MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
APRIL 8, 2008

Roll Call

The regular meeting of the City Council of the City of Pullman was held on April 8, 2008, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Troy Woo	Finance Director
Francis Benjamin	Councilmember
Keith Bloom	Councilmember
Ann Heath	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m. Councilmember Paul moved, Councilmember Benjamin seconded to excuse Councilmember Wright from the meeting.

Motion Carried.

Announcements

There were five announcements.

Confirmation of Appointment

Civil Service Commission

Mayor Johnson announced that he had appointed Dave Gibney, 760 Reaney Way, to a term on the Civil Service Commission expiring December 31, 2013. Councilmember Bloom moved, Councilmember Waldrop seconded to confirm the appointment. The motion carried unanimously. Mayor Johnson introduced Mr. Gibney to the Council and audience.

Report

National Crime Victims Rights Week

Mayor Johnson introduced Darcy Graves, the director of the Crime Victims Services. Ms.

Approval of Recommendations of Consent Agenda Items

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated

Graves described the services that are provided by the Crime Victims Services and National Crime Victims Rights Week. Mayor Johnson thanked Ms. Graves for all the services that are provided by the Crime Victims Services. Police Chief Weatherly commented on the valuable resources that the Crime Victims Services provide.

ORDER OF BUSINESS

CONSENT AGENDA

that the 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 Bloom moved, Councilmember Waldrop seconded to read the items on 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 either the Council or audience. Councilmember Waldrop requested that item numbered 4 and 6 be removed for separate discussion. Councilmember Weller moved, Councilmember Benjamin seconded to adopt items 1 through 3, 5, and 7 through 13 on the Consent Agenda.

Motion Carried.

Motions

Minutes - March 18, 2008

1. The Council dispensed with the reading of the minutes of the regular meeting of March 18, 2008, and approved them as submitted.

Minutes - March 22, 2008

2. The Council dispensed with the reading of the minutes of the special meeting of March 22, 2008, and approved them as submitted.

Accounts Payable, Payroll, and Electronic Transfers - April

3. 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 - Buckles

5. The Council referred a Claim for Damages submitted by Stephanie Buckles for the sum of $138.46 to the Washington Cities

The Council authorized a 2-year Intergovernmental Cooperative Purchasing Agreement with the State of Washington Department of General Administration.

Insurance Authority (WCIA).Intergovernmental 7. Cooperative Purchasing Agreement		
Board and Commission Appointments	8.	The Council approved the proposed Mayor and City Council board and commission appointments for 2008.

Resolutions

Resolution No. R-25-08 - High School Tank Exterior Painting	9.	Resolution No. R-25-08 A RESOLUTION ACCEPTING THE BID OF EXTREME COATINGS, INC. dba ECI SERVICES FOR HIGH SCHOOL TANK EXTERIOR PAINTING - BASE BID ONLY, AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT. Resolution No. R-25-08 was adopted unanimously.
Resolution No. R-26-08 - Public Hearing Date for Transit	10.	Resolution No. R-26-08 A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING FOR THE ADOPTION OF A SIX-YEAR TRANSIT DEVELOPMENT PLAN FOR 2008-2013 AND 2007 TRANSIT ANNUAL REPORT FOR THE CITY OF PULLMAN. Resolution No. R-26-08 was adopted unanimously.
Resolution No. R-27-08 - Transit Public Hearing Date	11.	Resolution No. R-27-08 A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER AND IMPLEMENT INCREASED 2008 SUMMER TRANSIT SERVICE. Resolution No. R-27-08 was adopted unanimously.
Resolution No. R-28-08 - Hearing Examiner Contract	12.	Resolution No. R-28-08 A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGAGEMENT FOR LEGAL SERVICES CONTRACT BETWEEN THE CITY OF PULLMAN AND STACY A. BJORDAHL OF SPOKANE, WASHINGTON FOR THE PURPOSE OF PROVIDING HEARING EXAMINER SERVICES FOR THE CITY OF PULLMAN. Resolution No. R-28-08 was adopted unanimously.
Resolution No. R-29-08 - Wireless Communication	13a.	Resolution No. R-29-08 A RESOLUTION AUTHORIZING THE EXECUTION OF

Facility Permit

AMENDMENT NO. 1 TO A WIRELESS COMMUNICATION FACILITY PERMIT AGREEMENT BETWEEN THE CITY OF PULLMAN AND CELLCO PARTNERSHIP dba VERIZON WIRELESS, FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, AND REMOVAL OF A WIRELESS COMMUNICATION FACILITY AT THE HIGH SCHOOL TANK (ALSO KNOWN AS TANK #7) SITE AUTHORIZED BY COUNCIL RESOLUTION R-60-04.

Resolution No. R-29-08 was adopted unanimously.

Resolution No. R-30-08 - Wireless Communication Facility Permit

13b. Resolution No. R-30-08

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A WIRELESS COMMUNICATION FACILITY PERMIT AGREEMENT BETWEEN THE CITY OF PULLMAN AND CELLCO PARTNERSHIP dba VERIZON WIRELESS, FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, AND REMOVAL OF A WIRELESS COMMUNICATION FACILITY AT THE SOUTHWEST HIGH LEVEL TANK (ALSO KNOWN AS STALEY TANK AND TANK #9) SITE AUTHORIZED BY COUNCIL RESOLUTION R-61-04.

Resolution No. R-30-08 was adopted unanimously.

REGULAR AGENDA

Motions

Claim for Damages - Zhao

4. Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Waldrop. Councilmember Waldrop noted that in the 2007 risk profile for Pullman Transit the figures show that Pullman Transit's loss statistics seem unfavorable and he would like to have a future discussion on the risk profile of the Transit system and a summary of the 2007 Transit system accidents.

Councilmember Waldrop moved, Councilmember Heath seconded to refer a Claim for Damages submitted by Huan Zhao for the sum of $187.10 to the Washington State Transit Insurance Pool (WSTIP). The motion carried unanimously.

Well No. 8 Complete

6. Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Waldrop. Councilmember Waldrop wanted to point out that the contract for Well No. 8 drilling was 10 percent under the engineer's estimate. Councilmember Waldrop moved, Councilmember Benjamin seconded to accept as complete Contract No. 04-13, Well No. 8.

Public Meeting

Business Registration

14. Mayor Johnson announced that a public meeting is scheduled on business registration. City Supervisor Sherman presented a staff report which included a description of the history of the issue, reasons for implementing business registration, and summaries of the data that has been provided in the agenda packet on the partnership with the State Master Licensing Service and the draft ordinance. Councilmember Bloom asked for clarification on exemptions on mobile businesses. City Supervisor Sherman responded. Councilmember Heath asked for comments regarding the cost benefit analysis. Finance Director Woo responded. Councilmember Paul, Councilmember Bloom, and Finance Director Woo discussed the blending of the Master License Service with an internal registration process for landlords and itinerant businesses and the $20.00 proposed fee. Councilmember Paul suggested that a higher setup fee be charged in the first year to help with implementation costs. Councilmember Bloom asked for clarification on the initial fee charged by the Master License Service. Finance Director Woo responded.

Mayor Johnson opened the public meeting. Alice Schroeder, 145 SW Arbor, president of the League of Women Voters, spoke in support of business registration because it is a safety issue and promotes a liveable community. Ms. Schroeder stated that the fee seems reasonable and supports public education on the issue.

Alex Hammond, 1110 NE Indiana, member of the College Hill Association, stated he appreciated that the City Council is considering the issue, that the fee seems reasonable, and that he was surprised that there is no obligation for the landlord to notify the City of their rental businesses.

Eileen McCall asked if rentals were a good fit with business registration and noted other types of businesses that might not fit under business registration. Ms. McCall stated that requiring emergency contact information for rentals may create a different class for rental residents. Councilmember Heath noted that landlords have a certain level of duty-of-care that is much different than a normal residents. Ms. McCall responded. City Attorney McAloon and

Councilmember Bloom responded to Ms. McCall's questions by referring to the proposed definition of a business and a list of the proposed exemptions to business registration.

Dave Gibney, 760 Reaney Way, stated that there are good reasons for implementing a business registration but he had concerns with the proposed fee level. Finance Director Woo responded.

Jo Mark, 1165 S. Grand, asked if additional fees could be charged to those businesses that have violations to the City Codes or that require additional emergency responses. City Attorney McAloon responded.

Councilmember Bloom stated that he supported business registration that would provide the emergency contact information but he was not interested in business registration if it requires additional enforcement upon businesses.

Anita Hornback, 405 NW North, stated she would like to see the fee structure based on something other than per location, that she did not support business registration for owner-occupied rentals, and asked how many emergency contact numbers could be provided. Finance Director Woo and Police Chief Weatherly responded.

Councilmember Heath stated she would like to see a field for ownership and management on the rental property application for registration. Dave Gibney asked if the most recent Tim Eyman initiative would apply to the proposed fee. City Attorney McAloon responded.

City Supervisor Sherman led a discussion on Council direction for City staff to draft the business registration ordinance which resulted in the City Council concurring to partner with the Master License Service, that $20.00 was an appropriate fee, the definition for a business and the exemptions would include home occupations as a business and would exempt owner-occupied rental properties and that penalties would be incorporated into the ordinance for noncompliance.

Ordinances

Ordinance No. 08-6 - Fighting

15. Mayor Johnson announced that an ordinance had been prepared relating to public safety and

Ordinance

morals. City Attorney McAloon presented the staff report which included a summary of the ordinance. Councilmember Heath and City Attorney McAloon discussed how the civil infractions within the proposed ordinance would impact the potential criminal charges.

Ordinance No. 08-6 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO PUBLIC SAFETY AND MORALS, ADDING CHAPTER 8.26, OFFENSES AGAINST PEACE AND ORDER, ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF, AND OTHER MATTERS PROPERLY RELATED THERETO.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Ordinance No. 08-6. The motion carried unanimously.

Ordinance No. 08-7 - Standard Construction Specifications

16. Mayor Johnson announced that an ordinance had been prepared adopting revised "Standard Construction Specifications". Public Works Director Workman presented the staff report which included a description of the proposed changes to the "Standard Construction Specifications". Councilmember Bloom and Public Works Director Workman discussed the compressive strength tests on commercial concrete. Councilmember Paul noted the section regarding minimal amounts for liability insurance and asked that the future discussion on the risk profile for Pullman Transit include the City's liability coverage.

Ordinance No. 08-7 by title only reads as follows:

AN ORDINANCE ADOPTING REVISED "STANDARD CONSTRUCTION SPECIFICATIONS" APPLICABLE WITHIN THE CITY OF PULLMAN; AMENDING SECTION 10.44.010 OF THE PULLMAN CITY CODE AND PULLMAN CITY ORDINANCES NOS. B-348 §1(1977), 80-16 §1(1980), 81-9 §1(1981), 83-6 §1(1983), 89-7 §1(1989), 91-6 §1(1991), 94-5 §1(1994), 97-10 §1(1997), 98-10 §1(1998) 00-11 §1(2000), 02-14 §1(2002), 04-37 §1(2004) AND 07-01 §1(2007) AND OTHER MATTERS RELATING PROPERLY THERETO.

Councilmember Benjamin moved, Councilmember Bloom seconded to adopt Ordinance No. 08-7. The motion carried unanimously.

Resolutions

Resolution No. R-31-08 - Purchase of Property

17. Mayor Johnson announced that a resolution had been prepared for the purchase of property. Public Works Director Workman presented the staff report that included the justification for the property purchase.

Resolution No. R-31-08 by title only reads as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE PURCHASE OF PROPERTY FROM SUZANNE T. ST. PIERRE.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Resolution No. R-31-08. The motion carried unanimously.

Resolution Nos. R-32-08, R-33-08, and R-34-08 - Airport Agreements

18. Mayor Johnson announced that three resolutions had been prepared relating to the Pullman-Moscow Regional Airport. City Supervisor Sherman presented the staff report.

Resolution No. R-32-08 by title only reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PULLMAN AND THE PARTIES OF THE PULLMAN-MOSCOW REGIONAL AIRPORT COOPERATION AGREEMENT RELATING TO THE FUNDING OF THE AIRPORT FIRE FLOW PROJECT.

Councilmember Waldrop moved, Councilmember Benjamin seconded to adopt Resolution No. R-32-08. The motion carried unanimously.

City Supervisor Sherman presented a staff report on Resolution No. R-33-08. Councilmember Paul asked if the water project would be limited to Airport use only. City Supervisor Sherman responded.

Resolution No. R-33-08 by title only reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PULLMAN AND THE PARTIES OF THE PULLMAN-MOSCOW REGIONAL AIRPORT COOPERATION AGREEMENT PROVIDING FOR AN ADDENDUM TO THE AIRPORT FIRE FLOW PROJECT AGREEMENT.

Councilmember Waldrop moved, Councilmember Benjamin seconded to adopt Resolution No. R-33-08. The motion carried unanimously.

City Supervisor Sherman presented a staff report on Resolution No. R-34-08. Councilmember Heath asked if the prior agreement contained the same language for entity withdrawal. City Supervisor Sherman responded.

Resolution No. R-34-08 by title only reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PULLMAN AND THE PARTIES OF THE PULLMAN-MOSCOW REGIONAL AIRPORT COOPERATION AGREEMENT RELATING TO THE CONTRIBUTION OF THE PORT OF WHITMAN.

Councilmember Waldrop moved, Councilmember Paul seconded to adopt Resolution No. R-34-08. The motion carried unanimously.

Resolution No. R-35-08 - Lost Trail Townhomes Sub-division

19. Mayor Johnson announced that a resolution had been prepared approving the preliminary plat of Lost Trail Townhomes Subdivision. Planning Director Dickinson presented the staff report which included a description of the proposed plat.

Resolution No. R-35-08 by title only reads as follows:

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF THE LOST TRAIL TOWNHOMES SUBDIVISION.

Councilmember Benjamin moved, Councilmember Paul seconded to adopt the resolution subject to three conditions. The motion carried unanimously.

Discussion

Downtown Parking

20. Mayor Johnson announced that a discussion is scheduled on downtown parking. City Supervisor Sherman made opening comments and noted the letters that had been received from citizens. Planning Director Dickinson presented a report that included a description of the proposed code changes. Councilmember Bloom asked Mr. Yates why certain downtown business owners were not represented in his letter from the Downtown Pullman Business Development Association. Mike Yates, 107 S. Grand, addressed Councilmember Bloom's question. Councilmember Paul asked for a further explanation on the first option presented in the letter from Justin Rogers. Planning Director Dickinson and Councilmember Bloom

responded. Councilmember Heath and Mike Yates discussed the timing of the receipt of the letter from the Downtown Pullman Business Development Association and the overall process for making changes to the Central Business District.

Councilmember Bloom stated he thought the biggest issue for the downtown parking problem was the lack of enforcement and that enforcement should be given a chance to make parking work in the downtown area. Mayor Johnson stated he thought the Spot Shop Parking Lot needed to be addressed. Councilmember Heath stated she supported residential development in the downtown area but thought there was a limitation on that type of development due to the limited space available for parking and that the City needs to adopt standards so the Board of Adjustment can made proper decisions. Councilmember Waldrop asked for clarification on Attachment “A” in regard to the two spaces per dwelling unit, that any fee provided to the City should be realistic, and that he did not support the use of a parking permit system in the public lots in the core downtown area. Councilmember Bloom stated that imposing additional requirements would not support downtown businesses and that parking enforcement should be given a chance to work. Councilmember Waldrop and Councilmember Paul stated they agreed with Councilmember Bloom. Councilmember Benjamin asked if the requirements for parking in developments with ten dwelling units or more would impact any current or proposed projects in the downtown area. Planning Director Dickinson responded. Councilmember Benjamin asked if the business community had raised any concerns regarding the parking requirements for ten or more dwelling units. Planning Director Dickinson responded.

Councilmember Benjamin noted that the code changes seem to provide the neighboring residents with some peace of mind and asked if there were any tools other than code changes that would help protect the residents. Planning Director Dickinson responded. Councilmember Weller stated he agreed with Councilmember Bloom’s position that parking enforcement should be given a chance to work. Mayor Johnson, Public Works Director Workman, and City Supervisor Sherman described past efforts in regard to parking restrictions and the Spot Shop Parking Lot and described potential parking restrictions that could be considered. Councilmember Benjamin stated that

the Spot Shop Parking Lot is currently used as a park-and-ride and that changes with the lot could push that parking into the residential areas. Councilmember Bloom suggested the City talk to WSU and Pullman Transit to use the under utilized Steam Plant Parking Lot as a park-and-ride. City Supervisor Sherman responded.

Councilmember Benjamin stated he had concerns with delaying the decision on downtown parking for a year and suggested a shorter time frame. Councilmember Heath stated that parking enforcement won't solve the parking problems of large residential developments in the downtown areas. Councilmember Bloom responded. Councilmember Waldrop suggested contacting the City of Lewiston about the recent Lewis and Clark State College student living development in the downtown of Lewiston to see how they handled the parking issue. Planning Director Dickinson responded.

NEW BUSINESS

There was no new business.

ADJOURNMENT

Councilmember Bloom moved, Councilmember Waldrop seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 9:39 p.m.