

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
MAY 11, 2010

Roll Call

A regular meeting of the City Council of the City of Pullman was held on May 11, 2010, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
William F. Mulholland	Finance Director
Francis Benjamin	Councilmember
Keith Bloom	Councilmember
Jeff Hawbaker	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember
Pat Wright	Councilmember

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m.

Announcements

Mayor Johnson made four announcements.

ORDER OF BUSINESS

Approval of Recommendations of Consent Agenda Items

CONSENT AGENDA

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated that items listed on the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council request. Councilmember Weller 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 the Council. There were none. Councilmember Wright moved, Councilmember Waldrop seconded to adopt the Consent Agenda.

Motion Carried.

Motions

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| Minutes - April 2?, 2010 | 1. | The Council dispensed with the reading of the minutes of the regular meeting of April 27, 2010, and approved them as submitted. |
| Accounts Payable, Payroll, and Electronic Transfers - May, 2010 | 2. | The Council approved disbursements represented by accounts payable checks numbered _____ through _____ totaling \$ _____ inclusive, payroll checks numbered _____ through _____ totaling \$ _____ inclusive, and electronic transfers totaling _____ and directed that they be paid upon approval of the Auditing Officer and Audit Committee. |

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| Claim for Dam-
ages - Lee | 3. | The Council referred a Claim for Damages submitted by Pamela A. Lee for the sum of \$33,907.33 to the Washington Cities Insurance Authority (WCIA). |
| Digester System
Improvements
Complete | 4. | The Council accepted as complete Contract No. 05-13, Digester System Improvements Project. |

Resolutions

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| Resolution No.
R-34-10 - Pre-
authorization
of Airport Grants | 5. | Resolution No. R-34-10

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. |
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Resolution No. R-34-10 was adopted unanimously.

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| Resolution No.
R-35-10 - Transit
Grant | 6. | Resolution No. R-35-10

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE FIRST AMENDMENT TO FEDERAL TRANSIT ADMINISTRATION OPERATING ASSISTANCE GRANT AGREEMENT (GCA6146) TO ADD FTA 5311 FUNDS AND STATE RURAL MOBILITY FUNDS. |
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Resolution No. R-35-10 was adopted unanimously.

REGULAR AGENDA

Public Hearing

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| Proposed Mader
Prezone and Set
the Second Public
Hearing Date | 7. | Mayor Johnson announced that the first of two public hearings is scheduled to consider a proposed prezone change from R2 Low Density Multi-Family Residential to R1 Single Family Residential for property located adjacent to Brayton Road and to set a date for the second public hearing. Planning Director Pete Dickinson presented the staff report. This particular parcel is part of the 515 Mader Prezone area that had been brought to the Planning Commission at the public hearings on September 23 and October 7, 2009. The City Council had two public hearings on January 12 and February 23, 2010. March 9, 2010, the Council approved the original request assigning R2, I1, and C3 prezone classifications to the area. At the time the Council also directed that the Planning Commission review a proposal to establish a R1 prezone designation for the western part of the R2 prezone district to provide a buffer from impacts to Brayton Road and adjacent land. The Council directed planning staff to solicit input on the configuration of the proposed R1 for Mr. Mader and Ken Duft. Based on the input, Planning staff directed the current proposal for a R1 prezone district of 134 acres. It will provide a buffer of single-family residential on Brayton Road as prescribed by the Council. The east border of the subject property is a section line which is advantageous because the section line provided an orderly means of defining zoning boundaries. Such lines can usually be observed in the field which aids in marking land use decisions. The Planning Commission conducted a public hearing regarding the proposal on March 24, 2010. In its deliberation regarding the matter the Planning Commission considered a smaller configuration for the proposed R1 prezone area, but in the end the |
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majority of the Commission agreed to the size and shape of the R1 as suggested by Planning staff. The action requested is to conduct a public hearing on Zone Change No. Z-10-1 and set by motion a date for the second public hearing. Planning staff suggests that this second hearing be scheduled for the Council meeting of June 15, 2010.

The Mayor asked the Council if it had any questions. There were none. Mayor Johnson opened the public hearing for comments.

Larry Miller stated he was disappointed that there was no line shown for the bypass on the initial project maps they are looking at. He did however support R1. He also would like to get a group together to look at the valley and keep it separate and open. Consideration should be given before developing the area.

Rebecca Thorgaard felt the meeting should be talking about stewardship. Annexing that large an area does not look well for future generations. She feels that half of the area would be better and leave the rest for farming and for future generations. She also agreed that the valley was a valuable resource and wanted the Council to consider keeping it open.

Ken Duft felt that within the City we already had 20 percent that had not been developed and it would be wiser to spend time developing those areas rather than annexing such a large piece of property. He felt that the property should be left in agriculture and wanted to leave the integrity of the valley for future generations. He did support the rezoning change from R2 to R1.

Cheryl Morgan stated she is in agreement with the other speakers stating it is in an environmentally sensitive area. She does approve of the buffer zone but also did not want to see any annexation of the area.

Councilmember Waldrop wanted to clarify, based on discussion, if they were just talking about changing of the prezone area from R2 to R1. Planning Director Dickinson agreed that is all they are doing at this particular meeting.

Julia Cohen wanted the area to be left in a natural state and maybe turned over to a conservation group. She wanted the Council to visit the area to see what a wonderful place it was.

Mayor Johnson closed the public hearing. Councilmember Benjamin moved, Councilmember Weller to approve June 15, 2010, as the date for the second public hearing. The motion carried unanimously.

Ordinances

Ordinance No. 8.
10-8 - Construction
Code

Mayor Johnson announced that an ordinance has been prepared relating to the Construction Code. Public Works Director Workman presented the staff report and stated that the reason for the update is to update the current building code provisions. The major change to the Construction Code is verbiage on the violation penalty which is a change recommended by the City Attorney to make it consistent with the penalty for violations of the

fire code, deleting the WSIVAC from the State Building Code. The ventilation requirements are now addressed in other model codes. Verbiage is added to provide for a fee to be charged for appeals to adopted codes. Fees are to be set by Council resolution. A section is added to clarify when decks are exempt from permits and a section is added for forfeiture cash deposits for uncompleted permitted work.

Councilmember Bloom wanted to know if the fee structure changed. Public Works Director Workman said no.

Ordinance No. 10-8 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO TITLE 2 CONSTRUCTION CODE, AMENDING SECTIONS 2.10.090, 2.10.110, 2.10.140, 2.15.010, 2.15.015, 2.15.020, 2.15.035, 2.15.070, 2.20.010, 2.20.050, 2.25.010, 2.25.020, 2.30.010 and 2.35.010 OF THE PULLMAN CITY CODE AND PULLMAN CITY ORDINANCES NOS. 86-11 §§1, 10, 12 AND 15 (1986); 86-12 §§1, 2 AND 7 (1986); 86-13 §1 (1986); 86-14 §§1 AND 2 (1986); 86-15 §1 (1986); 86-16 §1 (1986); 86-34 §1 (1986); 87-15 §1 (1987); 89-4 §1 (1989); 89-14 §§3, 5, 6, 7, 9, 10 AND 11 (1989); 90-24 §1 (1990); 91-24 §1 (1991); 92-22 §§3, 4, 5, 6, 9 AND 10 (1992); 93-3 §1 (1993); 96-2 §§2, 3, 8, 9, 10 AND 11 (1996); 97-14 §1 (1997); 97-16 §2 (1997); 99-2 §§2, 4, 5, 6, 7, 9, 10, 11 AND 12 (1999); 02-41 §§1, 2, 3 AND 4 (2002); AND 05-2 §§3, 5, 6, 8, 10, 13, 14, 16, 17, 20, 23 AND 24 (2005); 08-2 §§3, 4, 6, 7, 10, 11 AND 12 (2008) ADDING SECTION 2.30.015; AND REPEALING SECTION 2.15.030 AND PULLMAN CITY ORDINANCES NOS. 86-12 §3 (1986); 97-16 §1 (1997); 05-2 §7 (2005) AND 08-2 §8 (2008) AND OTHER MATTERS PROPERLY PERTAINING THERETO.

Councilmember Benjamin moved, Councilmember Bloom seconded to adopt Ordinance No. 10-8. The motion carried unanimously.

Ordinance No.
10-9 - Zoning

9. Mayor Johnson announced that an ordinance has been prepared relating to zoning. Planning Director Dickinson presented the staff report. He stated that in 2009 Pullman's insurance carrier, Washington Cities Insurance Authority (WCIA), performed an audit on City land use procedures. The City was complimented on its solid risk management records, however one of the deficiencies cited by WCIA was a clause in the subsection of the Zoning Code relating to application requirements. In addition to demanding specific items such as the applicant's contact information and an application fee, the aforementioned subsection also stated the applicant may be required to provide further information for an application at the discretion of City staff, Board of Adjustment, Planning Commission, or the City Council. WCIA objected to the open-ended nature of this provision indicating that it could potentially be used to extend an application process indefinitely. WCIA thought it was extremely important that the City Code and policies clearly identified and define when an application is complete.

Planning Director Dickinson then went through the Zoning Code Text Amendment questions and requested City Council to consider the proposed amendment

to the Zoning Code.

Ordinance No. 10-9 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO ZONING, AMENDING SECTION 17.175.030 OF THE PULLMAN CITY CODE AND PULLMAN CITY ORDINANCES NOS. 87-9 §1 (1987); 03-33 §61 (2003) AND 06-15 §7 (2006) AND OTHER MATTERS PROPERLY RELATED THERETO.

Councilmember Bloom moved, Councilmember Wright to adopt Ordinance No. 10-9. The motion carried unanimously.

Resolution

Resolution No. 10. Mayor Johnson announced that a resolution has been prepared adopting the General Sewer Plan Update, April 2010. Public Works Director Workman presented the staff report stating that it was last updated in 1998. He then introduced Aaron Meilleur, consultant for HDR, who presented a short discussion and PowerPoint display of the General Sewer Plan and then followed up with any questions. One of the graphs presented was flow data on the sewer system which today was utilizing 3.3 million gallons per day and projected to be using 4 million gallons by 2028. Major items of discussion were sewer model construction, sewer analysis and operations maintenance. Councilmember Waldrop asked since it was a twenty-year plan if it was in coordination to proposed growth out to the corridor. He asked which elements had been included in the plan.

Councilmember Benjamin noted that we had done a lot as a City in the area to reduce water usage and he wanted to know how this was incorporated into the model showing that we are using 4 million gallons. Mr. Meilleur stated it had not been included in the model so any conservation would reduce any future needs.

Councilmember Bloom asked if the payments from WSU went strictly for debt service. Public Works Director Workman said most of it did but some did go to include funding for projects.

Resolution No. R-36-10 by title only reads as follows:

A RESOLUTION APPROVING AND ADOPTING THE GENERAL SEWER PLAN UPDATE, APRIL 2010, FOR THE CITY OF PULLMAN.

Councilmember Benjamin moved, Councilmember Paul seconded to adopt Resolution No. R-36-10. The motion carried unanimously.

Discussions

Downtown 11. Mayor Johnson announced that a discussion is
Plaques scheduled on the downtown sidewalk plaques. Duane Brelsford and Tammy Lewis, Chamber of Commerce, made presentations. Duane Brelsford went through a history of the plaques and how they decided which sidewalk will be used for which venue as part of the “Walk of Fame” which was started in February, 2003. Over the years there have been several problems with the plaques being slippery during inclement weather. A new plaque has been made that

is granite and held up considerably well in testing. The replacement would be \$250 each for the current 68 plaques. Councilmember Bloom wanted to know what the durability was of the plaques. Since it is granite it is very durable. Councilmember Benjamin wanted to note Duane Brelsford's dedication to the project. Councilmember Weller wanted to know what the present constructed plaques were made of but Mr. Brelsford was not certain. Councilmember Bloom also wanted to make note of the great work that has been done on this project. Councilmember Paul joined in with complimenting Duane Brelsford. Councilmember Wright thanked the Chamber for getting closure to this issue. She wanted to know the size of the frames as the sample is smaller. Mr. Brelsford said it would be the same size as the present plaques. She also wanted to know if the price of the plaque was included in the figure that Mr. Brelsford had mentioned at \$250 which he said it was.

Councilmember Bloom moved, Councilmember Waldrop seconded to continue proceeding with replacement of the plaques.

Code Enforce-
ment Update

12. Mayor Johnson announced that a discussion is scheduled on code enforcement. City Supervisor Sherman went through the initial staff report and then turned it over to City Attorney McAloon for her portion. City Attorney McAloon went through some of the code provisions and enforcement issues that the City has dealt with and has worked with groups to come up with how to enforce the regulations.

Senior Building Inspector Colvig asked if there were any questions regarding his memo. He mentioned two of the Council goals on the College Hill Core Neighborhood. The first goal was to engage in proactive code enforcement on observed property maintenance violations with or without a citizen complaint. The second goal was to conduct exterior surveys of each multi-family structure from the public right-of-way.

Councilmember Bloom questioned how many inspections. Building Inspector Colvig answered there were 21 requests for viable life or safety inspections. Of those 14 have been resolved and 12 are still open. These violations are spread across the various hills, there are 5 on Military Hill, 1 on Pioneer Hill, 1 on S. Grand Avenue, and 5 on College Hill. Councilmember Bloom also made note of the positive measures to help the individuals with risk management and working with the individuals for the betterment of the community. The Mayor noted that there were 807 structures that were surveyed from the street, 6 which were identified as having structural deficiencies. All are, at this time, being addressed.

Chief Weatherly gave an update on business registration and residential rental property registration. Chief Weatherly went through his report and noted that Support Services Manager Penni Reavis had spent over six months with the Washington Department of Licensing Master Licensing Service coordinating the identification and location of Pullman businesses. Chief Weatherly noted the rental property registration

was the first data to be entered into the Spillman Records Management System and that data entry was nearly complete. The business registration information now being entered into the Spillman Records Management System with an anticipated completion date of August. The rental registration data is almost complete, 927 rental properties have been made with another 300 in process. The 300 in process are easier and they should be finished in a short period of time. In entering this information, the discovery was made that the businesses are contacted by three entities, police for business registration, fire for fire department information, and Whitcom for dispatch information. All are requesting similar information. Support Services Manager Reavis is coordinating a meeting to provide for one contact and requesting information needed by all entities.

Councilmember Wright applauded Support Services Manager Reavis' efforts and the fabulous job she did. The Mayor also offered his congratulations for a job well done.

Police Commander Chris Tennant gave an update on three enforcement ordinances. The first was the fighting ordinance, which has shown a reduction from 2009 to this year with a result and slight decrease in the number of all assaults. He also discussed the open container in public ordinance which has remained somewhat steady and also on party trash and enforcement. He noted that all the violations for party trash in 2009 were on one shift but in 2010 all three shifts were involved in enforcing the infractions.

Community Improvement Representative Steve Murphy presented his code enforcement report. He stated they have been more proactive in code enforcement. He has spent time contacting landowners, property managers, and tenants regarding incidents that have occurred in the past. In response to that, he has received multiple phone calls from property owners regarding weed issues stating they will patrol their property prior to complaints. He also spent more time walking College Hill, speaking to residents about issues that arose and how to comply with City Code. The City offered dumpsters for residents to dispose of their vegetative matter the past two years. They were located on all four hills. In 2009 they only dumped these containers once at the end of the weekend for a total of four dumps. These were 30-yard containers. This year they removed dumpsters 11 times with 7 of those being on a Saturday which meant that the residents embraced the program and they got rid of a lot of vegetation.

Councilmember Paul had a call from a landlord who had a complaint that other people were using the dumpsters that he had to provide for his tenants and he was upset about this. Councilmember Waldrop had ridden with Steve Murphy that day and he said the hill looked the best he had ever seen it. He did come up with three items to be considered. One, College Hill trash pickup should be on a Monday instead of the current Thursday due to the fact that there is a lot of trash from the weekend which gets blown around. He did mention that a few yards were not being maintained, usually with high grass. He brought up the shoe tree. He said that some of those old shoes had been there

for years and he would like to see them removed or to cut the tree down.

Councilmember Weller asked Community Improvement Representative Steve Murphy if he had a chance to walk around the McGee Park area. He said there are a lot of issues in that area. Community Improvement Representative Steve Murphy mentioned that he tried to get through all the areas but he normally will pick up violations when he is called with a complaint. He is proactive and warns the people to get things cleaned up.

Councilmember Paul complimented all the code enforcement done by these various agencies and said he has seen a noticeable difference in College Hill area.

Councilmember Bloom mentioned he gets calls on how much better things have gotten, how the community looks so much better because there is an attitude, especially with college students, that this is their City.

The final report was from Planning Director Dickinson who went through his memorandum. He said the biggest problems are over occupancy, an excess of unrelated individuals living in a dwelling, excessive numbers of animals on lots size insufficient to accommodate them, intersection vision clearance vegetation, and other matters obscuring visibility at street intersections. He noted that at present they are only investigating seven code violation allegations. He noted this is comparatively low number. Outstanding cases over the past decade for the department is typically 15 to 20 pending code enforcement matters at any time. He recognized Assistant Planner Jason Radtke who does the bulk of code enforcement.

The Mayor thanked all the departments for their reports.

NEW BUSINESS

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

ADJOURNMENT

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

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 9:19 p.m.