

**TOPPENISH CITY COUNCIL**  
**Regular Meeting Minutes**  
**September 14, 2009**

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

**ROLL CALL**

Present: Mayor Loren Belton and Councilmen Al Hubert, Mark Oaks, Derald Ortloff, Randy Taylor, Blaine Thorington, and William Rogers.  
Staff Present: City Attorney Philip A. Lamb (CA Lamb), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

**PUBLIC COMMENT**

Karen Rogers, 1008 Madison Avenue, Toppenish, invited the Council to attend a picnic and ceremony for the new football stadium dedication on Friday, September 18 at 5:00 p.m. for the picnic and 6:00 p.m. for the dedication of the Wildcat Stadium – “Bob Winters football field.

Superintendent Steve Myers, 309 Berger Lane, Toppenish, publically thanked City Manager Murphy and his directors for the partnerships with the City and for working to continue the SRO program with two officers, providing safety classes and for the work with the Parks and Recreation Department.

**CONSENT AGENDA**

Councilman Rogers moved, seconded by Councilman Taylor to approve Consent Agenda items a through e:

- a. Approve Minutes of the August 24, 2009 Regular Meeting.
- b. Approve Minutes of the September 8, 2009 Study Session.
- c. Approve Payroll Vouchers Number 28029 through 28131 in the total amount of \$171,595.57 dated August 31, 2009.
- d. Approve Pay Estimate #17 to Pacific Crest Construction for the WWTF Improvements Project in the total amount of \$401,661.31 and payment of retainage to escrow in the total amount of \$19,517.07.
- e. Approve Claims Vouchers Number 68669 through 68793, and Voucher Number 99090827 in the total amount of \$676,167.83 dated September 14, 2009 and void Voucher Number 68671.

Motion carried unanimously.

**NEW BUSINESS**

**Presentation by Michael Meskiman from Gray & Osborne, Inc. regarding contract for construction administration services for the projects to improve portions of South Toppenish Avenue and Washington Avenue funded by the American Recovery and Reinvestment Act.**

Michael Meskiman with Gray & Osborne, Inc. spoke briefly about the consultant agreement for the South Toppenish Avenue and Washington Avenue project that the contractor started on September 14, 2009. Councilman Rogers inquired how long the project would disrupt the

downtown area because of the parking problems. Mr. Meskiman responded that the project should be completed within 1 month.

**Set agenda for the October 5, 2009 Study Session.**

Councilman Thorington expressed his concern to continue moving forward with the sign ordinance and does not want to see it kept on the “back burner”. Councilman Taylor reported that a public hearing is scheduled for October 12, 2009. Councilman Rogers commented that the billboard at 411 Washington Avenue was up and running. Mayor Belton reported that he discussed the issue with Chief Smith and suggested that the issue be tabled until the City Manager returns. City Attorney Lamb explained that he had a conflict of interest and that he had advised City Manager Murphy of his conflict. The matter was tabled for further discussion at the September 28, 2009 meeting. Councilman Taylor reported that the Public Safety Committee would be discussing the gang ordinance that is being adopted by other communities.

It was decided to that the first priority would be to discuss the gang ordinance issue during the October 5, 2009 Study Session.

**ORDINANCES AND RESOLUTIONS**

**Resolution 2009-20:**

**Resolution Approving Contract with Gray & Osborne, Inc., for Professional Engineering Services for the Engineering Construction Administration Services for the South Toppenish Avenue and Washington Avenue Improvements.**

Councilman Thorington moved, seconded by Councilman Ortloff adopt Resolution 2009-20 Approving Contract with Gray & Osborne, Inc., for Professional Engineering Services for the Engineering Construction Administration Services for the South Toppenish Avenue and Washington Avenue Improvements. Motion carried unanimously.

**Resolution 2009-21:**

**Resolution Declaring Certain Property as Surplus and Authorizing the Disposition thereof.**

Councilman Rogers moved, seconded by Councilman Taylor to adopt Resolution 2009-21 Declaring Certain Property as Surplus and Authorizing the Disposition thereof. Motion carried unanimously.

**COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Councilman Thorington stated that he would like to attend the AWC Regional meeting in Yakima.

Councilman Rogers moved, seconded by Councilman Taylor to allow all Councilmembers, who want, to attend the AWC Regional meeting in Yakima on October 1, 2009. Motion carried unanimously.

Councilman Hubert moved, seconded by Councilman Taylor to appoint Leanne Galaviz to the Parks and Recreation Advisory Board. Motion carried unanimously

Councilman Ortloff announced that the Community Safety Network has a meeting at 6:00 p.m. on Tuesday, September 15, 2009 at the Toppenish High School auditorium.

**EXECUTIVE SESSION**

Mayor Belton called for an Executive Session to be held at 7:25 p.m. with the purpose of the Session to discuss potential litigation, with the Session to last 20 minutes or less, and action will not be taken upon returning to the Regular Session.

Mayor Belton called the meeting back to Regular Session at 7:45 p.m.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:45 p.m.

---

LOREN O. BELTON, MAYOR

---

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK