

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**August 23, 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, Development Services Director Elizabeth Chamberlain, Public Works Director Ki Bealey, Fleet Services Manager Matt Edwards, and City Clerk Kammy Hill.

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

A Boy Scout in attendance led the pledge of allegiance followed by a moment of silence.

**3. PRESENTATIONS**

- A. Mayor Pomraning recognized the work of Boy Scouts, Carter Schreindl and Brennan Creason, for building deck platforms for the Conestoga tents at the sleeping site and presented certificates of appreciation to their Scout Masters.

**4. PUBLIC COMMENTS**

Dorothy Knudson, 250 Rancho Villa, Walla Walla, expressed concerns with non-owner occupied short term rentals and their impact on housing affordability.

Bob Carson, 705 Boyer, Walla Walla, provided Council with a handout on suggested safety and security guidelines for protests, marches, rallies, and outdoor meetings in Walla Walla.

Marilee McQuarrie, 40 Wilshire, Walla Walla, commented that she was in attendance at the rally on August 14 and it was very peaceful.

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**5. CONSENT AGENDA**

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

- A. Resolution No. 2017-77 authorizing the submission of an application for a grant from the Edward Byrne Memorial Justice Assistance Grant program and taking other necessary action with respect to such grant program.
- B. Resolution No. 2017-78 declaring certain City items surplus and authorizing the City Manager to dispose of them.
- C. Resolution No. 2017-79 authorizing the purchase of four vehicles and equipment from Columbia Ford.
- D. Resolution No. 2017-80 awarding the bid for the 2017 wastewater treatment plant aeration basin valve and slide gate replacement project to Apollo, Inc.
- E. Ordinance No. 2017-25 amending the Municipal Code relating to noise control.
- F. Ordinance No. 2017-26 approving the vacation of the easterly ten feet of North Spokane Street. (Block 2 of Cain's Addition)
- G. Resolution No. 2017-81 awarding the bid to Ferguson Water Works for various water fittings and parts.
- H. Approval of minutes of the regular meeting held July 26, 2017.

Council asked that Item E, Ordinance No. 2017-25, be removed from the Consent Agenda for separate consideration.

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 with the exception of Item E. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

- E. Ordinance No. 2017-25 amending the Municipal Code relating to noise control.

There was discussion on:

- Under Municipal Code Section 8.13.070 adding the word “permitted” before “blasting” and “construction activity.” Staff reported that not all construction activity is done through permits so this particular amendment is not recommended. It is recommended that the word “permitted” be added before “blasting” in Section 8.13.070(C).
- An email from the ACLU raising concerns with the proposed amendments. City Attorney Donaldson explained why he does not believe they are valid legal concerns.
- A definition for “blasting” is not necessary as it is defined in State law.

Mayor Pomraning invited public input.

Bob Carson, 705 Boyer Avenue, Walla Walla, commented that any problems with the noise ordinance were due to enforcement.

Council expressed their appreciation to City Attorney Donaldson for his thorough review and drafting of the amendment to the noise ordinance.

**Councilmember Barrow moved to adopt Ordinance No. 2017-25 with an amendment to add the word “permitted” before “blasting.” Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

- A. Ordinance No. 2017-27 amending Title 20, specifically Chapters 20.100 and 20.173, of the Municipal Code regarding zoning and land use matters to address the 2015 Cannabis Patient Protection Act and the 2015 Marijuana Market Reform Act.

Development Services Director Chamberlain provided an overview of:

- History of marijuana regulations.
- Proposed amendments include: terminology; removal of numerical limit for number of retail stores; maintain current 1,000 feet buffers;

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prohibiting marijuana cooperatives; and permitting marijuana processing in the highway commercial zone.

- Planning Commission actions.
- Public testimony.

There was discussion on:

- Implications of a Level III Conditional Use Permit review.
- A change in buffers would open up additional areas for retail sales, including in the downtown area. This would potentially redistribute the stores from one neighborhood.
- Designated providers for growing medical marijuana and maximum number of plants.
- No buffers are required for personal growing of medical marijuana.
- Whether cooperative gardens would potentially reduce the number of personal medical marijuana gardens.
- Large numbers of marijuana plants in residential neighborhoods cause nuisances such as odors.
- Medical marijuana is available for purchase at retail stores. Growing plants is not a necessity.

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

**Councilmember Cummins moved to adopt Ordinance No. 2017-27. Councilmember Barrow seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

- B. Public hearing and Ordinance No. 2017-28 determining the City will assume the rights, powers, immunities, functions and obligations of its Transportation Benefit District.

Staff explained that this action will not functionally change the Transportation Benefit District tax and projects. The funds and projects will still be accounted for and tracked separately. This action will save some money and improve efficiencies. The ordinance provides for continuance of the citizen oversight committee; a material change policy; and annual work plan.

There were comments on continued efforts to show how the City is spending money on streets; and continued citizen oversight to review and advise staff on the use of funds for street improvements.

Mayor Pomraning declared the public hearing open at 8:13 p.m.

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Myron Huie, 621 E. Tietan Street, Walla Walla, asked if there were any negative effects to streets by this action.

Mayor Pomraning declared the public hearing closed at 8:14 p.m.

Staff indicated they don't perceive any negative impacts by this action, but it is projected to increase efficiencies and save money.

There was discussion on:

- Historical public mistrust of Council expending designated funds on street maintenance.
- The educational aspect of the Transportation Benefit District Board and additional layer of transparency.
- Lack of attendance by the public at Transportation Benefit District Board meetings.
- Assumption by the City will reduce structural redundancy and save taxpayer dollars by eliminating the need for the City Council to sit as a separate governing board.
- All current checks and balances will remain the same and Council is responsible for ensuring the Transportation Benefit District sales tax is spent for streets. Transparency is maintained and this action will save taxpayer money.

**Councilmember Morgan moved to adopt Ordinance No. 2017-28. Councilmember Moss seconded the motion. The motion carried with 6 yes votes and 1 no vote by Councilmember Clark.**

C. Approval of minutes of the regular meeting held August 9, 2017.

**Councilmember Cummins moved to approve the minutes of the regular meeting held August 9, 2017. Councilmember Barrow seconded the motion. The motion unanimously carried with 6 yes votes, 0 no votes, and 1 abstention by Councilmember Scribner.**

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

Councilmember Moss reported attendance at the Work Session held August 14.

Councilmember Morgan reported attendance at the Work Session held August 14.

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Councilmember Barrow reported attendance at the Work Session held August 14; the Blue Mountain Action Council Board meeting held August 16; the agenda preparation meeting held August 16; and the Downtown Walla Walla Foundation Board meeting held August 22.

Councilmember Cummins reported attendance at the Work Session held August 14; a meeting with residents regarding short term rentals held August 16; the Good Roads Committee meeting held August 16; the Valley Transit Board meeting held August 17; and a meeting with Senator Murray's representative held August 23.

Councilmember Clark reported attendance at the Work Session held August 14; the Sustainability Committee meeting held August 15; the Civil Service Commission meeting held August 17; and the CDBG Advisory Committee meeting held August 17.

Councilmember Scribner reported attendance at the Work Session held August 14.

Mayor Pomraning reported attendance at a meeting with the new Chamber of Commerce Director held August 11; the agenda preparation meeting held August 16; a meeting with Walla Walla realtors held August 16; the Good Roads Committee meeting held August 16; and the Walla Walla realtors barbecue held August 17.

**8. UNFINISHED AND NEW BUSINESS**

The following issues were discussed:

- Safety and security guidelines suggested by Dr. Bob Carson for protests, rallies, marches, etc.
- Encouraging electric vehicle recharge stations and purchase of electric vehicles when feasible.
- Creation of a policy for the transfer of inmates to the Sunnyside jail. There was no consensus by a majority of Council to pursue additional guidelines for the transfer of inmates.
- The Walla Walla Little League will be returning from the Little League World Series on August 28. There will be a parade and joint City/County proclamation to welcome them home.

**Councilmember Barrow moved to authorize the Mayor to sign a joint proclamation for the Walla Walla Little League. Councilmember Clark seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

**9. EXECUTIVE SESSION**

Mayor Pomranning announced the City Council would be recessing to Executive Session to consider the selection of a site or the acquisition of real estate pursuant to RCW 42.30.110(1)(b); and to discuss with legal counsel litigation or potential litigation to which the City is a party or is likely to become a party pursuant to RCW 42.30.110(1)(i). The Executive Session will last no more than thirty minutes and no further action will come before the City Council in open session. The meeting was recessed at 9:08 p.m.

Mayor Pomranning extended the Executive Session for an additional sixty minutes at 9:37 p.m.

**10. ADJOURNMENT**

**There being no further business, the meeting adjourned at 10:20 p.m.**