washington has 15 municipalities\*\* on the list, not including our area (all 15 are in Western Washington).

#### *Secondhand Smoke*

- The U.S. Surgeon General has declared that there is no safe amount of exposure to secondhand smoke, even brief exposure can be harmful.<sup>2</sup>
- Secondhand smoke contains over 7,000 chemicals, hundreds of which are toxic, including approximately 70 that can cause cancer.<sup>3</sup>
  - In children, exposure to secondhand smoke can cause: ear infections, increased frequency and severity of asthma attacks, respiratory symptoms such as coughing and shortness of breath, and a greater risk of Sudden Infant Death Syndrome.
  - In U.S. children under 18 months, exposure to secondhand smoke causes 150,000-300,000 new cases of bronchitis and pneumonia annually, as well as 7,500-15,000 hospitalizations.

#### *Cigarette Butt Waste*

- A 1996 study by the Rhode Island Department of Health found that 30% of children who consumed cigarette butts exhibited immediate adverse symptoms such as spontaneous vomiting.
- Cigarette butts are not biodegradable, and their toxic elements will not disappear.<sup>5</sup>
  - "Cigarette butts leach chemicals and heavy metals into the environment that are toxic to fresh and salt-water fish. They are poisonous when ingested by children and other living organisms."

### Normative Justification

- Quote from a 2006 Surgeon General's report, regarding the implementation of policies to regulate smoking in public areas: "There is universal acceptance of the concept that outdoor air is a "public good," and for this reason, outdoor air quality is monitored in the United States to meet public health goals under the federal *Clean Air Act of 1990*. It is the obligation of government to protect the users (the general public) and maintain the quality of that public good (outdoor air), so users will not be harmed by contaminants released into the air by those who would pollute it. In public places, where indoor air can be more readily construed as a public good, segregating smokers and banning smoking have become enforced approaches that are well accepted, and bans

have become mandatory in many environments, including hospitals, schools, and childcare facilities.<sup>6</sup>

### Benefits of New Ordinance

- Decreased likelihood that children will be exposed to the harmful effects of secondhand smoke and discarded cigarette butts.
- Gallup poll shows that states with more comprehensive smoking bans almost always have lower smoking rates among the population.<sup>7</sup>
- Decreased cost of park clean-up, both now and in the future.

### Possible Concerns

- Cost of signs/signposts is prohibitive:
  - Signs should cost approximately \$10-\$20 each.
  - Signs can be attached to existing “no dogs allowed” sign posts.
- Opportunity cost of police officers’ time spent at parks/playgrounds:
  - Police officers already patrol near/in public parks, it would not take much effort to look for people smoking and issue appropriate citations.
- The public might disapprove:
  - Only give warnings for the first couple of months so people get used to the law.
  - Make the punishment a small fine (~\$50), so it is reasonable but still deters.
  - As of 2012, approximately 25% of residents in Asotin County smoked.<sup>8</sup>

\*This list does not include “... those municipalities that have designated smoking areas in city parks, those that provide coverage only a certain number of feet from playgrounds or youth areas, and those that provide coverage only during youth events.”

\*\*Bainbridge Island, Bonney Lake, Bothell, Gig Harbor, Hoquiam, Lake Stevens, Lynnwood, Marysville, Mason County, Puyallup, Shoreline, Sultan, Tacoma, Vancouver, and Woodinville.

<sup>1</sup> Municipalities with smokefree park laws. (2014, July 03). *American Nonsmokers' Rights Foundation*. Retrieved from <http://no-smoke.org/pdf/SmokefreeParks.pdf>

<sup>2</sup> Centers for Disease Control and Prevention, Office on Smoking and Health. (2006). *The health consequences of involuntary exposure to tobacco smoke: A report of the Surgeon General*. Retrieved from <http://www.ncbi.nlm.nih.gov/books/NBK44321/>

<sup>3</sup> Centers for Disease Control and Prevention. (2014). *Smoking and tobacco use: Secondhand smoke (shs) facts*. Retrieved from [http://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/secondhand\\_smoke/general\\_facts/](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/)

<sup>4</sup> Centers for Disease Control and Prevention. (1997, February 14). Ingestion of cigarettes and cigarette butts by children -- Rhode Island, January 1994-July 1996. *Morbidity and Mortality Weekly Report*, 46(6), 125-128. Retrieved from <http://www.cdc.gov/mmwr/preview/mmwrhtml/00046181.htm>

<sup>5</sup> The environmental impact of cigarette butt waste: Just the facts. (2013). *Cigarette Butt Pollution Project*. Retrieved from <http://www.cigwaste.org/wp-content/uploads/2013/09/CBPP-Just-the-Facts-2013.pdf>

<sup>6</sup> Centers for Disease Control and Prevention, Office on Smoking and Health. (2006). *The health consequences of involuntary exposure to tobacco smoke: A report of the Surgeon General*. Retrieved from <http://www.ncbi.nlm.nih.gov/books/NBK44321/>

<sup>7</sup> McCarthy, J. (2014, March 13). *In U.S., smoking rate lowest in Utah, highest in Kentucky*. Retrieved from <http://www.gallup.com/poll/167771/smoking-rate-lowest-utah-highest-kentucky.aspx>

<sup>8</sup> *County Profile: Asotin County, Washington*. (2012). Institute for Health Metrics and Evaluation, University of Washington, Seattle, WA. Retrieved from [http://www.healthdata.org/sites/default/files/files/county\\_profiles/US/County\\_Report\\_Asotin\\_County\\_Washington.pdf](http://www.healthdata.org/sites/default/files/files/county_profiles/US/County_Report_Asotin_County_Washington.pdf)

ORDINANCE NO. 1527

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CLARKSTON  
MUNICIPAL CODE CHAPTER 17, WHICH ESTABLISHES ZONING  
REGULATIONS FOR THE CITY OF CLARKSTON

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

SECTION 1.0

Clarkston Municipal Code Chapter 17 is hereby amended as follows:

17.10.060 Recreational Vehicle Use.

A recreational vehicle shall not be used in any zoning district within the city of Clarkston for living or sleeping when the RV is located outside of a permitted RV park or permitted MH Park except under the following conditions:

- (1) Construction Exception. For residential occupancy during the period of construction of a dwelling unit on the same site, within the corporate limits of the city upon the following conditions:
  - (a) The unit shall be connected to the city sewer;
  - (b) A permit shall be obtained from the city;
  - (c) The cost of the permit shall be \$50.00;
  - (d) The permit shall authorize the temporary occupancy of the unit for a 90-day term. The term shall begin when the permit is issued.;
  - (e) An additional permit may be issued when a 90-day term expires upon payment of an additional \$50.00 permit fee. However, no more than three permits may be issued to any individual in any 12-month period;
  - (f) A permit will not be issued until a building permit has been issued for the dwelling unit;
  - (g) The RV shall be located off the public right-of-way at all times **and located no closer than 5 ft. to property lines.**
  
- (2) Hardship Exception. **Relates to the need for on-site care of a family member with the use of an RV by either the care giver or the recipient of the care.** Such exception will be reviewed and acted upon on a case-by-case basis. The approval of a hardship exception will be based on one or more of the following criteria:
  - (a) The unit shall be connected to the city sewer;
  - (b) A permit shall be obtained from the city;
  - (c) The cost of the permit shall be \$50.00 **and authorizes use for a 6-month period;**
  - (d) A doctor's statement verifying need of continual care due to a person's physical or mental health may be required;
  - (e) Utilization by family members only;

- (f) No income may be derived from the temporary mobile home;
- (g) Property owner ~~must~~ **may** renew ~~each hardship annually~~ **for an additional 6-month period. Renewal will require an additional \$50.00 permit fee.** Renewal will be based on the criteria herein;
- (h) The RV shall be located off the public right-of-way at all times **and shall be located on the property where the care is given or received.**
- (i) **The RV shall not be allowed in the front setback area of the home and shall be no closer than 5 ft. from a side or rear property line.**

(3) Non-Resident Visitor. This restriction shall apply when the user of the recreational vehicle is not a resident of the city, but is visiting a resident of the city, in which event the recreational vehicle may be lived in for a period not to exceed 14 consecutive days. Specific exceptions may be granted under this section. The RV shall not be permanently connected to separately metered gas, water or sewer service, but may be temporarily connected to existing water service and electric service. The RV shall be located off the public right-of-way at all times.

#### SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

ORDINANCE NO. 1528

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CLARKSTON MUNICIPAL  
CODE CHAPTER 17, WHICH ESTABLISHES ZONING REGULATIONS FOR THE  
CITY OF CLARKSTON

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

SECTION 1.0

Clarkston Municipal Code Chapter 17 is hereby amended as follows:

17.01.040 Definitions.

The following definitions are hereby added:

“Aircraft hanger” means a storage structure for the protection of aircraft.

“Adult family home” means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

“Espresso / Food stand” means a structure used primarily for the sale of beverages and foods designed for drive-through and pedestrian service having no indoor seating or appurtenances and limited outdoor seating.

“Gas station” means a facility for the retail sale of motor fuels from fixed equipment into the tanks of motor vehicles and the sale of related automotive products and services other than repair and the replacement of parts.

“Health club / private” means an indoor facility including uses such as game courts, exercise equipment, locker rooms, showers, hot tubs and/or sauna and pro shop with membership required for use.

“Manufacturing” means the making of goods or wares by manual labor or by machinery, especially on a large scale.

“Recreational facility / public” means an indoor and/or outdoor facility including uses such as game courts or fields, exercise equipment, locker rooms, showers, etc., open for public use on a large scale; such as a soccer complex, baseball complex, Boys & Girls Club, etc.

“Sales / occasional” means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public. This does not include private yard or garage sales.

The following definitions are hereby revised:

~~“Amusement Arcade” means a building or part of a building in which five or more pinball machines, video games or other similar player-operated amusement devices are maintained~~ an entertainment venue featuring primarily video games, simulators, and/or other amusement devices where persons under twenty-one years of age are not restricted.

~~“Apartments house” See “Multifamily dwelling. Means a building or portion thereof used for occupancy by three or more families living independently of each other, and containing three or more dwelling units.~~

The following definitions are hereby deleted:

~~“Congregate housing”~~

~~“Garden apartments”~~

~~“Multifamily dwelling”~~

~~“Flea Market”~~

17.10.010 Statements of intent for land use zone.

The following zone is hereby added to this section:

**(10) Neighborhood Commercial – N-C Zone.** The neighborhood commercial zone is intended to provide commercial uses for the day to day needs of the immediate neighborhood. This zone is intended to be small while still providing commercial uses to those living nearby. The intent is to ensure compatibility with the vicinity neighborhood character and to reduce trip length and frequency by allowing only those uses that primarily serve the neighborhood and that do not have a tendency to draw traffic from outside the neighborhood. Convenience good (e.g. good, pharmacy, and sundries) along with personal services (e.g. dry cleaning, barbershops or beauty shops) are common goods and services offered.

17.10.030 Land use requirements.

(1) Within each of the zoning districts, there are certain requirements which apply evenly to all lot, building and land uses within that zoning district. These requirements are put forth in the following matrices:

#### **EXCLUSIONARY ZONING**

The following matrix serves to illustrate whether or not a particular land use is allowed in a particular zoning district. Yes (Y) means that the land use is allowed outright; however it is still subject to applicable conditions found elsewhere in this title. No (N) means that the land uses in not allowed in that zoning district. Y\* means that the land use is allowed outright; however, certain restrictions apply which are spelled out in Section **17.10.040, 17.10.070, 17.10.080, 17.10.090 and 17.75** of this chapter. C-U means that the use is permitted in that zone classification subject to the conditional use process and approval. Parking refers to the number of paring spaces required for each specific land use referenced on the land use matrix. Refer to the definitions in Section **17.10.040** for further explanation of these land uses.

**KEY:**

R-1	Low Density Residential	D-C	Downtown Commercial
R-2	Medium Density Residential	M-C	Medical Commercial
R-3	High Density Residential	H-I	Heavy Industrial
S-C	Service Commercial	P-C	Port Commercial
N-C	Neighborhood Commercial		

- A - 2 spaces per dwelling unit
- B - 1.5 spaces per dwelling unit
- C - 1 space per guest room
- D - 1 space per bed or patient room
- E - 1 space per 4 seats or eight feet of bench length in main room
- H - 1 space per classroom or (E), whichever is greater
- I - 6 spaces per alley
- J - 1 space per 100 sq. ft of floor area
- K - 1 space per 200 sq. ft. of floor area
- L - 1 space per 300 sq. ft. of floor area
- M - 1 space per 400 sq. ft. of floor area
- N - 1 space per 600 sq. ft. of floor area
- O - 1 space for each employee on the largest shift.
- P - 1 space per four seats\*\*
- Q - The optimum number of spaces shall be left to the recommendation of the owner with approval by the zoning official.

The required number of parking spaces included the required handicap parking spaces.

\*\* For drive-in restaurants only, in addition to the parking requirements, eight stacking spaces for the drive up window, with a minimum of four such spaces designated for the ordering station. Such spaces shall be designed so as not to impede pedestrian or vehicular circulation on the site or on any abutting streets.

**EXCLUSIONARY ZONING**

17.10.030

	<b>R -1</b>	<b>R-2</b>	<b>R-3</b>	<b>S-C</b>	<b>NC</b>	<b>D-C</b>	<b>M-C</b>	<b>P-C</b>	<b>H-I</b>	<b>Parking</b>
Aircraft Hanger	N	N	N	N	N	N	N	Y	Y	Q
Adult Family Home	Y	Y	Y	N	N	N	Y	N	N	D
Apartment houses	N	Y**	Y	N	N	N	Y	Y	N	B
Arcade	N	N	N	Y	Y	Y	N	N	N	Q
Asphalt plant	N	N	N	N	N	N	N	N	Y	O
Automobile body repair shop	N	N	N	Y	N	N	N	Y	N	M
Automobile rental	N	N	N	Y	N	N	N	Y	N	M
Automobile sales or service	N	N	N	Y	N	N	N	Y	N	M
Automobile storage	N	N	N	Y	N	N	N	Y	Y	O
Bakery	N	N	N	Y	Y	Y	N	Y	N	N
Bank/financial institution	N	N	N	Y	Y	Y	N	N	N	L
Bar, tavern or cocktail lounge	N	N	N	Y	N	Y	N	Y	N	P
Beauty, barbershop	N	N	N	Y	Y	Y	Y	N	N	K
Bed and breakfast inn	CU	CU	Y	Y	N	Y	Y	N	N	C
Billboard	N	N	N	N	N	N	N	N	N	
Boat building or repair	N	N	N	Y	N	N	N	Y	Y	N
Boat/mobile home sales/service	N	N	N	Y	N	N	N	Y	N	M
Boat Moorage Commercial	N	N	N	Y	N	N	N	Y	Y	L
Bottling plant	N	N	N	N	N	N	N	N	Y	O
Bowling alley/emrel-amusement	N	N	N	Y	N	Y	N	Y	N	I
Brewery/Distillery/Winery	N	N	N	Y	N	Y	N	Y	Y	Q
Building supply outlet	N	N	N	Y	N	Y	N	Y	Y	L
Business or professional office	N	N	CU	Y	Y	Y	Y	Y*	N	K
Cabinet/furniture shop	N	N	N	Y	N	N	N	Y	Y	N
Car wash	N	N	N	Y	N	N	N	N	N	Q
Cement/clay products mfg	N	N	N	N	N	N	N	N	Y	O
Cemetery	Y	Y	Y	Y	Y	Y	Y	N	N	Q
Chemical storage and mfg	N	N	N	N	N	N	N	N	Y	O
Child day care center	CU	CU	CU	CU	CU	CU	CU	N	N	H
Church	Y	Y	Y	Y	Y	Y	Y	N	N	E
Concrete batch plant	N	N	N	N	N	N	N	N	Y	N

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
<b>Congregate housing</b>										
Contractors' storage yard	N	N	N	N	N	N	N	Y	Y	L
<b>Convenience store (flr area &lt;2500 sf)</b>	N	N	N	Y	Y	Y	N	Y	N	J
<b>Convenience store (flr area &gt;2500 sf)</b>	N	N	N	Y	N	Y	N	Y	N	J
Dairy products processing	N	N	N	N	N	N	N	Y	Y	N
Dance, music, voice studio	N	N	N	Y	Y	Y	N	Y	N	L
Dormitory	N	Y*	Y	N	N	N	N	N	N	D
Drug store	N	N	N	Y	Y	Y	Y	Y	N	K
Dry cleaning establishment	N	N	N	Y	Y	Y	N	N	N	M
Duplex dwelling	Y	Y	Y	N	N	N	N	N	N	A
Equipment rental/sales yard	N	N	N	Y	N	N	N	Y	Y	L
<b>Espresso / Food Stand</b>	N	N	N	Y	Y	N	Y	Y	N	O
Farming (with livestock)	N	N	N	N	N	N	N	N	N	
Farming (without livestock)	N	N	N	N	N	N	N	N	N	
Farm or heavy equipment sales/service	N	N	N	Y	N	N	N	Y	Y	L
Funeral home	N	Y	Y	Y	N	N	N	N	N	L
Food processing plant	N	N	N	N	N	N	N	Y	Y	O
Food store (floor area<2,500 sq. ft.)	N	N	N	Y	Y	Y	N	Y	N	M
Food store (floor area>2,500 sq. ft.)	N	N	N	Y	CU	N	N	Y	N	M
Fraternity/sorority house	N	Y*	Y	N	N	N	N	N	N	D
Freight terminal	N	N	N	N	N	N	N	Y	Y	O
Frozen food locker	N	N	N	Y	N	N	N	N	N	M
Fuel yard	N	N	N	N	N	N	N	N	Y	Q
Furniture refinishing	N	N	N	Y	N	N	N	Y	Y	M
Garage, private	Y	Y	Y	Y	N	N	Y	N	N	Q
Garage, repair	N	N	N	Y	N	N	N	Y	Y	N
<b>Garden-apartments</b>	<del>N</del>	<del>Y</del>	<del>Y</del>	<del>N</del>		<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>B</del>
<b>Gas Station</b>	N	N	N	Y	Y	N	N	Y	Y	L
Gift shop	N	N	N	Y	Y	Y	N	Y	N	L
Grain storage	N	N	N	N	N	N	N	Y	Y	Q
Hazardous waste facility	N	N	N	N	N	N	N	N	Y	O
Health <b>Club Private</b>	N	N	N	Y	Y	Y	N	Y	N	L
Home occupation	Y	Y	Y	N	N	N	N	N	N	Q

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Hospital	N	N	N	N	N	N	Y	N	N	D
Hotel	N	N	N	Y	N	Y	Y	Y	N	C
Ice manufacturer-Cold storage plant	N	N	N	N	N	N	N	Y	Y	O
Industrial use, heavy	N	N	N	N	N	N	N	N	Y	O
Industrial use, light	N	N	N	Y	N	N	N	Y	Y	O
Junkyard	N	N	N	N	N	N	N	N	N	
Kennel	N	N	N	N	N	N	N	N	Y	M
Laundry / Commercial / Industrial	N	N	N	Y	N	N	N	Y	N	K
Laundry / Self Serve	N	N	N	Y	Y	Y	N	Y	N	J
Machine shop	N	N	N	Y	N	N	N	Y	Y	N
<b>Manufacturing</b>	N	N	N	N	N	N	N	Y	Y	O
Manufactured house	Y	Y	Y	N	N	N	Y	N	N	A
Manufactured housing park	N	N	Y*	N	N	N	N	N	N	A
Marina	N	N	N	N	N	N	N	Y	Y	L
Meat packing plant	N	N	N	N	N	N	N	Y	Y	O
Medically related professional office	N	N	Y*	Y	Y	Y	Y	Y	N	K
Medical, dental, optical laboratory	N	N	N	Y	N	Y	Y	Y	N	K
Mobile home park	N	N	Y*	N	N	N	N	N	N	A
Monument works	N	N	N	Y	N	Y	N	Y	Y	N
Mortuary	N	N	N	Y	N	N	Y	N	N	L
Motel	N	N	N	Y	N	N	N	Y	N	C
<b>Multifamily dwelling</b>	N	Y**	Y	N		N	N	N	N	B
Nursery for flowers and plants	N	N	N	Y	Y	N	N	Y	Y	M
Nursing home	Y	Y	Y	N	N	N	Y	N	N	D
Parking lot	N	N	CU	Y	Y	Y	Y	Y	Y	Q
Petroleum storage	N	N	N	N	N	N	N	N	Y	Q
Photo studio	N	N	N	Y	Y	Y	N	Y	N	K
Planned development	Y	Y	Y	Y	Y	Y	Y	N	N	A
Print shop	N	N	N	Y	N	Y	N	Y	N	M
Public utility yard	N	N	N	N	N	N	N	Y	Y	Q
<b>Recreational Facility / Public</b>	CU	CU	CU	CU	N	N	N	CU	N	Q
Recreational vehicle park	N	N	CU	Y	N	N	N	N	N	B
Recycling center	N	N	N	N	N	N	N	N	Y	Q

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Recycling collection point	Y	Y	Y	Y	Y	Y	Y	Y	Y	Q
Recycling plant	N	N	N	N	N	N	N	N	Y	O
Rendering plant	N	N	N	N	N	N	N	N	N	
Research laboratory	N	N	N	Y	N	N	Y	Y	Y	L
Restaurant	N	N	N	Y	Y	Y	N	Y	N	P
Restaurant, Drive-in	N	N	N	Y	Y	N	N	N	N	P***
Retail store (flr area <2500 sf)	N	N	N	Y	Y	Y	N	Y	N	M
Retail store (flr area >2500 sf)	N	N	N	Y	N	Y	N	Y	N	M
Sanitary landfill	N	N	N	N	N	N	N	N	N	Q
Sales / Occasional	N	N	N	Y	Y	Y	N	Y	N	K
Schools (College)	N	N	N	Y	N	N	Y	N	N	H
Schools (K-12)	Y	Y	Y	Y	N	N	N	N	N	H
Second-floor apartment	Y	Y	Y	Y	Y	Y	Y	Y	N	B
Service Station	N	N	N	Y	N	N	N	Y	N	L
Sign shop	N	N	N	Y	N	Y	N	Y	N	N
Single-family dwelling	Y	Y	Y	N	N	N	Y	N	N	A
Storage rental unit	N	N	N	Y	N	N	N	Y	N	Q
Terminal yard, trucking	N	N	N	N	N	N	N	Y	Y	Q
Tire shop	N	N	N	Y	N	N	N	Y	Y	M
Theater / Interior	N	N	N	Y	N	Y	N	N	N	E
Transportation facilities	N	N	N	N	N	N	N	Y	Y	Q
Truck and tractor repair	N	N	N	N	N	N	N	Y	Y	M
Upholstery shop	N	N	N	Y	N	Y	N	Y	Y	N
Veterinary clinic	N	N	N	Y	N	N	N	Y	Y	M
Warehouse	N	N	N	Y	N	N	N	Y	Y	O
Wholesale distributing facility	N	N	N	Y	N	N	N	Y	Y	O
Wireless Telecommunication facility	Y*	Y*	Y*	Y*	Y*	Y*	Y*	Y*	Y*	CU
Wood processing plant	N	N	N	N	N	N	N	Y	Y	O
Wrecking yard	N	N	N	N	N	N	N	N	N	

\*Review special requirements

\*\* Maximum of four (4) attached units (four-plex).

\*\*\* In addition to the parking requirement, eight stacking spaces for the drive up window, with a minimum of four such spaces designated for the ordering station. Such spaces shall be designed so as not to impede pedestrian or vehicular Circulation on the site or on any abutting streets.

	R-1	R-2	R-3	S-C	N-C	D-C	M-C	H-I & P-C
Minimum Lot Size in square feet	5,000	5,000	5,000	5,000	5,000	NA	5,000	NA
Area required for additional dwelling units (s.f.)	3,500 <sup>1</sup>	2,500 <sup>2</sup>	1,500	NA	NA	NA	NA	NA
Minimum lot width	50	50	50	50	50	NA	NA	NA
Minimum lot depth	100	100	100	100	100	NA	NA	NA
<b>Primary building:</b>								
Front yard setback	25	20	20	15	15	0	20	0
Rear yard setback	15	15	15	15	15	0	15	0
Side yard setback	7 or 10 <sup>5</sup>	7 or 10 <sup>5</sup>	7 or 10 <sup>5</sup>	5	5	0	5	0
Side yard setback, corner lot, street side	15	15	15	0	0	0	0	0
<b>Auxiliary building:</b> (less than 120 s.f.)								
Front yard setback	25	20	20	15	15	0	20	0
Rear yard setback	3	3	3	0 or 15 <sup>3</sup>	0 or 15 <sup>3</sup>	0	0 or 15 <sup>3</sup>	0
Side yard setback	3	3	3	0 or 15 <sup>3</sup>	0 or 15 <sup>3</sup>	0	0 or 15 <sup>3</sup>	0
<b>Auxiliary building:</b> (more than 120 s.f.)								
Front yard setback	25	20	20	15	15	0	20	0
Rear yard setback	3 or 10 <sup>4</sup>	3 or 10 <sup>4</sup>	3 or 10 <sup>4</sup>	0 or 15 <sup>3</sup>	0 or 15 <sup>3</sup>	0	0 or 15 <sup>3</sup>	0
Side yard setback	5	5	5	0 or 15 <sup>3</sup>	0 or 15 <sup>3</sup>	0	0 or 15 <sup>3</sup>	0
Maximum	40%	45%	50%	60%	60%	100%	60%	100%

lot coverage by structures								
Building height limit	35	35	35	35	35	35	35	35
	<p><sup>1</sup> To a maximum of 2 units contained within a single structure (Duplex), and one structure per lot.  <sup>2</sup> To a maximum of four (4) units contained within a single structure, and one structure per lot.  <sup>3</sup> The larger setback is required where the yard adjoins a residential property.  <sup>4</sup> The larger setback is required where no alley adjoins the rear lot. The larger setback also applies to garages on alleys where the vehicular access to the garage is perpendicular to the alley or at an angle between 45 and 90 degrees to the alley, to allow for safe visibility.  <sup>5</sup> Seven foot setback required on each side if alley access, 7 on one side &amp; 10 on the other if no alley access.</p> <p><b>NOTE:</b> The maximum eave overhang or other building projection allowed is four inches for every twelve inches of required setback.  The required setback is measured from the property line to the outside of the foundation wall.</p>							

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

ORDINANCE NO. 1529

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CLARKSTON MUNICIPAL  
CODE CHAPTER 17, WHICH ESTABLISHES ZONING REGULATIONS FOR THE  
CITY OF CLARKSTON

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

SECTION 1.0

Clarkston Municipal Code Chapter 17 is hereby amended as follows:

17.01.040 Definitions.

The following definitions are hereby added:

“Marijuana Processing” means processing, packaging and labeling of marijuana /  
marijuana infused products for sale at wholesale to marijuana retailers..

“Marijuana Production” means the production of marijuana of marijuana for sale at  
wholesale to marijuana processors.

“Marijuana Retail Sales” means a location where licensed marijuana retailers sell  
only usable marijuana, marijuana infused products, and marijuana paraphernalia to persons  
twenty-one years of age and older

17.10.030 Land use requirements.

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Ice manufacturer-Cold storage plant	N	N	N	N	N	N	N	Y	Y	O
Industrial use, heavy	N	N	N	N	N	N	N	N	Y	O
Industrial use, light	N	N	N	Y	N	N	N	Y	Y	O
Junkyard	N	N	N	N	N	N	N	N	N	
Kennel	N	N	N	N	N	N	N	N	Y	M
Laundry / Commercial / Industrial	N	N	N	Y	N	N	N	Y	N	K
Laundry / Self Serve	N	N	N	Y	Y	Y	N	Y	N	J
Machine shop	N	N	N	Y	N	N	N	Y	Y	N
Manufacturing	N	N	N	N	N	N	N	Y	Y	O
Manufactured house	Y	Y	Y	N	N	N	Y	N	N	A
Manufactured housing park	N	N	Y*	N	N	N	N	N	N	A
Marijuana Processing	N	N	N	N	N	N	N	N	Y	O
Marijuana Production	N	N	N	N	N	N	N	N	Y	O
Marijuana Retail Sales	N	N	N	Y	N	Y	N	Y	N	K
Marina	N	N	N	N	N	N	N	Y	Y	L
Meat packing plant	N	N	N	N	N	N	N	Y	Y	O
Medically related professional office	N	N	Y*	Y	Y	Y	Y	Y	N	K
Medical, dental, optical laboratory	N	N	N	Y	N	Y	Y	Y	N	K
Mobile home park	N	N	Y*	N	N	N	N	N	N	A
Monument works	N	N	N	Y	N	Y	N	Y	Y	N
Mortuary	N	N	N	Y	N	N	Y	N	N	L
Motel	N	N	N	Y	N	N	N	Y	N	C
Nursery for flowers and plants	N	N	N	Y	Y	N	N	Y	Y	M
Nursing home	Y	Y	Y	N	N	N	Y	N	N	D
Parking lot	N	N	CU	Y	Y	Y	Y	Y	Y	Q
Petroleum storage	N	N	N	N	N	N	N	N	Y	Q
Photo studio	N	N	N	Y	Y	Y	N	Y	N	K
Planned development	Y	Y	Y	Y	Y	Y	Y	N	N	A
Print shop	N	N	N	Y	N	Y	N	Y	N	M
Public utility yard	N	N	N	N	N	N	N	Y	Y	Q
Recreational Facility / Public	CU	CU	CU	CU	N	N	N	CU	N	Q
Recreational vehicle park	N	N	CU	Y	N	N	N	N	N	B
Recycling center	N	N	N	N	N	N	N	N	Y	Q

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

## SCHOOL RESOURCE OFFICER AGREEMENT

THIS AGREEMENT made and entered into on April 28, 2014, by and between **CLARKSTON SCHOOL DISTRICT NO. J250-185**, hereinafter referred to as the "School District" and **CLARKSTON POLICE DEPARTMENT**, hereinafter referred to as the "Police Department".

In consideration of the mutual promises and covenants herein contained, the School District and the Police Department hereby agree as follows:

### ARTICLE I.

School Resource Office Program is hereby established in the Public School System of Clarkston, Washington, from August 1, 2014, to July 31, 2015.

### ARTICLE II.

The Police Department shall provide a School Resource Officer, hereinafter referred to as the SRO, as follows:

#### **A. Sites:**

The Police Department shall assign one regularly employed Police Officer to provide SRO functions to the following schools:

Clarkston High School  
Lincoln Middle School  
Educational Opportunity Center  
Grantham Elementary  
Highland Elementary  
Heights Elementary  
Parkway Elementary

#### **B. Schedule:**

1. The SRO shall be assigned to the School District on a full-time, forty (40) hour workweek during the school year. Scheduling for the SRO while school is in session will be determined by mutual agreement of the School District administration, the SRO and the SRO's police supervisor. The SRO will not take vacation while school is in session unless specifically approved by the parties.

2. The office for the SRO will be located at CHS. The SRO will report to CHS at 7:30 a.m. and remain on duty and available to all district schools until 3:30 p.m.

3. The officer will take an hour lunch break during a time that is mutually agreed upon by the school district and the Police Chief. The lunch break will be determined as an hour when the SRO is least needed on school sites and may change as school needs change throughout the school year.

**C. Duties of the School Resource Officer:**

1. SRO responsibilities:
  - a. The SRO may act as an instructor for specialized, short-term programs at the school (when invited to do so by the principal or member of the faculty), if available, with School District approval;
  - b. The SRO may attend, when available, parent/staff meetings to solicit support and understanding of the program;
  - c. The SRO may make himself available for conferences with students, parents, and staff members in order to assist them with law enforcement or crime prevention related issues;
  - d. The SRO shall become familiar with all community agencies which offer assistance to the youth and their families;
  - e. When available, the SRO shall participate in monthly CORE Team and Elementary Support meetings;
  - f. The SRO shall assist the School District and/or principals in developing plans and strategies to prevent and/or minimize dangerous situations as well as review protocols with District Administration;
  - g. The SRO shall become familiar with the emergency plans of the school district and individual buildings;
  - h. The SRO shall maintain detailed and accurate records of the operation of this program as agreed upon by District Administration. This report will include:
    - i. A log describing professional development and training;
    - ii. A log describing classroom presentations:  
date, school, grade, curriculum, number of students;
    - iii. A log describing presentation to district personnel:  
date, audience, topic;
    - iv. A log describing student contact:  
month, school, grade, situation;
    - v. A log describing participation in community and school district committees:  
month, description
  - i. The SRO shall be familiar with the school district policies and school building procedures relating to discipline, however, the SRO shall NOT act as a school disciplinarian;

- j. Should it become necessary to conduct formal police interviews with the students, the SRO shall adhere to school district policy, police policy, and legal requirements with regard to such interviews;
- k. The SRO shall take law enforcement action as required. The SRO shall make the principal or his designee aware of such action as soon as possible and inform the district Superintendent or designee of the action taken;
- l. The SRO is not to be used for regularly assigned lunchroom duties, hall monitoring or other monitoring;
- m. The SRO or other assigned officer shall conduct the School District's Annual Safety Audit, in collaboration with School District's Maintenance Department, will monitor the school safety requirements as outlined in SB 5097, in order to ensure all buildings are in compliance.

### ARTICLE III.

#### **A. Duties of the School District.**

1. The School District shall provide to the full-time SRO the following materials and facilities which are deemed necessary to the performance of the SRO's duties:

- a. Office space to include a desk and telephone;
- b. A cell phone to conduct school business;
- c. A file cabinet which can be properly locked and secured;
- d. Office supplies as needed to perform SRO's duties;
- e. Access to a computer for word processing, data collection and e-mail.

### ARTICLE IV.

#### **A. Financing of the SRO:**

The School District shall pay to the Police Department \$66,972.32 for 194 eight (8) hour days worked between August 1, 2014 and July 31, 2015. This will be paid to the Police Department in eleven (11) monthly payments, the first being paid on October 31, 2014, and the last being paid on September 30, 2015. The Police Department will submit monthly invoices to the School District. Upon receipt of the monthly invoice and the SRO's monthly time sheet, informational logs and any other grant data, payment will be issued. The payment will be pro-rated to the number of eight (8) hour days worked in the month.

All liabilities for salaries, wages and any other compensation, work related injury or sickness of the SRO shall be that of the Clarkston Police Department.

ARTICLE V.

**A. Employment status of the SRO:**

The SRO shall remain an employee of the Clarkston Police Department, and shall not be an employee of the School District. The School District and the Police Department acknowledge that the SRO shall remain within the chain of command of the Clarkston Police Department.

ARTICLE VI.

**A. Dispute Resolution--Dismissal of SRO--Replacement:**

1. In the event that a principal of a school in which the SRO is working feels that the SRO is not effectively performing his duties and responsibilities, the principal or representative will provide the School District Superintendent with written notification of the complaint, including specific reasons for the complaint or dissatisfaction. The Superintendent will determine if the concern needs to be taken to the Police Chief. If the Superintendent deems that the concern needs to be taken to the Police Chief, a written notification will be sent to the Police Chief. Within a reasonable time after receiving said written notification, the Police Chief will investigate the complaint or dissatisfaction and provide feedback to the Superintendent. If the problem is not resolved to both parties satisfaction, the SRO shall be removed from the program and a replacement shall be obtained.

2. In the event that the SRO feels that the School District is not abiding by its agreement or a situation exists that is not resolved by communicating with building principals, the SRO will notify the Police Chief. If the Police Chief deems necessary, a written notification will be sent to the Superintendent of the School District. Within a reasonable time after receiving said written notification, the Superintendent will investigate the complaint or dissatisfaction and work with the Police Chief to achieve a mutually agreed upon solution.

3. The Police Department may dismiss or reassign the SRO based upon Department Policies or need. In the event that the Police Department does not have an officer available for the School Resource position, the Police Department may subcontract with another agency to provide an officer for the school district by mutual consent with the School District.

4. In the event of resignation, dismissal, reassignment, or long-term absence of the SRO, the Police Department shall provide a temporary replacement for the SRO within 15 days of receiving notice of such action. The school district must be notified immediately upon receiving that notice.

5. This agreement may be terminated by either party upon sixty (60) days written notice that any other party has failed to substantially perform in accordance with the terms and conditions of this Agreement. The Agreement may be terminated without cause by either party upon 180 days written notice.

**B. Good Faith:**

1. The School District, the Police Department, their agents and employees agree to cooperate in good faith in fulfilling the term of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the Superintendent and the Chief of Police or their designees.

2. This document constitutes the full understanding of the parties and no terms, conditions, understandings, or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter made in writing and signed by both parties.

3. This Agreement and each and every covenant herein shall not be capable of assignment unless the express written consent of the School District and the Police Department is obtained.

4. This Agreement constitutes a final written expression of all the terms of the Agreement and is a complete and exclusive statement of those terms.

5. The District and Clarkston Police Department agree that exchange of information shall comply with RCW 28A.600.475 regarding student information.

6. Each party will protect, defend, indemnify, and save harmless the other party, its officers, employees and agents from any and all costs, claims, judgments or awards of damages arising out of or in any way resulting from negligent acts or omissions of that party, its officers, employees or agents related to the performance of the party's duties under this Agreement. However, nothing in this agreement shall be construed to benefit third parties or to imply a special relationship between the Department and any students or employees to impose any duty other than that of a law enforcement officer serving the general public.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

CLARKSTON SCHOOL DISTRICT    CLARKSTON POLICE DEPARTMENT

By: \_\_\_\_\_  
                    Superintendent

By: \_\_\_\_\_  
  Mayor

Dated signed: \_\_\_\_\_

Date signed: \_\_\_\_\_

**RESOLUTION NO. 2014-11**

**A RESOLUTION PLACING AN EXCESS PROPERTY TAX LEVY FOR EMERGENCY MEDICAL SERVICES AND RESCUE ONE UNIT, OPERATED BY THE CITY OF CLARKSTON, ON THE BALLOT AT A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2014 IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.**

WHEREAS, the City of Clarkston has established and operates a Rescue One Unit providing emergency medical services and ambulance transport to the residents of the City of Clarkston; and

WHEREAS, the City portion of the cost of said Rescue One Unit services for 2015 is anticipated to be \$546,167.00; and

WHEREAS, if the Rescue One Unit is discontinued, the City will be unable to meet its obligations to IAFF #2299, a labor contract; and

WHEREAS, RCW 84.52.052 AUTHORIZES AN EXCESS PROPERTY TAX LEVY TO SUPPORT OBLIGATIONS OF CONTRACT AND FOR OTHER PURPOSES UPON VOTER APPROVAL; and

WHEREAS, the lack of emergency medical services care to the residents of the City of Clarkston constitutes an emergency dealing with health and welfare of the citizens of the City;

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSTON IN REGULAR MEETING ASSEMBLED AS FOLLOWS:**

**SECTION 1.0**

That a special election is to be held in the City of Clarkston, State of Washington, on November 4, 2014, in conjunction with the state general election to be held on the same date. This election is for the purpose of submitting an excess levy proposition as authorized by RCW 84.52.052 in the amount of \$546,167.00 to the electors of said City for their approval or rejection, the proceeds thereof be placed in the Ambulance/EMS Fund of the City to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit.

**SECTION 2.0**

Proposition: Shall the City of Clarkston, Washington, authorize the County Commissioners of Asotin County to levy in the year 2014 as part of the ad valorem real property taxes to be collected for the City in 2014 the sum of \$546,167.00, which will require a rate of approximately \$1.33 per thousand dollars of assessed valuation of the aforesaid City based upon

the assessment ratio of 100 percent of true and fair value. Said tax levy is to be in addition to the maximum levy provided by law for such City. The proceeds thereof are to be placed in the EMS Fund to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit, which shall be submitted to the electors of said City for their approval or rejection in the form of the following ballot title:

**CITY OF CLARKSTON, WASHINGTON  
EMERGENCY MEDICAL SERVICES EXCESS  
TAX LEVY**

**The City Council of the City of Clarkston, Washington, adopted Resolution No. 2014-11 concerning a proposition to finance emergency medical services. This proposition, if approved, would permit maintenance and operation of Rescue One Emergency Medical Services through the levy of a special excess tax for collection in 2015 of \$546,167.00 requiring approximately \$1.33 per thousand dollars of assessed value (based on 100% of true and fair value). Should this proposition be approved?**

**LEVY            YES .....**

**LEVY            NO .....**

SECTION 3.0

The Clerk of the aforesaid City is hereby directed to immediately transmit to the Asotin County Auditor a copy of this Resolution duly signed and attested and upon receipt of which the Asotin County Auditor is hereby requested to concur in the finding of an emergency and to take all procedural steps necessary and as are required by law to the end that this proposition shall be submitted to the voters of said City.

DATED this 28<sup>th</sup> day of July, 2014.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated by:

\_\_\_\_\_  
Vickie Storey, City Clerk

City of Clarkston  
Public Works Director  
829 5<sup>th</sup> St.  
(509) 758-1662  
(509) 769-6019fax

# Memo

*To: Council*

*From: James E. Martin, PWD*

*CC: Mayor Warren*

*Date: July 23, 2014*

*Re: WWTP Project Closeout*



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We are finally at the end of our WWTP upgrade. As it worked out, the timing on the completion did not allow us to go through the proper steps on our final change order. It was expected to process more change orders at the end of a project compared to the beginning. I must say that we are very pleased with the overall attention to funding from all parties involved.

We have one final change order to process, with your approval, for a number of necessities. I don't have the official change order yet but have seen the proposed total of \$82,960.11. That amount represents 20 changes that were needed ranging from a \$179.00 credit to a couple changes in the vicinity of \$14,000.00. All changes were discussed and the need reviewed.

The good news relating to all this is the overall contingency level has come in at just a whisker under 2% when we allowed for 5%. With construction costs a little under \$14 million, our change orders total \$269,478.83. The 5 change orders over the project involved 60 items overall.

As part of the closeout, we have an opportunity for possible future energy savings with an investment in the \$30K range that would have a 4 year to 10 year payback dependent on the number of blowers that operate at the plant. This amount is not included in the \$83K change order that needs processing. We can have automated valves installed that greatly improve the control of air to the aeration basins which regulate how many blowers operate. These blowers use significant amounts of energy and the automated valves would be much more accurate in dosing air to the basins over manual manipulation by the staff. Considering our great control of the contingency on the project, I would suggest making that investment rather than discovering later that we wish we had. That would put our last change order to \$113K and a contingency amount of 2.2%.

Thanks for your consideration.

ORDINANCE NO. 1530

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1519 WHICH ADOPTED THE 2014 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2014 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2014 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. 1519 passed by the City Council on December 23, 2013, shall be increased and amended as follows:

	EXPENDITURES	OTHER FINANCING USES
CURRENT EXPENSE (001)	31,400	
CURRENT EXPENSE RESERVE (004)		240,000
STREET FUND (103)	693,740	
SEWER O & M FUND (400)		75,200
SEWER CONSTRUCTION (405)	1,273,000	62,000
SEWER REVENUE BOND (406)	70,000	
PWTF LOAN (407)	14,100	
STORMWATER O&M (409)	128,500	
SANITATION (410)		240,000
<b>TOTALS</b>	<b>2,210,740</b>	<b>617,200</b>

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2014 budget on or before December 31, 2014, 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 11<sup>TH</sup> day of August, 2014.

Authenticated:

\_\_\_\_\_  
Kathleen A. Warren, Mayor

\_\_\_\_\_  
Vickie Storey, City Clerk

**BUDGET AMENDMENT No 1 - 2014  
ORDINANCE NO. 1530**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>GENERAL FUND</b>				
001 000 001 308 80 00 00	\$ 714,178	\$ 133,598	\$ 847,776	Adjust to Actual
<b>TTL REVENUES</b>	\$ 714,178	\$ 133,598	\$ 847,776	
001 000 080 594 22 63 10	\$ 8,000	\$ 31,400	\$ 39,400	13th St Project
001 999 001 508 80 00 00	\$ 329,583	\$ 133,598	\$ 463,181	Adjust Ending Balance
<b>TTL EXPENDITURES</b>	\$ 337,583	\$ 164,998	\$ 502,581	
<b>CURRENT EXPENSE RESERVE</b>				
004 000 041 308 80 00 00	\$ 524,594	\$ 37	\$ 524,631	Adjust for Actual Beg Bal
004 999 041 381 20 00 01	\$ -	\$ 240,000	\$ 240,000	Loan prmt from Sanitation
004 999 041 581 10 00 00	\$ -	\$ 240,000	\$ 240,000	Loan to Sanitation
004 999 041 508 80 00 00	\$ 585,594	\$ 37	\$ 585,631	Adjust End Balance
	\$ -	\$ -	\$ -	
<b>EMPLOYEE BENEFIT RESERVE</b>				
006 000 042 308 80 00 00	\$ 89,321	\$ 8	\$ 89,329	Adjust to actual
006 999 042 508 80 00 00	\$ 89,621	\$ 8	\$ 89,629	Adjust End Balance
<b>COMMUNITY ENHANCEMENT PROJECTS</b>				
007 000 043 308 80 00 00	\$ 37,979	\$ (19)	\$ 37,960	Adjust to actual
007 999 043 508 80 00 00	\$ 38,079	\$ (19)	\$ 38,060	Adjust Ending Balance
<b>NATIONAL NIGHT OUT FUND</b>				
010 000 066 308 80 00 00	\$ 3,420	\$ (12)	\$ 3,408	Adjust to actual
010 999 066 508 80 00 00	\$ 3,020	\$ (12)	\$ 3,008	Adjust End Balance
<b>VICTIM RIGHTS FUND</b>				
011 000 051 308 80 00 00	\$ 48,696	\$ 542	\$ 49,238	Adjust to actual
011 999 051 508 80 00 00	\$ 48,796	\$ 542	\$ 49,338	Adjust End Balance
<b>VEHICLE REPLACEMENT FUND</b>				
016 000 220 308 80 00 00	\$ 319,907	\$ 1,297	\$ 321,204	Adjust to actual
016 999 220 508 80 00 00	\$ 180,207	\$ 1,297	\$ 181,504	Adjust End Balance
<b>D.A.R.E. FUND</b>				
017 000 063 308 80 00 00	\$ 8,500	\$ (1,453)	\$ 7,047	Adjust to actual
017 999 063 508 80 00 00	\$ 5,250	\$ (1,453)	\$ 3,797	Adjust End Balance

**BUDGET AMENDMENT No 1 - 2014  
ORDINANCE NO. 1530**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>CDBG FUND</b>				
037 000 170 308 80 00 00	\$ 44,571	\$ (2,597)	\$ 41,974	Adjust to actual
037 999 170 508 80 00 00	\$ 19,471	\$ (2,597)	\$ 16,874	Adjust End Balance
<b>RESCUE UNIT ONE FUND</b>				
102 000 081 308 80 00 00	\$ 7,731	\$ 71	\$ 7,802	Adjust to actual
102 999 081 508 80 00 00	\$ 4,481	\$ 71	\$ 4,552	Adjust End Balance
<b>STREET FUND</b>				
103 000 130 308 80 00 00	\$ 98,210	\$ 9,926	\$ 108,136	Adjust to actual
103 000 130 333 20 20 00	\$ -	\$ 674,700	\$ 674,700	13th Street Grant
103 000 130 334 03 80 00	\$ -	\$ 21,961	\$ 21,961	12th St Closeout
<b>Total Revenue</b>	\$ 98,210	\$ 706,587	\$ 782,836	
103 000 130 542 30 31 62	\$ 80,000	\$ (80,000)	\$ -	Move to St Const
103 000 130 542 30 31 64	\$ 60,000	\$ (38,000)	\$ 22,000	Move to St Const
103 000 132 595 10 41 11	\$ -	\$ 10,000	\$ 10,000	13th St
103 000 132 595 30 63 00	\$ -	\$ 801,740	\$ 801,740	12th St Retainage & 13th St Construction
103 999 130 508 80 00 00	\$ 2,860	\$ 12,847	\$ 15,707	Adjust End Balance
<b>TTL EXPENDITURES</b>	\$ 2,860	\$ 824,587	\$ 827,447	
<b>STREET DEPT RESERVE</b>				
105 000 133 308 80 00 00	\$ 72,348	\$ 3,023	\$ 75,371	Adjust to actual
105 999 133 508 80 00 00	\$ 27,348	\$ 3,023	\$ 30,371	Adjust End Balance
<b>DRUG ENFORCEMENT FUND</b>				
108 000 064 308 80 00 00	\$ 58,730	\$ (759)	\$ 57,971	Adjust to actual
108 999 064 508 80 00 00	\$ 27,348	\$ (759)	\$ 26,589	Adjust End Balance
<b>AMBULANCE / EMS</b>				
120 000 084 308 80 00 00	\$ 117,360	\$ 33,099	\$ 150,459	Adjust to actual
120 999 084 508 80 00 00	\$ 67,400	\$ 33,099	\$ 100,499	Adjust End Balance
<b>EMS RESERVE</b>				
121 000 082 308 80 00 00	\$ 47,489	\$ (6)	\$ 47,483	Adjust to actual
121 999 082 508 80 00 00	\$ 68,589	\$ (6)	\$ 68,583	Adjust End Balance
<b>LODGING TAX FUND</b>				
130 000 211 308 80 00 00	\$ 538,442	\$ 811	\$ 539,253	Adjust to actual
130 999 211 508 80 00 00	\$ 533,657	\$ 811	\$ 534,468	Adjust End Balance

BUDGET AMENDMENT No 1 - 2014  
ORDINANCE NO. 1530

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>MUNICIPAL CAPITAL IMPROVEMENT</b>				
202 000 240 308 80 00 00	\$ 71,848	\$ 3,066	\$ 74,914	Adjust to actual
202 999 240 508 80 00 00	\$ 107,048	\$ 3,066	\$ 110,114	Adjust End Balance
<b>SEWER O &amp; M FUND</b>				
400 000 140 308 80 00 00	\$ 649,118	\$ 17,862	\$ 666,980	Adjust to Actual
400 000 140 597 35 00 40	\$ 175,000	\$ 75,200	\$ 250,200	2013 Bond Principal
400 999 140 508 80 00 00	\$ 584,163	\$ 17,862	\$ 602,025	Adjust end balance
<b>EQUIPMENT RESERVE FUND</b>				
401 000 141 308 80 00 00	\$ 55,317	(2)	\$ 55,315	Adjust to actual
401 999 141 508 80 00 00	\$ 75,467	(2)	\$ 75,465	Adjust end balance
<b>SEWER LINE RESERVE</b>				
402 000 142 308 80 00 00	\$ 493,722	\$ 36	\$ 493,758	Adjust to actual
402 999 142 508 80 00 00	\$ 455,422	\$ 36	\$ 455,458	Adjust End Balance
<b>SEWER CAPITAL REPLACEMENT</b>				
403 000 143 308 80 00 00	\$ 40,822	(7)	\$ 40,815	Adjust to actual
403 999 143 508 80 00 00	\$ 60,922	(7)	\$ 60,915	Adjust End Balance
<b>SEWER RESERVE FUND</b>				
404 000 144 308 80 00 00	\$ 112,747	(14)	\$ 112,733	Adjust to actual
404 999 144 508 80 00 00	\$ 113,122	(14)	\$ 113,108	Adjust End Balanced
<b>SEWER CONSTRUCTION</b>				
405 000 145 308 10 00 00	\$ 1,048,201	\$ 2,222,710	\$ 3,270,911	Adjust to Actual
405 000 145 361 11 00 00	\$ 1,000	\$ 3,000	\$ 4,000	Additional Interest
	\$ 1,049,201	\$ 2,225,710	\$ 3,274,911	
405 000 145 594 35 63 00	\$ 950,000	\$ 1,154,000	\$ 2,104,000	
405 000 145 594 35 63 20	\$ 99,000	\$ 119,000	\$ 218,000	
405 000 145 597 35 00 10	\$ -	\$ 62,000	\$ 2,322,000	
405 000 145 508 10 00 00	\$ 201	\$ 890,710	\$ 890,911	Adjust End Balance
	\$ 1,049,201	\$ 2,225,710	\$ 5,534,911	
<b>SEWER REVENUE BOND</b>				

**BUDGET AMENDMENT No 1 - 2014  
ORDINANCE NO. 1530**

	Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
406 000 146 308 10 00 00	Reserved Beg Balance	\$ 448,576	\$ (10,126)	\$ 438,450	Adjust to actual
406 000 146 308 80 00 00	Unreserved Beg Balance	\$ 59,830	\$ (59,830)	\$ -	Adjust to actual
406 000 146 397 35 00 10	Trf from 405	\$ -	\$ 62,000	\$ 62,000	
406 000 146 397 35 00 40	Trf from 400	\$ 175,000	\$ 75,200	\$ 250,200	2013 Bond Principal
		\$ 683,406	\$ 67,244	\$ 750,650	
406 000 146 591 35 72 10	Bond Principal, 2013	\$ -	\$ 70,000	\$ 70,000	Budget for bond payment
406 000 146 508 10 00 00	Reserved End Balance	\$ 361,006	\$ (13,425)	\$ 347,581	Adjust End Balance
406 000 146 508 80 00 00	Unreserved End Balance	\$ 46,600	\$ 10,669	\$ 57,869	Adjust End Balance
		\$ -	\$ 67,244	\$ -	
<b>PWTF LOAN</b>					
407 000 147 308 80 00 00	Unreserved Beg Bal	\$ 23,682	\$ (11)	\$ 23,671	Adjust to Actual
407 000 147 397 00 35 41	Transfer from 400	\$ 360,000	\$ 14,000	\$ 374,000	Cover Loan Payment
		\$ 383,682	\$ 13,989	\$ 397,671	
407 000 147 592 35 83 20	PWTF Interest	\$ 30,000	\$ 14,100	\$ 44,100	Loan Interest
407 999 147 508 80 00 00	Unreserved End Balance	\$ 732	\$ (111)	\$ 621	Adjust End Balance
		\$ 732	\$ 13,989	\$ 621	
<b>SRF LOAN</b>					
408 000 148 308 80 00 00	Unreserved Beg Bal	\$ 32,869	\$ (31,087)	\$ 1,782	Adjust to Actual
408 999 148 508 80 00 00	Unreserved End Balance	\$ 32,814	\$ (31,087)	\$ 1,727	Adjust End balance
<b>STORMWATER FUND</b>					
409 000 049 308 80 00 00	Unreserved Beg Balance	\$ 23,854	\$ 66	\$ 23,920	Adjust to Actual
409 000 049 334 03 10 00	DOE Stormwater Grant	\$ -	\$ 120,000	\$ 120,000	Planning Grant
409 000 049 389 00 00 00	Reimbursement from Interlocal	\$ 25,000	\$ 8,500	\$ 33,500	From Capital Reserve
409 000 049 594 31 63 00	Improvements to real property	\$ -	\$ 128,500	\$ 128,500	Keller & 13th St & Riverview repairs
409 999 049 508 80 00 00	Unreserved End Balance	\$ 8,824	\$ 66	\$ 8,890	Adjust end Balance
<b>SANITATION O &amp; M FUND</b>					
410 000 150 308 80 00 00	Unreserved Beg Bal	\$ 102,541	\$ 4,208	\$ 106,749	Adjust to actual
410 999 150 381 20 00 10	I/F Loan from CE Reserve	\$ -	\$ 240,000	\$ 240,000	Truck Purchase
		\$ 102,541	\$ 244,208	\$ 346,749	
410 999 150 581 20 00 10	I/F Loan Payment	\$ -	\$ 240,000	\$ 240,000	Repay loan
410 999 150 508 80 00 00	Unreserved End Balance	\$ 29,621	\$ 4,208	\$ 33,829	Adjust End Balance
	<b>TTL EXPENDITURES</b>	\$ 29,621	\$ 244,208	\$ 240,000	

BUDGET AMENDMENT No 1 - 2014  
ORDINANCE NO. 1530

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>SANITATION EQUIPMENT RESERVE</b>				
411 000 151 308 80 00 00	\$ 176,052	\$ (10)	\$ 155,602	
411 999 151 508 80 00 00	\$ 46,352	\$ (10)	\$ 46,342	
<b>TOTAL REVENUES</b>	\$ 819,661			
<b>TOTAL EXPENDITURES</b>	\$ 2,210,740			
Other Rev	\$ 644,400			
Other Exp	\$ 617,200			