

WALLA WALLA CITY COUNCIL

Regular Meeting Minutes

April 25, 2012

1. CALL TO ORDER



Mayor Barrow called the meeting to order at 7:00 p.m.

Present: Councilmembers Conrado Cavazos, Jr., Barbara Clark, Jerry Cummins, Mary Lou Jenkins, Shane Laib, Chris Plucker and Mayor Jim Barrow.

Absent:None.

City staff in attendance: City Manager Nabil Shawa, City Attorney Tim Donaldson, Deputy City Manager Tim McCarty, Fire Chief Bob Yancey, Police Chief Scott Bieber, Public Works Director Ki Bealey, Parks & Recreation Director Jim Dumont, Assistant Development Services Director Brian Walker, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Councilmember Laib led the pledge of allegiance followed by a moment of silence.

3. PRESENTATIONS/PUBLIC COMMENTS

A.Oath of Office for new Fire Chief Bob Yancey.

Mayor Barrow administered the oath of office for Fire Chief Yancey.

B.Oath of Office for new Police Chief Bieber.

Mayor Barrow administered the oath of office for Police Chief Bieber.

C.Proclamation declaring April 22 through April 28, 2012 as "National Crime Victims Rights Week."

Mayor Barrow read and presented the proclamation to Police Chief Bieber and Crime Prevention Coordinator Vicki Ruley. Chief Bieber commented on the importance of the crime victim advocacy efforts performed by Police Department staff.

D.Proclamation declaring the month of May 2012 as "Bicycle Safety Month in Walla Walla."

Mayor Barrow read and presented the proclamation to Bicycle & Pedestrian Committee Chair Bill Schwerin. Mr. Schwerin commented on the importance of reminding people that cyclists have to follow the rules of the road and asked if this could be a focus of the Police Department for the month of May.

Mayor Barrow invited public comments on any issue not on the agenda.

Norm Osterman, 1032 Pomona, Walla Walla, representing "Rebuild the Dream Walla Walla" expressed their desire to have the 2010 Supreme Court ruling in "Citizens United v. Federal Election Commission" negated and expressed his concerns with super political action committees and their negative influence on elections. Mr. Osterman requested the City support a request for a constitutional amendment.

Carly Bradshaw, 1331 Whitman Street, Walla Walla, representing "Rebuild the Dream Walla Walla" commented they will spend the month of May gathering signatures on a citizen petition asking the City Council for a resolution requesting a constitutional amendment to negate the Supreme Court ruling in "Citizens United v. Federal Election Commission."

4. CONSENT AGENDA

City Clerk Hill introduced the Consent Agenda, Items A through L, as follows:

A. Washington State Liquor Control Board: New application for Gino Cuneo Cellars, 1102 Dell Avenue.

B. Washington State Liquor Control Board: Special occasion license for Whitman College on May 16, 2012 at the Reid Campus Center.

C. Washington State Liquor Control Board: Annual renewal of fourteen liquor licenses:

1. Green Lantern, 1606 E. Isaacs Avenue.
2. Caprio Cellars, 1102 Dell Avenue #P.
3. MPM Vintners, 1102 Dell Avenue #A.
4. K Vintners, 400 W. Moore Street.
5. Sweet Valley Wines, 1007 W. Rose Street.
6. Waters Winery, 635 N. 13th Avenue.
7. Sweet Valley Wines, 12 N. 2nd Avenue.
8. K Vintners, 35 S. Spokane Street.
9. Caprio Cellars, 229 E. Main Street.
10. Backstage Café, 230 E. Main Street.
11. Ming Court, 1533 E. Isaacs Avenue.
12. Dusted Valley Vintners, 1215 W. Poplar Street, #D.
13. Walgreens, 633 W. Tietan Street.
14. Stone Hut, 1427 Plaza Way.

D. Approval of a secondhand dealer business license for John Walter doing business as Stan Walter, Inc. (dba Precious Gems & Metals).

E. Resolution No. 2012-30 approving and authorizing the City Manager and the City Clerk to execute an agreement with the Palouse River & Coulee City Railroad for apportionment of the costs and expenses for changes to the railroad crossing located on Rose Street near its intersection with 13th Avenue.

F. Resolution No. 2012-31 adopting greenhouse gas reduction policies and guidelines.

G. Resolution No. 2012-32 awarding the contract for rebuild of an Al-Jon landfill compactor, and taking other action in connection therewith. (Tri-County Equipment).

H. Resolution No. 2012-33 approving and authorizing the City Manager to execute a professional services agreement with Schwyn Environmental Services. (Isaacs Inert Waste Landfill aka Burdine Property)

I. Approval of minutes of the regular meeting held March 28, 2012.

J. Approval of minutes of the special Work Session held April 11, 2012.

K. Approval of minutes of the regular meeting held April 11, 2012.

Council asked if Item G is a part of staffs plan for cost reductions at the landfill. Staff described the use of landfill compactors. The estimated replacement cost for this equipment is approximately \$600,000. Staff identified an option to rebuild this equipment at approximately half of the estimated replacement cost. This proposal is in line with the cost reduction plan for the landfill.

Council asked what the cost is for the contract with the railroad in Item E. Staff responded this project must go out to bid but the estimated cost is under \$20,000. (See correction of comments at the end of the Active Agenda.)

Mayor Barrow invited public input. No one in the audience chose to address the City Council on any of these items.

Councilmember Plucker moved to adopt Consent Agenda Items A through L. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

5.ACTIVE AGENDA

A.Ordinance No. 2012-09 adopting amendments to Titles 19 and 20 of the Walla Walla Municipal Code regarding land use and related matters.

City Attorney Donaldson reported that the City of Walla Walla is required to amend its subdivision and zoning codes to be in compliance with Growth Management Act requirements and its 2008 updated Comprehensive Plan. The Growth Management Services office granted the City's request for an expedited review on April 25. Staff recommends the City Council conduct the public hearing and then adopt the amended ordinance. An errata sheet has been provided to the City Council outlining the amendments from the draft ordinance provided in the Council agenda packet.

Mayor Barrow declared the public hearing open at 7:31 p.m. There being no comments from the audience, Mayor Barrow declared the public hearing closed.

Councilmember Cummins moved to adopt Ordinance No. 2012-09. Councilmember Jenkins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

B.Resolution No. 2012-34 calling for a special election and providing for a ballot proposition to be submitted to the registered voters of the City on August 7, 2012 for their approval or rejection, to authorize an increase in the rate of the

regular property tax levy for 2013 and for purposes of computing the limitations provided for in Chapter 84.55 RCW for subsequent property tax levies in 2014-2021 and to authorize use of the increase for constructing, maintaining and operating a family aquatic center and making redemption payments on bonds issued for such purposes; setting forth the ballot proposition; directing the City Clerk to certify to the County Auditor a certified copy of this resolution; and providing for other matters properly related thereto.

Parks & Recreation Director Dumont recognized Pat Yenney, Chair of the citizens committee, and described the public process used in reviewing the proposed family aquatic center. This resolution will put a ballot measure on the August 7, 2012 primary election to let the voters decide on whether to approve a levy lid lift of \$.50 per \$1,000 assessed value for construction and operation of an aquatic center. A commitment has been received from the Sherwood Trust for \$500,000 with another \$500,000 committed from an anonymous donor. This provides \$1,000,000 in private funding if the voters approve the levy lid lift.

The citizens committee could not reach consensus on a phase two model for the aquatics center and leaves that decision to the City Council. The election is estimated to cost approximately \$25,000 to \$30,000 and the deadline for filing the measure with the County Auditor is May 11. The measure, as drafted, also protects the City's existing banked levy capacity.

City Attorney Donaldson reported the proposed resolution allows the voters the opportunity to vote on a levy lid lift for an aquatic facility. A simple majority of voters in favor is necessary for passage of the measure.

Mayor Barrow invited public input.

Anne North-Jones, 1420 Avalon, Walla Walla, urged the City Council not to put this proposition on the ballot since it does not include a competitive swimming pool. This competitive swimming pool is necessary for swimmers and swim lessons. This facility, as proposed, is not an aquatic center without a tank and does not address all the needs of the community. Ms. North-Jones requested the City Council defer action until the November election.

Duane Thomson, 2007 Glen Erin, Walla Walla, suggested Walla Walla needs a swimming pool and this proposed facility is not designed for families of all ages.

Sheryl Green, 113 W. Morton Street, Walla Walla, commented on the need for an aquatic facility for children so the community is more than just banks and wine.

Jim McCarthy, 1503 Ironwood, Walla Walla, indicated he felt that the information on how the facility design is geared for people of all ages has not been adequately conveyed. This facility will allow for swim lessons and lap swimming by conversions in the wave pool. Mr. McCarthy asked the naysayers to meet and talk with Parks & Recreation Director Dumont.

Parks & Recreation Director Dumont described how the wave pool can be modified with ancillary equipment to be able to teach swim lessons and provide lap swimming.

There being no further comments from the audience, Mayor Barrow closed the public input.

Council thanked Parks & Recreation Director Dumont, Pat Yenney, and the citizen committee members for their work and efforts.

There were comments and discussion on:

- The proposed facility will include something for everyone and there exists the potential to add a fifty-meter pool at some point in the future.
- The need to have the facility self-sustaining so it is not required to be subsidized by the general fund at some point in the future. A swimming pool cannot sustain itself through use fees, although a location for future inclusion of a pool can be included in the site design.
- The proposed facility does not include a swim tank because the cost to build and maintain one is significant. Lap swimmers and competitive swimmers only cover about one percent of the necessary revenue for operation of a fifty-meter pool.
- Use of the wave pool for lap swimming and swim lessons. The design is not ideal but accommodations can be made and will be a part of the design specifications.
- Whether the facilities in Pendleton and Hermiston Oregon can be considered comparable facilities. Staff explained the facility in Pendleton is now losing

- money and support is doubtful for long term sustainability without a subsidy.
- There has been extensive research and discussion by the citizens committee. They understand that a swim tank does not make sense at this time but it can be phased into the site at a future time. There is nothing in the proposed facility that is incompatible with a future competitive swimming pool.
 - The current choice is either the proposed aquatic facility without a tank or nothing. The City cannot afford the cost of operating a fifty meter swimming pool. It is hoped that City residents recognize the need in the community and support the proposal.
 - There were comments by individual City Councilmembers in support of the proposal.

Councilmember Laib moved to adopt Resolution No. 2012-34. Councilmember Plucker seconded the motion.

Council asked about the disposition of any funds remaining from the construction and whether these funds will go back to the taxpayers. City Attorney Donaldson explained the difference between a levy lid lift and a bond issue. The levy lid lift allows the City Council to set the levy to cover the cost of the facility. The taxpayers would not pay more than what is actually necessary for construction and operation of the facility.

The motion to adopt Resolution No. 2012-34 unanimously carried with 7 yes votes and 0 no votes.

City Manager Shawa corrected and clarified his response to the question regarding the cost of the contract for the railroad improvements on Rose Street (Item E of the Consent Agenda). The projected cost of this railroad license agreement is in excess of \$89,000. There was brief discussion on whether the City Council wished to reconsider their vote. There was no interest expressed in reconsideration of the item.

6.COUNCIL MEMBER MEETING REPORTS

Councilmember Laib reported attendance at the special Work Session held April 16; the Blue Mountain Humane Societys annual meeting held April 23; the Sesquicentennial Committee meeting held April 25; the special Work Session held April 25; and participated in Helplines annual Soupport luncheon held April 18.

Councilmember Jenkins reported attendance at the special Work Session held April 16; the special Work Session held April 25; and participated in Helplines annual Soupport luncheon held April 18.

Councilmember Cummins reported attendance at the special Work Session held April 16; the Good Roads Committee meeting held April 18; the Valley Transit Board meeting held April 19; the beam signing ceremony at the VA Medical Center held April 20; the Benton-Franklin Regional Council of Governments held April 20; the special Work Session held April 25; and the VA Task Force meeting held April 12.

Councilmember Plucker reported attendance at the special Work Session held April 16; the Valley Transit Board meeting held April 19; the Historic Preservation Commission meeting held April 23; and the special Work Session held April 25.

Councilmember Clark reported attendance at the VA Task Force meeting held April 12; the Mullan Road Conference held April 13 and April 14; the Fire Pension Board meeting held April 16; the special Work Session held April 16; the Water & Wastewater Advisory Committee meeting held April 18; the Valley Transit Board meeting held April 19; the beam signing ceremony at the VA Medical Center held April 20; the library "working group" meeting held April 12; the special Work Session held April 25; and participated in Helplines annual Soupport luncheon held April 18.

Councilmember Cavazos reported attendance at the special Work Session held April 16; and the Housing Authority Board meeting held April 23.

Mayor Barrow reported attendance at a meeting with a citizen regarding the Memorial golf course held April 10; the special Work Session held April 16; a meeting with John Colton, representative for Senator Murray, held April 17; the Downtown Walla Walla Foundation Board meeting held April 17; the Emergency Management Board meeting held April 17; the Fort Walla Walla Volunteer Appreciation Dinner held April 18; a meeting with representatives of College Place held April 19; the Blue Mountain Action Council Board meeting held April 19; a meeting regarding the possible consolidation and formation of a Fire District held April 25; a meeting with representatives of the County and Port of Walla Walla held April 25; the United Way Board meeting held April 25; the special Work Session held April 25; and participated in Helplines annual Soupport luncheon held April 18.

7.UNFINISHED AND NEW BUSINESS

City Manager Shawa reported staff does not have any special Work Sessions planned for the month of May and suggested a joint meeting with the City of College Place on May 14 regarding Myra Road. It is anticipated the Councils regular Work Session would be held immediately preceding this joint meeting and the joint meeting would start between 5:15 and 5:30 p.m. There were comments by Council. Mayor Barrow indicated this would be discussed at the agenda setting meeting next week.

Councilmember Laib moved to appoint Gregg Loney to the Walla Walla Joint Community Development Agency Board effective May 1, 2012; and to appoint Barbara Knudson to the Lodging Tax Advisory Committee for a term expiring December 31, 2014. Councilmember Jenkins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

City Manager Shawa and Deputy City Manager McCarty reported on and displayed the 2012 Tyler Excellence award presented to the City from Tyler Technologies for the Citys use and implementation of their advanced budgeting software module. There were only two Excellence Award winners presented to government entities using Tyler Technologies software. The Council commended staff for this award.

8.EXECUTIVE SESSION

Mayor Barrow announced the City Council would be recessing to Executive Session for the purpose of:

A.To consider the selection of a site or the acquisition of real estate pursuant to RCW 42.30.110(1)(b); and

B.To discuss with legal counsel representing the City matters relating to agency enforcement action and litigation or potential litigation involving the City pursuant to RCW 42.30.110(1)(i).

The Executive Session will last no more than ninety minutes and no further business will come before the City Council in open session. The meeting recessed at 8:35 p.m.

9.ADJOURNMENT

There being no further business, Councilmember Laib moved to adjourn at 10:00 p.m. Councilmember Cummins seconded the motion. The meeting adjourned at 10:00 p.m.