

Town of Oakesdale
TOWNCOUNCIL MEETING MINUTES
For
December 5, 2011

- ** PUBLIC HEARING FOR 2012 FINAL BUDGET – MAYOR DENNIS PALMER OPENED THE PUBLIC HEARING AT 7:00 P.M. BEFORE THE REGULAR COUNCIL MEETING. AS THERE WAS NO PUBLIC IN ATTENDANCE AND NO PUBLIC COMMENTS WERE MADE, THE HEARING WAS CLOSED AT 7:02 P.M.**
- I. CALL TO ORDER:** Mayor Dennis Palmer called the meeting to order at 7:03 p.m. following the Public Hearing.
- II. ROLL CALL:** Mayor Dennis Palmer, Al Evans, Tom Johnson, Tom Crooks and Randy Robinson. Councilman George Dewan arrived at 7:20 p.m. Also present were Mary DeGon, Clerk/Treasurer; Stephen Bishop, Town Attorney; Keith Cooper, Town Marshal and Dick Brown, Public Works Director.
- III. INTRODUCTION OF GUESTS:** Denis Tracy, Whitman County Prosecutor
- IV. DENIS TRACY, WHITMAN COUNTY PROSECUTOR:** Denis agreed to talk to the Town Council about medical marijuana and the changes to the medical marijuana law that were passed by the legislature that went into effect this summer. Denis gave a brief background on his department, staff and job duties. Medical marijuana authorization is an affirmative defense to the criminal act of possession, or growing, of marijuana. Technically, a medical marijuana authorization does not make it “legal” to use pot, it just excuses the criminal act of doing so. Denis answered many questions from council members regarding the use of medical marijuana and community gardens. Denis and Stephen both suggested passing zoning codes for collective marijuana gardens. By changing the zoning codes, we can state which zones allow for collective gardens. The only recourse we have if someone were to violate the codes is to issue a civil infraction or injunction. Council had a question and answer session with Denis before thanking him for attending our meeting.
- V. APPROVAL OF PREVIOUS MEETING MINUTES:** Council members reviewed November 21, 2011 minutes. George Dewan made the motion to approve the minutes as written. Tom Johnson seconded the motion, all council members voted yes – **motion passed.**
- VI. TOWN MARSHAL REPORT:** Keith Cooper submitted a report to council members for November 2011. There were 12 cases consisting of records request, animal problems,

burglary, juvenile problem, CPL and an agency assist. Keith Cooper was not available for questions as he had to go respond to a case.

VII. PUBLIC WORKS REPORT: Dick has the snow removal equipment ready and George is impatiently waiting to plow some snow! We did start discharging at the lagoons. The water leak on Pearl was fixed last week. The water line has multiple patches on it and will need to be replaced in the spring.

VIII. OLD BUSINESS:

A. PROBLEM RENTAL PROPERTIES – As suggested before, we need to use ordinances to keep medical marijuana in line. Stephen Bishop suggested to wait and see were the medical marijuana goes in the legislature in January 2012 before composing any ordinances. Al Evans gave some examples of how to control the use of medical marijuana: location (indoors and/or outdoors), prohibited in residential zones and security (lights, alarms, etc.). Al encouraged the town to be proactive with medical marijuana. Council members will review ordinance information at the next council meeting. Al also asked to include the discussion of potential dangerous dogs and having a fenced area for the animal(s).

B. TIB FUNDING – Council members received a copy of a letter from Transportation Improvement Board congratulating us on the selection of our Front Street Project between Steptoe and McCoy Streets. TIB awarded the project \$496,250.00 and it will be funded at one hundred percent.

C. CLERK'S COMPUTER – The computer that runs the BIAS software has been repaired and was up and running last Friday. There was a corrupted file in the software that has been corrected. The technician was not able to recreate the problem that shut down the computer with the error messages.

IX. NEW BUSINESS:

A. ORDINANCE NO. 607 ADOPTING 2012 BUDGET – Al Evans made the motion to dispense with the reading of Ordinance No. 607 adopting the 2012 budget. Randy Robinson seconded the motion, all council members voted yes – **motion passed.** Tom Johnson made the motion to adopt Ordinance No. 607 passing the 2012 budget. Randy Robinson seconded the motion, all council members voted yes – **motion passed.**

B. ORDINANCE NO. 608 BUDGET AMENDMENT – Randy Robinson made the motion to dispense with the reading of Ordinance No. 608 amending the 2011 budget. George Dewan seconded the motion, all council members voted yes – **motion passed.** Randy Robinson made the motion to adopt Ordinance No. 608 increasing Current Expense Fund No. 001 by \$12,946.00. Tom Johnson seconded the motion, all council members voted yes – **motion passed.**

- C. ORDINANCE NO. 609 NEW CONNECTION FEE** – Randy Robinson made the motion to dispense with the reading of Ordinance No. 609 fixing a fee to be paid to the Town for new connections to the municipal water system. Tom Johnson seconded the motion, all council members voted yes – **motion passed**. Tom Johnson made the motion to adopt Ordinance No. 609 requiring the property owner to pay a \$1,500 water connection fee. George Dewan seconded the motion, all council members voted yes – **motion passed**.
- D. RESOLUTION NO. 2011-327** – Al Evans made the motion to dispense with the reading of Resolution No. 2011-327 setting the salaries of the Clerk/Treasurer and Public Works Director. Randy Robinson seconded the motion, all council members voted yes – **motion passed**. Tom Johnson made the motion to adopt Resolution No. 2011-327 changing the monthly salary for Mary to \$2,813.99 and Dick’s monthly salary to \$2,888.13. Randy Robinson seconded the motion, all council members voted yes – **motion passed**.
- E. RESOLUTION NO. 2011-328** – Al Evans made the motion to dispense with the reading of Resolution No. 2011-328 for the replacement of the Steptoe Street Bridge. Tom Crooks seconded the motion, all council members voted yes – motion passed. Al Evans made the motion to adopt Resolution No. 2011-328 replacing the bridge with a 44 foot wide, 50 foot long concrete bridge. Tom Johnson seconded the motion, all council members voted yes – **motion passed**.
- F. URIKA HEALTH TRAIN** – Council members received an email requesting their presence at an information meeting on December 9th at 1:00 p.m. at the WSU Riverpoint Campus – Phase 1 Building Auditorium for a project designed for a Pullman train car that would have the capabilities to travel around central and eastern Washington to offer both dental and medical care in restorative and preventative treatment.

X. COUNCIL MEMBER’S BUSINESS:

GEORGE – He hates to see the Café building left in its present condition. He would like to see a fence around the back for safety concerns. Stephen Bishop thought the fence was not a bad idea as long as it was on city property.

AL – He asked that we do discuss the fencing of property for dogs at the next meeting along with the community marijuana gardens.

TOM J. – Nothing at this time.

TOM C. – Nothing at this time.

RANDY – Nothing at this time.

- XI. **TREASURER'S REPORT:** Council members reviewed the Treasurer's Report, Receipt Register and Check Register for November 2011. Al Evans made the motion to approve paid checks #22597 - #22619 in the amount of \$10,019.27 for claims and \$5,983.18 for payroll totaling \$16,002.45 from November 21, 2011 through November 30, 2011 AND EFT payment to WA State Dept of Revenue for \$607.52 for excise taxes and EFT payment to EFTPS for \$1,607.21 for employee 941 taxes. Randy Robinson seconded the motion, all council members voted yes - **motion passed.**
- XII. **ADJOURNMENT:** Al Evans made the motion to adjourn the meeting at 8:47 p.m. Tom Johnson seconded the motion, all council members voted yes - **motion passed.**

ATTEST:

DENNIS PALMER, MAYOR

Mary DeGon, Clerk/Treasurer