

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
May 13, 2015

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, Parks and Recreation Director Jim Dumont, Development Services Director Elizabeth Chamberlain, Senior Planner Jon Maland, Solid Waste Manager Damon Taam, Sustainability Coordinator Melissa Warner, Project Engineer Dean Abrams, Assistant City Attorney Preston Frederickson, CDBG Coordinator Linda Kastning, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS AND PROCLAMATIONS

- A. Proclamation: National Public Works Week: May 17 through May 23, 2015.

Mayor Cummins read and presented the proclamation to Public Works Director Bealey. Public Works Director Bealey thanked the City Council and acknowledged the work of the Public Works Department staff.

4. PUBLIC COMMENTS

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, commented on a report given at the Port of Walla Walla meeting regarding the potential for development of a business park on airport property. Mr. McFarland expressed concerns with the existing and future traffic on Middle Waitsburg Road due to a proposed development at 51

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Middle Waitsburg Road. Mr. McFarland suggested the City delay approval of this project until an overpass is constructed at Clinton Street/Highway 12.

5. CONSENT AGENDA

Mayor Cummins announced that Item G would be removed from the Consent Agenda for separate consideration.

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

- A. Accept resignation of Jeff Gegen from the Planning Commission.
- B. Accept resignation of Laurel Sweeney from the Planning Commission.
- C. Washington State Liquor Control Board: New Application for Smith's Family Restaurant, 1425 W. Pine St.
- D. Washington State Liquor Control Board: New Application for Latta Wines, 1102 Dell Avenue.
- E. Washington State Liquor Control Board: Special occasion license for Whitman College at Reid Center on May 20, 2015.
- F. Washington State Liquor Control Board: New Application for Greg & Pam Harrington Wines, 635 N. 13th Street.
- H. Approval of minutes of the regular meeting held April, 22, 2015.
- I. Approval of the minutes of the special Work Session held April 27, 2015.

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

Councilmember Plucker moved to adopt Consent Agenda Items A through I with the exception of G. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

- G. Resolution No. 2015-51 authorizing the City Manager to expend \$20,000 of Lodging Tax revenues in support of the Downtown Walla Walla Foundation's management of the Mumford and Sons Gentlemen of the Road tour stopover in August of 2015.

City Manager Shawa reviewed the activity by the Downtown Walla Walla Foundation in planning for the Gentlemen of the Road stopover tour and reported the use of lodging tax revenues are restricted by State law. The City's lodging tax advisory committee has reviewed this formal request by the Downtown Walla Walla Foundation and recommends approval. Tourism Walla Walla and staff also recommend approval.

There was discussion on:

- If this expense will be reimbursed by Madison House Productions. Staff responded that reimbursement will be requested but is not likely to occur.
- Lodging tax funds are collected from visitors and guests staying in hotels, motels, bed and breakfasts, and other temporary lodging facilities.

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

Councilmember Barrow moved to adopt Resolution 2015-51.
Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

- A. Resolution No. 2015-52 authorizing a preliminary plat to subdivide a 15-acre property into 48 residential lots, commonly located north of Middle Waitsburg Road and east of Iris Lane.

Mayor Cummins announced this is a quasi-judicial, closed record hearing and polled the City Council for any conflicts of interest, appearance of fairness, or ex-parte contacts on application PPL-14-001. No conflicts of interest, appearance of fairness, or ex-parte contacts were reported.

Senior Planner Maland reviewed the location of the preliminary plat, the application process, and the area around the proposed development.

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Zoning is R-96. The hearing examiner recommends approval with conditions.

Council commented on the effort of the developer in working with impacted neighbors to try to alleviate some of their concerns.

Councilmember Barrow moved to adopt Resolution No. 2015-52. Councilmember Morgan seconded the motion. The motion unanimously carried with 6 yes votes and 1 no vote by Councilmember Plucker.

- B. Resolution No. 2015-50 determining the City will accept and modify a proposed annexation of approximately 25.19 acres generally located north of Heritage Road and south of Highway 12 and 8.18 acres located north of Highway 12 and west of Myra Road. (Galen Tom property)

Development Services Director Chamberlain reviewed the area proposed for annexation and the revised resolution that removes the property thought to be owned by the Washington State Department of Transportation. Staff was notified this property had been purchased by another property owner who has not requested annexation so it is appropriate to exclude it from the boundaries. There is no proposed development application running concurrent with this annexation petition.

There was discussion on:

- Existing City utilities in the area proposed for annexation.
- No concerns are anticipated by the Washington State Department of Transportation and they will continue maintenance of their property within the annexation area.
- The property owner with an outside utility agreement has been notified of the proposed annexation.
- The property is zoned R-96, highway commercial, and light industrial.

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

Councilmember Pomraning moved to adopt Resolution No. 2015-50. Councilmember Plucker seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

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C. Public Hearing: Closing Out CDBG Planning Only Grant Contract #13-35400-34. (Planning grant for youth facility)

City Manager Shawa reported this is a public hearing to meet the requirements of the grant and no action is required or recommended.

Deputy City Manager McCarty reported this public hearing is a formality to close out the project. The feasibility study on a youth facility, including the cost to build, operate and likely funding sources, has been delivered.

Mayor Cummins declared the public hearing open at 7:50 p.m.

Tim Meliah, 3093 Old Milton Highway, Walla Walla, Chair of the Youth Alliance, reported planning for the youth center is still continuing. This is a partnership among many local groups and agencies to provide services and housing for homeless youth. The proposed location of the center is adjacent to Lincoln High School and the Paine Apartments.

The public hearing was closed at 7:53 p.m.

No action was taken by Council.

D. Ordinance No. 2015-13 updating the criminal code and park rules and regulations for the City. (First Reading)

City Attorney Donaldson reported this proposed ordinance was reviewed at the Council Work Session on April 27. Staff has proposed the ordinance for first reading to gain additional comments and feedback on the proposed amendments to the criminal code and park rules and regulations.

Councilmember Morgan moved to introduced Ordinance No. 2015-13 for first reading. Councilmember Barrow seconded the motion.

Mayor Cummins invited public input.

Beth Call, 102 Otis, Walla Walla, asked for a copy of the proposed ordinance.

City Attorney Donaldson reviewed the provisions of the proposed ordinance:

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- Consolidates the various provisions currently located throughout the Municipal Code regarding park rules and regulations.
- Updates and clarifies language in the criminal code.
- Maintains current park opening and closing hours.
- Adds a section regarding urinating and defecating in public. Currently these crimes are prosecuted as indecent exposure. The proposed amendment would decriminalize the first infraction.
- Allows the courts to exclude persons from public parks for criminal conduct.
- Clarifies the duties of the City Attorney.

Councilmember Jenkins left at 8:05 p.m.

Norm Ostermann, 1032 Pomona Street, Walla Walla, expressed his desire to provide access to a day facility for homeless people, and commented on a recent court decision regarding incarceration of mentally ill people.

Noah Leavitt, 625 Whitman Street, Walla Walla, distributed copies of a public study on the impact of homelessness; and suggested changes in the proposed ordinance to eliminate ambiguity and address illegal conduct.

Dorothy Knudson, 250 Rancho Villa, Walla Walla, commented on the need for housing and a day center for homeless citizens.

Jeanne Herbert, Reser Road, Walla Walla, felt existing laws were not being enforced and that many homeless people have serious hurts. Ms. Herbert suggested imposing time limitations so a group of people cannot monopolize an area, similar to parking limitations.

City Attorney Donaldson addressed the concerns brought forward by residents and clarified some of the language presented in the ordinance.

Mayor Cummins reported this is the first reading of the ordinance and further action will be taken at a future Council meeting.

- E. Public Hearing: 2014 CDBG Consolidated Annual Performance Evaluation Report (CAPER).

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Deputy City Manager McCarty reviewed the CDBG program goals and the 2014 activities and accomplishments. CDBG Coordinator Kastning was commended for her work on the CDBG program.

There was discussion on:

- Funding for a picnic shelter.
- Home repair program is for owner occupied low to moderate income housing.
- The program is closely monitored by the Housing & Urban Development department and they are currently satisfied with the City's efforts.

Mayor Cummins declared the public hearing open at 8:40 p.m. There being no public comments, Mayor Cummins closed the public hearing.

No action was taken by Council.

F. Public Hearing: 2015 CDBG Annual Action Plan

Deputy City Manager McCarty presented the proposed plan for 2015. The 2015 grant allocation is slightly less than 2014 and the modifications to the plan reflect this reduction in revenue. Council suggested the loss of the \$3,000 in revenue be taken from the budget for administration and planning.

Mayor Cummins opened the public hearing at 8:44 p.m.

Jennifer Beckmeyer, 172 Brock Street, Walla Walla, provided a list of proposed improvements compiled as a result of her contact with citizens.

Tim Meliah, 3093 Old Milton Highway, Walla Walla, asked for consideration of funding for construction of a youth center through CDBG funds.

Mayor Cummins closed the public hearing at 8:47 p.m.

No action was taken by Council.

G. Approval of minutes for the Work Session held April 13, 2015.

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Councilmember Pomraning moved to approve the minutes of the Work Session held April 13, 2015. Councilmember Plucker seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

H. Gentlemen of the Road Tour Stopover.

Parks and Recreation Director Dumont provided an update on the planning for the Gentlemen of the Road tour stopover in August. Contrary to a recent Union Bulletin article, staff is not concerned that a contract has not been signed yet with Madison House Presents.

There were comments on the positive feedback received by officials from other communities that have hosted a Gentlemen of the Road tour stopover.

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

7. COUNCIL MEMBER MEETING REPORTS

Councilmember Morgan reported attendance at the Work Session held April 27; the Gentlemen of the Road Tour planning meeting held April 30; and the Metropolitan Planning Organization meeting held May 6 (as the Valley Transit Board alternate representative). Councilmember Morgan also recognized the efforts of Lincoln High School students for their recent work on painting over graffiti.

Councilmember Barrow reported attendance at the Work Session held April 27; the Water Partnership Board meeting held April 28; the Blue Mountain Action Council Board Retreat held April 29; the National Day of Prayer held May 7; the Mill Creek Coalition meeting held May 8; the entrance conference with representatives of the State Auditor's office held May 8; and the Work Session held May 11.

Councilmember Plucker reported attendance at the Parks, Recreation and Urban Forestry Advisory Board meeting held April 4; and the Work Session held May 11.

Councilmember Clark reported attendance at the special Work Session held April 27; the opening day of the Farmer's Market on May 2; the Sustainability Committee meeting held May 5; the poverty simulation

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exercise held May 7; the Work Session held May 11; and the Bike and Pedestrian Advisory Committee held May 12.

Councilmember Pomraning reported attendance at the Metropolitan Planning Organization meetings on May 1 and May 6; the Planning Commission meeting held May 4; the Mill Creek Channel presentation on May 7; the Work Session held May 11; the Shoreline Management Plan open house held May 13; and the Public Library Board meeting held May 13.

Mayor Cummins reported attendance at the Housing Authority employee recognition luncheon held April 23; the State of the City address before the Exchange Club on April 27, the Noon Rotary Club on April 29, and the Sunrise Rotary Club on April 29; various Public Works project sites on April 30; the Eastgate Dollar Store grand opening held May 1; a meeting to sign bond documents held May 1; the Public Works Fund Board meeting held May 8; the Work Session held May 11; and a meeting to sign the letter from the Mill Creek Coalition on May 12.

8. UNFINISHED AND NEW BUSINESS

Councilmember Morgan moved to appoint David Fogarty, Allen Litzenberger, and Andrea Petersen to the Planning Commission for terms to expire December 31, 2016. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

Councilmember Pomraning explained the complexity of regulating vacation rentals by owners and reported it will likely be 2016 before any recommendations come before the City Council.

Councilmember Clark asked about the status of a report on crime prevention and block watch activities.

9. EXECUTIVE SESSION

Mayor Cummins announced the City Council would be recessing to Executive Session to discuss with legal counsel representing the City, litigation or potential litigation involving the City pursuant to RCW 42.30.110(1)(i). The Executive Session will last no more than two hours and no further business will come before Council in open session.

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The meeting was recessed to Executive Session at 9:25 p.m.

10. ADJOURNMENT

There being no further business, Councilmember Barrow moved to adjourn at 10:55 p.m. Councilmember Pomraning seconded the motion. The meeting adjourned at 10:55 p.m.