

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
JUNE 3, 2008

Roll Call

The regular meeting of the City Council of the City of Pullman was held on June 3, 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 and City Attorney McAloon made announcements regarding the Wal-Mart appeal decision. Mayor Johnson made two additional announcements.

**Confirmation of
Appointment**

Lodging Tax
Advisory Committee

Mayor Johnson announced that he had appointed Mike Waite, Chamber of Commerce Board member, to the Lodging Tax Advisory Committee. Councilmember Bloom moved, Councilmember Waldrop seconded to confirm this appointment. The motion carried unanimously.

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 Paul moved, Councilmember Bloom 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 Paul requested item No. 12 be removed for separate discussion. Councilmember Weller moved, Councilmember Benjamin seconded to adopt items 1 through 11 on the Consent Agenda.

Motion Carried.

Motions

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| Minutes - May 20, 2008 | 1. | The Council dispensed with the reading of the minutes of the regular meeting of May 20, 2008, and approved them as submitted. |
| Accounts Payable, Payroll, and Electronic Transfers - June | 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 - Shoemaker | 3. | The Council referred a Claim for Damages submitted by Shelby Shoemaker for an undetermined amount to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Parry | 4. | The Council referred a Claim for Damages submitted by Nancy C. Parry for the sum of \$8,200.00 to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Parry | 5. | The Council referred a Claim for Damages submitted by Nancy Parry for the sum of \$100,000.00 to the Washington Cities Insurance Authority (WCIA). |
| N. Grand 600 Block Building Demolition Complete | 6. | The Council accepted as complete Contract No. 07-18, N. Grand 600 Block Building Demolition. |
| Construction of Utilities Along | 7. | The Council authorized the construction of utilities across the frontage of the Auto Body |

N. Grand and Albion Road Area Super Center property to facilitate development along North Grand Avenue and the Albion Road area.

Resolutions

Resolution No. 8. Resolution No. R-49-08
R-49-08 - FAA Grant A RESOLUTION PREAUTHORIZING THE ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT MONIES FOR MULTIPLE PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS.

Resolution No. R-49-08 was adopted unanimously.

Resolution No. 9. Resolution No. R-50-08
R-50-08 - North Grand Pavement Repair A RESOLUTION ACCEPTING THE BID OF MOTLEY-MOTLEY, INC. FOR NORTH GRAND PAVEMENT REPAIR AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT.

Resolution No. R-50-08 was adopted unanimously.

Resolution No. 10. Resolution No. R-51-08
R-51-08 - Jackson-Kamiaken-Pioneer Sewer A RESOLUTION ACCEPTING THE BID OF M.L. ALBRIGHT & SONS, INC. FOR JACKSON-KAMIAKEN-PIIONEER SEWER AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT.

Resolution No. R-51-08 was adopted unanimously.

Resolution No. 11. Resolution No. R-52-08
R-52-08 - Decant Waste Facility A RESOLUTION ACCEPTING THE BID OF ACE ELLIOTT LANDSCAPING FOR DECANT WASTE FACILITY AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT.

Resolution No. R-52-08 was adopted unanimously.

REGULAR AGENDA

Resolution

Resolution No. 12. Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Paul. Councilmember Paul described the messaging service that will be available to riders and asked if the messaging service could be expanded to include street conditions and snow plow information. Public Works Director Workman

responded. Councilmember Paul moved, Councilmember Waldrop seconded to adopt Resolution No. R-53-08. The motion carried unanimously.

Discussions

WSU University 13. District Proposal

Mayor Johnson announced that a discussion is scheduled on a WSU University District proposal.

City Supervisor Sherman introduced the topic by describing various WSU activities that have helped the Pullman community and the cooperation between WSU and the community. WSU President Floyd presented the University District proposal which included background information, a description of the collaboration with the Pullman Police Department, and the intent of the proposal. President Floyd also described the University District area, benefits, and details of the proposal which included lighting, certified off-campus housing, residential permit parking, and police services.

Councilmember Heath thanked President Floyd for the timeliness of the program and asked if the preferred housing list would serve College Hill or all of the City of Pullman. President Floyd responded. Councilmember Heath asked if the off-campus housing office would serve all of the City or just College Hill. President Floyd responded.

Mayor Johnson asked if the WSU preferred housing list could be expanded sometime in the future. President Floyd responded. Councilmember Waldrop thanked President Floyd for his presentation and noted that he has a strong team that has helped lay the groundwork for this proposal. President Floyd agreed. Councilmember Benjamin stated he was excited about the parking plan, especially the park-and-ride concept. President Floyd commented.

Mayor Johnson congratulated WSU on the hiring of Police Chief Bill Gardner and said that Chief Gardner would help continue the strong collaboration between the two police departments.

President Floyd responded. Mayor Johnson and President Floyd made comments regarding the spirit of collaboration between the University and the community.

Stormwater Discussion

14.

Mayor Johnson announced that a discussion is scheduled on stormwater. City Supervisor Sherman introduced the item by providing a chronology of the stormwater issue, describing past City of

Pullman stormwater activities, a description of the MPDS Phase II permit history, a description of the permit requirements, and legal issues surrounding stormwater regulations. Public Works Director Workman presented a staff report that included a history of the Clean Water Act, a description of the estimated stormwater charges, and a description of recent stormwater activities. David Knight, Department of Ecology, presented a report that included a definition of stormwater urban watershed issues, stormwater pollutants, water quality in Pullman, municipal stormwater timelines, a description of the non-compliance citizen lawsuits, and government fines.

John Knudtson, Otak, presented a report that included a description of the City of Pullman stormwater planning and funding, a description of the development of the implementation plan, a schedule of cost, funding options, and comments regarding the development of the utility. Councilmember Waldrop asked for clarification on the total number of equivalent residential units or ERUs. Mr. Knudtson responded. Councilmember Waldrop asked how streets and parking lots are treated under the proposed ordinance. Mr. Knudtson responded. Councilmember Waldrop noted that it appears the Department of Ecology has imposed stricter requirements than those required under the Clean Water Act. Mr. Knudtson responded. Councilmember Waldrop and Mr. Knudtson discussed issues and concerns that the City of Moscow does not have the same stormwater requirements.

Councilmember Bloom stated that stormwater requirements are over and beyond the federal requirements and that it is not a level playing ground since Moscow does not have the same requirements. Councilmember Bloom stated he is in favor of clean water but not in support of zero-benefit costs. Councilmember Bloom noted that the ordinance does not include penalties for illicit discharges. Mr. Knudtson and Public Works Director Workman responded. Councilmember Bloom stated he is in favor of credits being granted for rain water harvesting but there needs to be some balance in the state laws. Mr. Knudtson and Mr. Knight responded. Councilmember Bloom noted that particles do not settle in the Pullman area and that only one flocculant is approved which makes it expensive and difficult to comply and asked for some relief in that area. Mr. Knight and Mike Hepp, Department of Ecology,

responded.

Councilmember Paul thanked Mr. Knudtson for all of his work and noted the potential stormwater fee impact on commercial development and asked if there were any other options to raise funds. Mr. Knudtson responded. Councilmember Benjamin and Mr. Knudtson discussed runoff issues related to vacant and undeveloped property.

Councilmember Heath noted that she had some suggested language changes for the ordinance such as removing terms like "desire" since the City does not want these requirements but are required to implement these requirements. Councilmember Waldrop stated he agreed with Councilmember Paul's and Councilmember Heath's comments and suggested that the funding mechanism be revisited since he felt that it was unfair.

The following language was added by Councilmember Waldrop for clarification and approved by Council at the June 24, 2008, Council meeting: Councilmember Waldrop suggested that the total costs be spread out evenly among each utility account. The justification for this recommendation is that businesses maintain large impervious areas as a service to the community and/or their employees who also live in the community. Pullman Regional Hospital and the Pullman Public Schools are two examples that have to maintain large impervious surfaces to serve their customers. Most taxpayers do not have children in public schools but all property taxpayers will share the cost of maintaining and operating the school system. Not to do so would create a crushing financial burden on the families with school children. Likewise, stormwater fees based only on impervious surface area will have a chilling affect on Pullman businesses. The profit margin for many Pullman businesses is already very slim and more business friendly tax environments are only a few miles distant. The community burden of a stormwater fee/tax/assessment should be distributed equally to all utility accounts. The cost to each utility rate payer in such case is approximately \$15.00 per month.

Councilmember Heath responded to Councilmember Waldrop's recommendation and noted that businesses will pass on these costs to the customers. Mr. Knudtson responded. Mr. Knudtson noted that it is important to develop a nexus

that connects the fee to the level of contribution to the stormwater problem.

Councilmember Benjamin asked if there were any studies that compare the runoff of a residential property to a street property to a business property in terms of volume and content of the runoff. Mr. Knudtson and Public Works Director Workman responded. Councilmember Benjamin suggested that the most difficult areas be identified and that the stormwater activities be focused on those areas. Mr. Knudtson, Public Works Director Workman, and Mr. Hepp responded. Councilmember Weller asked if other communities in Whitman County would be regulated in the future. Mr. Knight and Mr. Hepp responded.

Mayor Johnson asked when counties would be impacted by stormwater regulations. Mr. Knight and Mr. Hepp responded. Mayor Johnson described discussions with Community, Trade and Economic Development (CTED) that involved affordable housing and the stormwater impact. Councilmember Bloom noted that the City may spend over \$4,000,000 at the end of the first five-year permit and asked if the water quality could be quantified after that period. Stormwater Services Program Manager Rob Buchert and Public Works Director Workman responded. Mayor Johnson and City Attorney McAloon discussed the logistics surrounding obtaining the ordinance changes. Mayor Johnson asked for a timeline relating to the adoption of the ordinance and rate schedule. Public Works Director Workman responded. Stormwater Services Program Manager Buchert asked if it was appropriate for the public to comment on the ordinance at this time. Mayor Johnson responded.

NEW BUSINESS

Police Chief Weatherly provided details on the arrest of a 2004 Pullman rape suspect in Western Washington.

Councilmember Paul described a letter he and the rest of the Council received regarding garbage that has been gathering around Pullman and suggested that a future discussion take place.

ADJOURNMENT

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

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 9:53 p.m.