



YAKIMA CITY COUNCIL
September 17, 2019
City Hall -- Council Chambers

4:30 p.m. Executive Session; 5:30 p.m. Regular Meeting; 6 p.m. Public Hearings -- MINUTES

EXECUTIVE SESSION

1. Executive Session to evaluate the qualifications of an applicant for public employment

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Dulce Gutierrez (present at 4:39 p.m.), Council members Kay Funk, Brad Hill (attended via speakerphone) Carmen Mendez and Jason White

Absent and excused: Council Member Holly Cousens

MOTION: Mendez moved and White seconded to adjourn to executive session for up to 55 minutes to evaluate the qualifications of an applicant for public employment. The motion carried by unanimous vote, Gutierrez and Cousens absent. Executive Session was held and adjourned at 5:11 p.m.

1. **Roll Call**

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Dulce Gutierrez, Council members Kay Funk, Brad Hill (via speakerphone), Carmen Mendez and Jason White

Staff: Interim City Manager Cynthia Martinez, City Attorney Jeff Cutter and City Clerk Sonya Claar Tee

Absent and excused: Council Member Holly Cousens

2. **Pledge of Allegiance**

Mayor Coffey led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Coffey introduced Jorge Villasenor who announced interpreter services are available.

4. **Open Discussion for the Good of the Order**

A. Proclamations

- i. National Surgical Technologist week proclamation

Council Member Funk proclaimed the week of September 15-22, 2019 as National Surgical Technologist Week and Valerie Smith accepted it.

B. Presentations / Recognitions / Introductions

- i. Presentation of the "2018 Wastewater Treatment Plant Outstanding Performance" award to the City's Wastewater Division by the Department of Ecology

Coleman Miller, Environmental Engineer with the Department of Ecology, presented the Outstanding Treatment Plant award to the City of Yakima Wastewater Treatment Plant in recognition of the Wastewater Treatment Plant's 100% compliance with their state-issued National Pollutant Discharge Elimination System permit in 2018. Daryl Bullard, Wastewater Treatment Plant Process Control Supervisor, accepted the award.

5. Council Reports

A. Council Public Safety Committee report

Assistant Mayor Gutierrez reported on the August Council Public Safety Committee meeting where they discussed the Clean City policy overlap with habitual nuisance properties and a recent meeting between City staff and the Yakima School District Superintendent. The Committee also suggested modifying the shopping cart ordinance to establish a fee schedule, which will be brought to Council at a later date.

B. Safe Routes to Elementary Schools

Assistant Mayor Gutierrez reported on a recent meeting with City staff and proposed the following steps:

- 1) Map of routes categorized as "Safe Routes to elementary Schools" directly supported by City of Yakima policies and programs.
- 2) Identify main "walking routes" to each of the elementary schools for both the Yakima School District (YSD) and the West Valley School District.
- 3) Identify dangerous issues along identified walking routes and develop plan to resolve problems.

Assistant Mayor Gutierrez stated the benchmark is: by the end of 2019, complete step 1 and step 2, which include a mapping of our current planned routes and the identification of the main walking routes for each Elementary School within city limits. Council Member Mendez suggested including middle schools. Mayor Coffey stated it is not clear that the Yakima School District agreed to this and the City does not have the resources to accomplish this by year-end. After Council discussion,

MOTION: Funk moved and Gutierrez seconded to approve the benchmark as written. The motion carried by a 5-1 vote, Coffey voting no, Cousens absent.

6. Consent Agenda

Mayor Coffey referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item 6A was removed from the consent agenda becoming item 14. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion—see motion directly below.)

MOTION: Gutierrez moved and Funk seconded to approve the consent agenda. The motion carried by unanimous vote, Cousens absent.

- A. Item 6A was removed from the consent agenda becoming item 14

- B. August 2019 Investment Transactions report
- C. Approve payment of disbursements for the period August 1 – 31, 2019
- D. Project Completion and Contract Acceptance for Allstar Construction Group, Inc. - Project 2466 40th Avenue Sidewalk
- E. Ordinance adopting the City Council's decision on the Comprehensive Plan Amendment (CPA#001-19) and concurrent Rezone (RZ#002-19) request by UPI Property II LLC

ORDINANCE NO. 2019-022, AN ORDINANCE amending the Future Land Use Map and Zoning Map of the City of Yakima for parcels 191331-41401, 41402, 41405, and 41406 as follows: Future Land Use Map from Commercial Mixed Use to Industrial and Zoning Map from General Commercial (GC) to Light Industrial (M-1)

- F. Ordinance adopting the City Council's decision on the Comprehensive Plan Amendment (CPA#002-19) and concurrent Rezone (RZ#003-19) request by John I Haas Inc

ORDINANCE NO. 2019-023, AN ORDINANCE amending the Future Land Use Map and Zoning Map of the City of Yakima for parcel 181312-44026 as follows: Future Land Use Map from Commercial Mixed Use to Industrial and Zoning Map from General Commercial (GC) to Light Industrial (M-1)

- G. Ordinance adopting the City Council's decision on the Comprehensive Plan Amendment (CPA#004-19) and concurrent Rezone (RZ#004-19) request by the City of Yakima Planning Division

ORDINANCE NO. 2019-024, AN ORDINANCE amending the Future Land Use Map and Zoning Map of the City of Yakima for parcels 181314-14433, 41406, 41407, 41408, 41519, 41520, and 41521 as follows: Future Land Use Map from Industrial to Commercial Mixed Use, and Zoning Map from Light Industrial (M-1) to General Commercial (GC)

- H. Ordinance adopting the City Council's decision on the Comprehensive Plan Amendment (CPA#005-19) and concurrent Rezone (RZ#007-19) request by Forrest Emmons

ORDINANCE NO. 2019-025, AN ORDINANCE amending the Future Land Use Map and Zoning Map of the City of Yakima for parcels 181313-24435, 24436, 24437, 24438, 24439, and 24440 as follows: Future Land Use Map from Industrial to Commercial Mixed Use, and Zoning Map from Light Industrial (M-1) to General Commercial (GC)

- I. Ordinance adopting the City Council's decision on the Comprehensive Plan Amendment (CPA#006-19) and concurrent Rezone (RZ#006-19) request by River 16 LLC

ORDINANCE NO. 2019-026, AN ORDINANCE amending the Future Land Use Map and Zoning Map of the City of Yakima for parcels 181314-11426, 11411, 11553 and as follows: Future Land Use Map from Mixed Residential to Community Mixed Use, and Zoning Map from Multi-Family Residential (R-3) to Local Business (B-2)

- J. Ordinance updating Classification and Compensation Plan for City Employees Section 2.20.100

ORDINANCE NO. 2019-027, AN ORDINANCE relating to City personnel; adopting a classification and compensation plan for City employees to be effective October 20, 2019; and repealing all preceding pay ordinances in the City of Yakima Municipal Code.

7. Public Comment

Katherine Goodson, City resident, commented about witnessing open drug use in public and would like to know how citizens and business owners can assist the City in making this situation better.

Dawn Garland, City resident, shared her concern about public drug use, homelessness and the issues at the Senator and Cascade apartments near Front Street. She encouraged Council to adopt the International Property Maintenance Code, which would give the City's Code Enforcement the teeth needed to take some action in areas that are causing significant safety issues.

PUBLIC HEARINGS

8. Open record public hearing and Ordinance to consider the Planning Commission's recommendation concerning text amendments to Title 15 Yakima Urban Area Zoning Ordinance, Chapter 15.29 Wireless Communications Facilities

Associate Planner Eric Crowell briefed Council on the ordinance. Mayor Coffey opened the public hearing. Jason Verduzco, Verizon representative and Gregg Busch, representing AT&T Wireless Policy Group, spoke in support of the ordinance. The City Clerk read the ordinance by title only.

MOTION: Gutierrez moved and White seconded to pass the ordinance. The motion carried by unanimous vote, Cousens absent.

ORDINANCE NO. 2019-028, AN ORDINANCE amending Yakima Municipal Code Chapter 15.29 – Wireless Communications Facilities to incorporate text amendments recommended by the City of Yakima Planning Commission

9. Closed record public hearing and Ordinance to consider the Yakima Planning Commission's recommendation regarding a rezone application submitted by Gary Delaney for property at 1414 South 2nd Avenue

Associate Planner Eric Crowell briefed Council on the ordinance. Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. The City Clerk read the ordinance by title only.

MOTION: Gutierrez moved and White seconded to pass the ordinance. The motion carried by unanimous vote, Cousens absent.

ORDINANCE NO. 2019-029, AN ORDINANCE rezoning parcel 191330-33022 from Two-Family Residential (R-2) to Small Convenience Center (SCC) and amending the Zoning Map of the City of Yakima.

DEPARTMENT ITEMS

10. Authorize the Mayor to Sign a Letter of Commitment for a Department of Commerce Grant for a Housing Action Plan

Joan Davenport, Community Development Director, briefed Council on the request. After Council discussion, **MOTION: Gutierrez moved and Mendez seconded to approve the requested letter.** The motion carried by a unanimous vote, Cousens absent.

11. Ordinance amending the City of Yakima Municipal Code Section 5.01.06 relating to business license denial, revocation, or refusal to renew

Assistant City Attorney Ryan Bleek briefed Council on the ordinance. The City Clerk read the ordinance by title only.

MOTION: Gutierrez moved and White seconded to pass the ordinance. The motion carried by unanimous vote, Cousens absent.

ORDINANCE NO. 2019-030, AN ORDINANCE amending the City of Yakima Municipal Code Section 5.01.06 entitled Business license—Denial, revocation, or refusal to renew—Grounds—Appeals

12. Ordinance amending City of Yakima Municipal Code Chapter 9.47 Vehicle Impounds relating to unlicensed vehicles

Senior Assistant City Attorney Brooke Goosman briefed Council on the ordinance.

Tony Courcy, City resident, spoke on several issues. Dawn Garland, City resident, shared her concern about people living in their cars at the City's parking lot between Crafted and McDonald's. She suggested the signs be changed to read "no parking between certain hours 2-6 a.m." The City Clerk read the ordinance by title only. After Council discussion,

MOTION: Gutierrez moved and Mendez seconded to pass the ordinance. The motion carried by a 5-1 vote, White voting no and Cousens absent.

ORDINANCE NO. 2019-031, AN ORDINANCE relating to Traffic; amending the City of Yakima Municipal Code, Chapter 9.47, Vehicle Impounds, adding a definition of "Unlicensed Vehicles" and prohibiting the parking of Unlicensed Vehicles, for which the penalty is a civil infraction; and, amending 9.47.010(J)(1)(b) and 9.47.040(B) for the purpose of clarifying a vehicle cannot be parked longer than 24 hours on one block face.

13. Ordinance adding Yakima Municipal Code Chapter 11.49 Minimum Standards and Maintenance of Vacant Commercial Space in the Central Business District

Interim City Manager Martinez briefed Council on the ordinance. Liz Hallock, City resident, stated there is currently state law in place to address vacant buildings and suggested the Council hold a hearing for more public input. Tony Courcy, City resident, spoke against the ordinance.

MOTION: White moved to direct staff to modify the current vacant building ordinance 11.48, to include the minimum maintenance standards identified in 11.49. The motion failed for lack of a second. After Council discussion, **MOTION: White moved and Funk seconded to add the minimum maintenance standards to a study session.** The motion carried by unanimous vote, Cousens absent.

14. Approval of the minutes from the September 3, 2019 City Council regular meeting and August 29, 2019 City Council study session

Council Member Funk stated issues relating to parliamentary procedure occurred at the August 29th meeting and felt it was not correctly documented in the minutes.

MOTION: Funk moved and White seconded to place this incident on the preliminary list of the parliamentary training scheduled for December. The motion carried by unanimous vote, Cousens absent. **MOTION: Mendez moved and Funk seconded to approve item 6A (now 14).** The motion carried by unanimous vote, Cousens absent.

15. Other Business

Council Member Mendez asked when Council Member Funk would return to committee work. City Clerk Claar Tee stated it would be mid-October.

MOTION: White moved to allow a car group to have a cruise on September 28th. The motion failed for a lack of a second. **MOTION: White moved and Funk seconded to suspend the Council rules of voting for this issue.** After discussion, **MOTION: Mendez moved and Hill seconded to call for the question.** The motion carried by a 4-2 vote, Coffey and Gutierrez voting no. The motion to suspend the rules of voting failed by a 3-3 vote, Coffey, Hill and Mendez voting no, Cousens absent.

MOTION: Hill moved and Coffey seconded to direct staff to prepare a proposal on an appropriation of money to address the no camping ordinance. The motion carried by unanimous vote, Cousens absent.

Communications and Public Affairs Director Randy Beehler reported the City's Congressional Delegation is not available to meet with the City Council on immigration reform at the federal level; however, they are willing to send staff members to discuss the issue. It was Council consensus to move forward with a meeting to include congressional staffers.

Interim City Manager Martinez reported the study session scheduled for October 8 on homeless issues needs to be rescheduled.

16. Adjournment

MOTION: Gutierrez moved and Funk seconded to adjourn to a City Council special meeting on September 24, 2019, at 5:30 p.m. at City Hall. The motion carried by unanimous vote, Cousens and Hill absent. The meeting adjourned at 7:22 p.m.

DRAFT

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR