

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
JANUARY 14, 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 and Councilmembers Mike Bren, Diana Jennings, Gloria Mendoza, Jesse Palacios, Javier Rodriguez and Joan Souders. Excused from the meeting was Councilmember Bill Moore.

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

**2. PLEDGE OF ALLEGIANCE**

Councilmember Rodriguez led the pledge of allegiance.

**3. OATHS OF OFFICE**

City Attorney Plant administered the Oaths of Office to newly elected Councilmember Joan Souders (Position 1), Councilmember Javier Rodriguez (Position 2) and Councilmember Gloria Mendoza (Position 3).

**4. PRESENTATIONS**

**A. Distinguished Service Award – Councilmember Pam Horner**

Mayor Childress presented former Councilmember Pam Horner with a Distinguished Service Award in recognition and appreciation of her loyal service and dedication to the citizens of Grandview from January 18, 2000 through December 31, 2013.

**B. 2014 Martin Luther King Jr. Week Proclamation**

Mayor Childress proclaimed the week of January 19 through January 25, 2014 as Martin Luther King, Jr. Week in the City of Grandview and urged all citizens to join in acknowledging those people involved in honoring the life of Martin Luther King, Jr., and the principles for which he fought and died.

**C. New Sergeant Appointment – Kevin Glasenapp**

Police Chief Fuller introduced the Police Department's newly appointed Sergeant Kevin Glasenapp.

**5. PUBLIC COMMENT – None**

**6. CONSENT AGENDA**

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

- A. Minutes of the December 10, 2013 regular meeting
- B. Payroll Electronic Fund Transfers (EFT) Nos. 5116-5120 in the amount of \$59,637.15
- C. Payroll Electronic Fund Transfers (EFT) Nos. 5122-5127 in the amount of \$71,927.85
- D. Payroll Check Nos. 7170-7210 in the amount of \$116,134.18
- E. Payroll Direct Deposit 12/01/13 – 12/15/13 in the amount of \$82,750.16
- F. Payroll Direct Deposit 12/16/13 – 12/31/13 in the amount of \$87,325.99
- G. Claim Check Nos. 104898-104982 in the amount of \$368,463.02
- H. 2014 City Board and Commission Appointments
- I. Resolution No. 2014-1 amending Section 7.07 of the City's Personnel Manual as it relates to medical and disability insurance
- J. Resolution No. 2014-2 authorizing the Mayor to sign the Washington Teamsters Welfare Trust Special Agreement – Non-Bargaining Unit Employees as a condition of Trust coverage for the City's non-union employees and their families
- K. Ordinance No. 2014-1 adopting the City 2014, 2015 and 2016 Non-Union Salary Schedule and amending the City Personnel Manual January 1, 2014; January 1, 2015; July 1, 2015; January 1, 2016 and July 1, 2016 Non-Union Monthly Salary Matrix

**7. ACTIVE AGENDA**

- A. Resolution No. 2014-3 authorizing the Mayor to sign the Washington State Department of Transportation Supplemental Agreement Number 2 with Huijbregtse, Louman Associates, Inc., for professional engineering design and construction services relating to the Bonnieview Road Improvements from Wilson Highway to Elm Street

The City was awarded a Surface Transportation Program grant in the amount of \$1,022,257 for construction of the Bonnieview Road Improvements from Wilson Highway to Elm Street. The proposed construction project would include roadway widening, sidewalk, curb, gutter and storm drainage improvements. The construction engineering services would increase the supplemental agreement by \$139,080 which increased the new maximum amount total to \$267,280. In order to obligate the federal funds, the City needed to approve the Local Agency Agreement Supplemental Number 2.

On motion by Councilmember Palacios, second by Councilmember Bren, Council unanimously approved Resolution No. 2014-3 authorizing the Mayor to sign the Washington State Department of Transportation Supplemental Agreement Number 2 with Huijbregtse, Louman Associates, Inc., for professional engineering design and construction services relating to the Bonnieview Road Improvements from Wilson Highway to Elm Street.

**B. Resolution No. 2014-4 authorizing the Mayor to sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., for the Old Inland Empire Highway Improvements**

The City was successful in securing grant funding for the construction of Old Inland Empire Highway Improvements. The City would need to approve the Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., to provide professional engineering and surveying for construction observation and administration on this project. The total agreement fee was \$242,900.

**On motion by Councilmember Jennings, second by Councilmember Souders, Council unanimously approved Resolution No. 2014-4 authorizing the Mayor to sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., for the Old Inland Empire Highway Improvements.**

**C. Ordinance No. 2014-2 amending Grandview Municipal Code Section 5.04.010 to clarify that the City is not precluded from issuing a business license for business activities unlawful under federal law**

City Attorney Plant explained that GMC 5.04.010 required individuals and entities seeking to operate businesses within the City to obtain a business license from the City. The Washington State Legislature adopted regulations concerning medical marijuana dispensaries and collection gardens in 2011. The governor vetoed many provisions of the bill approved by the legislature. Those provisions that survived the veto were confusing and difficult to understand and apply. As a response to this legislation, the City amended its licensing regulations to clarify that business licenses were required by medical marijuana dispensaries even if such dispensaries were not for profit or otherwise not taxable. The City also amended GMC 5.04.010 to provide that the City would not issue a business license for a business that is not compliant with state, local or federal law.

Subsequently, the voters of the State of Washington enacted legislation in November 2012 that authorized state licensed marijuana businesses. Licenses to operate such businesses would be issued by the Washington State Liquor Control Board. However, municipalities retained independent authority to license such businesses pursuant to inherent police power authority.

As presented constituted, GMC 5.04.010 may conflict with the state law concerning marijuana businesses. Specifically, the ordinance prohibits the City from issuing a license to a marijuana business that complies with all of the I-502 licensing criteria due to conflict between state and federal law. The proposed amendment deleted the reference to federal law, such that the GMC would authorize the City to issue a license to a marijuana business, provided the business otherwise satisfied the criteria for such a license.

He emphasized that the amendment would not mean that the City would issue any licenses for marijuana businesses in Grandview. Nor would the amendment preclude the City from imposing zoning or other licensing requirements as determined appropriate in the City's exercise of its legislative function. The amendment merely amended the municipal code to align with the existing state law.

**On motion by Councilmember Bren, second by Councilmember Rodriguez, Council unanimously approved Ordinance No. 2014-2 amending Grandview Municipal Code Section 5.04.010 to clarify that the City is not precluded from issuing a business license for business activities unlawful under federal law.**

**D. Ordinance No. 2014-3 amending Grandview Municipal Code Section 13.28.140 to provide that the City will not disconnect utility accounts where the delinquent sum is less than twenty dollars**

During the 2012 accountability audit, the State Auditor found that the City was not disconnecting citizens who failed to pay the entire balance of their utility account. Grandview Municipal Code Section 13.28.140(C) stated "to avoid disconnection, the delinquent balance plus the 24-hour notice of disconnection fee must be paid in full". The City did not disconnect four customers that failed to pay the notice of disconnection fee which was under \$20.00. Staff recommended GMC Section 13.28.140(C) be amended to provide that water services should not be disconnected in instances where the delinquent balance of a utility account does not exceed \$20.00.

**On motion by Councilmember Mendoza, second by Councilmember Souders, Council unanimously approved Ordinance No. 2014-3 amending Grandview Municipal Code Section 13.28.140 to provide that the City will not disconnect utility accounts where the delinquent sum is less than twenty dollars.**

**8. UNFINISHED AND NEW BUSINESS – None**

**9. CITY ADMINISTRATOR AND/OR STAFF REPORTS**

MPO/RTPO Technical Advisory Committee – Assistant Public Works Director Trevino was selected to Vice-Chair the MPO/RTPO Technical Advisory Committee with YVCOG.

Forsell Road Improvements – The City's Transportation Alternative Program Grant application of \$275,000 for road widening, sidewalk installation and drainage on Forsell Road from Euclid west to Wallace Way was approved. These improvements would improve the safety of citizens walking to the Community Center. There would be no required local match dollars from the City. The City partnered with Smuckers and the Port whom both pledged \$1,000 each which was the additional points needed to secure the grant.

Aerated Lagoon Repairs – Staff was notified by WCIA that the City's claim for payment of the aerated lagoon repairs was approved in the approximate amount of \$100,000.

Wastewater Pumping Facility Improvements – Construction of the Euclid Lift Station building CMU block walls would be completed this month. Additional CMU blocks were constructed to replace portions of existing walls that did not have reinforcement. A change order would be prepared by HLA for this additional work and presented to Council for consideration at the next meeting. The approximate cost of the change order would be \$25,000.

Union Negotiations – Union negotiations with the Public Works and Police Support employee groups were finalized and agreements would be presented to Council for consideration at the next meeting.

Park Restroom Facilities – The 2014 budget included \$25,000 in the Capital Improvement Fund for a new restroom facility at Westside Park. The restroom facility would be identical to the facility at Dykstra Park off Euclid Road. The state procurement program listed the restroom facility for \$13,749 including delivery. Staff recommended Council consider a budget amendment for an additional \$2,500 to purchase two restroom facilities with the additional facility to be installed at Palacios Parkway or Eastside Park. The total cost of the two units would be \$27,498.

**On motion by Councilmember Palacios, second by Councilmember Bren, Council unanimously allocated an additional \$2,500 to the Capital Improvement Fund for the purchase of two restroom facilities.**

**10. MAYOR & COUNCILMEMBER MEETING REPORTS**

Dog Park – Councilmember Souders reported that the Dog Park Committee acquired the first 350 feet of fencing for the park.

YVCOG General Membership Meeting – Mayor Childress, Councilmember Palacios, Councilmember Moore and City Administrator Arteaga would be attending the YVCOG General Membership meeting in Wapato on January 15<sup>th</sup>.

Parks & Recreation Basketball Clinic – Mayor Childress reported that his daughter Cara Childress volunteered her time to coach the Parks and Recreation Department's winter break basketball clinic.

**11. EXECUTIVE SESSION – Union Negotiations**

Mayor Childress adjourned the meeting to an executive session at 7:40 p.m., for approximately 20 minutes to discuss property matters per RCW 42.30.110(1)(c) and 20 minutes to discuss personnel matters per RCW 42.30.110(1)(g) with the aforementioned Mayor, Councilmembers, City Attorney, City Administrator and City Clerk present.

The meeting resumed at 8:00 p.m., with the aforementioned Mayor, Council and staff present. No action was taken.

**12. ADJOURNMENT**

On motion by Councilmember Mendoza, second by Councilmember Rodriguez, Council unanimously adjourned the regular meeting at 8:00 p.m.

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Mayor Norm Childress

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Anita Palacios, City Clerk