

TOPPENISH CITY COUNCIL

Regular Meeting Minutes

November 24, 2008

REGULAR SESSION CALL TO ORDER

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

Roll Call:

Present: Mayor Loren Belton and Councilmen Al Hubert, Derald Ortloff, Ed Pacheco, William Rogers, Randy Taylor, and Blaine Thorington.

Absent: None.

Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Philip A. Lamb (CA Lamb), Finance Director/City Clerk Linda B. Mead (FD Mead), Interim Public Safety Director Tom Kehm (IPSD Kehm), Public Works Director Lance Hoyt (PWD Hoyt), Fire Captain Tim Smith (FC Smith), City Interpreter Jorge Villaseñor (CI Villaseñor), MidValley Television Manager Judy Devall (MVTV Devall), and Executive Assistant/Deputy City Clerk Heidi Riojas (EA Riojas).

PUBLIC COMMENT

Alexander Mejia, 402 Bolin Drive, Toppenish, asked who is the City Attorney and why the City purchased and sold the old lumberyard property. Mr. Mejia spoke about his reasons for having a camera at the Council meeting. City Manager Murphy (CM Murphy) responded that the old lumberyard on Washington Avenue was purchased with old program income as an allowed expense for revitalization and the proceeds from the sale of the property were put back into the same fund. Mayor Belton responded that he requested Mr. Mejia to remove his camera because it was disruptive to the Council meeting. City Attorney Lamb (CA Lamb) stated he is the designated City Attorney and that he provides legal opinions and legal advice for the City. CA Lamb mentioned that the City is fortunate to have a City Manager capable of handling the day-to-day issues in order to streamline the process and therefore save the City money in civil attorney work.

CONSENT AGENDA

Councilman Thorington requested that item 3c be held for discussion.

Councilman Rogers moved, seconded by Councilman Taylor to approve Consent Agenda items a through b:

- a. Approve Minutes of the November 10, 2008 Regular Meeting.
- b. Approve Payroll Vouchers Number 26167 through 26247 in the amount of \$219,860.25 dated November 15, 2008.

Motion carried unanimously.

Councilman Thorington asked about Claims Voucher 66709 to Tyler Technologies for \$8,771.99. Finance Director Mead (FD Mead) responded that the payment was for the final implementation of the building permit module, the ordering of forms and the ordering of checks.

Councilman Thorington moved, seconded by Councilman Hubert to approve Consent Agenda item c:

- c. Approve Claims Vouchers Number 66643 through 66727 in the amount of \$83,027.63 dated November 24, 2008.

Motion carried unanimously.

NEW BUSINESS

**Public Hearing Regarding the 2009 Preliminary Budget
Receive staff presentation and public comments on proposed budget to provide City services from
January 1, 2009 through December 31, 2009.**

Mayor Belton called the public hearing to order at 7:12 p.m.

Alexander Mejia, 402 Bolin Drive, Toppenish, expressed his concern about the proposed budget, along with his concerns regarding the Weed and Seed grant, rate increases and street improvements. CM Murphy responded that grants are specialized funds and cannot be used to support the General Fund. CM Murphy stated that the City has not had a Weed and Seed grant for several years and that the City no longer conducts the operation.

There being no further comment, the hearing was closed at 7:17 p.m., and Mayor Belton reconvened the meeting in regular session.

CM Murphy reported that the budget reflects another 6% decrease in utility taxes from 32% to 26% for water, sewer, and garbage. CM Murphy stated that the proposed budget maintains the same level of personnel and services as provided in 2008. CM Murphy reported that the proposed budget does include expansion and improvement in code enforcement, building inspection and building permit services, and an improved chain of command within the Fire and Police Departments. CM Murphy said that \$500,000 is being set aside for a Capital Reserve Fund within the General Fund and that \$10,000 is being set aside for a Capital Reserve Fund within the Cable Television Fund. CM Murphy reported that the garbage rates will be increased by \$2.39 per equivalent 90-gallon container to keep the garbage fund self-sufficient.

**Resolution 2008-18:
Resolution Designating Official Newspaper**

CM Murphy reported that the City had advertised a Request for Proposals as required by law for the services of official newspaper for the City of Toppenish for the next year, and stated that the Review-Independent presented the lowest proposal. CM Murphy informed Council that it is necessary for them to decide and designate an official newspaper for the City.

Councilman Hubert moved, seconded by Councilman Thorington to adopt Resolution 2008-18 Resolution Designating Official Newspaper. Motion carried with 6 yes votes, 0 no votes, and 1 abstained vote. Councilman Rogers abstained from voting.

**Ordinance 2008-23:
Ordinance Regarding City Signboards to Limit the Use Thereof**

CM Murphy stated that posting yard sale signs and other signs on utility poles is prohibited by local Ordinance. CM Murphy stated that the City has signboards throughout town for residents to use for posting yard sale signs and other signs. CM Murphy reported that Parks and Recreation Director Cole voiced concern about the cluttering of the signboards by residents not removing signs in a timely manner. CM Murphy informed Council that staff would like to clean off the signboards on a routine basis to keep the signboards as a useful tool for the community. The City Manager stated that the proposed Ordinance is a way of dealing with the cluttering of signboards, and that a copy of the Ordinance will be posted on all the City signboards to inform the public.

Councilman Thorington moved, seconded by Councilman Hubert to adopt Ordinance 2008-23 Ordinance Regarding City Signboards to Limit the Use Thereof. Motion carried unanimously.

Discussion about submitting a letter to support Driving Rural Yakima Valley Economy.

CM Murphy stated that he felt it appropriate to have the Council review the letter prior to the Mayor signing on behalf of the City. Mayor Belton reported that this will be the second year that the City has supported the committee. Councilman Hubert reported that he is the Vice Chair of the committee that prioritizes transportation projects for the Lower Yakima Valley.

Councilman Rogers moved, seconded by Councilman Pacheco to authorize Mayor Belton to sign the letter to support Driving Rural Yakima Valley Economy. Motion carried unanimously.

Budget Reviews: (Miscellaneous Funds, Legislative, Finance, And Administration)

CM Murphy reported that the budgets for the Administration, Legislative, Finance, and Miscellaneous Funds will be discussed tonight. FD Mead informed Council that an amendment to the Preliminary Budget for Park Maintenance requesting an additional \$4,000 to cover the cost of tree maintenance in 2009, and professional services will be increased

by \$23,800 to provide seasonal workers through an Employment Agency as a cost saving measure. FD Mead explained that both items had been unintentionally omitted from the original Preliminary Budget.

FD Mead reported in detail on the four proposals that were received in response to the Request for Proposals for new financial software. FD Mead stated that the proposals ranged from as low as \$41,500 to as high as \$128,600. FD Mead reported that the City desires to accept the lowest bid that was received from Vision Municipal Solutions for \$41,500, which includes the implementation, the software, the conversion, the training and assistance with the software; however, the bid does not include the annual maintenance fee of \$5,600. FD Mead reported that the City's Information Technology consultant, Bob Allwardt, reviewed all the proposals and recommended going with Visions Municipal Solutions. CM Murphy stated that the capital outlay can be spread out over three years without interest. FD Mead informed Council that there will be a slight increase of \$7,450, which will make the annual capital outlay \$19,000 for the next three years. CM Murphy requested approval from the Council to accept the lowest bid from Vision Municipal Solutions based upon the recommendation from the independent Information Technology expert Bob Allwardt, who has close to 40 years experience.

Councilman Thorington moved, seconded by Councilman Hubert to accept the bid proposal from Vision Municipal Solutions for new financial software.

Councilman Taylor expressed his concern about the annual maintenance to MUNIS for the business licensing modules. FD Mead reported that the MUNIS annual maintenance fees will be \$1,974, which will include \$594 for the business licensing module, \$1,320 for the permitting module, and \$60 for the graphical user interface.

Motion carried unanimously.

FD Mead reported on each of the enhancements that CM Murphy approved for the Finance Department, which include the replacement of three computers, a new system backup, and new computer supplies. CM Murphy reported that the fund for Legislative Services is substantially the same as it was in 2008.

CM Murphy reported on the proposed changes to setup a better chain of command in the Police and Fire Departments. CM Murphy spoke in detail about the savings to the City by promoting the current Police Operations Sergeant to Police Chief and promoting the current Fire Captain to Fire Chief, instead of filling the Public Safety Director position. CM Murphy reported that the savings is around \$88,000 and proposed that the Council consider repealing the Ordinance that was adopted in 2004 to establish the Public Safety Director position. CM Murphy reported that he has discussed the proposed changes with Tom Kehm, Tim Smith, and Adam Diaz and other staff and they are positive and receptive to the changes. The Council discussed the possibility of hiring another police officer with the savings from elimination of the Public Safety Director position.

Councilman Rogers moved, seconded by Councilman Taylor to authorize the City Manager to prepare the Ordinance to eliminate the Public Safety Director position and to create a new Police Chief position and to create a new Fire Chief position.

Councilman Pacheco expressed his concern about how quickly the Council changed its support on issues. Mayor Belton responded that he is concerned about saving the City money. CM Murphy stated that he and the City Council have tried to be loyal to the Ordinance that was adopted in 2004 that established the Public Safety Director position. CM Murphy said that he has since challenged the idea and has conducted an analysis on the salary cost for the Public Safety Director and the salary cost for two Chiefs. CM Murphy stated that he came up with the numbers after consulting with the Finance Director and believes it will be more efficient to have two Chiefs and to eliminate the Public Safety Director position.

Motion carried unanimously.

CM Murphy reported that at the December 8, 2008 Council meeting he would like to present the Ordinance to establish the new garbage rates and the Ordinance to reduce the utility tax.

CM Murphy explained his plan for increasing the professional service funds within the Administrative Fund to allow for the hiring of a Special Projects Assistant to help with economic development and annexations. CM Murphy stated that he has several projects in mind to meet the City's mission statement, in part, to make Toppenish a better place for commerce and employment. CM Murphy mentioned that he thinks the Council should consider economic development and that he has five different properties in mind for annexation, and that he would like to make an outreach effort to engage the property owners with the possibility of annexation. CM Murphy discussed using Community Development Matching

Grants to generate new business activity in the downtown area, which in turn will generate more revenue for the General Fund. CM Murphy stated that the proposed \$66,000 would come from the General Fund to pay for the Special Projects Assistant to help with annexations, economic development, enhancement of the Human Resource Department, to research grant opportunities, and for information technology matters. CM Murphy said that he would like to hire Tom Kehm to fill the Special Projects Assistant position. Councilman Pacheco expressed his support of hiring Tom Kehm as the new Special Projects Assistant. The Council discussed the need to pursue economic development for the community.

Councilman Thorington moved, seconded by Councilman Hubert to authorize the City Manager to proceed with the hiring of a Special Projects Assistant. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Mayor Belton reported that on November 17, 2008, he attended the Yakima Valley Conference of Governments meeting and on November 20, 2008, he attended the Mayor's meeting.

Councilman Taylor reported that on November 17, 2008 he attended the AWC meeting in Pasco regarding open government, and reported that the City of Toppenish is doing everything correct in that regard

Councilman Rogers reported that the Toppenish Safe Haven is sponsoring a spaghetti feed on Friday, December 5, 2008 at the Toppenish Middle School Cafeteria.

CITY MANAGER REPORTS

None.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:34 p.m.

LOREN O. BELTON, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK