

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
March 14, 2016

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

ROLL CALL

Present: Mayor Clara Jiménez and Councilmembers J. Eligio Jiménez, Derald Ortloff, Gabriel Piñon, Blaine Thorington, and Angelica Walle.
Absent: Councilmember Mark Oaks.
Staff Present: City Manager Lance Hoyt (CM Hoyt), City Attorney Gary Cuillier (CA Cuillier), Community Development Director William Rathbone (CDD Rathbone), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Ortloff moved, seconded by Councilmember J. Jiménez to excuse Councilmember Oaks from the March 14, 2016 Regular Meeting. Motion carried unanimously.

PUBLIC COMMENT

Community Safety Network (CSN) Representative Diana Sampson, extended an invitation to Council and the public to attend the CSN 7th Anniversary Celebration on March 15, 2016 at the Toppenish School District Office. Ms. Sampson encouraged people to participate in the next CSN Spring Clean-up event scheduled for Saturday, April 30, 2016.

CONSENT AGENDA

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

- a. Approve Minutes of the February 22, 2016 Regular Council Meeting.
- b. Approve Minutes of the March 7, 2016 Study Session.
- c. Approve Payroll Checks Number 33326 through 33340 and EFTPR654-660 in the total amount of \$164,478.10 dated March 3, 2016.
- d. Approve Claims Checks Number 83418 through 83523 in the total amount of \$146,369.36 dated March 14, 2016.

Motion carried unanimously.

PUBLIC HEARING

Public Hearing Regarding the Marijuana Moratorium and Interim Zoning Regarding Facilities and Uses of Medical and Recreational Marijuana. Receive Staff Presentation and Public Comments.

Mayor C. Jiménez opened the public hearing at 7:07 p.m.

CDD Rathbone stated that the purpose of the public hearing is to receive public comment regarding marijuana regulations. CDD Rathbone reported that the purpose of the marijuana 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 stated that the Notice of Public Hearing was advertised twice in the *Review-Independent*.

Diane Sampson, 512 South Alder Street, reported that with the last marijuana moratorium CSN submitted a letter in support of the marijuana moratorium.

There being no further comments from the public, Mayor C. Jiménez closed the public hearing at 7:09 p.m.

Ordinance 2016-02:

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, and Marijuana Cooperatives, Providing that the Moratorium, Unless Extended shall Sunset Within Six Months of the Effective Date of Adoption, Providing for 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.

CDD Rathbone updated Council that the second whereas of Ordinance 2016-02 will be revised to strike out Councilmember Oaks since he was not present at the March 14, 2016 meeting.

Councilmember Ortloff moved, seconded by Councilmember Piñon to adopt Ordinance 2016-02, 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, and Marijuana Cooperatives, Providing that the Moratorium, Unless Extended shall Sunset Within Six Months of the Effective Date of Adoption, Providing for 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.

NEW BUSINESS

Comprehensive Plan Amendments Update.

Presentation by Community Development Director William Rathbone.

CDD Rathbone updated Council that the Toppenish Planning Commission conducted two public hearings regarding two amendments to change the land use designation for the Future Land Use Map of the Toppenish Comprehensive Plan. The first public hearing was for an application submitted by Washington Beef to change the land use designation of the Future Land Use Map from residential to industrial/manufacturing for property outside City limits within the Urban Growth Area, South of Fort Road located along Elmwood Road on the East and West sides of Elmwood Road. It is the Toppenish Planning Commission recommendation to approve the proposed amendment to change the land use designation of the Future Land Use Map for fifteen parcels of land from residential to industrial/manufacturing. The second public hearing was for a proposal initiated by the Toppenish Planning Commission to reclassify the future land use designation of nine parcels from commercial to residential for property in the area of the 700 and 800 blocks of Guyette and Rentschler Lanes and the 700 block of Madison Avenue. It is the recommendation of the Toppenish Planning Commission to approve the proposed amendment to change the land use designation of the Future Land Use Map for nine parcels of land from commercial to residential. CDD Rathbone stated that Council may

choose to adopt the recommendations of the Toppenish Planning Commission and direct the preparation of an ordinance, or Council may choose to hold its own public hearing on the matter.

Councilmember Ortloff moved, seconded by Councilmember J. Jiménez to conduct a public hearing on the Washington Beef proposal to change the land designation for the Future Land Use Map, and accept the recommendation of the Toppenish Planning Commission for the change of land designation in the Guyette Lane area. Motion carried unanimously.

Potential Special Event.

Presentation by Community Development Director William Rathbone.

CDD Rathbone updated Council that the City has been approached by a group wishing to conduct a large special event celebration for Cinco de Mayo in the downtown area. The proposed event will cause the need to close City streets and other special considerations. CDD Rathbone stated that the City has contacted its insurance carrier, Washington Cities Insurance Authority (WCIA), for guidance on the best way to accommodate the request. WCIA strongly recommends that the City adopt an ordinance to address the wide range of issues specific for special events.

Councilmember Thorington moved, seconded by Councilmember Ortloff to proceed with the preparation of an Ordinance and Application for Special Events. Motion carried unanimously.

Resolution 2016-07:

A Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof.

Councilmember Piñon moved, seconded by Councilmember Thorington to adopt Resolution 2016-07, a Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof. Motion carried unanimously.

Set Agenda for the April 4, 2016 Study Session.

It was the consensus of Council to discuss the City Hall hours and receive a retrocession update during the April 4, 2016 Study Session.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Walle expressed her support of a family friendly event in the community to celebrate Cinco de Mayo.

Mayor C. Jiménez reported that she attended a Yakima County Disability Board meeting.

CITY MANAGER REPORTS

CM Hoyt updated Council on the following:

- Attended the Yakima Valley Funder' Forum sponsored by Yakima Valley Conference of Governments on March 9, 2016 in Grandview to meet with various funding agencies for transportation and for bicycle/pedestrian projects.

- Attended the City Managers/Administrators lunch meeting on March 11, 2016.
- Invited to present at the Greater Yakima Chamber of Commerce lunch meeting on March 14, 2016 to provide an update on economic development in the City.

EXECUTIVE SESSION

Mayor C. Jiménez called for an executive session to be held at 7:47 p.m. The Mayor stated that the purpose of the executive session was to discuss collective bargaining and that the executive session would convene for 15 minutes or less. Mayor C. Jiménez also stated that it was anticipated no action would be taken when the Regular Session reconvened.

At 8:02 p.m., Mayor C. Jiménez announced that Council would need to convene for another 5 minutes or less in executive session.

Mayor C. Jiménez called the regular session back to order at 8:07 p.m. (No audience was present after the executive session.)

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:07 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, CMC
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK