MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
SEPTEMBER 14, 2010

Roll Call

A regular meeting of the City Council of the City of Pullman was held on September 14, 2010, 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
Jeff Hawbaker	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.

Announcements

Mayor Johnson made four announcements.

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 Bloom moved, Councilmember Wright 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 the Council. There were none. Councilmember Weller moved, Councilmember Benjamin seconded to adopt items the Consent Agenda as presented.

Motion Carried.**Motions**

Minutes - August 23, 2010	1.	The Council dispensed with the reading of the minutes of the regular meeting of August 24, 2010, and approved them as submitted.
Accounts Payable, Payroll, and Electronic Transfers - September, 2010	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 - Whitworth	3.	The Council referred a Claim for Damages submitted by Nathan Whitworth for the sum of $200 to the Washington Cities Insurance Authority (WCIA).
Claim for Damages - Garlick	4.	The Council referred a Claim for Damages submitted by Matthew Garlick for the sum of approximately $5,700 to the Washington State Transit Insurance Pool (WSTIP).
B Street Sidewalk Complete	5.	The Council accepted as complete Contract No. 10-05, B Street Sidewalk.

REGULAR AGENDA

Public Hearing

Resolution No. R-73-10 and Ordinance No. 10-16 - College Hill Zoning Denial	6.	Mayor Johnson announced that a public hearing is scheduled on a resolution and ordinance denying the proposal to amend the Comprehensive Plan Map and the Zone Classification for property on College Hill. Planning Director Dickinson presented the staff report. He stated that the request was to change the zone classification from R2 and R4 to RT for 29 acres located on College Hill. He stated that the difference between R2, R4, and RT is density and RT is the lower density. He stated that staff recommends keeping the property zoned as R2 and R4 and proceeding with the design standards. The Planning Commission received input from both sides and their recommendation was to deny the zone change. Planning Director Dickinson stated that he received input from two citizens and their comments are included in the Council packet. Councilmember Wright asked if the Planning Commission is working on design standards that will

fit in with the Certified Local Government. Planning Director Dickinson responded in the affirmative.

Mayor Johnson opened the public hearing.

Allison Munch-Rotolo stated that in 1987 a group of owners petitioned for a RT zone on Military Hill, which was granted. It is almost 25 years later and there are no bad effects due to the RT zone. In 2006 there was a petition for 100 houses to be placed in the historical district on College Hill. It is four years later and no action has been taken to protect College Hill. She discussed the Studio Cascade study that the City commissioned and their recommendations. She stated that neighborhood residents, the League of Women Voters, and others support changing the zoning to RT.

Eileen Macoll stated that the Planning Commission is working on design standards. The residents wanted this zone change because of incompatible development. Design standards will help with this problem. Carefully crafted guidelines can achieve results that cannot be done by zoning.

Austin Wilmerding stated that this would be stewardship of someone else's property. If they want to manage the density of College Hill they should buy the property and manage it.

Alex Hammond, 110 NE Indiana, College Hill Association, stated that he owns property on College Hill and that planning needs to protect property values. He is in favor of the rezone to RT. He thanked Planning Director Dickinson and the Planning Commission for looking at the option. He is sorry that the Planning Commission rejected the zone change as he thinks it was practical.

Elizabeth Wilberding stated that she used to live on College Hill. She is not opposed to regulations on new structures, but she is opposed to managing density.

Mayor Johnson closed the public hearing.

Councilmember Weller asked about a smaller section being zoned RT. Planning Director Dickinson stated that they looked at the whole and recommended denial of the whole area.

Councilmember Waldrop thanked everyone involved

in this issue and stated the map was helpful. He suggested the Council take a field trip and look at the area and see the properties. Councilmember Weller agreed with the field trip.

Councilmember Bloom asked how we would know who are absentee property owners. Councilmember Waldrop stated they would rely on staff. Councilmember Paul stated he feels it is late and the field trip would delay the process. He feels the Council should take action. Councilmember Weller stated he agreed with Councilmember Waldrop. Councilmember Wright stated she concurred with Councilmember Waldrop. She would feel better after looking at the area with guidance from staff as this affects a lot of individuals.

Councilmember Bloom stated he concurred with Councilmember Paul. Talking about this issue has been happening as long as he has been on the Council. Both sides of the issue are right. We need design standards established.

Councilmember Benjamin stated he felt the field visit would help the Council see the whole issue. Councilmember Hawbaker stated he agreed with both Councilmembers Bloom and Benjamin.

Councilmember Paul moved, Councilmember Bloom seconded to adopt Findings of Fact numbered 1 through 33 and Conclusions 1 through 9. The motion carried with Councilmember Waldrop voting nay.

Resolution No. R-73-10 by title only reads as follows:

A RESOLUTION DENYING THE PROPOSAL TO AMEND THE OFFICIAL COMPREHENSIVE PLAN MAP OF THE CITY OF PULLMAN FROM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL FOR THE REAL ESTATE HEREIN DESCRIBED LOCATED WITHIN THE 900 BLOCKS OF MONROE STREET AND B STREET ON COLLEGE HILL.

Councilmember Bloom moved, Councilmember Hawbaker seconded to adopt Resolution No. R-73-10. The motion carried with Councilmember Waldrop voting nay.

Ordinance No. 10-16 by title only reads as follows:

AN ORDINANCE DENYING THE PROPOSAL FOR AN AMENDMENT OF THE ZONE CLASSIFICATIONS FROM R2 AND R4 TO RT FOR THE REAL ESTATE HEREIN DESCRIBED CONSISTING OF APPROXIMATELY 29 ACRES GENERALLY BORDERED BY

STADIUM WAY, B STREET, HOWARD STREET (EXTENDED), AND MAPLE STREET EXTENSION/INDIANA STREET ON COLLEGE HILL.

Councilmember Paul moved, Councilmember Hawbaker seconded to adopt Ordinance No. 10-16. The motion carried with Councilmember Waldrop voting nay.

Resolution and Ordinance

Resolution No. R-74-10 - Zone Change for Property on College Hill

7. Mayor Johnson announced that a resolution and ordinance had been prepared amending the Official Comprehensive Plan Map and amending the zone classification for property on College Hill.

Councilmember Hawbaker recused himself from this portion of the meeting as he is an employee of Schweitzer Engineering. He left the Council Chambers.

Mayor Johnson asked the following questions:

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

   All Councilmembers and the Mayor answered no.

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

   All Councilmembers and the Mayor answered no.

3. Does any member of this Council know whether or not their employer has a financial interest in the area for which this zone change is requested, or has an interest in the outcome of this proceeding?

All Councilmembers and the Mayor answered no.

4. Does any member of this Council live or own property within 300 feet of the area for which the zone change is requested?

   All Councilmembers and the Mayor answered no.

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

All Councilmembers and the Mayor answered 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 of the requested zone change?

   All Councilmembers and the Mayor answered no.

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

   There were no requests to disqualify members of the Council.

Planning Director Dickinson presented the staff report stating there are 38.5 acres of land involved in this rezone. He stated there are houses planned for this area and the plans also call for an urban village. He stated the Planning Commission voted to recommend this change. He also stated that the one public hearing allowed on this issue was held before the Planning Commission so there will be no public input at this session.

Councilmember Paul asked about the location and public accesses to this zone change. Planning Director Dickinson responded that this would be just past the SEL Event Center and there are three potential roads for access to this area.

Councilmember Benjamin moved, Councilmember Wright seconded to adopt the Findings of Fact and Conclusions. The motion carried unanimously.

Resolution No. R-74-10 by title only reads as follows:

A RESOLUTION AMENDING THE OFFICIAL COMPREHENSIVE PLAN MAP OF THE CITY OF PULLMAN FROM INDUSTRIAL TO LOW DENSITY RESIDENTIAL FOR THE REAL ESTATE HEREIN DESCRIBED CONSISTING OF APPROXIMATELY 38.5 ACRES LOCATED BETWEEN NE HICKMAN COURT AND NE EASTGATE BOULEVARD ON COLLEGE HILL.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Resolution No. R-74-10. The motion carried unanimously.

Ordinance No. 10-17 by title only reads as follows:

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FROM I2 TO R2 FOR THE REAL ESTATE HEREIN DESCRIBED CONSISTING OF APPROXIMATELY 38.5 ACRES LOCATED BETWEEN NE HICKMAN COURT AND NE EASTGATE BOULEVARD ON COLLEGE HILL.

Councilmember Benjamin moved, Councilmember Wright seconded to adopt Ordinance No. 10-17. The motion carried unanimously.

Councilmember Hawbaker returned to the Council Chambers and participated in the rest of the meeting.

Motions

Fire and Emergency Medical Services Agreement with WSU

8. Mayor Johnson announced that a discussion is scheduled on an interlocal agreement with Washington State University for fire and emergency medical services for calendar years 2011 and 2012.

City Supervisor Sherman gave the staff report stating that WSU is charged based upon a five-year rolling average of the percentage of the fire department's call volume. WSU represents 21.2 of our call volume so they pay 21.2 percent of the adopted 2010 City fire department budget for the 2011 contract. This is an increase of $128,185 over the 2010 contract payment. For 2012, the same five-year rolling average will be used to determine the amount that WSU will pay. If the City should receive a SAFER grant, WSU has agreed to pay the cost of one firefighter for one year. He advised that the City applied for a SAFER grant last year, but did not receive the grant.

Councilmember Bloom moved, Counmcilmember Benjamin seconded to approve the interlocal agreement with Washington State University for fire and emergency medical services for calendar years 2011 and 2012. The motion carried unanimously.

Labor Contract with Teamsters for Public Works and Parks and Recreation

9. Mayor Johnson announced that a motion is requested to adopt a labor contract for Public Works and Parks and Recreation. City Supervisor Sherman presented the staff report stating this is a two-year labor contract with a zero increase in wages. The employees will maintain their current

benefits. He stated that the Library Board has just approved the same contract. Mayor Johnson stated that there is a projected 9 to 12 percent increase in insurance benefits next year. Councilmember Waldrop moved, Councilmember Benjamin seconded to approve a labor contract with Teamsters Union Local 690 for Public Works and Parks and Recreation employees for the years 2010-2011. The motion carried unanimously.

Discussions

Downtown Free Parking Lot

10. Mayor Johnson announced that a discussion is scheduled on proposed changes to an ordinance relating to parking lots and the Downtown Free Parking Zone. Police Chief Jenkins presented the staff report. He stated that the Downtown Free Parking Zone is currently a two-hour zone from 8:00 a.m. to 6:00 p.m. During events such as the Lentil Festival it discourages people from parking downtown. Pullman Chamber of Commerce has requested that enforcement be waived during such events. The proposed ordinance would allow the Chief of Police to legally waive the provisions of the City Code during special events.

Councilmember Bloom stated this was a good idea. Councilmember Hawbaker stated we need a way to stop cars from going into the areas that are blocked off and parking. Police Chief Jenkins stated there is a way to take care of the vehicles that are parking in posted non-parking areas.

Tammy Lewis, Chamber of Commerce, stated that during Lentil Festival and Crazy Days we encourage people to come downtown and stay.

Mayor Johnson stated this change would give the Chief of Police discretionary power. Mayor Johnson also thanked the Library for giving up their parking lot for special events. Councilmember Benjamin stated he was in favor of the ordinance.

Police Chief Jenkins also gave an update on residential parking zones. He stated that Zone A can obtain up to three one-day guest passes per day for use from 5 p.m. to midnight. The passes are free and have no limit on the number of times passes can be obtained. There has been some abuse of this and the other zones want the same type of passes. He stated that his staff has suggested that a five-day limit be imposed.

Councilmember Benjamin stated that only Zones “A” and “E” require nighttime permits and that different zones might have different needs. Police Chief Jenkins agreed that Zones “A” and “E” would be the ones that need nighttime passes.

Police Chief Jenkins gave an update on the Riverwalk Zone Parking stating that there are 60 permits allowed and last year 58 were sold. So far this year 46 permits have been sold.

City Supervisor Sherman stated that WSU is concerned about ticketing. He stated that Greek Row, Upper Drive, and Lybecker have not been a problem except on game days.

Police Chief Jenkins stated that during the first football game they gave warnings. They also gave out parking maps, Pullman Transit information, and WSU parking information. Mayor Johnson stated that a lot of individuals ride Pullman Transit to the football games.

Initiatives on the Ballot

11. Mayor Johnson stated that a discussion is scheduled on initiatives on this year’s ballot that are of interest to the City of Pullman. City Supervisor Sherman gave the staff report. He stated that AWC has identified several initiatives and referendums that are of interest to cities. He also advised that City Council can take a position on the initiatives.

Initiatives 1100 and 1105 are about privatization of liquor stores. Initiative 1105 would have the highest impact on cities. If passed the City could lose in excess of $300,000.

Tammy Lewis, Chamber of Commerce Executive Director, stated that there will be two forums on initiatives this fall. On October 19 there will be a forum held in Colfax and on October 20 there will be a forum in Pullman.

City Supervisor Sherman stated that if the liquor stores are privatized the state could go from the current 315 liquor stores to between 3,300 to 5,500 outlets. Studies have shown that with the outlets there is an increase in consumption and sales to minors. He stated that one of the people on a Webinar he was on stated that the State would not reduce liquor enforcement agents. Mayor Johnson stated that the State is already down 20 to 40 agents.

City Supervisor Sherman also stated that if passed there will be a reduction in funding to MRSC. If both initiatives pass it is possible the State would go with the measure that gets the highest vote. He stated that the loss of revenues could impact law enforcement and enforcement of sales to minors.

City Supervisor Sherman stated that Initiative 1053 concerns tax increases imposed by the State government. Fee increases would have to be approved by two-thirds of a legislative majority or by a vote of the people. Initiative 1082 is a measure that would allow private insurers to compete with the State of Washington L&I for workers' compensation coverage. Initiative 1098 is a measure that would tax "adjusted gross incomes" above $200,000. Initiative 1107 ends the sales tax on candy and other groups of products that the State recently added a tax to. Referendum 52 would authorize bonds to finance construction and repair projects increasing energy efficiency in public schools and higher education buildings and continue the sales tax on bottled water which otherwise expires in 2013.

Councilmember Benjamin stated he had talked to a local business owner who has beer and wine and he is not in favor of these initiatives. Mayor Johnson stated that some small wineries are against the initiatives as it will take up shelf space.

Councilmember Waldrop, Public Works Director Workman, Mayor Johnson, and City Supervisor Sherman discussed Referendum 52.

City Supervisor Sherman asked if the Council wanted to take a position on any of the issues. Waldrop stated he was reluctant to take a position on any of the issues at this time.

NEW BUSINESS

Mayor Johnson asked if there was any new business from either the Council or audience. There was none.

ADJOURNMENT

Councilmember Wright 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 9:00 p.m.