

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**May 8, 2013**

**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 Nabel Shawa, City Attorney Tim Donaldson, Public Works Director Ki Bealey, City Engineer Neal Chavre, Engineer Mike Laughery, and City Clerk Kammy Hill.

**2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

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

**3. PRESENTATIONS**

- A. Proclamation: National Public Works Week, May 19 through 25, 2013.

Mayor Barrow read and presented the proclamation declaring the week of May 19 through 25, 2013 as "National Public Works Week" to Public Works Director Bealey. Public Works Director Bealey thanked the Council for the proclamation.

- B. Proclamation: Better Hearing Month, May 2013.

Mayor Barrow read and presented the proclamation declaring the month of May 2013 as "Better Hearing Month" to Donald Klippstein of Columbia Basin Hearing Center.

**4. PUBLIC COMMENTS**

Robert Dunleavy, Stubblefield Company, spoke in opposition to the reconfiguration of Rose Street from four lanes to three lanes.

**WALLA WALLA CITY COUNCIL MINUTES**  
**MAY 8, 2013**  
**PAGE 2**

Jean Dolling, 208 Detour Road, Walla Walla, commented on the capabilities of videoconferencing and suggested it be used for City Council meetings. Ms. Dolling also read a letter in support of the reconfiguration of Rose Street from four lanes to three lanes; and a proposal from Lincoln High School teacher Jeremy Gradwohl to have a group of students video record the City Council meetings.

Larry Fehrenbacher, Managing Director of Americold, reported they have a great deal of truck traffic and are opposed to the reconfiguration of Rose Street from four lanes to three lanes.

Tim Demitor, 412 W Main, Walla Walla, expressed concerns with the safety and efficiency of the reconfiguration of Rose Street; the traffic accident data used; and the accuracy of the SEPA checklist. Mr. Demitor presented petitions from the businesses along Rose Street and the residents of Golden West Estates.

**5. CONSENT AGENDA**

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

- A. Washington State Liquor Control Board: Application for added privilege for Vintage Cellars, 10 N. 2<sup>nd</sup> Avenue.
- B. Washington State Liquor Control Board: Change of LLC member for Washington Vintners, 511 N. 2<sup>nd</sup> Avenue.
- C. Washington State Liquor Control Board: Assumption of license for Dora's Deli & Mini Mart, 1303 S. 3<sup>rd</sup> Avenue.
- D. Resolution No. 2013-58 awarding the contract for purchase of plastic containers to Toter, Inc. (Sanitation containers)
- E. Resolution No. 2013-59 authorizing an amendment to the professional services agreement with Anderson-Perry & Associates, Inc. (13<sup>th</sup> Avenue – Abadie to Cherry Street project)
- F. Resolution No. 2013-60 awarding the bid for the Pleasant-Home-Fern-Statesman infrastructure repair and replacement project and taking such further action needed therewith. (Culbert Construction)

**WALLA WALLA CITY COUNCIL MINUTES**  
**MAY 8, 2013**  
**PAGE 3**

- G. Resolution No. 2013-61 approving and authorizing an amendment to a professional services agreement with HDJ Design Group, PLLC, and taking such further action needed therewith. (Construction management services for the Pleasant-Home-Fern-Statesman infrastructure repair and replacement project.)
- H. Resolution No. 2013-62 authorizing an agreement with Walla Walla County for chip seal maintenance work.
- I. Ordinance No. 2013-12 fixing compensation ranges for non-represented city employees and authorizing the City Manager to determine salaries and take other action in connection therewith.

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 Plucker seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

- A. Resolution No. 2013-63 authorizing the City Manager to execute an intergovernmental agreement relating to all hazard mutual aid, and taking other action connected therewith.

City Manager Shawa reported this agreement is a broad, all encompassing mutual aid agreement. It does not compel the City to provide services but allows the City to do so on a willing and able basis. Staff recommends approval.

There was discussion on:

- Whether this agreement creates additional training requirements for City employees.
- Development of an operational plan by the County Emergency Management Office.
- Interoperability of communication equipment.
- Availability of staff from other agencies for hazardous material spills. City Manager Shawa explained the City is reviewing a fee to provide hazardous material services to other agencies but there is no requirement in the agreement to provide this service.

**WALLA WALLA CITY COUNCIL MINUTES  
MAY 8, 2013  
PAGE 4**

- Purpose of the agreement is to create an umbrella agreement for mutual aid rather than having individual agreements with each agency.
- Provision of mutual aid versus allowing some jurisdictions to avoid costs of providing necessary specialized services.

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. 2013-63. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

- B. Resolution No. 2013-64 authorizing the City Manager to award the bid for the Myra Road improvement project and taking such further action needed therewith.

City Manager Shawa explained this resolution will authorize the City Manager to award the bid for Myra Road provided the lowest responsible bid falls within the engineer's estimate for the project, passes a review by the City Attorney, is within the project budget, and doesn't have any irregularities. Staff is almost ready to go out to bid and this action would save approximately three weeks of construction time.

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. 2013-64 with the understanding that if there are any bid irregularities the item will come before the City Council. Councilmember Jenkins seconded the motion.**

Councilmember Laib felt this resolution was unnecessary since a special meeting of the Council could be held within three days.

**The motion to adopt Resolution No. 2013-64 with the understanding that if there are any bid irregularities the item will come before the City Council carried with 6 yes votes and 1 no vote by Councilmember Laib.**

- C. Approval of the April 30, 2013 accounts payable register covering check numbers 175838 through 176154 and 990551 through 990554 totaling \$1,786,816.45.

**Councilmember Cummins moved to approve the April 30, 2013 accounts payable register covering check numbers 175838 through 176154 and 990551 through 990554 totaling \$1,786,816.45 with the exception of the check to the Blue Mountain Action Council. Councilmember Laib seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

**Councilmember Cummins moved to approve payment of the check to the Blue Mountain Action Council. Councilmember Laib seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 2 abstentions by Councilmembers Cavazos and Jenkins.**

D. Approval of minutes of the regular meeting held April 24, 2013.

**Councilmember Cummins moved to approve the minutes of the regular meeting held April 24, 2013. Councilmember Plucker seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes and two abstentions by Councilmembers Jenkins and Laib.**

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

Councilmember Laib reported working remotely with Tourism Walla Walla on several projects. The regular session of the legislature closed and a special session has been called by the Governor.

Councilmember Jenkins reported attendance at a meeting with concerned citizens held March 30; the Solid Waste Advisory Committee meeting held April 2; the Work Session held April 8; the Sustainability Committee meeting held April 9; the Senior Citizens Board meeting held April 25; and the Sustainability Committee meeting held May 7.

Councilmember Cummins distributed an event announcement for the Washington State Public Works Board and Community Economic Revitalization Board southeast regional academy on May 22. Councilmember Cummins also reported attendance at the Finance Committee meeting held May 6.

Councilmember Plucker reported attendance at the special meeting of the Water Partnership Board meeting held April 29; the Finance Committee meeting held May 6; the Parks, Recreation & Urban Forestry Advisory Board meeting held May 6; and the regular meeting of the Water Partnership Board held May 7. Councilmember Plucker recognized

**WALLA WALLA CITY COUNCIL MINUTES  
MAY 8, 2013  
PAGE 6**

the commendations made at the Parks, Recreation & Urban Forestry Advisory Board meeting for staff members of the Parks & Recreation Department.

Councilmember Clark reported attendance at the Finance Committee meeting held May 6; and the Sustainability Committee meeting held May 7.

Councilmember Cavazos had no meetings to report.

Mayor Barrow reported attendance at the ribbon cutting ceremony for the Garrison Creek improvements by the 2012 Sherwood Leadership class held April 25; Councilmember Plucker's leadership class on April 25; the National Day of Prayer held May 3; the DeSales High School traffic safety task force presentation of "Every 15 Minutes" held May 3; and a tour of the new library media center held May 8. Mr. Barrow also reported on a discussion with a citizen on April 25 regarding cultural events and street closures.

**8. UNFINISHED AND NEW BUSINESS**

Councilmember Laib asked for an update on the reported illegal occupancy at 712 Whitman Street.

Councilmember Laib reported the Aviary will be holding their fundraising yard sale on May 25.

**Councilmember Laib moved to rescind the motion to direct staff to proceed with the reconfiguration of Rose Street from four lanes to three lanes as approved at the March 27, 2013 City Council meeting. Councilmember Cummins seconded the motion.**

City Manager Shawa reported this action will require some re-design work. Also, the traffic signal at Rose Street and 13<sup>th</sup> Avenue is a separate project. The funding agencies have been asked for a clear and succinct answer as to whether the funding for this traffic signal will be in jeopardy if Rose Street remains four lanes.

There were comments and discussion on:

- When the grant for the traffic signal was applied for it was for the current four lane configuration.

**WALLA WALLA CITY COUNCIL MINUTES  
MAY 8, 2013  
PAGE 7**

- The effect of the motion is to rescind the earlier motion but does not include directing staff to leave the Rose Street configuration at four lanes.
- The City Council has had a lot of public pressure and the public response to the proposal to reconfigure Rose Street has been negative. This is the time for the City Council to show strong leadership to fix existing problems due to poor planning and to listen to the professionals hired to determine what is best for the City as a whole. Engineering professionals have made a strong case that a three lane configuration will work on Rose Street and will improve safety.
- The City Council should not ignore public input.
- Common sense seems to dictate that four lanes will move traffic faster and safer but the world doesn't operate on common sense. Research, expertise, and experience have shown that a three lane configuration will move traffic more safely and expeditiously.
- The City Council should listen to the people. All business owners were not contacted. This is a major industrial core and going from four lanes to three lanes may negatively impact business in a very fragile economy.
- Data has been presented that public sentiment will show the majority embracing the change within a year of the change. Council should work for the people and make the decision that is best on their behalf.
- Tolerance of change is a different issue than acceptance of the change. The people have spoken and want Rose Street to remain four lanes.
- Council has a duty to represent the people but this is a difficult decision. The City is still awaiting a response from the Utilities and Trade Commission on whether trucks carrying hazardous materials must stop for railroad crossings at controlled intersections.

**The motion to rescind the motion to direct staff to proceed with the reconfiguration of Rose Street from four lanes to three lanes as approved at the March 27, 2013 City Council meeting carried with 5 yes votes and 2 no votes by Councilmembers Clark and Plucker.**

Ordinance No. 2013-13 delegating authority to the City Manager to establish golf fees and charges and taking other action in connection therewith.

**WALLA WALLA CITY COUNCIL MINUTES**  
**MAY 8, 2013**  
**PAGE 8**

City Attorney Donaldson explained with the City resuming operation of the Veterans Memorial Golf Course that staff needs to be able to set golf fees and charges. City Manager Shawa reported that with the lack of golf carts and equipment, staff needs flexibility to set and change golf fees as services resume.

There was discussion on proposed fees, including whether there are any special irrigation or cart fees. The City assuming operation of Veterans Memorial Golf Course will also provide a buffer in solving some past issues before turning it over to a new operator is considered.

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

**Councilmember Laib moved to adopt Ordinance No. 2013-13. Councilmember Cummins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

There was discussion on the proposal presented by Ms. Dolling for Mr. Gradwohl's class to video record City Council meetings. City Manager Shawa reported that staff will need clear direction from the City Council before staff dedicates any time to this proposal. A majority of the Council, at their January retreat, was not interested in having video of the meetings.

Council discussed whether this proposal should be explored further.

A majority of the City Council agreed to have staff explore the proposal to video record the City Council meetings by the Lincoln High School students of Jeremy Gradwohl.

**Councilmember Laib moved to direct staff to create Rose Street as a four lane road within the project area. Councilmember Cavazos seconded the motion.**

There was discussion on the impact to the 13<sup>th</sup> Avenue intersection since the three lane configuration on Rose Street was brought forward for consideration as a whole project. City Manager Shawa reported staff will do their best to accommodate four lanes for both the Rose Street intersection project and the Rose Street reconstruction project. If there is a problem with the intersection, staff will come back and discuss it with the City Council.

**WALLA WALLA CITY COUNCIL MINUTES  
MAY 8, 2013  
PAGE 9**

Mayor Barrow invited public input.

Jean Dolling, 208 Detour Road, Walla Walla, commented on the need to educate the public. Safety of this roadway is a major issue and the public needs to be given an opportunity to understand the impact of changing the lane configuration. The City Council should listen to their consultants and engineers.

Tim Demitor, 412 W. Main Street, Walla Walla, thanked the City Council for reconsideration on behalf of the business community along Rose Street.

There were additional comments by Council on the cost to reconfigure the roadway; and the inadvisability of making a decision without knowing the impact to the entire project.

**The motion to direct staff to create Rose Street as a four lane road within the project area carried with 6 yes votes and 1 no vote by Councilmember Clark.**

City Manager Shawa reminded the City Council that the May 13 Work Session has been rescheduled to May 20.

**9. ADJOURNMENT**

**There being no further business, Councilmember Laib moved to adjourn at 9:14 p.m. Councilmember Jenkins seconded the motion. The meeting adjourned at 9:14 p.m.**