

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
DECEMBER 8, 2009

Roll Call

A regular meeting of the City Council of the City of Pullman was held on December 8, 2009, 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
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.

Mayor Johnson called for a moment of silence for the four slain Lakewood police officers. He stated that Pullman had sent five officers to the memorial and other area agencies had also sent officers.

Announcements

Mayor Johnson made four announcements.

**Recognition of
Councilmember
Heath**

Mayor Johnson presented a plaque to Councilmember Heath for her five years of service and stated his appreciation for all she had done.

Councilmember Heath thanked Deputy City Clerk Jane Joyce and Executive Assistant Michol Ann Jensen for all the support and responsiveness to her requests during her term. She stated they both always had the information needed or got it to her quickly. She thanked all department heads for their hard work, responsiveness, good work, and excellent reports. She challenged the citizens of Pullman to step up and serve your City. She thanked City Supervisor John Sherman for his excellence. She also thanked the Council and thanked Mayor Johnson for his leadership, stating that his character is as fine as his voice. She thanked the citizens of Pullman for their involvement and input with their calls, letters, and e-mails.

Town Hall Meeting

Overview of 1.
Legislative Session

Senator Mark Schoesler stated that this was his 18th session and is uncharted territory and he hasn't seen a budget deficit in a short session for a supplemental budget in that time. The decisions made in 2001 are impacting the budget today and will not be corrected overnight. The Governor will release the budget tomorrow, and no one will like it. The groundwork needs to be laid for the 2011 budget and hopefully reforms will come which will affect more than this period.

Representative Joe Schmick stated he is not looking forward to the session because of the hole we are in. Where we go will be decided by the majority.

We need to set the groundwork for the next session to make changes for the recovery. We need to look at the business climate; we can't continue to run businesses out of the state. It took eleven days in North Carolina to obtain all the building permits for Boeing. It would have taken three years here to obtain these permits. We can't strap tax payers with new taxes as it will slow up the recovery.

Representative Susan Fagan thanked the 9th District for giving her the opportunity to serve them. She wants to consider organization and individuals and how changes in the budget will impact their lives.

She is honored and challenged and will work to make the best decisions for the citizens. She also complimented Councilmember Heath for her service.

Issues of
Interest to the
City of Pullman

2. Councilmember Bloom stated that we need to have a cost benefit for dollars used. We need to reduce spending for incarceration and rehabilitation as there is no return. We need to spend on education where the return is ten-fold. We need to make sure money is allocated for capital infrastructure projects two to four years in the future and have them in the pipeline so that when the economy turns we will have projects ready to go. If we don't, infrastructure will suffer. Small dollars spent now will pay back great returns in the future.

Senator Schoesler stated they are looking at shutting down the prison on McNeil Island which will save considerable money. They are also looking at post-release supervision which appears to give the most bang for the buck without reducing public safety.

Councilmember Wright stated we need to reestablish the Public Works Trust Fund to aid counties and cities in their infrastructure projects. Representative Joe Schmick stated he did not like how they cleaned out the trust funds.

Councilmember Heath stated it appears that commissions have a tendency to enact laws to shift down to cities and counties responsibilities for areas they don't want to deal with. What analysis do you go through to see what impact these decisions will have on cities and counties? Representative Joe Schmick stated the legislation shifts more down, so it is out of their budget. Mayor Johnson stated that with all the cuts in mental health and criminal justice, the cities wind up bearing the costs.

Councilmember Benjamin stated that with the State budget, there are protected and non-protected agencies. Will there be any changes in protected status, as nonprotected will bear the brunt of changes? Senator Mark Schoesler stated that human services and K-12 will take most of the reduction.

Representative Schmick added this will be determined by the majority party as 30 percent of the budget can be touched. Representative Fagan stated they need to look at the 70 percent.

Councilmember Paul stated we need to improve business conditions where border cities can compete. He doesn't know the solution, maybe an exemption. Senator Schoesler stated that exemptions would probably be unconstitutional. Representative Schmick stated we need to improve the business climate. Michigan gives free land and no taxes for three years. He hopes Boeing

doing the second line in North Carolina is a wake up call.

Councilmember Bloom stated that the constitution does not allow gifts of land and we may need to change the constitution to facilitate. Representative Schmick stated we need to look at Workers Compensation. He stated average days out in Washington is 266 days, 70 in Oregon, and 66 is the national average. 50 percent will obtain permanent disability. We are the only state that has raised the L&I rates.

Councilmember Waldrop stated he sees two problems, over regulation and gangs. Representative Schmick stated that the State is looking at the problems with gangs.

Councilmember Weller stated he has seen repeated instances of tagging. He asked the Legislators what they see as the most important problem facing Washington. Senator Schoesler stated he sees growing the economy and sustainable budgets as the main problem. Representative Schmick stated small business and not big business or the building industry will lead us out of the recession. Representative Fagan agreed with both and stated we need to pay better attention to business in this state, provide a better economic climate, take away the hurdles of government, and prioritize spending.

Councilmember Benjamin asked are Boards and Commissions the only way for citizen input? Senator Schoesler indicated no. Citizens have no problem addressing concerns to the legislature.

Councilmember Bloom stated that CAP and trade and health care will kill small business.

Areas Cities
and Towns

3. Mayor Johnson opened the discussion to local communities.

Russ Rickett, Mayor of Oakesdale, introduced his replacement Dennis Palmer. He complimented the Mayor, Council, and staff for allowing small cities to piggyback upon their efforts. He stated that on the L&I issue, in Oregon the State set up a program for small business that saves a lot of money. He inquired if Washington has such a program. Senator Schoesler stated that the Retro Program is in effect in Washington.

Public Works Director Workman talked about the strings that are attached to the stimulus money. There were 30 separate requirements that had to be complied with to install windows in Pioneer Center.

Issues of
Interest to the
Public

4. Janice Brown made comments about groundwater. Senator Schoessler stated that a State priority is water consumption and reuse. Representative Schmick stated that water controls growth and this is a very serious issue, as in some areas the water table is dropping at 10 feet per year. Tammy Lewis, Pullman Chamber of Commerce, stated that Washington State leads the nation in business costs and we need relief.

Superintendent of Schools Paul Sturm stated we have consolidated one school district, have shared

administrative staff with other districts and have several dual staff positions such as a principal also being the district superintendent. He also brought up what a great resource ESDs are, and are especially helpful to rural districts that don't have a lot of resources.

Dave Gibney, 760 Reaney, stated that any help the State can give to small cities is greatly appreciated. His friend, the Mayor of Palouse, would have been to our meeting, but he had a Council meeting tonight.

Eileen Macoll stated that the regulatory climate is bad. We need to get our arms around this issue. It appears there is a "Can We Top This" west side mentality that rubber stamps new regulation.

Mayor Johnson announced a five-minute recess to reset the Council Chambers at 9:17 p.m.

Mayor Johnson reconvened the meeting at 9:25 p.m and announced that the Council would adjourn to conduct the Metropolitan Park District meeting.

Mayor Johnson reconvened the meeting at 9:27 p.m.

Confirmation of Reappointments

Mayor Johnson announced that he had reappointed Anna-Maria Shannon, Patrick Siler, and Rebecca Thorgaard to the Arts Commission. He had reappointed Craig Beaumont, Pam Harbour, Michael Kallagher, and Josh Smart to the Board of Adjustment. He reappointed Carol Chipman to the Cemetery Committee and Kristi Kurle, Allison Levenseller and Barb Wachter to the Lodging Tax Advisory Committee. He reappointed Mick Nazerali and Rod Schwartz to the Parks and Recreation Commission. Councilmember Heath moved, Councilmember Benjamin seconded to confirm these reappointments.

ORDER OF BUSINESS
CONSENT AGENDA

Approval of Recommendations of Consent Agenda Items

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated that items listed on the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council request. Councilmember Bloom moved, Councilmember Weller 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 Bloom asked that item No. 15 be removed for separate discussion. Councilmember Bloom moved, Councilmember Benjamin seconded to adopt items 5 through 14 on the Consent Agenda.

Motion Carried.

Motions

- Minutes - November 10, 2009

5.

The Council dispensed with the reading of the minutes of the regular meeting of November 10, 2009, and approved them as submitted.
- Minutes - November 17, 2009

6.

The Council dispensed with the reading of the minutes of the regular meeting of November 17, 2009, and approved them as submitted.
- Accounts Payable, Payroll, and Electronic Transfers - December, 2009

7.

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.
- WSP Agreement for Fire Training

8.

The Council accepted a 2009 Washington State Patrol (WSP) Agreement to help augment the cost of fire department training.
- Public Hearing Date

9.

The Council set January 12, 2010, as the date for a public hearing to consider a request for the establishment of prezone designations on approximately 515 acres of land.
- Change Order on Digester System Improvements Project

10.

The Council ratified Change Order No. 7 to Contract No. 05-13, Digester System Improvements Project.
- Administrative Services Contract with Airport

11.

The Council approved an Administrative Services Contract with the Pullman-Moscow Regional Airport.
- Purchase of Radar Units

12.

The Council authorized a Washington Association of Sheriffs and Police Chiefs (WASPC) agreement for funding to purchase two Kustom Eagle radar units.

Resolutions

- Resolution No. R-69-09 - Council on Aging and Human Services

13.

Resolution No. R-69-09

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PULLMAN AND THE COUNCIL ON AGING AND HUMAN SERVICES, FOR THE PURPOSE OF PROVIDING A NUTRITION PROGRAM FOR SENIOR CITIZENS.

Resolution No. R-69-09 was adopted unanimously.
- Resolution No. R-70-09 - Short-Term Facilities Use Agreement

14.

Resolution No. R-70-09

A RESOLUTION AUTHORIZING THE EXECUTION OF A SHORT-TERM FACILITIES USE AGREEMENT BETWEEN WASHINGTON STATE UNIVERSITY AND THE CITY OF PULLMAN.

Resolution No. R-70-09 was adopted unanimously.

REGULAR AGENDA

Resolution

- Resolution No.

15.

Mayor Johnson announced that this item had been

R-71-09 - Policy
Prohibiting Unfair
Practices

removed from the Consent Agenda at the request of Councilmember Bloom. Councilmember Bloom asked that since unfair practices were already covered by federal and state laws why we were having to do a resolution for this. City Attorney McAloon responded it was a new regulation.

Resolution No. R-71-09 by title only reads as follows:

A RESOLUTION ADOPTING A CITY OF PULLMAN POLICY PROHIBITING UNFAIR PRACTICES IN PUBLIC COMMUNITY ATHLETICS PROGRAMS BY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX, IN CONFORMANCE WITH RCW 49.60.500

Councilmember Bloom moved, Councilmember Wright seconded to adopt Resolution No. R-71-09. The motion carried unanimously.

Public Meeting and Ordinance

Ordinance No. 09-30 - Taxicab

16. Mayor Johnson announced that an ordinance had been prepared relating to taxicabs. City Attorney McAloon presented the staff report and explained that the draft presented is based on previous meetings. She explained that the checklist for safety regulations were from the RCWs.

Councilmember Waldrop asked what is industry standard for inspections. City Attorney McAloon responded for commercial vehicles it is very expensive to ensure the vehicle is road worthy.

Councilmember Weller asked about viewers. Based on experience, inspections are a must. Councilmember Bloom stated he had some concerns with inspections. We need a broad understanding and take time to further revise and refine inspection criteria that is not unfair to the taxi company. We need currently to have at least minimum standards.

Councilmember Benjamin asked if any other cities require inspections. City Attorney McAloon stated no city on the east side requires inspections. She is not sure about Seattle or Western Washington cities. All the requirements in the ordinance are RCW requirements and the cab companies are required to comply with and are subject to the requirements.

Councilmember Bloom noted that most important are the lights, tires, and brakes. Councilmember Heath stated that most accidents are alcohol related and not the result of safety related problems. Chief Weatherly suggested having the Police Advisory Committee review and make recommendations to Council on how extensive inspections should be.

Councilmember Benjamin agreed with Chief Weatherly and asked if there are risks with limited requirements. City Attorney McAloon responded in the affirmative. Councilmember Benjamin asked if this covered Cabaret and Womens' Transit. City Attorney McAloon responded that if compensation is required, it comes under the ordinance.

Councilmember Waldrop asked if a commercial

drivers license is required. City Attorney McAloon responded in the affirmative. Councilmember Heath asked if denial of license or removal for felonies were included in the ordinance. City Attorney McAloon responded in the affirmative, under Section 10.

Councilmember Heath wanted to know if cab companies/drivers are required to read code and certify that they had read the code. City Attorney McAloon stated this could be added to Section 5 as well as language that companies will remain in compliance with state law.

Councilmember Weller asked if van pools were covered. City Attorney McAloon stated they were not covered as there is no compensation, just reimbursement for expenses.

Mayor Johnson stated that when he gets in a cab he looks for a cab license with a picture on the license. He wanted to know if this had been addressed. City Attorney McAloon stated the license is required to be posted. Chief Weatherly stated they could put a photo on the license without any problem.

Jonathan Biles, Big Cat Taxi, stated that insurance companies require statements from them that the vehicles are inspected. If they have an accident and it is decided that it was the result of a safety item not in working order that would have been picked up in an inspection they would not be covered.

Janice Brown expressed concerns about eliminating safety inspections.

Edward Abale, a Big Cat driver, stated that the driver is responsible for safety of vehicles.

Councilmember Weller supported turning over the inspection criteria to the Police Advisory Committee for further review and recommendations.

Ordinance No. 09-30 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO TITLE 6, LICENSES AND TAXATION, ADDING CHAPTER 6.94 TAXICAB LICENSING, AND OTHER MATTERS PROPERLY RELATED THERETO.

Councilmember Waldrop moved to add certification language and compliance with RCW as well as continued ongoing compliance with the RCWs.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Ordinance No. 09-30 with additional Section 5 language. The Council will turn inspection details over to the Police Advisory Committee for review and recommendations. The motion carried unanimously.

Ordinances

- Ordinance No.
09-31 - Budget
Amendment
17.
- Mayor Johnson announced that an ordinance had been prepared amending the 2009 budget. Finance Director Mulholland presented the staff report. There were no questions or comments on his report.

Ordinance No. 09-31 by title only reads as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 08-23 ADOPTED DECEMBER 9, 2008, AND ENTITLED "AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF PULLMAN FOR THE YEAR 2009".

Councilmember Benjamin moved, Councilmember Heath seconded to adopt Ordinance No. 09-31. The motion carried unanimously.

Ordinance No. 18. Mayor Johnson announced that an ordinance had been prepared adopting a budget for 2010. Finance Director Mulholland presented the staff report. Councilmember Waldrop requested that language be added to Section 1 that the Council will review the first quarter results to ensure that we have not less than 13 percent reserves or additional cuts will be made.

09-32 - 2010
Budget Adoption

Councilmember Waldrop moved, Councilmember Wright seconded to adopt Ordinance No. 09-32 with the additional language. The motion carried unanimously.

Resolutions

Resolution No. 19. Mayor Johnson announced that a resolution had been prepared setting fees for Parks and Recreation. Recreation Superintendent Dahmen presented the staff report going over some of the major changes in fees for 2010.

R-72-09 - Parks and
Recreation Fee
Schedule

Councilmember Wright moved, Councilmember Weller seconded to adopt Resolution No. R-72-09. The motion carried unanimously.

Resolution No. 20. Mayor Johnson announced that a resolution had been prepared declaring certain accounts receivable as bad debts. Finance Director Mulholland presented the staff report. Fire Chief Wilkins made additional comments.

R-73-09 - Bad
Debts

Resolution No. R-73-09 by title only reads as follows:

A RESOLUTION DECLARING CERTAIN ACCOUNTS RECEIVABLE DUE TO THE CITY OF PULLMAN TO BE BAD DEBTS AND REMOVING SAID ACCOUNTS FROM THE ACTIVE ACCOUNTING RECORDS OF THE CITY.

Councilmember Waldrop moved, Councilmember Benjamin seconded to adopt Resolution No. R-73-09. The motion carried unanimously.

NEW BUSINESS

Mayor Johnson asked if there was any new business from either the Council or audience. Councilmember Paul asked about a cell phone ordinance. The Council decided this was already handled by State law.

ADJOURNMENT

Councilmember Heath 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 10:22 p.m.