

WALLA WALLA CITY COUNCIL

Regular Meeting Minutes

May 9, 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.
(Councilmember Cavazos arrived at 7:01 p.m.)

Absent:None.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Police Chief Scott Bieber, Assistant City Attorney Preston Frederickson, City Engineer Neal Chavre, Principal Engineer Frank Nicholson, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS

A. Certificate of Energy Resource Stewardship: Presentation by Bill Clemens,
Regional Community Manager for Pacific Power.

Mr. Clemens presented the City with a Certificate of Energy Resource Stewardship for the energy savings captured with certain energy-saving processes and measures installed and commissioned as part of the new police station construction. There were comments by Mayor Barrow on the community partnership with Pacific Power.

B. Proclamation declaring the week of May 1 through May 7, 2012 as "Youth Week in Walla Walla."

Mayor Barrow read and presented the proclamation declaring the week of May 1 through May 7 as "Youth Week in Walla Walla" to Lacey Quiggle representing the Walla Walla Elks Lodge.

C. Proclamation declaring the week of May 20 through May 26, 2012 as "National Public Works Week in Walla Walla."

Mayor Barrow read and presented a proclamation declaring the week of May 20 through May 26, 2012 as "National Public Works Week in Walla Walla" to City Engineer Chavre. The public works department staff were recognized and thanked for their work.

4. PUBLIC COMMENTS

No one in the audience chose to address the City Council at this time.

5. CONSENT AGENDA

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

- A. Washington State Liquor Control Board: Change of LLC Member for The Brand, 1102 Dell Avenue.
- B. Washington State Liquor Control Board: Revised application for added privilege for Walla Walla Harvest Foods, 905 S. 2nd Street.
- C. Washington State Liquor Control Board: Change of location application for Ross Andrew Winery from Woodinville, Washington to 1102 Dell Avenue.
- D. Acceptance of resignation of Timothy Foster from the City's Bicycle & Pedestrian Advisory Committee.
- E. Resolution No. 2012-35 authorizing execution of an easement in favor of the State of Washington, and taking such further action needed therewith. (State Route 12 at Ireland Road; Sudbury Road landfill property for Bonneville Power Administration relocation of transmission line.)
- F. Resolution No. 2012-36 awarding the bid for construction of the Edith and Carrie infrastructure repair and replacement project and taking such further action needed therewith. (Culbert Construction)
- G. Resolution No. 2012-37 authorizing the City Manager to execute a professional services agreement with Anderson-Perry & Associates, to execute amendments, modifications, and change orders thereto, and taking such further action needed therewith. (Construction management for 3rd and Stahl infrastructure repair and replacement project.)
- H. Resolution No. 2012-38 awarding bid for construction of the 3rd and Stahl infrastructure repair and replacement project, and taking such further action needed therewith. (Premier Excavation)
- I. Approval of minutes of the regular meeting held April 25, 2012.

Council inquired about the scheduling for work on the two infrastructure repair and replacement projects. Staff reviewed the proposed projects and timing.

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

Councilmember Laib moved to adopt Consent Agenda Items A through I. Councilmember Cummins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6.ACTIVE AGENDA

A.Ordinance No. 2012-10 adding Chapter 10.22 to the Municipal Code relating to the establishment of a golf cart zone within the limits of the City and adopting regulations related to the use of golf carts within the golf cart zone and related matters.

City Attorney Donaldson reported the Washington State legislature passed laws in 2010 allowing local governments to create golf cart zones. Whitman College has a number of properties they service and creation of a golf cart zone would allow the use of golf carts on City streets to move between these properties.

Assistant City Attorney Frederickson reported that golf cart zones are allowed by State statute. Staff ensured the proposed ordinance complied with these statutes and added provisions to address local concerns. The proposed map was amended at the request of police and public works staff to make the borders more regular for easier enforcement. There was a minor error in the map and description provided to Council in their packets which has been corrected.

Peter Harvey, Whitman College, commented on the importance of golf carts to the operations at Whitman College and their various uses. The proposed ordinance appropriately balances the colleges needs with public safety. Mr. Harvey recognized the efforts of Assistant City Attorney Frederickson.

There was discussion on:

- Whether the golf carts are insured, operators are required to have a license, and vehicles are safe for operation on the streets with appropriate lights and turn signals.
- The zone is larger than just the properties owned by Whitman College because the police and public works departments asked for the zone to be easily identifiable. The boundaries of the zone were reviewed and explained.
- Any citizen may also legally operate a golf cart within the zone. It will not be restricted to only golf carts operated by Whitman College.
- Potential right of way conflicts with pedestrians. Mr. Harvey explained that Whitman College will prefer to keep the golf carts off City streets whenever possible and will require all operators to be properly trained.
- Whitman College expects to use six to eight golf carts for grounds keeping and maintenance; and then a few additional carts for transporting sporting equipment, first-aid supplies or injured students as part of sporting events; transporting elderly visitors or those with physical challenges on campus; and to transport mail around campus. The College is requiring additional safety equipment on the golf carts, all operators will be licensed, and additional operator training will be provided.
- Concerns were expressed with the ordinance not requiring additional safety equipment on golf carts operating within the zone or requiring the vehicles to be operated by a licensed operator. Police Chief Bieber reported the general "rules of the road" will still apply to the operation of golf carts such as turn signals, lights after dusk, and licensed operators. There are no major concerns with the proposed ordinance, protecting the general public, and law enforcement.
- Council is unable to restrict the use of golf carts to only Whitman College as it is unlawful to create a special use law.
- The proposed zone is necessary to allow Whitman College access to all their facilities and was modified at the request of the public works and police departments for easily identifiable boundaries.
- Golf carts would be required to cross Melrose Street to access the sports fields.

Mayor Barrow invited public input. No one in the audience chose to address the City Council on this issue.

Councilmember Cummins moved to approve Ordinance No. 2012-10 with an amendment to include a requirement the golf carts have lighted turn signals, brake lights, and headlights if used after dusk. Councilmember Laib seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

B.Resolution No. 2012-39 authorizing the City Manager to execute an agreement with Walla Walla County for chip seal maintenance work, and taking other action connected therewith.

City Manager Shawa reported this agreement will address upcoming street work for 2012. The City is proposing contracting with Walla Walla County to provide chip seal coating of approximately 2.5 miles of the following streets at a cost of \$103,331.42:

- Alder Street from Wilbur Avenue intersection to Roosevelt Street.
- Poplar Street from the railroad tracks to Myra Road.
- The Dalles Military Road from 9th Avenue to 700 feet east of Myra Road.

These funds will come from the banked levy capacity for street work. The City gets a great quantity of street work done for the cost and it is a better value to the City. The equipment purchased for the grind/overlay program is still usable and is utilized as necessary.

There was discussion on:

- Effectiveness of chip seal treatment for streets needing minimal repair to preserve and extend the street life.
- Availability of low-interest loans from the Public Works Trust Fund for streets.
- Staff indicated an itemized list of the street projects utilizing the banked levy property tax funds will be prepared for the City Council.

Mayor Barrow invited public input. No one in the audience chose to address the City Council on this issue.

Councilmember Laib moved to adopt Resolution No. 2012-39. Councilmember Jenkins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

C.Resolution No. 2012-40 authorizing the City Manager to submit an application and to apply for a public works trust fund construction loan for drinking water system improvements, to enter into an agreement to accept such a loan, to execute such documents and make such certifications that may be needed,

and taking other action related thereto.

City Manager Shawa reported that the Long-term 2 Enhanced Surface Water Treatment Rule (LT2) is a requirement of the Department of Health to address the public health need regarding the treatment of cryptosporidium. The estimated cost of the necessary improvements is \$20 million. The estimated interest rates for the municipal bond market are 4.5 percent. If the City is successful, the Public Works Trust Fund loan would be at a one percent interest rate with a twenty-year repayment. This would save the ratepayers approximately \$8,000,000 in interest costs over twenty years. The City's existing water bonds are repaid in 2017 and the City is working with its financial advisor to attempt to structure the debt to avoid large increases for the ratepayers.

There was discussion on:

- Impact if the City does not come into compliance with the LT2 requirement. Staff responded the State can levy significant fines; the City would be exposed to liability; it would endanger the City's ability to apply for other grants; and, in the extreme, the State could take control of the water system.
- The possibility of savings being used as a rate buffer or to accelerate necessary repairs to the water distribution system.
- Maximum amount for Public Works Trust Fund loans is currently \$15,000,000.
- Measures being reviewed to limit financial impact on ratepayers.
- Another major hurdle being faced by the water fund will be the reduced revenue from the hydropower plant. Staff is looking at options in an attempt to level out rates for the ratepayers and keep costs down.
- There is no imminent public health danger from the current water system. There have been a few sporadic hits of cryptosporidium requiring precautionary treatment and compliance with LT2.

Mayor Barrow invited public input. No one in the audience chose to address the City Council on this issue.

Councilmember Laib moved to adopt Resolution No. 2012-40. Councilmember Plucker seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Council suggested staff work with the Department of Health to try to identify alternative funding sources beyond the \$15,000,000 maximum Public Works Trust Fund loan.

D.Resolution No. 2012-41 awarding the bid for one 2012 model roll-off refuse container truck, and taking other action in connection therewith. (Solid Waste Systems of Spokane)

City Manager Shawa reported this is an ongoing effort by staff to contain costs for the landfill and sanitation funds. Staff reviewed vehicle use and is reallocating vehicles. This will eliminate the purchase of one sanitation roll-off vehicle in 2013 effectively downsizing the roll-off fleet from three trucks to two; and eliminate one roll-off truck purchase for the landfill in 2013 by using the oldest sanitation roll-off unit as the landfill replacement. Based on changes in equipment purchases (landfill compactor and roll-off vehicles), the City will realize close to \$500,000 in equipment savings.

Mayor Barrow invited public input. No one in the audience chose to address the City Council on this issue.

Councilmember Plucker moved to adopt Resolution No. 2012-41. Councilmember Cavazos seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

E.Approval of minutes of the Work Session held April 9, 2012.

Councilmember Cummins moved to approve the minutes of the Work Session held April 9, 2012. Councilmember Clark seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 2 abstentions by Councilmembers Cavazos and Laib.

F.Approval of minutes of the special Work Session held April 25, 2012.

Councilmember Laib moved to approve the minutes of the special Work Session held April 25, 2012. Councilmember Jenkins seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Cavazos.

G.Approval of the accounts payable register dated April 30, 2012 containing check numbers 171702 through 172115, 990498, and 990499 totaling \$2,018,319.93.

Councilmember Cummins moved to approve payment of the accounts payable register dated April 30, 2012 containing check numbers 171702 through 172115, 990498, and 990499 totaling \$2,018,319.93 with the exception of the checks to Jerry Cummins, Walla Walla Public Schools, and Timm Johnson doing business as A Wing and a Prayer. Councilmember Laib seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Jenkins moved to approve payment of the checks to Jerry Cummins, Walla Walla Public Schools, and Timm Johnson doing business as A Wing and a Prayer. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 3 abstentions by Councilmembers Cummins, Laib, and Plucker.

Council asked if the checks could be listed under the business name rather than a personal name.

7.COUNCIL MEMBER MEETING REPORTS

Councilmember Laib reported attendance at the Sesquicentennial Committee meeting held May 8.

Councilmember Jenkins reported attendance at the Center at the Park Senior Citizens Board meeting held April 26; the Childrens Day at Washington Park held April 28; the Sustainability Committee meeting held May 1; and the Solid Waste Advisory Committee meeting held May 9.

Councilmember Cummins reported attendance at the Public Works Trust Fund Board retreat held May 3 and May 4.

Councilmember Plucker reported attendance at a Library user group meeting held May 1; and the Parks, Recreation and Urban Forestry Advisory Board meeting held May 7.

Councilmember Clark reported attendance at the Childrens Day at Washington Park held April 28; the Sustainability Committee meeting held May 1; the Library users group meeting held May 1; a Commitment to Community steering committee meeting held May 3; and the Bicycle and Pedestrian Advisory Committee meeting held May 8.

Councilmember Cavazos reported attendance at the Planning Commission meeting held May 7.

Mayor Barrow reported attendance at the Sesquicentennial Committee meetings held April 27 and May 8; a meeting with staff regarding enforcement efforts at Heritage Park; a review of a Commitment to Community study with a Whitman College student held May 3; the Annual Day for Prayer celebration; a telephone interview held May 7 with Dr. Gordon, President and CEO of the Fairfax County Economic Development Authority regarding a book he is writing; an economic development corporation meeting with representatives of Taipei, Taiwan held May 8; and the Friends of Walla Walla annual breakfast held May 9.

There were comments by Council regarding the research being performed by Dr. Gordon on "micropolitan" communities.

8.UNFINISHED AND NEW BUSINESS

Councilmember Laib reported the National League of Cities is discontinuing the print form of their weekly newspaper and asked Council to take the survey sponsored by the National League of Cities.

Councilmember Laib asked staff to look into training for the City Council on their roles, responsibilities, and parliamentary procedure. There was brief discussion regarding the intent of this request. Staff indicated they would research publications

available through the Association of Washington Cities and Municipal Research and Services Center.

City Manager Shawa reported the City will be receiving a Municipal Achievement Award from the Association of Washington Cities for the infrastructure repair and replacement program.

City Manager Shawa reported a request had been made to reschedule the June 11 Work Session. There was brief discussion on possible dates. Council indicated they would review their calendars and discuss a different date at a future meeting.

City Manager Shawa reminded the City Council the May 14 Work Session will start at 4:30 p.m. at the Chuck Fulton Community Room, followed by a joint meeting with the College Place City Council at 5:30 p.m. regarding the Myra Road project.

9.ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.