

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**October 28, 2015**

**1. CALL TO ORDER**

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

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

Absent: Councilmember Mary Lou Jenkins.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Tim McCarty, Development Services Director Elizabeth Chamberlain, City Engineer Neal Chavre, Communications Manager David Brauhn, CDBG Coordinator Linda Kastning, CDBG Coordinator Jennifer Beckmeyer, and City Clerk Kammy Hill.

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

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

**3. PRESENTATIONS**

City Manager Shawa introduced the City's new Communications Manager, David Brauhn.

**4. PUBLIC COMMENTS**

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 F, as follows:

- A. Resolution No. 2015-106 authorizing execution of a contract with the Blue Mountain Humane Society for animal licensing, impoundment, and disposal.

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- B. Resolution No. 2015-107 authorizing a permissive license agreement with the Walla Walla County Public Transportation Benefit Area Authority (Valley Transit) to place, install and maintain bus passenger shelters.
- C. Resolution No. 2015-108 authorizing acceptance of a stormwater grant from the Department of Ecology as part of the Isaacs Avenue improvement project.
- D. Resolution No. 2015-109 awarding a contract to remove tree roots obstructing various sewer mains and related facilities to Columbia Pumping and Construction.
- E. Resolution No. 2015-110 authorizing a maintenance agreement with the Costello and Shangri-La Addition Homeowners Associations for maintenance of certain stormwater facilities and street lighting costs.
- F. Approval of minutes of the regular meeting held October 14, 2015.

There was brief discussion on the stormwater grant funds and use of the funds by the expiration of the grant period.

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 F. Councilmember Barrow seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

- A. Resolution No. 2015-111 determining that the City will modify an annexation proposal to annex approximately 84 acres generally north of Highway 12 and west of Lower Waitsburg Road and including the right-of-way of Highway 12 and Lower Waitsburg Road.

Development Services Director Chamberlain reported this resolution would modify the ten percent annexation petition submitted by Ann Evans to include the right-of-way along Highway 12 and Lower Waitsburg

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Road. The property is zoned R-96. Notification has been provided to agencies and adjacent property owners. There was brief discussion on the availability of water and sewer in the area and property ownership to the north outside of the City's urban growth boundary.

Mayor Cummins invited public input.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, had comments on the process.

Jim Hayner, 249 W. Alder, Walla Walla, attorney representing the petitioner, Ann Evans, indicated the annexation request was made to have City utilities available to the property.

**Councilmember Barrow moved to adopt Resolution No. 2015-111. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

- B. Public hearing and Ordinance No. 2015-25 amending the Walla Walla Urban Area Comprehensive Plan Future Land Use Map pursuant to the provisions of RCW Chapter 36.70A.

City Manager Shawa reported in 2012 the City was approached by the Port of Walla Walla to consider rezoning a portion of the landfill property to Industrial due to a lack of industrial land in the area.

Development Services Director Chamberlain showed the proposed boundaries of a lower portion of the landfill and explained the setbacks required for landfill operations. This proposal has been reviewed by Public Works so there isn't a negative impact on the landfill master plan. The area defined on the map is in a fluid form since there is no development proposal for the site. A public hearing was held before the Planning Commission on September 14. Staff and the Planning Commission recommend this change from public to industrial.

There was discussion on:

- Roadway access to the site. This is a long-term vision and there are no development plans.
- The proposed Comprehensive Plan land use map change affects approximately 100 acres out of the 900 acres of landfill property.

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- Proximity to the highway and whether the property could be used for landfill purposes.
- Land is currently used, on rotation, for the application of biosolids.

Mayor Cummins declared the public hearing open at 7:22 p.m. There being no public testimony, the public hearing was closed.

**Councilmember Pomraning moved to adopt Ordinance No. 2015-25. Councilmember Plucker seconded the motion.**

There was additional discussion:

- Approving this action prior to the completion of the landfill master plan.
- Whether the land use designation would allow for both heavy and light industrial activities at the site.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, commented on the potential for harvesting the use of methane gas from the landfill for power at the Washington State Penitentiary.

**The motion to adopt Ordinance No. 2015-25 unanimously carried with 6 yes votes and 0 no votes.**

C. Public hearing on proposed 2016 CDBG Action Plan.

Deputy City Manager McCarty reported the proposed 2016 CDBG Action Plan is essentially the same as the 2014 and 2015 plans with the exception of a change to dedicate funds to the Homeless Youth Shelter through a reduction in funding for the home repair program. The home repair program will focus on providing security lighting in alleys. The City will not know the amount of the Federal allocation until March 2016.

Mayor Cummins declared the public hearing on the 2016 CDBG Action Plan open.

Tim Meliah, 3093 Old Milton Highway, Walla Walla, Chair of the Youth Alliance and Director of Catholic Charities, reviewed the proposed plans for a homeless youth shelter to serve youth ages 13-17 as part of the Youth Health Center and identified funding sources. Catholic Charities will operate the proposed facility.

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Kathy Covey, 238 Chapra, Walla Walla, Executive Director of the Blue Mountain Action Council, reported on the use and number of people helped with the 2014 CDBG funding allocation through their agency. The Blue Mountain Action Council supports the shift in focus from the home repair program to the youth homeless center.

J. Andrew Rodriguez, Director of Commitment to Community, commented on the building of neighborhoods and impact on programs through community engagement and social capital.

Teri Barila, 1520 Sturm Avenue, Walla Walla, thanked the City for support of a youth shelter.

The public hearing on the proposed 2016 CDBG Action Plan was closed at 7:46 p.m.

No action was taken by the City Council.

Public hearing on the CDBG citizen participation amendments.

Mayor Cummins declared the public hearing on the proposed citizen participation amendments open at 7:46 p.m.

Deputy City Manager McCarty reviewed the proposed changes to the CDBG citizen participation plan. The substantial amendment portion of the plan has been changed from \$20,000 to ten percent of the grant amount. The shortened time limit for receipt of public comments was explained.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, expressed concerns with shortening the time period for submitting public comments.

There being no further comments, the public hearing was closed at 7:52 p.m.

No action was taken by the City Council.

Public hearing on the reprogramming of 2014 CDBG funds.

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Deputy City Manager McCarty explained the reallocation and use of 2014 CDBG funds from the planning and administration budgets for sidewalks and ADA ramps.

Mayor Cummins declared the public hearing open at 7:53 p.m. There being no comments from the audience, the public hearing was closed.

There was brief discussion on the 13 to 17-year old age limits for the youth homeless center. The age restrictions are set by the Department of Social and Health Services and not by grade in school. Youth age 18 or older can access services available through Catholic Charities.

No action was taken by Council.

D. Resolution No. 2015-112 adopting indigent legal defense standards.

City Manager Shawa reported that due to recent lawsuits, the Washington Cities Insurance Authority has strongly recommended their member cities take action to adopt new indigent legal defense standards.

Deputy City Manager McCarty reviewed:

- This is a risk management issue.
- The cities of Burlington and Mount Vernon are under court order to bring up their standards for indigent legal defense.
- Lack of a response by the City would pose a substantial risk to being targeted for legal action.
- The proposed standards are those approved by the bar association and courts.

There was discussion on:

- Additional fiscal burden on the City. This will depend on contracts negotiated during the request for proposals process. Staff has added another \$100,000 to the indigent legal defense budget.
- Insurance rates are based on a five-year loss history so any legal action against the City would have a direct financial impact.
- The City is required by statute to have indigent defense standards if it is going to charge and prosecute crimes. The existing standards are out of date. The impetus in adopting new standards is the result of the Mount Vernon case. The proposed standards are the default for the State of Washington.

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- Likelihood that the higher indigent defense standards will lead to a continuing escalation of indigent legal defense costs.

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

**Councilmember Morgan moved to adopt Resolution No. 2015-112. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

E. Approval of minutes of the Work Session held October 12, 2015.

**Councilmember Plucker moved to approve the minutes of the Work Session held October 12, 2015. Councilmember Clark seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 1 abstention by Councilmember Barrow.**

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

Councilmember Morgan reported attendance at the Finance Committee meeting held October 15; and the Work Session held October 26.

Councilmember Barrow reported attendance at the Finance Committee meeting held October 15; the Board of County Commissioners meeting regarding the Mill Creek vegetation removal plan held October 16; and the YWCA Strong Families forum held October 20.

Councilmember Plucker reported attendance at the Finance Committee meeting held October 15; the Valley Transit Board meeting held October 15; the Oath of Office ceremony for a new police officer held October 19; the Emergency Management Board meeting held October 20; the Work Session held October 26; and the Historic Preservation Commission meeting held October 28.

Councilmember Clark reported attendance at the YWCA Strong Families forum held October 20; the Civil Service Commission meeting held October 21; the warming center training held October 21; the Friends of the Library book and media sale held October 23; the Work Session held October 26; and a Block Watch meeting held October 28.

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Councilmember Pomraning reported attendance at the Good Roads Committee meeting held October 21; and the Work Session held October 26.

Mayor Cummins reported he was a part of the local lobby coalition in Washington D.C. October 19 to October 21; and reported attendance at the Blue Mountain Action Council annual meeting held October 22; the 60-year Garrison Middle School reunion; and the Housing Authority Board meeting held October 26.

**8. UNFINISHED AND NEW BUSINESS**

Councilmember Morgan reported Council had been individually informed by staff regarding the recent homicide violence in the City and are anticipating the staff strategies to address gang violence.

Mayor Cummins announced that "Kitty Hall" will be open in City Hall on November 7.

Council recognized the efforts of CDBG Coordinator Linda Kastning who will be retiring soon.

City Manager Shawa reported it had been a violent weekend in Walla Walla with the most number of homicides in a calendar year. This violence must be addressed. Two additional officers have been added to patrol this year and staff is moving forward with the implementation of the career criminal apprehension team. This team will be on the streets in mid to late December. The City must have a stronger response to gang violence for the sustainability of the community. Staff will be presenting their comprehensive strategy to combat this gang violence at a future meeting.

City Manager Shawa commented on the program "Nextdoor.com" which helps improve communication between neighbors and neighborhoods.

City Manager Shawa reported the sales tax distribution for August 2015 had been received and general sales taxes were \$81,000 which is an additional \$66,000 over a three-year average. Lodging taxes were up 19 percent. Clarification was provided that the \$81,000 was only the City's one percent, not the other shared sales taxes.

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City Attorney Donaldson reported the renewal of the Charter Cable franchise is expected by the end of the year. Staff had received notice of reorganization from Charter but it won't affect the City's franchise and no action is required by the City.

**9. ADJOURNMENT**

**There being no further business, the meeting adjourned at 8:46 p.m.**