

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
November 15, 2017

1. CALL TO ORDER

Mayor Pro Tem Barrow called the meeting to order at 7:00 p.m.

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

Absent: Mayor Allen Pomraning.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Byron Olson, Public Works Director Ki Bealey, Finance Director Jean Teasdale, Development Services Director Elizabeth Chamberlain, Parks & Recreation Director Andy Coleman, Assistant City Attorney Preston Frederickson, and City Clerk Kammy Hill.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

3. PUBLIC COMMENTS

Sharon Shiller, 1414 Topaz, Walla Walla, expressed concerns with drivers in her area intimidating her as she is walking.

4. CONSENT AGENDA

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

- A. Resolution No. 2017-102 awarding the contract for the streets garage structural retrofit project to S&K Mountain Construction for \$61,793.83.
- B. Resolution No. 2017-103 authorizing a contract amendment #1 with Aptim Environmental and Infrastructure for the operation and maintenance of the Sudbury Road landfill gas field and flare, not to exceed \$197,400 for two additional years of services.
- C. Resolution No. 2017-104 authorizing the purchase of playground equipment for Fort Walla Walla Park from Buell Recreation for \$53,318.53.

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 2**

- D. Resolution No. 2017-105 approving the Walla Walla County Comprehensive Emergency Management Plan and authorizing the Mayor to sign the letter of promulgation.
- E. Resolution No. 2017-106 authorizing the purchase of refuse containers from Solid Waste Systems Equipment for \$33,662.68.
- F. Ordinance No. 2017-40 amending the Municipal Code to convert water consumption rates from units to gallons.
- G. Approval of minutes of the special Work Session held October 30, 2017.
- H. Approval of minutes of the regular meeting held November 1, 2017.

Council asked that Item D, Resolution No. 2017-105, be removed from the Consent Agenda for separate consideration.

Council suggested the City provide a conversion calculator, so a utility customer can easily convert units to gallons; and that a comparison with average utility customers in their area be provided. Staff reported that 7.49 gallons equals one cubic foot of water.

Mayor Pro Tem Barrow invited public input. No one in the audience chose to address the City Council on any of these items.

Councilmember Cummins moved to adopt Consent Agenda Items A through H, with the exception of Item D. Councilmember Morgan seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

Council recognized the students and staff at Rogers School for raising the money for the Fort Walla Walla Park playground equipment.

5. ACTIVE AGENDA

- D. Resolution No. 2017-105 approving the Walla Walla County Comprehensive Emergency Management Plan and authorizing the Mayor to sign the letter of promulgation.

City Manager Shawa provided a high-level overview. Concerns were expressed on a recent power outage and the lack of information

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 3**

available. Lack of this public information could be a fault with the plan or implementation of the plan. There was discussion on emergency communications, getting information out through various measures, and determining what constitutes an emergency.

Mayor Pro Tem Barrow invited public input.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, suggested some manual form of obtaining information rather than electronic devices.

Councilmember Cummins moved to adopt Resolution No. 2017-105. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

- A. Resolution No. 2017-107 approving the recommendation from the Lodging Tax Advisory Committee for the allocation of 2018 lodging tax revenues.

Deputy City Manager Olson reviewed the composition of the Lodging Tax Advisory Committee and their support of multi-year awards for the largest recipients.

Councilmember Scribner, Chair of the Lodging Tax Advisory Committee, reported the committee met and reviewed sixteen grant applications and has recommended allocations totaling \$1,016,000 for 2018. The committee also recommends a percentage of funding for the 6 largest recipients for the next three years. This was a unanimous recommendation from the committee.

Councilmember Cummins was excused and left the meeting at 7:42 p.m.

There was discussion on the funding for Walla Walla Movie Crush; and three years funding and amount for the Walla Walla Guitar Festival. Rob Mortensen, Director of the Guitar Festival, responded to the questions and concerns expressed with the level and length of funding.

Mayor Pro Tem Barrow invited public input.

Rob Mortensen, Walla Walla Guitar Festival, reviewed the need for a reliable funding source to book bands and performers a minimum of six months ahead of the event.

WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 4

Chris Coates, Marcus Whitman Hotel Director of Sales and Marketing, asked that Visit Walla Walla be funded at or above prior levels, so their marketing efforts are not negatively impacted. Ms. Coates also requested that lodging tax funds not be used for individual events.

Heather Unwin, Executive Director of the Walla Walla Wine Alliance, reported on their use of funds to market and promote the area in partnership with other organizations.

Bonnie Bowton, Executive Director of the Downtown Walla Walla Foundation, spoke on the importance of working together for marketing and promotion.

Ron Williams, Executive Director of Visit Walla Walla, suggested the development of metrics to track the impact of events and quantify results. Mr. Williams also asked that the City Council expand the number of members on the Lodging Tax Advisory Committee.

Councilmember Scribner moved to adopt Resolution No. 2017-107.
Councilmember Moss seconded the motion.

There was discussion on:

- Increasing the membership on the Lodging Tax Advisory Committee.
- Future City Council's cannot be bound by the three-year recommendation, but any change would have to go back through the Lodging Tax Advisory Committee for a recommendation.
- Process to enlarge the membership of the Lodging Tax Advisory Committee.
- Including metrics in agreements for use of lodging tax funds.
- Three-year funding for the guitar festival and return on investment for particular events.
- The Lodging Tax Advisory Committee is attempting to balance tourism promotion marketing with the need to provide events for tourists to enjoy.

The motion to adopt Resolution No. 2017-107 unanimously carried with 5 yes votes and 0 no votes.

- B. Resolution No. 2017-108 adopting an updated tourism promotion area business plan with Visit Walla Walla.

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 5**

Deputy City Manager Olson explained that the tourism promotion area was voluntarily formed by the hotels and motels in the City to levy a \$2.00 per night assessment. The Hotel & Motel Commission wishes these funds to be used by Visit Walla Walla for tourism marketing and promotion. This action will allocate the 2017 tourism promotion area assessment of approximately \$340,000.

Mayor Pro Tem Barrow invited public input.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, offered a critique on how the marketing material is written and asked how oversight is provided. Deputy City Manager Olson reported that Visit Walla Walla submits a business plan and oversight of this plan is provided by the Hotel & Motel Commission.

Councilmember Morgan moved to adopt Resolution No. 2017-108. Councilmember Moss seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.

C. Appointment of committee for determining ward boundaries.

City Manager Shawa reported the Mayor has asked this issue to be remanded to the Council's Boards & Committees Committee. City Attorney Donaldson reviewed some "best practices" for consideration in appointing a districting committee.

Councilmember Scribner moved to empower the Council's Boards & Committees Committee to meet to determine the composition of a districting committee and report back to the City Council. Councilmember Morgan seconded the motion.

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

There was discussion on:

- Having ward positions elected all at the same time so all four wards of the City are represented concurrently on Council.
- Inclusion of legal counsel advice by the Council Committee.

The motion to empower the Council's Boards & Committees Committee to meet to determine the composition of a districting committee and report

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 6**

back to the City Council carried with 4 yes votes and 1 no vote by Mayor Pro Tem Barrow.

- D. Public hearing and Ordinance No. 2017-41 adopting interim land use regulations amending Title 20 of the Municipal Code to add a new Chapter 20.171 relating to wireless communication – small cell facilities; and
Ordinance No. 2017-42 adding a new Chapter 5.02 to the Municipal Code regarding telecommunications – small cell facilities and small cell permits.

Development Services Director Chamberlain provided an overview of small cell technology and deployment; and the provisions of the proposed ordinances. The proposed code amendment approaches the siting of small cell technology as both a franchise and permitting process. The interim zoning ordinance does not allow for the co-location of small cells on the same utility poles.

There was discussion on:

- Impacts on neighborhoods that have all their utilities located underground.
- Use of street light standards for placement of small cells instead of utility poles.
- Impact on 9-1-1 location services.
- Standardizing design standards throughout the City.
- Letter received from Wireless Policy Group on behalf of AT&T.
- Staff is continuing to work with carriers to address concerns.
- Using franchise provisions to require providers to notify E-9-1-1 of any service failures.

Mayor Pro Tem Barrow declared the public hearing open at 9:14 p.m.

Gregor Gadbow, representing Verizon Wireless, expressed concerns with the maximum height limitation due to safety clearances and requested the flush mount provisions be amended from six inches to twelve inches.

Todd Brandenburg, representing PocketiNet, spoke regarding the importance of high speed internet service and asked the City to work with service providers when developing permanent regulations for small cell facilities.

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 7**

Mayor Pro Tem Barrow noted that a letter had been received dated November 15, 2017 from Wireless Policy Group, LLC, and copies had been provided to the City Council.

Mayor Pro Tem Barrow declared the public hearing closed at 9:22 p.m.

There was discussion on the ten-foot maximum deviation and tying this provision into safety requirements; battery backups are not currently allowed; reason for a six-inch flush mount; work plan included in the interim code; providers will have to have a pole attachment agreement from the owner of the utility pole; and limiting pole height for aesthetics.

**Councilmember Morgan moved to adopt Ordinance No. 2017-41.
Councilmember Clark seconded the motion.**

There were comments on the importance of not adding to visual clutter on utility poles.

The motion to adopt Ordinance No. 2017-41 unanimously carried with 5 yes votes and 0 no votes.

**Councilmember Morgan moved to adopt Ordinance No. 2017-42.
Councilmember Moss seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

The meeting was recessed for a break at 9:39 p.m. and reconvened at 9:46 p.m.

- E. 2018 Property Taxes:
 - Ordinance No. 2017-35 authorizing the property tax levy for voter-approved fire station bonds.
 - Ordinance No. 2017-36 authorizing the property tax levy for voter-approved police station bonds.
 - Ordinance No. 2017-37 authorizing the property tax levy for voter-approved Memorial swimming pool bonds.
 - Ordinance No. 2017-38 authorizing the refund levy amount.
 - Ordinance No. 2017-39 authorizing the regular ad valorem property tax levy and banking the one percent additional levy capacity.

Finance Director Teasdale reported these ordinances will bank the statutorily-allowed one percent levy increase for the future; impose the levy amounts for voter-approved bonds; and authorize a refund levy.

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 8**

Most of property taxes paid by property owners goes to fund schools and education. The City of Walla Walla has a lower tax levy rate than Walla Walla County or the City of College Place.

There was discussion on the impact of “banking” the one percent property tax levy increase and the increase in the levy amount per \$100,000 assessed value.

Mayor Pro Tem Barrow invited public input. No one in the audience chose to address the Council on this issue.

**Councilmember Clark moved to adopt Ordinance No. 2017-35.
Councilmember Moss seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

**Councilmember Scribner moved to adopt Ordinance No. 2017-36.
Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

**Councilmember Clark moved to adopt Ordinance No. 2017-37.
Councilmember Moss seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

**Councilmember Scribner moved to adopt Ordinance No. 2017-38.
Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

**Councilmember Scribner moved to adopt Ordinance No. 2017-39.
Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

- F. Resolution No. 2017-109 adopting the City’s 2018 State legislative priorities; and
Resolution No. 2017-110 adopting the City’s 2018 Federal legislative priorities.

Mayor Pro Tem Barrow invited public input. No one in the audience chose to address the Council on this issue.

**Councilmember Morgan moved to adopt Resolution No. 2017-109.
Councilmember Scribner seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

Councilmember Morgan moved to adopt Resolution No. 2017-110. Councilmember Moss seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.

- G. Approval of the October 31, 2017 accounts payable register containing check numbers 195232 through 195639, 990281 through 990824, and 9008 through 9041 totaling \$3,928,316.37.

Councilmember Scribner moved to approve the October 31, 2017 accounts payable register containing check numbers 195232 through 195639, 990281 through 990824, and 9008 through 9041 totaling \$3,928,316.37. Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.

- H. Approval of the minutes of the regular meeting held October 25, 2017.

Councilmember Clark moved to approve the minutes of the regular meeting held October 25, 2017. Councilmember Scribner seconded the motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 1 abstention by Mayor Pro Tem Barrow.

6. COUNCIL MEMBER MEETING REPORTS

Councilmember Morgan moved to defer Council Member meeting reports. Councilmember Clark seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.

7. UNFINISHED AND NEW BUSINESS

Councilmember Morgan moved to reappoint Pam Ray to the Bicycle & Pedestrian Advisory Committee for a term expiring December 31, 2020, and Bonnie Bowton to the Lodging Tax Advisory Committee for a term expiring December 31, 2020. Councilmember Clark seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.

Councilmember Clark raised the issue of the election of Councilmembers by wards. The ordinance, as approved on November 1, would elect two members by wards every two years. This would mean that not all residents would have a ward representative until the second election cycle. If the City Council is interested in reconsidering the Council positions to be

**WALLA WALLA CITY COUNCIL MINUTES
NOVEMBER 15, 2017
PAGE 10**

elected by wards, a member voting in the majority will have to make the motion to reconsider.

There was discussion on the potential elimination of the ordinance section that designated the positions to be elected by wards.

Councilmember Morgan moved to amend Ordinance No. 2017-34 by amending Section 3 to remove the sentence designating the positions to be elected by wards and at large; and to allow the districting committee to determine which positions will be elected by wards and which will be elected at large. Councilmember Moss seconded the motion. The motion carried with 4 yes votes and 1 no vote by Mayor Pro Tem Barrow.

City Manager Shawa reported the downtown Holiday decorations will be installed next week.

8. EXECUTIVE SESSION

Mayor Pro Tem Barrow 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 sixty minutes and no further business will come before Council in open session.

The meeting was recessed at 10:35 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 10:58 p.m.