

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**March 22, 2010**

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

**ROLL CALL**

Present: Mayor Blaine Thorington and Councilmembers Loren Belton, Clara Jiménez, Christina Kwan, Mark Oaks, Derald Ortloff, and Randy Taylor.  
Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary M. Cuillier, Public Works Director Lance Hoyt (PWD Hoyt), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

Councilmember Jiménez moved, seconded by Councilmember Taylor to approve Consent Agenda items a through d:

- a. Approve Minutes of the March 8, 2010 Meeting.
- b. Approve Pay Estimate #23 to Pacific Crest Construction for the WWTF Improvements Project in the total amount of \$162,255.49 and payment of retainage to escrow in the total amount of \$7,884.13.
- c. Approve Payroll Checks Number 29139 through 29400 in the total amount of \$258,202.42 dated March 15, 2010.
- d. Approve Claims Checks Numbered 70058 through 70142, and Excise Fund Transfers 99100322 and 99100323 in the total amount of \$331,303.80 dated March 22, 2010, and void check number 68675 and checks numbered 70143 thru 70145.

Motion carried unanimously.

**NEW BUSINESS**

**Presentation by Nancy Morter, Project Manager, Regarding Change Order No. 6 to Contract for Construction of Improvements to Wastewater Treatment Facility.**

Nancy Morter, Project Engineer for the Wastewater Treatment Facility (WWTF) Project, updated Council on the project, which is approximately 93% complete, including five Change Orders. Ms. Morter reported in detail on proposed Change Order No. 6 that will increase the contract by \$58,481.89 and will add 33 additional workdays to the project. Ms. Morter reported that the substantial completion date is May 19, 2010 and the physical completion date is October 21, 2010.

**ORDINANCES AND RESOLUTIONS**

**Resolution 2010-9:**

**Resolution Approving Change Order No. 6 to Contract with Pacific Crest Construction, Inc., for the Wastewater Treatment Facilities Improvements Project.**

Councilman Belton moved, seconded by Councilman Oaks to adopt Resolution 2010-9 Approving Change Order No. 6 to Contract with Pacific Crest Construction, Inc., for the Wastewater Treatment Facilities Improvements Project which will increase the contract by \$58,481.89 and add an additional thirty-three (33) days of work. Motion carried unanimously.

**Ordinance 2010-4:**

**Ordinance Repealing Sign Ordinances 2004-6, 2006-3 and 2008-14 Codified in TMC Chapter 15.10 and Enacting a New Chapter 15.10 in the TMC Entitled Signs, in Order to Provide More Specific Guidance to the Public, the Building Official and to the Planning Commission About Requirements and Prohibitions for Signs, Including Deadlines for Bringing Non-Conforming Signs Into Compliance.**

Councilmember Jiménez moved, seconded by Councilman Taylor to adopt Ordinance 2010-4 Ordinance Repealing Sign Ordinances 2004-6, 2006-3 and 2008-14 Codified in TMC Chapter 15.10 and Enacting a New Chapter 15.10 in the TMC Entitled Signs, in Order to Provide More Specific Guidance to the Public, the Building Official and to the Planning Commission About Requirements and Prohibitions for Signs, Including Deadlines for Bringing Non-Conforming Signs Into Compliance. Motion carried unanimously.

**COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Mayor Thorington reported that he and Councilmember Belton attended the State Audit Exit Conference on March 15, 2010; Mayor Thorington welcomed and answered questions of 3rd graders from Valley View Elementary School in the Council Chambers on March 16, 2010; Mayor Thorington reported that the Cable Regulation Board meeting has been rescheduled to March 31, 2010 due to a lack of quorum on March 17, 2010; Mayor Thorington attended the Yakima Valley Conference of Governments (YVCOG) with Councilmembers Jiménez, Belton, and Kwan on March 17, 2010; and attended the Mayors' meeting with Councilmember Jiménez on March 18, 2010.

Councilmember Belton reported that he and Councilmember Taylor attended the Sign Committee meeting on March 10, 2010; attended the Community Safety Network meeting on March 16, 2010; and was a guest reader at Kirkwood Elementary School on March 18, 2010.

Councilmember Taylor reported that he, Councilmembers Ortloff, and Kwan attended the Public Safety Committee meeting on March 15, 2010 and received informative staff presentations regarding the County-wide multi-jurisdiction compact for use of the same Spillman public safety software.

**CITY MANAGER REPORTS**

CM Murphy reported that Council received a copy of the meeting report from the HOME Consortium meeting on March 15, 2010 and that the next meeting will be on March 24, 2010.

CM Murphy gave a legislative update concerning the passage of a crime-free rental housing bill and new legislation to allow Cities to refer public records requestors to City websites to download records.

CM Murphy stated the Chamber of Commerce Director has requested a new forum between the City Council, the Chamber Board of Directors, and John Cooper, Director of Yakima Valley Visitors and Convention Bureau. It was the consensus of Council to invite the individuals to the April 5, 2010 study session.

**EXECUTIVE SESSION**

Mayor Thorington called for an executive session to be held at 7:33 p.m. Mayor Thorington informed the public that the session would convene for less than 45 minutes with the subject of discussion being potential litigation, and it was anticipated that no action would be taken when the Regular Session reconvened.

Mayor Thorington called the regular session back to order at 8:18 p.m. Mayor Thorington reported that no action would be taken at this time as a result of the Executive Session.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:18 p.m.

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BLAINE R. THORINGTON, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK