

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
AUGUST 11, 2015**

1. CALL TO ORDER

Mayor Norm Childress called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Mike Everett, Dennis McDonald, Bill Moore, Javier Rodriguez and Joan Souders. Excused from the meeting were Councilmembers Gloria Mendoza and Jesse Palacios.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Police Chief Kal Fuller, Assistant Public Works Director Santos Trevino and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

Councilmember McDonald led the pledge of allegiance.

3. PRESENTATIONS

A. New Employee Introductions – Police Department

Police Chief Fuller introduced Kendra Bean as the City's new Corrections Officer. Ms. Bean was formerly a dispatcher for the Police Department. He also introduced Police Officer Cole Hecker. Mr. Hecker was formerly the corrections officer for the Police Department.

B. 25-Year Service Award – Anita Palacios, City Clerk/Human Resources

Mayor Childress presented a 25-Year Service Award to Anita Palacios, City Clerk/Human Resources, in recognition and appreciation of her loyal service and dedication to the City of Grandview.

4. PUBLIC COMMENT – None

5. CONSENT AGENDA

On motion by Councilmember Moore, second by Councilmember Rodriguez, Council unanimously approved the Consent Agenda consisting of the following:

- A. Minutes of the July 14, 2015 regular meeting
- B. Payroll Electronic Fund Transfers (EFT) Nos. 5409-5413 in the amount of \$69,975.65 and Nos. 5418-5423 in the amount of \$84,736.25
- C. Payroll Check Nos. 8208-8281 in the amount of \$108,007.81
- D. Payroll Direct Deposit 7/1/15–7/15/15 & 7/16/15–7/30/15 in the amount of \$91,233.06
- E. Claim Check Nos. 108549-108711 in the amount of \$299,381.37
- F. Port Point (Wallace Way Business Park) Project Acceptance

6. ACTIVE AGENDA

A. Resolution No. 2015-36 accepting the bid for the Fourth Street and Birch Street CDBG Improvements and authorizing the Mayor to sign all contract documents with Advantage Dirt Contractors, Inc.

Bids for the Fourth Street and Birch Street CDBG Improvements were opened on July 29, 2015. A total of four (4) bids were received with Advantage Dirt Contractors, Inc., of Ellensburg, Washington, submitting the low bid in the amount of \$1,123,563.42. The low bid was approximately 15% above the City Engineer's estimate of \$973,232.54.

The low bid was over the budgeted amount by approximately \$160,000. Staff presented the following options for completing the project:

- Reject all bids and rebid the project in the spring (2016); or
- Amend the scope of work to eliminate the City-owned steel street light poles with PP&L-owned wood poles saving approximately \$100,000 and increase the City's local match an additional \$60,000 from the general fund. Staff received tentative approval from CDBG to amend the scope of work with respect to the street light poles.

On motion by Councilmember Moore, second by Councilmember Rodriguez, Council unanimously amended the scope of work to eliminate the City-owned steel street light poles with PP&L-owned wood poles saving approximately \$100,000 and increased the City's local match an additional \$60,000 from the general fund; and approved Resolution No. 2015-36 accepting the bid for the Fourth Street and Birch Street CDBG Improvements and authorizing the Mayor to sign all contract documents with Advantage Dirt Contractors, Inc.

B. Municipal Firearms Regulation

City Attorney Plant explained that earlier this month, legal counsel was asked to amend two provisions of the Grandview Municipal Code (Sections 2.48.160 and 12.20.070) in such a manner that the provisions become consistent with Washington law on municipal regulations of firearms. Chapter 9.41 RCW preempted the field of firearms regulation in the State of Washington and, with limited exceptions, precluded municipalities from banning firearms in parks and cemeteries. Two ordinances were presented to Council for consideration at the meeting on July 14, 2015. Following discussion, legal counsel was directed to explore options for prohibiting firearms at certain locations within the Country Park Events Center. The Country Park Events Center has a number of facilities, including an amphitheater, food pavilion, softball fields, rodeo grounds and fair buildings. The question presented was whether the City may prohibit firearms from the park and any facilities within the park. The City presently prohibited the discharge of firearms in its public parks and cemetery, although these prohibitions were not enforceable. Washington law authorized the City to restrict the possession of firearms at stadiums and convention centers operated by the City. The rodeo arena was arguably a "stadium" as contemplated by RCW 9.41.300(2)(b). Other structures and facilities cannot be reasonably characterized as either a "stadium" or a "convention center." The amphitheater and softball fields were not buildings. While the community center was used from time to time by groups for purposes similar to those you may find at a convention center, the primary purpose of the community center was much broader. The City may only restrict the possession of firearms in stadiums "operated by" the City. The City does not appear to operate the rodeo arena or any other facility leased to the Yakima Valley Fair and Rodeo Board. The existing lease agreement

provided that the Board has “exclusive possession” of the rodeo arena. The lease also indicated that the Board owns the rodeo arena. For these reasons, the City cannot reasonably claim to “operate” the rodeo arena. The City lacks authority to restrict the possession of firearms in municipal parks, to include facilities at the Country Parks Event Center.

Councilmember Everett moved and Councilmember Souders seconded that the City negotiate a lease amendment with the Yakima Valley Fair and Rodeo Board to restrict firearms at facilities leased from the City at the Country Parks Event Center. Councilmember Everett voted in favor and Councilmembers McDonald, Rodriguez, Souders and Moore voted in opposition. The motion failed.

On motion by Councilmember Souders, second by Councilmember Moore, Council agreed to take from the table Ordinance Nos. 2015-10 and 2015-11 for consideration at the next Council meeting. Councilmember Everett voted in opposition.

7. UNFINISHED AND NEW BUSINESS

A. FruitSmart Street Vacation Request (Bonnieview Road)

On motion by Councilmember Everett, second by Councilmember Souders, Council unanimously instructed staff to develop an approach to temporarily close Bonnieview Road from Euclid to the railroad right-of-way for a period of 45-days while working with FruitSmart and others affected; and set a public hearing at the end of that period or shortly thereafter for consideration of the request to vacate.

B. Non-Union Salaries and Benefit Comparisons

City Administrator Arteaga explained that during union negotiations this past year, Council recommended non-union employee salaries and benefits be reviewed in comparison to the settled union contracts. With the budget process approaching, he requested Council confirm that directive.

On motion by Councilmember Moore, second by Councilmember Everett, Council unanimously directed the City Administrator to complete a salary and benefit comparison for non-union employees and recommend any changes during the budget process.

8. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Transportation Improvement Board Application – Wine Country Road (Ash to Fir) – City Administrator Arteaga reported that a funding application would be submitted to the Transportation Improvement Board (TIB) 2015 Arterial Preservation Program. The request would be in the amount of \$400,000 for a grind and overlay of Wine Country Road from Ash to Fir. A 10% local match would be required should the funding application be approved. The local match would be allocated from the Transportation Benefit District. The application was due this month and notification would be mid-September.

Landfill Closure – City Administrator Arteaga reported that he met with representatives from the Department of Ecology (DOE) and Yakima Health District (YHD) at the former landfill to finalize the post-closure requirements for Area 2. Following the site visit, he submitted an official

request for approval from DOE and YHD that the City has successfully complied with the pre-1985 post-closure requirements of the Grandview Landfill Area 2.

New Museum – City Administrator Arteaga reported that the Public Works maintenance employees were performing some interior demolition of the building purchased at 115 West Wine Country Road for the new museum. Once complete, the architect would submit an estimate for renovations.

9. MAYOR & COUNCILMEMBER MEETING REPORTS

Chamber of Commerce Community Parade & Car Show – The Chamber of Commerce Community Parade was held on August 6th and Car Show was held on August 8th.

Pool Renovations – Councilmember Souders reported that the Pool Committee would begin the installation of the new fixtures and rubberized tile flooring in the bathhouse.

Dog Park – Councilmember Souders reported that the Dog Park Committee had a booth at the fair. The Committee anticipated having the first 400 feet of fencing installed in September.

10. EXECUTIVE SESSION – None

11. ADJOURNMENT

The regular meeting adjourned at 7:55 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk