

**MINUTES OF THE WILLOWS CITY COUNCIL**  
**REGULAR MEETING HELD July 26, 2016**

1. Mayor Hansen called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Former Willows City Council Member and several times Mayor, Vince Holvik led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Council Members Mello, Williams, Yoder & Mayor Hansen.

Absent: Council Member Domenighini

4. **Presentations & Proclamations:** None

5. **Public Comment/Written Communications:** None

6. **Consent Agenda:**

**M/S –Williams/Yoder** to approve the Consent Agenda as presented. All Ayes and the motion unanimously passed 4/0 with Council Member Domenighini absent, and the following items were approved/adopted:

- a) Approval of General Checking (33673-33767), Payroll (36028-36269) and Direct Deposit Check Registers (Z07413-Z07497).
- b) Approval of the Minutes of the Willows City Council Meeting held on July 12, 2016.
- c) Adoption of a Resolution approving an appropriation of \$2293.20 from the General Fund to 301.7233.400 for Police equipment.

7. **Public Hearings:**

- a) Weed Abatement public hearing confirming costs of abatement and declaring them a special assessment:

On April 26 the City Council adopted a resolution declaring rubbish, weeds, and refuse to be public nuisances and the Fire Department had conducted a sight-survey of the areas in town that had nuisances and notified the property owners that they must remove the nuisance or the City would perform this task and bill the property owner accordingly.

In accordance with the California Administrative Code, a hearing is required prior to the adoption of a resolution to confirm the costs of weed abatement and declaring those costs a lien against those properties on which work was performed by the City's weed abatement contractor. The purpose of this hearing is only to discuss the cost of the abatement. The protest hearing was previously held on May 14, 2016 when the Council conducted a public hearing and ordered the abatement of certain parcels that were not in compliance.

It should be noted that there has been no increase of Contractor fees from last year, as the Contractor did not request a CPI increase, even though the opportunity to submit a written request to the City to receive an annual increase is an option in the contract.

Mayor Hansen opened the public hearing at 7:08 p.m. Vince Holvik inquired about who is the current Weed Abatement Contractor for the City. Interim City Manager Wayne Peabody stated that Tony Tapia is the current Contractor. Hearing no other comments, Mayor Hansen closed the public hearing at 7:08 p.m. **M/S – Mello/Yoder** to adopt a Resolution confirming costs of abatement and declaring them a special assessment effective August 5, 2016. The motion unanimously passed 4/0 by a roll-call vote and Council Member Domenighini absent.

## **8. Ordinances:**

- a) Ordinance regulating butane sales and possession in the City of Willows:

The Chief of Police proposed a City Ordinance to limit the amount of butane a person can purchase and possess, as well as the amount of butane a business can sell within the City of Willows. The Council unanimously passed first reading of the Ordinance at their regular meeting held on July 12, 2016 and staff is now recommending that the Council pass second reading by title only and adopt the Ordinance.

**M/S – Mello/Williams** to read by title only the Ordinance next in line. The motion unanimously passed 4/0 by a roll-call vote with Council Member Domenighini absent.

**M/S – Mello/Yoder** to pass second reading and adopt an Ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING TITLE 9, ADDING CHAPTER 9.25 OF THE WILLOWS MUNICIPAL CODE TO REGULATE BUTANE RESALE”. The motion unanimously passed 4/0 by a roll-call vote with Council Member Domenighini absent.

- b) Ordinance repealing sections of Title IX of the Willows Municipal Code:

This Ordinance was introduced to the City Council at their July 12, 2016 Meeting, where they unanimously voted to pass first reading. This Ordinance is repealing two archaic ordinances within the Willows Municipal Code that are currently unenforceable and borderline unconstitutional and staff is recommending that the Council pass second reading by title only and adopt the Ordinance. The motion unanimously passed 4/0 by a roll-call vote and with Council Member Domenighini absent.

**M/S – Williams/Yoder** to read by title only the Ordinance next in line. The motion unanimously passed 4/0 by a roll call vote and with Council Member Domenighini absent.

**M/S – Williams/Yoder** to pass second reading and adopt an Ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS REPEALING TITLE IX SECTION 9.05.240 & 9.05.320 OF CHAPTER 9.05 OF THE WILLOWS MUNICIPAL

CODE”. The motion unanimously passed 4/0 by a roll call vote and Council Member Domenighini absent.

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

Council Member Mello asked if the Council could get an update on the current mosquito abatement efforts from Glenn County Mosquito & Vector Control Board Representative Vince Holvik. Mr. Holvik, the City’s representative to the GCMVCB, reported that the Vector Control Board placed 28 collection spots out, and 11 of those contained West Nile Virus. They have not found any dead or infected birds with the virus at this point and no human cases have been reported in Glenn County yet. Mr. Holvik stated that the virus is out there and prevalent and he reminded people to keep standing water under control & drained, to stay indoors as much as possible from dusk to dawn, use mosquito repellent which contains Deet and to dress appropriately to avoid getting bit.

Council Member Williams read a statement that he prepared as follows:

“Mr. Mayor and Council Members, I would like to look at or look into relaxing some of our local ordinances and regulations to possibly spur interest in revitalizing some of our old buildings and empty businesses in our city.” He further stated that he did not want to put Interim City Manager Wayne Peabody on the spot, but that he and the ICM had a discussion the other day and ICM Peabody told him that when he started [his employment] with the city, that the city had many more city employees than we have now, and the city is having a tough time supporting the ones that they do have. So what he is looking at is to bring in – if people do clean-up of properties and things like that, it brings up property values which brings in more tax base. Also, the city is nearly \$200K in the red this year and it looks like they will be at about \$275K short next year. Council Member Williams continued, stating that we all complain about the Federal and State Government pushing down burdensome regulations to the local levels, such as the Chromium VI mandates, so his belief is for the Council not to add any more burden to that if it is not absolutely necessary. He knows about the issue that the City Council had [with the Michael & Monica Schwenne Use Permit Appeal] on Tehama Street, and he wants to help old motels and that if City Council doesn’t have to do something by State regulation, they should make it feasible for somebody to come in and possibly revitalize those [hotels] because that way the City could collect Transient Occupancy Tax which it desperately needs.

Interim City Manager Peabody asked Council Member Williams if there was a certain Ordinance that he wanted to look at in particular. Council Member Williams stated that actually he did not because he is not all that well versed in it. Council Member Williams suggested that maybe he and Mr. Peabody could get together, as he is not savvy in

Ordinances. He stated that realistically the City has a lot of regulations that are forced upon them by the state and there is not a whole lot of choice about that. However, if there are some regulations that the City adds locally, maybe the Council can relax them a bit. He's not suggesting they be eliminated completely; he just wants it to be more feasible for somebody wanting to try cleaning up some of the City's downtown. He also stated that he would like to see the City Council as a group, do a walk downtown and look at some of the conditions and deterioration. He does a lot of walking and bicycling around the town and he notices a lot of disrepair and he just doesn't see things getting better if this is the path that the Council is going to continue going down.

Interim City Willows Manager Peabody explained that the City has programs in place and rules and regulations accordingly and there are zoning rules that apply to each specific area of the city. ICM Peabody informed the Council that in-house staff is working very hard to welcome new business prospects with open arms and he would recommend anybody looking at a property to conduct business, to stop by City Hall and meet with the City's planning consultant, Karen Mantele, to determine what uses are allowed in that zone and to learn about the process that they will need to go through to get their business up and running. Karen, along with all City staff members, are very approachable and welcoming and encouraging to businesses with a desire to come into the City, but unfortunately, there will be specific rules, processes and regulations placed upon prospective business operators/owners.

ICM Peabody stated that when he and Council Member Williams get together, it would be good for Council Member Williams to pick a certain spot within the Municipal Code that he would like to focus on changing and this way they will at least have a starting point on which to base their discussion. He also stated that it should be realized up front that if or when the City does make changes to the Municipal Code, it effects the Council, the Planning Commission and the General Plan and there are a lot of steps involved with changing an Ordinance. Additionally he stated that there are also ramifications for making changes to the code, in that, you wouldn't want to get ten or more years into the future and have to change the code back. He reiterated to Council Member Williams that if there is a certain section of the Municipal Code that he would like changed, he would be happy to take a look at it. He also stated that one item they might want to start with is taking a look at the vocabulary and definitions sections. ICM Peabody concluded his remarks by stating that once it is determined what specifically Council Member Williams would like to look at, he will set up a meeting between himself, Council Member Williams and City Planner Karen Mantele.

Council Member Williams then stated that he was very impressed by Julia Mercado's comments during a previous City Council Meeting where she was thankful for all of the

help from City Planner Karen Mantele and members of the staff in trying to streamline the process when her and her husband were trying to open up a meat processing facility on Tehama Street. He stated that it is things like that that he is open for. He stated that he is just concerned with the way the City's budget looks and looking five years down the road if the City keeps going in the direction its going, the City is not going to exist.

**10. New Business:**

- a) Consider adoption of a Resolution approving an extension of the Professional Services Agreement with Willdan Engineering to provide General Planning and Environmental Services to the City for three years through fiscal year 2018-19:

This is an item to request that the Council consider a proposal letter from Willdan Engineering Group requesting to continue to provide Planning and Environmental services for the City of Willows. The City has always had very good service from the Willdan Group and there are a lot of things that the City receives from Willdan that a lot of people don't know about. Present at the meeting was Karen Mantele who has been the City's Planning Consultant for nearly the last decade. Ms. Mantele is currently contracted with Willdan to provide planning and environmental services to the City and she has done outstanding work for the City. The advantage to having a company like Willdan providing planning and environmental services is that there is a whole team of professionals working behind Ms. Mantele when unusual items arise and she would need assistance. In recent negotiations with Willdan, the City requested that the hourly rate maintain the same for fiscal year 2016-17, with two subsequent CPI increases – one in FY 2017-18 and the next in FY 2018-2019. City staff called around and did a quick survey of the surrounding jurisdictions and found a range of \$108 to \$135 to \$212 per hour being paid to Planning Consultants, so our \$100 per hour is right in the ballpark. Staff believes renewing the contract with Willdan is a very good option in order to maintain the continuity of the projects that are currently going in the City and to hopefully secure the next 5 years for the city and its future. The City currently has some very positive projects that are happening with Ms. Mantele and she has taken very good care of the City and the Willdan Planning Group is doing a very good job.

Council Member Mello stated that he has no reason, nor has staff given him any reason, to discontinue the use of Willdan's services. He tried to find a reason and just couldn't even find a reason to do anything except continue the contract.

Council Member Williams stated that prior to ICM Peabody's comments in regards to what other cities pay for planning services, he had a written statement prepared which he read as follows:

“We've been very happy with the professional services that have been provided by Willdan and Karen and have no complaints about that. They are very professional. But I believe that we should do an RFP to show the citizens that we are being financially prudent with their money; especially considering our financial situation which is the deficit”.

He then stated that now having heard the added information that ICM Peabody shared during his staff report presentation, he now believes it appears that we are in the ballpark with what we are paying and he doesn't think we could be happier with the services provided by Willdan, therefore he no longer believes an RFP would be necessary.

Council Member Yoder stated that the City has had such a professional relationship with Ms. Mantele and Willdan over the years, that he wonders why fix something if it isn't broke. The City is moving forward and not looking back, so why would the Council want to go out and even entertain something else? He understands that somebody might be willing to do the job for \$90/hour, but the City will not get the expertise that they are getting from Ms. Mantele and Willdan Engineering. They provide excellent services for the City, and he does not believe that it would be responsible to sever that relationship and risk the chance of getting somebody for less money and less expertise, because eventually the City would likely have to go back to Willdan, at which point they may charge us even more because they would know that the City needs them. He also stated that the City is getting quite a deal, as Ms. Mantele acknowledged that she does not begin charging the City until she is physically at City Hall, and no fees are charged for travel-time like many other consultant firms charge, among other fees. That in itself saves the city hours of costs. He has seen through the years that Ms. Mantele is valuable to the City and he would really be opposed to going out to an RFP at this point.

Mayor Hansen stated that he believes the City has a definite bargain with Willdan Engineering and the professional exemplary services of Karen Mantele, the Principal Planner for the City for nearly the last decade. The historical institutional knowledge that Ms. Mantele has, coupled with her professional services makes her worth her weight in gold as far as Mayor Hansen is concerned. The Willdan proposal for \$100.00 per hour for this fiscal year and CPI increases for the following two fiscal years is a bargain that he believes the City can't pass up. It would be irresponsible of the Council to even consider moving in a different direction.

**M/S – Williams/Yoder** to adopt a Resolution authorizing an extension of the public agency agreement with Willdan Engineering Consultants for General Planning and Environmental Services through Fiscal Year 2018-2019. The motion unanimously passed 4/0 by a roll-call vote with Council Member Domenighini absent.

#### **11. Council Member Reports:**

- Council Member Mello stated that it's nice to see that the Police Department's overtime has been reduced, although the statistics have come up. He also stated that the Tower Theatre now has a new property owner and it would be nice for the City to have a good rapport with them and hopefully have good plans for the building; but if not, maybe the dialogue could be there to investigate some groups out there that have expressed an interest in taking that building and drawing a Glenn County rice mural on it. He just hopes that the dialogue stays open with that.

- Council Member Williams stated that he would like to thank Public Works Director Steve Soeth and the Public Works staff for patching a really large hole in the road at the corner of Willow and Lassen Streets. The reason he brings this up is because they actually did a better job paving that hole than the company that paved the office at his place of employment. Council Member Williams also announced that on Sunday he took his grandson to Jensen Park and at one point they had a need to use the restroom and he was amazed at how clean they were and he gave kudos to the Public Works staff. He stated he was disappointed, not at staff, but at citizens that use the parks because he stated that he picked up probably about 25 red solo cups and some other trash that had been left in the park.
- Mayor Hansen reported that he attended the most recent Glenn County Transit and Transportation meetings and it was generally routine items that were discussed. One major item discussed was to approve a new contract for Emergency Audit Services. This year the 3-year contract was awarded to Donald Reynolds, CPA.

12. **Executive Session:** None

13. **Adjournment:** Mayor Hansen adjourned the meeting at 7:36 p.m.

Dated: July 12, 2016

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider