

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**September 9, 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, Randy Taylor, and Blaine Thorington.  
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.

**PUBLIC COMMENT**

Daniela Zuniga, 891 Buena Road, Buena, reported that a requirement of her Social Advocacy Class at Heritage University was that she attend and speak during a City Council meeting.

Maria Ramos, 811 North 34th Avenue, Yakima, reported that a requirement of her Social Advocacy Class at Heritage University was that she attend and speak during a City Council meeting.

**CONSENT AGENDA**

Councilmember Oaks moved, seconded by Councilmember Taylor to approve Consent Agenda item a through e:

- a. Approve Minutes of the August 26, 2013 Regular Council Meeting.
- b. Approve Minutes of the September 3, 2013 Study Session.
- c. Approve Pay Estimate #2 to Scout Lake Construction, Inc. for the 2013 Water System Improvements Project in the amount of \$177,115.60 with retainage held in the amount of \$8,657.24.
- d. Approve Payroll Check Numbers 32358 through 32376 and EFTPR204-210 in the total amount of \$176,936.71 dated September 4, 2013.
- e. Approve Claims Check Numbers 77935 through 78015 in the total amount of \$377,918.85 dated September 9, 2013.

Motion carried unanimously.

**NEW BUSINESS**

**Ordinance 2013-13:**

**An Ordinance of the City of Toppenish, Washington, Adopting Interim Land Use Regulations and Official Controls Pursuant to RCW 35A.63.220 and RCW 36.70A.390; Adding New Marijuana-Related Definitions to TMC 17.08; Adding a New TMC Chapter 17.90 Prohibiting Medical Cannabis Collective Gardens in All Zoning Districts of the City and Prohibiting the Location of Other Marijuana-Related Facilities and Uses Until the State Adopts Licensing Regulations and the City Adopts Zoning Regulations; Providing for Severability; and Establishing an Effective Date.**

City Manager Murphy (CM Murphy) reported that the Washington State Liquor Control Board issued draft marijuana regulations. The proposed Ordinance is an interim measure concerning marijuana regulations.

Councilmember Thorington moved, seconded by Councilmember Oaks to adopt Ordinance 2013-13, an Ordinance of the City of Toppenish, Washington, Adopting Interim Land Use Regulations and Official Controls Pursuant to RCW 35A.63.220 and RCW 36.70A.390; Adding New Marijuana-Related Definitions to TMC 17.08; Adding a New TMC Chapter 17.90 Prohibiting Medical Cannabis Collective Gardens in All Zoning Districts of the City and Prohibiting the Location of Other Marijuana-Related Facilities and Uses Until the State Adopts Licensing Regulations and the City Adopts Zoning Regulations; Providing for Severability; and Establishing an Effective Date. Motion carried unanimously.

**Resolution 2013-20:  
Resolution Setting Public Hearing on Moratorium and Interim Zoning Ordinance Regarding Facilities and Uses of Medical and Recreational Marijuana.**

CM Murphy reported that the City is required to set a public hearing within 60 days from the date of the adoption of Ordinance 2013-13, which is October 28, 2013. The public will be given an opportunity to speak regarding the zoning for facilities and uses of medical and recreation marijuana in the City limits.

Councilmember Belton moved, seconded by Councilmember Taylor to adopt Resolution 2013-20, a Resolution Setting Public Hearing on Moratorium and Interim Zoning Ordinance Regarding Facilities and Uses of Medical and Recreational Marijuana. Motion carried unanimously.

**Resolution 2013-21:  
Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof.**

CM Murphy reported that the surplus items are either from seizures, forfeitures, unclaimed property or items no longer used. This form of disposal is necessary and performed periodically when needed.

Councilmember Thorington moved, seconded by Councilmember Ortloff to adopt Resolution 2013-21, a Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof. Motion carried unanimously.

**Set Agenda for the October 7, 2013 Study Session.**

It was the consensus of Council to set the agenda for the October 7, 2013 Study Session to be a discussion regarding marijuana rules and regulations.

**COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Councilmember Belton reported that he donated tickets for the Train to No Where dinner event.

Mayor Jiménez reported that on September 7, 2013 she spoke at the Yakima Valley Farm Workers Clinic 35th Anniversary Celebration and attended the Train to No Where dinner event.

Councilmember Dorr reported that he was the Master of Ceremonies for the Miss Toppenish Pageant on September 7, 2013.

Councilmember Taylor reported that he attended the Train to No Where dinner event and that Councilmember Thorington assisted with the cooking with other Toppenish Lions Club members.

## **CITY MANAGER REPORTS**

CM Murphy reported that Inspire Development Centers has contacted him with a request to make a presentation during the September 23, 2013 meeting to request Council support for its application for the head start grant.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:18 p.m.

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CLARA R. JIMÉNEZ, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK