

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
April 10, 2013

1. CALL TO ORDER

Mayor Pro Tem Cavazos called the meeting to order at 7:10 p.m. at the Walla Walla High School Commons, 800 Abbott Road, Walla Walla.

Present: Councilmembers Conrado Cavazos, Jr., Barbara Clark, Jerry Cummins, Mary Lou Jenkins, Shane Laib, Chris Plucker and Mayor Jim Barrow. (Mayor Barrow arrived at 7:10 p.m.)

Absent: None.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Tim McCarty, Parks & Recreation Director Jim Dumont, Public Works Director Ki Bealey, Fire Chief Bob Yancey, Police Chief Scott Bieber, 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

There were no presentations or proclamations.

4. PUBLIC COMMENTS

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

5. CONSENT AGENDA

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

- A. Washington State Liquor Control Board: Special occasion license for Blue Mountain RC&D Council event at the Powerhouse Theater on May 17 through May 19, 2013.

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- B. Washington State Liquor Control Board: Special occasion license for the Junior Club of Walla Walla at Assumption Parish Hall on April 26, 2013.
- C. Washington State Liquor Control Board: Application in lieu of current license for Vintage Cellars, 10 N. 2nd Avenue.
- D. Washington State Liquor Control Board: Change of LLC member for Journey's Pub, 119 W. Alder Street, Suite 102.
- E. Resolution No. 2013-49 awarding bid for hot mix asphalt to A&B Asphalt.
- F. Resolution No. 2013-50 authorizing an agreement with WesTek Marketing for the acquisition and installation of the Stencil logging recorder equipment.

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 F. Councilmember Cummins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

- A. Resolution No. 2013-51 determining that the City of Walla Walla will accept a proposed annexation and determining other matters related thereto.

City Manager Shawa reviewed:

- Reasons for annexation.
- Annexation considerations.
- Annexation open house held March 26.
- Initial analysis area of 871 acres.
- Staff recommended area of 279 acres with a pre-zone designation of R-96.
- Property tax collections.
- Impacts to property owners.
- Impacts to City services.

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- Requirements of the growth management act and annexations within the urban growth area.
- Area characteristics, zoning, permitting and inspections, census enumeration, and necessary code amendments.
- What remains the same or similar after annexation.
- Council action and next steps.

Council asked what the impact would be on the water and wastewater budget due to the projected loss in revenue. Staff responded that there would be no impact on any of the current projected projects. The loss in revenue would be absorbed by the fund balances.

Mayor Barrow invited public input.

Greg Tompkins, Walla Walla County Commissioner, thanked the City for listening to the public and paring down the area proposed for annexation. Mr. Tompkins requested a review of the boundaries to ensure all roadway areas are included and sought clarification on stormwater collection and animal keeping. Staff responded to Mr. Tompkins comments regarding the annexation boundaries on roadways and animal keeping.

Wayne Narum, 3080 Cottonwood Road, Walla Walla, commented on changes to easements on the west side of Cottonwood Road.

Mary Campbell, 336 McCorkle Lane, Walla Walla, thanked staff for listening to the residents and expressed her concurrence with the revised annexation area. Ms. Campbell felt that urban densities may never occur in the area previously considered because of the critical area setbacks.

Gary Cox, 115 Reser Road, Walla Walla, reported many people living in the area have attempted to limit development and associated impacts.

Doug Saturno, 650 Reser Road, Walla Walla, expressed concerns with their right to farm and the negative impacts of farming on urban development.

Don Anderson, 880 Reser Road, Walla Walla, commented he found out in 1996 that his property was included in the City's urban growth area. If the City annexes this area he will be required to pay a failure to connect penalty even though he won't be using and doesn't want City utilities.

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Mr. Anderson also expressed concerns with the lack of consistency in development standards.

Jean Dolling, 208 Detour Road, Walla Walla, felt that this annexation was a bad idea from the beginning and that there is a lack of democracy for residents in the subdivisions.

Scott Peters, 159 Austin, Walla Walla, indicated he understood when he purchased his property that it would become a part of the City and he wants to be annexed into the City.

Tom Osborne, 976 Langdon Road, Walla Walla, spoke in opposition to annexation of his area and suggested the boundaries be revised to include only those properties with City services.

Karen Robison, 340 Reser Road, Walla Walla, asked that the boundary drop agreement with Fire District No. 4 be in place before annexation occurs.

Dale Schroeder, 77 Prospect Avenue, Walla Walla, felt the City rushed the process and didn't take a proper amount of time in studying the potential annexation. This proposal wasn't in the interest of the City or residents and he agrees with the suggestion made by Mr. Osborne to include only those properties receiving City services.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, suggested only annexing those properties with an outside utility agreement. Rural and urban areas do not mix.

Joe Waiblinger, 481 Ransom Road, Walla Walla, expressed pleasure that his property was not in the revised annexation area due to the City's failure to connect penalty and his desire to live in the County.

Steve Milistefr, 257 Austin, Walla Walla, reported he understood his property would be annexed when he purchased it and is pleased the City is finally moving forward with the annexation.

Scott Morasch, 15 Austin, Walla Walla, asked that the City exclude his property from the annexation and commented on improvements constructed as part of the new subdivision that he is now responsible for maintaining. Mr. Morasch expressed his desire to continue to be able to

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discharge aerial fireworks and suggested the City eliminate the utility surcharge for properties served by City utilities and not located within the City limits.

Tom Osborne, 976 Langdon Road, Walla Walla, asked why an additional school resource officer would be necessary at Walla Walla High School just because of the annexation. Staff explained a City police officer would be replacing the County Deputy Sheriff as school resource officer.

Mike Jacobs, 2425 S. 3rd Avenue, Walla Walla, expressed concerns with the economic analysis and why any political entity would annex an area that would cost more to serve than would be gained. Mr. Jacobs asked that all areas west of Cottonwood Road be excluded from the City's urban growth area.

Adam Novakovich, 1145 Home Street, Walla Walla, indicated the properties in the subdivisions knew they would pay more for City utilities. Mr. Novakovich suggested allowing the residents in the area to vote on the annexation.

Scott Morasch, 15 Austin, Walla Walla, commented that outside utility agreements are a form of extortion to allow people to develop in the urban growth area.

Dale Schroeder, 77 Prospect Avenue, Walla Walla, suggested that Councilmember Clark should recuse herself since her husband had represented a developer during the hearings before the County Commissioners. Councilmember Clark reported she and her husband have no financial interest in any of the properties. City Attorney Donaldson indicated there is no conflict of interest or appearance of fairness issue since this is a legislative matter.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, sought clarification on the failure to connect penalty. Staff clarified the distance is measured from the property line to the sewer main to determine whether the penalty applies or not.

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

There was discussion on:

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- Amending the boundaries to include those properties with City services while excluding others that do not want to be annexed. Staff explained a delay to redo the map and legal description would not meet the State's Office of Financial Management August 1 deadline for annexations.
- Fire response time to farthest property in the annexation area is eight minutes.
- The proposed annexation would result in a financial loss to the City and does not make sense from an economic viewpoint.
- The various policies that would require amendments to restrict the extension of City utility services to only those properties within the City limits.
- The proposed annexation was reviewed and agreed upon by the City Council as one of the Council's initiatives.
- The purpose of urban growth areas is to keep population growth concentrated to avoid sprawl and protect farm lands. Public services are more expensive to provide in sparsely populated areas. The proposed annexation has clearly defined boundaries and makes sense from a cost and service delivery viewpoint.
- The number of properties in the proposed annexation area affected by the City's failure to connect penalty are 37.
- Current uses are grandfathered in until the property is sold, including current farming practices.
- Whether the proposed annexation area boundaries can be adjusted and the impact of a delay in Council action.
- The need for orderly growth and service delivery.

Staff reported the proposed resolution includes provisions for pre-zoning the property and includes assuming current City indebtedness.

Councilmember Clark moved to adopt Resolution No. 2013-51.

Councilmember Jenkins seconded the motion.

Council expressed their individual opinions on whether or not they support the annexation and their reasons why.

The motion to adopt Resolution No. 2013-51 failed with 3 yes votes by Councilmembers Clark, Jenkins and Mayor Barrow and 4 no votes by Councilmembers Cavazos, Cummins, Laib and Plucker.

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- B. Approval of accounts payable register dated March 31, 2013 containing check numbers 175529 through 175837 and 990547 through 990550 totaling \$1,792,746.36.

Councilmember Cummins moved to approve payment of the accounts payable register dated March 31, 2013 containing check numbers 175529 through 175837 and 990547 through 990550 totaling \$1,792,746.36 with the exception of checks for Jerry Cummins, Jim Barrow, and Walla Walla School District. Councilmember Laib seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Laib moved to approve payment of the checks for Jerry Cummins and Jim Barrow. Councilmember Plucker seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 2 abstentions by Councilmember Cummins and Mayor Barrow.

Councilmember Cummins moved to approve payment of the check to the Walla Walla School District. Councilmember Laib seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Plucker.

7. COUNCIL MEMBER MEETING REPORTS

It was the consensus of a majority of Council to defer Council meeting reports until the next meeting.

8. UNFINISHED AND NEW BUSINESS

There was no new or unfinished business.

9. ADJOURNMENT

There being no further business, Councilmember Laib moved to adjourn at 9:21 p.m. Councilmember Jenkins seconded the motion. The meeting adjourned at 9:21 p.m.