

City of Williams

Council Minutes

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

Regular Meeting of the City Council

Wednesday, April 7, 2010

The City Council of the City of Williams met the 7th day of April, 2010 at the hour of 6:00pm.

1. ROLL CALL:

PRESENT: Mayor Angela Plachek-Fulcher, Mayor Pro-Tem John Troughton, Jr., and Councilmembers Don Barker, Eddie Johnson, and Patricia Ash.

ABSENT: None.

ALSO PRESENT:

Charles Bergson, City Administrator
Ann Siprelle, City Attorney
James P. Saso, Chief of Police
Monica Aguayo, Assistant City Planner
Mariela Cruz, Office Assistant

2. Mayor Plachek-Fulcher called the meeting to order at 6:00pm, leading with the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Plachek-Fulcher declared time for a period of public comment.
No speaker cards were received by the Clerk and there was no public comment.

Mayor Plachek-Fulcher presented an award in recognition of Ann Siprelle, City Attorney, for her work and dedication to the City of Williams during 2009.

PROCLAMATIONS

1. Mr. Bergson presented a proclamation to the Council submitted by Casa de Esperanza, requesting the City's support. The proclamation dedicates the month of April 2010 as Child Abuse Prevention Month in the City of Williams.

After hearing no comments from the Council or public, Councilmember Ash moved to authorize the Mayor to sign the proclamation dedicating the month of April 2010 as Child Abuse Prevention Month in the City of Williams. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

PUBLIC HEARING

1. Mr. Bergson introduced Ann Siprelle, City Attorney who then reported to Council regarding the necessity & purpose of this Public Hearing on the Transactions and use Tax. Ms. Siprelle also reviewed financial information provided by the City's financial consultant for council regards to the City's collection of this sales tax.

Mayor Plachek-Fulcher opened a Public Hearing to receive comments from the public concerning the City of Williams Transactions and Use Tax (WMC Section 3.18.120).

Fire Chief Jeffery Gilbert addressed the Council and read into the record a letter from the Williams Fire Protection Authority in support of the continuance of the City of Williams Transactions and use tax. Letter is on record with the City Clerk.

Firefighter Jeff Knight also addressed the council and spoke on behalf of the Professional Firefighters Association to express their support of the continuance of this tax. Councilmember Troughton, Jr. asked that there be annual audit to account for the funds and expressed his support of continuing this tax for another three years.

Councilmember Ash agreed with Councilmember Troughton, Jr. and expressed support for the revenue to be divided among police, fire, and public works as originally intended.

After hearing no further comments from the Council or public, Councilmember Johnson moved to find the sales tax necessary, continue the sales tax three more years and direct staff to have an annual accounting of the funds.

Mayor Plachek-Fulcher closed the Public Hearing.

Motion seconded by Councilmember Ash. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

2. Ms. Aguayo addressed the Council regarding Resolution 10-08, A Resolution of the City Council of the City of Williams Amending the General Plan Land Use Designation and Approving the Rezone for APN: 017-010-005; and Ordinance 176-10, An Ordinance of the City Council of the City of Williams Amending the General Plan Land Use and Zoning Map and Rezoning APN: 017-010-005 from Agricultural Exclusive (A-E) to Highway Commercial (C-H).

Mayor Plachek-Fulcher opened a Public Hearing to receive comments regarding a General Plan Amendment and Rezone for APN: 017-010-005 from Agricultural Exclusive (A-E) to Highway Commercial (C-H).

After hearing no further comments from the Council or public, Councilmember Ash moved to Adopt a Mitigated Negative Declaration, Adopt Resolution 10-08, Introduce Ordinance 176-10 and Approve the Proposed Rezone as recommended by the Planning Commission. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

ORDINANCES

1. Ms. Aguayo addressed the Council regarding Ordinance No. 174-10, Prohibiting the Establishment and Operation of Medical Marijuana Dispensaries and Other Businesses and Uses Prohibited by State or Federal Law.

Ms. Aguayo states that this ordinance applies to any business that violates any state or federal law.

After hearing no further comments from the Council or public, Councilmember Barker moved to Introduce Ordinance 174-10 by title, waive further reading and schedule the Public Hearing for second reading and adoption on April 21, 2010. Motion seconded by Councilmember Johnson. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

2. Mr. Bergson addressed the Council regarding Ordinance 177-10, Restating Chapter 3.28 of the Williams Municipal Code Regarding Bidding, Contracting, and Purchasing Procedures; and Resolution 10-09, Making the City Subject to the Uniform Public Construction Cost Accounting Act (Public Contracts Code §22000 et. seq.)

Mr. Bergson stated that this act extends bidding, contracting and purchasing limits provided that the City adheres to guidelines regarding public advertising and public accounting in regards to construction projects. This would allow the City to obtain contracting services more efficiently thereby getting smaller projects done in a more timely manner.

The City Attorney further explained that unless a general law City adopts this Uniform Public Construction Cost Accounting Act, they are required to bid out every Public Works project over \$5,000. Ms. Siprelle also explained that currently there are no provisions in the City's code as to how services or maintenance projects are to be procured. In addition, the other only purchases that are addressed in the City's code are supplies and equipment, which require anything over \$7,500 to be publicly bid. Ms. Siprelle also explained the proposed ordinance resolution and how it would affect the City. It was further clarified for Council by the City Attorney that this would authorize the City Administrator to approve expenditures in an amount less than \$30,000 without approaching council.

After hearing no further comments from the Council or public, Councilmember Barker moved to Adopt Resolution 10-09 of the City electing to become subject to the California Uniform Public Construction Cost Accounting Act; and Introduce and waive further reading of Ordinance 177-10 An Ordinance of the City Council of the City of Williams amending Chapter 3.28 of the Williams Municipal Code relating to purchasing procedures. Motion seconded by Councilmember Johnson. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

OLD BUSINESS

1. Ms. Aguayo addressed the Council regarding General Plan Advisory Committee Appointments and explained that staff re-advertised the vacancies per Council direction, and the matter was now coming back to council for selection.

Mayor Plachek-Fulcher nominated Debra Chase, as a member of the public. Discussion followed among Council members and there was no resolution of appointments. Due to a lack of consensus among Council in regard to nominating members of the City Attorney suggested that each council member provide staff with an anonymous ranking of the candidates and staff will compile the rankings and report back to council with the results of the compilation. It was so directed by Council.

Discussion followed regarding the number of people who should be on the committee and the commitment required of those committee members.

Mr. and Mrs. Walter & Joan Holybee applied to be on the committee and were present.

NEW BUSINESS

1. Chief Saso addressed the Council regarding consideration of approving a Modification of Agreement for Dispatch Services with the County of Colusa.

Council asked if City of Williams would be able to afford to hire a dispatcher for the City, Chief Saso stated that would not be financially possible.

After hearing no further comments from the Council or public, Councilmember Troughton, Jr., moved to approve the Dispatch Services Modification of Agreement with the County of Colusa through June 30, 2012. Motion seconded by Councilmember Barker. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

2. Chief Saso addressed the Council regarding the creation of two (2) Police Corporal positions within the Police Department effective July 1, 2010.

Chief Saso stated that these positions would be a benefit to the City of Williams and would lower the liability. These positions would be supervisory positions to overlook the newer police officers patrolling, especially on the weekends when there is not much supervision. Position to start July 2010.

After hearing no further comments from the Council or public, Councilmember Barker moved to authorize the Chief of Police to create two Police Corporal positions and authorize the filling of those positions effective July 1, 2010. Motion seconded by Councilmember Ash. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

3. Chief Saso addressed the Council regarding the hiring of Sean Mattson for the position of Police Officer at Step A.

No negative information on background check. Position is already funded; this would not be a new position.

After hearing no further comments from the Council or public, Councilmember Troughton, Jr. moved to authorize the hiring of Sean Mattson as a Police Officer at Step A. Motion seconded by Councilmember Johnson. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, Johnson, and Plachek-Fulcher.
Noes: None.
Abstain: None.

4. Mr. Bergson addressed the Council regarding consideration of increasing the City of Williams Transient Occupancy Tax (TOT).

Councilmember Barker stated it would be great revenue for the City when the economy goes up. Council asked City Attorney to create a ballot and for Administrator to develop a plan. Fire Chief Jeff Gilbert asked there be a plan in place, explaining where the revenues would be allocated. Councilmember Johnson disagreed with the increase, stated that people would bypass Williams because of the increase in taxes. Fire Chief Jeff Gilbert said that revenue went down when Holiday Inn Express changed names/owners to Ramada.

After hearing no further comments from the Council or public, Councilmember Barker moved to direct the City Attorney to prepare an ordinance for the ballot proposition to increase the TOT from 10% to 12% and a resolution to consolidate the election for the ballot measure for the TOT increase with the statewide general election. Motion seconded by Councilmember Ash. Motion then carried by the following vote:

Ayes: Ash, Troughton, Jr., Barker, and Plachek-Fulcher.
Noes: Johnson.
Abstain: None.

REPORTS

1. Mayor Plachek-Fulcher declared time for reports.

City Attorney: Nothing to report.

City Clerk: Not present.

City Treasurer: Not present.

2. Mayor Plachek-Fulcher declared time for Council Reports and Committee Updates:

Councilmember Ash: Gave updates on committees, meetings, events, and projects.

Mayor Pro-Tem Troughton, Jr.: Gave updates on committees, meetings, events, and projects.

Councilmember Johnson: Gave updates on committees, meetings, events, and projects.

Councilmember Barker: Gave updates on committees, meetings, events, and projects.

Mayor Plachek-Fulcher: Gave updates on committees, meetings, events, and projects.

3. Mayor Plachek-Fulcher declared time for Staff General Reports and Discussion.

City Administrator: Gave updates on City operations, schedule, and projects.

City Finance Officer: No Finance Officer at this time; no report given.

Police Chief: Report given by Chief Saso.

Fire Chief: Present.

Public Works: Present.

Mayor Plachek-Fulcher adjourned open session at 6 p.m.

Closed Session commenced at 8:05p.m. and was adjourned at 8:30p.m. with no open session announcement.

Approved: _____
Angela Plachek-Fulcher, Mayor

Attest: _____
Charles Bergson, City Clerk