

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
November 12, 2013

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, Finance Director/City Clerk Linda B. Mead (FD Mead), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Thorington moved, seconded by Councilmember Oaks to approve Consent Agenda item a through f:

- a. Approve Minutes of the October 28, 2013 Regular Council Meeting.
- b. Approve Minutes of the November 4, 2013 Study Session.
- c. Approve Pay Estimate #2 to Rotschy, Inc. in the total amount of \$128,054.29 with retainage held in the amount of \$6,032.50 for the Well #9 Housing/Equipping Project.
- d. Approve Pay Estimate #4 to Scout Lake Construction, Inc. in the amount of \$160,806.25 with retainage held in the amount of \$8,021.34 for the 2013 Water System Improvements Project.
- e. Approve Payroll Checks Number 32423 through 32438 and EFTPR234-240 in the total amount of \$177,142.00 dated November 5, 2013.
- f. Approve Claims Checks Number 78294 through 78378, NR71337, NR71458, NR72243, NR72413, NR73184, NR73526, NR74193, NR74233, NR74496, NR74515, NR74591, NR75330 in the total amount of \$585,260.29 dated November 12, 2013 and void Check Numbers 71337, 71458, 72243, 72413, 73184, 73526, 74193, 74233, 74496, 74515, 74591, and 75330.

Motion carried unanimously.

PUBLIC HEARINGS

Public Hearing Regarding 2014 Preliminary Budget. Receive Staff Presentation and Public Comments Regarding the Preliminary Budget.

Mayor Jiménez opened the public hearing at 7:05 p.m. to receive comments regarding the proposed 2014 Preliminary Budget.

Finance Director/City Clerk Mead (FD Mead) reported that Council received a copy of the recent Memorandum with proposed changes for the 2014 Preliminary Budget to include enhancements for the Enterprise Funds and the Cable Television Fund.

City Manager Murphy (CM Murphy) reported that at the last Council meeting he and Finance Director Mead provided a comprehensive presentation regarding the proposed 2014 Preliminary Budget. As a courtesy for the public, CM Murphy recited his budget message regarding the 2014 Preliminary Budget. The proposed 2014 Preliminary Budget was balanced using \$180,000 from Fund 150 known as Old Program Income that is now unrestricted; using \$180,000 from the Capital Reserves; and using \$360,000 by implementing a 10% increase in the utility taxes from

23% to 33% for water, sewer, and garbage services. The proposal will delay the scheduled utility rates increase for 2014 until 2015. The purpose of the utility tax is to support public safety, which is the largest portion of the General Fund.

There being no comments from the public, Mayor Jiménez closed the public hearing at 7:11 p.m.

NEW BUSINESS

Ordinance 2013-19:

Ordinance Retaining Moratorium and Interim Land Use Regulations Pertaining to Medical Cannabis and the Production, Processing, and Retailing of Recreational Marijuana, Not to be Renewed or Extended Past March 8, 2014 Without a Prior Public Hearing and the Adoption of Findings of Fact.

CM Murphy reported that the proposed Ordinance will retain the moratorium until March 8, 2014 as Council discussed during the October 28, 2013.

Councilmember Belton moved, seconded by Councilmember Ortloff to adopt Ordinance 2013-19, an Ordinance Retaining Moratorium and Interim Land Use Regulations Pertaining to Medical Cannabis and the Production, Processing, and Retailing of Recreational Marijuana, Not to be Renewed or Extended Past March 8, 2014 Without a Prior Public Hearing and the Adoption of Findings of Fact. Motion carried unanimously.

Ordinance 2013-20

Ordinance Increasing Dog License Fees and Requiring Rabies Vaccination as a Condition of Issuance of a Dog License.

CM Murphy reported that Angie Lopez spoke during the public comment period at the October 28, 2013 meeting to suggest that Council update the dog license fees. The proposed Ordinance updates the dog license fees and includes the rabies vaccination as a requirement to receive a dog license. CM Murphy stated that the State requires the rabies vaccination. The pet owner will be required to provide proof of rabies vaccination and proof of altering for the dog.

Councilmember Thorington moved, seconded by Councilmember Oaks to adopt Ordinance 2013-20, an Ordinance Increasing Dog License Fees and Requiring Rabies Vaccination as a Condition of Issuance of a Dog License. Motion carried unanimously.

Decide and Take Action to Allocate the 2014 Tourism Development Funds after Reviewing and Discussing Recommendations from the Lodging Tax Advisory Committee.

CM Murphy reported that Council has received the recommendation from the Lodging Tax Advisory Committee for the allocation of the 2014 Tourism Funds. The Lodging Tax Advisory Committee (LTAC) members recommend funding a total amount of \$62,850.00, which maintains a \$5,000 ending fund balance in the Tourism Fund. It was stated that the LTAC recommendation was the same recommendation that the Tourism Fund Advisory Committee (TFAC) members submitted to LTAC. Council was informed that the 2014 Preliminary Budget included the LTAC recommendation as presented to Council.

Councilmember Belton moved, seconded by Councilmember Taylor to adopt the Lodging Tax Advisory Committee members recommendation for allocation of the 2014 Tourism Development Funds of \$62,850.00 with \$4,400 to the Yakima Valley Rail and Steam Museum Association, zero to the Central Washington Junior Livestock Show, \$2,100 to the Toppenish Western Art Association, \$4,800 to the Yakima Valley Visitors and Convention Bureau, \$33,520 to the Toppenish Chamber of Commerce, \$11,280 to the City of Toppenish for administration and operation, \$3,000 to the City of Toppenish for the flower basket program, and \$3,750 to the City of Toppenish toward the purchase of a utility vehicle. Motion carried, with Councilmember Dorr abstaining.

Set Agenda for the December 2, 2013 Study Session.

It was the consensus of Council to table this Agenda Item for discussion during the November 25, 2013 Regular Meeting.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Dorr reported that the Ranch Party was a successful event on November 7, 2013.

Mayor Jiménez reported that she attended the Ranch Party and that she presented Lance Hoyt with the Employee of the Year Award.

CITY MANAGER REPORTS

CM Murphy had nothing to report.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:22 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, CMC
EXECUTIVE ASSISTANT/DEPUTY CITY CLERK