

City of Williams

Council Minutes

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

Regular Meeting of the City Council

Wednesday, April 21, 2010

The City Council of the City of Williams met the 21st 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, and Patricia Ash.

ABSENT: Councilmember Eddie Johnson.

ALSO PRESENT:

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

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

Mayor Plachek-Fulcher made a special presentation to Joan Drayton, Municipal Financial Consultant, for her work and commitment in helping the City to achieve financial stability over the past year.

PUBLIC COMMENT

Mayor Plachek-Fulcher declared time for a period of public comment.

Marcy Parsons, of 5725 Hankins Rd, Williams could not be present but requested that the City Clerk present a letter to the City Council, asking the City to consider placing anti-gang activity signs near all three local schools to discourage certain behavior that she has witnessed recently. The City Clerk read Ms. Parsons letter into the record and is attached hereto as Exhibit "A".

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

CONSENT

Mayor Plachek-Fulcher declared time for approval of the Consent Agenda, Item 1. After hearing no comments from the Council or public, Councilmember Ash moved to approve the Consent Agenda as is. Motion seconded by Councilmember Troughton, Jr. Motion carried by the following vote:

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

PUBLIC HEARING

1. Ms. Aguayo addressed the Council regarding the second reading and adoption of Ordinance 174-10 Prohibiting the Establishment and Operation of Medical Marijuana Dispensaries and Other Businesses and Uses Prohibited by State or Federal Law. Mayor Plachek-Fulcher opened a Public Hearing to receive comments from the public regarding this proposed ordinance.

No public comments were heard. Mayor Plachek-Fulcher closed the Public Hearing. Councilmember Ash moved to waive the second reading and adopt Ordinance 174-10. Motion seconded by Councilmember Barker. Motion then carried by the following vote:

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

2. Ms. Aguayo addressed the Council regarding the second reading and adoption of Ordinance 176-10, General Plan Amendment and Rezone for APN: 017-010-005 from Agricultural Exclusive (A-E) to Highway Commercial (C-H). Per the City Attorney, no Public Hearing was needed at this meeting for this item.

No public comments were heard. Councilmember Ash moved to waive the second reading and adopt Ordinance 176-10, An Ordinance of the City Council of the City of Williams Amending the Williams General Plan Land Use and Zoning Map and Rezoning APN: 017-010-005 from Agricultural (Agricultural Exclusive A-E) to Commercial (Highway Commercial C-H) and approve the proposed re-zone as recommended by the Planning Commission. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

3. Ms. Joan Drayton, Municipal Financial Consultant, addressed the Council regarding the City's Preliminary Operating Budget for Fiscal Years Ended June 30, 2011 and 2012. Ms. Drayton reviewed the major program and accounting changes that will explain variances between current and future budgets, revenue assumptions, expense assumptions, 3-year comparison of revenues and expenditures, and cash reserves of major operating funds. There was discussion among Council regarding separating out expenses for the fire department in a separate category so the expenses are more visible. Fire Chief Gilbert addressed the Council regarding the City and the Fire Department's financial relationship. The Council stated that both the fire department and the police department are priorities for the City.

Council directed staff to 1) separate out the fire department from the City Council budget and make a separate category, and 2) schedule a presentation in May with Ken Dieker, Financial Advisor on a financing primer.

ORDINANCES

1. Mr. Bergson addressed the Council regarding Ordinance 177-10 Restating Chapter 3.28 of the Williams Municipal Code Regarding Bidding, Contracting, and Purchasing Procedures.

After hearing no comments from the Council or public, Councilmember Barker moved to waive the second reading and adopt 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 Bidding, Contracting, and Purchases of Supplies, Services, and Equipment. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

OLD BUSINESS

1. Ms. Aguayo addressed the Council regarding the General Plan Advisory Committee (GPAC) Appointments, stating that the purpose of this item is to establish a GPAC. Staff recommended appointing two non-voting members of the City Council, one member of the Planning Commission, and all twelve members from the community as described in the staff report.

Councilmember Troughton, Jr. disagreed with the number of members and felt it was too many. Mr. Troughton, Jr. also disagreed with appointing certain members of the community, as he felt there was a lack of cohesion and a concern regarding appointing multiple people from the same family as members.

Councilmember Barker stated that he felt it was important to appoint stakeholders in the community regardless of who was related to whom.

Mr. Bergson stated that general practice does call for a large number of representatives of the public as a rule and further indicated that the general plan is a tool to reinforce unity in the community despite physical separation.

Mr. Sarvan Singh from the community inquired regarding the length of time that the committee will be serving. Mr. Bergson responded that this project has a tight schedule and the timeline for completion is within one year.

After hearing no further comments from the Council or public, Councilmember Barker moved to establish a GPAC as recommended by staff. Motion seconded by Councilmember Ash. Motion then carried by the following vote:

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

2. Mr. Bergson addressed the Council regarding Resolution 10-10 Resolution of the City Council of the City of Williams Repealing Resolution 10-05 and Authorizing the City of Williams to Apply for a Grant from the Energy Commission's Energy Efficiency and Conservation Block Grant (EECBG) Program.

There were comments from the Council regarding concern for upgrades and replacement of City street lamps.

After hearing no further comments from the Council or public, Councilmember Troughton, Jr. moved to adopt Resolution 10-10 as read. Motion seconded by Councilmember Ash. Motion then carried by the following vote:

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

NEW BUSINESS

1. This item: The appeal of the Planning Commission Decision on Eastside Subdivision, Unit 2, phases 7, 8 and 9 were removed from the agenda at the request of the appellant.

2. Chief Saso addressed the Council regarding the Consideration of Approving a Modification of Agreement for Animal Control Services with the County of Colusa.

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

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

3. Chief Saso addressed the Council regarding the hiring of Eduardo Barajas for the Police Officer at Step A.

After hearing no further comments from the Council or public, Councilmember Ash moved to authorize the hiring of Eduardo Barajas for the position of Police Officer at Step A upon successful completion of both the physical and psychological examinations. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

4. Mr. Bergson addressed the Council regarding the hiring of Mr. Rex Greenbaum for the position of Finance Officer and introduced Mr. Greenbaum to the Council.

After hearing no further comments from the Council or public, Councilmember Troughton, Jr. moved to authorize the hiring of Mr. Rex Greenbaum for the position of Finance Officer, effective upon successful completion of a physical examination, DMV check and Live Scan fingerprint background examination. Motion seconded by Councilmember Barker. Motion then carried by the following vote:

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

5. Mr. Bergson addressed the Council regarding the hiring of Ms. Jamie Speers for the position of Associate Civil Engineer.

There was discussion among Council with regard to experience with wastewater treatment plants, need for a City vehicle, hire date, and probationary period. Mr. Bergson responded to Council's concerns.

After hearing no further comments from the Council or public, Councilmember Barker moved to authorize the Public Works Department to hire Ms. Jamie Speers for the position of Associate Civil Engineer, effective upon successful completion of a physical examination, DMV check and Live Scan fingerprint background examination. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

6. Mr. Goforth addressed the Council regarding the hiring of Mr. Christopher Blevins for the position of Water Operator at Step A. Mayor Plachek-Fulcher clarified that this position has already been budgeted for.

After hearing no further comments from the Council or public, Councilmember Ash moved to authorize the hiring of Mr. Christopher Blevins for the position of Water Operator, effective upon successful completion of a physical examination, DMV check and Live Scan fingerprint background examination. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

7. Mr. Bergson introduced Cindy Gobel, who addressed the Council regarding the request for a permit and fee waiver by the Williams Unified School District for the Annual 1K & 5K District Dash on May 22, 2010. Ms. Gobel explained that this year's run is a fundraiser for the Girls' Basketball teams and that a route map was drawn up to utilize as few police personnel as possible to save on costs. Mayor Plachek-Fulcher inquired as to why the run is no longer held on Pioneer Day and Ms. Gobel responded that attendance has almost doubled by moving the date away from Pioneer Day. Chief Saso added that there will be volunteers helping to provide services for the event which will reduce the need of providing paid officers for the event.

After hearing no further comments from the Council or public, Councilmember Ash moved to Approve the Williams Unified School District's request for a permit and fee waiver for the District Dash on May 22, 2010. Motion seconded by Councilmember Troughton, Jr. Motion then carried by the following vote:

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

8. Mr. Bergson introduced Andi Armstrong who addressed the Council regarding the request for a permit and fee waiver by the Citizens for a Better Williams for the Annual Pioneer Day Parade on June 5, 2010. Ms. Armstrong provided information to the Council to show that the Citizens for a Better Williams have saved the City \$4,221.00 in Public Works labor by providing volunteers on clean-up days throughout 2009 to clean up the City. There was discussion among Council in support of this event. Councilmember Ash asked the City Attorney as to whether she should vote on this item. The Attorney

responded that since she is not a boardmember for this organization that she could participate in the vote.

After hearing no further comments from the Council or public, Councilmember Troughton, Jr. moved to Approve the Citizens for a Better Williams' request for a permit and fee waiver for the Annual Pioneer Day Parade on June 5, 2010. 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.

DISCUSSION

1. Discussion was held regarding the Economic Development Plan initiated by Chabin Concepts and the City and County of Colusa. Ms. Siprelle stated that the City of Williams is not obligated to pay anything to Chabin Concepts; there is nothing in writing and therefore no legal obligation to pay. Ms. Siprelle stated that the City of Williams has the discretion to approach to the City of Colusa and come to payment terms. Councilmember Barker suggested that there should be a good faith effort to work with the City and County of Colusa on this matter. The Council then directed the City Administrator to write a letter to the City and County of Colusa and Chabin Concepts to resolve this issue by relaying that the City of Williams is not contractually obligated to them.

REPORTS

1. Mayor Plachek-Fulcher declared time for reports.

City Attorney: Ms. Siprelle inquired regarding drafting an ordinance as to a change in Council salaries. Discussion among Council resulted in a consensus to wait on any salary increase.

City Clerk: City Clerk reported her resignation effective May 10, 2010 per letter submitted on April 16, 2010.

City Treasurer: Nothing to report.

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

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

Councilmember Johnson: Not present.

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

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

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

Finance Committee: Written reports provided for Council review.

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: Chief Gilbert reported on an Ella Street property that will potentially be given to the City in the near future to be set aside for a Fire Department sub-station.

Public Works: Report given by Wes Goforth.

Mayor Plachek-Fulcher adjourned open session at 8:45p.m.

Closed Session commenced at 8:50p.m. and was adjourned at 9:37p.m. with no open session announcement.

Approved: _____
Angela Plachek-Fulcher, Mayor

Attest: _____
Charles Bergson, City Clerk

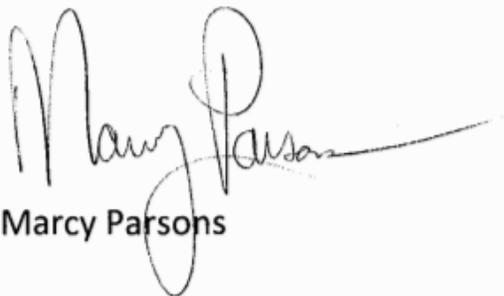
EXHIBIT A

Attention Madam Mayor and Council members:

My name is Marcy Parsons, I am a citizen and resident of Williams. I apologize for not being here tonight, (my son has basketball at Butte College). I have spoken with Renee, and I am on the agenda for your next meeting, May 5th.

The issue that I wanted to make you aware of is that I witnessed a gang fight at the high school. It occurred in the parking lot, part of that parking lot being 11th street that I was told is city property. I wanted to explain to you in person what I witnessed and bring before you my request of posting "NO GANG ACTIVITY ALLOWED" signs. I have brought this issue before our Principal at the High School. Last week, I appeared before the School Board. They will be voting on this at their May meeting. Again, there was some issue as to where in the parking lot the actual fight occurred as to whether it was "school" or "city" property.

I look forward to presenting to the Council the "Incident" and my Request. I just wanted to inform the council of what had occurred as a concerned citizen. I thank you all for your time and consideration.

A handwritten signature in black ink that reads "Marcy Parsons". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Marcy Parsons

GANG FREE SCHOOL ZONE

Marcy Parsons Presenting at

City Council Meeting 5-5-10

INTRO I come before you as a parent. I currently have 3 children enrolled, one in each school in our district. As a concerned community member and parent, I am here to share an incident and an idea with you.

INCIDENT A gang fight in high school parking lot on Sat March 6th. A police report of activity and arrest is on file with the Williams Police Dept.

IDEA The idea (brought about from seeing other signs posted on campus). I would like to put a sign on campus that shows our no tolerance for gang activity. For instance we have signs , no tobacco, no alcohol or drugs and no vandalism. It seems a natural progression to put “ no gang activity” or “no claim zone” or “Gang free school zone”.

REQUEST I am asking that signs be posted at all 3 of our schools. These signs would only compliment our anti-gang curriculum already in existence at our school district. Through my investigation I have found that throughout the hrs of 7:30 am & 4pm our teachers and staff are on top of it! But its after those hrs and weekends that I would like something posted that states what we stand for at Williams.

THE PROCESS I have spoken with our Principal and received support. I have spoken with Dr. Rossi. [REDACTED]. I am currently on the agenda to speak to the city council. Just to let them know what I am requesting. I was told by a school official that the parking lot may be city property. So, I am going to the city to ask.

I have also, been in contact with Williams Police Dept. I was told by a school official that we should not post what we cannot enforce, after school hrs. To the contrary, I believe we post no vandalism, which is enforced after school hrs via the Williams Police Dept. When I approached the police dept they let me know that although belonging to a gang is not illegal. Doing illegal activity, such a weapons or fighting or vandalism for the gang is illegal. The Williams Police Dept can and do enforce this.

CONCLUSION This gang activity (incident) happened after school hours not 5 feet from our existing signs. None of the kids were doing the illegal activity mentioned on our existing signs. I am not saying that the fight would not have happened had there been anti-gang signage . I am just saying it's a step in the right direction to compliment our existing signs and anti-gang material already in existence.

With my 10yr old daughter next to me, screaming at me to do something to help that boy, I feel compelled to ask you for these signs.

Thank you,

Marcy Parsons

P.S.

I have enclosed a copy of an example and prices.