

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**June 26, 2013**

**1. CALL TO ORDER**

City Clerk Hill called the meeting to order at 7:00 p.m. and announced that in the absence of the Mayor and Mayor Pro Tem the first order of business is selection of a Chair for the meeting. City Clerk Hill declared the nominations for Chair open.

**Councilmember Clark nominated Councilmember Cummins to serve as Chair since he is the longest serving Councilmember.**

There being no further nominations, Councilmember Cummins was declared Chair of the meeting.

Present: Councilmembers Barbara Clark, Jerry Cummins, Shane Laib, Chris Plucker.

Absent: Councilmembers Conrado Cavazos, Jr., Mary Lou Jenkins, and Mayor Jim Barrow.

City staff in attendance: Deputy City Manager Tim McCarty, City Attorney Tim Donaldson, Public Works Director Ki Bealey, Fire Chief Bob Yancey, Police Chief Scott Bieber, City Engineer Neal Chavre, Accounting Supervisor Laura Munns, Engineer Doug Eaton, Engineer Monte Puymon, Accounts Payable/Purchasing Clerk Jill Landwehr and City Clerk Kammy Hill.

Walla Walla Joint Community Development Agency staff in attendance: Jon Maland, Principal Planner.

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

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

**3. PRESENTATIONS**

- A. Employee recognition – Accounts Payable/Purchasing Clerk Jill Landwehr.

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Deputy City Manager McCarty reported the City is recognizing the efforts of Jill Landwehr for thinking "outside the box" and using a City credit card to pay invoices. This credit card earns the City a one percent cash rebate. The rebate for 2012 was over \$21,000 in revenue. Deputy City Manager McCarty presented Ms. Landwehr with a certificate of appreciation.

- B. Receipt of Government Finance Officers Association (GFOA) award.

Deputy City Manager McCarty reported this is the fifth year the City has received the GFOA for its Comprehensive Annual Financial Report (CAFR) and presented the award for the 2011 CAFR to Finance Manager Jean Teasdale.

Council commended the Finance Division and Deputy City Manager McCarty for their service and thinking "outside the box."

**4. PUBLIC COMMENTS**

Gilda Paige, Hidden Valley Bakery, 124 W. Boeing, Walla Walla, commented that the Downtown Walla Walla Foundation did not follow their own protocols in removing their bakery as a vendor from the Downtown Farmers Market. Ms. Paige asked the City to find out why the Downtown Walla Walla Foundation didn't follow their protocol in removing a fourteen year veteran of the market. Acting Mayor Cummins reported the City leases the property to the Downtown Walla Walla Foundation and they are an independent organization.

**5. CONSENT AGENDA**

Councilmember Clark asked that Item F, Resolution No. 2013-81 rejecting all bids for the Rose Street project, be removed from the Consent Agenda for separate consideration.

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

- A. Washington State Liquor Control Board: New application for Journey's Chow House, 119 W. Alder Street.

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- B. Washington State Liquor Control Board: Annual renewal of five licenses:
  - 1. Circle K, 315 N. 2<sup>nd</sup> Avenue.
  - 2. A Broken Chair Cellars, 17 N. 2<sup>nd</sup> Avenue.
  - 3. Kerloo Cellars, 16 N. 2<sup>nd</sup> Avenue.
  - 4. Graze, 5 S. Colville Street.
  - 5. Green Gables Inn, 922 Bonsella Street.
  
- C. Washington State Liquor Control Board: New application for A Broken Chair Cellars, 17 N. 2<sup>nd</sup> Avenue.
  
- D. Resolution No. 2013-79 awarding the contract for improvements to the Lincoln Creek drainage system in the vicinity of 2<sup>nd</sup> Avenue and taking such further action needed therewith.
  
- E. Resolution No. 2013-80 awarding the bid for the Oak Street alley sewer project and taking such further action needed therewith.
  
- G. Resolution No. 2013-82 authorizing participation in a grant program, and taking such further action needed therewith. (Federal Assistance to Firefighters Grant for enhancement of the WESCOM county-wide public safety radio system - \$154,712)
  
- H. Approval of minutes of the Work Session held June 10, 2013.
  
- I. Approval of minutes of the regular meeting held June 12, 2013.

Council asked staff to look into why the liquor license application for A Broken Chair Cellars is being considered at the same time as their renewal.

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

**Councilmember Plucker moved to adopt Consent Agenda Items A through I with the exception of F. Councilmember Laib seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

- F. Resolution No. 2013-81 rejecting all bids for the Rose Street improvement project and taking such further action needed therewith.

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Deputy City Manager McCarty reported this is the recommended action after the lengthy discussion at the June 24 Work Session. This would defer this project until spring to hopefully get better bid results.

Acting Mayor Cummins invited public input.

Troy Humbert, Humbert Asphalt, felt they have a good competitive bid for this project. Their bid for hot mix asphalt is only three percent over the engineer's estimate. If the City were to proceed with the concrete option over the hot mix asphalt alternative, it would have a negative impact on the public and safety by extending the time and staging of the project. It is not in the City's best interest to leave the existing concrete in place as it is already failing. Mr. Humbert requested the City Council reconsider and award a contract to Humbert Asphalt for the project.

Greg Basel, 1702 JB George Road, Walla Walla, acting as an unpaid consultant for Humbert Asphalt, asked the City Council to table action for further review. Mr. Basel felt the roadway needs to be completely excavated and done right for future generations.

There was discussion on:

- Comments made by Mr. Humbert regarding public safety and concrete. Mr. Humbert clarified these comments were related to the length of time access would be limited to allow concrete to cure properly.
- Project costs and timeliness of project completion if using hot mix asphalt.
- Condition of existing concrete. Staff responded the City had hired an expert consultant to evaluate the existing concrete and this consultant had concluded that white-topping would be the most advantageous alternative for the City.
- Reasons why the concrete bids came in so much higher than originally estimated.
- Humbert Asphalt has offered assurances that, at a minimum, the base hot mix asphalt layer could be put down for travel even if the top coat has to be put off until spring. Staff explained their concerns with the potential delay in completion of the project until 2014. A delay due to weather could result in a request for additional compensation from the contractor.
- Issues discussed by Council at the Work Session include: possibility the City would receive better bids in the spring; delay would allow

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the City to complete Rose Street from 6<sup>th</sup> Avenue to Myra Road as one project and would result in economies in having one project rather than two; all bids were higher than estimated; and the number of road projects currently under construction and overloading the public.

- The public discussion over the number of lanes on Rose Street and ensuring the project is completed correctly by taking any additional time necessary.
- Whether a decision can be delayed until Monday to allow absent Councilmembers the opportunity to be present.
- Process for laying concrete versus asphalt.
- Assurances from Humbert Asphalt that the asphalt base layer will be complete, at a minimum, before cold weather arrives.
- Cost for striping the street twice if the project is not completed in 2013.
- Project start date if bid is awarded is July 8 with completion the first week in November.
- Less money would need to be borrowed by the Transportation Benefit District if the project were delayed since there would be additional sales tax collected.

Dick Moeller, 2077 School Avenue, Walla Walla, expressed concerns with the City rejecting all bids when the low bid is within three percent of the engineer's estimate.

**Councilmember Laib moved to table Resolution No. 2013-81 to 1:00 p.m. on July 1. Councilmember Clark seconded the motion.**

There was discussion on the motion.

**The motion to table Resolution No. 2013-81 to 1:00 p.m. on July 1 carried with 3 yes votes and 1 no vote by Acting Mayor Cummins.**

Council expressed appreciation for the work of Humbert Asphalt and discussion on this item is not a reflection of the work they have done for the City.

6. ACTIVE AGENDA

- A. Ordinance No. 2013-15 amending the 2013-2014 maintenance and operations budget.

Ordinance No. 2013-16 establishing new capital projects and amending the capital improvement project budget.

Deputy City Manager McCarty reported this is the third budget adjustment of the year and highlighted the proposed amendments. The major adjustments are due to the receipt of grants and providing an operating budget for the golf course since the City resumed operations. There is currently a projected ending fund balance in the general fund of twelve percent.

Acting Mayor Cummins reported the Finance Committee has reviewed the amendments in detail and recommends approval.

There were questions regarding the total cost for repair of the fire ladder truck. Staff responded these repairs cost approximately \$30,000.

Acting Mayor Cummins invited public input. No one in the audience chose to address the City Council on these items.

**Councilmember Clark moved to adopt Ordinance No. 2013-15. Councilmember Plucker seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

**Councilmember Laib moved to adopt Ordinance No. 2013-16. Councilmember Plucker seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

- B. Public Hearing and Resolution No. 2013-83 adopting a revised and extended six year comprehensive transportation program for the City of Walla Walla for 2014-2019.

Engineer Eaton reported the transportation improvement program (TIP) is required by State law. After the City adopts its TIP, it is incorporated in the State TIP. Projects must be included on the TIP to be eligible for grant funding. Engineer Eaton reviewed the changes for the addition, removal, and downgrading of projects. The TIP includes five sub programs. It is

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consistent with the City's comprehensive plan. There are no financial impacts in approving the amended TIP, this is a planning tool. Staff recommends holding the public hearing and approving the resolution.

There was brief discussion on whether a delay to the Rose Street TBD project will impact the TIP. Staff reported it will not have an impact as construction funding has been confirmed and committed.

Acting Mayor Cummins opened the public hearing at 8:09 p.m. There being no comments from the audience, the public hearing was declared closed.

**Councilmember Plucker moved to adopt Resolution No. 2013-85. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

- C. Resolution No. 2013-84 approving the final plat to the Spring Hill number three subdivision involving approximately 8.75 acres of property, located west of Sunset Drive and north of Bandra Drive.

Acting Mayor Cummins polled the City Council for any ex-parte contacts, appearance of fairness, or conflicts of interest. None of the City Council reported any ex-parte contacts, appearance of fairness, or conflicts of interest.

Joint Community Development Agency Principal Planner Maland reviewed the history of the preliminary plat. The unimproved areas have been bonded and warranties have been issued on the improvements.

There were questions regarding the property ownership changes. Mr. Maland responded.

**Councilmember Laib moved to adopt Resolution No. 2013-84. Councilmember Plucker seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

- D. Approval of the May 31, 2013 accounts payable register covering check numbers 176155 through 176438 and 990555 through 990558 totaling \$2,723,549.95.

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

**Councilmember Laib moved to approve payment of the accounts payable register covering check numbers 176155 through 176438 and 990555 through 990558 totaling \$2,723,549.95 with exception of the check to Jerry Cummins. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

**Councilmember Laib moved to continue consideration of the payment of the check to Jerry Cummins to the July 10 City Council meeting. Councilmember Plucker seconded the motion. The motion unanimously carried with 3 yes votes, 0 no votes, and 1 abstention by Acting Mayor Cummins.**

**7. COUNCIL MEMBER MEETING REPORTS**

Councilmember Laib reported attendance at the Friends of Pioneer Park Aviary meeting held June 17; the Blue Mountain Humane Society Board meeting held June 24; and the Work Session held June 24.

Councilmember Plucker reported attendance at the Finance Committee meeting held June 13; the Public Library Board of Trustees meeting held June 19; the Valley Transit Board meeting held June 20; the Work Session held June 24; and the Historic Preservation Commission meeting held June 24.

Councilmember Clark reported attendance at the Finance Committee meeting held June 13; the entrance conference with representatives of the State Auditor's office held June 14; the State Transportation Commission meeting held in Walla Walla on June 19; the Water & Wastewater Advisory Committee meeting held June 19; the Valley Transit Board meeting held June 20; the KUJ morning radio show held June 21; and the Work Session held June 24.

Acting Mayor Cummins reported attendance at the Finance Committee meeting held June 13; the entrance conference with representatives of the State Auditor's office held June 14; the Metropolitan Planning Organization's legal criteria selection meetings held June 17 and June 18; the Community Council meeting held June 19; the Metropolitan Planning

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Organization's legal selection meeting held June 20; the Valley Transit Board meeting held June 20; and the Work Session held June 24.

**8. UNFINISHED AND NEW BUSINESS**

Deputy City Manager reported the City had received and processed amendments on two grants from the Department of Ecology in case a State budget is not approved by July 1. Revenue receipts for June are coming in as estimated.

**Councilmember Laib moved to excuse the absences of Mayor Barrow and Councilmember Cavazos due to their attendance at the Association of Washington Cities Conference. Councilmember Clark seconded the motion. The motion unanimously carried with 4 yes votes and 0 no votes.**

**9. ADJOURNMENT**

**There being no further business, Councilmember Laib moved to adjourn at 8:30 p.m. Councilmember Plucker seconded the motion. The meeting adjourned at 8:30 p.m.**