

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**April 27, 2015**

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

**ROLL CALL**

Present: Mayor Loren Belton and Councilmembers Zachary Dorr, Mark Oaks, Derald Ortloff, Randy Taylor, and Blaine Thorington.  
Absent: Councilmember Clara Jiménez.  
Staff Present: Interim City Manager Lance C. Hoyt (ICM Hoyt), City Attorney Gary Cuillier, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Dorr moved, seconded Councilmember Ortloff to excuse Councilmember Jiménez from the April 27, 2015 Regular Meeting. Motion carried unanimously.

**PUBLIC COMMENT**

Melford Hall, 321 Robbins Road, Toppenish, reported that he is the Treasurer for the Fraternal Order of Eagles. Mr. Hall stated that the Eagles recently received a letter from the Yakama Nation (YN) requesting that the Eagles purchase a YN business license for \$205. Mayor Belton responded that several Toppenish businesses, along with City Hall received the same letter. Interim City Manager Hoyt (ICM Hoyt) stated that he spoke with Laurene Contreras, YN Revenue Manager regarding the program. ICM Hoyt invited Ms. Contreras to speak to Council regarding the YN program; however, she will need to receive authorization from other committees before accepting the invitation to present the program at a Council meeting. City Attorney Cuillier stated that he and ICM Hoyt have discussed the matter that raises jurisdictional issues.

Diana Sampson, 512 South Alder Street, Toppenish, reported that Community Safety Network (CSN) conducted its Spring Clean Up and Graffiti Paint Out on April 25, 2015 that resulted in over 200 volunteers picking up 100 bags of garbage throughout the community during the three-hour event. Ms. Sampson thanked YN Solid Waste for the use of garbage dumpsters and Blaine Thorington for driving the bus donated by the Toppenish School District. Mayor Belton thanked Washington Beef and families, students from Toppenish High School, Eagle High School, Toppenish Middle School, and YN Tribal School, Toppenish Bad Boys wrestlers, Junior League Yakima, Yakima Valley Conference of Governments, Yakima Valley Farm Workers Clinic Americorp, Love Thy Neighbor, Toppenish Police Explorers and CSN for the successful event. Ms. Sampson reported that a Don't Litter campaign will be organized for later in the year.

**CONSENT AGENDA**

Councilmember Thorington moved, seconded by Councilmember Taylor to approve Consent Agenda items a through e:

- a. Approve Minutes of the April 13, 2015 Regular Council Meeting.
- b. Receive February 2015 Budget Report and Update Memorandum Submitted by Finance Director/City Clerk Linda Mead.

- c. Receive March 2015 Budget Report and Update Memorandum Submitted by Finance Director/City Clerk Linda Mead.
- d. Approve Payroll Checks Number 33004 through 33017 and EFTPR496-503 in the total amount of \$270,590.78 dated April 20, 2015.
- e. Approve Claims Checks Number 81528 through 81622 and EFTAP128 in the total amount of \$212,549.18 dated April 27, 2015.

Motion carried unanimously.

## **NEW BUSINESS**

### **Ordinance 2015-04:**

#### **Ordinance Amending Section 3.41.010 of the Toppenish Municipal Code for the Purpose of Clarifying Garbage Collection Providers Subject to the Tax.**

ICM Hoyt reported that the proposed Ordinance has the language that the WUTC requires for the City to receive the utility tax collected by other garbage collection providers.

Councilmember Dorr moved, seconded by Councilmember Oaks to adopt Ordinance 2015-04, Ordinance Amending Section 3.41.010 of the Toppenish Municipal Code for the Purpose of Clarifying Garbage Collection Providers Subject to the Tax. Motion carried unanimously.

### **Resolution 2015-09:**

#### **A Resolution Approving Fuel Tax Grant Distribution Agreement between the State of Washington Transportation Improvement Board and the City of Toppenish in the Amount of \$167,334 for the Sidewalk Project of a Portion of West First Avenue.**

ICM Hoyt reported that the proposed Resolution approves the Fuel Tax Grant Distribution Agreement with the State of Washington Transportation Improvement Board in the amount of \$167,334 for partial funding for the sidewalk project for a portion of West First Avenue from SR 97 to Guyette Avenue.

Councilmember Oaks moved, seconded by Councilmember Ortloff to adopt Resolution 2015-09, a Resolution Approving Fuel Tax Grant Distribution Agreement between the State of Washington Transportation Improvement Board and the City of Toppenish in the Amount of \$167,334 for the Sidewalk Project of a Portion of West First Avenue. Motion carried unanimously.

### **Resolution 2015-10:**

#### **Resolution Approving Agreement with Huibregtse, Louman Associates, Inc. for Professional Engineering and Surveying Services for the 2014 Water Main Improvements Project – Phase 1.**

ICM Hoyt reported that the proposed Resolution approves the Professional Engineering and Surveying Services Agreement with Huibregtse, Louman Associates, Inc for the 2014 Water Main Improvements Project – Phase 1, with a “not-to exceed” budget of \$85,800.

Councilmember Thorington moved, seconded by Councilmember Dorr to adopt Resolution 2015-10, a Resolution Approving Agreement with Huibregtse, Louman Associates, Inc. for the Professional Engineering and Surveying Services for the 2014 Water Main Improvements Project – Phase 1. Motion carried unanimously.

**Resolution 2015-11:**

**Resolution Approving Transportation Improvement Board Consultant Agreement with Huibregtse, Louman Associates, Inc. for the Professional Engineering Services for the Arterial Preservation Project for the Overlay of a Portion of Lincoln Avenue, Between F Street and L Street.**

ICM Hoyt reported that the proposed Resolution approves the TIB Consultant Agreement with HLA for professional engineering services for the Arterial Preservation Project for the overlay of a portion of Lincoln Avenue, between F Street and L Street.

Councilmember Ortloff moved, seconded by Councilmember Taylor to adopt Resolution 2015-11, a Resolution Approving Transportation Improvement Board Consultant Agreement with Huibregtse, Louman Associates, Inc. for the Professional Engineering Services for the Arterial Preservation Project for the Overlay of a Portion of Lincoln Avenue, Between F Street and L Street. Motion carried unanimously.

**Resolution 2015-12:**

**Resolution Approving Transportation Improvement Board Consultant Agreement with Huibregtse, Louman Associates, Inc. for the Professional Engineering Services for the Design of the Urban Sidewalk Program for the West First Avenue from SR 97 to Guyette Avenue Project.**

ICM Hoyt reported that the proposed Resolution approves the TIB Consultant Agreement with HLA for professional engineering services for the Design of the Urban Sidewalk Program for West First Avenue from SR 97 to Guyette Avenue Project.

Councilmember Ortloff moved, seconded by Councilmember Oaks to adopt Resolution 2015-12, a Resolution Approving Transportation Improvement Board Consultant Agreement with Huibregtse, Louman Associates, Inc. for the Professional Engineering Services for the Design of the Urban Sidewalk Program for the West First Avenue from SR 97 to Guyette Avenue Project. Motion carried unanimously.

**Receive Recommendation from Mayor Belton for Interim City Manager Compensation.**

Mayor Belton reported that he had a meeting with ICM Hoyt on April 15, 2015 to discuss compensation for his additional responsibilities and recommends a 5% base salary increase, plus mileage rather than a set car allowance, to be retroactive from April 9, 2015.

Councilmember Thorington moved, seconded by Councilmember Taylor to set the compensation for Interim City Manager Hoyt for the additional responsibilities to be 5% base salary increase, plus mileage to be retroactive from April 9, 2015, until a full time City Manager is appointed. Motion carried unanimously.

**Receive Recommendations from Committee Members for Advertising for the City Manager Recruitment.**

Mayor Belton reported that Council received a copy of the materials with the agenda packet and noted a few corrections. Ms. Riojas stated that Councilmember Jiménez informed her that the experience listed in the advertisement needs to be revised to the same as the brochure. Mayor

Belton reported that Councilmember Taylor stated that the residency requirement needs to be updated in the brochure.

Councilmember Thorington moved, seconded by Councilmember Dorr to proceed with advertising for the City Manager recruitment. Motion carried unanimously.

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

Councilmember Oaks reported that the Central Washington Junior Livestock Show will be held at the rodeo grounds starting May 3, 2015 and concluding with the sale day on May 6, 2015.

Councilmember Thorington reported that he attended the CSN cleanup event on April 25, 2015.

### **CITY MANAGER REPORTS**

ICM Hoyt requested that Council set the public hearing for the Six Year Street Improvement Program for Tuesday, May 26, 2015.

Councilmember Ortloff moved, seconded by Councilmember Oaks to set Tuesday, May 26, 2015 as the date for a Public Hearing for the Six Year Street Improvement Program. Motion carried unanimously.

ICM Hoyt reported he has received several contacts from businesses in town regarding the YN Business License Application. Ms. Contreras has not provided a date that she is available to present to Council regarding the YN program. ICM Hoyt stated that the business owners are interested to know if their businesses will be exempt from collecting Washington State sales tax, what benefits will they receive from the YN Business License, what local business programs will be funded by the fees, will they be able to purchase fuel at the same rate as YN, will the signing of the business license application stop alcohol sales, and what specific disputes will they go to YN Tribal Court. ICM Hoyt reported that he will continue his efforts to schedule Ms. Contreras to make a presentation regarding the YN business license program.

ICM Hoyt reported that Council has received an invitation to attend a Latin Music event on April 30, 2015 at Heritage University.

### **ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 7:36 p.m.

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LOREN BELTON, MAYOR

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HEIDI RIOJAS, CMC  
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK