

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
FEBRUARY 5, 2013

Roll Call

A regular meeting of the City Council of the City of Pullman was held on February 5, 2013, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Bill Mulholland	Finance Director
Jeff Hawbaker	Councilmember
Fritz Hughes	Councilmember
Bill Paul	Councilmember
Nathan Weller	Councilmember
Pat Wright	Councilmember

Mayor Johnson said that Councilmembers Benjamin and Skaug had requested to be excused. Councilmember Wright moved, Councilmember Hughes seconded to excuse Councilmembers Benjamin and Skaug 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 four announcements.

**American Legion
Presentation**

Commander Clark, American Legion Local Post 52, made a presentation of the Law Officer of the Year to Officer Greg Umbright. Commander Clark read through the lengthy award and Officer Umbright thanked the support of his family for being able to do the job.

**Election of Mayor
Pro Tempore and
Alternate Mayor
Pro Tempore**

Councilmember Paul nominated Fritz Hughes as Mayor Pro Tempore. Councilmember Weller seconded the motion. The motion carried unanimously.

Councilmember Hughes nominated Councilmember Hawbaker as Alternate Mayor Pro Tempore. Councilmember Weller seconded the motion. The motion carried unanimously.

**Board and Commission
Appointments**

Mayor Johnson stated it is time to consider board and commission appointments. The Councilmembers were satisfied with their positions although Councilmember Skaug wanted to be added to the Pullman Human Rights Commission.

Report

Mayor Johnson stated that a memo from Finance Director Mulholland had been included in the Council packet regarding an interfund loan request for the fire pumper. Finance Director Mulholland stated this notification is required by Pullman City Code 40.9010, as passed two weeks ago, to notify them of a loan between funds.

ORDER OF BUSINESS

Approval of Recommendations of Consent Agenda Items

CONSENT AGENDA

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 Hughes moved, Councilmember Weller 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 Wright moved, Councilmember Weller to adopt the Consent Agenda as presented.

Motion Carried.

Motions

- Minutes - January 22, 2013 1. The Council dispensed with the reading of the minutes of the regular meeting of January 22, 2013, and approved them as submitted.

- Accounts Payable, Payroll, and Electronic Transfers - February, 2013 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.

- Claim for Damages - Bassen 3. The Council referred a Claim for Damages submitted by Lauryn Bassen for the sum of \$1,160.46 to the Washington Cities Insurance Authority (WCIA).

- Claim for Damages - Jones 4. The Council referred a Claim for Damages submitted by Adam William Jones for the sum of \$397.76 to the Washington Cities Insurance Authority (WCIA).

Resolution

- Resolution No. R-11-13 - Utility Line Easement 5. Resolution No. R-11-13

A RESOLUTION ACCEPTING A UTILITY LINE EASEMENT FROM CHURCHILL DOWNS APARTMENTS, LLC.

Resolution No. R-11-13 was adopted unanimously.

Ordinance

- Ordinance No. 13-5 - Telecommunications Franchise 6. Ordinance No. 13-5

AN ORDINANCE OF THE CITY OF PULLMAN, WASHINGTON, GRANTING A NONEXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO FIRST STEP RESEARCH, INC., AND OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 13-5 was adopted unanimously.

REGULAR AGENDA

Ordinance and Resolution

- Ordinance No. 13-6 - City Council Starting Time 7. Mayor Johnson announced that an ordinance has been prepared amending Pullman City Code. The ordinance was prepared that would revise City Code to have City Council meetings at 7:00 p.m.,

Resolution No.
R-12-13 - Council
Rules of Procedure

instead of 7:30 p.m. In addition, the proposed ordinance would repeal Pullman City Code 1.04.029, relating to canceling a meeting because it is not mandated by RCW.

Ordinance No. 13-6 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, AMENDING PULLMAN CITY CODE 1.04.010 AND PULLMAN CITY ORDINANCE NOS. 85-24 §1, 1985; 84-14 §1, 1984; 79-27 §1, 1979; B-335 §1, 1977; B-324 §1, 1977; B-291 §1, 1976; AND B-266 §2 1976 AND REPEALING 1.04.029 AND PULLMAN CITY ORDINANCE NO. 84-27 §1, 1984 AND OTHER MATTERS PROPERLY RELATED THERETO.

Councilmember Wright moved, Council Hawbaker seconded to adopt Ordinance No. 13-6. The motion carried unanimously.

Mayor Johnson announced that a resolution has been prepared rescinding Resolution No. R-44-05.

Resolution No. R-12-13 by title only reads as follows:

A RESOLUTION RESCINDING RESOLUTION NO. R-44-05 IN ITS ENTIRETY AND ESTABLISHING RULES OF PROCEDURE RELATING TO MEETINGS AND PUBLIC HEARINGS OF THE PULLMAN CITY COUNCIL.

Councilmember Wright moved, Councilmember Hughes seconded to adopt Resolution No. R-12-13. The motion carried unanimously.

Resolution

Resolution No. 8.
R-13-13- Preliminary
Plat of Palouse
Business Center
Subdivision

Mayor Johnson announced that a resolution has been prepared approving the preliminary plat of Palouse Business Center Subdivision. He read the following questions of the Council:

1. Does any member of this Council have knowledge of having conducted business with either the proponents or the opponents in this proceeding?

All Councilmembers and the Mayor responded no.

2. Does any member of this Council have either a pecuniary or non-pecuniary interest in the outcome of this proceeding?

All Councilmembers and the Mayor responded no.

3. Does any member of this Council know whether or not his/her employer has a financial interest in this matter, or has an interest in the outcome of this proceeding?

All Councilmembers and the Mayor responded no.

4. Does any member of this Council live or own property within 300 feet of the area which is the subject of this proceeding?

All Councilmembers and the Mayor responded no.

5. Does any member of this Council have any special knowledge of the substance or merits of this proceeding which would or could cause the Councilmember to prejudge the outcome of this proceeding?

All Councilmembers and the Mayor responded no.

6. Is there a member of this Council who believes that he or she cannot sit and hear this matter fairly and impartially, both as to the respective positions of the proponents and the opponents in this proceeding?

All Councilmembers and the Mayor responded no.

7. Is there any member of this audience who, because of the "Appearance of Fairness Doctrine" wishes to disqualify any member of this Council from this matter? If so, please state the name of the Councilmember and the reason or reasons you believe that member should be disqualified because of the "Appearance of Fairness Doctrine".

There were not any requests to disqualify any member of the Council or the Mayor.

Planning Director Dickinson presented the staff report and noted that the proposed subdivision involves the division of 43.45 acres into 22 lots and public streets located south of the Pullman Regional Hospital and east of the Pullman Cemetery on Pioneer Hill. The Planning Commission had conducted a public hearing on January 23. After accepting public input, the Commission recommended approving the preliminary plat subject to 16 conditions. Councilmember Hughes thanked the Planning Commission for the 16 conditions and he also wanted to know if all had agreed on the conditions. Planning Director Dickinson said they had. He said that the proposed subdivision would be situated within the planned route for the City's south bypass roadway that when completed will extend from the intersection of State Route 195 and 27 to the intersection of State Route 270 and Airport Road. The first section of the South Bypass would be constructed as part of the infrastructure of the subdivision. Councilmember Wright noted this potential bypass would eliminate the traffic down Paradise by the big trucks. Planning Director Dickinson agreed it would eliminate a tremendous amount of traffic. Councilmember Paul asked questions on Lots 1, 2, and 3. Planning Director Dickinson said that these lots will be retained by the Hospital.

Resolution No. R-13-13 by title only reads as follows:

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF THE PALOUSE BUSINESS CENTER SUBDIVISION.

Councilmember Paul moved, Councilmember Wright seconded to adopt Resolution No. R-13-13. The motion carried unanimously.

Discussions

Crestview Parking 9. Mayor Johnson announced that a discussion is scheduled on parking on Crestview. City Supervisor Workman said this was in response to direction provided at the December 4, 2012, Council meeting to research parking on Crestview Street in the vicinity of Lincoln Middle School. A letter was sent to residents in the neighborhood advising them of the possible restrictions and asking for comments. A copy of the letter and the recipients of the letter were in the Council packet. The letter stated there would be no parking on the south side of Crestview from Thomas Street to Spring and Crestview Street from Spring Street to Carolstar Drive. City Supervisor Workman then opened it up to Council for comments.

Councilmember Hughes wanted to know if there had been dialogue with Lincoln Middle School regarding the parking problem. City Supervisor Workman said there had been no feedback. He also asked City Supervisor Workman if there had been any accidents. City Supervisor Workman said not to his knowledge.

Councilmember Hawbaker indicated it was extremely dangerous as well as Councilmember Wright who said it was just "downright scary". Mayor Johnson opened it up for public discussion.

Dr. Bob Wilson went through a list of items that he had brought to Council. He said he would like to see parking on the south side and no parking on the north side.

Tom Thompson noted that Spring to Harvest Road was very constricted and he would like to see parking on the south side and no parking on the north.

Jacob Calene agreed with Dr. Wilson and agreed with parking on the south side.

Julie Walker, a parent of a student at Lincoln Middle School, said we needed to expand parking for events at the Middle School because there is not enough parking for the events they have.

Dr. Wilson said the crossing at Crestview and Spring is a very dangerous area as people run the stop signs. After the speakers talked, it seemed the consensus was to swap parking to the south side and restrict the parking on the north side. City Supervisor Workman would contact the School District to see what can be done in the parking area. Councilmember Weller said we need an opinion from Lincoln Middle School. Councilmember Paul also thought we need a grassroots approach to the problem and the school needed to provide more parking.

City Supervisor Workman said he would send out a letter to notify the residents that the change was to no parking on the north. The restrictive parking would be on the north side of Spring coming up from Crestview over to Carolstar. The far lower section from Thomas to Crestview will not have any restricted parking.

Single-Stream Recycling 10. Mayor Johnson announced that a discussion is scheduled on single-stream recycling. City Supervisor Workman took the lead and said that residents need to know that there will be an

additional cost for single-stream recycling that will ultimately be set by the Washington Utilities and Transportation Commission. He also said that a related issue was the acceptance of glass in the single stream. Glass is currently acceptable in the sorted recycling in Pullman, but it is not a valuable recyclable product and in the single-stream process is often considered a contaminant. There will likely be an additional surcharge for including glass in single stream.

City Supervisor Workman requested that Council give clear direction to Pullman Disposal as well as Whitman County Landfill as to our intent.

Devon Felsted, Pullman Disposal, gave an update on the single stream. He said that the assorted curbside service started in June of 1994. He said that currently there is a \$2.69 per household surcharge to cover recycling and he predicted that it could go up to around \$5.00 a month going forward. If there is no glass, that rate could come down to about \$4.00. He said that they have a side loader truck ordered that will cost \$343,000 and he said the lowest bids he got on the roll carts was \$349,000 so he will have \$692,000 of capital costs as well as an additional \$15,000 for setup on the roll trucks. Councilmember Paul asked if plastic grocery bags for produce or from stores will be acceptable. Mr. Felsted said no. There were no other questions.

Mark Storey, Whitman County, gave an update on recycling for the County. Both Mark Storey and Devon Felsted are looking at approximately June 1 as the target date for the single stream. City Supervisor Workman asked for direction or concurrence on whether to run the single stream with glass or without. Council concurred that it would be with glass.

Spray Pool

11. Mayor Johnson announced that a discussion is scheduled on the spray pool. City Supervisor Workman introduced Ned Warnick from Design West Architects, who presented the process and conclusions reached at the February meeting. Mr. Warnick went through the original project design that eliminated the lap pool replacing it with the spray pool. The estimated cost came in at \$1,180,000, which was well in excess of the money that we had available for this. They then modified this, cutting some of the specifications. It came down to \$830,000 with putting the spray pool at the shallow end of the diving pool. This would require that the diving pool be brought up to code, which would increase the cost to \$1,150,000. They came up with a third option which is a spray ground. This would be situated in the shade and sunbathing area between the pool and the changing bathrooms. That option is \$665,000.

Councilmember Hughes wanted to know if the lap pool was gone. Mr. Warnick said that it remains. He did note that there is no improvement for the lap pool in the estimate and the lap pool would need some investment in the future.

Councilmember Paul said this concept with the spray ground was what he originally wanted. He also checked on the Web for other cities that have spray grounds and they were delighted with the results. There was greater family participation and an

increase in use at the pools. The consensus was that the Council was happy with Option 3. City Supervisor Workman said that there was approximately \$672,000 remaining in the 2007 bond and in addition he said there is \$40,000 in the Metropolitan 10 percent reserve fund. He anticipated another \$40,000 for 2013. 10 percent of resources amount to \$752,000 and he said the total project cost including design and special inspections estimated about \$745,000 in actual project costs will not be done until we get further along in the design.

2013 Goal-
Setting Process 12. Mayor Johnson announced that a date needed to be set for the 2013 goal-setting process. By consensus of the Council, the date will be March 16 at the Fireside.

ASWSU/City
Council Meeting 13. Mayor Johnson announced that the ASWSU/City Council meeting will be held on February 27, probably in the CUB Junior Ballroom, starting at 5:30 p.m. He said that ASWSU typically sets the agenda, but as agenda suggestions are welcome he had listed updates on the Smart Policing at Adams Mall, single-stream recycling, Transit update, and other safety issues for police and fire. Councilmember Weller suggested "pet care" by the students. Councilmember Hughes indicated that maybe housing would be a good idea. The pet care by Councilmember Weller was in relation to off leash and not taking care of their animals.

City Financial
Update 14. Mayor Johnson announced that a City financial update is scheduled. Finance Director Mulholland said that projected revenues will come in at \$16,736,853 which is \$790,517 above the amended budget and \$330,554 above the amount estimated in the 2013 budget for 2012. Revenues came in at 104.95 percent of the budget for 2012 as compared to 98 percent in 2011. Sales taxes came in at 109.53 percent of budget. Estimates came in at \$15,985,413 which was \$758,310 below the 2012 amended budget and \$210,000 below the amount estimated in the 2013 budget for 2012. He noted that \$172,063 of the decrease was attributable to not completing a grant by police which would mean that the actual amount was under by \$586,247. Overall expenditures came in at 95.5 percent of budget for 2012. He said the initial 2012 budget cash was projected to be at \$578,098 at 2012 year end. This caused the ending 2012 cash to be at 3.6 percent of the 2012 expenditures. New actions taken earlier in the year in addition to cuts made by the department heads as well as better than expected revenue collection at January 31, 2013, projection will move that percentage for 2012 to 9.26. Cash before the set aside would equal 10.84 percent of projected ending cash for 2013 which is \$1,833,054. He did advise that these numbers are subject to change. He also noted that while revenues will be good for this year that there will be a tremendous fall off the following year when our construction of known projects will drop off severely. There were no questions.

NEW BUSINESS

Mayor Johnson asked if there was any new business. There was none.

EXECUTIVE SESSION

Mayor Johnson announced that the Council would adjourn to Executive Session for the purpose of:

Conferring with legal counsel representing the

City concerning potential litigation or litigation that has been specifically threatened to which the City, the governing body, or a member acting in an official capacity is, or is likely to become, a party; or litigation that the City reasonably believes may be commenced by or against the City, the governing body, or a member acting in an official capacity.

Mayor Johnson adjourned the meeting at 9:08 p.m. with a five-minute recess and the Executive Session would last approximately thirty minutes. There were three extensions totaling 30 minutes. Mayor Johnson reconvened the regular meeting at 10:13 p.m.

ADJOURNMENT

Councilmember Hughes moved, Councilmember Wright seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 10:13 p.m.