

**MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD**  
**September 11, 2012**

1. The meeting was called to order at 6:00 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Fire Chief Wayne Peabody led the Pledge of Allegiance.
3. **ROLL CALL:**  
  
Present: Council Members Yoder, Cobb, Taylor-Vodden, Hansen, & Mayor Holvik  
Absent: None
4. **Agenda Review:** It was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to accept the September 11, 2012, City Council Meeting agenda as presented. The motion unanimously passed.

Mayor Holvik then asked everybody to observe a moment of silence for those whose lives were lost or forever changed on this day in 2001.

5. **Presentations & Proclamations:**

Rosanna Marino, local District Manager for California Water Service gave a presentation discussing the 2012 General Rate Case Application for the Willows Water District. Ms. Marino was accompanied by two other representatives from California Water Service – Pete Vonasich and rate manager Darrin Duncan. She explained the whole of the Willows water system and operations, the General Rate Case process, the General Rate Case application, and customer rate assistance. She stated that there will be a Water Rate Workshop scheduled to take place at the Monday Afternoon Club in Willows on October 3, 2012, at 6:00 p.m. and she encouraged everybody to attend to get more in-depth information about the General Rate Case process. After Ms. Marino concluded her presentation, a few members of the audience had questions and comments and/or concerns over the rate increases which the California Water Representatives and the City Council attempted to address. Those individuals were Andrew Baird, Michael Keen, Roger Boothe, Doug Ross, Joe Hinton and Julie Price.

6. **Public Comment:**

Rose Marie Thrailkill read the Mayor a list of questions that she has been asked by various people in the City. The questions mainly consisted of inquiries about the August 28, 2012, City Council meeting when the Council unanimously voted to not renew the Employment Agreement of Police Chief Bill Spears. She stated that she didn't expect the Mayor to respond to all of these questions this evening, as he simply may not have answers to some of the questions, but she gave a written copy of the questions to the City Clerk in order to make copies for the City Council Members and she requested that these questions be addressed and answered publicly by the Mayor at a future City Council Meeting. Mayor Holvik stated that he is hesitant to provide the answers at a public meeting but that he would call Ms. Thrailkill and discuss the answers to

the questions. Ms. Thrailkill then stated that she would really prefer the answers be provided in an open meeting because these are questions that people have been asking her. Mayor Holvik stated that he is still somewhat hesitant because there are some questions that he can't answer due to contracts and other legal issues. Mayor Holvik stated that he would check with the City Attorney about her request.

Jeff Williams stated that last week in the middle of the night he had to call the Police because there was some vandalism that occurred at his neighbor's property. Within two minutes, the first Officer to arrive was a Willows Police Officer, and he stated that everyone is well aware, he resides in the County. By the Council's not renewing the Police Chief's contract, not only was the management eliminated, but he believes that the Chief also goes out on calls as necessary, so the City is not just losing the management part, they are also losing a body. He stated that he was impressed by the response time. He then stated that a citizen came to him and told him that he visited the District Attorney's Office to complain about a possible Brown Act Violation, and the District Attorney stated that he did not have time to deal with alleged Brown Act Violations because he is busy dealing with major crimes. So this citizen was told that he could go to the Attorney General's Office. The Citizens spoke at the August 28 Meeting when Chief Spears' Employment Agreement was being addressed and he asserts that he heard comments that the speakers were referred to as "forty trouble makers" and he believes that the speakers were just citizens voicing their opinion about their displeasure with what the Council had done. Mr. Williams stated that he recently did a Google search on how to recall a City Council Member. What he found out was that the recall of a Public Official doesn't happen very often, but it does happen, most commonly at a local level. When City Council Members don't keep their constituents happy, their constituents push for a recall. This is a complex process but it can be achieved with enough support. So he is addressing this City Council and letting them know that this was just peoples' opinions and saying what they felt, and what they perceived as what was happening and what should have been happening. The City Council is supposed to be the voice of the people. He explained that there was a poll in the Willows Journal asking if people believed that the City Council did not renew the Police Chief's contract for financial reasons and the poll showed that 14 % said yes and 77% said no and that it was purely personal and political. He then stated that the Chief's contract was not renewed for financial reasons, but at the same time the City Manager hires a new employee and allows him to drive a city vehicle at the taxpayers' expense and that baffles him that that is acceptable.

Council Member Cobb then asked Mr. Williams who made the comment that there was "forty trouble makers" that spoke at the meeting. Mr. Williams stated that he heard from a citizen that a Council Member had made the comment. Council Member Cobb then questioned that it was third-party information that he heard from another person. Mr. Williams then addressed the Mayor and stated that he noticed at the August 28 meeting, the Mayor took offense to a gentleman that called him a liar at the meeting. He asked how does the Mayor think the Police feel when the City Manager calls them a liar? Mayor Holvik responded by simply stating that the only thing he wanted to know from the gentleman who called him a liar was what he was accusing him of lying about.

Gail Green stated that she believes the Council made a big mistake in not renewing the Police Chief's Employment Agreement. She also believes that the Council had their mind made up and

had already voted amongst themselves somewhere and someplace before they got to the meeting because she claims the Council definitely had their minds already made up and that they didn't want to listen to anything anybody had to say. She stated the weekend prior to the Chief's Employment Agreement not being renewed, the Chief, himself, brought a carnival into town that brought \$7,000 into the Police Activities League. Plus, Circle K, and the businesses out on Humboldt Avenue all said how much business the carnival brought to town. Ms. Green stated that the Police Chief is always beating the streets to bring business to this City and nobody seems to give a darn. Then Ms. Green asked the Council why the City Manager has to have some draft person come here from his office where he used to work, pay her mileage to do her drafting and drawing, because she's sure we have a lot of capable people right here in Glenn County that could do it and probably save a lot of money, but she said that the Council doesn't look at things that way. She stated that she thinks the City Managers tells the Council what to do.

#### 7. Consent Agenda:

Prior to acting on the Consent Agenda, Rose Marie Thrailkill had a question on consent agenda item 7 (e) which was to consider approval of a City-Wide Hiring Freeze of all full-time positions within the City of Willows and direct Staff to return to Council for specific review and consideration to fill any vacant, full-time positions. Ms. Thrailkill asked what the word "vacant" means. She asked if it means a position that has become vacant by any means, or whether the contract was not negotiated, whether a person was fired, whether a person was let go, or whether a person left on their own validity. Mayor Holvik directed Ms. Thrailkill's question to Finance Director Tim Sailsbery to address. Mr. Sailsbery stated that there have been some questions whether this item was being put on the agenda because of the Police Chief's current situation and that was not the intent. Mr. Sailsbery stated that he asked that this item be placed on the agenda. He stated that when the budget was passed by the Council on June 19, and there was a stated intent of the Council to work toward a balanced budget throughout the fiscal year, one of the next steps to the Council's intent, he believes, was that this should have done this at that time. That didn't happen at the time, so he is bringing it forward at this time for Council's consideration.

Once Mr. Sailsbery addressed Ms. Thrailkill's question, it was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register (25023-25071).
- b) Approval of Payroll & Direct Deposit Check Registers (Z03710-Z03742 & 32059-32099).
- c) Approval of the Minutes of the August 14, 2012 City Council Regular Meeting.
- d) Adoption of a Resolution authorizing the City Manager to enter into a contract with the lowest responsive responsible bidder, Valley Slurry Seal Company, for the 2012 Slurry Seal Project.
- e) Approve a City-Wide Hiring Freeze of all full-time positions within the City of Willows and direct Staff to return to Council for specific review and consideration to fill any vacant, full-time positions.
- f) Confirm the City's current Conflict of Interest Code as presented per resolution 45-2088. No changes were made to the current code.

8. **Public Hearings:** None

9. **Ordinances:** None

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

Mayor Holvik pointed out that it is time to perform an Employee evaluation for the City Manager and he requested a closed session item be placed on the agenda to perform the evaluation at the October 9, 2012, City Council meeting. He also asked for a copy of the City Manager's last evaluation and also asked that blank evaluation forms to be distributed to the Council Members prior to the meeting.

11. **New Business:**

- a) Consider approval of a final version of the directional signage to be placed within the Wal Mart Super Center, which is intended to direct consumers to alternative shopping opportunities in the Historic Downtown Commercial Core.

During the past few years, city management and downtown merchants, spearheaded primarily by the Chamber of Commerce, have worked with Wal Mart Representatives on development of an appropriate project to satisfy the Conditions of Approval associated with the remodel of the Super Center. A specific condition involved measures to mitigate anticipated economic impacts to the merchants located in the downtown commercial core. One of the conditions specified placement of a bulletin board within the Wal Mart Store to identify other local merchants doing business in the Central Commercial zoning district. Discussions with the Chamber and local merchants concerning the utilization, locations, maintenance and control of print materials to be placed on the bulletin board ultimately stalled when an acceptable accommodation was not identified by the parties involved.

This past April, staff introduced an accommodation of sorts, specifying placement of a permanent style signage intended to resolve the overall intent of the condition, by identifying the location of downtown merchants and services available at those alternate outlets. During that discussion, Council postponed a final decision and appointed Council Member Taylor-Vodden to work with downtown businesses on a final design concept for the proposed signage. The results of this effort have produced two options for potential approval. Both versions of the signage adequately identify directions to the downtown Commercial core. One version highlights the type of merchants and services available, while the other highlights the downtown historic heritage. Both detail an accurate directional map to the downtown area and displays all of this in an attractive manner. Staff is seeking Council approval to finalize the design and installation of this directional and informational signage in lieu of the COA stated bulletin board. Council discussion ensued, and after reviewing the pros and cons of the two designs, it was the unanimous consensus of the Council to use the "Discover Historic Downtown Willows" sign that displays pictures of historic buildings in the downtown area.

12. **Council Member Reports:** None

13. **Executive Session:** Pursuant to California Government Code Sections 54950 et seq., the City Council held a Closed Session at 7:01 p.m. More specific information regarding this closed session is indicated below:

a) CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Section 54957.6

Agency Negotiators: City Manager Steve Holsinger  
Finance Director Tim Sailsbery

Employee Organization(s): Willows Public Safety Association

14. **Report out from Closed Session:** Council gave direction to Staff.

15. **Adjournment:** Mayor Holvik adjourned the meeting at 7:24 p.m.

Dated: September 11, 2012

NATALIE BUTLER

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City Clerk

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