

WALLA WALLA CITY COUNCIL
Regular Meeting Minutes
December 7, 2022

1. CALL TO ORDER

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

Present: Councilmembers Brian Casey, Rick Eskil, Ted Koehler, Steve Moss, Susan Nakonieczny, Gustavo Reyna, and Mayor Tom Scribner.

Absent: None.

City staff in attendance: Deputy City Manager Elizabeth Chamberlain, City Attorney Tim Donaldson, Development Services Director Preston Frederickson, Planner Jon Maland, Finance Director Jean Teasdale, Public Works Director Ki Bealey, Parks and Recreation Director Andy Coleman, Public Works Deputy Director Mike Laughery, Engineer Frank Nicholson, Accounting Supervisor Liz Moeller, Police Chief Chris Buttice, Fire Chief Bob Yancey, Deputy Fire Chief John Knowles, and City Clerk Lisa Neissl.

Also present: Shawn Moffit and Jay Mecham of Jacobs.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

The following spoke to thank the council and the planning commission for their efforts related to the zoning changes for manufactured home parks.

- Jan Leonard
- Ruthann Broman
- Dorothy Knudson
- Jo Records

Steve Nokes and Keith Yarwood spoke about the lack of available parking for businesses downtown, specifically near Argo Transmission with the modifications being done on Alder and Colville.

Andre Laurendeau spoke about issues accessing his driveway which is from the alley behind his house. He asked about required clearances and width of the alley which is frequently blocked by neighboring parked cars.

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Barbara Clark of Walla Walla and Sherilyn Jacobson of College Place claimed that actions taken at the meeting on November 18th were in violation of the Open Public Meetings Act.

Council thanked the citizens for attending and expressed their individual opinions. A majority of Council asked staff to research options related to the parking issue near Argo Transmission and bring them to a work session.

4. CONSENT AGENDA

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

- A. Ordinance 2022-32: Vacates the westerly 11 feet of the right of way generally located at North 11th Avenue and West Main Street and 0.1 feet of alley adjacent to Lots 9, 10, 11, and 12 in Block 12 of Ritz's Addition.
- B. Ordinance 2022-33 amending the City of Walla Walla Municipal Code to decrease the Utility Excise Tax from 16.25% to 15.1% beginning on January 1, 2023.
- C. Resolution 2022-127 Authorizes a contract amendment with Walla Walla Alliance for the Homeless for services at the Sleep Center through June 30, 2023.
- D. Resolution 2022-128 Authorizes a contract amendment with Pacific Security for the Sleep Center security services through June 30, 2023.
- ~~E. Resolution 2022-129 Increases the City Manager's authority by \$50,000 for the contract with Priority One Fence at the driving range.~~
- F. Approves Minutes for the 10/24/2022, 10/31/2022, & 11/14/2022 Work Sessions, the 10/26/2022, 11/2/2022, & 11/16/2022 Regular Meetings, and the 10/27/2022 & 11/18/2022 Special Sessions.

Council Member Eskil requested that item E be moved to the active agenda. Item E was moved to A-1 in the active agenda.

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

Staff provided a brief explanation of item B which is a reduction of the utility excise tax.

Councilmember Moss moved to adopt Consent Agenda Items A, B, C, D, and F. Councilmember Casey seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

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5. ACTIVE AGENDA

- A. -1 (Removed from Consent) Resolution 2022-129 Increases the City Manager's authority by \$50,000 for the contract with Priority One Fence at the driving range.

Staff provided an explanation of the addition of change order 2 which will add some additional netting at the end of the driving range to contain balls that sometimes end up in the neighboring property.

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

There was discussion on:

- That the fencing is only for the golf course or also for the concerts.
- Cost of the additional netting.

Councilmember Eskil moved to approve Resolution 2022-129 as presented and discussed. Councilmember Nakonieczny seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

- A. Resolution 2022-130 Authorizes the annual (2023) amendment with Jacobs for operation and maintenance of the Wastewater Treatment Plant.

Staff reported on the requested cost increase from Jacobs for operation of the wastewater treatment plant. It was noted that the requested increase is 6.4% and the CPI in September was 8.7%.

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

There was discussion on:

- If increase is included in the budget.
- History of working with Jacobs for this service.
- Facility and plant owned by City, while operation performed by Contractor.
- Other facilities operated by Jacobs and how that assists with access to supplies.
- Increases to other facilities they operate.

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Councilmember Koehler moved to approve Resolution 2022-130 as presented and discussed. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

B. Resolution 2022-131 Adopting an Updated General Fund Reserve Policy for the City of Walla Walla.

Staff reported on the request from the Finance Committee to update the reserve policy to the General Fund as the previous minimum percentages were determined to be too low.

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

There was discussion on:

- The history as discussed by the Finance Committee.
- Periodic analysis of the reserve balances.
- Managing financial uncertainty.
- Bond ratings.
- Actions to be taken if the reserve nears 10% and is trending down.

Councilmember Reyna moved to approve Resolution 2022-131 as presented and discussed. Councilmember Casey seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

C. Ordinance 2022-34 Adoption of the 2023-2028, 6-Year Capital Facilities Plan.

Staff gave a brief review of the presentation given at the November 14th meeting.

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

There was discussion on:

- Planning ahead.
- Road construction and detours.

Councilmember Koehler moved to approve Ordinance 2022-34 as presented and discussed. Councilmember Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

D. Ordinance 2022-35 Adopting the 2023 Non-represented Salary Schedule.

Staff provided a brief explanation of the recommended 3% increase.

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

There was discussion on the number of staff covered by this schedule.

Councilmember Moss moved to approve Ordinance 2022-35 as presented and discussed. Councilmember Reyna seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

E. Public Hearing and Ordinance 2022-36 Adopts the 2023-2024 Biennial Budget.

Staff provided an overview of the final budget proposal.

Mayor Scribner opened the public hearing at 8:10 p.m. With no one choosing to address the City Council on this issue, the hearing closed.

There was discussion on:

- Finance committee meetings.
- Body worn camera program inclusion in the budget.
- Priority of budget request items that were not included in the budget.
- Process of preparing the budget.

Councilmember Moss moved to approve Ordinance 2022-36 as presented and discussed. Councilmember Koehler seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

F. Resolution 2022-132 Authorizes contract with Walla Walla Summer Theater Group for operation of the Fort WW Amphitheater.

Staff reported on the requested contract to lease the amphitheater to the Walla Walla Summer Theater Group who plan to revitalize the property.

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

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There was discussion on:

- Length of the contract being necessary for grant opportunities to improve the property.
- History of the facility and past failures.
- Active oversight.
- Updates moving forward.
- Ability to require bonds in the permitting process for future improvements to protect the city.

Councilmember Moss moved to approve Resolution 2022-130 as presented and discussed. Councilmember Eskil 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 following:

The work session, the agenda setting meeting, Valley Transit, City Manager Selection meeting, Finance committee, Housing ad hoc committee, and the Committee on Committees.

Councilmember Casey reported attendance at the following:

The work session, and a tour of the wastewater facility.

Councilmember Reyna reported attendance at the following:

The work session, Blue Mountain Action Council meetings, City Manager Selection meeting, and the Committee on Committees.

Councilmember Nakonieczny reported attendance at the following:

The work session, and the Committee on Committees.

Councilmember Eskil reported attendance at the following:

The work session, Valley Transit, a meeting with the Mayor.

Councilmember Koehler reported attendance at the following:

The work session, Finance committee, the housing ad hoc committee, a meeting with Ms. Chamberlain, City Manager Selection meeting, County Commissioners meeting, and a legislative work session.

Mayor Scribner reported attendance at the following:

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The work session, the agenda setting meeting, finance committee, City Manager Selection, Legislative meeting, Meeting with Mr. Frederickson, a meeting with CM Eskil, and read a proclamation at the Christmas tree lighting.

7. UNFINISHED AND NEW BUSINESS

Council Member Nakonieczny made a motion to appoint Brenda Bernards, nominated by Art Walla and Lindsey Luna, nominated by the Downtown Foundation to the Arts Commission. Council Member Moss seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Council Member Nakonieczny made a motion to appoint David Reinholz and Blake McKinney to the Parks, Recreation, and Urban Forestry Advisory Board. Council Member Reyna seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

There was a "shout out" to the public works crew for working on the streets in the recent snow.

Ms. Chamberlain spoke about presenting a "City 101" at Whitman College with Mr. Frederickson. She spoke about the areas of discussion and noted that it may result in some additional interns for the City.

8. EXECUTIVE SESSION

Council Member Moss made a motion to allow the meeting to extend beyond 9:30 p.m. Council Member Eskil seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

At 8:53 p.m. the mayor announced an executive session until 9:23 for the following purposes:

A. Closed Session

- a. Subject 1: To consider the minimum price at which real estate will be offered for sale or lease pursuant to RCW 42.30.110(1)(c).
- b. Subject 2: To evaluate the qualifications of an applicant for public employment **or** to review the performance of a public employee pursuant to RCW 42.30.110(1)(g).

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At 8:23 p.m. the mayor announced an extension of the executive session until 9:45.

At 9:45 p.m. the mayor announced an extension of the executive session until 10:05.

B. Open Session - City Manager appointment and contract approval.

Council reconvened to open session at 10:05 p.m.

Mayor Scribner made a motion to reconsider the action taken on November 18th, with respect to the selection of a City Manager. Council Member Moss seconded the motion. The motion carried unanimously with 7 yes votes and 0 no votes.

There was discussion on:

- The process and going into it with an open mind regarding all candidates.
- The differences between this hiring process and previous processes to hire for the City Manager position.
- The written and video answers from the eight semi-finalists that were viewed individually by the council members.
- The deep knowledge of the comprehensive plan, community needs, and experience of Ms. Chamberlain.
- Lack of applicable experience among the other candidates.
- The action to terminate the search process earlier than planned based upon the qualities of the remaining candidates.
- The accusation of violating the OPMA on November 18th.
- Council Member Eskil expressed in his opinion; the council had violated the Open Public Meetings Act.
- Transparency of the information that the council members had that resulted in that decision.

Councilmember Reyna made a motion to terminate the process and move directly into hiring of the City Manager. Councilmember Moss seconded the motion.

Barbara Clark defended her claim of the OPMA violation and reiterated her preference for continuation of the process as originally announced.

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After additional discussion.

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

Councilmember Reyna made a motion to hire Elizabeth Chamberlain as the City Manager for the City of Walla Walla. Councilmember Koehler seconded the motion. The motion unanimously carried with 7 yes votes and 0 no votes.

Mayor Scribner made a motion that Ms. Chamberlain as the new City Manager be paid the same salary that Mr. Shawa was paid at the time of his retirement, not including the car allowance or other additional items. Council Member Reyna seconded the motion.

Barbara Clark asked if this amount was negotiated.

Mayor Scribner stated that there had been some negotiations and back-and-forth discussions.

After additional comments.

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

Ms. Chamberlain was congratulated on her appointment to the position of City Manager.

9. MEETING ENDS

There being no further business, the meeting ended at 10:54 p.m.

Approved:

Attest:

Mayor

City Clerk