

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**December 15, 2021**

**1. CALL TO ORDER**

Mayor Scribner called the meeting to order at 6:30 p.m.

Present: Councilmembers Yazmin Bahena, Riley Clubb, Myron Huie, Ted Koehler, Steve Moss, and Mayor Tom Scribner.

Absent: Councilmember Susan Nakonieczny.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Deputy City Manager Elizabeth Chamberlain, and City Clerk Kammy Hill.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS**

Outgoing Councilmembers Huie, Bahena and Clubb were recognized for their contributions and their service to the City.

**4. PUBLIC COMMENTS**

Robert Kolasch asked that the use of entheogen-related activities be decriminalized in Walla Walla and provided copies of a City of Seattle legislative report.

Sharon Schiller commented on the diversity of the current Council and enjoyment received by listening to the various viewpoints.

**5. CONSENT AGENDA**

Staff introduced the Consent Agenda, Items A through F, as follows:

- A. Ordinance No. 2021-44 amending the 2021-2022 biennium maintenance and operations budget; and Ordinance No. 2021-45 amending the capital improvement project budget.
- B. Resolution No. 2021-158 supports submission of grant application(s) by the Tri-State Steelheaders' and the City for removal of the Fifth

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Avenue vehicle bridge over Mill Creek and replacing it with a pedestrian bridge.

- C. Resolution No. 2021-159 authorizing a contract amendment with Walla Walla Alliance for the Homeless for services at the sleep center through December 31, 2022.
- D. Resolution No. 2021-160 authorizing an amendment to the Pacific Security contract for sleep center security services through December 31, 2022.
- E. Resolution No. 2021-161 approving a renewal of a service contract with David Mumm for communication print services in 2022 in an amount not to exceed \$25,240.
- F. Approval of minutes of the Work Session held November 29, 2021.

Mayor Scribner invited public input. No one chose to address the City Council on any of these items.

Brief reports were provided on Items A and B.

**Councilmember Moss moved to adopt Consent Agenda Items A through F. Councilmember Huie seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

- A. Resolution No. 2021-162 accepts the 1<sup>st</sup> Avenue Plaza conceptual design.

Staff reviewed the process and components of the conceptual design for a permanent pedestrian plaza at 1<sup>st</sup> Avenue between Main Street and Alder Street. There were comments on the historical significance of the area and inclusion of storyboards to explain the meaning behind the name "Walawala Plaza" and components within the plaza.

Mayor Scribner invited public input.

Gary Mabley outlined his professional background and expressed concerns with the conceptual design and compatibility with the

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downtown design standards. Mr. Mabley asked Council to remand the design back to staff.

RL McFarland suggested allowing the public more time for a deeper review of the design.

There was discussion on:

- Historical and educational aspects of the design.
- Ability to amend the design.
- Downtown design standards.
- Removal of streetlights to convert the area from vehicular street to a pedestrian plaza.
- Removal and replanting of trees in the area.
- The plan is to install complementary pavers in the plaza area while retaining the existing pavers in the sidewalk area.
- Public review of the design.
- Bids and material availability may slightly change the conceptual design.
- The City Council is committing to a design by adoption of the resolution.

**Councilmember Clubb moved to adopt Resolution No. 2021-162.  
Councilmember Huie seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

- B. Resolution No. 2021-163 authorizing an agreement with the Blue Mountain Action Council for Commitment to Community Services.

Staff reported this is an annual action to partner with the Blue Mountain Action Council for Commitment to Community neighborhood outreach services in the amount of \$52,000. The City has been a partner since 2015. The quarterly report will be amended to align with the services being provided.

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

**Councilmember Moss moved to adopt Resolution No. 2021-163.  
Councilmember Bahena seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 1 abstention by Councilmember Koehler.**

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- C. Resolution No. 2021-164 authorizing the City Manager to execute contracts for indigent public defense services.

Staff reported the City had issued a request for proposals for three-year indigent legal defense contracts. Three proposals were received and reviewed by staff and Judge Hedine. After reviewing case numbers, staff is proposing to enter into contracts with Ponti & Wernette for 350 cases, Lewellyn Law Office for 200 cases, and the Law Office of Rachel Cortez for 200 cases. The City is required to provide legal representation to indigent defendants. The contract language allows for fluctuation in the number of cases over the minimum.

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

There were comments on the importance of being properly represented by an attorney in court.

**Councilmember Koehler moved to adopt Resolution No. 2021-164. Councilmember Moss seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

- D. Ordinance No. 2021-46 adopting Municipal Code text amendments to Titles 19 and 20.

Staff reported these amendments have been reviewed at two Work Sessions. A revised Ordinance has been prepared that includes different language in Chapter 20.34, Development Agreements, from what was recommended by the Planning Commission as reviewed with Council at the Work Session.

Mayor Scribner invited public input.

Jonathan Bruhn suggested that development agreements are essential for government to know what is going to be built on annexed property. These agreements should be mandatory and not voluntary. The City Council should also be the body that determines who the hearing body will be for these agreements.

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There was extensive discussion on development agreements and whether they should be mandatory versus voluntary. City Attorney Donaldson reported on the legal considerations and constitutional requirements to leave them voluntary versus mandatory. Making a development agreement mandatory would negate any demands of the City. The only way these agreements can be legally enforceable is by keeping them voluntary. The City's Municipal Code contains the mechanisms to protect the public, in addition to SEPA requirements.

Mayor Scribner reported that he will be voting no because he feels the City should require development agreements.

**Councilmember Moss moved to adopt Ordinance No. 2021-46 as revised by staff. Councilmember Bahena seconded the motion. The motion carried with 5 yes votes and 1 no vote by Mayor Scribner.**

E. Ordinance No. 2021-47 modifying landfill rates for 2022-2023.

Staff reviewed the proposed changes.

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

There were brief comments on the decrease in costs for weighing vehicles and responsiveness to public requests for unscreened compost.

**Councilmember Koehler moved to adopt Ordinance No. 2021-47. Councilmember Moss seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

F. Resolution No. 2021-165 authorizing use of American Rescue Plan Act (ARPA) funding.

Staff reported this is requesting the formal appropriation of \$653,000 of ARPA funds as follows: \$250,000 for playground equipment at Eastgate Lions Park; \$150,000 for non-profit organizations to be administered by the Blue Mountain Community Foundation for a five percent administration fee; and \$253,000 for police equipment.

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

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There were comments on uses of these funds.

**Councilmember Koehler moved to adopt Resolution No. 2021-165. Councilmember Bahena seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

- G. Resolution No. 2021-166 authorizing an amendment to the employment agreement with City Manager Nabil Shawa; and Resolution No. 2021-167 authorizing an amendment to the employment agreement with City Attorney Tim Donaldson.

Mayor Scribner reported this is a three-year renewal of the employment agreements with City Manager Shawa and City Attorney Donaldson. The amendments provide for a two percent increase for each of the next three years.

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

**Councilmember Moss moved to adopt Resolution No. 2021-166. Councilmember Clubb seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**Councilmember Koehler moved to adopt Resolution No. 2021-167. Councilmember Moss seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

- H. Approval of minutes of the retreat held November 20, 2021.

**Councilmember Moss moved to approve the minutes of the retreat held November 20, 2021. Councilmember Bahena seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes and 1 abstention by Councilmember Clubb.**

- I. Approval of minutes of the special Work Session held November 22, 2021.

**Councilmember Moss moved to approve the minutes of the special Work Session held November 22, 2021. Councilmember Bahena seconded the**

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**motion. The motion unanimously carried with 4 yes votes, 0 no votes, and 2 abstentions by Councilmembers Clubb and Huie.**

Councilmember Huie left the meeting at 8:46 p.m.

J. Approval of minutes of the regular meeting held December 1, 2021.

**Councilmember Moss moved to approve the minutes of the regular meeting held December 1, 2021. Councilmember Koehler seconded the motion. The motion unanimously carried with 4 yes votes, 0 no vote, and 1 abstention by Councilmember Bahena.**

Councilmember Huie returned at 8:48 p.m.

K. Approval of the November 2021 accounts payable register containing check numbers 16414, 16416 through 16563, 16565 through 16771, and 283 through 297 totaling \$4,830,994.94.

**Councilmember Moss moved to approve payment of the November 2021 accounts payable register containing check numbers 16414, 16416 through 16563, 16565 through 16771, and 283 through 297 totaling \$4,830,994.94 except for the checks to the Blue Mountain Action Council. Councilmember Koehler seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**Councilmember Moss moved to approve payment of the checks to the Blue Mountain Action Council. Councilmember Clubb seconded the motion. The motion unanimously carried with 5 yes votes, 0 no votes, and 1 abstention by Councilmember Koehler.**

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

Councilmember Moss reported attendance at the downtown tree lighting ceremony; the Parks, Recreation & Urban Forestry Advisory Board meeting; the agenda setting meeting; the Work Session; and the ad hoc housing committee meeting.

Councilmember Huie reported attendance at the Fort Walla Walla Museum Board meeting, and a meeting of the Committee on Committees.

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Councilmember Bahena reported attendance at two Work Sessions; the Civil Service Commission meeting; and a meeting of the Committee on Committees.

Councilmember Clubb reported attendance at a special meeting of the Metropolitan Planning Organization board; the Work Session; and the Common Roots Board meeting.

Councilmember Koehler reported attendance at the Work Session; an ad hoc housing committee meeting; and the Vista Terrace playground ribbon cutting ceremony.

Mayor Scribner reported attendance at a meeting with Councilmember-elect Casey, a meeting with Library Director Wells, the agenda setting meeting, the Library Board meeting, the Work Session, and the Bicycle & Pedestrian Advisory Committee meeting.

**8. UNFINISHED AND NEW BUSINESS**

The Council Committee on Committees recommends the following appointments:

- Arts Commission: Hannah Bartman representing ArtWalla and Matt Reynolds specializing in art education for terms expiring December 31, 2024.
- Bicycle & Pedestrian Advisory Committee: Greg Nelson for a term expiring December 31, 2023, and Don Holquin and Linc Nesheim for terms expiring December 31, 2024.
- Civil Service Commission: Jerry Cummins for a term expiring June 30, 2023.
- Infrastructure Improvement Committee: Hal Thomas to the engineer position, Anna Erickson to the accountant position, and Brian St. Clair to the at large position for terms expiring December 31, 2024.
- Library Board: Laurie Stroud for a term expiring December 31, 2026.
- Parks, Recreation and Urban Forestry Board: Jeff Bloom, Heidi Dobson, and Amanda Nelson for terms expiring December 31, 2024.
- Planning Commission: Erik McLaughlin, Emily Brown and Jim Williams for terms expiring December 31, 2024.
- Sustainability Committee: William Gatchel for a term expiring June 30, 2023, and Jonathan Paull and Gwendolyn Woodruff for terms expiring June 30, 2024.

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There was discussion on which appointments are necessary to ensure quorums are available and those that can be postponed for the new Council to consider.

**Councilmember Moss moved to make the following appointments:**

- **Arts Commission:** Hannah Bartman representing ArtWalla and Matt Reynolds specializing in art education for terms expiring December 31, 2024.
- **Bicycle & Pedestrian Advisory Committee:** Greg Nelson for a term expiring December 31, 2023, and Don Holquin and Linc Nesheim for terms expiring December 31, 2024.
- **Infrastructure Improvement Committee:** Hal Thomas to the engineer position, Anna Erickson to the accountant position, and Brian St. Clair to the at large position for terms expiring December 31, 2024.
- **Planning Commission:** Erik McLaughlin, Emily Brown and Jim Williams for terms expiring December 31, 2024.
- **Sustainability Committee:** William Gatchel for a term expiring June 30, 2023, and Jonathan Paull and Gwendolyn Woodruff for terms expiring June 30, 2024.

**Mayor Scribner seconded the motion. The motion carried with 5 yes votes and 1 no vote by Councilmember Huie.**

Councilmembers Huie, Bahena and Clubb were thanked again for their service.

The City is sponsoring a New Year's Eve fireworks show at the Walla Walla Community College on December 31 at 8:00 p.m.

**9. ADJOURNMENT**

**There being no further business, the meeting adjourned at 9:07 p.m.**