

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
May 11, 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, Public Works Director Ki Bealey, Parks & Recreation Director Jim Dumont, Development Services Director Elizabeth Chamberlain, Senior Planner Jon Maland, Solid Waste Manager Damon Taam, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS AND PROCLAMATIONS

- C. Mayor Pomraning read and presented the proclamation declaring the week of May 15 through May 21, 2016 as "National Public Works Week" to Public Works Director Bealey. Public Works Director Bealey thanked Council for the recognition and commended the entire staff of the Public Works Department.

- B. Mayor Pomraning read and presented the proclamation declaring the week of May 16 through May 22, 2016 as "Affordable Housing Week in Walla Walla" to Noah Leavitt representing the Council on Homelessness. Mr. Leavitt thanked the City Council for the proclamation and their leadership in working to address affordable housing and homelessness.

- A. Mayor Pomraning read and presented the proclamation declaring May, 2016 as "Older Americans Month" to Howard

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Ostby and Terry McCoy of the Senior Center at the Park. Mr. Ostby reviewed the services provided by the Senior Center and Mr. McCoy commented on the work of Mr. Ostby and the SE Washington Aging & Long Term Care.

- D. Parks & Recreation Director Dumont presented the City Council with a Program Excellence Spotlight Arts and Cultural Service award from the Washington Recreation and Park Association for the Mumford and Sons Gentlemen of the Road stopover tour.

4. PUBLIC COMMENTS

Mark Brotherton, 140 Francis, Walla Walla, had comments regarding an email sent March 30 expressing concerns with the effectiveness of pedestrian bulb-outs and availability of bus stops due to the parking of delivery trucks and oversized vehicles in the downtown area. Mr. Brotherton also asked that left hand turns from Main Street onto Second Avenue be prohibited.

5. CONSENT AGENDA

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

- A. Washington State Liquor & Cannabis Board: New liquor license application for Tricycle Cellars, 6 E. Rose Street, Suite B.
- B. Washington State Liquor & Cannabis Board: New liquor license application for Alleromb Winery, 202 E. Main Street, Suite A, subject to the applicant obtaining necessary permits from the Development Services Department.
- C. Washington State Liquor & Cannabis Board: New liquor license application for Albertson's, 450 N. Wilbur Avenue.
- D. Washington State Liquor & Cannabis Board: New liquor license application for Goose Ridge Vineyards, 9 N. 2nd Avenue, subject to the applicant obtaining necessary permits from the Development Services Department.

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- E. Washington State Liquor & Cannabis Board: Change of officers liquor license application for Shiki Hibachi Sushi, 216 E. Main Street.
- F. Resolution No. 2016-62 authorizing a professional services contract with Stantec Architecture, Inc. for a City Hall building assessment in an amount not to exceed \$33,000 for time and materials.
- G. Resolution No. 2016-63 authorizing the purchase of a landfill compactor from Al Jon Manufacturing for \$650,052.00.
- H. Approval of minutes of the Council retreat held April 30, 2016.

Mayor Pomraning 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 H. Councilmember Cummins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

- A. Resolution No. 2016-64 modifying and approving the proposed annexation boundary for approximately 78 acres located adjacent to and east of Myra Road, south of Mill Creek.

Development Services Director Chamberlain reviewed the annexation process and area proposed for inclusion in the annexation. One goal in establishing boundaries is not to leave any unincorporated islands in the area. This proposed annexation is slightly different as a portion of the area is served by the Artesia Water District. Public notice has been provided as well as a secondary notice with information about the meeting date change. Development Services Director Chamberlain also reviewed the rezoning for the property within the proposed boundaries.

There was discussion on the proposed boundaries; and the revenue ramping agreement with Fire District No. 4 and their obligation to continue to serve the area.

Mayor Pomraning invited public input.

Steven Pao, 334 Woodland Avenue, Walla Walla, expressed concerns with the existing use of their property meeting City codes. They are opposed to annexation. Mr. Pao asked for a letter of understanding or other written

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instrument guaranteeing them the right to continue to operate their business and manage their property as it currently is.

lone Heller, 124 Drumheller Street, Walla Walla, asked that her property be excluded from the proposed annexation boundary.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, commented this area has one of the most senior water rights within the valley and indicated his support for the position of Mr. Pao not to add properties opposed to the annexation.

There was discussion on:

- Difficulty and potential risks in providing services to islands of unincorporated areas.
- Lawful uses of property are grandfathered in. Unlawful uses would not be. The City is unable to enter into an agreement that would restrict enforcement of its codes.
- Expansion of annexation areas to include properties that do not want to be annexed and the purpose of the inclusion of these properties within the urban growth area.

Councilmember Scribner commented he would be voting no on the resolution due to the objection of property owners that do not want to be included within the annexation boundaries.

**Councilmember Barrow moved to adopt Resolution No. 2016-64.
Councilmember Clark seconded the motion.**

There were comments on the purpose of the Growth Management Act to encourage development in an urban area and protect valuable agricultural property. Development in an urban area is more efficiently and effectively served.

The motion to adopt Resolution No. 2016-64 carried with 6 yes votes and 1 no vote by Councilmember Scribner.

- B. Resolution No. 2016-65 rejecting a proposed annexation for approximately 4 acres located at 410 Reser Road.

Development Services Director Chamberlain reported the applicant has requested postponement of Council action on this requested annexation to allow him to contact owners of neighboring properties to join on the

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annexation petition. It is problematic to do parcel-by-parcel annexations. Staff has no objections to a postponement.

There was discussion on:

- Impact of postponing action versus rejecting the proposed annexation. There is no additional expense to the property owner for rejecting versus postponing.
- Benefits of land use planning for a larger area, especially in the area of neighborhood connectivity and transportation planning.
- This annexation is not in the best interest of the City at this time due to staff workloads and land use planning.
- The City Council has to affirmatively accept the petition to move it forward. Staff supports either a postponement or rejection of the petition.

Mayor Pomraning invited public input.

Jim Herbert, trustee for the Herbert Family Trust, asked the City Council to postpone the annexation petition so he has the opportunity to ask adjacent property owners to join with him on the petition.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, indicated he did not understand the staff's reasons for recommending rejection of this annexation.

Councilmember Barrow moved to table Resolution No. 2016-65 for ninety days. Councilmember Cummins seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

- C. Public hearing: Request by Providence St. Mary Medical Center to vacate the alley within Block 8 of Barron's Addition. (Alley is between S. 7th Avenue and S. 8th Avenue, south of Poplar Street).

Mayor Pomraning polled the City Council for any conflicts of interest, appearance of fairness, or ex-parte contacts. No conflicts of interest, appearance of fairness, or ex-parte contacts were reported.

Senior Planner Maland reviewed the proposal from Providence St. Mary Medical Center to vacate the alley between S. 7th Avenue and S. 8th Avenue, south of Poplar Street. There was brief discussion on City utilities within the alley and connection by the developer to the City sewer.

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Mayor Pomraning declared the public hearing open at 8:43 p.m. There being no comments from the audience, Mayor Pomraning closed the public hearing.

Councilmember Cummins moved to approve the vacation request pending completion of the vacation process. Councilmember Barrow seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

- D. Resolution No. 2016-66 approving a shoreline substantial development conditional use permit for 28 S. Spokane Street (proposed Penrose Hotel development). Mayor Pomraning reported this is a closed record, quasi-judicial matter and no additional public testimony will be allowed.

Mayor Pomraning polled the City Council for any conflicts of interest, appearance of fairness, or ex-parte contacts.

Councilmember Barrow disclosed that this project had been discussed with the Downtown Walla Walla Foundation Board members and its impact on parking. Councilmember Barrow felt he was able to remain impartial. No one in the audience objected to Councilmember Barrow's participation.

Senior Planner Maland provided background on the project and process.

Councilmember Cummins moved to adopt Resolution No. 2016-66. Councilmember Clark seconded the motion.

Councilmember Moss reported attendance at the Planning Commission meeting, as Council liaison, where concerns were expressed regarding the availability of parking for staff of the proposed hotel.

The motion to adopt Resolution No. 2016-66 unanimously carried with 7 yes votes and 0 no votes.

- E. Approval of the minutes of the regular meeting held April 27, 2016.

Councilmember Cummins moved to approve the minutes of the regular meeting held April 27, 2016. Councilmember Morgan seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Mayor Pomraning.

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- F. Approval of the April 30, 2016 accounts payable register containing check numbers 188138 through 188509, 990742 through 990745, and 8666 through 8694 totaling \$2,734,349.10.

Councilmember Cummins moved to approve payment of the April 30, 2016 accounts payable register containing check numbers 188138 through 188509, 990742 through 990745, and 8666 through 8694 totaling \$2,734,349.10 with the exception of the payments to the Department of Corrections. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Cummins moved to approve the payments to the Department of Corrections. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Morgan.

7. COUNCIL MEMBER MEETING REPORTS

Councilmember Moss reported attendance at the Council Retreat held April 30; the Planning Commission meeting held May 2; the Affordable Housing Roundtable with U.S. Senator Maria Cantwell held May 4; and the Council Work Session held May 9.

Councilmember Morgan reported attendance at the Council Retreat held April 30.

Councilmember Barrow reported attendance at the Council Retreat held April 30; the One America civic engagement and student rally held May 1; the agenda preparation meeting held May 2; a meeting regarding tourism funding held May 2; the Water Partnership Board meeting held May 3; the United Way Board meeting held May 3; an economic development meeting with a constituent held May 4; the National Day of Prayer held May 5; the Blue Mountain Action Council Board meeting held May 9; the Work Session held May 9; and a meeting regarding monument policy held May 9.

Councilmember Cummins reported attendance at the Council Retreat held April 30; the Affordable Housing Roundtable with U.S. Senator Maria Cantwell held May 4; the Public Works Trust Fund Board meeting held May 6; the Work Session held May 9; the meeting regarding monument policy held May 9; and the long-term care facility "topping off" ceremony at the VA Medical Center held May 10.

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Councilmember Clark reported attendance at the Council Retreat held April 30; the One America civic engagement and student rally held May 1; the Sustainability Committee meeting held May 3; the Work Session held May 9; and the Bicycle & Pedestrian Advisory Committee walk and ride held May 10.

Councilmember Scribner reported attendance at the Council Retreat held April 30; a meeting regarding lodging taxes held May 2; the Work Session held May 9; the Bicycle & Pedestrian Advisory Committee walk and ride held May 10; the Fort Walla Walla Board meeting held May 10; and the Public Library Board meeting held May 11.

Mayor Pomraning reported attendance at the Association of Washington Cities Mayor Exchange held April 27 and April 28; the Council Retreat held April 30; a meeting with PocketiNet regarding areas of innovation held May 2; a meeting regarding lodging taxes held May 2; the Affordable Housing Roundtable with U.S. Senator Maria Cantwell held May 4; the Metropolitan Planning Organization Policy Board meeting held May 4; the meeting regarding monument policy held May 9; and the Work Session held May 9. Mayor Pomraning commended Councilmember Moss for arranging the affordable housing roundtable with U.S. Senator Maria Cantwell.

8. UNFINISHED AND NEW BUSINESS

Councilmember Cummins expressed safety concerns with an open cement basement at Park and Elm Streets.

Councilmember Cummins asked about any City Council interaction with the Deputy City Manager candidates.

City Manager Shawa reported that the Code Enforcement Officer has contacted the property owner regarding the open concrete basement; and indicated that the interviews have already been scheduled for this week with the Deputy City Manager candidates and he is unsure of the availability of the applicants to meet with the City Council at the conclusion of the interviews.

Councilmember Clark reported the Council Committee on Boards and Commissions met and recommends amendments to the Municipal Code provisions governing the appointment and residency of members. There was brief discussion regarding the recommended amendment to the residency requirement.

Councilmember Scribner moved to direct staff to prepare an ordinance to amend the Municipal Code provisions governing the appointment and residency of members for consideration at the May 25 City Council meeting. Councilmember Cummins seconded the motion. The motion carried with 6 yes votes and 1 no vote by Councilmember Barrow.

Councilmember Moss moved to make the following reappointments:

- Dr. Pete Van Dyke to the Civil Service Commission for a term expiring June 30, 2022;
- John Knapp to the Historic Preservation Commission for a term expiring June 30, 2019; and
- John Cunnison to the Housing Authority for a term expiring June 30, 2021.

Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Scribner reported he felt that the City Council did not adequately represent the diversity of the City of Walla Walla and suggested a Council committee be established to explore changing to an election by wards or districts and compensation paid to Councilmembers.

Councilmember Scribner moved to appoint a three-member Council committee to study, research and investigate ways that the Council could increase diversity representation and make more people interested in serving on the City Council, including a review of the election of some or all Council positions by wards or districts and Council compensation, with a report back to the City Council at a future time. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Mayor Pomraning appointed Councilmembers Clark, Cummins and Scribner to the Council Committee.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 9:31 p.m.