

CITY OF PULLMAN  
COUNCIL CHAMBERS

COUNCIL MEETING  
AGENDA

JULY 8, 2008  
7:30 p.m.

The Pullman City Council welcomes you to tonight's meeting. The Council appreciates and encourages public participation. For regular agenda items, an opportunity for public comment is usually provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations will be placed on the time allowed for comments. Citizens wishing to comment on business which is not on the agenda will be provided the opportunity to do so under NEW BUSINESS. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" on the public information table in the City Council Chambers. Thank you for your interest in City government.

- A. Roll Call: \_\_\_\_\_Francis Benjamin                      \_\_\_\_\_Barney Waldrop  
                         \_\_\_\_\_Keith Bloom                                      \_\_\_\_\_Nathan Weller  
                         \_\_\_\_\_Ann Heath    \_\_\_\_\_Pat Wright  
                         \_\_\_\_\_Bill Paul

B. Announcements

C. Confirmation of Appointment - Neill Public Library Board of Trustees

D. Reports

Fireworks Enforcement  
Project Update  
Status Report on Programs Related to College Hill

E. Consent Agenda

The items listed under 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 action.

**Motions**

1. Dispense with the reading of the minutes of the regular meeting of June 24, 2008, and approve them as submitted.

2. A motion to approve Accounts Payable Checks, Payroll Checks, and Electronic Transfers for July, 2008.
3. A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).
4. A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).
5. A motion to ratify Change Order No. 1 on Contract No. 06-15, Autumn to Shirley Water Main.

#### **Resolutions**

6. Resolution No. R-61-08 - A RESOLUTION REJECTING THE BIDS FOR CONTRACT NO. 08-19, MILITARY HILL PARK IRRIGATION SYSTEM.
7. Resolution No. R-62-08 - A RESOLUTION DESIGNATING GRAY AUTOMOTIVE PRODUCTS COMPANY AS A SOLE SOURCE PROVIDER OF WIRELESS PORTABLE LIFT SYSTEMS.
8. Resolution No. R-63-08 - A RESOLUTION AUTHORIZING A CITY OF PULLMAN APPLICATION FOR FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION PROGRAM (WWRP) PROJECT [#08-1451 JOHNSON AVENUE PATH] TO THE RECREATION AND CONSERVATION OFFICE (RCO) AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF HABITAT CONSERVATION AND OUTDOOR RECREATION LANDS.
9. Resolution No. R-64-08 - A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF PULLMAN AND CENTURY WEST ENGINEERING CORPORATION FOR THE PURPOSE OF PROVIDING TELEMETRY SYSTEM MAINTENANCE AND IMPROVEMENT.

#### **F. Regular Agenda**

#### **Public Hearings**

10. Resolution No. R-65-08 - A RESOLUTION APPROVING A SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF PULLMAN FOR CALENDAR YEARS 2009 THROUGH 2014.
11. Resolution No. R-66-08 - A RESOLUTION APPROVING A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE CITY OF PULLMAN FOR CALENDAR YEARS 2009 THROUGH 2014.
12. Ordinance No. 08-9 - AN ORDINANCE ANNEXING TO THE CITY OF PULLMAN CERTAIN CONTIGUOUS REAL PROPERTY LOCATED ON JOHNSON ROAD SOUTH OF SUMMIT COURT.

### **Public Meeting**

13. Downtown Parking Issues

### **Ordinance and Resolution**

- 14a. Ordinance No. 08-10 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO ITINERANT VENDORS, ADDING CHAPTER 8.95 TO PULLMAN CITY CODE, ITINERANT VENDORS, AND OTHER MATTERS PROPERLY RELATED THERETO.
- 14b. Resolution No. R-67-08 - A RESOLUTION ADOPTING A FEE SCHEDULE FOR ITINERANT VENDOR PERMITS REQUIRED PURSUANT TO THE PROVISIONS OF THE PULLMAN CITY CODE 8.95 AND EFFECTIVE JULY 8, 2008.

### **Ordinance**

15. Ordinance No. 08-11 - AN ORDINANCE VACATING A PORTION OF SOUTH STREET BETWEEN SPRING STREET AND PINE STREET IN THE ORIGINAL TOWN OF PULLMAN.

### **Resolutions**

16. Resolution No. R-68-08 - A RESOLUTION APPROVING THE WHISPERING HILLS NO. 5 PRELIMINARY PLANNED RESIDENTIAL DEVELOPMENT PLAN.
- 16b. Resolution No. R-69-08 - A RESOLUTION APPROVING THE PRELIMINARY PLAT OF THE WHISPERING HILLS SUBDIVISION NO. 5.

### **Motions**

17. A motion to authorize the creation and filling of a parking enforcer position.
18. A motion to purchase property from Palouse and Coulee City Railroad.
19. A motion to approve the purchase of new audio/video equipment for the Council Chambers.

### **G. New Business**

Members of the public may bring items of new business to the attention of the Council under this agenda item. However, we strongly encourage advising the Mayor or City Supervisor of your intention prior to the meeting to ensure the item is properly an item of new business and, if not, if the matter could be addressed in some other manner.

H. Tentative Council Agenda for July 15, 2008 - Canceled  
Tentative Council Agenda for July 22, 2008 - Canceled  
Tentative Council Agenda for July 29, 2008 - Canceled  
Tentative Council Agenda for August 5, 2008 - Canceled

Tentative Council Agenda for August 12, 2008  
Business Registration Ordinance Discussion  
WSU/Transit Agreement  
Downtown Riverwalk Parking Ordinance

Tentative Planning Commission Agenda for July 23, 2008  
Certified Local Government Discussion  
University District Presentation  
Urban Growth Area Discussion

Tentative Board of Adjustment Agenda for July 21, 2008 - Canceled

THE COUNCIL CHAMBERS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. PERSONS REQUIRING SPECIAL ACCOMMODATIONS, SHOULD CONTACT THE FINANCE DEPARTMENT BEFORE 5:00 P.M. THE MONDAY PRECEDING THE COUNCIL MEETING. THE FINANCE DEPARTMENT IS LOCATED ON THE FIRST FLOOR OF CITY HALL, 325 SE PARADISE STREET, PULLMAN, WA 99163. TELEPHONE NUMBER 338-3209 or 338-3208, FAX NUMBER 334-2751, ADD NUMBER 7-1-1.



# CITY OF PULLMAN

325 S.E. Paradise Street, Pullman, WA 99163  
(509) 338-3208 Fax (509) 334-2751  
[admin@ci.pullman.wa.us](mailto:admin@ci.pullman.wa.us)

## MEMORANDUM

TO: City Councilmembers  
FROM: Glenn A. Johnson, Mayor  
RE: Confirmation of Appointment  
DATE: July 8, 2008

The Council is requested to confirm this appointment.

### **Neill Public Library Board of Trustees**

Judy Busch, 325 SE South St., Pullman, 338-5216 (h), appointed to a term expiring on December 31, 2013.

cc: Staff Liaison



# CITY OF PULLMAN

## Police Department

260 S.E. Kamiaken, Pullman, WA 99163


Police Business (509) 334-0802 Police Fax (509) 332-0829

<http://www.pullman-wa.gov/departments/police>

### MEMORANDUM

Date: June 30, 2008

To: Mayor Glenn Johnson  
Pullman City Council

From: William T Weatherly Jr.   
Chief of Police

RE: 2008 Fireworks Enforcement Report

At the July 8 Council meeting I plan to provide a verbal report on the fireworks activity for 2008. The report will be in the below format that was used in 2007.

Year	Total police Calls	Total fireworks Calls	Dispositions			
			Unable to locate	Unfounded (actions were legal)	Enforcement action was taken	Other (warning, case pending, etc.)
2003	202	27	17	2	0	8
2004	196	46	28	7	1	10
2005	207	52	26	14	6	7
2006	221	47	23	6	8	11
2007	232	28	16	4	1	7
2008						



## *Office of the Chief of Police*

Pullman Police Department  
260 SE Kamiaken, Pullman, WA 99163  
<http://www.pullman-wa.gov>

Police Business (509) 334-0802  
City Business (509) 334-4555  
Police Fax (509) 332-0829

## PRESS RELEASE

FOR IMMEDIATE RELEASE  
Tuesday July 1<sup>st</sup>, 2008  
Cmrdr. Chris Tennant  
Pullman Police Department

### **FIREWORKS ORDINANCE DATES/TIMES REMINDER!**

**PULLMAN** – Tuesday July 1, 2008 marks the opening of several fireworks stands in Pullman. It is now legal to purchase fireworks in town. **HOWEVER**, it is still not legal to use these fireworks. In 2006, the City of Pullman passed an ordinance limiting the time to discharge consumer fireworks to:

- July 3<sup>rd</sup> between the hours of 9am – 11pm
- July 4<sup>th</sup> between the hours of 9am – midnight

Any discharge of fireworks outside this time period is a violation of the ordinance and could result in a civil penalty of \$100.

All fireworks stands in the City of Pullman have been inspected and are only selling legal fireworks. Therefore, if you purchase fireworks in Pullman, you may set them off in Pullman. If you purchase them outside of the city....buyer beware! Two of the most popular fireworks that are **ILLEGAL** are firecrackers and bottle rockets. If you are found to be in possession of illegal fireworks the penalty is \$100.

Pullman Police Officers will be actively patrolling for firework violation and have been instructed to take a "strict stance" when it comes to enforcement. Do not expect to receive a warning from your neighborhood officer if you are caught with illegal fireworks or shooting them outside of the allowed time periods.

Lastly, I would like to remind everyone that individual fireworks are not allowed in Sunnyside Park during the community 4<sup>th</sup> of July celebration.

Media Contact: Cmdr. Chris Tennant, PPD, 334-0802, [chris.tennant@pullman-wa.gov](mailto:chris.tennant@pullman-wa.gov)



**City of Pullman**  
Public Works Department  
**M E M O R A N D U M**

**TO:** Mayor and City Council  
**FROM:** Mark Workman, Public Works Director MW  
**RE:** Project Update  
**DATE:** July 1, 2008

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We have several city projects that are in various stages of development this year. At the July 8, 2008 Council meeting, I will provide a powerpoint presentation of these projects. A short summary of each project follows:

**Accelerated Streets Resurfacing**

The streets to be resurfaced with this year's project are West Main Street from State Street to Wawawai Road, Turner Drive from Dal to Yates and from Larry to Robert, and Derby Street from High to Taylor. All streets will be reconstructed by grinding the existing asphalt, mixing the ground asphalt with the underlying crushed rock, shaping the asphalt/crushed rock mixture, and paving with new hot mix asphalt. During construction, traffic impacts will be significant, although local traffic will be accommodated to the extent practicable. Work on this project is anticipated to be completed by mid-July. The contractor is Poe Asphalt Paving, Inc.

**North Grand Pavement Repair**

Last winter, there was a large water line break on Grand Avenue near Enterprise Rent-A-Car that required that some of the concrete paving be removed and damaged several other concrete panels. All of the damaged concrete panels will be removed and replaced along with damaged asphalt in front of Enterprise Rent-A-Car. The contractor for this project is Motley-Motley, Inc. and the contract amount is \$55,000. The work is scheduled to be completed by August 15<sup>th</sup>.



### **Bishop Sidewalk at Professional Mall**

The scope of this project provides for the construction of sidewalk along the east side of Bishop Boulevard from the bridge over the South Fork of the Palouse River to connect to the new sidewalk recently constructed for the Crimson Village Retail Mall. This project eliminates a gap in the sidewalk system. The contractor for this project is Motley-Motley, Inc. The contract amount is \$31,500. Funding for this project includes a \$24,300 grant from the State Transportation Improvement Board.

### **Guardrail Construction**

This year's guardrail project will be to place Jersey Barrier along the west side of Rocky Way. We still need to get this project out to bid, but we are working on it and its all precast units so the construction should go quick.

### **Street Crackfill**

This year's street crackfill project will focus on the following streets in listed priority:

1. Golden Hills Drive
2. Viento Drive from Crestview to Alcora
3. Turner Drive from Larry to Yates
4. Crestview Street from Grand Avenue to Wysup Dealership driveway
5. Brandon Drive
6. Harvest Drive from Bishop Boulevard to 1325 Harvest
7. Shoemaker Drive
8. Pheasant Run
9. Cougar Court
10. Karcio Court
11. Quail Ridge
12. Alvar Street from Crestview to Mies
13. Marcel Street from Crestview to Mies
14. Harrison Street from Clifford to Charlotte

The contractor for this project is Stripes-A-Lot, LLC and the contract amount is \$17,000. Work is to be completed by August 22<sup>nd</sup>.

### **North Grand Widening**

We have been awarded a \$1,216,000 grant from the state Transportation Improvement Board to widen Grand Avenue from the bridge over Missouri Flat Creek near UPS to Nye Street. The widening will be to the east side, the street will be elevated to minimize the impact to adjacent properties, and Ritchie Street will be realigned. Work on Missouri Flat

Creek will also be included to compensate for impacts to the floodway. We are just working through design and permitting at this time with a goal of bidding the project this winter for construction in 2009.

### **RV Park Sewer**

The existing sewer lines in the City's RV Park were very old, small diameter clay pipes that were often a maintenance problem. This project provided for the construction of a new sewer system within the park. The contractor was Atlas Sand and Rock, Inc. and the contract amount was \$57,000. Work on this project is complete.

### **Jackson-Pioneer-Kamiaken Sewer**

This project provides for the replacement of an old sewer line that runs from Woodcraft Park across a steep hillside to Jackson Street with a new sewer line in Kamiaken Street and Pioneer Way, terminating at High Street. The new sewer will also intercept several long services that now extend from this area down the hill to McKenzie Street. The contractor for this project is M.L. Albright & Sons and the contract amount is \$128,000. The completion date for this project is October 26<sup>th</sup>.

### **McKenzie/Church Sewer**

We will be replacing an old sewer line with new 8-inch PVC sewer pipe in McKenzie Street from State to Arbor and in Church Street from McKenzie north about 230 feet. The contractor for this project is Ace Elliott Landscaping and the contract amount is \$110,000. The start date is not determined yet, but all work is to be completed by October 26<sup>th</sup>.

### **High School Tank Painting**

As a maintenance activity the exterior of the High School Water Tank was sandblasted to bare metal and repainted. To prevent sandblast debris and paint spray from scattering to the adjacent neighborhood the tank was first encapsulated with tarp around scaffolding. That project is now complete, with the tank painted a pretty blue. The contractor for this project was Extreme Coatings, Inc. The project cost was \$174,000.

### **Aquatics Center Exterior Painting**

Since the Aquatics Center was constructed, several cracks have appeared in the exterior of the pre-cast concrete tilt-up panels. The scope of this contract is to repaint the exterior of the building with a flexible elastomeric paint. The contractor for this project is Inland

Northwest Painters, LLC from Pullman and the contract amount is \$19,000. In preparation of the actual painting, all of the exterior cracks have been cleaned of loose material and filled with a durable, flexible crackfill material by city forces. The painting project is to be completed by the end of September.

### **Lawson Garden Pavers**

This project provides for the construction of concrete pavers along the south side of the parking lot, at the entrance to the formal garden area, and across the driveway where a sanitary sewer line was constructed for the Well 8 project. The contractor for this project was Segmental Systems, Inc. and the contract amount was \$76,000. This project is complete.

### **City Hall Plaza Reconstruction**

For years, water has been infiltrating down through the plaza on the south side of City Hall and the elevated plaza on the north side of City Hall and has been slowly causing damage to the structural concrete members that are the ceiling of the parking lot underneath and that support the City Hall structure. The scope of this project provides for the removal of the existing plaza surfacing down to the structural deck, construction of a waterproof membrane, construction of a new concrete panel/pedestal deck system, and repair of the damage to the structural members. Work on this project is ongoing with completion anticipated for mid-September. The area between City Hall and the Police Station is fenced off and being used by the contractor as a staging area. One of the south entrances to City Hall will be usable at all times as will the access through the parking area below. During the work in the parking area underneath City Hall, all of those parking spaces will be out of service also. The contractor for this project is S&K Mountain Construction. The contract amount is \$223,000.

### **New Digester**

The major project at the Waste Water Treatment Plant is the construction of a new digester. We have two old, 180,000 gallon digesters that were built in the 1940s. A new 500,000 gallon digester is being constructed first, along with a new digester control building. Once these are on-line, the existing digesters and the existing digester building will be refurbished. This is a \$7,000,000 project. The contractor is Apollo, Inc. from Pasco. We have been under construction for about a year now, with project completion scheduled for next February or March.

## **Decant Waste Facility**

A requirement of our Industrial Discharge Permit is that we construct a facility that will separate the water from the debris collected from storm drains and catch basins and direct that water to the sanitary sewer system. A facility to perform this function for both the storm drain and sanitary systems is being constructed at the Quanset property on Guy Street. The contractor is Ace Elliott Landscaping and the contract amount is \$49,000. The completion date is October 26<sup>th</sup>.

## **Tank 10**

A new standpipe water reservoir will be constructed near Barclay Estate Subdivision, west of Golden Hills Drive and north of Wawawai Road. This standpipe will be similar to the one in the southwest part of the City between Staley Drive and Campus View Drive. We are just completing the design of this project and getting final approval from the Department of Health. The intent is to bid this project yet this year with most of the construction being in 2009.

## **Well 8**

A new well is being constructed at the City's utility property southeast of the intersection of Spring Street and Derby Street. The actual well site is over the bank from Derby Street, just above the xeriscape demonstration garden in Lawson Gardens. The driveway to the Scout House will be upgraded to provide access to the well site. Site preparation and utility work has been completed and the well has been drilled. The well house is currently being designed and is at the 30% design stage. The anticipated schedule is to complete design this year, bid this winter, and construct next year.

## **Bond Issue Projects**

There are five basic projects that were approved by the passage of the Parks and Paths Bond Issue in 2006.

1. A contract has been awarded to Atlas Sand & Rock, Inc. for the North Grand Path and Maple Street Path project. The scope of the North Grand Path provides for paving the existing gravel path along the east side of Grand Avenue from Turner Drive to Terre View Drive. The scope of the Maple Street Path provides for the construction of a new path from Maple Street Extension down the hillside to the existing path along the railroad tracks below. This part of the project also includes widening Maple Street Extension to create parallel, on-street parking and construction of sidewalk to close a gap in the sidewalk system on this street. The Maple Street work is ongoing and is taking shape nicely. The North Grand Path work will be performed later this summer. The contract amount is \$180,000.

Another path to be constructed is from Bishop Boulevard south along the west side of Johnson Road to the Bellevue Apartments area. We are still working on securing the right of way for this path section, but we are also trying to leverage this project with a 50% grant from the state to also construct a bridge connection across the river to the Fireside Grille area.

2. Two restrooms each at Kruegel Park, Sunnyside Park, and the City Playfield are being constructed along with all of the required supporting utilities. The contractor is M.L. Albright & Sons, Inc. and the contract amount is \$525,000. Work on this project has dragged on some, mostly due to the long winter and wet spring, but they should all be complete by the mid August.
3. At the City Playfield, new ballfield lights are being constructed at the two softball fields (Bowman and Wiley) and at the Little League field (Thatuna). The new lights will meet American Softball Association and Little League standards, be much more energy efficient, and have much less light escaping from the fields to neighboring property. The contractor for this project is Zinc Commercial Contractor, Inc. and the contract amount is \$456,000. This project should be complete by the end of July.
4. \$250,000 from the bond issue has been dedicated to eliminating gaps in the sidewalk system. Military Hill was targeted this year with sidewalk constructed on Cleveland Street, Gary Street, Charlotte Street, Lamont Street, Turner Drive, Thomas Street, Robert Street, and Ridgeline Drive. The other three hills are being surveyed to prepare a list of likely project candidates for construction next year. An emphasis is placed on constructing as much sidewalk as possible, focusing first on arterial streets, and distributing the work to all four hills.
5. \$125,000 from the bond issue has been dedicated to preliminary work on an Arts Pavilion to be sited at Sunnyside Park. Mark Johnson from the firm of Jones and Jones Architects and Landscape Architects is heading up the process of leading an Arts Pavilion Committee through programming, schematic design, and pre-design. The citizen members of the Arts Pavilion Committee are Rod Schwartz, Kathleen Bodley, Gerald Berthiaume, Heidi Jarvis, and Marysue Itani. At the end of this process, the intent is to have determined what type of activities the Arts Pavilion will accommodate, decided what it will look like, resolved the basic design details, and developed a cost estimate.




# CITY OF PULLMAN

## Public Works and Planning Departments

325 S.E. Paradise Street, Pullman, WA 99163  
(509) 338-3220 or (509) 338-3213 Fax (509) 338-3282  
[www.pullman-wa.gov](http://www.pullman-wa.gov)

### MEMORANDUM

TO: Mayor Johnson and Pullman City Council

FROM: Pete Dickinson, Planning Director 

SUBJECT: Status Report on Programs Related to College Hill

DATE: July 2, 2008

Among its other activities, the planning department is currently working on two programs that are likely to affect the College Hill neighborhood. This memorandum provides a status report on these two projects.

#### College Hill Tomorrow Program

The College Hill Tomorrow program is a neighborhood improvement strategy designed to refine last year's College Hill consultant study into a potential set of policies, initiatives, and regulations. This undertaking is addressed in 2008 City Council Goal No. 7, which reads as follows:

Continue to work with WSU toward the improvement of College Hill including considering the recommendations for creating a University District as well as the recommendations of the College Hill Neighborhood Study.

To gather public input for this program, the Planning Commission held a well-attended public meeting last October and planning staff conducted numerous interviews with various stakeholders over the winter months. The stakeholders surveyed in this process included College Hill Association members, long-term residents, WSU officials, WSU students, WSU alumni organizations, landlords, property managers, members of the business community, and real estate developers.

Also, in April, the planning department conducted an open house to obtain public feedback on proposed goals and potential options for the neighborhood, including the concept of a University District. Approximately 40 people attended the event, and the department contacted many additional parties afterward to solicit input on the

information presented. Staff is still waiting to hear back from certain stakeholder groups that have thus far been under-represented in the process, such as WSU students, landlords, business owners, and real estate developers.

At its June 11 meeting, the Planning Commission discussed the preliminary results of the open house. At that time, the Commission also expressed interest in a workshop session that would bring representatives of the various stakeholder groups together in one room for an interactive discussion of possible neighborhood enhancement activities. Although staff has encountered difficulty assembling representatives from each of the stakeholder groups during the summer, it is hoped that this workshop will be scheduled either late this summer or shortly after the WSU academic year has begun in the fall. Following this workshop, staff will work with the Planning Commission to develop a set of formal provisions for public review and comment.

#### Certified Local Government Program

Goal No. 6 from the list of 2008 adopted City Council goals reads as follows:

Pursue the creation of design standards within the College Hill Historic District and becoming a Washington Certified Local Government Program for historic preservation.

The Certified Local Government (CLG) program was established by Congress as part of the National Historic Preservation Act. It establishes a federal/state/local partnership involving financial and technical assistance for the purpose of preserving historic properties. Local governments that establish a historic preservation program meeting federal and state standards are eligible to apply to the State Historic Preservation Officer and the National Park Service for certification. A local government that receives such certification becomes known as a "Certified Local Government."

All cities or counties requesting certification must satisfy certain requirements, including the following:

- 1) establish a historic preservation commission with a certain minimum number of members possessing professional expertise in history, architecture, and/or related fields;
- 2) maintain a system at the local level for the inventory and registration of historic properties;

- 3) create rules to protect historic properties, including architectural design review administered by the historic preservation commission.

The prospect of a CLG program in Pullman raises several issues that, in planning staff's opinion, should be addressed in a public forum. These issues include additional resources, or a re-ordering of priorities, to conduct the program; appointing and maintaining the minimum number of qualified members on the historic preservation commission; determining whether the historic preservation commission's decision regarding listing a property on the local historic register should be a final determination or a recommendation to the City Council; the role of property owner consent in listing a property on the local historic register; and the effect of applying architectural design review standards to construction at local historic register properties, including properties within an historic district that do not contribute to the historic character of the district.

To address some of these issues, the Planning Commission has scheduled a discussion of the CLG program at its July 23 meeting. It is expected that the Commission's recommendations regarding this program will be transmitted to the City Council by early fall.



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 Adjust-  
ment

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 Dam-<br>ages - 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 Dam-<br>ages - 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 Dam-<br>ages - 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<br>Complete        | 5. | The Council accepted as complete Contract No. 08-02, Sidewalks 2008.  |

- Grant for Elec- 6. The Council authorized a Washington State Patrol  
tronic Reports at and Washington State Department of Transportation  
Police Department Electronic Collision Reports and Electronic  
Collision Records user's agreement.
- Public Meeting 7. The Council set July 8, 2008, as the date for a  
Date public meeting to review the proposed Whispering  
Hills No. 5 preliminary plat and Whispering Hills  
No. 5 PRD preliminary plan.
- Public Hearing 8. The Council set July 8, 2008, as the date for a  
Date public hearing to consider a petition for  
annexation of property to the City of Pullman  
submitted by Shirley O'Hare.

### **Resolutions**

- Resolution No. 9a. Resolution No. R-54-08  
R-54-08- Public  
Hearing Date for  
Capital Improvement  
Program  
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. 9b. Resolution No. R-55-08  
R-55-08 - Public  
Hearing Date for  
Transportation  
Improvement Program  
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. 10. Resolution No. R-56-08  
R-56-08 - Surplus  
Property  
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. 11a. Resolution No. R-57-08  
R-57-08 - Sewer  
Plan  
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. 11b.  
R-58-08 - Planning  
Loan for Sewer  
Plan

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. 12.  
R-59-08 - Special  
Use Permit

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. 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 14. Mayor Johnson announced that a discussion is District Proposal 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                    15.  
Business Ordinance

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.

---

Mayor

ATTEST:

---

Finance Director



REQUEST FOR COUNCIL ACTION

For Meeting of: July 8, 2008

ACTION REQUESTED

Motion approving disbursements represented by accounts payable checks numbered \_\_\_\_\_ through \_\_\_\_\_ totaling \$ \_\_\_\_\_ inclusive, payroll checks numbered \_\_\_\_\_ through \_\_\_\_\_ totaling \$ \_\_\_\_\_ inclusive, and electronic transfers totaling \$ \_\_\_\_\_ and direct that they be paid upon approval of the Auditing Officer and Audit Committee.

BACKGROUND

Motion will approve payment of claims, wages, and transfers for July, 2008.

RECOMMENDATION

Passage of the motion.

FISCAL IMPACT

\$ \_\_\_\_\_ Budgeted Expenditures

\_\_\_\_\_  
BARS Code Number

SUBMITTED BY

ATTACHMENTS FOR COUNCIL REVIEW/ACTION

Troy Woo  
Name

1. None

Finance Director  
Title

Finance  
Department

REVIEWED BY

	Initial	Date
Department Head	<u>TW</u>	<u>7/2/08</u>
City Supervisor	<u>JOS</u>	<u>7/3/08</u>
City Attorney (As To Form)	<u>Maj</u>	<u>7-3-08</u>

3. A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).

NOTES:

REQUEST FOR COUNCIL ACTION

For Meeting of: July 8, 2008

=====

ACTION REQUESTED

A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).

=====

BACKGROUND

On June 23, 2008, Nancy Parry submitted a Claim for Damages for the sum of \$110,000 for damages allegedly occurring due to City negligence. In accordance with the provisions of Section 1.98.030 of the Pullman City Code, the Council should direct that this claim be referred to WCIA.

=====

RECOMMENDATION

That the motion be passed.

=====

FISCAL IMPACT

\$ \_\_\_\_\_ Budgeted Expenditures

\_\_\_\_\_  
BARS Code Number

=====

SUBMITTED BY

ATTACHMENTS FOR COUNCIL REVIEW/ACTION

Jane Joyce  
Name

1. Claim for Damages - Parry

Deputy City Clerk  
Title

Finance  
Department

=====

REVIEWED BY

	Initial	Date
Department Head	<u>JW</u>	<u>6/26/08</u>
City Supervisor	<u>[Signature]</u>	<u>7/3/08</u>
City Attorney (As To Form)	<u>[Signature]</u>	<u>6-26-08</u>

# CLAIM FOR DAMAGES FORM

Date Claim Form  
Received by Member

MEMBER CITY/ORGANIZATION: City of Pullman

Please take note that NANCY PARRY, who resides at 570 SE BENEWAH  
#109, PULLMAN WA 99163, mailing address SAME, home phone #3328237, work phone N/A, is claiming damages against  
PULLMAN POLICE in the sum of \$110,000.00 arising out of the following circumstances listed below.

DATE OF OCCURRENCE: DEPT JULY 11, 2007

TIME: \_\_\_\_\_

LOCATION OF OCCURRENCE: SAME AS ABOVE

## DESCRIPTION:

1. Describe occurrence explaining the nature of the defects or acts of negligence causing damages.

OFFICER ELIZABETH SHEAFFER PRESENTED ME WITH A LIFE THREATENING ULTIMATHUM. SHE SAID EIGHT OF MY ELEVEN DOGS WOULD BE FORCIBLY TAKEN FROM ME IF I EITHER DIDN'T VOLUNTARILY GET RID OF EIGHT DOGS OR VOLUNTARILY TAKE MY DOGS AND MOVE OUT OF PULLMAN. SHE GAVE ME NO WRITTEN NOTICE WHICH I MIGHT HAVE SHOWN TO AN ATTORNEY. I INSIST THAT SHEAFFER AND I TOGETHER BE GIVEN LIE DETECTOR TESTS BECAUSE THESE THREATS WERE NOT INCLUDED IN THE REPORT SHE FILED WITH THE POLICE RECORDS.

2. Provide a list of witnesses, if applicable, to the occurrence including names, addresses, and phone numbers.  
THE LIE DETECTOR TESTS WILL BE MY WITNESSES.

SEE ATTACHED PAGE OF 26 Lines.

3. Attach copies of all documentation relating to expenses, injuries, losses, and/or estimates for repair.

4. Have you submitted a claim for damages to your insurance company? Yes ☒ No

If so, please provide the name of the insurance company: \_\_\_\_\_  
and the policy #: \_\_\_\_\_

## \*\* ADDITIONAL INFORMATION REQUIRED FOR AUTOMOBILE CLAIMS ONLY \*\*

License Plate # _____	Driver License # _____
Type Auto: _____	
(year) (make) (model)	
DRIVER: _____	OWNER: _____
Address: _____	Address: _____
Phone#: _____	Phone#: _____
Passengers: _____	
Name: _____	Name: _____
Address: _____	Address: _____

\* \* NOTE: THIS FORM MUST BE SIGNED AND NOTARIZED \* \*

I, NANCY PARRY, being first duly sworn, depose and say that I am the claimant for the above described; that I have read the above claim, know the contents thereof and believe the same to be true.

Nancy Parry  
X \_\_\_\_\_

Signature of Claimant(s)

State of Washington

County of Whitman

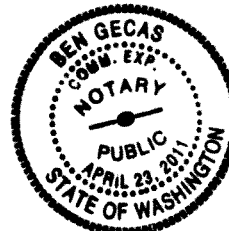
I certify that I know or have satisfactory evidence that Nancy C Parry is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 6-23-09

[Signature]  
Signature

Notary Public  
Title

My appointment expires 04-23-11



THE TWO WEEK TIME LIMIT I WAS GIVEN TO COMPLY OR GET OUT OF TOWN CAUSED PANIC AND ANXIETY FOR THE LIVES OF MY DOGS.

---

I BOUGHT A CAR IN WHICH TO ESCAPE TO SAFETY WITH MY DOGS, and in which I was prepared to live with my dogs should we fail to have another place to live at the end of two weeks.

Just recently the city attorney told me that nobody could have threatened me this way because it is illegal.

---

Since I and my dogs are still here it seems the threats were illegal, and that's why they were not repeated in any written records. SO, I INSIST ON LIE DETECTOR TESTS.

---

Within a week of these threats I had my entire household packed + then within days I took down 80 feet of cedar fence + gate + a 12 X 12 X 10 foot greenhouse. I have lived in this condition to date (July 2007 - June 2008)

4. A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).

NOTES:

REQUEST FOR COUNCIL ACTION

For Meeting of: July 8, 2008

=====

ACTION REQUESTED

A motion to refer a Claim for Damages submitted by Nancy Parry for the sum of \$110,000 to the Washington Cities Insurance Authority (WCIA).

=====

BACKGROUND

On June 23, 2008, Nancy Parry submitted a Claim for Damages for the sum of \$110,000 for damages allegedly occurring due to City negligence. In accordance with the provisions of Section 1.98.030 of the Pullman City Code, the Council should direct that this claim be referred to WCIA.

=====

RECOMMENDATION

That the motion be passed.

=====

FISCAL IMPACT

\$ \_\_\_\_\_ Budgeted Expenditures

\_\_\_\_\_  
BARS Code Number

=====

SUBMITTED BY

ATTACHMENTS FOR COUNCIL REVIEW/ACTION

Jane Joyce  
Name

1. Claim for Damages - Parry

Deputy City Clerk  
Title

Finance  
Department

=====

REVIEWED BY

	Initial	Date
Department Head	<u>TW</u>	<u>0/26/08</u>
City Supervisor	<u>gff</u>	<u>7-3-08</u>
City Attorney (As To Form)	<u>Umaj</u>	<u>6-26-08</u>

# CLAIM FOR DAMAGES FORM

Date Claim Form  
Received by Member

MEMBER CITY/ORGANIZATION: City of Pullman

Please take note that NANCY PARRY, who resides at 570 SE BENEWAH  
#109 PULLMAN WA 99163, mailing address SAME, home phone #3328237, work phone N/A, is claiming damages against  
PETE DICKINSON in the sum of \$10,000.00 arising out of the following circumstances listed below.

DATE OF OCCURRENCE: ~~SEPT 15 2007~~ FEB. 22, 2008 TIME: \_\_\_\_\_

LOCATION OF OCCURRENCE: SAME AS ABOVE

## DESCRIPTION:

1. Describe occurrence explaining the nature of the defects or acts of negligence causing damages.

DICKINSON THREATEN TO HAVE EIGHT OF MY DOGS  
FORCIBLY TAKEN FROM ME IF I DID NOT COMPLY  
WITH A ZONING REGULATION. HE SAID THAT IF I DIDN'T  
GET RID OF EIGHT OF MY DOGS THE POLICE WOULD  
BRING THE ANIMAL CONTROL TRUCK AND I COULD EITHER  
CHOOSE THE THREE I WANTED TO KEEP OR THE POLICE  
WOULD JUST TAKE THE FIRST EIGHT DOGS THEY COULD CATCH  
THEM THE DOGS WOULD BE OFFERED FOR ADOPTION OR EUTHANIZED.  
(attach an extra sheet for additional information if needed)

2. Provide a list of witnesses, if applicable, to the occurrence including names, addresses, and phone numbers.

JASON RADKE WAS WITH DICKINSON.  
THE LIE DETECTOR TESTS OF THE THREE  
OF US WILL BE MY WITNESSES.

★ SEE ATTACHED: ONE PAGE OF EIGHT (\$7) lines.

3. Attach copies of all documentation relating to expenses, injuries, losses, and/or estimates for repair.

4. Have you submitted a claim for damages to your insurance company? Yes ☒ No

If so, please provide the name of the insurance company: \_\_\_\_\_  
and the policy #: \_\_\_\_\_

## \*\* ADDITIONAL INFORMATION REQUIRED FOR AUTOMOBILE CLAIMS ONLY \*\*

License Plate # _____	Driver License # _____
Type Auto: _____	
(year) _____ (make) _____ (model) _____	
DRIVER: _____	OWNER: _____
Address: _____	Address: _____
Phone#: _____	Phone#: _____
Passengers: _____	
Name: _____	Name: _____
Address: _____	Address: _____

\* \* NOTE: THIS FORM MUST BE SIGNED AND NOTARIZED \* \*

I, NANCY PARRY, being first duly sworn, depose and say that I am the claimant for the above described; that I have read the above claim, know the contents thereof and believe the same to be true.

X Nancy Parry  
X \_\_\_\_\_

Signature of Claimant(s)

State of Washington  
County of Whitman

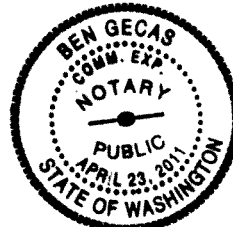
I certify that I know or have satisfactory evidence that Nancy C Parry is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 6-23-08

Signature [Signature]

Title Notary Public

My appointment expires 6-23-11





HE GAVE ME NO WRITTEN NOTICE OF THESE THREATS THAT I MIGHT SHOW TO AN ATTORNEY. ON ADVICE OF THE CITY ATTORNEY HE DENIES HE MADE THESE THREATS.

I INSIST THAT DICKINSON, JASON RADKE (WHO WAS WITH HIM AT MY HOUSE WHEN HE MADE THESE THREATS) AND I, BE BROUGHT TOGETHER AND BE GIVEN LIE DETECTOR TESTS BY A NEUTRAL SCIENTIFIC EXPERT,

---

END

5. A motion to ratify Change Order No. 1 on Contract No. 06-15, Autumn to Shirley Water Main.

NOTES:

## REQUEST FOR COUNCIL ACTION

For Meeting of: 07/08/08

### ACTION REQUESTED:

Ratify approval of Change Order No. 1 to the Autumn to Shirley Water Main contract.

### BACKGROUND:

During the construction of the Autumn to Shirley Water Main project, two items were encountered that required a change in the contract scope:

1. While excavating the trench through the Sunnyside School grounds, the contractor encountered a section of trench approximately 100 feet long where broken concrete and other inert construction debris had previously been dumped and buried. This dump site was an unknown condition and created additional difficulty for the contractor in excavating the trench. The additional expense incurred to excavate, load, haul, and dispose this material was estimated to be \$200.00.
2. During the construction of the new water main, a conflict with an existing 8-inch concrete storm drain pipe was encountered. The Contractor was instructed to reconstruct the storm drain pipe to resolve the conflict. The cost to reconstruct this storm drain line was estimated to be \$300.00.

The net change in the contract amount due to this change order is an addition of \$539.00, including sales tax. Funding for this project is from the Water Budget of the Utility Fund as a miscellaneous water line replacement.

### RECOMMENDATION:

By motion, ratify approval of change order no.1 to contract 06-15, Autumn to Shirley Water Main.

### FISCAL IMPACT:

\$ 539.00  
401-3400-594.34.65.00  
BARS Code Number

### SUBMITTED BY:

### ATTACHMENTS FOR COUNCIL REVIEW/ACTION:

Name Mark Workman  
Title Public Works Director  
Dept. Public Works

1. Change Order No. 1

### REVIEWED BY:

	Initial	Date
Department Head	<u>MW</u>	<u>6/27/08</u>
City Supervisor	<u>gss</u>	<u>7-3-08</u>
City Attorney	<u>Maj</u>	<u>6-27-08</u>
(As to Form)		

City of Pullman  
**CONTRACT CHANGE ORDER NO. 1**

**Date:** June 15, 2008

**Contract No.:** 06-15

**Contract Title:** Autumn to Shirley Water Main

**To: (Contractor)** Atlas Construction, Inc.

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of Changes - Quantities, Units, Unit Prices, Change in Completion Schedule, Etc. (2)	Decrease in Contract Price (3)	Increase in Contract Price (4)
17	Excavation thru Dump Site (Includes Load, Haul, Dispose of Concrete Waste Material)		\$200.00
18	Reconstruct Storm Drain		\$300.00
<b>TOTAL INCREASE</b>			<b>\$500.00</b>
<b>7.8% Tax</b>		<b>\$0.00</b>	<b>\$39.00</b>
<b>Net Change</b>		<b>\$0.00</b>	<b>\$539.00</b>

X Price changes for items 17 and 18 are lump sum.

Price changes for items in Columns 3 and 4 are estimates; final costs will be based on contract unit — prices and final quantities.

Price changes in Columns 3 and 4 are estimates; this change order work will be performed by force — account.

The sum of \$539.00 is hereby added to the total contract price, and the total adjusted contract price to date thereby is \$66,951.35.

This document will become an amendment to the contract and all provisions of the contract will apply hereto.

Accepted by: Steve Bremer  
Contractor's Representative

6/19/08  
Date

Title: Contract Administrator

Approved by: Mark D. Workman, P.E.  
Director of Public Works

6/15/08  
Date

RECEIVED JUN 23 2008

6. RESOLUTION NO. R-61-08

A RESOLUTION REJECTING THE BIDS FOR CONTRACT NO. 08-19, MILITARY HILL PARK IRRIGATION SYSTEM.

NOTES:

## REQUEST FOR COUNCIL ACTION

For Meeting of: 07/08/08

### ACTION REQUESTED:

Reject all bids for the Military Hill Park Irrigation System contract.

### BACKGROUND:

The scope of contract 08-19 provides for the construction of an irrigation system for approximately 17 acres of Military Hill Park including a time clock controller, rain sensor, moisture sensors, pipe (purple for possible reclaimed water in the future), valves, quick couplers, sprinkler heads, backflow protection, and a 1½ inch potable water line. Areas to be irrigated include the aquatics center, the baseball field, the tennis court area, the upper ball field, and the open space below the water tank. Bids for this contract were opened on June 17, 2008 with 3 bids received. A copy of the bid summary is attached; the bid spread was large. In addition to these bids, an incomplete faxed bid in the amount of \$269,100.00 was also received that could not be considered. The apparent low bidder, Clearwater Summit Group, Inc, who bid \$235,348.96, had an error in their bid due to a large underestimate of the quantities involved and asked to be relieved from the responsibilities of award. As authorized by the contract general specifications, this request was honored. Similarly, the next low bidder, Auto Rain Sprinkler Contracting, Inc at \$474,320.00, also failed to include the cost of materials in their bid and requested to be relieved from the responsibilities of award. This left one contractor, Living Waters Lawn & Landscaping, Inc. at \$625,240.00, as the only responsive bidder. The choices available are to award to Living Waters or reject all bids and rebid the project. Because of the wide disparity in bids and the potential to receive a more competitive bid, the recommendation is to reject all bids. The intent then will be to proceed with the design of the irrigation system for the IOOF Cemetery, combine that project with the Military Hill Park project, and bid both projects together for construction in 2009.

### RECOMMENDATION:

Adopt the attached resolution rejecting bids for contract 08-19, Military Hill Park Irrigation System.

### FISCAL IMPACT:

BARS Code Number

### SUBMITTED BY:

Name Mark Workman  
Title Public Works Director  
Dept. Public Works

### ATTACHMENTS FOR COUNCIL REVIEW/ACTION:

1. Resolution No. R-61-08
2. Bid Summary

### REVIEWED BY:

	Initial	Date
Department Head	<u>mlw</u>	<u>6/27/08</u>
City Supervisor	<u>gss</u>	<u>7-3-08</u>
City Attorney	<u>lmaj</u>	<u>6-27-08</u>
(As to Form)		

S.R. #067

RESOLUTION NO. R- 61 -08

A RESOLUTION REJECTING THE BIDS FOR CONTRACT NO. 08-19, MILITARY HILL PARK IRRIGATION SYSTEM.

WHEREAS, bids were opened on June 17, 2008, for Contract No. 08-19, Military Hill Park Irrigation System, with three bids received; and,

WHEREAS, there was a wide disparity among the bids received and errors were claimed by the two lowest bidders; and,

WHEREAS, the City Council deems it to be in the best interests of the City of Pullman to reject all bids; now, therefore,

IT IS HEREBY RESOLVED by the City Council of the city of Pullman that the bids received for the above-described project are hereby rejected.

ADOPTED by the City Council of the City of Pullman at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Director

Approved as to form:

\_\_\_\_\_  
City Attorney

**ENGINEER'S ESTIMATE AND BID SUMMARY**  
**Military Hill Park Irrigation System**  
**BID OPENING 06-17-08**

Item No.	Bid Item	Estimated Quantity	Engineer's Estimate		Clearwater Summit Group, Inc.		Auto Rain Sprinkler Contracting, Inc.		Living Waters Lawn & Landscape, Inc.	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Military Hill Park Irrigation System - Complete	1 L.S.	613,000.00	613,000.00	218,320.00	218,320.00	440,000.00	440,000.00	580,000.00	580,000.00
<b>SUBTOTAL</b>				613,000.00		218,320.00		440,000.00		580,000.00
<b>Sales Tax 7.8%</b>				47,814.00		17,028.96		34,320.00		45,240.00
<b>TOTAL</b>			<b>\$</b>	<b>660,814.00</b>	<b>\$</b>	<b>235,348.96</b>	<b>\$</b>	<b>474,320.00</b>	<b>\$</b>	<b>625,240.00</b>



7. RESOLUTION NO. R-62-08

A RESOLUTION DESIGNATING GRAY AUTOMOTIVE PRODUCTS COMPANY AS A SOLE  
SOURCE PROVIDER OF WIRELESS PORTABLE LIFT SYSTEMS.

NOTES:

## REQUEST FOR COUNCIL ACTION

For Meeting of: 07/08/08

### ACTION REQUESTED:

Approve Gray Automotive Products Company as the sole source provider of wireless lift systems.

### BACKGROUND:

In 2005 the City procured a portable wireless lift system manufactured by Gray Automotive Products Company. The lift system consists of six portable hydraulically-powered lifting towers, any number of which can be used in conjunction with one another to lift a piece of equipment. While lifting equipment using multiple lifting towers, the position of the lifting arm on each of the towers is coordinated using a wireless radio system, therefore eliminating the tripping hazard that would exist if the towers were hard wired. This system has proven to work very well and its portability allows it to be used on any level surface, not just a given repair bay.

The 2008 budget includes funds to replace an underground twin post hoist that is leaking oil from piping that runs through the concrete floor. Rather than destroying the existing shop floor to install a new underground hoist and losing the use of one of the repair bays during construction, it is proposed that the underground fixed hoist be removed and replaced with another portable wireless lift system. To ensure that the new equipment and any other future wireless lifting system are compatible with the existing wireless lift system, the City's procurement policy requires the city council to approve the designation of Gray Automotive Products Company as the sole source provider of wireless lift systems to the Equipment Rental Division.

### RECOMMENDATION:

Adopt the attached resolution approving Gray Automotive Products Company as the sole source provider of wireless lift systems.

### FISCAL IMPACT:

\$65,000.00
<u>501.4800.594.48.62.00</u>
BARS Code Number

### SUBMITTED BY:

Name Mark Workman  
Title Public Works Director  
Dept. Public Works

### ATTACHMENTS FOR COUNCIL REVIEW/ACTION:

1. Resolution No. R-62-08

### REVIEWED BY:

	Initial	Date
Department Head	<u>MW</u>	<u>7/1/08</u>
City Supervisor	<u>Joe J</u>	<u>7/3/08</u>
City Attorney	<u>Edme</u>	<u>7/1/08</u>

(As to Form)

A RESOLUTION DESIGNATING GRAY AUTOMOTIVE PRODUCTS COMPANY AS A SOLE SOURCE PROVIDER OF WIRELESS PORTABLE LIFT SYSTEMS.

WHEREAS, the city of Pullman has determined that it is appropriate to replace a leaking underground lift with a wireless portable lift system; and,

WHEREAS, the city of Pullman wants to ensure that the new equipment is compatible with the wireless lift system already owned by the city as well as with any wireless lift systems that might be purchased in the future; and,

WHEREAS, based on compatibility, performance, and portability, the best supplier for wireless portable lift systems for the city of Pullman has been determined to be Gray Automotive Products Company; and,

WHEREAS, pursuant to Pullman City Code section 1.107.110(3), the City Council may waive public bid requirements for sole source items legitimately limited to a single source of supply or involving the requirements of special facilities; and,

WHEREAS, in order to provide uniformity between systems and to simplify operational and maintenance responsibilities, in addition to the other attributes noted above, it is recommended that Gray Automotive Products Company be designated as a sole source provider for water meters; now, therefore,

IT IS HEREBY RESOLVED that the city council hereby designates Gray Automotive Products Company as the sole source provider for water meters for the city of Pullman.

ADOPTED by the City Council for the City of Pullman at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Director

Approved as to form:

\_\_\_\_\_  
City Attorney

8. RESOLUTION NO. R-63-08

A RESOLUTION AUTHORIZING A CITY OF PULLMAN APPLICATION FOR FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION PROGRAM (WWRP) PROJECT [#08-1451 JOHNSON AVENUE PATH] TO THE RECREATION AND CONSERVATION OFFICE (RCO) AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF HABITAT CONSERVATION AND OUTDOOR RECREATION LANDS.

NOTES:

## REQUEST FOR COUNCIL ACTION

For Meeting of: 07/08/08

### ACTION REQUESTED:

Authorize application for a Washington Recreation and Conservation Office grant.

### BACKGROUND:

One of the projects included in the 2007 Parks and Path Bond issue is a path along Johnson Avenue from Bishop Boulevard to the Bellevue Apartments. To enhance this project, it is proposed to apply for a 50% grant from the Washington State Recreation and Conservation Office (RCO) to add to the project a bridge crossing of the South Fork of the Palouse River (SFPR) just north of the driveway into the Fireside Grille/Village Centre Cinemas area and a path connection from Bishop and Johnson to the Greenway Path at Bleasner with a wayside path to the confluence of Paradise Creek and the SFPR. The grant match is proposed to be from the 2007 Bond funds dedicated to this path (\$235,275) and from private donations raised by the Pullman Civic Trust (\$150,000). The grant share is \$385,275. As part of the application process, the attached resolution is required to be approved and provided to the RCO office. We will get an indication of the success of our application this fall and, if approved, funding will be available in July 2009.

### RECOMMENDATION:

Adopt the attached resolution authorizing application for a Washington Recreation and Conservation grant.

### FISCAL IMPACT:

\$770,550.00  
316.3355.595.62.xx.xx  
BARS Code Number

### SUBMITTED BY:

Name Mark Workman  
Title Public Works Director  
Dept. Public Works

### ATTACHMENTS FOR COUNCIL REVIEW/ACTION:

1. Resolution No. R-63-08

### REVIEWED BY:

	Initial	Date
Department Head	<u>MW</u>	<u>7/1/08</u>
City Supervisor	<u>gof</u>	<u>7/13/08</u>
City Attorney	<u>maj</u>	<u>7-1-08</u>
(As to Form)		

RESOLUTION NO. R-63 -08

A RESOLUTION AUTHORIZING A CITY OF PULLMAN APPLICATION FOR FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION PROGRAM (WWRP) PROJECT [#08-1451 JOHNSON AVENUE PATH] TO THE RECREATION AND CONSERVATION OFFICE (RCO) AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF HABITAT CONSERVATION AND OUTDOOR RECREATION LANDS.

WHEREAS, the City Council for the city of Pullman has approved a comprehensive plan that includes this project area; and

WHEREAS, under the provisions of WWRP, state funding assistance is requested to aid in financing the cost of land acquisition and/or facility development; and

WHEREAS, this Council considers it in the best public interest to complete the land acquisition and/or facility development project described in the application;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Mayor and finance director be authorized to make formal application to the Recreation and Conservation Office for funding assistance;
2. Any fund assistance received be used for implementation of the project referenced above;
3. Our organization hereby certifies that its share of project funding is committed and will be derived from the 2007 Bond Fund and private donations;
4. We acknowledge that we are responsible for supporting all non-cash commitments to this project should they not materialize.
5. We acknowledge that any property acquired or facility developed with financial aid from the Recreation and Conservation Funding Board (RCFB) must be placed in use for the funded purpose and be retained in such use in perpetuity unless otherwise provided and agreed to by our organization and RCFB.
6. This resolution becomes part of a formal application to the Recreation and Conservation Office; and
7. We provided appropriate opportunity for public comment on this application.

ADOPTED by the City Council of the city of Pullman at a  
regular meeting held in Council Chambers of City Hall on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2008.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor  
ATTEST:

\_\_\_\_\_  
Finance Director

Approved as to Form:

\_\_\_\_\_  
City Attorney