

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**March 13, 2013**

**1. CALL TO ORDER**

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

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

Absent: Councilmember Conrado Cavazos, Jr.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Police Chief Scott Bieber, City Engineer Neal Chavre, Utilities Engineer Frank Nicholson, WESCOM Manager Steve Ruley, 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 AND PROCLAMATIONS**

- A. Proclamation declaring the week of March 24 through March 31, 2013 as "Walla Walla-Sasayama Sister City Week."

Mayor Barrow read and presented the proclamation to Robert Keatts representing the Walla Walla-Sasayama Sister City committee. Mr. Keatts reviewed the upcoming visit in Walla Walla of nineteen students and two chaperones from Sasayama; and another international exchange program from Japan occurring at the high school.

**4. PUBLIC COMMENTS**

Jean Dolling, 208 Detour Road, Walla Walla, suggested contacting Lincoln High School regarding having a class film the City Council meetings; and referred to an email provided by Councilmember Laib at the last City Council meeting regarding the south side annexation. Ms. Dolling suggested the City look at property to the north for annexation for additional housing. There was brief discussion on the concept of having students film City Council meetings.

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**5. CONSENT AGENDA**

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

- A. Resolution No. 2013-31 awarding the bid for rehabilitation of sewer lines and manholes to Columbia Pumping & Construction, Inc.
- B. Resolution No. 2013-32 awarding bid for replacement of a netclock at the Walla Walla Emergency Services Communication Center to Day Wireless.
- C. Resolution No. 2013-33 authorizing the City Manager to execute an updated agreement with Centurylink related to automated number identifier services for the Walla Walla Emergency Services Communication Center.
- D. Resolution No. 2013-34 authorizing an amendment to the employment agreement with Nabil Shawa.
- E. Resolution No. 2013-35 authorizing the City Manager to execute a settlement agreement with New Cingular Wireless PCS LLC.
- F. Washington State Liquor Control Board: New application for Maison Bleue Winery, 20 N. 2<sup>nd</sup> Avenue.
- G. Washington State Liquor Control Board: Change of LLC Member for T. Maccarone's, 4 North Colville Street.
- H. Washington State Liquor Control Board: Application for added privilege for Walla Walla Grocery Outlet, 910 South 9<sup>th</sup> Street.
- I. Washington State Liquor Control Board: New application for Albertson's #225, 450 N. Wilbur Avenue.
- J. Washington State Liquor Control Board: Special occasion license for Zonta Club of Walla Walla at Assumption Catholic School, 2098 E. Alder Street.

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Council had questions regarding the technology upgrades at WESCOM. Public Safety Communications Manager Ruley reviewed the need for upgrades to failing system components.

Councilmember Plucker requested the removal of Item D from the Consent Agenda.

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

**Councilmember Laib moved to adopt Consent Agenda Items A through J, with the exception of Item D. Councilmember Cummins seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

D. Resolution No. 2013-34 authorizing an amendment to the employment agreement with Nabel Shawa.

Councilmember Plucker indicated he could not support a salary increase at this time although this position is not a reflection of City Manager Shawa's performance.

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

**Councilmember Clark moved to adopt Resolution No. 2013-34. Councilmember Jenkins seconded the motion. The motion carried with 5 yes votes and 1 no vote by Councilmember Plucker.**

**6. ACTIVE AGENDA**

A. Public Hearing and Resolution No. 2013-36 adopting revisions to the six-year comprehensive transportation program for 2013-2018.

City Manager Shawa reported this amendment to the comprehensive transportation program (TIP) recognizes revenue changes due to additional grants and funding sources.

Council asked if the adoption of this resolution commits the City Council to accepting the proposed lane reconfiguration on Rose Street. Staff responded that no commitment will be made by this action. The lane

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reconfiguration on Rose Street is scheduled for Council consideration on March 27.

Mayor Barrow opened the public hearing at 7:28 p.m.

Jean Dolling, 208 Detour Road, Walla Walla, felt that the current configuration of Rose Street is very functional and suggested the City look at the safety data before making any change to the four-lane configuration.

There being no further public testimony, Mayor Barrow declared the public hearing closed at 7:30 p.m.

**Councilmember Cummins moved to adopt Resolution No. 2013-36. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

There were comments on the number of very large and visible street projects scheduled for 2013. Council commended staff and consultants; and suggested communication efforts to inform the public of these projects begin in advance of the projects, including advance street signage.

- B. Public hearing and Resolution No. 2013-37 approving an update to the water system plan and taking other necessary action with respect thereto.

Staff reported the Washington Administrative Code requires the City to update its water system plan every six years. An overview of this plan was provided including: history, executive summary, plan contents, and water system report card.

Mayor Barrow declared the public hearing open at 7:46 p.m.

Jean Dolling, 208 Detour Road, Walla Walla, had comments on the high probability of the watershed burning and recommended efforts to reduce the chance of a catastrophic fire.

There being no further public testimony, Mayor Barrow declared the public hearing closed at 7:49 p.m.

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**Councilmember Plucker moved to adopt Resolution No. 2013-37.  
Councilmember Laib seconded the motion. The motion unanimously  
carried with 6 yes votes and 0 no votes.**

C. Ordinance No. 2013-05 amending the Municipal Code to add Section 2.05.014 related to Council Member absences from regularly scheduled Council meetings.

Resolution No. 2013-30 establishing guidelines to determine whether or not to excuse a Council Member absence from a regularly scheduled Council meeting.

There was discussion on:

- The proposed ordinance creates a process for reporting Council Member absences. The proposed resolution provides that an absence will be excused if it is related to City business.
- The number of cities in Washington State that have guidelines. Staff indicated copies of other cities policies had been provided to the City Council. Staff is not aware of the number of cities that may have guidelines.
- The cost of the agenda management software and Ipads for City Council.

Mayor Barrow invited public input.

Jean Dolling, 208 Detour Road, Walla Walla, asked if the City Council Ipads were connected to the internet, and if so, the Council then has the ability to communicate electronically during City Council meetings.

Floralyn Taylor, 126 Otis, Walla Walla, felt the issue of City Council absences was handled very poorly in the press; and didn't feel the guidelines for determining whether to excuse an absence or not was necessary. Ms. Taylor thanked the Council Members for their service.

**Councilmember Clark moved to adopt Ordinance No. 2013-05.  
Councilmember Jenkins seconded the motion.**

There was further discussion on:

- Responsibility of the City Council to make a determination on whether to excuse an absence or not.

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- Constituents want Council Members to be present at meetings and represent them within the community.
- The City Council, as a whole, is responsible to work towards the betterment of the community. Currently the City Council is divided and efforts should be made to bridge this division.
- The City has the technology available to allow Council Members to remotely attend Council meetings.
- This action puts the City Council in a judicial position and can open the door to discrimination claims. A better alternative is to figure out how to get along with one another.

**The motion to adopt Ordinance No. 2013-05 carried with 5 yes votes and 1 no vote by Councilmember Laib.**

Mayor Barrow invited public input on Resolution No. 2013-30. No one in the audience chose to address the City Council on this issue.

There was discussion on proposed Resolution No. 2013-30 including:

- The proposed resolution makes it clearer and takes away some of the discomfort of judging whether an absence should be excused or not. The issue of allowing remote attendance through technology is a completely separate issue.
- The proposed resolution is too narrowly written and does not establish any additional authority that the City Council does not already have. The matter of whether to excuse an absence or not is in the provenance of the City Council and separate guidelines are not necessary.

**Councilmember Clark moved to adopt Resolution No. 2013-30.**  
**Councilmember Jenkins seconded the motion.**

There were additional comments on the proposed resolution and potential interpretation of the guidelines.

**The motion to adopt Resolution No. 2013-30 failed to pass with 3 yes votes by Councilmembers Clark, Jenkins, and Plucker and 3 no votes by Councilmembers Cummins, Laib, and Mayor Barrow.**

D. Approval of minutes of the regular meeting held February 27, 2013.

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**Councilmember Plucker moved to approve the minutes of the regular meeting held February 27, 2013. Councilmember Jenkins seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes and 1 abstention by Councilmember Laib.**

- E. Approval of the Accounts Payable Register dated February 28, 2014 containing check numbers 175239 through 175528, 990543, 990544, and 990546 totaling \$1,978,185.12.

Council asked City Manager Shawa to encourage City staff to purchase from local businesses whenever possible since the City is heavily dependent upon sales tax revenue.

**Councilmember Cummins moved to approve payment of the Accounts Payable Register dated February 28, 2014 containing check numbers 175239 through 175528, 990543, 990544, and 990546 totaling \$1,978,185.12 with exception of the expenses for Jerry Cummins and Jim Barrow. Councilmember Laib seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**Councilmember Laib moved to approve payment of the checks for expenses for Jerry Cummins and Jim Barrow. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 2 abstentions by Councilmember Cummins and Mayor Barrow.**

## **7. COUNCIL MEMBER MEETING REPORTS**

Councilmember Laib reported attendance at the Association of Washington Cities legislative reception held February 13; numerous meetings with Council Members from other cities and Association of Washington staff members; and the Blue Mountain Humane Society Board meeting held February 25.

Councilmember Jenkins reported attendance at the Center at the Park Senior Citizens Board meeting held February 28; and the Work Session held March 11.

Councilmember Cummins reported attendance at the Civil Service Commission meeting held March 12; and the Work Session held March 11.

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Councilmember Plucker reported attendance at the City website external committee meeting held March 1.

Councilmember Clark reported attendance at the City website external committee meeting held March 1; the Sustainability Committee meeting held March 5; the open house regarding the Rose Street redesign held March 7; an interview on KUJ radio held March 8; the Work Session held March 11; and the Bicycle & Pedestrian Advisory Committee meeting held March 12.

Mayor Barrow reported attendance at the Emergency Management Board meeting held February 20; a meeting with a constituent held February 21; the Blue Mountain Action Council Board meeting held February 21; the Infrastructure Improvement Committee meeting held February 26; the Downtown Walla Walla Board meeting held February 26; the Joint Community Development Agency Board meeting held March 4; the Work Session held March 11; and the Fort Walla Walla Museum Board meeting held March 12.

**8. UNFINISHED AND NEW BUSINESS**

**Councilmember Laib moved to approve the nomination of Precelia Clay for the AWC Center for Quality Communities scholarship. Councilmember Cummins seconded the motion.**

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

**The motion to approve the nomination of Precelia Clay for the AWC Center for Quality Communities scholarship unanimously carried with 6 yes votes and 0 no votes.**

**Councilmember Laib moved to support the reappointment of Jerry Cummins to the Public Works Trust Fund Board. Councilmember Plucker seconded the motion.**

Council commented on the importance of the Public Works Trust Fund for funding infrastructure improvement projects throughout the state. The cost for attendance at the meetings of the Public Works Trust Fund Board is paid by the state.

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**The motion to support the reappointment of Jerry Cummins to the Public Works Trust Fund Board unanimously carried with 6 yes votes and 0 no votes.**

Councilmember Cummins distributed photos taken March 12 of a lot on Division Street that is an ongoing nuisance and potential safety hazard. The photographs have been turned into staff for enforcement of this eyesore and dangerous situation.

Councilmember Laib suggested the City explore "tight" bike lanes similar to those located in Olympia, Washington.

**Councilmember Laib moved to excuse the absence of Councilmember Conrado Cavazos, Jr. Councilmember Plucker seconded the motion.**

Councilmember Clark commented she intends to follow the guidelines even if they were not adopted.

**The motion to excuse the absence of Councilmember Conrado Cavazos, Jr. carried with 4 yes votes and 2 no votes by Councilmembers Clark and Jenkins.**

Councilmember Laib asked for a broad overview of Federal funds the City receives and what might be lost due to sequestration. There was discussion by Council. It was the consensus of a majority of Council that staff should not spend a great deal of time identifying all Federal funding, just a broad overview of possible impacts.

Councilmember Laib, referring to a letter signed by Mayor Barrow in support of a gas tax, asked that any future letters be reviewed and authorized by the City Council. Mayor Barrow reported he had signed a letter with a group of Mayors from across the State and his signature on this letter was not on behalf of the Walla Walla City Council.

Councilmember Laib suggested staff provide the City Council with a refresher course on the Council-Manager form of government.

Resolution No. 2013-38 authorizing execution of a revised intergovernmental agreement establishing a Walla Walla Valley Metropolitan Planning Organization, and taking such further action needed therewith.

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City Manager Shawa reported the State Attorney General's office has requested minor amendments to the intergovernmental agreement but the agreement has not been finalized by the attorneys. This resolution will authorize the City Manager to sign the finalized agreement with the minor amendments, subject to the City Attorney's approval.

There was discussion on the proposed changes and frustration with the process of gaining the State's approval. This resolution makes clear that the City Manager has signatory authority for this agreement.

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. 2013-38.  
Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

Resolution No. 2013-39 authorizing the execution of a dedication deed for right-of-way and other public purposes for the Myra Road project and taking such further action needed therewith.

City Attorney Donaldson reported this is property located at the northeast corner of Myra Road and The Dalles Military Road. The property is needed for right-of-way and stormwater. The County Commissioners were recognized and thanked for being very responsive in facilitating the transfer of property to clear up a title problem in this area.

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

**Councilmember Cummins moved to adopt Resolution No. 2013-39.  
Councilmember Jenkins seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

Council commended staff for their work on the Myra Road project.

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9. ADJOURNMENT

There being no further business, Councilmember Laib moved to adjourn at 9:27 p.m. Councilmember Jenkins seconded the motion. The meeting adjourned at 9:27 p.m.