

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**August 10, 2015**

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

**ROLL CALL**

Present: Mayor Loren Belton and Councilmembers Zachary Dorr, Clara Jiménez, Derald Ortloff, Randy Taylor, and Blaine Thorington.  
Absent: Councilmember Mark Oaks.  
Staff Present: Interim City Manager Lance C. Hoyt (ICM Hoyt), City Attorney Gary M. Cuillier, Finance Director/City Clerk Linda B. Mead, Community Development Director William Rathbone (CDD Rathbone), Deputy Finance Director/City Clerk Debbie Zabell, City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Jiménez moved, seconded by Councilmember Taylor to excuse Councilmember Oaks from the August 10, 2015 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 July 27, 2015 Regular Council Meeting.
- b. Approve Minutes of the August 3, 2015 Study Session.
- c. Approve Pay Estimate #3 to Apollo, Inc. in the total amount of \$92,934.39 with retainage held in the total amount of \$4,411.01 the 2014 Water Main Improvements – Phase 1 and Lincoln Avenue Improvements Project.
- d. Approve Payroll Checks Number 33114 through 33129 and EFTPR549-555 in the total amount of \$190,253.48 dated August 5, 2015.
- e. Approve Claims Checks Number 82145 through 82221 in the total amount of \$197,808.40 dated August 10, 2015.

Motion carried unanimously.

**PUBLIC HEARING**

**Public Hearing Re: Community Development Block Grant Final Project Performance on the Lincoln Avenue Improvements Project.**  
**Presentation by Interim City Manager Lance Hoyt.**

Mayor Belton opened the public hearing at 7:04 p.m.

Interim City Manager Hoyt (ICM Hoyt) reported that the purpose of the public hearing is to give a final project performance for the Lincoln Avenue Improvements Project. ICM Hoyt briefly discussed the project that involved the City receiving a General Purpose Community Development Block Grant in the amount of \$399,247 for the water, street, and sidewalk improvements on Lincoln Avenue. The contract bid for the 50-day project was awarded to Apollo, Inc. ICM Hoyt reported that the project will be completed by the end of this week.

There being no comments from the public, Mayor Belton closed the public hearing at 7:07 p.m.

## **NEW BUSINESS**

### **Ordinance 2015-08:**

**An Ordinance of the City of Toppenish, Washington, Adopting a Moratorium Prohibiting the Location of Marijuana-Related Businesses in the City Together with Marijuana Collective Gardens, Providing that the Moratorium, Unless Extended Shall Sunset Within Six Months of the Effective Date of Adoption, Providing for a Duly Advertised Public Hearing and Notice To the State of Washington Department of Commerce, Directing the City Manager to Develop Permanent Regulations Regulating Marijuana, Providing Severability and Establishing an Effective Date.**

Community Development Director William Rathbone (CDD Rathbone) reported that the proposed Ordinance is to adopt a six month moratorium for marijuana-related businesses for recreation and medical marijuana. CDD Rathbone stated that a public hearing will be scheduled for August 24, 2015 at 7:00 p.m. to receive public comment on the proposed marijuana moratorium.

Councilmember Ortloff moved, seconded by Councilmember Taylor to adopt Ordinance 2015-08, an Ordinance of the City of Toppenish, Washington, Adopting a Moratorium Prohibiting the Location of Marijuana-Related Businesses in the City Together with Marijuana Collective Gardens, Providing that the Moratorium, Unless Extended Shall Sunset Within Six Months of the Effective Date of Adoption, Providing for a Duly Advertised Public Hearing and Notice To the State of Washington Department of Commerce, Directing the City Manager to Develop Permanent Regulations Regulating Marijuana, Providing Severability and Establishing an Effective Date. Motion carried unanimously.

### **Ordinance 2015-09:**

**Ordinance Establishing Fund for Recreation Operations and Maintenance, by Enacting a New Section 3.11.132 of the Toppenish Municipal Code.**

ICM Hoyt reported that the proposed Ordinance is to establish a new fund for Recreation Operation and Maintenance for the purpose of budgeting and accounting for revenue and expenditures.

Councilmember Thorington moved, seconded by Councilmember Dorr to adopt Ordinance 2015-09, an Ordinance Establishing Fund for Recreation Operations and Maintenance, by Enacting a New Section 3.11.132 of the Toppenish Municipal Code. Motion carried unanimously.

**Ordinance 2015-10:**

**An Ordinance Amending the 2015 Operating Budget and Amending Ordinance 2014-15 for the City of Toppenish, Washington.**

Finance Director/City Clerk Mead (FD Mead) reported that the proposed Ordinance to Amend the 2015 Operating Budget is to include the adjustments as detailed in the Budget Summary. The budget adjustments consist of LOCAL loan proceeds for the purchase of equipment, the transfer of funds for the creation of the new Recreation Fund, the Public Safety Grants Fund for the Police and Fire Departments, the SIDA Fund, the Housing Rehabilitation Fund for loan defaults, and the Public Works projects costs for streets, water, and wastewater.

Councilmember Dorr moved, seconded by Councilmember Jiménez to adopt Ordinance 2015-10, an Ordinance Amending the 2015 Operating Budget and Amending Ordinance 2014-15 for the City of Toppenish, Washington. Motion carried unanimously.

**Presentation by Interim City Manager Lance Hoyt Regarding the City Applying to the State of Washington Transportation Improvement Board (TIB) for Design and Construction Funding for the Washington Avenue Sidewalk Project and the West Second Avenue Improvements Project.**

ICM Hoyt reported that TIB applications are due August 21, 2015. The Six Year Street Plan consists of six projects that include a sidewalk project for Washington Avenue and improvements for West Second Avenue. ICM Hoyt stated that the sidewalk project on Washington Avenue is estimated to cost \$188,000 with a \$37,000 match, and the street improvements on West Second Avenue are estimated to cost \$930,000 with a \$93,000 match. ICM Hoyt reported that he will be meeting the Yakima Valley Farm Workers Clinic to discuss partnering for the West Second Avenue project.

**Set Agenda for the Tuesday, September 8, 2015 Study Session.**

It was the consensus of Council to revisit the topic during the August 24, 2015 Regular Meeting.

**COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Mayor Belton reported that the City hosted the Meet and Greet for the City Manager Candidates on August 10, 2015 that was well attended by employees and the public.

**CITY MANAGER REPORTS**

ICM Hoyt reported that the Auditor Exit Conference is scheduled for Thursday, August 13, 2015 from 4:00 p.m. to 5:00 p.m. in the Council Chambers. Councilmembers Jiménez and Thorington responded that they would attend the meeting. ICM Hoyt stated that he will be attending the Pre-Construction Meeting for the Yakima County Fort Road Project on August 20, 2015. Today, the City received a donation letter to support the Recreation Fund from the Yakima Valley Community Foundation for \$15,000, which will result in a match of \$15,000 from the Yakima Valley Farm Workers Clinic. ICM Hoyt reported that Pacific Power completed work to help in bird proofing the substation. Councilmember Jiménez stated she has noticed more power poles on the East Side tagged with graffiti. ICM Hoyt responded that he will contact Pastor East to

arrange for the Love Thy Neighbor volunteers to assist in the graffiti removal on the power poles. Councilmember Thorington inquired on the work by Cascade Natural Gas (CNG) on Madison Avenue and South Elm. ICM Hoyt responded that CNG was in the area to replace an old gas line. ICM Hoyt recited an invitation the City received for a Neighborhood Potluck and Barbeque on August 13, 2015 at 10 South K Street from 5:30 p.m. to 7:30 p.m.

Deputy Finance Director/City Clerk Zabell (DFD Zabell) queried Council on the City Manager interview questions. It was the consensus of Council to make no changes to the list of interview questions. DFD Zabell stated that the Council is scheduled to have a Special Meeting on August 17, 2015 at 5:00 p.m. to hold an Executive Session to conduct the interviews of the City Manager Candidates. After discussion, it was stated that the interviews would be conducted in open session. The Council decided that they will pick up their interview packets after 1:00 p.m. on Thursday, August 13, 2015.

### **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