

# CITY OF WILLIAMS

## *Council Minutes*

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

SPECIAL MEETING OF THE CITY COUNCIL

TUESDAY, NOVEMBER 9, 2010 – 3:00 P.M.

The City Council of the City of Williams met to hold a special session on November 9, 2010 at 3:00 p.m.

### ROLL CALL

COUNCIL MEMBERS PRESENT: Patricia Ash, Don Barker, Eddie Johnson, Angela Plachek-Fulcher, John Troughton, Jr.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Charles Bergson, City Administrator  
Ann Siprelle, City Attorney  
Sally Barker, City Treasurer  
Rex Greenbaum, Finance Officer  
Wes Gorforth, Public Works Director  
Sue Vannucci, Deputy City Clerk

### CALL TO ORDER

At 3:00 p.m., Mayor Plachek-Fulcher called the special meeting to order leading with the Pledge of Allegiance.

### OLD BUSINESS

#### COUNCIL COMPENSATION

City Attorney Siprelle indicated this item had come before the Council at the last meeting following research by staff and discussion by Council. The Ordinance, if adopted, will go into effect in 30 days. When the results of the



election are certified, the new compensation will become effective at the next meeting.

Council Member Ash said it had been stated by the media that the pay for the Williams City Council would be the highest paid in the area. City Administrator Bergson said that is not the case and Williams would be equal to the City of Colusa.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried by the following roll call vote, Council waived the second reading and adopted Ordinance 184-10, "An Ordinance of the City Council of the City of Williams, California, Setting the Compensation of the City Council", thus setting the compensation for Members of the City Council \$300.00 per month and the compensation for Mayor at \$400.00 per month, effective with the seating of the new Council. On roll call, the vote was as follows:

AYES:	Council Members Ash, Barker, Johnson, Troughton, Jr. and Plachek-Fulcher
NOES:	None
ABSTAIN:	None
ABSENT:	None

#### SACRAMENTO VALLEY MUSEUM ASSOCIATION LEASE AGREEMENT

City Administrator Bergson said some concerns have arisen regarding the Sacramento Valley Museum Association (SVMA) Lease Agreement and he outlined the rationale for the request to amend the lease agreement. Some of the concerns are: (1) coordination efforts for big events; (2) maintenance and repair work being undertaken by the SVMA without knowledge and approval by the City; (3) holding events when the lease is specific that the site is for maintaining a public museum only; (4) rental of the house on the property which specifically requires written consent by the City. Based on these concerns, a proposed letter together was drafted and he proposes to meet with the SVMA to discuss these concerns.

Mayor Pulchek-Fulcher asked if the lease is to be amended, could language be added to include appointing two members of the Council to the



Museum Board. Council Member Barker asked if the Brown Act allows Council to serve on these types of Board. City Attorney Siprelle said the Act does allow this type of membership and the SVMA would be subject to the Brown Act regulations.

Council Member Ash said there are some issues of concern that she feels should be overseen by the Council as this is City property. City Attorney Siprelle said the discussion on this item will determine whether the membership should include Council Members and address other areas of concern that Council may have.

Council Member Barker questioned whether Council should be involved in any operation of other Boards such as that of the Veteran's Hall and Community Center as these are City properties as well. City Administrator Bergson said there are concerns about what may be happening to City property and the City should be more diligent about having membership on Boards to be more involved in the oversight.

Council Member Troughton, Jr. said there have been some resignations on the SVMA Board because of funding and other issues. He feels it is in our best interest to have Council involved. For example, work was done on our building and expenditures were not approved by the Board in advance. The City has the responsibility of liability to maintain the building and should have at least one member and an alternate sitting on the Board. They could then oversee the issues of concern, assess the fiscal issues and report back to the Council as a whole.

Council Member Ash said there is either a nine or eleven member Board and at times they do not have a quorum. City Attorney Siprelle said the Brown Act does state that a Council Member has a right to serve on a Board of an entity that receives money from the City. Council Member Ash said this is a City historic building and the SVMA Board should come to the Council for approval before expenditures. Public Works Director Goforth said we could lose associated grants.

Mayor Pro Tem Troughton, Jr. said we have some liability problems. There are no handrails as on the stairways and only one entrance. We need to



protect the City from that liability. Council Member Johnson said we should draft something to add one or two members to the SVMA Board.

City Attorney Siprelle indicated Council needs to be specific with the direction to staff on this issue. Council Member Barker asked that more information be provided on the specific problems are being seen, people resigning, doing work to our building without our approval, etc. He supports two members to serve from the Council. The Members should be spread out.

Council concurred with adding to the lease amendment that two members of Council serve on the SVMA Board. Council Member Ash said the appointment will take effect in January when SVMA holds their annual public meeting. Council Member Barker said the new Council Members should be appointed prior to the SVMA annual meeting.

City Attorney Siprelle suggested changing the term of the Agreement as set now through 2020 to a shorter ending, such as five or ten years. Council Member Barker would like a ten year with option to renew. City Attorney Siprelle said this item should go to the SVMA Board at their next meeting. Council Member Ash feels it should go directly to the Board rather than through the Director. They could have a special meeting to address this at their earliest convenience and it should be the only agenda item.

Council Member Barker wants financial report with, activities and the cost associated costs, revenue brought in before the fees are charged, bank statements and the annual statement. City Attorney Siprelle asked for a copy of the bylaws and Council Member Ash indicated she has a copy and will provide one provide to the City Attorney and City Administrator. Discussion was held on the size of the Board at eleven. Some thoughts were that large number was needed in order to insure a quorum and others felt it can be difficult to reach decisions with that many members. Council Member Barker feels if members are not attending, they should be removed. City Attorney Siprelle said that changing the size and composition of the Board would constitute a change to the bylaws. Council Member Ash said discussion on the bylaws and the Manager's duties is being discussed in closed session. City Attorney Siprelle said the house lease should be included in the lease. The lease agreement should be handled through the City Administrator and a copy of the correspondence with the Director should be send to all of the Board members.



## NEW BUSINESS

### WILLIAMS AREA MASONIC LUNCHEON – SACRAMENTO VALLEY MUSEUM

City Administrator Bergson has received a verbal request from the Manager of the Museum requesting approval of a luncheon at the site this Saturday. The Sacramento Valley Museum Association would be responsible for staging the event. He recommends approval of the request and their insurance will cover any liability. Council Member Barker said the normal timeline is to request a use permit 45 days in advance. City Administrator Bergson agreed but mentioned this group has put a lot of money into the museum.

On a motion by Council Member Johnson, seconded by Council Member Ash and carried unanimously, Council approved the request of the Williams Area Masonic Group to hold a luncheon at the Sacramento Valley Museum on Saturday, November 13, 2010. On roll call, the vote was as follows:

### FESTIVAL OF LIGHTS REQUEST

City Administrator Bergson said the item is to request use of facilities for the Festival of Lights event to be held on December 11, 2010. Public Works Director Goforth said staff just received the final signatures. Council Member Ash clarified that the Museum will not be used for this event. Council Member Barker said Council received a letter directly from Mr. Armstrong and requested clarification about the cleanup. Director Goforth said this is the Brown and Gold Dinner. Preparation will be done before the event and cleanup up after the event. Council Member Barker asked if Director Goforth has been satisfied with the cleaning. Director Goforth indicated to the positive and asked if these activities could be put on as an annual event along with Pioneer Days. Council Member Barker asked if we could do an annual permit including both events, providing that all insurance is in place. City Attorney Siprelle said that could be accommodated.

On a motion by Mayor Pro Tem Troughton, Jr., seconded by Council Member Barker and carried unanimously, Council approved the request of the Citizens for a Better Williams to use Redinger Park and various streets of Williams



and waive the associated fees for the Festival of Lights event on Saturday, December 11, 2010.

### FIREMEN'S CHRISTMAS BALL

City Administrator Bergson summarized the recommendation for use of facilities and clarified that there are some discrepancies on the date ending time of the event. Council Member Barker asked if any of our Police Officers are involved for security purposes and Director Goforth said they have hired their own security.

On a motion by Council Member Barker, seconded by Council Member Johnson and carried unanimously, Council approved the request of the Williams Volunteer Fire Department for use of the Old Gym for the Firemen's Christmas Ball on Saturday, December 11, 2010 from 8:00 p.m. to 2:00 a.m.

### CITY COUNCIL/CITY ADMINISTRATOR/STAFF COMMENTS AND REQUESTS

City Administrator Bergson said a written request from has been received from the owner of the Smith Hotel in an effort to avoid foreclosure on his property. He wants to pay the City only \$40,000. Council Member Barker said the City should get least the principle back. Finance Officer Greenbaum said the amount due is about \$110,000 including interest. City Administrator Bergson said his understanding from Council is if the owner comes in with at least \$100,000 Council may be agreeable. Mayor Pro Tem Troughton, Jr., asked if the City does foreclose what is the outcome. City Attorney Siprelle said the City becomes the property owner. Finance Officer Greenbaum said the current owner does not have the money. Should the property be sold the new owner would have to pay the \$110,000 due to the City and would likely have the financial wherewithal to improve the property. If no one bids on it, it becomes our issue. The City could utilize Redevelopment Agency funds to improve the property and there has been some interest already. Mayor Pro Tem Troughton, Jr., said if there is no outside interest and we own the property, it becomes a liability for us with a span of ten years to recap the funds. Finance Officer Greenbaum said the General Fund could loan the Redevelopment Agency the money and sell the property, then repay the City and the City would have a lot of leverage.



Council Member Barker asked if a new buyer comes in would they have to pay the \$110,000 due the City and City Attorney Siprelle responded to the affirmative. Mayor Pulchek-Fulcher said the value is about \$110,000.

City Administrator Bergson said the terms and conditions for the current owner would be pay the City the \$110,000, fix the building and maintain it. Mayor Plachek-Fulcher said we would have to go through Code Enforcement to bring about the building updates. City Attorney Siprelle said a new the developer could borrow money from Redevelopment and the City/Agency could stipulate what must be done. They could be eligible for Community Development Block Grant funds. The current owner should be told the entire \$110,000 is due, that we will start the foreclosure process and he could bid on the property at the auction.

City Administrator Bergson said the City did not get the Proposition 84 fund for the Veteran's building but staff will resubmit an application in six months. The \$60,000 will be used by the County to proceed. They have a total of \$300,000. Plans will be submitted and approved prior to determining what would start first.

Public Works Director Goforth said staff is working on the well. They will be running the video into the system. Mayor Pulchek-Fulcher asked what is the anticipated completion date on the ADA curbs and Director Goforth said we are still working on the process. Council Member Ash asked about the ramp at the post office and the concern that curb is higher. Director Goforth said they will be working on that issue also and will get them coned. Mayor Pulchek-Fulcher asked what about progress with the old gym. Director Goforth said they fixed the bathrooms and should be done by next week. They are waiting for the electrician to respond as well. Council Member Johnson asked about the schedule on the detention pond and Director Goforth it is too wet right now but they will spray soon.

Council Member Barker asked about the Public Finance Corporation meeting in November last year. City Attorney Siprelle said the meeting could be set for November 17 and if the meeting gets cancelled, moved to December 15th. Council Member Barker would like to know what this Corporation actually does. City Administrator Bergson said this is primarily to fund for capital expenditures but detail will be provided.



ADJOURN

At 3:58 p.m. Mayor Plachek-Fulcher adjourned the Special Meeting of the City Council.

APPROVED BY:

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Angela, Plachek-Fulcher, Mayor

ATTEST:

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Susan L. Vannucci, CMC, Deputy  
City Clerk

Adopted by Council: January 6, 2011