

# TOPPENISH CITY COUNCIL

## Regular Meeting Minutes

September 8, 2008

### REGULAR SESSION CALL TO ORDER

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

#### **Roll Call:**

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

**Councilman Pacheco moved, seconded by Councilman Thorington to excuse Councilman Bill Rogers from the September 8, 2008 Council meeting. Motion carried unanimously.**

**Councilman Taylor moved, seconded by Councilman Thorington to excuse Councilman Derald Ortloff from the September 8, 2008 Council meeting. Motion carried unanimously.**

**Councilman Thorington moved, seconded by Councilman Taylor to excuse Councilman Ed Pacheco from the September 2, 2008 Study Session. Motion carried unanimously.**

### PUBLIC COMMENT

John Sodini, 308 South Fir Street, Toppenish, expressed his support of requiring people to show photo identification when purchasing spray paint and marking pens.

### CONSENT AGENDA

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

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

- a. Approve Minutes of the August 25, 2008 Regular Meeting.
- b. Approve Minutes of the September 2, 2008 Study Session.
- c. Approve Payroll Vouchers for August 31, 2008:  
Voucher Number 25626 through 25728 for \$159,383.80.
- d. Pay Estimate #5 to Pacific Crest Construction, Inc. for the Wastewater Treatment Plant Improvement project in the amount of \$593,833.96 and retainage paid into an escrow account in the amount of \$28,854.91.
- e. Approve Claims Vouchers for September 8, 2008:  
Voucher Number 66122 through 66236 for \$843,039.97.
- f. Accept August 2008 Budget Report.

**Motion carried unanimously.**

## **NEW BUSINESS**

### **PacifiCorp Electric Utility Franchise and General Utility Easement Presentation**

City Manager Murphy reported that he has had email communications with PacifiCorp Regional Manager Clark Satre regarding the proposed franchise ordinance. Mr. Satre reported that his company has provided electrical service to the City for the past 97 years. Mr. Satre stated that the current 20-year franchise agreement with the City would be expiring on September 12, 2008. City Manager Murphy reported that the changes to the ordinance were for clarifications, which were for the benefit of the City. Councilman Hubert inquired if PacifiCorp was required to pay the City rights-of-way fees. City Manager Murphy responded no because the City has the right to use PacifiCorp power poles and equipment at no cost to the City.

### **Ordinance 2008-18**

#### **Ordinance Granting An Electric Utility Franchise And General Utility Easement To PacifiCorp**

**Councilman Thorington moved, seconded by Councilman Pacheco to adopt Ordinance 2008-18 Granting An Electric Utility Franchise And General Utility Easement To PacifiCorp. Motion carried unanimously.**

### **Engineering Services for the Linden Street Lift Station Replacement Presentation**

Michael Rohrich with Gray & Osborne, Inc. stated that the proposed contract between Gray & Osborne, Inc. and the City is for the design of a new lift station to replace the existing lift station on Linden Street. Mr. Rohrich stated that the current lift station is in need of replacement and the City identified the need a few years ago. Mr. Rohrich stated that the City has included the cost to fund the project in the utility rate structure. Mr. Rohrich reported that the City has asked Gray & Osborne, Inc. to provide a proposal for the design of the new lift station, which is going to be a complicated design because of the close proximity of the irrigation canal and the narrow roadway. Mr. Rohrich briefly spoke about the recent infiltration in the system because of side sewers and adjacent pipes.

### **Resolution 2008-15**

#### **Resolution Approving Proposal and Contract for Professional Engineering Services for Replacement of the Linden Street Lift Station**

**Councilman Hubert moved, seconded by Councilman Pacheco to adopt Resolution 2008-15 Approving Proposal And Contract For Professional Engineering Services For Replacement Of The Linden Street Lift Station. Motion carried unanimously.**

### **Set agenda for October 6, 2008 Study Session**

City Manager suggested that the Council receive an update on the objectives from the June 21, 2008 Council/Staff Planning Session. Councilman Hubert mentioned that he would like to know the status on enforcing the new sign ordinance. City Manager Murphy responded that it would be premature to review the matter. City Manager Murphy stated that the business owners are being informed about the new sign ordinance. City Manager Murphy agreed to provide an update on the status on the enforcement of the new sign ordinance and front yard parking. It was the consensus of the Council to receive an update on the objectives from the June 21, 2008 Council/Staff Planning Session on the Agenda for the October 6, 2008 Study Session as suggested by City Manager Murphy.

**Councilman Taylor moved, seconded by Councilman Pacheco to appoint Jeannie Sanchez to fill the vacancy on the Parks and Recreation Advisory Board. Motion carried unanimously.**

Councilman Hubert requested that the Council notify the Boards and Selections Committee members with recommendations to fill the Planning Commission vacancy. City Attorney Lamb stated that the Growth Management Act 36.70 requires that members of the Planning Commission be residents within the City limits.

Councilman Hubert stated that he would be available to attend the AWC Regional Meeting on September 18, 2008 in Yakima.

**Mayor Belton moved, Councilman Taylor seconded, to approve the attendance of Councilman Hubert at the AWC Regional Meeting on September 18, 2008 in Yakima. Motion carried unanimously.**

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

City Manager Murphy spoke briefly about the plans for the October 7, 2008 event. City Manager Murphy reported that the Chamber and the Mural Society would be able to move in the new building as soon as the Certificate of Occupancy is issued, which should be issued by the end of this week. Councilman Taylor suggested scheduling the burial of the Centennial time capsule on October 7, 2008. City Manager Murphy reported that he would work on arranging for the burial of the Centennial time capsule on October 7, 2008.

Councilman Thorington reported on the recent upgrades to make the downtown clock an atomic clock. Councilman Thorington stated that the Toppenish Lions Club and the Toppenish Rotary Club paid for the upgrades to the downtown clock.

Mayor Belton, Councilman Hubert, and Councilman Pacheco reported that they would be attending the Yakima Valley Conference of Governments General Membership meeting on September 17, 2008 in Sunnyside.

## **CITY MANAGER REPORTS**

City Manager Murphy stated that he had nothing to report.

## **EXECUTIVE SESSION TO DISCUSS NEW REAL ESTATE MATTER**

At 7:35 p.m., Mayor Belton announced that the Council would be going into executive session for 15 minutes or less to discuss a new real estate matter. He stated that the Council might return to take action.

At 7:44 p.m., Mayor Belton reconvened the meeting into regular session.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 7:44 p.m.

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LOREN O. BELTON, MAYOR

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HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK