MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
JUNE 24, 2008

Roll Call

The regular meeting of the City Council of the City of Pullman was held on June 24, 2008, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Jane Joyce	Deputy City Clerk
Francis Benjamin	Councilmember
Keith Bloom	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember
Pat Wright	Councilmember

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m. He announced that Ann Heath would not be able to attend this meeting. Councilmember Paul moved, Councilmember Wright seconded to excuse Councilmember Heath.

Motion Carried.

Announcements

Mayor Johnson made five announcements. Chief Weatherly and Chief Wilkins both presented updates on fireworks. City Supervisor Sherman congratulated Mayor Johnson on his election as vice president of the Association of Washington Cities.

Confirmation of Appointment

Board of Adjustment

Mayor Johnson announced that he had appointed Scott Vik, 475 NW Thomas, to a term on the Board of Adjustment expiring December 31, 2010. Mayor Johnson introduced Mr. Vik to the Council and audience. Councilmember Waldrop moved, Councilmember Bloom seconded to confirm this appointment. The motion carried unanimously.

Report

WSU Fire Agreement Negotiations Status

City Supervisor Sherman gave a report on the status of the negotiations with WSU for fire services. He stated that the City has met with WSU but an agreement will not be reached by the July 1, 2008, deadline date in the original agreement.

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 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 Benjamin 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 item No. 1 be removed for separate discussion. Councilmember Paul moved, Councilmember Bloom seconded to adopt items 2 through 11 on the Consent Agenda.

Motion Carried.

Motions

Claim for Damages - Coates	2.	The Council referred a Claim for Damages submitted by Ebonee Coates for the sum of $742.20 to the Washington Cities Insurance Authority (WCIA).
Claim for Damages - Bailey	3.	The Council referred a Claim for Damages submitted by Anne M. Bailey for the sum of $718.96 to the Washington Cities Insurance Authority (WCIA).
Claim for Damages - Morrison	4.	The Council referred a Claim for Damages submitted by Kerry Morrison for the sum of $1,777.95 to the Washington Cities Insurance Authority (WCIA).
Sidewalks 2008 Complete	5.	The Council accepted as complete Contract No. 08-02, Sidewalks 2008.
Grant for Electronic Reports at Police Department	6.	The Council authorized a Washington State Patrol and Washington State Department of Transportation Electronic Collision Reports and Electronic Collision Records user's agreement.
Public Meeting Date	7.	The Council set July 8, 2008, as the date for a public meeting to review the proposed Whispering Hills No. 5 preliminary plat and Whispering Hills No. 5 PRD preliminary plan.
Public Hearing Date	8.	The Council set July 8, 2008, as the date for a public hearing to consider a petition for annexation of property to the City of Pullman submitted by Shirley O'Hare.

Resolutions

Resolution No. R-54-08- Public Hearing Date for Capital Improvement Program	9a.	Resolution No. R-54-08 A RESOLUTION SETTING JULY 8, 2008 AS THE DATE FOR A PUBLIC HEARING FOR THE ADOPTION OF A SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE YEARS 2009 THROUGH 2014 FOR THE CITY OF PULLMAN. Resolution No. R-54-08 was adopted unanimously.
Resolution No. R-55-08 - Public Hearing Date for Transportation Improvement Program	9b.	Resolution No. R-55-08 A RESOLUTION SETTING JULY 8, 2008 AS THE DATE FOR A PUBLIC HEARING FOR THE ADOPTION OF A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2009 THROUGH 2014 FOR THE CITY OF PULLMAN. Resolution No. R-55-08 was adopted unanimously.

Resolution No. R-56-08 - Surplus Property

10. Resolution No. R-56-08

A RESOLUTION DECLARING A CERTAIN CITY VEHICLE TO BE EXCESS AND SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF SAID SURPLUS PROPERTY IN THE MOST ECONOMICAL MANNER AVAILABLE.

Resolution No. R-56-08 was adopted unanimously.

Resolution No. R-57-08 - Sewer Plan

11a. Resolution No. R-57-08

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF PULLMAN AND HDR ENGINEERING, INC. FOR THE PURPOSE OF PROVIDING A CITY OF PULLMAN GENERAL SEWER PLAN.

Resolution No. R-57-08 was adopted unanimously.

Resolution No. R-58-08 - Planning Loan for Sewer Plan

11b. Resolution No. R-58-08

A RESOLUTION AUTHORIZING THE APPLICATION TO THE WASHINGTON STATE PUBLIC WORKS BOARD FOR A $100,000 PLANNING LOAN ASSOCIATED WITH A CITY OF PULLMAN GENERAL SEWER PLAN.

Resolution No. R-58-08 was adopted unanimously.

REGULAR AGENDA

Motion

Minutes - June 6, 2008

1. Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Waldrop. Councilmember Waldrop read language that he would like added to the stormwater discussion in the June 6, 2008, minutes. He stated that this language clarifies his position on stormwater.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt the amended minutes of June 3, 2008. The motion carried unanimously.

Resolutions

Resolution No. R-59-08 - Special Use Permit

12. Mayor Johnson announced that a resolution had been prepared authorizing a special use permit for the Sports Page Tavern. Public Works Director Workman presented the staff report. Mr. Greg James, 422 Old Moscow Road, proprietor of the Sports Page Tavern, spoke about the request and thanked Mr. Workman for his help in this matter. Councilmember Paul stated he is concerned about the lattice fence and asked about alternative fencing. Mr. James responded. Councilmember Bloom asked about beer posters on the fencing. Mr. James responded there would not be any beer posters. Councilmember Waldrop asked about researching the square-foot value of downtown property for future cost analyses of special use permits. Public Works Director Workman responded.

Resolution No. R-59-08 by title only reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF A SPECIAL USE PERMIT BETWEEN THE CITY OF PULLMAN AND GREGORY A. JAMES AND KEITH A. TYACKE FOR THE PURPOSE OF CLARIFYING RIGHTS AND RESPONSIBILITIES OF CITY AND PERMITTEE WITH REGARD TO THE USE OF

PUBLIC RIGHT OF WAY.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Resolution No. R-59-08. The motion carried unanimously.

Resolution No. R-60-08 - Water Plan

13. Mayor Johnson announced that a resolution had been prepared adopting a City of Pullman official water plan. Public Works Director Workman presented the staff report and introduced Mr. Ben Floyd of HDR Consulting. Mr. Floyd presented an overview of the plan including a water system plan overview, plan elements, planning data and demand, demand forecast, conservation measures, system-wide conservation, demand-side conservation, supply options comparison, system analysis, and a financial plan.

Councilmember Paul asked for confirmation that the report states that the reuse of gray water would save 225,000,000 gallons of water. Mr. Floyd responded. Councilmember Paul stated this would be a good tool to present to the legislature.

Councilmember Benjamin asked if the proposed South Bypass was included in the growth area. Public Works Director Workman responded and stated that there is a process to amend the plan if needed. He also stated that, by law, this plan has to be updated in six years.

Resolution No. R-60-08 by title only reads as follows:

A RESOLUTION APPROVING AND ADOPTING THE WATER SYSTEM PLAN UPDATE, MAY 2008, AS THE OFFICIAL WATER PLAN FOR THE CITY OF PULLMAN.

Councilmember Bloom moved, Councilmember Waldrop seconded to adopt Resolution No. R-60-08. The motion carried unanimously.

Discussions

WSU University District Proposal

14. Mayor Johnson announced that a discussion is scheduled on a WSU University District proposal. City Supervisor Sherman stated that WSU President Floyd had been at the June 3, 2008, meeting where he gave a presentation on the proposed University District. City Supervisor Sherman spoke about the major concepts of the plan and stated that the City welcomes WSU's partnership. He stated the area around campus is deteriorating and this is a detriment to WSU. He requested conceptual approval for staff to proceed researching recommendations about the plan. He stated there are a lot of issues and he wants conceptual approval to proceed.

Councilmember Wright asked what provisions have been made for student input. She stated the students are an important component to this plan. Councilmember Bloom stated that in the past the City has passed resolutions and ordinances to try to cleanup and calm College Hill. He stated he supports the process. Councilmember Paul stated he is in favor of the concept and would like to see off-campus parking and long-term parking, especially for the big weekends. He asked about the process for forming a district. City Supervisor Sherman responded. Mayor Johnson

stated he is concerned about storage lots and that he has not seen any storage lots in the plan.

The consensus of the Council was to move forward with the University District concept.

Itinerant Business Ordinance

15. Mayor Johnson announced that a discussion is scheduled on an itinerant business ordinance. City Attorney McAloon gave the staff report stating that a draft ordinance has been included in the packet. She asked the Council to provide guidance on the term of the permit and appeal procedures. If the permit is denied, should an appeal be before a hearing examiner, City Council, or the City Supervisor? Councilmember Bloom stated that 30 days is too short and 180 days is too long. He felt 90 days might be an appropriate number. Councilmember Waldrop asked how other jurisdictions are handling appeals. City Attorney McAloon responded. Mayor Johnson stated that the Council could possibly form a committee to hear the appeal. Councilmember Waldrop stated he was not in favor of forming a Council committee. Councilmember Benjamin stated he agreed with Councilmember Waldrop that it should not be the Council hearing the appeal, that he is in favor of having the City Supervisor hear any appeal. City Attorney McAloon stated there is a short time frame in the ordinance. Mayor Johnson asked who would handle an appeal if the City Supervisor was unavailable. City Attorney McAloon responded that the ordinance could read City Supervisor or designee. Councilmember Waldrop suggested the Board of Adjustment hear an appeal. City Attorney McAloon responded. Councilmember Wright asked if the High School Boosters that sell Christmas trees would fall under the ordinance. City Attorney McAloon and Mayor Johnson responded.

Councilmember Benjamin asked about the time frame to process the initial application. City Attorney McAloon, Police Chief Weatherly, and Mayor Johnson discussed the time frame for processing the initial application. City Attorney McAloon stated that she could add language to the ordinance that the application should be processed in a timely manner. Chief Weatherly stated that generally an application can be processed in a couple of days, but it could take up to one or two weeks.

Councilmember Benjamin asked if businesses with special use permits fall under this ordinance. City Attorney McAloon responded. Councilmember Benjamin stated that there is a conflict in time limits between Section 11 of this ordinance and the fireworks regulations. City Attorney McAloon responded.

Councilmember Bloom spoke about fireworks regulations and stated that the Council had not set a fee for itinerant vendors. He asked Chief Weatherly how long it will take to process the applications. Chief Weatherly responded. City Attorney McAloon stated that when the ordinance comes back before Council with the revisions there will be a fee resolution. She stated she will bring the ordinance back to Council at the July meeting.

NEW BUSINESS

There were no items of new business.

EXECUTIVE SESSION

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

Conferring with legal counsel representing the City concerning potential 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.

To consider the selection of a site or the acquisition of real estate by lease or purchase, and,

To discuss the strategy or position to be taken by the City during the course of collective bargaining or grievance proceedings.

Mayor Johnson adjourned the meeting at 8:51 p.m. and announced that the Council would recess for five minutes and the Executive Session would last approximately 30 minutes.

Mayor Johnson reconvened the City Council meeting at 10:10 p.m.

ADJOURNMENT

Councilmember Benjamin 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 10:10 p.m.