

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
April 8, 2013

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

ROLL CALL

Present: Mayor Clara Jiménez and Councilmembers Loren Belton, Zachary Dorr, Mark Oaks, Derald Ortloff, and Blaine Thorington.

Absent: Councilmember Randy Taylor.

Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary Cuillier, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Thorington moved, seconded by Councilmember Oaks to excuse Councilmember Taylor from the April 8, 2013 Regular Meeting. Motion carried unanimously.

PUBLIC COMMENT

None.

CONSENT AGENDA

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

- a. Approve Minutes of the March 25, 2013 Regular Council Meeting.
- b. Approve Minutes of the April 1, 2013 Study Session.
- c. Approve Pay Estimate #2 to Tacoma Pump & Drilling, Co., Inc. for the Drilling Well #9 Project in the total amount of \$111,037.73 with retainage held in the amount of \$5,218.30.
- d. Approve Payroll Check Numbers 32160 through 32180 and EFTPR128-134 in the total amount of \$182,793.62 dated April 8, 2013.
- e. Approve Claims Check Numbers 77054 through 77135 in the total amount of \$289,225.69 dated April 8, 2013 and Void Check Number 77047.

Motion carried unanimously.

NEW BUSINESS

Presentation by Commissioner Kevin Bouchey and Harold Delia, Project Director, Regarding Yakima County Gang Commission Application for Federal Grant for Community Based Violence Prevention Demonstration Project.

Commissioner Bouchey provided Council with an update on the Yakima County Gang Commission activities reporting that the Cities of Yakima, Sunnyside and Toppenish are the communities benefiting from the Title V federal grant and the Gang Reduction Intervention Project (GRIP) grant received from the Washington State Legislature. The Toppenish School District and the Educational Service District will partner with the City to support the efforts to educate and provide strategies to keep the youth out of gangs.

Harold Delia, Project Director, reported that the overwhelming response for the program and resources has caused a need to apply for additional funding to offer the program to assist more

kids. Mr. Delia stated that a federal grant opportunity is available and the deadline to apply is April 22, 2013. Mr. Delia reported that he will need the assistance of Chief Diaz to provide crime data for the application. Mr. Delia offered to assist the City in preparing its section of the grant application to increase the resources for the Phoenix Curriculum offered in the Toppenish School District for grades 3-6, the Police Explorers program, and the Gang Prevention/Intervention Specialist. The City Council expressed their support to continue the programs. Mr. Delia stated that he will work with City Manager Murphy (CM Murphy) in preparing the letter of support that will be submitted with the grant application.

Declare the Pioneer Park Pathway Project Complete and Begin the 60-day Lien Process.

CM Murphy reported that Council received a copy of a letter from the City's Engineer, Huibregtse, Louman Associates, Inc., indicating that the project has been satisfactorily completed and recommending acceptance of the project and begin the 60-day lien process.

Councilmember Belton moved, seconded by Councilmember Ortloff to Declare the Pioneer Park Pathway Project Complete and Begin the 60-Day Lien Process. Motion carried unanimously.

Ordinance 2013-07:

Ordinance Establishing Licensing Requirements and Standards of Conduct for Adult Entertainment Businesses by Adding New Chapter to Title 5 of the Toppenish Municipal Code.

CM Murphy reported that the proposed Ordinance had minor revisions and that the reference to inspection by a law enforcement officer was removed. The code enforcement officer will be the only person inspecting the businesses. CM Murphy stated that the zoning ordinance regarding adult entertainment businesses will be presented in 60-90 days after Council receives recommendation from the Planning Commission.

Councilmember Belton moved, seconded by Councilmember Oaks to adopt Ordinance 2013-07, an Ordinance Establishing Licensing Requirements and Standards of Conduct for Adult Entertainment Businesses by Adding New Chapter to Title 5 of the Toppenish Municipal Code. Motion carried unanimously.

Resolution 2013-08:

Resolution Approving Change Order No. 2 to Contract with Tacoma Pump & Drilling, Co., Inc. for the Drilling of Well No. 9.

CM Murphy reported that the proposed Resolution is a rarity with the decrease of \$19,017.92 in the contract with Tacoma Pump & Drilling, Co., Inc. for the redrilling of Well No. 9. The credit is for the additional engineering costs to be paid by the contractor for the redrilling.

Councilmember Thorington moved, seconded by Councilmember Dorr to adopt Resolution 2013-08, a Resolution Approving Change Order No. 2 to Contract with Tacoma Pump & Drilling, Co., Inc. for the Drilling of Well No. 9. Motion carried unanimously.

Resolution 2013-09:

Resolution Approving Utility Easement with Northwest Open Access Network.

CM Murphy reported that he has been working with Ted Parry regarding the proposed utility easement for Northwest Open Access Network (NoaNet). Mr. Parry stated that the NoaNet

project is to install fiber optic communication line to offer broadband services to underserved areas in the State of Washington. The proposed easement involves boring a line under the southeast corner of the triangle piece of City owned property referred to as the RV dump station located at the corner of Washington Avenue and Buena Way. Mr. Parry agreed to revise Exhibit A to reference Buena Way (SR-22) on the map and send the update to CM Murphy by April 11, 2013.

Councilmember Belton moved, seconded by Councilmember Ortloff to adopt Resolution 2013-09, a Resolution Approving Utility Easement with Northwest Open Access Network. Motion carried unanimously.

Set Agenda for the May 6, 2013 Study Session.

CM Murphy suggested a discussion regarding the electronic reader and the monetary details to complete the conversion.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Thorington reported that he struggled using the electronic reader and suggested a larger screen for the device.

Councilmember Dorr reported that he and Councilmember Thorington attended the Easter Egg Hunt on March 30, 2013. It was noted that Councilmember Dorr missed the March 25, 2013 meeting because of illness and the April 1, 2013 Study Session because he was out of town.

Mayor Jiménez reported that the McDonald's Re-Grand Opening is scheduled for April 11, 2013 and that the Community Safety Network is sponsoring a golf fundraising tournament at Mt. Adams Country Club on April 13, 2013.

CITY MANAGER REPORTS

CM Murphy reported on the repairs to the planter box in the Old Timer's Plaza (Hop Park). The Parks and Recreation Advisory Board Members recommend constructing a basketball court in place of the volleyball court at Olney Park for an estimated cost of \$4,000. CM Murphy reported that the diseased trees on Buena Way were cut down and that the Rotary Club has agreed to pay up to \$2,500 toward the replacement of the trees. The area will be planted with either sweet gum trees or arborvitae. CM Murphy stated that the City will pay for costs that exceed \$2,500 for the trees from Real Estate Sales Taxes, Fund 150, or Fund 170.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:45 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK