

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
August 8, 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, and Mayor Barbara Clark.

Absent: Councilmember Tom Scribner.

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, Senior Planner Jon Maland, 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

No one in the audience chose to address the City Council at this time.

4. CONSENT AGENDA

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

- A. Resolution No. 2018-76 awarding bid for water meter boxes to Ferguson Waterworks.
- B. Resolution No. 2018-77 awarding bid for purchase of brass water fittings and parts to HD Fowlers.
- C. Resolution No. 2018-78 authorizing purchase of crack sealant from Arrow Construction Supply under the State contract.

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- D. Resolution No. 2018-79 authorizing an agreement with the U.S. Forest Service for Mill Creek watershed patrol and protection.
- E. Resolution No. 2018-80 authorizing a contract with Mercy Corps for the micro business assistance program.
- F. Resolution No. 2018-81 declaring certain City items surplus and authorizing their sale or disposal.
- G. Resolution No. 2018-82 authorizing a professional services contract with PBS Engineering & Environmental for design survey services for five capital projects.
- H. Resolution No. 2018-83 accepting the Federal Transportation Alternative (FTA) grant in the amount of \$136,000 for the replacement of multiple areas of sidewalks.
- I. Resolution No. 2018-84 authorizing application for an Edward Byrne Memorial Justice Assistance Grant for program year 2018.
- J. Second reading and adoption of Ordinance No. 2018-25 approving a non-exclusive franchise with PocketiNet to construct, install, operate, maintain, repair, or remove fiber optic cable and small cell facilities within the public right-of-way.
- K. Approval of minutes of the Work Session held July 23, 2018.

Clarification was provided that no City of Walla Walla Community Development Block Grant funds will be utilized outside of the City limits for the micro business assistance program.

Mayor Clark 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 K. Councilmember Bahena seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

5. ACTIVE AGENDA

- A. Resolution No. 2018-86 accepting a Federal surface transportation block grant and authorizing the transfer of the grant funds directly to the Washington State Department of Transportation for inclusion in the State Route 125/Plaza Way intersection improvement project.

City Manager Shawa reported this will provide almost \$1,500,000 to help mitigate impacts from a redesign of the SR 125/Plaza Way intersection. These funds will be transferred to the Washington State Department of Transportation to allow one agency to manage the entire project.

Mayor Clark invited public input.

Jeana Garske, 382 Catherine Street, Walla Walla, asked about the status of the proposed intersection improvements. Staff responded that no final design has been determined by the Washington State Department of Transportation. This project is currently slated for construction in 2021.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, commented on the difficulties for the public in trying to follow the multitude of street projects.

Councilmember Cummins moved to adopt Resolution No. 2018-86. Councilmember Clubb seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

- B. Resolution No. 2018-85 accepting the donation of the "Harvest Memories" sculpture from Jeffrey Hill.

Deputy City Manager Olson reported Council had asked to have this item brought forward on whether to accept the proposed donation; and reviewed the applicable Municipal Code Chapter and Administrative Policy provisions, along with the potential siting of the sculpture.

There was discussion on:

- The online survey conducted by the City through Facebook.
- The number of pieces of public art that has been accepted using the existing codes and policies and the number that have been donated.
- Timeline for establishment of an arts commission.

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- Length of time to install the statue if the City Council accepts it tonight.
- The process used for this proposed donation is not identical to past processes used which involved an ad hoc art committee.
- The sculpture has not yet been cast and finished. The artist is waiting until it has been accepted by the City. If a decision is delayed until formation of an arts commission, this item will still come back to the City Council for acceptance.
- Whether there is any sense of urgency in accepting this public art donation versus waiting for establishment of an art commission.

Mayor Clark invited public input.

The following spoke in favor of delaying acceptance of any new public art until an art commission is formed:

- Jeana Garske, 382 Catherine Street, Walla Walla.
- Greer Garske Buchanan, 1389 Havstad, Walla Walla.
- Bonnie Bowton, Downtown Walla Walla Foundation.
- Patty Gardner, 539 Lincoln Street, Walla Walla.
- Thomas Mayer, 537 Bryant Street, Walla Walla.
- Lisa Anderson, 1115 W. Pine Street, Walla Walla.
- Mary Campbell, 336 McCorkle Lane, Walla Walla.
- Jon Campbell, 336 McCorkle Lane, Walla Walla.

The following urged acceptance of the public art donation:

- Craig Keister, 115 E. Main Street, Walla Walla.
- Sharon Shiller, 1414 Topaz Street, Walla Walla.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, had general comments on the role of advisory commissions and acceptance of their input and recommendations.

There was additional discussion on formation of an art commission and feedback from ArtWalla on the proposed donation of the Harvest Memories sculpture. Council asked that this sculpture be the first task of the art commission after it is established.

Councilmember Clubb moved to table Resolution No. 2018-85.

Councilmember Moss seconded the motion. The motion carried with 4 yes votes by Councilmembers Clubb, Cummins, Moss and Mayor Clark and 2 no votes by Councilmembers Bahena and Huie.

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- C. Resolution No. 2018-87 approving a contract to authorize an eight-year property tax exemption for the Evergreen Housing Development Group's multi-family housing project located at 351 E. Rose Street.

Development Services Director Chamberlain reviewed:

- Evergreen Housing Development Group has applied for an eight-year multi-family property tax exemption.
- The proposed development is 119 apartments where the Elks Lodge is currently located.
- The City's code requires the ground floor in the downtown district to be a commercial use so there will be eleven extended stay units for rent.
- The difference between an eight-year multi-family property tax exemption for market rate rentals versus a twelve-year multi-family property tax exemption that requires twenty percent of the units for low to moderate income rentals.
- Comprehensive Plan policies and strategic plan goals served by this proposed development.
- Orientation of building will be towards Rose and Palouse Streets with the parking in the rear.
- Projected economic benefits to the City resulting from the project.
- Letter of support from the Downtown Walla Walla Foundation.

There was discussion on:

- Property tax benefit to the City.
- Expansion of the multi-family property tax exemption to areas other than just downtown. Staff agrees but there are State statutes regarding designation of targeted areas that must be met.
- The exemption is either granted for one eight-year or twelve-year period. There are no extensions.
- Staff does not see any problems with establishing the necessary process to monitor compliance with a twelve-year multi-family property tax exemption.
- Negotiating the terms and conditions of the agreement to seek affordable housing as part of the project.

Fred Hines, Evergreen Housing Development Group, urged acceptance of the agreement for an eight-year multi-family property tax exemption to develop 119 market rate apartments. The project does not pencil out

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under the twelve-year exemption requiring twenty-percent low to moderate income rentals. There was discussion on the additional four years and why it doesn't make financial sense for Evergreen Housing Development Group to pursue this option.

Mayor Clark invited public input.

Bonnie Bowton, Downtown Walla Walla Foundation, indicated the Foundation supports this quality residential development in the downtown area.

R.L. McFarland, 3731 Middle Waitsburg Road, Walla Walla, suggested the City refrain from using the word "affordable" when discussing this project and expressed confusion over the two types of units and length of stay.

Norm Ostermann, 1032 Pomona, Walla Walla, Chair of the County Housing and Homeless Committee, sought clarification on the proposal.

Shane Laib, 1048 Frankland, Walla Walla, asked the City Council to move forward with the project.

Greg Flowers, 1841 Fern Avenue, Walla Walla, commented this is an opportunity for an investment in housing. This increase in housing units may make other existing housing units more affordable.

There were comments on the project meeting many issues but not affordability. Rents are nearly double what current fair market rents are in the area. This project fosters development but also seeks concessions from the City in the form of a property tax exemption.

Councilmember Moss moved to table Resolution No. 2018-87 to allow for negotiations for modest affordability issues with Evergreen Housing Development Group as a compromise before allowing the project to proceed. Councilmember Bahena seconded the motion. The motion carried with 4 yes votes by Councilmembers Bahena, Clubb, Moss and Mayor Clark and 2 no votes by Councilmembers Cummins and Huie.

Council agreed to have Councilmember Moss serve on the negotiating team.

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- D. Resolution No. 2018-88 approving the Irongate 2 preliminary plat involving approximately four acres of property located on Whistling Duck Road, east of Cottonwood Road. (Closed record, quasi-judicial)

Mayor Clark polled the City Council for any conflicts of interest, appearance of fairness, or ex-parte contacts. None were reported.

Senior Planner Maland reviewed the proposed preliminary plat and recommendation of approval.

There was discussion on:

- Letters regarding traffic and sight lines. Staff responded this has been reviewed by the City Engineers and the street configuration serves as a traffic calming device. The developer will work with their contractors to address the need to be "good neighbors."
- Pedestrian access across Caldwell Creek. Staff reported that the City was unable to obtain right-of-way over the creek from the property owner to the north so there will not be any non-motorized access. The only option available is for the City to condemn and pay the property owner for right-of-way. The City only has a waterline easement and not any public right-of-way.

Councilmember Cummins moved to adopt Resolution No. 2018-88. Councilmember Huie seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

- E. Approval of the July 31, 2018 accounts payable register containing check numbers 198722 through 198858, 198860 through 199086, 990885 through 99088, and 9208 through 9227, totaling \$3,652,846.56.

Councilmember Cummins moved to approve payment of the July 31, 2018 accounts payable register containing check numbers 198722 through 198858, 198860 through 199086, 990885 through 99088, and 9208 through 9227, totaling \$3,652,846.56 except for the checks to Yazmin Bahena, Myron Huie, Jerry Cummins, and the Alliance for the Homeless. Councilmember Moss seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.

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Councilmember Cummins moved to approve payment of the checks to Yazmin Bahena and Myron Huie. Councilmember Clubb seconded the motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 2 abstentions by Councilmembers Bahena and Huie.

Councilmember Clubb moved to approve payment of the checks to Jerry Cummins and Alliance for the Homeless. Councilmember Huie seconded the motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 2 abstentions by Councilmember Cummins and Mayor Clark.

F. Approval of the minutes of the regular meeting held July 25, 2018.

Councilmember Cummins moved to approve the minutes of the regular meeting held July 25, 2018. Councilmember Clubb seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 1 abstention by Councilmember Moss.

6. COUNCIL MEMBER MEETING REPORTS

Councilmember Moss reported attendance at the Parks, Recreation & Urban Forestry Advisory Board meeting held August 6; and the ad hoc affordable housing committee meeting held August 7.

Councilmember Huie had no meetings to report.

Councilmember Bahena reported attendance at a radio interview on the Grapevine held July 31; the "cracking the code" meeting regarding code amendments held July 31; an Association of Washington Cities webinar on August 1; a police ride along on August 2; and the ad hoc affordable housing committee meeting held August 7.

Councilmember Cummins reported attendance at the Highway 12 project update held July 31; an open house at the former Teague Motors site held July 31; the Good Roads Committee meetings held August 1 and August 2; and the Providence St. Mary Southgate Medical Park open house held August 6.

Councilmember Clubb reported attendance at an affordable housing meeting held July 31; the "cracking the code" meeting regarding code amendments held July 31; an Association of Washington Cities webinar on August 1; the Metropolitan Planning Organization meeting held August 1;

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the Planning Commission meeting held August 6; and the ad hoc affordable housing committee meeting held August 7.

Mayor Clark had no meetings to report.

7. UNFINISHED AND NEW BUSINESS

There was discussion on the 2020 census and a proposed question regarding citizenship. Many organizations and municipalities are concerned with fairness, equitability, and economic impact if the population is undercounted. It was the consensus of a majority of Council to put this on a future Work Session for discussion.

8. EXECUTIVE SESSION

Mayor Clark 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 consider the minimum price at which real estate will be offered for sale or lease pursuant to RCW 42.30.110(1)(c); 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 Work Session will last no more than two hours and no further business will come before the City Council in open session.

The meeting was recessed at 9:42 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 10:40 p.m.