

# TOPPENISH CITY COUNCIL

## Regular Meeting Minutes

August 11, 2008

### REGULAR SESSION CALL TO ORDER

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

Present: Mayor Loren Belton and Councilmen Al Hubert, Derald Ortloff, William Rogers, Randy Taylor, and Blaine Thorington.

Absent: Ed Pacheco.

Staff Present: City Manager William C. Murphy, City Interpreter Jorge Villaseñor, Executive Assistant/Deputy City Clerk Heidi Riojas, and MidValley Television Manager Judy Devall.

**Councilman Taylor moved, seconded by Councilman Thorington to excuse Councilman Ed Pacheco from the August 11, 2008 Council meeting. Motion carried unanimously.**

### PUBLIC COMMENT

Alexander Mejia, 402 Bolin Drive, Toppenish, expressed his opinion about an out of town person speaking during a public meeting. Mr. Mejia stated that he did not agree with the Mayor's request for him to put down and turn off his camcorder during the July 28, 2008 Council meeting. Mayor Belton responded that the meeting that Mr. Mejia was referring to was the graffiti meeting on July 17, 2008. Mayor Belton stated that Mr. Mejia put his camcorder in the face of a businessman sitting next to him and asked why he was at the meeting and where he was from. Mayor Belton stated that the businessman did not answer Mr. Mejia's questions. City Manager Murphy stated that he did not oppose a citizen bringing a camera or camcorder to a Council meeting as long as it is not disruptive to the meeting. City Manager Murphy also stated that once it does become disruptive it is appropriate for the Mayor to take action to put an end to it. City Manger Murphy stated that the Council has adopted rules of conduct that specifically pertains to disruptive behavior by a member of the public in attendance at the meeting.

### CONSENT AGENDA

Councilman Thorington stated that he would not vote on item b of the Consent Agenda since he was absent from the meeting. Councilman Rogers stated that he would not vote on item a of the Consent Agenda since he was absent from the meeting.

**Councilman Thorington moved, seconded by Councilman Rogers to approve Consent Agenda items a through f.**

- a. Approve Minutes of the July 28, 2008 Regular Meeting.
- b. Minutes of the August 4, 2008 Study Session.
- c. Approve Payroll Vouchers for July 31, 2008:  
Voucher Number 25415 through 25520 for \$171,039.97.
- d. Pay Estimate #4 to Pacific Crest Construction, Inc. for the Wastewater Treatment Plant Improvement project in the amount of \$391,052.10 and retainage paid into an escrow account in the amount of \$19,001.56.
- e. Ordinance 2008-16:  
Ordinance Regulating Parking On The Front Yard And Vehicles Elevated Above Ground;  
Enacting A New Chapter 10.52 Of The Toppenish Municipal Code.
- f. Approve Claims Vouchers for August 11, 2008:  
Voucher Number 65903 through 66031 for \$715,243.56.

**Motion carried unanimously. Councilman Thorington abstained from voting on item b of the Consent Agenda. Councilman Rogers abstained from voting on item a of the Consent Agenda.**

### **UNFINISHED BUSINESS**

**Authorize Release of Retainage Payable to KCDA in the Amount of \$13,870.25. (No Liens Were Filed Within 30 Days after the Project Was Accepted and Declared Complete.)**

City Manager Murphy stated that the authorization pertains to the Welcome Center building. He said that the City, in an effort to conserve funds, had contracted with King County Directors' Association (KCDA) to piggyback upon the bid that was accepted by them for the manufacturer of the Welcome Center. The contract allowed the City to avoid the cost of the usual bid process. City Manager Murphy stated that this would authorize the release of the final payment to KCDA for the Welcome Center building.

**Councilman Rogers moved, seconded by Councilman Hubert to authorize the release of the retainage to KCDA in the amount \$13,870.25 for the Welcome Center Building and noted that no liens were filed within 30 days after the project was accepted and declared complete. Motion carried unanimously.**

### **NEW BUSINESS**

**Resolution 2008-14:**

**Resolution Authorizing Drinking Water State Revolving Fund Loan Agreement for Construction of Well #9, in the Amount of \$2,891,327.00, with an Interest Rate of 1%**

City Manager Murphy reported that several years ago the City adopted a comprehensive water plan that included the construction of Well #9. Previously, the City had been awarded a loan from the Public Works Trust Fund Board to construct the well, however, due to a delay the City had to reapply for the loan. In the second application, the City included the cost for the pipeline from the current City system to the new well. City Manager Murphy further reported that the cost for the construction of Well #9 was built into the City's utility rate study prepared by Gray & Osborne, Inc., which was incorporated into the current utility rates to help with the funding for the new well. City Manager Murphy informed Council that the City has successfully obtained a second loan to construct the new well. City Manager Murphy stated that the City was in the process of determining the final site for the new well to be located near the old U & I sugar plant.

**Councilman Thorington moved, seconded by Councilman Taylor to adopt Resolution 2008-14 Authorizing Drinking Water State Revolving Fund Loan Agreement for Construction of Well #9, in the Amount of \$2,891,327.00, with an Interest Rate of 1%. Motion carried unanimously.**

**Set Agenda For September 2, 2008 Study Session**

It was the consensus of the Council to discuss the matter at the August 25, 2008 meeting since they were unable to decide on an agenda for the September 2, 2008 Study Session.

### **COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

City Manager Murphy reported that the Police Department was recently awarded \$25,000 to participate in an auto theft detection prevention program with other law enforcement jurisdictions within Yakima County.

Councilman Ortloff expressed his concern about demolishing the Parker Apartments building because of the lack of low-income housing available in the community. City Manager Murphy responded that the low-income housing program was no longer available and that the State was going to reallocate the money for other programs. He stated that the building is a cause for public safety concern due to the condition of the bricks.

Councilman Thorington reported that it had been requested of him to ask why the telephone system at City Hall did not include options in Spanish. City Manager Murphy stated that the current administration was not involved with

setting up the current phone system. He mentioned that he was inclined to do away with the phone tree system. City Manager Murphy reported that options could be available in another language, unfortunately, a person would not be answering that would be able to talk with them in that language.

Councilman Hubert reported that the DRYVE committee recently created an informational video that will be distributed to State and Federal legislators.

Councilman Taylor reported that he has received complaints from residents about the phone system. He stated that residents have asked him if it would be possible to offer curbside recycling. City Manager Murphy spoke about the abuse that caused the suspension of the recycling site at North B Street. Councilman Rogers stated that curbside recycling would cause substantial increase to the garbage rates. Councilman Orloff reported that the Yakama Nation was exploring the idea of putting in a recycling site that would be monitored. City Manager Murphy, on behalf of the City, thanked the Yakama Nation for the clean up efforts at the West First Avenue site.

Councilman Thorington suggested inviting Senator Honeyford, Representative Chandler and Representative Newhouse to the September 2, 2008 Study Session. City Manager Murphy stated that he would like to see the Council participate in scheduling a session with the legislators. Councilman Thorington agreed to contact the legislators and report to the Council at the August 25, 2008 meeting.

City Manager Murphy recited the Certificate of Appreciation awarded to Judy Devall from SkillsUSA. City Manager Murphy and the Council congratulated Judy Devall receiving her award.

City Manager Murphy reminded the Council about the budget workshop that Finance Director/City Clerk Linda Mead would be offering on Tuesday, August 12, 2008.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:30 p.m.

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LOREN O. BELTON, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK