MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
DECEMBER 4, 2012

Roll Call

A regular meeting of the City Council of the City of Pullman was held on December 4, 2012, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Bill Mulholland	Finance Director
Francis Benjamin	Councilmember
Jeff Hawbaker	Councilmember
Fritz Hughes	Councilmember
Bill Paul	Councilmember
Derrick Skaug	Councilmember
Nathan Weller	Councilmember

Councilmember Weller moved, Councilmember Benjamin seconded to excuse Councilmember Wright from the meeting.

Motion Carried.

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m.

Announcements

Mayor Johnson made three announcements.

Presentation

Mayor Johnson announced Ed Schweitzer of Schweitzer Engineering Lab (SEL) would be making a presentation on SEL's progress. Ed Schweitzer said that the new building, which is under construction right now, would be completed May 1, 2013, and will be the Zocholl Engineering Building. He praised the City's building department. He said they now have 3,600 employees and currently have 250 open positions. He said that he now has 1,000,000 square feet under roof and is adding about 150,000 square feet per year. The Lewiston factory has 209 employees and they will add another 140,000 square feet by September 2013. The Mexico plant is adding 160,000 square feet this coming year. At present he has four planes, flying about 2,400 hours on the planes and he is looking at getting another plane as soon as he gets some hangar space. He went through the product lines and the direction they are heading in future development.

Confirmation of Appointment - City Supervisor

Mayor Johnson announced that he had appointed Mark Workman as City Supervisor. Councilmember Hughes moved, Councilmember Benjamin seconded to confirm the appointment of Mark Workman as City Supervisor. The motion carried unanimously.

Confirmation of Appointment - Public Works Director

Mayor Johnson announced that he had appointed Kevin Gardes as Public Works Director. Councilmember Paul moved, Councilmember Weller seconded to confirm the appointment of Kevin Gardes as Public Works Director. The motion carried unanimously. Councilmember Skaug wanted to know how the process had gone and Mayor Johnson went through what had occurred with the interview process. Not finding a suitable candidate, he asked Mark Workman to take the position.

Confirmation of Reappointment

Mayor Johnson announced that he had reappointed the following individuals to the various board and commissions:

Jennifer Harbour and Anna-Maria Shannon to terms on the Arts Commission expiring December 31, 2015;

Craig Beaumont, John Chapman, Pam Harbour, Mike Kallaher, and Josh Smart to terms on the Board of Adjustment expiring December 31, 2015;

Carol Chipman to a term on the Cemetery Committee expiring December 31, 2015;

Susan Weed and Doug Cox to terms on the Civil Service Commission expiring December 31, 2018.

Matthew Root and Ned Warnick to terms on the Historic Preservation Commission expiring December 31, 2015; and,

Norma Crow to a term on the Planning Commission expiring December 31, 2018.

Councilmember Hughes moved, Councilmember Skaug seconded to confirm all reappointments. The motion carried unanimously.

At 8:11 p.m the meeting was adjourned to conduct the meeting of the Metropolitan Park District. At 8:12 p.m. the Council meeting was reconvened.

ORDER OF BUSINESS
CONSENT AGENDA

Approval of Recommendations of Consent Agenda Items

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated that items listed on the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council request. Councilmember Paul moved, Councilmember Benjamin seconded to read the Consent Agenda by title only.

Motion Carried.

City Attorney McAloon read the items on the Consent Agenda by title only. Mayor Johnson asked if there were any requests for removal of items from the Consent Agenda from the Council. There were none. Councilmember Benjamin moved, Councilmember Weller to adopt the Consent Agenda as presented.

Motion Carried.

Motions

Minutes - November 13, 2012

1. The Council dispensed with the reading of the minutes of the regular meeting of November 13, 2012, and approved them as submitted.

Accounts Payable, Payroll, and Electronic Transfers - December, 2012

2. The Council approved disbursements represented by accounts payable checks numbered _____ through _____ totaling $_____ inclusive, payroll checks numbered _____ through _____ totaling $_____ inclusive, and electronic transfers totaling

_____ and directed that they be paid upon approval of the Auditing Officer and Audit Committee.

Lodging Tax Grant to Palouse Are Club Volleyball	3.	The Council approved a Lodging Tax grant to Palouse Area Club Volleyball in the amount of $2,400 for the PAC-V Volleyball Tournament.
Claim for Damages - Lorenzi	4.	The Council referred a Claim for Damages submitted by Anthony Lorenzi for the sum of $1,089.55 to the Washington Cities Insurance Authority (WCIA).
Paradise Hills Subdivisions 4 and 5	5.	The Council authorized a Letter of Direction Modifications and an exchange of performance security for Paradise Hills Subdivisions 4 and 5.
2013 Fuel	6.	The Council accepted the bid of Busch Distributors, Inc. to furnish fuel for 2013.
Secondary Process Improvements	7.	The Council ratified Change Order No. 4 to Contract No. 07-14, Secondary Process Improvements.
WWTP Disinfection Upgrades Complete	8.	The Council accepted as complete Contract No. 08-17A, WWTP Disinfection Upgrades.

Resolutions

Resolution No. R-65-12 - Grant Application

9. Resolution No. R-65-12

A RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION FOR OPERATING ASSISTANCE TO PULLMAN TRANSIT FIXED-ROUTE AND DIAL-A-RIDE SERVICE.

Resolution No. R-65-12 was adopted unanimously.

Resolution No. R-66-12 - Surplus Property

10. Resolution No. R-66-12

A RESOLUTION DECLARING A CERTAIN CITY VEHICLE TO BE EXCESS AND SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL THEREOF.

Resolution No. R-66-12 was adopted unanimously.

Resolution No. R-67-12 - Interlocal with City of Tacoma

11. Resolution No. R-67-12

A RESOLUTION OF THE PULLMAN CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATIVE PURCHASING PROGRAM AGREEMENT BETWEEN THE CITY OF PULLMAN AND THE CITY OF TACOMA.

Resolution No. R-67-12 was adopted unanimously.

REGULAR AGENDA

Ordinances

Ordinance No. 12-24 - Design Standards

12. Mayor Johnson announced that an ordinance has been prepared adopting revised design standards. Public Works Director Workman went through the background and the Request for Council Action. He noted that the design standards were last updated in 2001. In addition to input from staff, comments were also taken from the development community. The comments were primarily provided by Taylor Engineering and Design West Architects. In most cases, their input was incorporated into the revised standards. He requested the Council consider adoption of these updated standards.Ordinance No. 12-24 by title only reads as follows:

AN ORDINANCE ADOPTING REVISED "CITY OF PULLMAN DESIGN STANDARDS"; AMENDING SECTION 10.44.025 OF THE PULLMAN CITY CODE AND PULLMAN CITY ORDINANCE NOS. 80-45 §1 (1980), 83-6 §2 (1983), 89-7 § (1989), 91-6 §2 (1991), 98-8 §1 (1988) AND 01-3 §1 (2001).

Councilmember Hughes moved, Councilmember Weller seconded to adopt Ordinance No. 12-24. The motion carried unanimously.

Ordinance No. 12-25 - Budget Adoption

13. Mayor Johnson announced that an ordinance has been prepared adopting a budget for 2013. Finance Director Mulholland stated that they had met all of the timelines required by the RCWs for the various hearings. He noted that no changes were recommended or adopted at any hearings. He did make an adjustment to the Airport revenues from the original 2013 preliminary budget draft. $88,215 of revenues were reclassified to agree with the Airport Board's approved budget. An adjustment was made to Airport expenditures to correct a double counting expenditure which resulted in a reduction of $187,517 in previously reported expenditures. He also noted that the 2013 budget stemmed the bleeding by balancing expenditures with expected revenues. He noted that in 2014, the City will loose approximately $720,000 of sales tax revenue due to the completion of major construction projects. He said that consequently, early in 2013, it is imperative that we review critical services and program priorities as well as revenue enhancements so that going forward we can continue to balance our budgets. He requested that Council adopt the budget.

Ordinance No. 12-25 by title only reads as follows:

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF PULLMAN FOR THE YEAR 2013.

Councilmember Skaug moved, Councilmember Benjamin seconded to adopt Ordinance No. 12-25. The motion carried unanimously.

Resolutions

Resolution No. R-68-12 - SR270/Airport Road Sewer Project

14. Mayor Johnson announced that a resolution has been prepared authorizing an engineering services agreement with Taylor Engineering for the SR 270/Airport Road Sewer Project. Public Works Director Workman went through his memo regarding this.

Resolution No. R-68-12 by title only rads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF PULLMAN AND TAYLOR ENGINEERING, INC. FOR THE SR 270/AIRPORT ROAD SEWER PROJECT.

Councilmember Hughes moved, Councilmember Benjamin seconded to adopt Resolution No. R-68-12. Councilmember Benjamin wanted to know if this was just sewer only. Public Works Director Workman said that it was, however where they are putting the lines could be expanded later to put in water lines without going into the streets. They are trying to get as much as possible of the work parallel to the street. The motion carried unanimously.

Resolution No. R-69-12 - Parks and Rec Fees

15. Mayor Johnson announced that a resolution has been prepared amending fees for Parks and Rec. Recreation Superintendent Dahmen went through his potential fee increases.

Resolution No. R-69-12 by title only reads as follows:

A RESOLUTION AMENDING FEES FOR PARKS AND RECREATION PROGRAMS AND FACILITY USE EFFECTIVE JANUARY 1, 2013.

Councilmember Hughes moved, Councilmember Weller seconded to adopt Resolution No. R-69-12. The motion carried unanimously.

Motion

Pullman Transit Driver

16. Mayor Johnson announced that a motion was requested to approve the hiring of one new Extra Board driver for Pullman Transit. Transit Manager Thornton went through the reasoning involved with requesting this addition.

Councilmember Skaug moved, Councilmember Hughes seconded to approve the hiring of one new Extra Board driver for Pullman Transit.

Discussions

Traffic Study

17. Mayor Johnson announced that a discussion is scheduled on a traffic study. Public Works Director Workman noted that one of the adopted 2012 Council goals was, given the growth of Pullman in population, to develop a comprehensive traffic flow and parking plan. In an attempt to satisfy this Council goal, $100,000 was budgeted in 2013 for this study. As a start on developing the scope of work for this study, he reviewed the individual goal, related traffic flow, and parking input by both citizens and employees. He said it really came to three basic items to be studied. One was the Lincoln Middle School parking and the local congestion around Lincoln Middle School. He said he had contacted the School District and went through several e-mails that he had received in response to the parking situation. The second item dealt with the congestion downtown. He stated it has been looked at several times before. The only way to alleviate the problem was to eliminate parking along Grand Avenue which has met with resistance over time. The third problem area was the Grand and Ritchie Streets area. He said that several areas along Grand and Ritchie were not suitable for crosswalks. Councilmember Weller wanted to know if the WSU crosswalk application would work there. Public Works Director Workman said that the application was not really working well at WSU. Councilmember Hughes noted that they need to involve the School District with the parking situation around Lincoln Middle School. There is still a lot of hostility in relation to eliminating parking on Grand. He asked about the Ritchie crosswalk and also wanted to know if we could eliminate the length of time at the Paradise Street crosswalk. Councilmember Benjamin noted that the north/south issue was probably the most serious and we need to look at no parking, but possibly just between certain times to allow greater flow through the area and also to look at alternate north/south routes to speed traffic during rush hour. Councilmember Paul

noted that they need to consider pedestrians and balance it with vehicles. Councilmember Skaug agreed with Councilmember Benjamin. He also said that, in the future they would be closing Stadium Way which will increase bottlenecks in the area. Council thought it would be wise to get a consultant for the north/south traffic problem.

Washington Marijuana Initiative 502

18. Mayor Johnson announced that a discussion is scheduled on the Washington marijuana initiative. Police Chief Jenkins gave an overview of the current marijuana laws as well as the medical use of marijuana which he noted that Initiative 502 did not do anything to change. He summarized Initiative 502. He stated that the Washington State Liquor Control Board has until December 1, 2013, to establish regulations for the production, distribution, and sales of marijuana. Consequently, it will be legal for individuals 21-years old to possess small amounts of marijuana, but there will be no means to legally obtain marijuana until the Liquor Control Board implements the regulations. The Department of Justice, Attorney General's Office, has not weighed in on Initiative 502 or Colorado's Amendment 64 which is similar to Washington. He said that the Department of Justice (DOJ) could indicate their enforcement intentions or lack thereof and/or they could take legal action against the State which could impact the implementation of part of the initiative. They could also decide not to intervene with Initiative 502 although possession of marijuana will remain a federal crime. The Department of Justice cannot prohibit the State from decriminalizing marijuana possession; also the State is not obligated to enforce federal law pertaining to marijuana possession. Police Chief Jenkins said that effective December 6, 2012, involvement by DOJ, small amounts of marijuana possession by individuals 21-years old will not result in enforcement action and DUI marijuana laws will be enforced.

Since Initiative 502 does not allow public smoking of marijuana, they asked about use around the home area. Police Chief Jenkins said that if they are smoking on the deck, that is part of the home even though they are in public view and no enforcement would be taken.

City Attorney McAloon said that it is basically the same as the open container laws that are on the books. Councilmember Benjamin asked about medical marijuana. City Attorney McAloon said it was still in force. Councilmember Benjamin also said it is not legal on WSU campus because of their involvement in grants and he wanted to know if that could affect the City in grants. City Attorney McAloon said no, there are different regulations. For grants, it is the Department of Education that we fall under. City Attorney McAloon said we really cannot analyze anything until the Liquor Board drafts legislation. Councilmember Benjamin also asked about cops on the Drug Task Force. Police Chief Jenkins said they are primarily concerned with distribution and sales. Councilmember Weller wanted to know how Colorado is dealing with it. There is no information out on this at this time.

Councilmember Skaug wanted to know about driving enforcement, the concentration of marijuana in the

blood stream, and illegal obtaining of blood samples. Police Chief Jenkins said that the driving portion was a function of the officer's observing erratic behavior whether it be DUI or driving under the influence of drugs. The determination level on that would be by drug test, but they would have a basis to issue warrants to obtain blood based on their observation. He said that their primary emphasis will be on sales and distribution and minors in possession. He also asked about drug testing of employees. City Attorney McAloon said it is still in effect.

NEW BUSINESS

Mayor Johnson asked if there was any new business. Councilmember Skaug said we might need to have a discussion next year in relation to Initiative 74.

ADJOURNMENT

Councilmember Weller moved, Councilmember Benjamin seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 9:20 p.m.