

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
August 27, 2012

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

ROLL CALL

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

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

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Thorington moved, seconded by Councilmember Taylor to approve Consent Agenda items a through c:

- a. Approve Minutes of the August 13, 2012 Regular Council Meeting.
- b. Approve Payroll Checks Number 31766 through 31790 in the total amount of \$241,048.37 dated August 15, 2012.
- c. Approve Claims Checks Number 75659 through 75740 and EFT99120827 in the total amount of \$122,809.73 dated August 27, 2012.

Motion carried unanimously.

OLD BUSINESS

Ordinance 2012-7:

Ordinance Granting Northwest Open Access Networks, d/b/a “NoaNet” a Washington Mutual Nonprofit Corporation, a Non-Exclusive Franchise to Construct, Install, Operate and Maintain a Fiber Optic Telecommunications Network within the City of Toppenish; Establishing an Effective Date; and Providing for Severability.

City Manager Murphy (CM Murphy) reported that on July 9, 2012 a public hearing was held regarding the proposed franchise, the first reading of the proposed franchise ordinance was during the August 13, 2012 Regular Council Meeting and this will be the second reading of the proposed franchise ordinance. The minutes from the August 13, 2012 Regular Council Meeting include a summary of the report from CM Murphy regarding the differences between the LS Networks Franchise Ordinance and the proposed franchise ordinance for NoaNet.

Councilmember Belton moved, seconded by Councilmember Ortloff to adopt Ordinance 2012-7, an Ordinance Granting Northwest Open Access Networks, d/b/a “NoaNet” a Washington Mutual Nonprofit Corporation, a Non-Exclusive Franchise to Construct, Install, Operate and Maintain a Fiber Optic Telecommunications Network within the City of Toppenish; Establishing an Effective Date; and Providing for Severability. Motion carried unanimously.

NEW BUSINESS

Receive 2013 Budget Calendar Submitted by Finance Director/City Clerk Linda B. Mead.

CM Murphy reported that he and Finance Director/City Clerk Mead have created an aggressive budget schedule that they are confident they will be able to meet. He stated that during the September 24, 2012 Regular Council Meeting there will be presentations from the Department Directors for MVTV, for Parks and Recreation, and for Public Works. CM Murphy reported that during the October 8, 2012 Regular Council Meeting there will be presentations from the Fire Chief, the Police Chief, the Finance Director, and the City Manager.

Set Agenda for the Tuesday, September 4, 2012 Study Session.

It was the consensus of Council to set the topics for the September 4, 2012 Study Session to be a revisit of the noise ordinance and to receive updates on the Yakima County Gang Commission and the Community Justice Board.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Belton reported that he attended the Executive Board Meeting of the Yakima Valley Emergency Management and the Toppenish Western Art Show.

Councilmember Ortloff reported that he attended the Community Justice Board Meeting.

Councilmember Dorr reported that he attended the Toppenish Western Art Show.

CITY MANAGER REPORTS

CM Murphy announced that the next Yakima Valley Conference of Governments meeting is scheduled for September 19, 2012 at the Yakima Valley Sun Dome in the State Fair Park room. Mayor Jiménez and Councilmember Thorington stated that they will be attending the meeting.

CM Murphy reported on details of the August 25, 2012 large scale emergency training exercise at the Yakima Airport that involved about 70 volunteers that were treated as triage victims throughout Yakima County.

CM Murphy reported that on August 27, 2012 he attended a meeting conducted by the Yakama Nation and the Washington State Liquor Control Board to discuss how abuse of alcohol might be affecting various populations in Harrah, Toppenish, and Wapato and the surrounding Yakima County area. He stated that the Treaty of 1855 has a specific prohibition against ardent spirits, which has been defined by the court as distilled liquor, and not fermented spirits, such as beer and wine. CM Murphy further stated that the efforts of the Yakama Nation are essentially to get some restrictions on the sale of strong beer with 8% or higher alcohol content and fortified wine with 14% or higher alcohol content. The outcome is that the law enforcement officials will meet within the next 45 days to formulate a plan.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:16 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK