

**MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD**

**May 26, 2009**

1. The meeting was called to order at 7:00 p.m. by Mayor Towne.
2. **PLEDGE OF ALLEGIANCE:** Council Member Baker led the Pledge of Allegiance.
3. **ROLL CALL:**  
Present: Baker, Hansen, Yoder & Towne  
Absent: Holvik
4. **Agenda Review & Acceptance:** City Manager Steve Holsinger asked that an item be added to allow Police Chief Bill Spears to present an award of recognition to one of the Police Officers. He asked that the item be added as item 7 (a). It was then **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve the May 26, 2009 agenda, with the addition of 7 (a). The motion was unanimously passed.
5. **Oral and Written Communications:**
  - a) Ms. Rose Marie Thraillkill, citizen of Willows, gave an update on upcoming community and Chamber of Commerce activities, events and fundraisers. She also stated that the once traditional Thanksgiving Dinner which used to be put on by Jimmy's Cab each year, but had been discontinued when they went out of business, will be resurrected this year and that donations are currently being sought to put on the dinner. She also stated that currently the Chamber of Commerce is actively seeking donations to go toward paying for the Fourth of July fireworks. Lastly, she stated that she believes that the original \$24,000 which the City Council allotted out of the original \$60,000 Contribution by Wal-Mart for Economic Development to be utilized for downtown Façade Improvement Projects has been exhausted. She indicated that she is aware of some additional improvement projects which will be coming forth in the future that may qualify for funding under the Façade Improvement Program and she asked that the Council consider adding an item on a future agenda in order to allocate the remaining \$36,000 from the Wal-Mart Contribution to be utilized for those projects.
6. **Consent Agenda:** It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve the Consent as presented. The motion was unanimously passed and the following items were approved/adopted:
  - a) Approval of General Check Register.
  - b) Approval of Payroll Check Register.
  - c) Approval of April 28, 2009, City Council Meeting Minutes.
  - d) Approval of May 12, 2009, City Council Meeting Minutes.
  - e) Read by title only and passage of second reading and adoption of an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADOPTING THE WILLOWS MUNICIPAL CODE".
  - f) Read by title only and passage of second reading and adoption of an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADOPTING A FLOOD PLAIN MANAGEMENT ORDINANCE AND REPEALING ORDINANCE NO 614-87".

- g) Authorize a waiver of fees and services in conjunction with the Glenn County Office of Education Design Review application for relocation of a Cargo Container project.
- h) Award of the 2009 Weed Abatement Contract to Dale Myers.

**7. Presentations and Proclamations:**

- a) Police Chief Bill Spears presented Officer Kelly Meek with an award in recognition of her organizing and hosting the second annual Peace Officers' Memorial Program.

**8. Ordinances: Action taken under item 6 (e) and 6 (f)**

**9. Public Hearings:**

- a) Weed Abatement Protests:

This Public Hearing is required to be conducted in order to allow protests by any property owner who has received a "Notice to Abate" card in the City and to allow the Council to hear such protests and make decisions accordingly based upon the nature of the property owner's objections. Mayor Towne opened the Public Hearing at 7:20 p.m. Ron Hindbaugh of 33 Donnie Lane addressed the Council and objected to a Notice to Abate card which he received for a parcel of land which he does not own. He stated that he objects to having to clean up a piece of property that does not belong to him and that if he is required to do so, he will hire a contractor and send the invoice to the City. Discussion ensued among the Staff, Council and Mr. Hindbaugh and it was determined that the parcel in question is part of a City-Owned easement which has a locked gate which only certain property owners have a key for ingress and egress with the property owners having signed a maintenance agreement with the City agreeing to care for and maintain the property. Mr. Hindbaugh explained that he does not have a key to the gate and does not have any desire to utilize that parcel of land for any reason. After additional discussion Jeff Williams, who was present in the audience, offered to abate the parcel in question free of charge. The City Council agreed that that would be acceptable and thanked Mr. Williams for his generous gesture. Hearing no more public protests, Mayor Towne closed the Public Hearing at 7:52 p.m.

**10. Items introduced by City Council or Administrative Staff for discussion purposes only: None**

**11. New Business:**

- a) Consider authorizing the City Attorney to commence a civil or criminal proceeding to abate the public nuisance at 429 North Shasta Street:

The City Manager presented this item to the Council stating that since 2000 City Staff has attempted to work with the property owner at 429 N. Shasta to self-abate the public nuisances that exist at that location. More recently, during the second of two abatement hearings in conjunction with this property, the owner, Mrs. Francis, requested the City Manager postpone or continue the hearing process and provide her with an Attorney to represent her during the proceeding. The City Manager informed Mrs. Francis that the City had no obligation or requirement to provide her legal Counsel in this matter, however, the City would be willing to

continue the Hearing until June 3, 2009, to allow her to secure legal counsel. Mrs. Francis insisted that the City provide her with an Attorney, free of charge, before continuing in the process. The City Manager continued the hearing as stated above and subsequently consulted the City Attorney concerning this request. It was the consensus of the City Manager and City Attorney that under the current circumstances and relevant history in conjunction with this location and property owner, that the City Council considers alternative remedies for abatement of the property as sited in the Municipal Code. Therefore, staff recommends that the City Council authorize the City Attorney to commence a civil or criminal proceeding to abate the public nuisances at 429 North Shasta Street under applicable Civil or Penal Code provisions. Brief discussion ensued and it was then **moved** by Council Member Hansen and **seconded** by Council Member Yoder to authorize the City Attorney to commence a civil or criminal proceeding to abate the public nuisance at 429 North Shasta Street under applicable Civil or Penal Code provisions as set forth in section 8.10.170 of the Willows Municipal Code. The motion was unanimously passed.

**12. Council Member Reports:**

Council Member Hansen stated that he and Mayor Towne attended the recent joint County/Cities Meeting. He stated that it was decided that the joint meetings would now occur twice a year, rather than quarterly.

**13. Executive Session:** None

**14. Adjournment:** The meeting was adjourned at 7:52 p.m.

Dated: May 26, 2009

NATALIE BUTLER

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City Clerk