

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 25, 2014**

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, Councilmembers Diana Jennings, Gloria Mendoza, Bill Moore, Jesse Palacios and Javier Rodriguez. Excused from the meeting were Councilmembers Mike Bren and Joan Souders.

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

2. PLEDGE OF ALLEGIANCE

Councilmember Jennings led the pledge of allegiance.

3. PRESENTATIONS – None

4. PUBLIC COMMENT

Dale Burgeson, Carriage Square Drive, Grandview, thanked the Public Works crew for their assistance with a recent sewer back-up at his residence. He also thanked the Council for considering the adoption of Ordinance No. 2014-5.

Diana Mendez Bueno, indicated that the sight distance at stop signs needed to be cleared of shrubs, trees and/or fences. She also indicated that restrooms at local stores needed to be cleaned.

5. CONSENT AGENDA

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

- A. Minutes of the February 11, 2014 study session minutes**
- B. Minutes of the February 11, 2014 regular meeting**
- C. Payroll Electronic Fund Transfers (EFT) Nos. 5144-5148 in the amount of \$59,508.35**
- D. Payroll Check Nos. 7251-7271 in the amount of \$92,911.54**
- E. Payroll Direct Deposit 2/1/14 – 2/15/14 in the amount of \$81,076.45**
- F. Claim Check Nos. 105310-105380 in the amount of \$166,740.26**
- G. Resolution No. 2014-13 authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Everett Law Offices**
- H. Resolution No. 2014-14 authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Jacob A. Lara**

- I. **Resolution No. 2014-15 authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Grandview Neptune Rotary Swim Team for the use of the swimming pool – 2014 Swim Team Program**
- J. **Resolution No. 2014-16 authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Lower Valley Cal Ripken Youth Baseball Club**

6. **ACTIVE AGENDA**

- A. **Resolution No. 2014-17 authorizing the Mayor to sign an Interlocal Joint Purchasing Agreement with the City of Toppenish**

During the annual retreat, staff provided Council with a recommendation of refurbishing three garbage trucks with new dumpster bodies and hydraulic equipment in lieu of purchasing completely new garbage trucks. This recommendation would provide the City with a new garbage truck at half the cost of a new truck and dumpster body. The City of Toppenish recently acquired a new truck with a new dumpster body and the dealership offered the same bid price to Grandview. The first truck needing to be refurbished was failing and by entering into an interlocal agreement with Toppenish, the City could expedite the bidding process by eliminating the need to develop bid specifications and also eliminating the process of bidding the equipment.

On motion by Councilmember Palacios, second by Councilmember Rodriguez, Council unanimously approved Resolution No. 2014-17 authorizing the Mayor to sign an Interlocal Joint Purchasing Agreement with the City of Toppenish.

- B. **Resolution No. 2014-18 authorizing the Mayor to sign Change Order No. 1 with Apollo, Inc., for the Wastewater Pumping Facility Improvements**

At the February 11, 2014 meeting, City Administrator/Public Works Director Arteaga reported to Council that a change order would be presented at the February 25, 2014 meeting in the amount of \$55,244.80. The change order included the following:

- Demolishing the additional walls and adding additional blocks (\$33,127.00).
- Additional grout work in the wet-well (\$6,357.00).
- Additional electrical enclosure (\$11,716.00).

Funds were available in the current USDA loan and the City would continue to have approximately \$170,000 in project contingency after paying for the change order.

On motion by Councilmember Jennings, second by Councilmember Moore, Council unanimously approved Resolution No. 2014-18 authorizing the Mayor to sign Change Order No. 1 with Apollo, Inc., for the Wastewater Pumping Facility Improvements.

- C. **Forsell Road Sidewalk Extension from Wallace Way to Euclid Road RFQ for Municipal Engineering Services**

The City received Transportation Alternatives Program funding in the amount of \$275,000 for the design and construction of the Forsell Road Sidewalk Extension from Wallace Way to Euclid Road. The Transportation Alternatives Program required the City to advertise for municipal

engineering services in order to utilize federal funds for the design and construction of the Forsell Road Sidewalk Extension. The City advertised and received one proposal from Huibregtse, Louman Associates, Inc., of Yakima, WA. Huibregtse, Louman Associates, Inc., has been providing municipal engineering services to the City of Grandview since 1989 and have always provided quality work.

On motion by Councilmember Jennings, second by Councilmember Moore, Council unanimously selected Huibregtse, Louman Associates, Inc., as the most qualified municipal engineering firm for the design and construction of the Forsell Road Sidewalk Extension from Wallace Way to Euclid Road, and directed staff negotiate a professional service/consultant agreement with said engineering firm in accordance with the Transportation Alternatives Program requirements and present the agreement for Council's approval at the next Council meeting.

D. Ordinance No. 2014-5 adopting a new Grandview Municipal Code Section 17.04.025 to prohibit uses that are illegal under local, state or federal law in any zoning district within the City of Grandview

City Attorney Plant explained that at the meeting on February 11, 2014, Council directed the preparation of an ordinance that prohibited the siting of recreational marijuana businesses in the City of Grandview.

He proposed a two-step process for implementing Council's direction in this regard. The Council should first adopt an ordinance that prohibited activities that were illegal under local, state and federal law in all zoning districts within the City of Grandview. Many municipal zoning codes contain such a provision. At present, Grandview's zoning code did not contain such a provision. He proposed this ordinance be adopted as a new Section 17.04.025 – Illegal Uses Prohibited. Because recreational marijuana businesses were illegal under federal law, any such use would be prohibited in all zoning districts within the City under this ordinance, which would become effective five days after publication.

With this ordinance in effect, he recommended Council adopt an ordinance that amended the new Section 17.04.025 to more directly prohibit recreational marijuana businesses at the Council Meeting on March 11, 2014. The ordinance as proposed was based on the ordinance adopted by the City of Yakima.

He proposed adopting the ordinances separately because each addressed a distinct subject and municipal ordinances were limited to one subject. RCW 35A.12.130.

Adoption of the proposed ordinances was categorically exempt from the threshold determination and EIS requirements of the State Environmental Policy Act pursuant to WAC 197-11-800(19).

On motion by Councilmember Moore, second by Councilmember Palacios, Council unanimously approved Ordinance No. 2014-5 adopting a new Grandview Municipal Code Section 17.04.025 to prohibit uses that are illegal under local, state or federal law in any zoning district within the City of Grandview.

7. UNFINISHED AND NEW BUSINESS – None

8. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Bonnieview Road Improvement Project – Assistant Public Works Director Trevino reported that Scout Lake Construction was notified to commence work on the Bonnieview Road Improvements beginning March 10th. All work related to this project was to be completed by June 30th.

Javier Hernandez – Assistant Public Works Director Trevino reported that Water Operator Javier Hernandez passed away on February 21st. His funeral service was scheduled for Saturday, March 1st.

9. MAYOR & COUNCILMEMBER MEETING REPORTS

Council Meeting Attendance – Councilmember Jennings reported that she would be absent from March 11th Council meeting.

Restroom Facilities in Parks – Mayor Childress reported that the restroom facilities that Council approved in the 2014 budget were installed this past week at the Palacios Pathway and Westside Park.

10. EXECUTIVE SESSION – None

11. ADJOURNMENT

On motion by Councilmember Mendoza, second by Councilmember Rodriguez, Council unanimously adjourned the regular meeting at 7:20 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk