

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**April 23, 2012**

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

**ROLL CALL**

Present: Mayor Clara Jiménez and Councilmembers Zachary Dorr, Derald Ortloff, Randy Taylor, and Blaine Thorington.  
Absent: Loren Belton and Mark Oaks.  
Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary Cuillier, Finance Director/City Clerk Linda B. Mead (FD Mead), MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Thorington moved, seconded by Councilmember Taylor to excuse Councilmembers Belton and Oaks from the April 23, 2012 Council Meeting. Motion carried unanimously.

**PUBLIC COMMENT**

Armando Anaya, 108 South F Street, Toppenish, owner of the Tejano Salon, expressed his frustration regarding the condemnation of his building. Mr. Anaya also expressed concerns regarding the various code violations that he has received from the Code Enforcement Officer and the Community Development Director. Mr. Anaya alleged that he had no knowledge or prior notice of code violations with his building and stated that after being in business for over five years with no problems he started to receive violation notices from the Code Enforcement Officer and the Community Development Director. Further, Mr. Anaya alleged that he received no help from the Code Enforcement Officer, the Community Development Director, or the City Manager to resolve the violations.

City Manager Murphy (CM Murphy) responded that he does not agree that what Council heard was a complete and fair representation of the facts. CM Murphy stated that the former Public Safety Director had notified Mr. Anaya of code violations. Further, CM Murphy reported in detail how he and staff had tried working with Mr. Anaya for an extended period to comply with the public safety concerns before taking enforcement action.

**CONSENT AGENDA**

Councilmember Thorington moved, seconded by Councilmember Dorr to approve Consent Agenda items a through d:

- a. Approve Minutes of the April 9, 2012 Regular Meeting.
- b. Receive March 2012 Budget Report and Update memorandum submitted by Finance Director/City Clerk Linda Mead.
- c. Approve Payroll Checks Number 31554 through 31577 in the total amount of \$222,073.68 dated April 15, 2012.
- d. Approve Claims Checks Number 74863 through 74957 in the total amount of \$132,169.60 dated April 23, 2012 and void Check Number 74821.

Motion carried unanimously.

## OLD BUSINESS

**Approve the Release of Retainage to Apollo Inc. for the Well No. 9 Transmission Water Main Project in the Amount of \$18,196.67. All Waivers have been Received for Employment Security, Labor & Industries, and Department of Revenue. No Liens have been Filed within the 60-day Period.**

Councilmember Taylor moved, seconded by Councilmember Ortloff to approve Release of Retainage to Apollo, Inc. in the amount of \$18,196.67 for the Well No. 9 Transmission Water Main Project. All Waivers have been received for Employment Security, Labor & Industries, and Department of Revenue. No Liens have been filed within the 60-day period. Motion carried unanimously.

## NEW BUSINESS

**Presentation by Brad McDowell, CEO of AB Foods (Washington Beef) Regarding Environmental Activities Pertaining to Air Quality.**

Brad McDowell, CEO of AB Foods (Washington Beef) reported that in an effort to improve communications with the community he is giving an update on the activities over the past two years to improve the air quality at the Toppenish plant. Mr. McDowell reported that AB Foods employs 881 people and is one of the largest employers in Yakima County. Mr. McDowell stated that the meat processing industry is regulated by 64 different regulatory agencies within the local and federal systems and reports daily, monthly or annually to maintain compliance with the strict regulations. Mr. McDowell reported in detail the extensive efforts and costs spent by AB Foods by installing an advanced air scrubbing system to improve the air quality and reduce the smell caused by the meat processing facility. Mr. McDowell stated that AB Foods is a strong supporter of local community and has made contributions for the flag project at Old Glory Plaza, the Pioneer Park Playground equipment, the Pioneer Park Pathway, and the new City pool concession stand, along with donations to the Toppenish Chamber of Commerce, the Toppenish Mural Society, the Community Safety Network, and the Toppenish School District. In conclusion, Mr. McDowell expressed his appreciation to Council and the community for working with AB Foods over the years.

### **Ordinance 2012-4:**

**An Ordinance Amending the 2012 Operating Budget and Amending Ordinance 2011- 20 for the City of Toppenish, Washington.**

Finance Director/City Clerk Mead (FD Mead) reported that the proposed amendment will provide for various items, which include an adjustment for the AT & T settlement, the out of pocket medical expenses for LEOFF1 retirees, the cost for improvements to the library building caused by rain damage, transfers for the Casino grants, and the TIB grant award for the Franklin Avenue project.

Councilmember Thorington moved, seconded by Councilmember Taylor to adopt Ordinance 2012-4 an Ordinance Amending the 2012 Operating Budget and Amending Ordinance 2011-20 for the City of Toppenish, Washington. Motion carried unanimously.

## **COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Mayor Jiménez reported that Saturday, April 28, 2012 is the Graffiti Paint Out and Clean Up hosted by the Community Safety Network.

Councilmember Ortloff reported that Yakama Nation Solid Waste is donating plastic gloves and garbage bags for the clean up on April 28, 2012.

## **CITY MANAGER REPORTS**

CM Murphy reported that the City has received liquor revenues for the past seventy years that will be reduced in July 2012. CM Murphy stated that he will be in attendance for an AWC conference call on April 24, 2012 to receive an update on the projected impact to the City by the Legislature diverting liquor revenues.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:51 p.m.

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CLARA R. JIMÉNEZ, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK