

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
February 13, 2013

1. CALL TO ORDER

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

Present: Councilmembers Barbara Clark, Mary Lou Jenkins, Chris Plucker and Mayor Jim Barrow.

Absent: Councilmembers Conrado Cavazos, Jr., Jerry Cummins, and Shane Laib.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Tim McCarty, Public Works Director Ki Bealey, Police Chief Scott Bieber, Public Works Operations Manager Mori Struve, City Engineer Neal Chavre, Engineer Mike Laughery, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Barrow led the pledge of allegiance followed by a moment of silence.

3. PRESENTATIONS

- A. Proclamation declaring the week of February 17 through February 23, 2013 as "National Engineers Week."

Mayor Barrow read and presented the proclamation to Public Works Director Bealey, City Engineer Chavre, and Engineer Laughery.

- B. Proclamation declaring February 23, 2013 as "Mayor's Day of Concern for the Hungry."

Mayor Barrow read and presented the proclamation to Daniel Willms and Wyatt Thomas of Helpline.

4. PUBLIC COMMENTS

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

WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 2

5. CONSENT AGENDA

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

- A. Washington State Liquor Control Board: Annual renewal of twenty-two licenses for:
 - 1. Pizza Hut, 1641 W. Rose Street.
 - 2. Gino Cuneo Cellars, 1102 Dell Avenue.
 - 3. Lawrence Cellars, 1102 Dell Avenue, Suite M.
 - 4. Ross Andrew Winery, 1102 Dell Avenue.
 - 5. Castillo De Feliciana Vineyard & Winery, 1115 W. Rose Street, Suite B.
 - 6. Walla Walla Farmers Co-op, 706 W. Rose Street.
 - 7. Canoe Ridge Winery, 1102 W. Cherry Street.
 - 8. Substance, 635 N. 13th Avenue, Suite B.
 - 9. Vintage Cellars, 10 N. 2nd Avenue.
 - 10. Plumb Cellars, 9 S. 1st Avenue.
 - 11. The Maple Counter Café, 209 E. Alder Street.
 - 12. Marcy's Café, 33 S. Colville Street.
 - 13. Walla Walla Wine Works, 31 E. Main Street.
 - 14. Mark Ryan Winery, 26 E. Main Street.
 - 15. Red Reina Cuisine, 202 E. Main Street.
 - 16. Tacquera Mi Pueblito, 1633 E. Isaacs Avenue.
 - 17. Big Kmart #7035, 2200 E. Isaacs Avenue.
 - 18. Red Monkey Downtown Lounge, 25 W. Alder Street.
 - 19. Forgeron Cellars, 33 W. Birch Street.
 - 20. Taj Food Mart, 5 W. Morton Street.
 - 21. Bi-Mart #619, 1649 Plaza Way.
 - 22. Figgins, 2900 Melrose Street.

- B. Acceptance of resignation of Dorothy O'Brien from the Public Library Board of Trustees.

- C. Approval of a secondhand dealer business license for Jan Young doing business as Mountain States Coins & Treasures.

- D. Resolution No. 2013-15 awarding the bid for construction of drainage improvements to Harry Johnson Plumbing and Excavation, Inc. (Highland Road vicinity - \$79,708)

**WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 3**

- E. Resolution No. 2013-17 approving and authorizing the City Manager to purchase traffic signal cabinets from Econolite Group, Inc. for \$21,392.31.
- F. Resolution No. 2013-18 approving and authorizing the City Manager to execute a supplemental agreement, change orders and amendments to a professional services agreement with HDJ Design Group, PLLC, for the Myra Road – SR125 to Garrison Creek project in the amount of \$28,433.64.
- G. Resolution No. 2013-19 declaring compost surplus and authorizing the City Manager to sell compost wholesale to Williams Hudson Bay Farm for \$18,480 (excluding sales tax).
- H. Approval of minutes of the regular meeting held January 9, 2013.

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 H. Councilmember Jenkins seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

6. ACTIVE AGENDA

- A. Mayor Barrow noted that the public hearing noticed for the acquisition of necessary property interests through the exercise of the power of eminent domain for the purpose of constructing road improvements on Myra Road from Garrison Creek to State Route 125 has been canceled and no hearing will be held.
- B. Ordinance No. 2013-03 authorizing the sale, issuance and delivery of not to exceed \$3,000,000 of the City's unlimited tax general obligation refunding bonds, series 2013, to provide money to refund all or a portion of the City's outstanding unlimited tax general obligation bonds, series 2004; providing for the designation, date, terms, maturities, form, payment and redemption provisions of the bonds; authorizing the execution of an escrow agreement for use in the payment of the refunded bonds; authorizing the purchase of certain government obligations; providing for the call, payment and redemption of the refunded bonds; providing for the option of

WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 4

selling the bonds by competitive or negotiated sale; designating a fiscal agent; pledging the City's full faith, credit and resources to the payment of the bonds; creating and adopting certain funds and accounts and providing for deposits therein; covenanting to comply with certain federal tax and securities laws; designating the bonds as "qualified tax exempt obligations"; delegating certain actions in connection with the preliminary official statement; and providing for other matters properly relating thereto.

City Manager Shawa reported this ordinance will allow the City to refinance the fire station bond issue for a net present value savings of \$150,000.

Deputy City Manager McCarty reported this refinancing of the fire station #2 bonds will lower interest rates by approximately two percent. These savings will be passed on to property owners as a reduced property tax levy.

Roy Koegen, Bond Counsel with Koegen and Edwards, reported the ordinance delegates authority to the City Manager or Deputy City Manager to sign a bond purchase agreement or issuance through a competitive sale if certain conditions are met. The City's financial advisor is suggesting proposals be sent to private banks as this will result in a competitive rate and reduced costs. Mr. Koegen outlined the thresholds and process for a sale. The ordinance requires the bonds to be issued no later than December 31, 2013.

There was discussion on whether the City will be required to accept the lowest cost bid and any potential risks to the refinancing. Mr. Koegen stressed this issuance is strictly to save money for the taxpayers. There is no extension of the term of the bonds.

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

Councilmember Clark moved to adopt Ordinance No. 2013-03.
Councilmember Jenkins seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

C. Public Hearing and Ordinance No. 2013-04 adopting an interim amendment to Walla Walla Municipal Code Section 20.158.020.

**WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 5**

City Manager Shawa reported the City Council had reviewed the issue in the code requiring drive through driveways for schools. The code has been interpreted by staff to also apply to private driving schools. There are physical site constraints with the property located at 30 N. Roosevelt, the current location of the E Street Driving School. Engineering staff believes requiring construction of a drive through driveway will make the location more dangerous for pedestrians. The City Attorney has recommended a Municipal Code amendment to change the definition of a school to exclude driving schools.

Mayor Barrow declared the public hearing open at 7:29 p.m. There being no comments from the audience, Mayor Barrow declared the public hearing closed.

There was brief discussion on this being an interim amendment to allow an amendment to go through the planning process. The traffic provisions must be satisfactory to the City's traffic engineer.

Councilmember Jenkins moved to adopt Ordinance No. 2013-04. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

D. Approval of minutes of the City Council Retreat held January 12, 2013.

Councilmember Plucker moved to approve the minutes of the City Council Retreat held January 12, 2013. Councilmember Jenkins seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

E. Approval of minutes of the Work Session held January 14, 2013.

Councilmember Jenkins moved to approve the minutes of the Work Session held January 14, 2013. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

F. Approval of minutes of the regular meeting held January 23, 2013.

Councilmember Plucker moved to approve the minutes of the regular meeting held January 23, 2013. Councilmember Jenkins seconded the

**WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 6**

motion. The motion unanimously carried with 3 yes votes, 0 no votes, and 1 abstention by Mayor Barrow.

G. Approval of the January 31, 2013 accounts payable register containing check numbers 174946, 174947, 174996 through 175238, and 990537 through 990542 totaling \$2,097,513.12.

Councilmember Plucker moved to approve the January 31, 2013 accounts payable register containing check numbers 174946, 174947, 174996 through 175238, and 990537 through 990542 totaling \$2,097,513.12. Councilmember Jenkins seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

7. COUNCIL MEMBER MEETING REPORTS

It was the consensus of the City Council to forgo their meeting reports until the following meeting.

8. UNFINISHED AND NEW BUSINESS

Mayor Barrow introduced Resolution No. 2013-16 appointing an alternate member to the Benton-Franklin-Walla Walla Regional Transportation Planning Organization policy committee.

Councilmember Clark moved to adopt Resolution No. 2013-16 appointing Ki Bealey as the alternate member to the Benton-Franklin-Walla Walla Regional Transportation Planning Organization policy committee. Councilmember Jenkins seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.

Councilmember Clark inquired about the status of the Friends of the Pioneer Park Aviary fundraising committee. City Manager Shawa reported he had met with the new Chair, Craig Keister. The committee will be providing a report to the City Council at a future Work Session and has received their legal status with Washington State. The committee is moving forward with over \$5,000 in donations. There was discussion on the difficulty in determining whether fundraising by a non-profit group will be successful in perpetuity versus looking at the momentum of the fundraising. Council commented it is very important for the Friends of the Pioneer Park fundraising committee to have a good presence in the newspaper.

**WALLA WALLA CITY COUNCIL MINUTES
FEBRUARY 13, 2013
PAGE 7**

City Manager Shawa reported he had signed a grant amendment for the Orchard Street sidewalk project. This amendment was required for the City to show local funding for the grant but it is anticipated that additional grant money will be substituted for this local funding. Council asked that a letter be sent to the City of College Place in recognition of their contribution of unused transportation funds for this project.

Councilmember Plucker moved to excuse the absences of Councilmembers Cavazos, Cummins and Laib. The motion died for lack of a second.

There was discussion on having guidelines in place for excusing Councilmember absences so the decisions are not arbitrary. Council also expressed an interest in developing a new travel policy for Council travel. Councilmembers Clark and Plucker expressed an interest in working with staff to develop a new policy.

Councilmember Jenkins moved to excuse the absence of Councilmember Cummins. The motion died for lack of a second.

9. EXECUTIVE SESSION

Mayor Barrow announced the City Council would be recessing to Executive Session to discuss with legal counsel potential litigation to which the City is a party or is likely to become a party pursuant to RCW 42.30.110(1)(i). The Executive Session will last no more than two hours and no further business will be considered in open session. The meeting was recessed at 8:07 p.m.

The meeting reconvened in Executive Session at 8:20 p.m., recessed for a break at 8:24 p.m., and reconvened in Executive Session at 8:26 p.m.

10. ADJOURNMENT

There being no further business, Councilmember Plucker moved to adjourn at 9:10 p.m. Councilmember Jenkins seconded the motion. The meeting adjourned at 9:10 p.m.