

**GRANDVIEW CITY COUNCIL
COMMITTEE-OF-THE-WHOLE
MEETING MINUTES
JULY 12, 2016**

1. CALL TO ORDER

Mayor Norm Childress called the Committee-of-the-Whole meeting to order at 6:00 p.m. in the Council Chambers at City Hall.

2. ROLL CALL

Present were: Mayor Childress and Councilmembers Gaylord Brewer, Mike Everett, Dennis McDonald, Bill Moore and Joan Souders. Councilmember Gloria Mendoza arrived at 6 p.m. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Police Chief Kal Fuller, Parks & Recreation Director Mike Carpenter, Assistant Public Works Director Santos Trevino, WWTP Superintendent Dave Lorenz and City Clerk Anita Palacios.

3. CITIZEN PARTICIPATION – None

4. NEW BUSINESS

A. Ordinance No. 2016-9 amending Grandview Municipal Code Section 5.22.020 permission for alcoholic beverages in Country Park to expand the duration of time during which beer and/or wine may be served at Country Park Events Center

At the June 28, 2016 C.O.W. meeting, the C.O.W. was presented with requests from the Grandview Chamber of Commerce and the Yakima Valley Fair & Rodeo Board to change the duration of time during which beer and/or wine may be served at the Country Parks Event Center. The C.O.W. directed staff to draft an ordinance amending Grandview Municipal Code Section 5.22.020 regarding the time allowed for serving of beer and/or wine, and duration of an event from two days to three days for consideration at the July 12th COW meeting.

On motion by Councilmember Everett, second by Councilmember Moore, the C.O.W. moved Ordinance No. 2016-9 amending Grandview Municipal Code Section 5.22.020 permission for alcoholic beverages in Country Park to expand the duration of time during which beer and/or wine may be served at Country Park Events Center to the regular Council meeting agenda for consideration.

B. Ordinance adopting a new Chapter 5.25 of the Grandview Municipal Code establishing a Special Event Permit

At the May 10, 2016 regular meeting, Council approved a street closure request for a car and bike show. Staff noted that the City did not have regulations establishing procedures and criteria governing the review of requests to hold special events. Council requested staff draft an ordinance establishing a special event permit.

Staff presented an ordinance adopting a new Chapter 5.25 of the Grandview Municipal Code establishing a Special Event Permit.

Following discussion, the C.O.W. concurred to amend Section 5.25.080 Appeals to provide for an appeal fee in the amount of \$150.

On motion by Councilmember Everett, second by Councilmember Moore, the C.O.W. moved Ordinance 2016-10 adopting a new Chapter 5.25 of the Grandview Municipal Code establishing a Special Event Permit to the regular Council meeting agenda for consideration.

C. Ordinance adopting a new Chapter 17.94 of the Grandview Municipal Code establishing a reasonable accommodation process in the City's land use ordinance to accommodate statutory rights of the disabled

City Administrator Arteaga explained that the City recently received a request from a resident to construct a fence along the perimeter of his yard that exceeded the height and setback requirements of the municipal code. The resident was the primary caregiver of an adult child with a disability and wanted to erect the fence in order to provide for the safety of the adult child with a disability. In consultation with legal counsel, staff considered the request to be a request for a reasonable accommodation under the Americans with Disabilities Act (ADA) and Fair Housing Act (FHA). The City provided a reasonable accommodation with respect to the enforcement of its development regulations in order to facilitate the care of the adult child and his full and safe enjoyment of their property. Staff recommended Council consider establishing a reasonable accommodation process in the City's land use ordinance to accommodate statutory rights of the disabled.

City Attorney Plant drafted three versions of an ordinance adopting a new Chapter 17.94 of the Grandview Municipal Code establishing a reasonable accommodation process in the City's land use ordinance to accommodate statutory rights of the disabled for Council consideration. The first version provided for no appeal process. The second version provided for an appeal to the Hearing Examiner. The third version provided for an appeal to the Council. The City Attorney recommended either the first or second versions. He did not recommend that appeals be made to the Council. Administrative decisions should be appealed, if at all, to the Hearing Examiner. The Council should avoid weighing in on administrative decisions.

Following discussion, the C.O.W. concurred with the draft ordinance that provided for an appeal to the Hearing Examiner with an appeal fee in the amount of \$150.

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved the ordinance adopting a new Chapter 17.94 of the Grandview Municipal Code establishing a reasonable accommodation process in the City's land use ordinance to accommodate statutory rights of the disabled to the July 26, 2016 regular Council meeting agenda for consideration.

D. Street Sealcoat Maintenance Program

At the June 14, 2016 C.O.W. meeting, staff was directed to present a street sealcoat maintenance program. City Administrator Arteaga explained that the City currently had approximately 50 miles of streets which included 8.58 miles of arterial sections (high traffic

generators), 7.05 miles of major collectors, and 34.5 miles of local access. He recommended the following schedule for seal coating: arterial streets 7-year rotation; major collectors 12-year rotation; and local access 15-year rotation. A one mile Class B BST treatment was estimated to cost \$100,000. The 50 miles of paved streets would require approximately \$5,000,000 to complete a BST treatment to the entire street inventory.

He provided the following options for implementation of an annual sealcoat program:

- Continue contracting with Yakima County.
- Advertise for construction bids each spring.
- Use the interlocal agreement with the City of Sunnyside.
- Purchase equipment and hire additional full time employees (initial investment \$592,000).

He explained the following funding options for implementation of an annual sealcoat program:

- Increase the annual transfer from the current expense fund to the street budget.
- Consider a councilmanic bond for street maintenance.
- Increase the \$20 Transportation Benefit District (TBD) fee to the new state limit of \$40 per vehicle.
- Work within the current \$160,000 generated from the \$20 TBD fee.

He recommended that the Council continue to work within the current TBD budget revenues of \$160,000 per year. He also recommended that the Council continue to leverage grant funds and budget for at least one-mile of BST annually.

He recommended the following six-year street sealcoat maintenance program:

2017 – Estimate \$97,408

- Wine Country Road from East Stover Road to Euclid Road (5,143 feet)

2018 – Estimate \$93,525

- Fir Avenue from Wine Country Road south to East Fourth Street (1,286 feet)
- East Second Street from Elm east to Fir Avenue (1,052 feet)
- East Third Street from Elm east to Fir Avenue (1,298 feet)
- East Fourth Street from Elm east to Fir Avenue (1,302 feet)

2019 – Estimate \$99,624

- West Fifth Street from Euclid west to Appleway (5,260 feet)

2020 – Estimate \$98,961

- Stassen Way from Euclid to Hillcrest (1,312 feet)
- Zorada from Stassen Way to Rainier (419 feet)
- Powell from Stassen Way to Hickory (893 feet)
- West Fifth Street from Euclid to Grandridge (2,601 feet)

2021 – Estimate \$87,238

- North Fourth Street from Euclid to Wilson (2,680 feet)
- North Third Street from Wine Country Road to Opal (1,040 feet)
- Davie from North Third Street to North Fourth Street (442 feet)

- Nealy from North Third Street to North Fourth Street (442 feet)

2022 – Estimate \$74,396

- Butternut from West Fifth Street to Pecan (1,895 feet)
- Hill Drive from Butternut to Appleway (1,515 feet)
- West Briar from Butternut to end of road (893 feet)

On motion by Councilmember Souders, second by Councilmember McDonald, the C.O.W. moved the proposed six (6) year street sealcoat maintenance program to the July 26th meeting for consideration.

E. City Council Procedures Manual Section 3.18(a) – Councilmember Souders

At the May 24, 2016 Council meeting, Council agreed to revisit the wording of 3.18(a) in the City Council Procedures Manual.

Councilmember Souders recommended that the Section 3.18(a) be amended to read as follows:

3.18 Procedure of Presenting Matters to Council:

(a) All matters coming before the City Council ~~shall~~ **should** first be referred to the Committee-of-the-Whole. Therefore, all new matters ~~shall~~ **should** be placed on the Council agenda as new business for referral to the Committee-of-the-Whole.

Discussion took place.

Councilmember Mendoza moved and Councilmember Souders seconded to direct staff to prepare a resolution amending Section 3.18(a) of the City Council Procedures Manual to change the word “shall” to the word “may”.

Additional discussion took place.

Councilmember Souders withdrew her second to the motion and Councilmember Mendoza withdrew her motion.

5. OTHER BUSINESS – None

6. ADJOURNMENT

The study session adjourned at 7:00 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk