

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
AUGUST 26, 2008

Roll Call

The regular meeting of the City Council of the City of Pullman was held on August 26, 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
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 including a proclamation to wear your state college colors on August 29.

Reports

Public Works 2007
Annual Report

Councilmember Waldrop thanked Public Works Director Workman and his staff for all of their hard work and thanked all of the call-out employees for all their work during after-hours emergencies. Public Works Director Workman responded.

Nuisance Ordinance
Enforcement

Police Chief Weatherly presented the staff report. Councilmember Benjamin asked for clarification regarding the front yard parking exemptions. Police Chief Weatherly responded.

ORDER OF BUSINESS

Approval of Recommendations of Consent Agenda Items

CONSENT AGENDA

Mayor Johnson then 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 Heath requested that item No. 1 be removed for separate discussion. Councilmember Paul requested item No. 7 be removed for separate discussion. Councilmember Paul moved, Councilmember Wright seconded to adopt items 2 through 6 on the Consent Agenda.

Motion Carried.

Motions

- Claim for Dam- 2. The Council referred a Claim for Damages
 ages - Williams submitted by Beverly A. Williams for an
 undetermined amount to the Washington Cities
 Insurance Authority (WCIA).
- Claim for Dam- 3. The Council referred a Claim for Damages
 ages - Fischer submitted by Gloria J. Fischer for an
 undetermined amount to the Washington State
 Transit Insurance Pool (WSTIP).

Resolutions

- Resolution No. 4. Resolution No. R-76-08
 R-76-08 - Water and Sewer Rate Study
 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 WATER AND SEWER RATE STUDY
 UPDATE.

Resolution No. R-76-08 was adopted unanimously.

- Resolution No. 5. Resolution No. R-77-08
 R-77-08 - School District/Transit Agreement
 A RESOLUTION AUTHORIZING THE 2008-2009 SCHOOL
 YEAR SERVICE EXTENSION FEE AGREEMENT BETWEEN THE
 CITY OF PULLMAN AND THE PULLMAN SCHOOL DISTRICT
 NO. 267 FOR THE PURPOSE OF PROVIDING
 TRANSPORTATION FOR STUDENTS ON THE PULLMAN
 TRANSIT SYSTEM.

Resolution No. R-77-08 was adopted unanimously.

REGULAR AGENDA

Motion

- Minutes - Au- 1. Mayor Johnson announced that this item had been
 gust 12, 2008 removed from the Consent Agenda at the request of
 Councilmember Heath. Councilmember Heath
 requested a change to the minutes in the section
 for Ordinance No. 08-12, parking lots. Finance
 Director Woo responded.

Councilmember Heath moved, Councilmember Benjamin
seconded to adopt the amended minutes of the
regular meeting of August 12, 2008. The motion
carried unanimously.

Ordinance

- Ordinance No. 7. Mayor Johnson announced that this item had been
 08-13 - Monetary removed from the Consent Agenda at the request of
 Donation Councilmember Paul. Councilmember Paul
 acknowledged and thanked the Friends of Neill
 Public Library for all of their support of the
 Library.

Ordinance No. 08-13 by title only reads as
follows:

AN ORDINANCE ACCEPTING A RESTRICTED MONETARY
DONATION FROM THE FRIENDS OF NEILL PUBLIC LIBRARY
TO THE CITY OF PULLMAN FOR THE NEILL PUBLIC
LIBRARY NON-PRINT MATERIALS.

Councilmember Paul moved, Councilmember Waldrop
seconded to adopt Ordinance NO. 08-13. The
motion carried unanimously.

Public Meeting

Plastic Bags

8. Mayor Johnson announced that a public meeting is scheduled on plastic bags. Mayor Johnson reviewed the guidelines for the public meeting. City Supervisor Sherman presented the staff report.

Elizabeth Siler of the "Bring Your Own Bag Pullman" organization presented a report that included the benefits and effectiveness of recycling, a plan to ensure that families of all incomes can afford reusable bags, a description of grants that are available and how the proposed fee would impact retail sales in Pullman.

Bonnie Ayre-Svingen described recycling efforts of Lincoln Middle School students and stated the adults of Pullman can set a good example for the children of Pullman by recycling and using canvas bags.

Dorothy Swanson, 1055 NE Creston Lane, speaking on behalf of the League of Women Voters stated the citizens should reduce, reuse, and recycle by using canvas bags. Ms. Swanson stated the bags could be used for fund-raising and that plastic bags were dangerous when blown around town.

Uta Hutnak stated that Germany does not have plastic bags unless you pay a fee and that people will adapt to the fee and the use of canvas bags.

The "Bring Your Own Bag" Pullman group demonstrated the use of plastic bags by a typical family.

Tom Forbes from "Pullman Consumers Free Choice" read statements from Dissmores and the Pullman Chamber of Commerce that oppose the plastic bag fee. Mr. Forbes suggested instead that an awareness campaign be used. Mr. Forbes presented a petition in opposition of the fee for plastic bags. Mr. Forbes stated that the proposed fee would be bad for consumers and local businesses and that recycling should be market driven and a voluntary program.

Vicky Dehlbom, 1700 NW Bella Vista, stated that she uses more than two bags during each trip to the store and described her reuse of plastic bags and that the fee would be a burden on lower-income families who are already being responsible.

Mary Alice Slatum stated that she recently lived in Seattle and described Seattle's fee on bags and stated that there has been some discussion of rescinding the fee for plastic bags in Seattle. Ms. Slatum suggested that the City use a more positive approach to the issue and not to penalize people.

Councilmember Paul thanked the citizens for their comments and their involvement on the issue. Councilmember Heath stated it is good to have this type of discussion and hopes to personally use the canvas bags more often but she did not want to impose mandates on this issue and appreciated that the group is leading by example.

Councilmember Bloom referred to conflicting information in an article in the Moscow Co-op

newspaper. Councilmember Bloom urged personal responsibility with the plastic bags and stated that he was not in favor of adding a fee that will send more business to Moscow. Councilmember Weller thanked the citizens for their involvement and suggested a happy medium such as offering discounts for those customers that bring their own bags.

Judy Dunn-Gray of Whitman County described recycling efforts within the County and stated that stores do make responsible choices when choosing the bags that they provide.

Mayor Johnson described his own use of canvas bags.

Ordinance and Resolution

Ordinance No.
08-14 - Business
Registration

Resolution No.
R-78-08 - Fee
Schedule

9. Mayor Johnson announced that an ordinance and resolution have been prepared relating to business registration. City Attorney McAloon reviewed the proposed ordinance and noted the change to the effective date. Councilmember Weller raised concerns that an economic impact analysis had not been conducted and read comments from a letter from Terry Carlson which opposes the proposed registration and its fee. Councilmember Weller also noted ID theft concerns. City Attorney McAloon responded.

Councilmember Waldrop asked for clarification within the ordinance. City Attorney McAloon responded. Councilmember Heath noted the benefits of the registration and that the ordinance was narrowly tailored. Councilmember Heath asked for a public records act clarification as it relates to ID theft. City Attorney McAloon responded. Councilmember Heath noted that the fee is low to make sure that the businesses are not overcharged. City Attorney McAloon and Finance Woo responded.

Ordinance No. 08-14 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO TITLE 6, LICENSES AND TAXATION, ADDING CHAPTER 6.95, BUSINESS REGISTRATION, AND OTHER MATTERS PROPERLY RELATED THERETO.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Ordinance No. 08-14. The motion carried six votes aye, Councilmember Weller voting nay.

City Attorney McAloon reviewed the proposed fee schedule. Councilmember Heath and City Attorney McAloon discussed changes that were made to the fee schedule.

Resolution No. R-78-08 by title only reads as follows:

A RESOLUTION ADOPTING A FEE SCHEDULE FOR COMMERCIAL BUSINESS REGISTRATION AND RENEWAL REQUIRED PURSUANT TO THE PROVISIONS OF THE PULLMAN CITY CODE 6.95.

Councilmember Bloom moved, Councilmember Waldrop seconded to adopt Resolution No. R-78-08. The

motion carried six votes aye, Councilmember Weller voting nay.

Resolutions

Resolution No. 10. Mayor Johnson announced that a resolution had been prepared authorizing the second amendment to an appeal of the Phase II National Pollutant Discharge Elimination permit. Public Works Director Workman presented the staff report. There were no questions.

R-79-08 - National Pollutant Discharge Elimination Permit Appeal

Resolution No. R-79-08 by title only reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PULLMAN AND A COALITION OF WASHINGTON CITIES FOR THE PURPOSE OF APPEALING THE PHASE II NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT.

Councilmember Bloom moved, Councilmember Waldrop seconded to adopt Resolution No. R-79-08. The motion carried unanimously.

Resolution No. 11. Mayor Johnson announced a resolution had been prepared adopting the final plat of Whispering Hills Subdivision No. 4. Public Works Director Workman presented the staff report. Councilmember Benjamin asked if this plat would connect Center Street to Wawawai Road. Public Works Director Workman responded. Councilmember Bloom asked if the temporary construction access could be used as an emergency second access for the area. Public Works Director Workman responded. Councilmember Paul asked if the recently discussed planned residential development was included within this final plat. Public Works Director Workman responded.

R-80-08 - Final Plat of Whispering Hills Subdivision No. 4

Resolution No. R-80-08 by title only reads as follows:

A RESOLUTION APPROVING THE FINAL PLAT OF WHISPERING HILLS SUBDIVISION NO. 4 AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO SIGN THE FINAL PLAT.

Councilmember Waldrop moved, Councilmember Benjamin seconded to adopt Resolution No. R-80-08. The motion carried unanimously.

Resolution No. 12. Mayor Johnson announced that a resolution had been prepared authorizing the purchase of property from Dennis and Georgia Hathaway. Public Works Director Workman presented the staff report. Councilmember Heath asked for a funding clarification as it relates to reserves within the streets and utilities funds. Public Works Director Workman responded.

R-81-08 - Purchase of Hathaway Property

Resolution No. R-81-08 by title only reads as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE PURCHASE OF PROPERTY FROM DENNIS W. AND GEORGIA A. HATHAWAY.

Councilmember Benjamin moved, Councilmember Heath seconded to adopt Resolution No. R-81-08. The motion carried unanimously.

Motion

- Memorandum of Understanding with Pullman Police Guild 13. Mayor Johnson announced that a Memorandum of Understanding has been prepared pertaining to a trial period for a compressed work schedule for police patrol officers. Police Chief Weatherly presented the staff report. Councilmember Heath noted that the proposal should reduce overtime and asked if this would be tracked to insure that. Police Chief Weatherly responded. Councilmember Benjamin asked if any other jurisdictions are using the nine-hour schedules. Police Chief Weatherly and Police Guild President Scott Patrick responded. Councilmember Waldrop described his experience with compressed work schedules and stated that the nine-hour days seemed to work the best. Councilmember Waldrop moved, Councilmember Benjamin seconded to authorize the Memorandum of Understanding. The motion carried unanimously.

Discussions

- University District 14. Mayor Johnson announced that a discussion is scheduled on the University District. City Supervisor Sherman reviewed changes to the proposed agreement that had been made since the agenda was published, provided a history and background on the issue, introduced WSU representatives in the audience and reviewed the draft agreement and proposed schedule of work.

Mel Taylor, WSU's Executive Director of Real Estate Operations and External Affairs, commented on the WSU residential rental property evaluation program. Mayor Johnson made an alternative parking storage lot clarification. Mel Taylor described the "Cougar Choice Housing" and commented on the storage lot issue and the need to coordinate it with the City's parking restrictions permit system.

Councilmember Waldrop thanked everyone for their work on the agreement and asked how parking issues will be addressed if parking is shifted from the University District area. Mr. Taylor responded. Councilmember Waldrop asked for clarification on the enforcement of parking. Mel Taylor and City Supervisor Sherman responded. Councilmember Benjamin asked how the boundaries for the University District were decided and asked how it overlaps with the historic district.

Mel Taylor and Alex Hammond, of the College Hill Association, responded. Councilmember Heath noted a conflict regarding the termination section. City Attorney McAloon and City Supervisor Sherman responded. Councilmember Heath noted that the planning and zoning guidelines do not include a deadline within the agreement and suggested that it should include a deadline. City Supervisor Sherman, City Attorney McAloon, Mel Taylor, and Planning Director Dickinson responded.

Councilmember Paul noted the WSU obligation for police staffing within the agreement and asked if similar obligations should be included for fire protection services. City Supervisor Sherman responded. Councilmember Benjamin noted the obligation to provide a park-and-ride lot and asked if the City should be obligated to connect

the park-and-ride lot to the University campus via Transit. City Supervisor Sherman and Mel Taylor responded. Councilmember Wright raised concerns regarding the level of student involvement with the agreement since they are major stakeholders and asked what the level of involvement with the Police Guilds has been. City Supervisor Sherman, Police Chief Weatherly, Mel Taylor, and WSU Police Chief Bill Gardner responded. Councilmember Heath and Councilmember Wright further discussed the level of student involvement. City Supervisor Sherman stated that the agreement will be broadly disseminated. Pullman Police Guild President Scott Patrick provided a history of police involvement on College Hill and described improvements made to relationships and communications on College Hill.

Councilmember Bloom asked what the Guild's position is on the University District proposal.

Mr. Patrick responded. Mayor Johnson noted that WSU has accepted responsibility for off-campus student activity. Mr. Patrick responded. Mel Taylor thanked the City Police Department for all the improvements that have taken place on College Hill.

Rental Regis-
tration and Fees

15. Mayor Johnson announced that a discussion is scheduled on rental registration and fees. City Attorney McAloon presented a staff report which included an overview of the ordinance and comments on the proposed fees. Finance Director Woo presented a staff report on proposed fees. Councilmember Weller asked if there was an overlap of the business registration and the landlord registration. Finance Director Woo and City Attorney McAloon responded. Councilmember Bloom stated he was in favor of the fee structure that was proposed by City Attorney McAloon. The City Council concurred to move forward with the ordinance and fee schedule at the next meeting. Councilmember Heath asked why it was necessary for landlords to provide dates of birth. Finance Director Woo and Police Chief Weatherly responded.

Councilmember Weller asked if the occupancy reporting requirement was necessary. City Attorney McAloon responded. Councilmember Heath, Councilmember Bloom, City Attorney McAloon, and Police Chief Weatherly discussed the open records act as it relates to the registration ordinance.

NEW BUSINESS

Councilmember Wright shared feedback that she has received on the changes that were made to the Riverwalk Parking Lot, reminded the City Council that the parking lot was originally built to provide employee parking, and stated that comments she had received related to concerns about cost and the limited amount of permits issued. Mayor Johnson responded.

Councilmember Benjamin asked that staff report to the City Council how many permits were sold at the next meeting.

City Supervisor Sherman described the permit process that would be used for the Riverwalk Parking Lot. Councilmember Bloom asked if the park-and-ride issues were valid since the City Council based their decision on the Riverwalk Parking Lot on the fact that the lot was being used as a park-and-ride lot. Councilmember

Wright responded. Chief Weatherly commented on the permits and the enforcement of the regulations within the lot. Councilmember Wright responded. Councilmember Waldrop asked if the issue was the number of permits, the cost of the permits, or the fact that the City Council took any action at all. Councilmember Wright responded. Councilmember Benjamin asked for the legality and ordinance clarification on chain parking. Police Chief Weatherly responded.

EXECUTIVE SESSION

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

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

Mayor Johnson announced that the Council would reconvene in open session at 10:50 p.m.

Mayor Johnson reconvened the City Council meeting at 10:48 p.m.

ADJOURNMENT

Councilmember Paul 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 10:48 p.m.