

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
December 9, 2014

1. Interim Mayor Domenighini called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Council Member Mello led the Pledge of Allegiance.
3. **ROLL CALL:**

<u>Present:</u>	Williams, Yoder, Mello, Hansen & Interim Mayor Domenighini.
<u>Absent:</u>	None
4. **Agenda Review:**
 - a) It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve the December 9, 2014 City Council Agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** None
6. **Public Comment/Written Communications:**
 - RaeAnn Titus stated that she wanted to bring the Council up to date on her Façade Improvement Project Application. She met with the Greater Willows Improvement League (GWIL) in November and they weren't able to come to an agreement on paint colors for her building. At this time she and the GWIL board are at an impasse and she just wanted to point out that she has reviewed the Façade Improvement eligibility requirements that are on the City's website and on page two of the requirements (# 8) it states that an applicant is allowed to do a repaint and that is considered an eligible façade improvement. GWIL's argument is that the color that she has chosen for the repaint is too close to the color that is already on the building that she is requesting to repaint. She states that if a repaint is an eligible improvement under the Façade Improvement eligibility requirements, she doesn't understand why GWIL does not want to grant her the funds for that portion of the project. Mrs. Titus stated that she doesn't really know where to go from this point and inquired of the Council what more she needs to do to receive the grant funding and she feels that she is being asked to do arbitrary things. She has asked previously if there was any place in writing that states that GWIL is authorized to pick the color of her building and she has not received anything to date where that is stated.

Mayor Domenighini requested staff to respond to Mrs. Titus' concerns and questions, as the Council is prohibited under the provisions of the Brown Act from entering into discussions under "Public Comment" items that are not listed on the agenda.

City Manager Steve Holsinger stated that there is not a lot that he can add. There is a process in place and that process was deviated to some extent, in that the Council, by adoption of a Resolution, conditioned approval of GWIL's acceptance of the project

based on coming to an agreement on the colors and that hasn't been achieved. Based on what the Council has directed staff to do, there would not be a reimbursement on that portion of the project without GWIL's acceptance of the color. Without belaboring this issue too much because this is not an agenda item and the Council cannot discuss it tonight, he stated that the Council could direct staff to bring an item back at the January City Council Meeting and pick up the discussion at that time, or Mrs. Titus and GWIL can continue to work toward a consensus. Beyond that, he stated that he doesn't really have anything else to add.

Mayor Domenighini stated that as he sees it, there are two options; either resolve the issues between Mrs. Titus and GWIL or the Council could request to have this as an agenda item next month.

Mrs. Titus stated that she thinks she would like to have it as an agenda item for the Council to discuss because she and GWIL are at an impasse where GWIL is saying that they can choose her color and she is not seeing anywhere in writing that states that that is a requirement. She believes the only way to resolve this issue is to bring it before the Council. The City Manager then stated that if it is the consensus of the Council that they wish to agenda item, the Council just needs to let staff know and direct them accordingly. Again, he just wanted to reiterate that the Council has an adopted Resolution that sets conditions on this project, unless it is the desire of the Council to revisit that Resolution. He believes that if that is their desire, it would likely take some legal review because he is not sure how the Council could go about doing that.

Mayor Domenighini stated that he believes the Council should direct staff accordingly under item 10 on the agenda, since that is the time that Council should discuss any items that they would like placed on a future agenda.

7. **Consent Agenda:**

It was **moved** by Council Member Hansen and **seconded** by Council Member Mello to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved:

- a) Approval of General, Payroll & Direct Deposit Check Registers (28211-25258; Z05826-Z05881; 33522-33530)
- b) Approval of the Minutes of the November 12, 2014, Regular City Council Meeting.
- c) Approval of the Minutes of the November 25, 2014, Regular City Council Meeting.

8. **Public Hearings:** None.

9. **Ordinances:** None.

10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

- Mayor Domenighini asked the City Council if they desired to place an item on the January agenda to discuss and take possible action on the Titus Façade Improvement application. Council Member Mello stated that he would like to see it on the next agenda because he has some questions and if Mrs. Titus is bringing up this point, he would like to have representatives of GWIL present at the meeting. Council Member Yoder stated that he wouldn't mind discussing this item in January. He stated that there is a Resolution that has been adopted by the City Council and he doesn't know if there is a system in place where if the project is denied, where does the applicant go from there. He stated that off-hand he doesn't know what, if anything, that procedure might be and he inquired whether in the past GWIL has denied other peoples' projects based on similar criteria. Council Member Hansen stated that he doesn't recall off the top of his head what the due process or the appeal process is for this this type of issue so he said he would like to agendize it for the next meeting. Council Member Williams agreed. It was the unanimous consensus of the Council to direct staff to place this item on the next City Council Meeting Agenda. Mayor Domenighini closed by telling Mrs. Titus that if she believes that he could be of service to either herself or GWIL about this issue, to feel free to contact him.
- The City Manager updated the Council on an upcoming major weather event that is moving into the area and it is expected to bring heavy rain and strong winds beginning the following day. He stated that staff has made all necessary preparations in anticipation of the incoming storm, including picking up leaves and clearing the city drain inlets. All plans and emergency items are in place to deal with this weather event and he gave kudos to the Public Works crew, the Fire Department and the Fire Department Volunteers for their hard work in preparing for this storm. He announced that sandbags will be available at the City's Corporation yard from 7:00 a.m. to 3:30 p.m. for people who need them and he stated that he would keep the Council updated regularly as things progress.

11. **New Business:**

- a) Discuss and Advise regarding status of Willows Chamber of Commerce Proposed Funding Request Form – Willows Chamber of Commerce (Tabled from the November 25, 2014 City Council Meeting):

The City Manager stated that the City is currently at a stalemate, and that stalemate is really the consequence of the direction that the Council has provided to staff. The Council had directed staff to discontinue making the quarterly payments to the Chamber of Commerce and to meet with the Chamber members and devise a system that would

recognize contributions that the City is making towards community events. In that process there was a subcommittee consisting of now former Mayor Jeff Cobb and former Vice Mayor Terry Taylor-Vodden who are no longer on the Council. During this process the definition of "Community Events" became something that was defined as "an event that was solely sponsored by the Chamber that was available to all members of the Willows community free of charge". When the subcommittee, the City Manager and Members of the Chamber met, it was strongly emphasized that that would be considered the principal criteria of a "Community Event" and the City Manager believed that everybody in the group had an understanding of that definition. However, subsequently, there was a form that the Chamber attempted to submit to the City Council during a meeting in September, for an item which was not agendaized. The City Manager disallowed the form to be handed out to the Council during that meeting and he subsequently wrote a letter to the Chamber which clearly articulated what the issues were with their original funding form that they presented to the City Manager and he asked them to revise the form and resubmit it for consideration. The form came back to the City, basically unchanged, with a letter that essentially stated that because the City has had a change of Council Members since the form was initially submitted, the Chamber wanted the new Council to review it.

The City Manager stated that he does not believe that the form is appropriate for approval at this point. He thinks the problem with the form is that there are still items/events on the form that do not meet the definition or criteria of a "Community Event". There is still no clear understanding by the Chamber about how the funding is to work. He stated that he doesn't have so much of a problem with the "procedures" part of the funding, although he believes it is important for the Council to note that it seems a little odd to him that the Chamber is essentially demanding that the Council go to the Chamber to explain what they are doing. Nonetheless, the form as it appears has items on it that he believes are inappropriate to be funded by the City – most specifically and to use one example would be for the Council to allow the Chamber to use City funds to sponsor Candidates' Night. He doesn't believe it would be appropriate for the Council to ever consider making a contribution towards Candidates' Night. There are also items listed on the form that are not totally sponsored entirely by the Chamber and there are items that take place outside of the City of Willows so the Council would essentially be making a gift of public funds outside the boundaries of the City, which he also believes is inappropriate. The City Manager stated that it would be his suggestion to the Council that rather than belabor this topic back and forth for an extended period of time, that the Council considers authorizing a \$2500.00 payment to be given to the Chamber to help to pay for the various Holiday events that they have just recently sponsored such as the Light Parade, the Craft Faire, the Decorating Contest and other Holiday events that were specifically a direct benefit to the Citizens of the City of Willows. Therefore, he believes it would be appropriate for the Council to approve a \$2500.00 payment to the Chamber this time in recognition of those events that have been conducted over this Holiday Season. He also suggested that a new 2-member subcommittee be appointed to sit down and meet with the members of the Chamber and readdress some of these issues. Further he stated that if the current members of the Council wish to change the direction previously provided to staff by the previous Council during the passage of the current fiscal year budget that would be

the time to do it. If not, staff is still looking at the same mechanism and following directions of the previous Council that they are looking toward public recognition of the City's funding of Chamber sponsored Community Events, as they were defined. If there cannot be some type of formalized agreement by all parties prior to the end of the fiscal year in June of 2015, he suggests that the Council authorize an additional \$2500.00 payment to the Chamber to go specifically towards helping to fund the Fourth of July Fireworks and that will then satisfy the Council's funding commitment to supply the Chamber with an amount of \$5000 for fiscal year 2014/2015.

Lengthy discussion ensued among the Council, Staff and Chamber President Jamie Millen and it was ultimately **moved** by Council Member Hansen and **seconded** by Council Member Yoder to authorize a lump-sum payment to be made to the Chamber in the amount \$2500.00 to assist in covering the expenses associated with all of the Chamber's recent and upcoming Community Holiday Events. The motion unanimously passed. It was also the unanimous consensus of the Council to form a 2-person subcommittee, consisting of Council Members Williams and Mello, to meet with the Chamber members to further discuss, review and revise the funding form & procedures.

- b) Discuss and, by consensus, advise Staff regarding whether or not to post ongoing disbursement information publicly and if desired to post, direct staff the method of which Council prefers the information be posted:

This item is brought before the Council at the request of Council Member Williams for discussion and ultimate direction to staff. Disbursement information in the form of check registers have historically been available to the Public on an as requested basis. City Staff has maintained adherence to providing information which is legal to distribute on a case by case basis. Further, in addition to this practice and the Council approval of check registers, a Councilmember, serving as a member of the Finance Committee, reviews and signs-off on each disbursement of the City. As such, public access, management review, and Council review (both as a body and as individual members) is, has been and remains in place.

The Finance Department is prepared to honor the wishes of the majority of Council regarding this issue and respectfully requested that there be no individual payroll disbursements included, as the compensation of City Employees is already publicly available on the California State Controller's website, where such information is provided on an annual basis based upon W-2 information. Further, the organization "Transparent California" formally requests and receives from the City the information provided to the State Controller's Office but requests said information with individual names attached. Members of the public may utilize these resources as they choose.

The City of Orland has previously been noted by Council Member Williams as an example of public posting of disbursements when citing the desire for the City of Willows to publically post, and, based upon review of Orland's activity, payroll disbursements are not included, in detail, in said postings. It is the Finance Director, Tim

Sailsbery's, belief that the annualized information provided as stated previously is more than sufficient and he asks that the Council concur and honor that methodology.

Whether to post distribution reports as check runs are completed or post disbursement reports as part of the agenda packet will need to be determined by the Council. At first glance, including information with the agenda may seem to be the preferred method. However, City Staff does not have a set day/date of disbursements as semi-monthly payroll responsibilities (rather than bi-weekly payroll) preclude set days of the week for disbursements. This may create inefficiencies with including in an agenda packet, and may create situations of as much as 3 ½ weeks from check processing to posting in an agenda packet. Staff requests that, if the majority of the Council decides to go with public posting, that this issue be subject to discussion. If it is determined that posting separately from the agenda packet is the preferred method, then length of period of posting should be determined in order to preserve data usage space on the website.

Discussion ensued among the Staff and the Council and it was ultimately the unanimous consensus of the Council to include disbursement information with the City Council agenda packet but it is not necessary to include individual payroll disbursements because that information is already accessible and available to the public. Additionally, the Council authorized managerial discretion to the Finance Director to go ahead and make disbursements on an as-needed and as-due and payable basis so checks are being issued in a timely manner and the Finance Department doesn't have to wait for weeks for council approval for checks to be disbursed.

- c) Consider appointments to various committees, commissions, and/or panels for 2015:

The unanimous consensus of the Council was to ratify the following committee assignments for 2015:

WILLOWS CITY COUNCIL 2015 COMMITTEE REPRESENTATIVES

COMMITTEE	MEMBER(S)	WHEN APPT.	TERM EXP.
*Airport Land Use Committee	Domenighini	12/09/2014	5/1/2017
*Glenn County Waste Management Regional Agency	Hansen Mello (Alternate)	12/09/2014	01/2016
*Transit Committee	Hansen Yoder Williams (Alternate)	12/09/2014	01/2016
*Transportation Commission	Hansen Yoder, (Alternate)	12/09/2014	01/2016

LAFCO (Term is four years)	Domenighini Mello (Alternate)	12/9/2014	05/2017
City Select Committee	Mayor	12/2004	12/2015
Countywide Mosquito & Vector Committee	Mayor	12/09/2014	012/2015
Finance Committee	Williams Mello	12/09/2014	12/2015
GCID Voting Delegate	Mayor	12/2000	12/2015
League Legislative Delegate	Mayor	12/2004	12/2015
Library Board	Domenighini	12/09/2014	12/2015
3CORE (Formerly known as Tri- Counties Economic Development Committee)	Mello Yoder (Alternate)	12/09/2014	12/2015
CDBG Loan Committee	Domenighini Hansen	12/09/2014	12/2015
Public Safety (Police & Fire) Committee	Hansen Yoder Williams (Alternate)	12/09/2014	12/2015
City & Counties Economic Development Steering Committee	Hansen Yoder Williams (Alternate)	12/09/2014	12/2015

The City Selection Committee confirms the final appointments to these Committees.

d) Appointment of Mayor and Vice Mayor 2015:

It was **moved** by Council Member Williams and **seconded** by Council Member Mello to retain Council Member Domenighini as the Mayor for the year 2015 and to retain Council Member Hansen as the Vice Mayor for the year 2015. The motion unanimously passed.

12. Council Member Reports

- Council Member Hansen reported that he attended the recent Holiday Craft Faire and the Light parade and both events were well attended and successful.
- Council Member Mello announced that Rumiano Cheese now has a business on Sycamore Street inside of Holly Myers' antique store. He also announced that the Chamber of Commerce has 12 more "Downtown Willows" street signs that they will be requesting that the City install in the near future. Lastly he announced that the Glenn County Planning and Public Works agency will be hosting a Household Hazardous Waste collection event on December 13 at the Orland fair grounds.

- Council Member Williams asked if an item could be placed on a future agenda to discuss and possibly take action on allowing Council Members to have their personal information placed on the City's website, i.e., Post Office Box, email, cell phone number, etc. The Council directed staff to place this item on a future agenda for discussion and/or action.
- Mayor Domenighini reported that the Willows "Friends of the Library" raised \$1200 at the Craft Faire. He also stated that there will be a Library Trustee Meeting this Thursday. Lastly, he reported that he attended yesterday's LAFCO meeting
- The City Manager asked the Council if they were agreeable to having City Council head-shots and group photos taken just prior to the next Council Meeting on January 13 at 6:30 p.m. The Council agreed. He also announced that a press conference with the local media is scheduled to take place this Thursday at 5:00 to discuss any questions they may have about tonight's meeting.

13. **Executive Session:** None

14. **Adjournment:** Mayor Domenighini adjourned the meeting at 8:55.p.m.

Dated: December 9, 2014

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider