

CITY OF WILLIAMS

Council Minutes

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

REGULAR SESSION OF THE CITY COUNCIL

APRIL 6, 2011

6:00 P.M.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Charles Bergson, City Administrator
Ann Siprelle, City Attorney
Rex Greenbaum, Finance Officer
Sally Barker, City Treasurer
Wes Gorforth, Public Works Director
Ed Anderson, Police Department
Sue Vannucci, Deputy City Clerk
Jamie Speer, Associate Engineer
Debbie Rich, Building Manager

Mayor Plachek-Fulcher called the regular meeting of the City Council of the City of Williams to order at 6:00 p.m., and led those in attendance the Pledge of Allegiance.

PUBLIC COMMENT

Lloyd Green commended the Public Works Department for service on sandbags and advice during the recent storms.

PRESENTATION

PROCLAMATION – CHILD ABUSE PREVENTION MONTH

On a motion by Council Member Ash, seconded by Council Member Barker, and carried unanimously, Council adopted a Proclamation declaring April 2011 as Child Abuse Prevention Month and authorized the Mayor to sign the Proclamation declaring Council support of efforts in the City of Williams.



OLD BUSINESS

RESOLUTION 11-10 – RESTRICTED PARKING ON SEGMENTS OF SEVENTH STREET

City Administrator Bergson said as per Council direction, staff has prepared a Resolution to restrict parking in certain areas of 7th Street. The specific restriction would be on 7th Street, from B Street to D Street, and on B Street, between Sixth and Seventh. Council Member Ash said the curbs should be painted red from the corners out 20 feet because of the problems on 7th Street and street signs should be added. Manish Patel said he had wanted 3 or 4 spots, but at his location with the drainage issues it is difficult to do that. He has one spot that will help. He plans to meet with the City Administrator and Building Director as he has some land in the back of his property with 8 inches of gravel and he would like to park smaller trucks there.

On a motion by Council Member Ash, seconded by Council Member Barker and carried unanimously, Council adopted Resolution 11-10, "A Resolution of the City Council of the City of Williams, California, Restricting Parking Except by Permit on Segments of Seventh Street".

Mayor Pro Tem Troughton, Jr., suggested Council review this issue in six months see how this is working.

RESOLUTION 11-11 – LANDSCAPING AND LIGHTING DISTRICT 97-1

City Administrator Bergson said last year all required assessment proceedings and Public Hearings were held and the rate was raised based upon the Engineer's Report. This year, staff is recommending a 1.37% increase based upon the Cost of Living Allowance (COLA). This action will set June 1, 2011 as the Public Hearing date to consider the assessment for this coming year. A Notice will be sent to all residents in the district. Mayor Plachek-Fulcher said that date of June 1st is in the midst of other activities and suggested the Public Hearing be moved. Following discussion on the legal issues regarding the notification, Council concurred to change the first meeting of the Council in June to June 8, 2011 and set the Public Hearing for that date.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council adopted Resolution 11-11, a "Resolution of the City Council of the City of Williams Initiating Proceedings for an Annual Levy of Assessments, Adopting the Draft Engineer's Report, Declaring the Intent to Levy Assessments, and Setting a Public Hearing Date for Landscaping and Lighting District No. 97-1", with change to the Resolution setting the Public Hearing date to June 8, 2011.

NEW BUSINESS

COMMERCIAL PROPERTY – 549-569 SEVENTH STREET – REHABILITATION LOAN

Finance Director Greenbaum said the City is being asked to provide a disbursement loan for the property at 549 through 569 Seventh Street which has been



purchased within the last few weeks by the Bautista family. They have invested a substantial amount on the property and are using some of those funds to replace the roof. Should the City wish to proceed, their personal residence could be offered as a lien attached to protect the City, or the City can be in second position on the property itself. He recommends using the personal residence as a less risky option for the City. This project will help rehabilitate the building and provide additional jobs for citizens. Mayor Plachek-Fulcher said these are Community Development Block Grant (CDBG) funds and they have approached us to help fund this project. The Finance Committee has considered this issue and does approve of the recommendation. Finance Director Greenbaum said the CDBG restrictions on this type of project are not as stringent. Council Member Barker said in the documents the Bautista family is in the first paragraph and the second name is different. Maricella Bautista said she is one of the owners the other owner is her sister. Both of their families have signed and approved these documents. Finance Officer Greenbaum said the owners have plans for many new businesses in the facility. They had asked for \$45,000 but now need additional funds for other work that is needed. Council Member Ash asked if the awning will be reinstalled. Finance Officer Greenbaum said the awning will be included in Phase I.

On a motion by Council Member Barker, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council approved the disbursement of a loan of up to \$45,000 to be utilized for repairs on the commercial building located at 549 through 569 Seventh Street; authorized the associated \$45,000 budget augmentation necessary to make this disbursement; identified that the family house in Williams belonging to the applicant will be utilized as collateral since the City will be in first position.

CINCO DE MAYO FESTIVAL – VENICE PARK

City Administrator Bergson said we have received a request from the Eddie Johnson Heart Disease Foundation to hold a Cinco de Mayo Festival on May 7, 2011. He has reviewed the application and plan and recommends approval by the Council. Cultural and local food will be served. Soccer and music will be part of the festivities. An insurance certificate will be issued through Alliance to provide coverage. He does not recommend waiver of the fees. Mr. Johnson said no City staff will be required or requested for the event. City Administrator Bergson said the City will still need to prepare the site the day before and wants to have the estimation for use costs covered should it be needed. Public Works Director Goforth said the buildings should be checked to be sure everything is ready. City Attorney Siprelle said the fee could be considered a deposit and if not needed to cover City costs, it could be returned. Director Goforth said the restrooms would need to be checked afterward. Council Member Barker said the fee is minor for this type of event. He is concerned that should cleanup becomes an issue, or we have need to bring in officers or staff, the City should be able to recapture all of the cost for the event. It is difficult to predetermine the costs that could arise, but as the fee is very low and a waiver is being requested, the City could potentially be covering high costs for this event that we could not recapture. There is more of a risk to pay for backup, if needed, rather than relying on volunteers. If clean up does not happen to our specifications, the City should be responsible and the cost should be added. City Administrator Bergson said he has



asked for a \$300 deposit and if all is in order without cleanup involved, the deposit could be returned. Mr. Johnson said the Old Gym will not be utilized. The parking is to be at the elementary school and he said the school has already approved such usage. Director Goforth said Public Works or Parks will be checking as a follow-up to the event.

On a motion by Mayor Pro Tem Troughton, Jr., seconded by Council Member Ash and carried unanimously, Council approved a Special Event Permit for use of Venice Park for a Cinco de Mayo event to be held on Saturday, May 7, 2011. Council denied the request to waive the use fees.

REPORTS

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| City Attorney | Nothing to report. |
| Deputy City Clerk | Nothing to report. |
| City Treasurer | Nothing to report. |

COUNCIL REPORTS AND COMMITTEE UPDATES

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| Council Member Sellers, Jr. | He attended a Redevelopment Agency Advisory Committee meeting, a Fairgrounds meeting and was a judge for Western Days. |
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| Council Member Ash | She went through the renter's house on the Museum property and said there are some substantial issues that must be addressed. Most of those issues she feels can be handled by City employees. There is some dry rot and electrical problems. She attended the Joint Fire Department dinner. The Citizens for a Better Williams started work on the Masonic Hall on Friday night by washing and will start painting this coming weekend. She met yesterday with Code Enforcement. She and Mayor Pro Tem Troughton, Jr. are working on a form to be passed between Departments to provide for status updates so they will know who is not meeting the timelines. |
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| Mayor Pro-Tem Troughton, Jr. | He met with the City Administrator, the Police Chief, the Public Works Director, and Code Enforcement. He also attended a Redevelopment Agency Public Hearing. |
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| Council Member Barker | He attended the Redevelopment Agency Public Hearing. Approximately 20 people |
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attended that meeting with Ya Yin Isle in attendance to respond to questions. He met with City Administrator Bergson to discuss some concerns of several constituents.

Mayor Plachek-Fulcher

She met with the City Administrator and attended a LAFCO meeting.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator Bergson

He also visited Museum house. The ceiling is cracked, there are leaks in kitchen, electrical issues and plumbing problems. Staff will be working on these issues. The SCORE Board meeting was cancelled and will be rescheduled. The City is leaving SCORE on July 1 and will staff will be coming before Council in May regarding a new Risk Management Agency. Cortina set meeting and there is some road money they want to share with us. We are nearing completion on the parks project and he would like to hold a ribbon cutting at the end of May. Valley Ranch Park has never been dedicated, nor has Sierra Oaks and the new Town Square should be done as well. He suggested May 25th as a very tentative date. There was a recent Planning Commission meeting and Planner Aguayo indicated she will be returning part time beginning on May 2nd. She and Planner Price will share duties for a few weeks. The Housing Element is anticipated to be final before June. In August he will bring forward a Resolution asking Council to endorse projects. One of the projects is the Community Center. A State Housing and Urban Development application will be pursued. He attended Colusa Country Western Days. Men's basketball league championship was held this past weekend and was very well attended. There will be a summer season He attended a meeting with Omni Means meeting on various issues. A sidewalk construction contract has been prepared and will go out to bid at the end of the month. He met with the Williams School District Superintendent on the Redevelopment



Plan. Council Member Ash asked if they have reached any agreement on the Agriculture Building. City Administrator Bergson said they will vacate the building this summer and a Joint Use Agreement will be discussed. He met with Bartle Wells on the fee study and some corrections are needed. The item should return to Council on May 18th. Council Member Barker asked about the mural to be painted on the Masonic Building and the regulations for such painting. Council Member Ash said CBW is painting the entire building first and then an artist will be procured but the concept will need to go before the Planning Commission. The General Plan Advisory Committee meeting date is to be moved to April 18th, but a location is needed.

Police Chief

Sergeant Anderson provided a written copy of the monthly statistics from the Police Department. The Bike Rodeo is coming up, tentatively set for May 24th and 25th, at the elementary school, depending upon the Parks Dedication date.

Fire Chief

No report.

Public Works Director

Director Goforth said events are back to normal following the flooding. All meters were read on time. One employee attended a leak detection class. One employee will be attending a class for backflow prevention. The sewer system construction is at 86% completion. Mr. Lawrence with the State will go through the Bacon Davis wage requirement. Two employees when to Lincoln for training. He met with Eco:Logic on staffing needs for the expanded plant. The City Engineer will be here on the 14th and will inspect all of the sidewalks with Engineer Speers. The Husted Road inspection will also be done. The Contract for the project will be accepted on April 20th and they would like to add the part in from Able Road to Highway 20. The County will be doing some roads adjacent to our project. He will be checking on the Museum house and setting up a time to go through it. Our staff will be doing what



we can to bring it up to code. He met with tree trimmer and before Cinco de Mayo, he will be going through the parks to remove dead trees. The Town Square project is progressing well and we will handle traffic control during the painting of the Masonic Building. At Sierra Park, the wind has prevented us from spraying chemicals thus far. It was suggested that a Pine tree be planted in the square rather than bring one in each year during the holiday. It could then be the town tree. Mayor Pro Tem Troughton, Jr., said the cut tree is part of the tradition and a planted tree will take a long time to grow. Mayor Pro Tem Troughton, Jr., said at the lift station when P. G. and E. changed the meter, we had issues and the City had to pump it out. Director Goforth said we have spoken with the people on Husted just North of Able and they are meeting with the City Engineer April 14th so that the change order can be approved on April 20th. This addition would continue 500 feet to Hopper's Auto at Abel and was not in the original bid. Mayor Pro Tem Troughton, Jr., said the original bid was very low so there is some room to extend the work. Eddie Johnson asked why the paving is not all the way to Highway 20. Mayor Plachek-Fulcher said it is too cost prohibitive to go the entire length. Director Goforth indicated this is just a patch of 2000 feet plus the 500 feet recommended extension. They will skim, patch repair some of the holes with three inches of asphalt to be added. Eleven years ago this same process was done and it is just now showing the issues. Mr. Johnson asked about the plans for the parks and whether will there be plaques or signs. Director Goforth signs will be added. Mayor Plachek-Fulcher asked if a Use Permit for the Fun Run has been received and Director Goforth indicated it has been received. The Parks and Recreation Division is now handling more of the issues related to the Parks. He feels the Special Event Permits should also be handled by that Division. The insurance company wants \$220 for the two hour Egg Hunt. The Permits will be received by the City



Hall Staff and circulated accordingly to all Departments having need to approve.

Finance Officer

Finance Officer Greenbaum attended a Redevelopment Agency meeting with the County and indicated there are only a few issues they mentioned with the establishment of the Agency. In regard to the Smith Hotel, the bankruptcy law provides this is a single asset real estate issue. This will speed the process up. He indicated there are for sale signs up on the property and should be removed. The information has been forwarded to the City Attorney. Apparently the owner's attorney had no notice on the issue either. The law indicates he cannot sell the property because it is in bankruptcy court. The time frame will be 30 to 60 days for information purposes. City Attorney Siprelle said there is another status conference scheduled as the first one was continued. The movement of the Finance Division and Planning Division to the new facility has gone well.

Building Official

Director Rich distributed some examples of the Code Enforcement forms and said there was an enforcement meeting held. One of the sample forms did not have our Municipal Code sections included. Another form has been found that does have reference number. She would like to have forms with the State in rather than local codes to provide for more legal support should court proceedings become necessary. There is an apartment building on which there are sever issues and it may end up in court. Officer Tirado will write the Administrative citation and a response time will be set. There has not been much of a line of correspondence and hopefully the forms will rectify that concern. The building downtown that the Bautista family has purchased will need paint and Planning should review it first. She has advised them to look at what is there, and determine whether one color should be used or whether each individual building should be painted



differently to designate the business occupying it. Council Member Ash said they did not pass anything official but used the historical colors from Benjamin Moore for the Masonic Building. Building Manager Rich said she spoke with Interim Planner Price who indicated a design review needs to be done with the Planning Department. In 2005 Council had approved some earth tone colors. City Administrator Bergson said we can take the issue to the Planning Commission, do some, research and bring the colors to the floor. Council Member Ash said the CBW did not go before the Planning Commission to paint the Masonic Building. The City Administrator will check with Planner Price to see if there are Planning concerns. Director Rich said in regard to the roofs damaged by the tornado, the insurance companies are indicating they will only pay for the spot where the tornado hit. These are tile roofs and the integrity of the roofs is in question because the roofs were lifted. She is working with the roofing company and the new codes will dictate whether the entire roof needs to be done. Council Member Barker said some of the Corinthian homes were also damaged by the tornado. Planner Rich indicated she will inspect these as well. The lot across from Stage Stop was an auto repair and painting shop. Someone is interested in purchasing that piece of property and an environmental evaluation will be needed. She and Planner Price are working with them. They want to take the current building down and she will inform the Fire Department as they may wish to use it as a training burn. There may be some historical value to the building so she will explore that first. There is an auto repair shop on the just outside of Williams on Abel. Director Goforth indicated the owner of the property in town has contacted him and said the property was contaminated. Director Rich said as of 2007, there was water usage the property so they had some type of activity. Council Member Ash said they did not do anything correctly. Mayor Pro Tem Troughton, Jr. said the soil should be tested



as it was a paint shop, body shop and a tow truck facility. Dr. Marilyn Kennedy from the Film Commission has indicated that some movie directors will be visiting our area on May 21st. Council Member Sellers, Jr., asked if the colors on Seventh Street are historical colors. Director Rich said the structure is white now and the owners want the colors to be compatible with the City. They will be working with the Planning Committee as well.

ADJOURNMENT

At 7:15 p.m., Mayor Plachek-Fulcher adjourned the regular meeting of the City Council.

APPROVED:

Angela Plachek-Fulcher, Mayor

ATTEST:

Susan L. Vannucci, Deputy City Clerk

Adopted by Council: