

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
NOVEMBER 10, 2009

Roll Call

A regular meeting of the City Council of the City of Pullman was held on November 10, 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
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. Councilmember Bloom moved, Councilmember Weller seconded to excuse Councilmember Heath from the meeting.

Motion Carried.

Announcements

Mayor Johnson made six announcements.

**Confirmation of
Appointments**

Mayor Johnson announced that he had appointed Ashley D. Overstreet, P.O. Box 98, to a term on the Planning Commission expiring December 31, 2014 and Loretta "Lolly" Owens, 1435 SE Harvest Drive, to a term on the Arts Commission expiring December 31, 2010. He introduced Ms. Overstreet and Ms. Owens to the Council and audience. Councilmember Wright moved, Councilmember Benjamin seconded to confirm these appointments.

Motion Carried.

Mayor Johnson adjourned the meeting at 7:33 p.m. to conduct the Metropolitan Park District meeting.

Mayor Johnson reconvened the meeting at 7:36 p.m.

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 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 Waldrop asked that item No. 11 be removed for separate discussion. Mayor

Johnson so ordered. Councilmember Wright moved, Councilmember Benjamin seconded to adopt items 1 through 10 on the Consent Agenda.

Motion Carried.

Motions

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| Minutes - October 13, 2009 | 1. | The Council dispensed with the reading of the minutes of the regular meeting of October 13, 2009, and approved them as submitted. |
| Minutes - October 20, 2009 | 2. | The Council dispensed with the reading of the minutes of the regular meeting of October 20, 2009, and approved them as submitted. |
| Accounts Payable, Payroll, and Electronic Transfers - November, 2009 | 3. | 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 - Paul | 4. | The Council referred a Claim for Damages submitted by Michael Henry Paul for an undermined amount to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Farmer Bros. | 5. | The Council referred a Claim for Damages submitted by Farmer Bros. for the sum of \$1,142.44 to the Washington Cities Insurance Authority (WCIA). |
| Sidewalk Filling Contract Complete | 6. | The Council accepted as complete Contract No. 09-02, Sidewalk Infilling 2009. |
| College Hill Arterial Reconstruction Contract Complete | 7. | The Council accepted as complete Contract No. 09-12, College Hill Arterial Reconstruction. |
| Street Crack-fill 2009 Complete | 8. | The Council accepted as complete Contract No. 09-03, Street Crackfill 2009. |
| Change Order on Accelerated Streets Resurfacing | 9. | The Council ratified Change Order No. 1 to Contract No. 09-04, Accelerated Streets Resurfacing 2009. |

Resolution

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| Resolution No. R-60-09 - Federal ARRA Grant for Transit | 10. | Resolution No. R-60-09

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A FEDERAL ARRA CAPITAL GRANT AGREEMENT (GCA6340) FOR MULTIPLE PULLMAN TRANSIT TECHNOLOGY PROJECTS.

Resolution No. R-60-09 was adopted unanimously. |
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REGULAR AGENDA

Resolution

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| Resolution No. R-61-09 - Grant for Transit Coaches | 11. | Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Waldrop. Councilmember Waldrop asked if Pullman's reserves could handle the match amount of \$339,000 to purchase the buses. Public Works Director Workman responded in the affirmative. Councilmember Waldrop asked if in |
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the future we would be purchasing diesel buses. Public Works Director Workman responded that in the future we would be purchasing hybrid buses. Mayor Johnson stated that this concept has been discussed with Senator Murray.

Resolution No. R-61-09 by title only reads as follows:

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A FEDERAL/STATE CAPITAL CONSOLIDATED GRANT #GCA6147 FOR THE PURPOSE OF PURCHASING PULLMAN TRANSIT COACHES.

Councilmember Waldrop moved, Councilmember Bloom seconded to adopt Resolution No. R-61-09. The motion carried unanimously.

Discussion

- Avista Smart
Grid Proposal
15. Mayor Johnson announced that the order of the agenda had been changed to present this item next.

Paul Kimmell, Avista, introduced several Avista employees to the Council and audience. Mr. Kimmell then introduced Mr. Curt Kirkeby who gave the presentation. Mr. Kirkeby stated this concept is part of the federal stimulus package. It is a demonstration project with twelve utilities in five states. There will be nineteen sites across the five states. The area surrounding Pullman is a project and it should begin in 2010. By year 2 1/2 equipment will be installed and the project should be finished in year five. He discussed the infrastructure of the project and stated it will increase reliability. When there is an outage, the system will know and notify Avista. Outages can be restored quicker. This project will save energy and empower customers. Mr. Kirkeby stated this project will reduce costs, empower customers, save energy, increase reliability, and it is automated.

Councilmember Bloom asked what a low loss conductor was, if an individual put a cell on their house could they return power to the grid with it, and if Avista could cut off customers with this technology. Mr. Kirkeby responded that there were problems with returning power to the grid and Avista could cut off the power to a residence with this technology. Mayor Johnson stated that Avista uses a lot of Schweitzer's products and asked if this was one. Mr. Kirkeby responded that this was less technical than Schweitzer's products.

Councilmember Weller thanked Mr. Kirkeby for the presentation and stated that smart technology is exciting and that he is happy to see it coming.

Councilmember Benjamin asked if the smart displays were battery operated and in a power outage could you send a message to your home. Mr. Kirkeby responded in the affirmative. Councilmember Benjamin asked if the message platform could send emergency messages. Mr. Kirkeby responded in the affirmative. Mayor Johnson and Councilmembers thanked Avista for the presentation.

Presentation

Mayor's 2010 Budget Message 12. Mayor Johnson presented his 2010 budget message.

Public Hearing

2010 Preliminary Budget Hearing 13. Mayor Johnson announced that a public hearing is scheduled on the 2010 preliminary budget. Finance Director Mulholland presented an overview of the 2010 budget, 2010 General Fund revenues, and 2010 General Fund expenditures.

City Supervisor Sherman presented the budgets for Finance/Administration, Mayor, City Supervisor, Human Resources, General Government, Capital Improvement Program, Airport, and Salary Schedule.

He stated that the formula for voter registration costs has changed and it has gone from \$1.00 to \$2.86. He stated that in the Salary Schedule the only raises are for uniformed police and these raises are by Union contract. He also stated that the only new positions are in Stormwater and Transit. Councilmember Benjamin asked about reductions in benefits. City Supervisor Sherman stated that the pension rates have been reduced, but they will go back up at a later date.

Councilmember Paul complimented Finance Director Mulholland and the department heads for the low budgets. He stated that departments have increased workloads with less personnel and thanked them for all they do. Councilmember Wright asked where the Lodging Tax budget is located in the budget. City Supervisor Sherman stated it will be discussed later.

Interim Library Services Director Bailey presented the Library budget request. She stated they have reduced their budget by deferring the hiring of the new director and reducing hours. Councilmember Wright stated she noticed a line at the library on Monday just before they opened. Interim Library Services Director Bailey stated this is normal. Councilmember Bloom stated that he applauded the Library's efforts to reduce fines with food donations.

Police Chief Weatherly stated he will be retiring on June 30, 2010, and to save money his replacement will not be starting until August 15, 2010. He stated he has trained his staff to complete the budget. Commander Chris Tennant presented the Law Enforcement, Communications, and Animal Control budgets.

Fire Chief Wilkins presented the budgets for Fire Control and Ambulance and Emergency Aid.

Public Works Director Workman presented the budgets for Building Inspections, Engineering, Arterial Streets, Street Fund, Downtown Riverwalk, Water, Sewer, Utility Capital Projects, Transit, Equipment Rental, Equipment Rental Expansion, Government Buildings, and Stormwater. Councilmember Bloom asked if the radio read meters have reduced staff time. Public Works Director Workman stated that it has reduced staff time to one day. Councilmember Paul stated that leaf pickup and street cleaning now come under stormwater and where is snow removal. Public Works Director Workman stated that snow removal is still in the Street Fund.

Planning Director Dickinson presented the Planning Department budget.

Recreation Superintendent Dahmen presented the budgets for Recreation Services and Aquatic Center. Councilmember Bloom asked how the building rental works. Recreation Superintendent Dahmen stated that Government Buildings pays for everything and charges it back to the department.

Councilmember Benjamin asked if hours have been changed. Recreation Superintendent Dahmen stated not at this time.

Parks Superintendent Davis presented the budgets for Parks, Street Trees, Water Towers, Community Improvement, Cemetery, Cemetery Expansion, and Lawson Gardens. Councilmember Bloom asked about a reflection pool and Councilmember Benjamin asked if the possible donation of land for park purposes has been included. Parks Superintendent Davis stated this potential donation has not been included in the budget. Councilmember Benjamin asked if any reduction in services should be expected. Parks Superintendent Davis stated there is no extra staff to help in case of heavy snowfall. Councilmember Wright stated that the hanging plants were very spectacular this year.

Parks Superintendent Davis stated that donations paid for these plants.

Finance Director Mulholland presented budgets for the Civic Improvement Fund, G.O. Bond Redemption Fund, LTGO Bond Fund, 2007 Bond Fund, 2009 Airport Water Fund, Information Systems, Cemetery Care Fund, and Firemens' Pension Fund. Public Works Director Workman stated parks and paths have been completed out of the 2007 Bond Fund. He stated that the Johnson Path has not been built yet but that most of the other projects have been completed.

City Supervisor Sherman stated that the General Fund is the challenge. Natural gas rates have decreased by 15 percent. The recovery is starting and new businesses are opening, but it will be a slow recovery. It will be a challenging year. Councilmember Waldrop asked if the budget was balanced with the 13 percent reserve. City Supervisor Sherman stated it is at 11 percent and we will try to make up the rest with savings. Councilmember Waldrop stated he is not uncomfortable with the process. Councilmember Waldrop stated that he does not feel comfortable with the Council increase in salary due to the budget. City Supervisor Sherman stated that they could do the donation to the Humane Society by payroll deduction. Councilmember Waldrop stated they are asking everyone to cut the budget, so they also need to cut costs. Councilmember Paul stated that many of the completed projects are done with donations. He appreciates all the donations.

Janice Brown stated she has lived here for five years and she opposes asking the police to take any reductions. She wants the Council to give back any cuts that have occurred in the Police budget.

She opposes the increase to the Humane Society. She stated she went through the Police Citizen's Academy and she wants the Council to restore Police cuts.

Ordinance

- Ordinance No.
09-25 - Budget
Amendment
11.
- Mayor Johnson announced that an ordinance had been prepared amending the budget ordinance. Finance Director Mulholland presented the staff report.

Ordinance No. 09-25 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 Waldrop moved, Councilmember Wright seconded to adopt Ordinance No. 09-25. The motion carried unanimously.

Discussions

- Taxi
Licensing
16.
- Mayor Johnson announced that a discussion is scheduled on taxi licensing. Chief Weatherly presented the staff report by giving the history of the discussions on taxicab licensing. He stated that the Council decided not to require taxicabs to license at the June 2, 2009, meeting and that Senator Myklebust discussed the issue at the meeting with ASWSU on October 20, 2009. The Police Advisory Commission discussed the issue at its meeting last night. Riley Myklebust stated it would be a tool for all students and that they would like the rates posted in the taxicabs. City Attorney McAloon stated that posting of the City license and fee schedule could be required in all taxicabs. She discussed Idaho law, DUI laws, and CDL standards. Council concurred to use the CDL standard of .04 to revoke a license in cases of DUI convictions. Councilmember Waldrop discussed reasons for denying or pulling a license and discussed RCWs. The Council concurred that persons convicted of sex offenses should not ever be allowed to receive a Pullman license.

The Council discussed vehicle safety requirements. City Attorney McAloon stated the public wants safe taxi vehicles. Mayor Johnson stated the public is concerned about taxi vehicles. City Attorney McAloon discussed safety issues and asked if the Council wanted RCW 46.37, equipment statue, included in the ordinance. Councilmember Waldrop stated that equipment should not be tied to the license. They can be cited if there is inadequate equipment. Councilmember Bloom asked about multiple violations. Police Chief Weatherly stated that if the requirements are not met the license could be suspended until it is repaired.

Councilmember Bloom, Councilmember Waldrop, and City Attorney McAloon discussed inspections being a cost of business, that we could ask for proof of inspection, and having a list of approved vendors. City Attorney McAloon stated that she is hearing that the Council wants a provision that to get a license they must have the car inspected. They must have a certification for each vehicle. Councilmember Weller stated that taxis are businesses and we do not want to force them out of town. If there are problems, the police department can suspend the license. Councilmember Waldrop stated he agrees.

Councilmember Bloom, Councilmember Weller, and Mayor Johnson discussed licensing, inspections, and the cost of inspections. Councilmember Paul stated that most inspections of brakes are free.

Councilmember Wright stated we are asking for a basic item, which is safety. City Attorney McAloon stated she is hearing that the Council wants a safety inspection as part of the license.

Councilmember Bloom asked about an interlocal agreement with Moscow and Whitman County to help reduce the cost of licenses. Councilmember Paul asked if the process could be simplified. City Attorney McAloon stated we could establish the license and contact Moscow and Whitman County about an agreement. She stated that Big Cat Taxi supports licensing.

Councilmember Benjamin asked if the business vanpools would fall into this license. Mayor Johnson stated to put an exemption for vanpools.

Councilmember Benjamin asked if rooter buses would fall under the license. He stated he does not want to affect vanpools or rooter buses.

City Attorney McAloon stated that taxis can be flagged down and she will change the ordinance on page 2 to state "for hire". City Attorney McAloon, Police Chief Weatherly, and the Council discussed the adoption of the ordinance and when to make the ordinance effective.

2010 Property
Taxi Levy

17. Mayor Johnson announced that a discussion is scheduled on the 2010 property tax levy. City Supervisor Sherman presented the staff report stating that the 1 percent property tax increase has been included in the budget. He stated that the County had been wrong when they said we would lose \$64,732 if we do not adopt the 1 percent levy. The actual amount lost would be \$84,732.56. He stated that this would put us way below the 13 percent reserve and that we need to maintain the current budget level. He listed nine reasons why he recommends adopting the 1 percent property tax levy.

Finance Director Mulholland presented a staff report explaining what will happen if we don't adopt the 1 percent property tax levy. He explained the ripple affect of not adopting the 1 percent.

He stated adopting the 1 percent property tax increase would not be a substantial impact.

Councilmember Waldrop stated the Council had asked for public input and he heard support of the 1 percent increase. He will vote for the 1 percent increase. Councilmember Paul stated he concurred with Councilmember Waldrop and that this is local tax money that will be used locally. Councilmembers Wright and Benjamin also concurred in adopting the 1 percent increase in property tax.

Councilmembers Bloom and Weller stated they would defer their decisions until next week. Finance Director Mulholland stated that if this is not adopted we will have to make cuts and asked where the cuts should be made. He stated if they do not adopt the 1 percent increase it affects this year's budget and future year's budgets. If we lose in the base amount it will hurt future years.

Councilmember Weller stated we need to look at where we can tighten more.

City Attorney McAloon explained the process stating we need to do a finding of substantial need.

It can be set at 100 percent or 101 percent. This has to be done by an ordinance. She stated that it must be set above 100 percent to keep the current rate. Councilmember Waldrop asked if a supermajority is required. City Attorney McAloon stated that five votes are needed.

Councilmember Paul stated that we don't want to do this but we need to look to the future. If we do not adopt the 1 percent increase in property tax we will do more damage. The consensus of the Council was to bring several ordinances to the next meeting.

NEW BUSINESS

Mayor Johnson asked if there was any new business from either the Council or audience.

Councilmember Weller stated that at the last meeting, the comment was made that 23 percent of the population live on 4 percent of the land.

He asked if any dorms are included in this percentage. Planning Director Dickinson stated that some of the dorms on the fringe area of campus were included. Councilmember Weller asked if any studies had been done to see how many individuals an area can handle. Planning Director Dickinson stated that only traffic studies had been done.

EXECUTIVE SESSION

Mayor Johnson announced that the Council would now adjourn to Executive Session for the purpose of:

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 10:24 p.m. and announced that the Council would return after a fifteen-minute Executive Session. Mayor Johnson reconvened the regular meeting of the City Council at 10:48 p.m.

ADJOURNMENT

Councilmember Wright moved, Councilmember Weller seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 10:48 p.m.