

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
July 24, 2012

1. The meeting was called to order at 7:01 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Vern Roberts led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Council Members Yoder, Cobb, Hansen, & Mayor Holvik
Absent: Council Member Taylor-Vodden
4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the July 24, 2012, City Council Meeting agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** None
6. **Public Comment:** None
7. **Consent Agenda:**

Pastor Phil Zabell of the audience asked that the Council remove item 7 (g) to "Consider adoption of a Resolution authorizing staff to submit a HOME program funding application in support of a proposed 49-unit Senior Housing Project" from the Consent Agenda for additional discussion.

It was then **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve Consent Agenda items 7 (a) through 7 (f). The motion unanimously passed.

Pastor Phil Zabell addressed the Council and expressed his support of the City submitting the HOME program funding application for a proposed 49-unit Senior Housing Project, as this something that the community desperately desires. He urged the Council to adopt the Resolution to apply for the funding for this project. It was then **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve Consent Agenda item 7 (g). The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register (24770-24886).
- b) Approval of Payroll & Direct Deposit Check Registers (31341-32003 & Z03564-Z03639).
- c) Approval of the June 19, 2012, Special City Council Budget Meeting Minutes.
- d) Authorize the City Manager to sign and execute all documents related to the completion of the Mall Lighting Replacement project and authorize the City Clerk to file a Notice of Completion.
- e) Approve a letter of response to the 2011/2012 Grand Jury by the Police Chief and authorize staff to submit the response to the Presiding Superior Court Judge.

- f) Approve a joint letter of response to the 2011/2012 Grand Jury and authorize the Mayor to sign the response regarding the County & Cities Universal Permitting Process, and authorize staff to submit the response to the Presiding Superior Court Judge.
- g) Adoption of a Resolution authorizing staff to submit a HOME program funding application in support of a proposed 49-unit Senior Housing Project.

8. Public Hearings:

- a) CDBG Grantee Performance Report:

The California Department of Housing and Community Development – Community Development Block Program (CDBG) – requires specific reporting of grantee activity and performance annually and at the conclusion of the grant period. As part of the performance report, a public hearing is to be held to gather public comment and input. The portion of housing rehabilitation loans that meet the criteria to be considered program income by CDBG standards are placed into a Revolving Loan Account (RLA) for re-use in one of the following ways according to the City’s Program Income Re-Use Plan: Housing Rehabilitations; Economic Development Loans; Placement of Funds into an open CDBG Grant activity; Placement of Funds into a CDBG Eligible activity (“Program Income Waiver”).

The City commenced with seeking approval for the use of \$37,000 under the Program Income Waiver program to replace the bay doors at the Willows Fire Department. As of the close of the fiscal year (6/30/12) official approval had not been received. As such, no activity pertaining to this account took place during 2011-12, as the fund level is such that the bay door project will significantly deplete the total availability of this fund (total of approximately \$40K available during the year.)

Staff is requesting that the Mayor open the public hearing and upon its conclusion, the Council should consider authorizing staff to submit the Grantee Performance Report for fiscal year 2011-12. Mayor Holvik opened the Public Hearing at 7:08 p.m., and hearing no comments, subsequently closed the Public Hearing. It was **moved** by Council Member Yoder and **seconded** by Council Hansen to approve the Grantee Report as submitted and authorize staff to submit the report to the California Department of Housing and Community Development. The motion unanimously passed.

- b) Weed Abatement Public Hearing to confirm costs of abatement and declare them a special assessment:

In April the City Council adopted a Resolution declaring rubbish, refuse, and weeds to be a public nuisance. The City Fire Department made a survey of the areas in the City that had nuisances and notified property owners that they must remove the nuisance or the Contractor for the City would perform the work and bill the property owner accordingly.

In accordance with the California Administrative Code, a hearing is required prior to the adoption of the resolution confirming cost of weed abatement and declaring those costs a lien against those properties on which work was performed. The purpose of this hearing is to discuss

the cost of abatement only. The hearing on protest and ordering the abatement was held on May 22, 2012. Properties that the City Contractor abated will be billed to the property owner plus a 25% administrative fee. For those property owners that do not pay, there will be a special assessment placed on their property tax bill from the county.

Mayor Holvik opened the Public Hearing at 7:12 p.m. Dan Schuller, who was representing the owner of the property that was abated at 251 South Tehama Street (Safari Motel), spoke to the Council and stated that the property owner claims he never received the notice to abate and was therefore disputing the \$109.02 charge. Fire Chief Wayne Peabody explained that notices are mailed to the last known address that the property owner has on file with Glenn County Assessor's office and the Fire Department only notices based on that information. Chief Peabody also showed the Council photographs of the property before it was abated and after it was abated by the Contractor. Council Member Hansen asked Chief Peabody and Fire Captain Skip Sykes if the notice to abate was mailed to the same address as the abatement invoice. Captain Sykes indicated that both notices were mailed to the same address. Council discussion ensued and it was the majority consensus of the Council that the Fire Department did their due diligence in noticing the property owner and they all agreed, after viewing the photographs, that the property in question did meet the requirements to be abated, therefore, the Council would let the fee stand.

Mayor Holvik then read a letter from Michael Claeys, who is the property owner for 130 Fern Street. Mr. Claeys was requesting that the Council cancel the abatement fee of \$96.19 for this property because the abatement notice didn't mention anything about the alley and the alley was the portion of the property that the Contractor abated. Mr. Claeys questioned why he is responsible for weeds in the alley if the alley is a public roadway. Captain Sykes and Chief Peabody explained to the Council that the property owner is responsible for maintenance/removal of all weeds, brush, rubbish, etc., right up to where the roadway in the alley begins. In this case, there were no weeds on the alley roadway, but actually adjacent to the roadway, which is the property owner's responsibility. Captain Sykes showed before and after photos of the property in question. Council discussion ensued, and again it was the majority consensus of the Council that the abatement was done in accordance with procedure and that they would also let the fee stand, as the portion of the property abated was the responsibility of the property owner.

There being no more persons requesting to speak, Mayor Holvik closed the public hearing at 7:23 p.m. It was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to adopt a Resolution confirming costs of abatement and declaring them a special assessment as of August 10, 2012. The motion unanimously passed.

9. **Ordinances:** None

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

The City Manager stated that there have been some concerns raised over the "Rules of Meeting Order and Decorum" policy that was adopted by the Council on June 12, 2012. He stated that

there is an incorrect Government Code reference in the policy that should be corrected, along with a few other items that should be reviewed and revised. There have been some concerns by the public that the intent of the policy was to disallow citizens to complain or to criticize City policy and operations, and that was not staff's intent. He suggested that the staff should review the policy and make some revisions and bring the policy back before the Council at a future meeting for adoption. The Council unanimously concurred that the policy should be modified and brought back before them at a later date.

11. New Business:

- a) Façade Improvement Mini Grant for the Inkwel at 323 North Tehama Street:

Paul Erlendson, owner of the Inkwel at 323 North Tehama Street, has submitted an application to the City for a Mini-Grant under the Façade Improvement Program to repair windows and paint the awning at his business. The type of work proposed did not require Planning Commission approval and therefore the project is proceeding to the City Council for grant funding approval. The Greater Willows Improvement League (GWIL) has reviewed and approved this request and recommends funding authorization as requested. Mini-Grants have a maximum limit of \$1200.00 with no matching funds required and Mr. Erlendson is applying for the maximum amount. The source of funding for the Façade Improvement Program is available through partial allocation of the Wal-Mart Economic Impacts contribution. The estimated fund balance upon approval of this request will be approximately \$5500.00. Staff is asking that the Council consider adoption of a Resolution to approve this mini-grant.

It was **moved** by Council Member Cobb and **seconded** by Council Member Yoder to adopt a Resolution approving the use of mini-grant downtown façade improvement funds for Paul Erlendson of the Inkwel located at 323 North Tehama Street. The motion unanimously passed.

12. Council Member Reports:

Council Member Hansen reported that he attended the most recent Transportation & Transit Committee Meeting. Some items that were discussed were to allow paid advertisements to be placed on the busses to enhance revenue and also to adjust the routes on the busses to better accommodate the transportation needs of Senior Citizens.

- 13. Executive Session: None**

- 14. Adjournment: Mayor Holvik adjourned the meeting at 7:36 p.m.**

Dated: July 27, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider