

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**August 24, 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, Mark Oaks, Derald Ortloff, Randy Taylor, and Blaine Thorington.  
Staff Present: Interim City Manager Lance C. Hoyt (ICM Hoyt), City Attorney Gary M. Cuillier, Community Development Director William Rathbone (CDD Rathbone), Deputy Finance Director/City Clerk Debbie Zabell, City Interpreter Juven Garcia, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

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

- a. Approve Minutes of the August 10, 2015 Regular Council Meeting.
- b. Approve Minutes of the August 17, 2015 Special Meeting.
- c. Approve Payroll Checks Number 33130 through 33143 and EFTPR556-563 in the total amount of \$255,227.74 dated August 18, 2015.
- d. Approve Claims Checks Number 82222 through 82296 and EFTAP134 in the total amount of \$284,753.30 dated August 24, 2015.

Motion carried unanimously.

**PUBLIC HEARING**

**Public Hearing Re: Adopted Moratorium and Interim Zoning Ordinance No. 2015-08 Regarding Facilities and Uses of Medical and Recreational Marijuana. Presentation by Community Development Director William Rathbone.**

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

Community Development Director William Rathbone (CDD Rathbone) reported that on August 10, 2015 Council adopted Ordinance 2015-08 establishing a moratorium on marijuana businesses and collective gardens. CDD Rathbone stated that the purpose of the moratorium is to maintain the status quo and allow time for the consideration and adoption of permanent regulations. The moratorium expires within six months, unless specifically extended. CDD Rathbone reported that Council is required to conduct a public hearing within 60 days of the adoption of a moratorium. The purpose of the public hearing is to receive public comment regarding marijuana regulations. CDD Rathbone stated that the Notice of Public Hearing was advertised twice in the *Review-Independent*.

Paul Weaver, 1893 Young Grade Road, Yakima, stated that he was in support of licensing marijuana businesses to regulate the selling of recreational marijuana. Mr. Weaver reported that the legalization of the selling of marijuana would aid in decreasing crime in the area and drive the drug dealers out of town.

Ken Weaver, 3217 South 11th Avenue, Yakima, reported that he is the owner of the Slow Burn in Union Gap. Mr. Weaver stated that last month his business generated \$139,000 in excise taxes for the Washington State Liquor and Cannabis Board, which is money that did not go into the hands of drug dealers.

There being no further comments from the public, Mayor Belton closed the public hearing at 7:12 p.m.

Councilmember Jiménez moved, seconded by Councilmember Taylor to direct staff to prepare the Findings of Facts and Conclusions of Law to proceed with the marijuana moratorium and interim zoning ordinance. Motion carried unanimously.

## **OLD BUSINESS**

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

It was the consensus of Council to discuss parking regulations, updating parking fees, and the status of the City Manager negotiations during the September 8, 2015 Study Session.

## **NEW BUSINESS**

### **Select City Manager for the City of Toppenish.**

Mayor Belton reported that the City started with 15 candidates that were narrowed down to three finalist candidates selected for interview. The City held a meet and greet for City employees and citizens on August 10, 2015, followed with Council interviewing the three candidates on August 17, 2015. Mayor Belton stated that he received numerous recommendations from City employees and citizens after the meet and greet. It was the consensus of Council for the City to go into contract negotiations with Candidate Number 2. Mayor Belton and Councilmember Jiménez expressed their personal opinions for selecting Candidate Number 2, which consists of being knowledgeable with the City budget, and is well versed in the community relationships working with the Native American and Hispanic populations.

Councilmember Jiménez moved, seconded by Councilmember Taylor for the City to go into contract negotiations with Candidate Number 2. Motion carried unanimously.

Council directed DFD Zabell to proceed with Councilmembers Thorington and Ortloff to go forward with commencing the negotiations. DFD Zabell stated that she will give an update on the City Manager negotiations during the September 8, 2015 Study Session.

**Ordinance 2015-11:**

**An Ordinance Amending the 2015 Operating Budget and Amending Ordinance 2014-15 and Ordinance 2015-10 for the City of Toppenish, Washington.**

Councilmember Thorington moved, seconded by Councilmember Oaks to adopt Ordinance 2015-11, an Ordinance Amending the 2015 Operating Budget and Amending Ordinance 2014-15 and Ordinance 2015-10 for the City of Toppenish, Washington. Motion carried unanimously.

**COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Mayor Belton reported that he attended the Executive Board meeting for the Office of Emergency Management.

Councilmember Thorington reported that he attended the Auditor’s Exit Conference on August 13, 2015.

**CITY MANAGER REPORTS**

ICM Hoyt reported on:

- Status of Budget for 2016
- Audit for Financial Statements and Federal Single Audit Report for 2014. No deficiencies reported.
- Swimming pool closed on August 23, 2015 for the season.
- Concession stand received damages from an attempted break in over the weekend.
- City received hand written appreciation letters from children from A Child’s Place Daycare. ICM Hoyt recited the three letters to lifeguards, cashier staff, and concessions staff for the benefit of the public.
- Transportation updates on the TIB application, the West First Avenue Sidewalk Improvements Project, and the Fort Road Improvements Project.
- City to receive a \$550 Wellness mini grant for receiving the 50% completion of the health questionnaire. This is the first step to qualify for the City to receive 2% insurance premium discount.

Each Councilmember received a copy of the Financial Statements and Federal Single Auditor Report for the period from January 1, 2014 through December 31, 2014. There were no findings reported by the State Auditor for 2014.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 7:35 p.m.

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LOREN BELTON, MAYOR

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HEIDI RIOJAS, CMC  
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK