

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
February 28, 2018

1. CALL TO ORDER

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

Present: Councilmembers Yazmin Bahena, Riley Clubb, Jerry Cummins, Myron Huie, Steve Moss, Tom Scribner, and Mayor Barbara Clark.

Absent: None.

City staff in attendance: Deputy City Manager Byron Olson, City Attorney Tim Donaldson, Public Works Director Ki Bealey, Fire Chief Bob Yancey, Capital Projects Engineer Mike Laughery, Transportation Engineer Monte Puymon, 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. PUBLIC COMMENTS

Kevin Reniche, 1004 Frankland, Walla Walla, commented on the recent Parkland, Florida school shooting and suggested the City Council act to ban assault rifles or other actions that may be available to make a statement.

Bart Preecs, 36 Parkwood Circle, Walla Walla, Vice Chair of the Sustainability Committee, commented on a letter sent to the City Council by the Sustainability Committee expressing concerns with Walla Walla County considering a comprehensive plan amendment to allow for the production of bottled water in rural agricultural zones.

4. CONSENT AGENDA

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

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- A. Resolution No. 2018-12 authorizing a contract with GeoProfessional Innovation for construction material testing on various 2018 projects.
- B. Resolution No. 2018-13 authorizing a contract with Materials Testing Inc. for material testing on the LT2 water treatment plant project.
- C. Resolution No. 2018-16 updates the authorization to invest in the Local Government Investment Pool (LGIP) to add Byron Olson, Deputy City Manager/City Treasurer.
- D. Resolution No. 2018-18 authorizing a contract with Anderson-Perry & Associates for design of the Spokane Street bridge replacement in the amount of \$280,438.
- E. Approval of minutes of the Work Session held February 12, 2018.
- F. Approval of minutes of the regular meeting held February 14, 2018.

There was discussion on the design costs for bridges and other projects. Council suggested this may be a good Work Session topic.

Mayor Clark invited public input.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, also felt project design would be a good Work Session topic to address when projects are less expensive to do in house than contracting for the service.

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

5. ACTIVE AGENDA

- A. Resolution No. 2018-15 authorizing an agreement with the Palouse River & Coulee City railroad for apportionment of the costs and expenses for changes to the railroad crossing located on Valencia Street between Melrose and Figueroa Streets.

Staff reported this agreement will allow the removal of the railroad tracks on Valencia Street as part of the waterline replacement project. It is believed that the railroad is working towards abandonment of this

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particular line. If the railroad does not abandon the line and resumes railway use, the City will be responsible for replacing the tracks.

There was discussion on the feasibility of the railroad abandoning the tracks and lack of potential cost containment provisions.

Mayor Clark invited public input.

Kevin Reniche, 1004 Frankland Street, Walla Walla, asked the City to consider some way to limit potential future costs.

**Councilmember Cummins moved to adopt Resolution No. 2018-15.
Councilmember Moss seconded the motion.**

There was additional discussion on the difficulty in revising the apportionment agreement through the railroad's legal division to implement a cost containment provision and the delay or additional expense to the project.

The motion unanimously carried with 7 yes votes and 0 no votes.

- B. Ordinance No. 2018-07 providing for the acquisition of property located near the intersection of Howard Street and Bryant Avenue by condemnation to replace the Garrison Creek culvert/bridge.

Transportation Engineer Puymon explained the bridge at the Howard/Bryant Street intersection requires replacement due to the restrictive weight limitations. Small portions of four parcels are necessary to construct and maintain this bridge.

City Attorney Donaldson reported the City has been unable to reach agreement with all four property owners. This ordinance will allow property owners to continue to negotiate and adjudicate while allowing the City to move forward with the project during the limited construction window for instream work.

There was discussion on the existing weight load restrictions; impacts to service; and ability for continued negotiations.

Mayor Clark invited public input.

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Eric Rindal, 1316 Howard Street, Walla Walla, commented that the City fire and sanitation trucks continue to use the bridge even with the weight limitations. The offer by the City for his property was ridiculously low and he is also concerned with the condemnation of his driveway and damage to his property. He is willing to continue to negotiate and asked Council not to authorize condemnation action.

Kevin Reniche, 1004 Frankland, Walla Walla, asked if the City has exhausted all cooperative efforts.

There was discussion on:

- The negotiation process.
- The property mentioned by Mr. Rindal is within the critical areas of the creek and may not be developed due to the required buffer zones.
- There is no detriment to the property owners. This project will replace the bridge, secure the creek banks, and remove erosion impacts.
- Continued negotiations without the condemnation action will likely delay the project for at least a year.
- The City is likely to settle with three out of the four property owners.

**Councilmember Scribner moved to adopt Ordinance No. 2018-07.
Councilmember Huie seconded the motion.**

There were comments on the City needing this property for a public use; this action does not preclude continuing negotiations; and condemnation is likely the only way to get the bridge fixed this construction season.

The motion to adopt Ordinance No. 2018-07 unanimously carried with 7 yes votes and 0 no votes.

- C. Resolution No. 2018-14 accepting a Washington State Department of Transportation local bridge program grant in the amount of \$1,755,200 for the replacement of the Spokane Street bridge over Mill Creek.

Public Works Director Bealey reported this action will accept a grant for replacement of the 113-year-old Spokane Street bridge. If the project is completed before 2020, the grant will fund 86.5 percent of the project, otherwise it drops to 80 percent.

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There was discussion on:

- The number of bridges on the list for replacement. There are currently thirty structures that must be inspected every two years and assessed in accordance with the national bridge inventory. Sargent Engineers completed the most recent inspections and ratings.
- Impact of the Mill Creek study on the replacement of bridges. The Federal study could take many years to have authorized and completed. Replacement needs have been identified and grant funds are available, so staff believes it is prudent to replace the structures at this time.

Mayor Clark invited public input.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, asked if the developer of the proposed Penrose Hotel would be required to participate in street improvements and whether the bridge replacement is being done to facilitate this development.

**Councilmember Scribner moved to adopt Resolution No. 2018-14.
Councilmember Clubb seconded the motion.**

There were additional comments on the potential impact if both the Spokane Street and Rose Street bridges were under construction at the same time; and the capacity level and expertise of inhouse staff are not sufficient to manage the workload of these two projects.

The motion to adopt Resolution No. 2018-14 unanimously carried with 7 yes votes and 0 no votes.

- D. Resolution No. 2018-17 accepting a Washington State Department of Transportation local bridge program grant in the amount of \$3,645,000 for the replacement of the Rose Street bridge over Mill Creek.

Public Works Director Bealey reported this is the same grant program and incentive as the Spokane Street bridge. It is located adjacent to City Hall and will impact City operations. Director Bealey acknowledged the work of staff in obtaining these grants to address critical infrastructure needs.

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Mayor Clark invited public input.

Tammy Reniche, 1004 Frankland, Walla Walla, suggested the City install traffic calming devices/measures on detour routes.

**Councilmember Huie moved to adopt Resolution No. 2018-17.
Councilmember Scribner seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

- E. Resolution No. 2018-19 authorizing an amendment to the contract with Systems Design West for contracting with Public Consulting Group for preparation and submittal of the cost of service report to obtain additional reimbursement for Medicaid ambulance transports from the Ground Emergency Medical Transportation program.

Fire Chief Yancey reported this contract amendment will allow the City's ambulance billing service company to work with Public Consulting Group to recoup funds eligible for reimbursement from Medicaid transports under the new Ground Emergency Medical Transportation program. The City anticipates an additional \$300,000 for the 2016-2018 fiscal years.

There was clarification and discussion on the recouping of additional funds for the transport of Medicaid patients.

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

**Councilmember Clubb moved to adopt Resolution No. 2018-19.
Councilmember Bahena seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.**

- F. Resolution No. 2018-09 authorizing an emergency services agreement with Walla Walla County.

Staff reported this is the emergency medical services levy that is collected county-wide and then distributed on a formula based on one-third population, assessed value, and calls for service. There is no change in the formula, just in the amount of revenue to be received. If the levy revenue was based strictly on the City's assessed valuation, it would be approximately \$150,000 less than what is currently projected.

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

Councilmember Moss moved to adopt Resolution No. 2018-09. Councilmember Huie seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

6. COUNCIL MEMBER MEETING REPORTS

Councilmember Moss reported attendance at the Cannara Sister City Committee meeting held February 16; the Ward Boundary Committee meeting held February 23; and the ad hoc affordable housing committee meeting held February 27.

Councilmember Huie reported attendance at the Good Roads Committee meeting held February 21; and the grand reopening celebration of GESA Credit Union on February 22.

Councilmember Bahena reported attendance at the Downtown Walla Walla Foundation Board meeting held February 20; the Civil Service Commission meeting held February 21; and the ad hoc affordable housing committee meeting held February 27.

Councilmember Cummins reported attendance at the Valley Transit Board meeting held February 15; the Good Roads Committee meeting held February 21; the Ward Boundary Committee meeting held February 23; and the Housing Authority Board meeting held February 26.

Councilmember Clubb reported attendance at the Transportation Benefit District Advisory Committee meeting held February 21; and the ad hoc affordable housing committee meeting held February 27.

Councilmember Scribner reported attendance at the Valley Transit Board meeting held February 15; the Blue Mountain Humane Society Board meeting held February 20; the agenda preparation meeting held February 21; and the Ward Boundary Committee meeting held February 23.

Mayor Clark reported attendance at the Women in Leadership program held February 15; the ad hoc open streets committee meeting held

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February 16; the Sustainability Committee meeting held February 20; the Emergency Management Hazard Mitigation plan update meeting held February 21; the agenda preparation meeting held February 21; the grand reopening celebration of GESA Credit Union on February 22; and the Senior Center Board meeting held February 22. There was clarification on the City's role with the Senior Center is that of landlord-tenant. The Senior Center is in full compliance with the terms of their building lease. There is a special Senior Center Board meeting to consider a by-laws amendment which would eliminate the existing Council ex-officio position.

7. UNFINISHED AND NEW BUSINESS

There was discussion on:

- Valley Transit Board and by-laws.
- Appointment of an alternate member to the Metropolitan Planning Organization policy board.
- Council representatives for the ad hoc Anderson Perry scholarship review committee.

City Attorney Donaldson reviewed Resolution No. 2018-20 to authorize a quit claim deed to clear title for a strip of property apparently owned by the City at the General Hospital site. Staff has researched this issue and is satisfied that ownership was an oversight when previous deeds were prepared. General Hospital has been paying property taxes on this property, so they have a possessory claim.

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

Councilmember Cummins moved to adopt Resolution No. 2018-20. Councilmember Scribner seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

There was discussion on a letter from the Sustainability Committee asking the City Council to pass along the committee's concerns regarding a proposed County comprehensive plan amendment to allow water bottling operations in the rural agricultural zone and whether it is appropriate for the City Council to pass along the committee's concerns.

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Councilmember Moss moved to agree to pass along the letter from the Sustainability Committee to the Walla Walla County Commissioners. Councilmember Scribner seconded the motion.

Mayor Clark invited public input.

Bart Preecs, Vice Chair of the Sustainability Committee, suggested the issue needed further review to evaluate its impact on the City of Walla Walla.

Kevin Reniche, 1004 Frankland, Walla Walla, felt the City should take a position on the County's proposed comprehensive plan amendment.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, questioned whether the amendment would be site specific or apply to all rural agricultural zones throughout the County.

There was additional discussion on whether the City should take a position.

The motion to agree to pass along the letter from the Sustainability Committee to the Walla Walla County Commissioners carried with 5 yes votes and 2 no votes by Councilmembers Cummins and Huie.

There was discussion on taking a position on guns and school/community safety. City Attorney Donaldson advised that the City is unable to regulate the sale or possession of firearms as this issue is pre-empted by State law.

Mayor Clark invited public input.

Kevin Reniche, 1004 Frankland, Walla Walla, challenged the City to find ways to address the issue of guns and school/community safety.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, commented that the Walla Walla County Department of Community Health is continuously looking for ways to address mental health issues.

It was the consensus of a majority of Council to have the Mayor and Mayor Pro Tem frame an agenda item on guns for a future City Council meeting.

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Council asked about the status of a request from Bowlaway Lanes for a reduction in the City's gambling tax rate. Staff responded they had advised Bowlaway Lanes to make a formal request for a reduction in the gambling tax rate and no request has yet been received by the City. Staff will forward a copy of the associated correspondence to the entire Council.

Deputy City Manager Olson reported the general manager of the new Sportsman Warehouse was in and the grand opening is scheduled for April 28. The Council Chamber upgrade project will be out to bid shortly.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 p.m.