

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
March 22, 2017

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 Byron Olson, Development Services Director Elizabeth Chamberlain, Public Works Director Ki Bealey, Police Chief Scott Bieber, Engineer Monte Puymon, Police Captain Chris Buttice, and Deputy City Clerk Jodi Stephens

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

3. PRESENTATIONS

Public Works Director Bealey accepted a Complete Streets Award. Complete Streets is a policy that encourages multi-modal travel options.

4. PUBLIC COMMENTS

Sharon Schiller, 1414 Topaz Street, Walla Walla, suggested the City needs a program for litter removal on streets and vacant properties.

5. CONSENT AGENDA

Deputy City Clerk Stephens introduced the Consent Agenda, Items A through O, as follows:

- A. Accept resignation of Elio Agostini from the Lodging Tax Advisory Committee.

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- B. Washington State Liquor and Cannabis Board special occasion liquor license application for Whitman College on May 15, 2017.
- C. Washington State Liquor and Cannabis Board special occasion liquor license application for Embracing Orphans on April 23, 2017.
- D. Resolution No. 2017-18 awarding the bid for the purchase of hot mix asphalt to Humbert Asphalt in the amount of \$212,355.
- E. Resolution No. 2017-19 awarding the bid for crushed surfacing top course to Humbert Asphalt in the amount of \$30,873.15.
- F. Resolution No. 2017-20 awarding the bid for the wastewater treatment plant solids building control panel project to Townsend Controls and Electric, LLC in the amount of \$99,087.
- G. Resolution No. 2017-21 authorizing a contract with Anderson Perry & Associates in the amount of \$58,200 for initial design of bridge replacement on Spokane Street over Mill Creek.
- H. Resolution No. 2017-22 authorizing the purchase of water meters and meter transmitting units from Ferguson Enterprises in the amount of \$180,580.52.
- I. Resolution No. 2017-23 authorizing execution of an amended Interlocal agreement with Walla Walla County Emergency Management Department.
- J. Resolution No. 2017-24 authorizing the purchase of magnetic flow meters and controllers from Western States Automation, LLC in the amount of \$23,283.69.
- K. Resolution No. 2017-26 authorizing a contract with FCS Group in the amount of \$124,683 for a cost of service study and financial planning for solid waste enterprise funds (sanitation and landfill).
- L. Resolution No. 2017-27 authorizing a contract with Material Testing and Inspection for construction material testing in the amount of \$35,944 for the 2017 Isaacs Avenue Phase 1 Reconstruction project and the 2017 Wilbur/University Pedestrian Crossing Project.

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M. Resolution No. 2017-28 authorizing an agreement with LiftOff, LLC for the implementation of Office 365 G3 in the estimated amount of \$70,300 for 2017.

N. Resolution No. 2017-29 approving disposal or sale of computer, electronic and other items deemed surplus and no longer used by the City.

O. Approval of minutes of the regular meeting held March 8, 2017.

Council asked for a report on Item M. City Manager Shawa reported this is a transition to Microsoft cloud software and briefly described the benefits.

Mayor Pomraning invited public input on Consent Agenda Items A through O.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, had questions on the prioritization of bridge projects and whether the hotel developer on Spokane Street is contributing to the cost of the Spokane Street Bridge. Staff reported the Spokane Street Bridge is the oldest bridge in the City. The developer is not required to contribute to the project. The Federal government is talking about infrastructure project grants and the City is preparing to be shovel ready. Any Mill Creek improvement project is eight to ten years in the future and will not interfere with this project.

City Manager Shawa noted that the City does not clean private property. If there is a vacant property with a substantial amount of litter, the Code Enforcement Officer should be notified.

Councilmember Cummins moved to adopt Consent Agenda Items A through O. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. ACTIVE AGENDA

A. Follow-up report by Police Chief Bieber on police activities during political demonstration.

Police Chief Bieber outlined police activities during the political demonstration held February 24, 2017.

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There was a lengthy discussion on dealing with these types of demonstrations in the future and handling these types of calls to dispatch.

Mayor Pomraning invited public comments.

The following had comments on the police response during the political demonstration and counter-demonstration held February 24, 2017:

- Beth Call, 102 Otis, Walla Walla.
- Mark Locati, no address provided.
- Brian Dohe, 14 N. Clinton #6, Walla Walla.
- Robynne Snow, 218 E. Langdon, Walla Walla.
- Lawrence Paoella, 253 Marcus, Walla Walla
- Chris Howard, 734 University, Walla Walla.
- Sara Koenigsberg, no address provided

Councilmember Scribner moved to direct the City Attorney to review and redraft the noise ordinance, Walla Walla Municipal Code Chapter 8.13, to make it less ambiguous and applicable to situations, such as the political demonstration, if they should happen again. Councilmember Clark seconded the motion.

Councilmember Barrow moved to amend the motion to ask the City Attorney to review the ordinance and report back to the City Council. Councilmember Clark seconded the amendment. The amendment carried with 6 yes votes and 1 no vote by Councilmember Scribner.

The motion to ask the City Attorney to review the noise ordinance and report back to the City Council carried with 6 yes votes and 1 no vote by Councilmember Barrow.

- B. Public Hearing and Ordinance No. 2017-08 approving the Tom Annexation of approximately 69 acres adjacent to Myra Road and Highway 12 as well as north of Heritage Road.

Development Services Director Chamberlain reviewed the proposed annexation.

Mayor Pomraning declared the public hearing open.

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Frank Locati, 51 Cordeiro Lane, Walla Walla, had questions on the boundaries of the proposed annexation area and expressed concerns with the number of springs in the area and farming practices.

Adam Sisk, 308 N. Division, Walla Walla, asked if the springs in the proposed annexation area are documented.

Staff responded there was an error regarding the acres listed on the agenda. The proposed annexation area is approximately 69 acres and includes Washington State Department of Transportation right of way. No development plans have been filed and the concerns regarding springs in the area have been noted. Property owners still have the right to farm their land.

Councilmember Cummins moved to adopt Ordinance No. 2017-08. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

- C. Resolution No. 2017-30 authorizing execution of a general contractor/construction manager construction phase contract to Apollo, Inc in the amount of \$16,625,590.69 for the LT2 Wastewater Treatment Plant upgrade project.

Public Works Director Bealey reported this is the construction phase to upgrade the water treatment plant. This project is utilizing state law that allows the City to construct the project in a collaborative process with the contractor. Engineer Black provided a presentation of the new upgrades to the plant. There were brief comments on operation of the existing plant while the new plant is under construction.

Mayor Pomraning invited public comments.

Burl Wallace, 415 E. Oak Street, Walla Walla, had questions on the pressurization of the system. Staff indicated they would respond to the questions outside of the meeting.

Councilmember Morgan moved to adopt Resolution No. 2017-30. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

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D. Ordinance No. 2017-09 establishing limitations on personal medical marijuana grows.

City Attorney Donaldson reported this ordinance would impose civil infractions for violations associated with personal marijuana grows and imposes a maximum limit of fifteen plants per dwelling unit. This ordinance does not allow marijuana cooperatives, it only applies to personal medical grows. The issue of marijuana cooperatives will come back before Council as a zoning issue.

Mayor Pomraning invited public input.

The following had comments regarding the proposed ordinance and state regulations:

- Bonnie Szuch, 1685 Ruth Street, Walla Walla.
- Bill Szuch, 1685 Ruth Street, Walla Walla.

There was discussion on the provisions of the ordinance versus state allowances for personal grows; enforcement of the ordinance; and reconciling laws with Federal regulations.

Councilmember Scribner moved to adopt Ordinance No. 2017-09. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Councilmember Scribner moved to ask the City Attorney to research and report back on the possibility of restricting personal marijuana grows to inside dwelling units only. Councilmember Morgan seconded the amendment. The motion carried with 6 yes votes and 1 no vote by Councilmember Clark.

E. Homeless Camp Relocation.

City Manager Shawa provided a presentation on the current homeless camp at Par 72 Drive. This is not an ideal site and staff has identified a number of conditions that must be met: Access, water, neighborhood/community impact, one-half acre minimum vacant park property. Staff has looked at multiple locations and determined that the area near the amphitheater in Fort Walla Walla Park is the best site for relocation.

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There was discussion on:

- Allowing tents versus semi-permanent structures.
- Permitting at Fort Walla Walla for a camp site.
- Impact on Fort Walla Walla Museum.
- General location is northeast of the amphitheater.

Mayor Pomraning invited public input. The following had comments regarding the relocation of the homeless camp:

- Shilo Andrews, Par 72 Drive homeless camp.
- James Payne, Fort Walla Walla Museum Executive Director.
- Dan Clark, 717 N. Main, Walla Walla.
- Kathy Covey, Chief Executive Officer of the Blue Mountain Action Council.
- Terri (no last name provided), 50 George Street, office manager at Blue Valley Recreation Vehicle Park.
- Ed Bloom, Heritage Road, Walla Walla.
- Rachel Kline, East Oak Street, Walla Walla.
- Chris Howard, Blue Mountain Audubon Society.
- Nancy Monacelli, 444 Washington, Walla Walla.
- Noah Leavitt, 625 Whitman Street, Walla Walla.
- Zachary Frazer, 109 East Main Street, Walla Walla.
- Keith Nerdin, 527 E. Oak Street, Walla Walla.
- Anne North-Jones, Walla Walla.
- William Kelly, property owner on Rees Avenue, Walla Walla.
- Bruce Covey, 334 Electric Avenue, Walla Walla.
- Vicki Handyside, 2548 Lancer Place, Walla Walla.
- Chris Repass, leaseholder at Veterans Memorial Golf Course.

The meeting was recessed for a break at 11:02 p.m. and reconvened at 11:10 p.m.

- Annett Bovant, no address provided.
- Tom Land, 130 Bryant Avenue, coordinator for Blue Mountain Audubon Society.
- Bonnie Szuch, 1685 Ruth, Walla Walla.
- Steven Pao, 334 Woodland, Walla Walla.
- Cheri Berg, 6097 Mill Creek Road, Walla Walla.
- Stephanie Sythe, 114 N. Touchet, Walla Walla.
- Beth Call, 102 Otis, Walla Walla.

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There was discussion on moving the homeless camp from its current location on Par 72 Drive to Fort Walla Walla Park.

Councilmember Scribner moved to direct staff to relocate the homeless camp from Par 72 Drive to Fort Walla Walla Park. Councilmember Cummins seconded the motion.

Councilmember Barrow moved to amend the motion to direct staff to dismantle the camp. The motion died for lack of a second.

The motion to direct staff to relocate the homeless camp from Par 72 Drive to Fort Walla Walla Park carried with 6 yes votes and 1 no vote from Councilmember Barrow.

7. COUNCIL MEMBER MEETING REPORTS

Mayor Pomraning, with the consensus of Council, deferred Councilmember meeting reports to the next Council meeting.

8. UNFINISHED AND NEW BUSINESS

City Attorney Donaldson reported the property at 712 Whitman Street now belongs to the City. Staff recommends approval of Resolution No. 2017-31 awarding the bid for demolition of the structure to John's Excavating and Paving in the amount of \$25,047.

Councilmember Barrow moved to adopt Resolution No. 2017-31. Councilmember Morgan seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

9. ADJOURNMENT

There being no further business, Mayor Pomraning adjourned the meeting at 12:05 a.m.