

# *Williams City Council Minutes*

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810 E Street / P.O. Box 310, Williams, CA 95987

Regular Meeting of the City Council

October 7, 2009

*Minutes*

The City Council of the City of Williams met the 7<sup>th</sup> day of October, 2009 at the hour of 6:00pm.

1. ROLL CALL:

PRESENT: Mayor Pro-Tem Angela Fulcher and Councilmembers Don Barker and Eddie Johnson.

ABSENT: Mayor Patricia Ash and Councilmember Troughton Jr.

ALSO PRESENT:

Charles Bergson, City Administrator  
Ann Siprelle, City Attorney  
Rene Miles, City Clerk  
James P. Saso, Chief of Police  
Wes Goforth, Director of Public Works  
Sally Barker, City Treasurer  
Monica Aguayo, Assistant City Planner  
Debbie Rich, Building Director

Others: Ben Felt, Steve Tofft.

2. Due to Mayor Ash's absence, Mayor Pro-Tem Fulcher called the meeting to order at 6:00pm, leading with the Pledge of Allegiance.

3. Mayor Pro-Tem Fulcher declared time for a period of public comment.

No speaker cards were received by the clerk and there was no public comment.

4. Mayor Pro-Tem Fulcher declared time for approval of the Consent Agenda Items a-e.

Mayor Pro-Tem Fulcher requested the following amendments to the September 16, 2009 Minutes:

a) Replace "Mayor Ash" with "Councilmember Barker" on Item 9, Line 1, and Item 10, Line 1, and on Item 11, Line 1.

After hearing no further comments from the Council or public, Councilmember Johnson moved to approve the Consent Agenda as amended above. Motion seconded by Councilmember Barker. Motion carried by the following vote:

Ayes: Councilmembers Barker, Johnson, and Mayor Pro-Tem Fulcher.  
Noes: None.

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Abstain: None.

5. Chief Saso addressed the Council and the Public for discussion regarding a draft ordinance for creating a Special Event Permit Program and Fee Schedule.

Chief Saso recommended a change that would replace references to the "City Clerk" with the "City Administrator and/or his/her designee", where it makes the City Administrator and/or his/her designee responsible for oversight of permits instead of the City Clerk.

Ms. Siprelle commented that the City needs to be careful to ensure that First Amendment rights are considered in the ordinance.

Mayor Pro-Tem Fulcher inquired regarding a fee schedule. Chief Saso responded that there will be a fee schedule presented with the actual application at the time of the first reading of the ordinance at the next council meeting.

Councilmember Barker requested the following changes to the draft ordinance:

- a) page 3 of 18 – near #12, need to address adult dancing, or add some reference to the municipal code regarding adult entertainment.
- b) page 11 of 18, Item E – change "City Manager" to "City Administrator", and the appeal should then be to the City Council.
- c) page 16 of 18, Item B and other appropriate places in the document – add "and/or Public Works Director", as the Public Works Director should be included.

Mayor Pro-Tem Fulcher disagreed with Councilmember Barker's request to add adult dancing limitations into the ordinance, as this specifically applies to a fundraiser that Williams Fire Department holds every year, and would potentially limit their ability to raise funds for the fire department. Councilmember Fulcher asked that it be further investigated. Councilmember Barker replied that he did investigate the matter and also spoke with the previous City Administrator and he feels that it opens the City up to potential litigation by allowing this type of entertainment in public facilities. Ms. Siprelle states that the ABC regulates any activity where alcohol is served and that this type of activity would be no exception. Mr. Bergson clarified that the City is not trying to prohibit the activity completely but rather just prohibit it from taking place on public property. Mayor Pro-Tem Fulcher strongly restated her position in opposition of action that would limit the fire department's ability to raise funds, as she supports the fire department's fundraising efforts. Mr. Bergson offered to meet with the fire department and discuss viable alternatives and then report back to Council. Mayor Pro-Tem Fulcher stated that she would like the policy to be very specific as it relates to this discussion. Chief Saso concluded the discussion by offering to revise the draft resolution and bring it back to council for further discussion and/or first reading at the next regular meeting.

6. Mr. Bergson addressed the Council and public regarding an 8% State loan that was proposed by the State to assist in balancing the budget. The proposal involves the State taking 8% of property taxes and then paying it back to the City in 2013. However, Mr. Bergson explained another option, which would be for the City to sign over its repayment rights in 2013 over to a third party, and the City would

then get to keep the \$92,000 instead of loaning it to the State now. Mr. Bergson believes that this would be a better option for our City and that he would recommend this to Council. Mr. Bergson further stated that this item will be back on the agenda in two weeks for Council vote.

7. Mr. Bergson addressed the Council regarding Resolution 09-27, Assigning the City Administrator, Charles Bergson, to be the City's representative to the Colusa County Transportation Commission. Mr. Bergson explained that this resolution will replace the Mayor as the City's current representative. Mayor Pro-Tem Fulcher inquired as to whether the Mayor could be an alternate representative. Mr. Bergson replied that, yes, that could be an option.

After hearing no further comments from the Council or public, Councilmember Johnson moved to adopt Resolution 09-27 as amended to include Mayor Ash as an alternative representative. Motion seconded by Councilmember Barker. Motion carried by the following vote:

Ayes:	Councilmembers Barker, Johnson, and Mayor Pro-Tem Fulcher.
Noes:	None.
Abstain:	None.

8. Mr. Goforth addressed the Council regarding the Sewer Service Agreement and Deferred Annexation Agreement for El Campesino's owners, Jose and Beatriz Ordaz. Mr. Goforth states that this is a standard agreement to reinforce what has already been occurring on the property. In addition, Ms. Siprelle states that this agreement gives the Public Works Department the authority to inspect the work that has been done to ensure that it complies with State standards.

Monica Ordaz addressed to Council to request that the Council wait on this item, as her parents, Jose and Beatriz Ordaz, have not yet had the opportunity to review the agreement since they were just given a copy of the agreements on the day prior.

Mayor Pro-Tem Fulcher agreed and directed staff to bring this to Council on their next meeting on October 21, 2009 to allow the property owners additional time to review the agreements. No action taken at this time.

9. Chief Saso addressed the Council regarding the hiring of Jose Herмосillo for the Position of Reserve Police Officer. Chief Saso explained that this position is a part-time, non-paid position which will supplement Police services. This officer will be required to complete a 400-hour training program and will be volunteering a minimum of 20 hours per month for the department. Chief Saso further explained that other departments do pay reserve officers and that may be something this City should consider doing in the future. There was further discussion among Council and staff regarding job duties of the reserve officer.

After hearing no further comments from the Council or public, Councilmember Barker moved to authorize the hiring of Jose Herмосillo as a Reserve Police Officer pending successful completion of both the physical and psychological examinations.

Motion seconded by Councilmember Johnson. Motion carried by the following vote:

Ayes:	Councilmembers Barker, Johnson, and Mayor Pro-Tem Fulcher.
Noes:	None.
Abstain:	None.

10. Mayor Pro-Tem Fulcher declared time for reports.

City Attorney: Nothing to report.

City Clerk: Nothing to report.

City Treasurer: Nothing to report.

11. Mayor Pro-Tem Fulcher declared time for Council Reports and Committee Updates:

Councilmember Troughton Jr.: Not present.

Councilmember Barker: Gave updates on committees and projects.

Mayor Pro-Tem Fulcher: Gave updates on committees and projects.

Councilmember Johnson: Councilmember Johnson thanked the City for the flowers he received.

Mayor Ash: Not present.

12. Mayor Pro-Tem Fulcher declared time for Staff General Reports and Discussion.

City Administrator: Updated Council on the following items: EDC, Joint Cities-Counties meeting on November 30, 2009, WWTP, Redevelopment, newspaper stand safety, ARCO station property, OddFellows building, Love's Travel Stop, and County General Plan public meeting. Mr. Bergson also stated that he would like to set up a Goals and Objectives session in early November with Council to gather broad objectives and clarify the Council's vision for the City.

City Finance Officer: No Finance Officer at this time.

Police Chief /Code Enforcement: Chief Saso announced the start of the DARE program, the Citizens Police Academy, and also mentioned to the Council that the department would eventually like to fill a vacant police officer position.

Fire Chief: Report given by Councilmember Barker.

Public Works: Report given by Wes Goforth.

13. Open session was adjourned at 6:48pm. Closed Session commenced at 6:50pm and adjourned at 7:12pm.

There was no announcement following Closed Session.

Mayor Pro-Tem Fulcher adjourned the meeting to reconvene in Regular Session on October 21, 2009 at 6:00pm.

Approved: \_\_\_\_\_  
Mayor Pro-Tem Angela Fulcher

Attest: \_\_\_\_\_  
Rene L. Miles, City Clerk