

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
June 25, 2014

1. CALL TO ORDER

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

Present: Councilmembers Jim Barrow, Barbara Clark, Mary Lou Jenkins, Dick Morgan, Chris Plucker, Allen Pomraning, and Mayor Jerry Cummins.

Absent: None.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Tim McCarty, Public Works Director Ki Bealey, Finance Manager Jean Teasdale, City Engineer Neal Chavre, Solid Waste Manager Damon Taam, Utilities Engineer Frank Nicholson, Engineer Mike Laughery, Engineer Doug Eaton, Engineer Monte Puymon, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS

- A. Presentation of the Government Finance Officers Association Certificate of Achievement of Excellence in Financial Report for 2012.

Mayor Cummins presented the award to Finance Manager Teasdale and commended the Finance Division on their work to achieve this award. Finance Manager Teasdale thanked the City Council for the recognition and commended her team in the Finance Division for their work on the Comprehensive Annual Financial Report.

- B. Proclamation declaring the month of June, 2014 as "General Aviation Appreciation Month" in Walla Walla.

Mayor Cummins read and presented the proclamation to Jennifer Skoglund, Walla Walla Airport Manager. Ms. Skoglund thanked the City

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Council for the recognition and commented on the important role aviation plays in the world.

- C. Mayor Cummins reported the Governor's 2014 Smart Communities Award was presented at the Association of Washington Cities Conference for the second story residential development guidelines. Mayor Cummins recognized this effort by the Downtown Walla Walla Foundation and presented the award to Elio Agostini, Executive Director. Mr. Agostini recognized the partnership with the City's Historic Preservation Commission, and indirectly Councilmember Plucker, for funding the project and commented on the impact of these guidelines on economic development.

4. PUBLIC COMMENTS

- A. Councilmember Barrow introduced Kathy Covey, Chief Executive Officer of the Blue Mountain Action Council. Ms. Covey commented she is looking forward to continuing existing partnerships and collaboration with the City.

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

5. CONSENT AGENDA

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

- A. Accept resignation of Alex DeMambro from the Sustainability Committee.
- B. Resolution No. 2014-66 authorizing the City Manager to execute an amended professional services agreement with Sargent Engineers, Inc. in the amount of \$24,993 to complete the City's National Bridge Inventory program files and evaluate the 2015 Washington State Department of Transportation call for projects.
- C. Resolution No. 2014-67 authorizing the City Manager to execute an amended professional services agreement #2 with Anderson-Perry & Associates for the design and construction management services of the Spokane Street IRRP project for \$26,970.

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D. Resolution No. 2014-68 authorizing the purchase of a refuse collection truck and taking such further action needed therewith.

There was discussion on Item D. Council requested Item D be removed from the consent agenda for separate consideration.

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

Councilmember Barrow moved to adopt Consent Agenda Items A through C. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

D. Resolution No. 2014-68 authorizing the purchase of a refuse collection truck and taking such further action needed therewith.

There was discussion on whether this purchase is premature if the City may be exploring the feasibility of privatizing the service next year. Staff reported the life of the sanitation truck fleet has been extended by a year. As these trucks age, a significant amount of money is spent on repairs. This vehicle purchase will ensure the City can continue to collect refuse daily. Even if Council should determine to privatize the service, there would be a lengthy transition period. There is no certainty that privatization of services would be recommended or seriously considered.

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

Councilmember Clark moved to adopt Resolution No. 2014-68. Councilmember Barrow seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

A. Washington State Liquor Control Board: Reconsideration of action on new application for Jumpin JellyBeans, 16 E. Poplar Street.

City Manager Shawa reported that on May 28 the City Council had recommended denial to the Liquor Control Board based on concerns that this is not an appropriate location for the sale of alcoholic beverages since the business primarily caters to children.

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Mayor Cummins invited public input.

Alisha Cunha, 648 Juniper, Walla Walla, co-owner of Jumpin JellyBeans, reported they are seeking the license to control the sale and service of alcohol during private parties. The sale of alcohol is not something they want to do during normal business hours. Currently, adults booking a private party can get a banquet license to bring in their own alcohol. This leads to a lack of control by the business. The sale of beer by the bottle or can will also provide needed revenue.

There was discussion on:

- The sale of alcohol to private parties outside of regular business hours. The renter determines whether or not alcohol will be served.
- Imposing a two drink maximum.
- After hour parties are able to bring in their own food.
- Parents are required to supervise their children but there are staff members available to ensure children are following the rules.
- The current intent is not to sell alcohol during normal operating hours. If the business is sold, the liquor license doesn't transfer with the sale.
- Addressing concerns expressed by members of the public regarding the sale of alcohol at this business. It is not financially feasible to apply for a special occasion license for private parties.
- This business provides valuable activities for children in the downtown area.
- The City cannot stipulate special rules such as designation of an area to allow adults to drink alcoholic beverages.
- This is a good business and the owners are trying to improve their business operations.
- The need for the City Council to support local small businesses.

Tim McCarty, 1612 Circle Drive, Walla Walla, spoke in support of the management at Jumpin JellyBeans to stay on top of any issues.

Councilmember Clark moved to recommend approval of the liquor license application for Jumpin JellyBeans to the Washington State Liquor Control Board. Councilmember Plucker seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

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Council asked staff to prepare a letter of approval to the Washington State Liquor Control Board.

- B. Resolution No. 2014-69 rejecting all bids for the downtown Alder Street improvement project and taking such further action needed therewith.

City Manager Shawa reported that the bid was significantly higher than the engineer's estimate for this project. Alternatives to rejecting bids is to either use money from the general fund ending fund balance or eliminate some of the components of the project, such as the historical street lights. Staff has worked closely with the Downtown Walla Walla Foundation on this project.

City Engineer Chavre reviewed the impacts on rejecting bids and delaying the project. Staff researched the current bidding climate and reviewed options to try to move the project forward. After reviewing the options, staff recommends rejecting bids and putting the project back out to bid in winter 2014 or early spring 2015.

There was discussion on:

- Impact on rejecting the bid and cost due to delay in the bids. Staff indicated that the additional cost is due to the project coming out late in the bid cycle, lack of competition, and staging costs.
- Staff anticipates putting the project back out to bid by no later than January 2015.

Mayor Cummins invited public input.

Mike Stalder, Central Washington Asphalt, 3998 Mill Creek Road, reported he submitted the single bid for this project. It is his belief that costs will escalate. This is a very complex project wanted by the community. The complexity of this project is driving the cost, not lack of competition. Mr. Stalder asked the City Council to award the bid to Central Washington Asphalt.

Gary Allgood, Humbert Asphalt, 1438 Modoc, Walla Walla, commented that the staging of the construction was a major cost factor on this project. Mr. Allgood requested the project be re-bid with changes to the staging.

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Elio Agostini, Downtown Walla Walla Foundation Executive Director, thanked staff for their work on this project. The Downtown Walla Walla Foundation would like the project done as quickly as possible because it will also help with the downtown parking issue. Mr. Agostini suggested the City needs to consider re-staging the project to bring down the cost. The City's participation is critical to the future establishment of a local improvement district.

There was discussion on:

- Feasibility of accepting the bid and then negotiating to change the staging of the project. City Attorney Donaldson advised against this route of action.
- Revising the bid specifications and rebidding the project this summer is not feasible unless Council is comfortable with the likelihood of a winter shutdown.
- Impact of reducing the general fund cash reserves by \$500,000 would result in a 2.5 percent drop in projected reserves.
- The current project staging is good for the businesses but very expensive for the project. Anderson-Perry & Associates prepared the project design for staging each block to reduce project impacts on adjacent businesses.
- Funding for projects is contingent upon the mix of funds available from water, wastewater, stormwater and streets.
- Ensuring project is done correctly within available funding.

**Councilmember Barrow moved to adopt Resolution No. 2014-69.
Councilmember Jenkins seconded the motion.**

There was discussion on allowing staff the flexibility to rebid the project for construction this year if it is feasible and the status of the various grant funds for the project.

The motion to adopt Resolution No. 2014-69 unanimously carried with 7 yes votes and 0 no votes.

Councilmember Barrow moved to give staff the latitude to do further research and rebid the Alder Street improvement project this year if it is determined to be in the City's best interest. Councilmember Clark seconded the motion.

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

The motion to give staff the latitude to do further research and rebid the Alder Street improvement project this year if it is determined to be in the City's best interest unanimously carried with 7 yes votes and 0 no votes.

C. Resolution No. 2014-65 awarding the bid for the 2014 Rose Street Transportation Benefit District project to Humbert Asphalt.

City Manager Shawa reported the bids for this project also came in over the engineer's estimate. The Transportation Improvement Board has authorized an additional \$50,000 for the project and the remaining money will come from the water, wastewater and stormwater utilities and the Transportation Benefit District. There is no additional funding allocated from the general fund.

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

Councilmember Pomraning moved to adopt Resolution No. 2014-65. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

D. Resolution No. 2014-70 awarding the bid for the Palouse Street to First Avenue alley sewer replacement and Spokane Street IRRP construction project to POW Contracting, Inc.

City Manager Shawa reported the bids for this project came in over the engineer's estimate and staff's initial recommendation was to reject all bids. After reviewing the funds, it was determined there was adequate money in the utility funds and this project will reduce the risk of additional sewer backups, project conflicts, and mobility within the downtown area.

There was discussion on the pipe bursting method for the sewer replacement and the availability of utility funds.

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

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**Councilmember Morgan moved to adopt Resolution No. 2014-70.
Councilmember Plucker seconded the motion. The motion unanimously
carried with 7 yes votes and 0 no votes.**

- E. Public hearing and Resolution No. 2014-63 adopting a revised and extended six year comprehensive transportation program for the City for 2015-2020.

City Manager Shawa reported that the City updates its six year comprehensive transportation program every year.

Engineer Eaton reviewed the requirements of a six-year comprehensive transportation program (CTP). There are two parts within the proposed CTP – the current six-year projects and a long range plan. There are also five programs within the six-year plan: arterial street; signals; bicycle and pedestrian; bridges; and transportation benefit district. The CTP is consistent with the City's comprehensive plan. There are no immediate financial impacts although grants usually require a local match. Mr. Eaton briefly reviewed the project changes within the plan.

There was discussion on:

- Grant funding for two new sidewalk projects.
- The trails contained within the plan are mostly bicycle paths.

Mayor Cummins declared the public hearing open at 8:57 p.m.

Dr. Don Ashley, 1128 SW Bade, College Place, felt this was an impressive guide for the health of the community although it doesn't address public transportation or freight mobility.

There being no further comments, Mayor Cummins declared the public hearing closed at 9:01 p.m.

Council commended staff on the excellent job of transportation planning and working to secure funding for projects.

**Councilmember Barrow moved to adopt Resolution No. 2014-63.
Councilmember Pomraning seconded the motion. The motion
unanimously carried with 7 yes votes and 0 no votes.**

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F. Ordinance No. 2014-14 amending the 2013-2014 maintenance and operations budget; and

Ordinance No. 2014-15 establishing new capital projects and amending the capital improvement project budget.

City Manager Shawa reported this is the second budget amendment of the year.

Finance Manager Teasdale reviewed the proposed amendments to both the maintenance and operations budget and the capital improvement project budget. These adjustments will leave an ending fund balance of 13.5 percent in the general fund.

Council commented these adjustments reflect mostly positive growth in revenues and commended staff for pursuing the carbon credits revenue from the landfill.

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

Councilmember Plucker moved to adopt Ordinance No. 2014-14. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Pomraning moved to adopt Ordinance No. 2014-15. Councilmember Jenkins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

G. Approval of minutes of the regular meeting held May 28, 2014.

Councilmember Barrow moved to approve the minutes of the regular meeting held May 28, 2014. Councilmember Plucker seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 2 abstentions by Councilmembers Jenkins and Pomraning.

H. Approval of minutes of the Work Session held June 9, 2014.

Councilmember Morgan moved to approve the minutes of the Work Session held June 9, 2014. Councilmember Plucker seconded the motion.

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The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Jenkins.

- I. Approval of minutes of the regular meeting held June 11, 2014.

Councilmember Plucker moved to approve the minutes of the regular meeting held June 11, 2014. Councilmember Morgan seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Jenkins.

7. COUNCIL MEMBER MEETING REPORTS

Councilmember Morgan reported attendance at a meeting with City Manager Shawa held June 13; the Association of Washington Cities annual conference held June 17 through June 20; and the special meeting with representatives of the State Auditor's office held June 24.

Councilmember Jenkins reported attendance at the Senior Citizens Board meeting held May 22.

Councilmember Barrow reported attendance at the Blue Mountain Action Council Board meeting held June 19; the Blue Mountain Humane Society Board meeting held June 23; a meeting with City Manager Shawa and Public Works Director Bealey held June 24; the special meeting with representatives of the State Auditor's office held June 24; and a meeting with constituents held June 24.

Councilmember Plucker reported attendance at the Parks, Recreation and Urban Forestry Advisory Board meeting held June 16.

Councilmember Clark reported attendance at the Civil Service Commission meeting held June 18; the Public Library chamber music family concert held June 18; and the Community Development Block Grant planning committee meeting held June 19.

Councilmember Pomraning reported attendance at the Sheriff's Department K-9 auction; the Association of Washington Cities annual conference held June 17 through June 20; and the special meeting with representatives of the State Auditor's office held June 24.

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Mayor Cummins reported attendance at the Diversity Day celebration held June 15; the Association of Washington Cities annual conference held June 17 through June 20; and the special meeting with representatives of the State Auditor's office held June 24.

8. UNFINISHED AND NEW BUSINESS

Councilmember Barrow reported he would be delaying his request to rescind the interim zoning requirements regarding recreational marijuana due to the lateness of the hour.

Mayor Cummins reported the City received the 2014 Well City award from the Association of Washington Cities Employee Benefit Trust. This award will save the City approximately \$90,000 per year in health insurance premiums.

Mayor Cummins displayed the 2014 Governors' Smart Communities Award for the Downtown Walla Walla Foundation's residential guidelines.

City Manager Shawa recognized the efforts of Union Bulletin reporter Alfred Diaz for his story on the LT2 water treatment plant project.

Frank Nicholson, Utilities Engineer, was commended for pursuing the sale of carbon credits at the Sudbury Landfill.

9. ADJOURNMENT

There being no further business, Councilmember Barrow moved to adjourn at 9:29 p.m. Councilmember Plucker seconded the motion. The meeting adjourned at 9:29 p.m.