

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
August 11, 2014

Mayor Belton called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Loren Belton and Councilmembers Zachary Dorr, Clara Jiménez, Mark Oaks, Derald Ortloff, Randy Taylor, and Blaine Thorington.

Staff Present: City Manager William C. Murphy (CM Murphy), MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Oaks moved, seconded by Councilmember Thorington to approve Consent Agenda items a through e:

- a. Approve Minutes of the July 28, 2014 Regular Council Meeting.
- b. Approve Minutes of the August 4, 2014 Study Session.
- c. Approve Pay Estimate #9 to T. Bailey, Inc. in the amount of \$112,903.23 with retainage held in the amount of \$5,318.75 for the 1.7 MG Standpipe Water Reservoir No. 5 Project.
- d. Approve Payroll Checks Number 32733 through 32750 and EFTPR369-375 in the total amount of \$191,254.31 dated August 6, 2014.
- e. Approve Claims Checks Number 80037 through 80122 in the total amount of \$265,329.58 dated August 11, 2014.

Motion carried unanimously.

NEW BUSINESS

Ordinance 2014-08:

Ordinance Amending the Penalty Provisions of the Dangerous Dog Ordinance by Making the First and Second Violations Thereof Civil Infractions Punishable by a Fine not to Exceed Five Hundred Dollars and Making the Third and Successive Violations Thereof Misdemeanors Punishable by Jail Time of not more than Ninety Days or a Fine of not more than One Thousand Dollars or Both, Except that When a Dog has Attacked and Injured a Person or Another Animal the Violation will be a Gross Misdemeanor Punishable by a Jail Time of not more than One Year or a Fine of not more than Five Thousand Dollars or Both

City Manager Murphy (CM Murphy) reported that the proposed Ordinance is a tiered approach to reduce the number of cases requiring the appointment of a public defender and thereby reduce the impact on the General Fund. The changes are being made because of the decision for the *Wilbur* case.

Councilmember Thorington moved, seconded by Councilmember Jiménez to adopt Ordinance 2014-08, an Ordinance Amending the Penalty Provisions of the Dangerous Dog Ordinance by

Making the First and Second Violations Thereof Civil Infractions Punishable by a Fine not to Exceed Five Hundred Dollars and Making the Third and Successive Violations Thereof Misdemeanors Punishable by Jail Time of not more than Ninety Days or a Fine of not more than One Thousand Dollars or Both, Except that When a Dog has Attacked and Injured a Person or Another Animal the Violation will be a Gross Misdemeanor Punishable by a Jail Time of not more than One Year or a Fine of not more than Five Thousand Dollars or Both. Motion carried unanimously.

Ordinance 2014-09:

Ordinance Amending the Penalty Provisions of the Noise Ordinance by Making the First and Second Violations Thereof Civil Infractions Punishable by a Fine not to Exceed Five Hundred Dollars and Making the Third and Successive Violations Thereof Misdemeanors Punishable by Jail Time of not More Than Ninety Days or a Fine of not More Than One Thousand Dollars or Both Such Fine and Jail Time.

CM Murphy reported that the proposed Ordinance is a similar tiered approach to reduce the number of cases requiring the appointment of a public defender and reducing the financial impact on the General Fund.

Councilmember Dorr moved, seconded by Councilmember Taylor to adopt Ordinance 2014-09, an Ordinance Amending the Penalty Provisions of the Noise Ordinance by Making the First and Second Violations Thereof Civil Infractions Punishable by a Fine not to Exceed Five Hundred Dollars and Making the Third and Successive Violations Thereof Misdemeanors Punishable by Jail Time of not More Than Ninety Days or a Fine of not More Than One Thousand Dollars or Both Such Fine and Jail Time. Motion carried unanimously.

Resolution 2014-16:

Resolution Approving Change Order No. 1 to Contract with T. Bailey, Inc. for the 1.7 MG Standpipe Water Reservoir No. 5 Project.

CM Murphy reported that the proposed Resolution is to approve a Change Order to enable the City to use excess funding from the project to purchase a submersible mixer for the existing standpipe Reservoir No. 4 on Jackson Street to improve the quality of the water.

Councilmember Oaks moved, seconded by Councilmember Thorington to adopt Resolution 2014-16, a Resolution Approving Change Order No. 1 to Contract with T. Bailey, Inc. for the 1.7 MG Standpipe Water Reservoir No. 5 Project. Motion carried unanimously.

Set Agenda for the Tuesday, September 2, 2014 Study Session.

It was the consensus of Council to schedule an onsite tour of the completed 1.7 MG Standpipe Water Reservoir No. 5 during the Tuesday, September 2, 2014 Study Session.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Mayor Belton reported that he attended the Yakima Valley Conference of Governments meeting to discuss the 2015 Budget. In addition, Mayor Belton announced that the Toppenish Western Art Show is scheduled for Friday, August 15, 2014 through Sunday, August 17, 2014. The Lions Club will be cooking steaks for the event on Saturday, August 16, 2014 at Railroad Park.

CITY MANAGER REPORTS

CM Murphy reported that all City department heads are in the process of preparing preliminary budget proposals for his consideration.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:13 p.m.

LOREN BELTON, MAYOR

HEIDI RIOJAS, CMC
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK