

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**February 9, 2009**

The meeting was called to order at 7:00 p.m. by Mayor Loren Belton.

**ROLL CALL**

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 (CM Murphy), City Attorney Philip A. Lamb (CA Lamb), Fire Chief Tim Smith (FC Smith), Firefighter Shane Macias (FF Macias), City Interpreter Jorge Villaseñor (CI Villaseñor), MidValley Television Manager Judy Devall (MVTV Devall), and Executive Assistant/Deputy City Clerk Heidi Riojas (EA Riojas).

Councilman Taylor moved, seconded by Councilman Hubert to excuse Councilman Ed Pacheco from the February 9, 2009 Council meeting. Motion carried unanimously.

**WELCOME NEW CITY EMPLOYEE AND PRESENTATION OF AWARD**

**Introduction of Firefighter Shane Macias by Fire Chief Tim Smith.**

Fire Chief Smith (FC Smith) introduced Firefighter Shane Macias as the newest employee with the Fire Department. The Council welcomed Firefighter Macias to the City.

**Presentation of the 2008 Toppenish Firefighter of the Year award to Manuel Cienfuegos.**

FC Smith announced that Toppenish Volunteer Firefighter Manuel Cienfuegos was selected by fellow firefighters as the 2008 Toppenish Firefighter of the year. Mayor Belton presented Volunteer Firefighter Manuel Cienfuegos with his award. Council congratulated VFF Cienfuegos on being named the 2008 Toppenish Firefighter of the Year, and thanked him for his service.

**PUBLIC COMMENT**

There was no comment from the public.

**CONSENT AGENDA**

Councilman Thorington requested that item a on the Consent Agenda be held for discussion.

Councilman Thorington moved, seconded by Councilman Rogers to approve Consent Agenda items b through e:

- b. Approve Minutes of the February 2, 2009 Study Session.
- c. Approve Payroll Vouchers Number 26677 through 26824 in the total amount of \$161,391.86 dated January 31, 2009 and void Vouchers Number 26696 through 26760.

- d. Approve Pay Estimate #10 to Pacific Crest Construction for the WWTF Improvements Project in the total amount of \$616,403.83 and payment of retainage to escrow in the total amount of \$29,951.60.
- e. Approve Claims Vouchers Number 67142 through 67241 in the total amount of \$772,064.81 dated February 9, 2009 and void Voucher Number 67164.

Motion carried unanimously.

Councilman Thorington stated that he wanted his vote on Resolution 2009-1 to be recorded as a no vote, because he was not in support of the change for the vacation time for the City Manager. City Attorney Lamb (CA Lamb) responded that Councilman Thorington is not able to change his vote after the fact; however, he can make a comment that will be noted on the record in the February 9, 2009 minutes to reflect his opposition to the vacation time for the City Manager.

Councilman Thorington moved, seconded by Councilman Taylor to approve Consent Agenda item a:

- a. Approve Minutes of the January 26, 2009 Regular Meeting.

Motion carried unanimously.

### **NEW BUSINESS**

#### **Set Agenda for March 2, 2009 Study Session.**

Council reached a consensus to invite Marjorie Dahlstrom to give an update on the HOME Consortium and to discuss the scheduling of another Council/Staff Planning Session during the March 2, 2009 Study Session.

### **ORDINANCES AND RESOLUTIONS**

#### **Ordinance 2009-2:**

#### **Ordinance Limiting Yard Sales and Garage Sales to No More Than Three Per Year and No More Than Three Days Each, Between the Hours of 8:00 A.M. and 8:00 P.M.**

Councilman Rogers moved, seconded by Councilman Thorington to adopt Ordinance 2009-2, an Ordinance Limiting Yard Sales and Garage Sales to No More Than Three Per Year and No More Than Three Days Each, Between the Hours of 8:00 A.M. and 8:00 P.M. Motion carried unanimously.

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

Councilman Hubert reported that the Boards and Commissions Selection Committee would like to have input from the Council to fill the two vacancies on the Planning Commission.

### **CITY MANAGER REPORTS**

CM Murphy requested comments on the draft Proclamation to honor the Toppenish High School Silver Award that will be presented during the February 23, 2009 Council meeting. The Council expressed support of the drafted Proclamation to recognize the accomplishment of the Toppenish High School students.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:23 p.m.

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LOREN O. BELTON, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK