

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
February 10, 2016

1. CALL TO ORDER

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

Present: Councilmembers Jim Barrow, Barbara Clark, Jerry Cummins, Dick Morgan, Steve Moss, Tom Scribner, and Mayor Allen Pomraning.

Absent: None.

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, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS

Mayor Pomraning read and presented a proclamation declaring the week of February 21 through February 27, 2016 as "Engineers Week" to City Engineer Neal Chavre. City Engineer Chavre reported he is proud to represent the City's engineering staff and community.

4. PUBLIC COMMENTS

Mayor Pomraning invited public comment on anything not on the agenda. 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 G, as follows:

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- A. Washington State Liquor & Cannabis Board: New application for Whoopemup Hollow Café, 13 E. Main Street.
- B. Approval of a secondhand dealer business license for Patti Rossman doing business as Knick Knack Patti's Shack at 37 W. Poplar.
- C. Resolution No. 2016-11 authorizing submittal of a WaterSMART financial assistance grant from the Bureau of Reclamation for the AMI water meter replacement program in the amount of \$1,000,000.
- D. Resolution No. 2016-12 authorizing the purchase of crack sealant from Special Asphalt Products off the State contract in the amount of \$34,465.19.
- E. Resolution No. 2016-13 authorizing the purchase of Service Center fuel island software and hardware upgrades from ESE Corporation for \$71,835.00.
- F. Approval of minutes of the Work Session held January 11, 2016.
- G. Approval of minutes of the regular meeting held January 13, 2016.

There was clarification on Item C that this resolution is necessary for the submittal of the grant application. The replacement of the meters is in the City's work plan and if this grant is successful, it would help offset the local funding required for the project.

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

Councilmember Cummins moved to approve Consent Agenda Items A through G. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

- A. Resolution No. 2016-14 authorizing the City Manager to execute contracts for the provision of indigent public defense services.

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City Manager Shawa reported there have been significant revisions in the standards for indigent public defense. The proposed contracts with Ponti and Wernette, Jamie Lewellyn, and Irving Rosenberg are the culmination of months of work.

Deputy City Manager McCarty summarized the efforts to develop and implement the City's indigent public defense program to meet the new public defense standards. The City received five proposals and negotiated three contracts for public defense. The total additional costs for the new public defense standards are estimated at \$175,000 for 2016. These additional expenses are included in the budget.

There was discussion on determining indigence and qualifying for public defense services.

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

Councilmember Cummins moved to adopt Resolution No. 2016-14. Councilmember Scribner seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

City Attorney Donaldson recognized Richard Wernette whose firm has been representing indigent defendants and will continue to provide those services.

- B. Resolution No. 2016-15 determining that the City will accept and modify a proposed annexation of approximately 81 acres located generally southeast of State Route 125 and adjacent to Taumarson Road and determining other matters related thereto.

City Manager Shawa reported the City Council is not being asked to approve the annexation at this meeting. This is the first of many steps. This action will determine whether or not to proceed with annexation, including modifying the boundaries. Once the boundaries are established, they cannot be further modified during the process.

Development Services Director Chamberlain explained the annexation process and the modification of the proposed boundaries to include additional area outside of the Valley Acres and Clearview Estates subdivisions. The City can only annex property that is within its urban

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growth area boundaries. The proposed modified boundaries of the annexation area are intended to eliminate "islands". The courts have also looked unfavorably on "shoestring" annexations. "Islands" and "shoestrings" both have a negative impact on the delivery of services. The City and County will explore a maintenance agreement for the portion of Taumarson Road that is not included in the proposed annexation.

Staff clarified that properties with their own wells and septic systems are not compelled to connect to City utilities and there is no longer a failure to connect penalty.

There was discussion on:

- Option for the Hanson's to exclude their property from the annexation since a portion would remain in the County.
- The "shoestring" in this proposed annexation is the portion of Taumarson Road linking the two subdivisions with the property owners who initiated the annexation petition.
- Establishment of the urban growth area boundaries.
- Notification to property owners regarding the proposed annexation.
- Annexation methods are petition or election. Petition method is based on assessed value of the property proposed for inclusion. The existing annexation petition includes property with a high enough assessed value to cover the additional area included in the modified boundaries.
- City animal keeping requirements are very similar to the County's.
- Options available to the City Council include modifying the area, rejecting the petition, accepting the petition, or postponing action.

Mayor Pomraning invited public input.

The following spoke in opposition to having their property included in the annexation area:

- Clark Hanson, 1701 Taumarson Road, Walla Walla.
- Carolyn Hanson, 1701 Taumarson Road, Walla Walla.
- Leanne Windsor, 2815 Vista Lane, Walla Walla.
- Nicholas Wolfenbarger, 1815 Highland Road, Walla Walla, representing his grandfather.
- Susie and Andrew Sporleder, 1825 Highland Road, Walla Walla.
- Edward Downs, 1859 Highland, Walla Walla.

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- Diane Anderson, 2753 Vista Lane, Walla Walla.

The following spoke in favor of moving forward with the annexation:

- James Peiterson, 96 Sedgewick Court, Walla Walla.
- Galen McQuarrie, 40 Wilshire, Walla Walla.
- Gene Funk, 209 Chapelwood, Walla Walla.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, offered general observations regarding annexations and utility extension agreements.

There were additional comments regarding the proposed annexation from the following audience members:

- Gene Funk, 209 Chapelwood, Walla Walla.
- Nicholas Wolfenbarger, 1815 Highland Road, Walla Walla.
- Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla.
- Galen McQuarrie, 40 Wilshire, Walla Walla.

Mayor Pomraning declared the public input closed.

Development Services Director Chamberlain reported this area is pre-zoned R-96 which is comparable to the current County zoning. The uses of the property may be different under City zoning but the base density remains the same. There was additional discussion on the annexation process.

Councilmember Scribner moved to adopt Resolution No. 2016-15 to accept the ten percent annexation petition with the initially proposed boundaries of 31 acres. Councilmember Moss seconded the motion.

Councilmember Barrow moved to amend the motion to adopt Resolution No. 2016-15 by modifying the boundaries to approximately 76 acres and to exclude the Hanson property from the annexation area. Councilmember Clark seconded the motion.

There was additional discussion on the purpose of the growth management act and how the urban growth area boundaries were determined and approved by the County Commissioners.

The amended motion to adopt Resolution No. 2016-15 by modifying the boundaries to approximately 76 acres and to exclude the Hanson property from the annexation area carried with 5 yes votes and 2 no votes by Councilmembers Moss and Scribner.

The motion to adopt Resolution No. 2016-15 to accept and modify a proposed annexation of approximately 76 acres, excluding the Hanson property, located generally southeast of State Route 125 and adjacent to Taumarson Road carried with 5 yes votes and 2 no votes by Councilmembers Moss and Scribner.

7. COUNCIL MEMBER MEETING REPORTS

Councilmember Moss reported attendance at tours of City facilities during the last two weeks; the Parks, Recreation and Urban Forestry Advisory Board meeting held February 1; the Planning Commission meeting held February 1; the exit conferences with representatives of the State Auditor's office held February 5; and the Work Session held February 8.

Councilmember Morgan reported attendance at the Work Session held February 8; and the Finance Committee meeting held February 10.

Councilmember Barrow reported attendance at a meeting to review the legislative meetings schedule held January 28; legislative meetings in Olympia on February 1 and February 2; the Work Session held February 8; and the Finance Committee meeting held February 10.

Councilmember Cummins reported attendance at the legislative meetings in Olympia on February 1 and February 2; the Public Works Board meeting held February 5; the Work Session held February 8; and the Finance Committee meeting held February 10.

Councilmember Clark reported attendance at the Sustainability Committee meeting held February 2; the Work Session held February 8; and the LEOFF 1 Disability Board meeting held February 9.

Councilmember Scribner reported attendance at the Work Session held February 8; and the Public Library Board meeting held February 10.

Mayor Pomraning reported attendance at a meeting to review the legislative meetings schedule held January 28; legislative meetings in

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Olympia on January 31 through February 2; a meeting with the Mayor of the City of Dayton regarding transportation issues; the exit conferences with representatives of the State Auditor's office held February 5; the Work Session held February 8; and the LEOFF 1 Disability Board meeting held February 9.

8. UNFINISHED AND NEW BUSINESS

City Manager Shawa reported on:

- Legislative activities in Olympia.
- Georgetown University Energy Prize – Walla Walla is ninth out of fifty cities in the competition. This competition is measuring the reduction in electricity and natural gas usage. Council asked for a resolution to encourage citizen participation and support, along with additional communication efforts.
- The brick pavers downtown are being cleaned.

Councilmember Barrow moved to confirm the appointment of Barbara Clark as the liaison to the Center at the Park (Senior Center) Board. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Council asked for an update on the placement of a proposed daycare in a residential area of town.

Councilmember Morgan moved to appoint the following members to the Hotel & Motel Commission:

Dan Leeper, Marcus Whitman Hotel & Conference Center

Heather Bennett, La Quinta Inn

Kay Wessel, Best Western Walla Walla Suites

Nate Carlile, Hampton Inn

Jennifer Pierce, Holiday Inn Express

Jonah Wilbanks, Comfort Inn

Jonathon Frasco, Red Lion

Danny Patel, Super 8

Danny Patel, Motel 6

Terra Luthi, Courtyard by Marriott

Councilmember Cummins seconded the motion.

There was discussion on the composition and duties of the commission.

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The motion to appoint the members of the Hotel & Motel Commission unanimously carried with 7 yes votes and 0 no votes.

Councilmember Cummins asked staff for a meeting to review the results of the exit audit.

9. ADJOURNMENT

There being no further business, Councilmember Barrow moved to adjourn at 9:32 p.m. Councilmember Morgan seconded the motion. The meeting adjourned at 9:32 p.m.