



SUMMARY MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD NOVEMBER 14, 2017

*Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled City Council Meeting.
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Mayor Hansen called the Council Training Workshop to order at 5:42.

Mayor Hansen, Council Members Yoder and Mello were present for the workshop/training.

City Attorney Hunt opened the workshop with a short briefing on the importance of utilizing technology in the correct ways; promoting the Council use the provided technology for work and Council reasons only helping to protect them in the Public Records Act.

Matson & Isom Employee and City Clerk Robyn Johnson then walked Council through procedural uses for the new iPads distributed. Allowing Council to ask questions as they taught the new way of agenda distribution.

Mayor Hansen then recessed the workshop at 6:20pm. Recess was given until the start of the regular agenized meeting.

Mayor Hansen reconvened into the regular scheduled meeting to order at 7:00 p.m.

The meeting opened with the Pledge of Allegiance led by Barbara LaDoucer (VFW Auxiliary Representative).

Roll Call:

Council Members Present: Council Members Yoder, and Mello, Vice-Mayor Warren and Mayor Hansen.

Council Members Absent: Williams

Staff Present: City Planner Karen Mantele Finance Director Tim Sailsbery, and City Attorney Robert Hunt.

GCSO: Sheriff Warren

Ceremonial Matters:

- a. Veteran's Day Proclamation was given to VFW Auxiliary Representative Barbara LaDoucer.

Public Comment/ Written Communications:

Jose Hansen- Citizen of Willows:

Shared the mortuary is a collection point for gifts given to active service members throughout the Holidays. Sharing he encouraged those present to participate if they are able to.

Scheduled Public Presentations:

- a. Mardy Thomas (Glenn County Principal Planner and Alta Planning and Design): Glenn County Active Transportation Plan

Gave a brief presentation on bicycling and pedestrian transportation. Kendra from Alta Planning was also present to help in the assistance of the presentation. Mr. Thomas gave a link to the county website and encouraged local citizen feedback for the future transportation plan.

Vice-Mayor Warren shared with Marty and Kendra that she felt the public input provides a place for citizens to be a part of the project. Praising both Marty and Kendra for their efforts and wise thinking.

Council Member Yoder suggested that the transportation committee continue to work on commitment and efforts of Caltrans. Marty confirmed to Council that those efforts have been made and they are further than expected.

Consent Agenda:

- a. Consider approval of general checking, payroll & direct deposit check registers (35272-35356, Z08788-Z08813, 37049-37082).
- b. Consider approval of Minutes of the Regular City Council Meeting held on October 24, 2017.

Action:

Motion: Council Member Yoder Second: Vice-Mayor Warren.

Moved to approve the Consent Agenda as presented above and the following item(s).

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

Public Hearings:

- a. **Consider of Proposed Rate Increase for Solid Waste Collection in accordance with terms and provisions of the Franchise Agreement with USA Waste of California, Inc. (dba Glenn County Disposal).**

Administrative Services Director Sailsbery introduced the item, informing the Council that the item brought to them in an annual item, which is part of the franchise agreement through Waste Management. Before the Council is the combined increase of 3.51%. Jane Foster a representative for Waste Management is present as well for any questions you may have.

PUBLIC HEARING OPENED: 7:13 PM

Public Comment:

Jose Hansen-Citizen of Willows:

Shared with those present his feelings on the importance of recycling. He then shared he felt it would be beneficial to teach our youth about recycling. Volunteering himself to help in the effort.

PUBLIC HEARING CLOSED: 7:15 PM. After the closure of the Public Hearing Council moved forward to vote.

ACTION:

Motion: Council Member Mello /Second: Council Member Yoder

Moved to approve the adoption of the attached resolution approving rate increase and fuel increase for solid waste collection services with a net increase of 3.51% to be effective December 1, 2017.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

b. Introduce and waive first reading of Ordinance 2017- ____, “An Ordinance of the City Council of the City of Willows repealing Willows Municipal Code Chapter 9.20 (“Medical Marijuana”), adopting new Chapter 9.20 (“Cannabis”), repealing Chapter 8.10.010 (“Definitions”), adopting new Chapter 8.10.010 (“Definitions”), and amending Chapter 8.10.020 (“Nuisance”) to regulate cannabis, use, cultivation, sales and other cannabis activities in the City of Willows.”

City Attorney Hunt gave a brief introduction to the item. Reminding Council that the marijuana issue had been brought up in April after the passage of State Law. He then shared the City currently has an Ordinance that states no use of marijuana within the City of Willows, this Ordinance will expire in January 25th of 2018. Following the Council’s direction in April, staff has come with a draft ordinance regulating the use of marijuana within the City of Willows. Mentioning that this has been discussed in April, and at Council Workshop; it recommended to you tonight that the draft ordinance pass first reading.

He then continued on with the highlights within the ordinance.

What this ordinance does?

Is allow anyone over the age of 21 to possess no more than 28 ½ grams of marijuana and no more than 8 grams of concentrated cannabis for cannabis product.

Prohibits:

- The use of cannabis or cannabis products in public, and in any place where children are likely to be or gather, such as schools, playgrounds, parks, etc.
- All commercial cannabis activities (cultivation, manufacturing, distribution, delivery, etc., with the exception of sales.).

- Questions previously raised regarding “delivery” were resolved by revising the definition of the term to exclude transport of cannabis by a caregiver to a patient, and excluding delivery of bulk product to a licensed retail/dispensary business.

Permits the cultivation by a person 21 years of age or older of no more than six (6) cannabis plants per real property parcel, with a City-issued permit, subject to:

- Cultivation permitted only in enclosed areas on the property, not visible from the public rights of way or neighboring properties;
- Establishes a procedure for filing and processing applications, and renewal thereof, along with criteria for evaluating applications and issuance of permits;
- Requires the grower to actually live in the residence, and prohibits the permittee from growing in any other location;
- Requires the growing structure to meet all building and fire codes, as well as certification of the adequacy and safety of electrical systems;
- Requires security and control of cannabis grown and stored;
- Prohibits the creation of nuisances, such as noxious odors, excessive traffic, excessive law enforcement activity, etc.;
- Requires grower’s prior consent to entry by City officials for purposes of inspection and/or remediation/abatement of violations;
- Prohibits the sale of cannabis cultivated on the property;
- Imposes penalties, including possible loss of permit to cultivate, in the event of violations; and
- Establishes appeal process for denials, revocations or suspensions;
- Requires payment of a fee intended to cover the City’s costs incurred in processing applications, maintaining records, performing inspections and enforcement, etc.

Permits the commercial sales of both medical and non-medical cannabis and cannabis products, subject to:

- The holding of a State-issued license and a license issued by the City of Willows;
- Requires extensive application and investigation process;
- Requires approval of the business location, the physical premises from which sales are to be made, business operations, and security plans for controlling the premises, access to product, storage, etc.;
- Requires a conditional use permit and is limited to certain zoning areas of the City;
- Establishes a process for renewal, revocation and/or suspension of licenses;
- Requires submittal of necessary reports and records;
- Requires prior consent to entry by City officials for purposes of inspections and/or enforcement;
- Requires consent to examination and audit of financial records;
- Requires payment of all fees and taxes;
- Establishes appeal process for denials, revocations or suspensions;
- Establishes penalties, including revocation or non-renewal of license.

Declares certain violations to be a nuisance subject to abatement as well as other penalties.

Requires City Council to establish a number of fees as well as a Cannabis Business Tax.

Attorney Hunt, then shared the financial considerations; offset certain existing personnel costs through payment of fees, many necessitate increasing staffing to handle inspection, abatement and enforcement, and it will generate unknown additional sales tax and Cannabis Business Tax revenues.

Finishing his introduction of the item with the ordinance attempts to regulate to the extent that we can and collect some fees intended to cover the City's cost in doing so.

After the closure of the introduction, Mayor Hansen then asked for Council comment.

Council Member Mello shared that if you get onto the California Public Health website, there is a section called "let's talk cannabis." stating it is a good source of information on that site.

Council Member Yoder shared It's here and passed by the State of California and part of the new generation lifestyle. We need to protect children. Regulate it and keep citizens safe and let those who use it do within regulation.

Mayor Hansen then opened the Public Hearing at 7:41 PM.

COMMENTS:

Margret Sharky:

Evidence from many other cities show marijuana does not increase crime, it provide jobs, reduces unemployment, control lies within the City with an ordinance. She did share she is not an owner of a dispensary, just been an outside perspective of dispensaries.

Mayor Hansen then closed the Public Hearing at 7:44 PM.

Mayor Hansen began Council comment with some personal feelings towards the use of marijuana and the ordinance allowing the use of marijuana within the City of Willows.

Council recessed into a break at 7:46

Council reconvened into regular session at 7:51

Mayor Hansen thanked staff for time and effort given to this project, and then then continued on with some personal feelings towards marijuana. Moving forward he gave the item to Council for passage.

ACTION:

Motion: Council Member Yoder /Second: Vice-Mayor Warren

Moved to approve the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Council Member Yoder /Second: Vice-Mayor Warren

Moved to approve An Ordinance of the City Council of the City of Willows repealing Willows Municipal Code Chapter 9.20 ("Medical Marijuana"), adopting new Chapter 9.20 ("Cannabis"), repealing Chapter 8.10.010 ("Definitions"), adopting new Chapter 8.10.010 ("Definitions"), and amending Chapter 8.10.020 ("Nuisance") to regulate cannabis, use, cultivation, sales and other cannabis activities in the City of Willows." pass first reading.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

Ordinances:

- a. **It is recommended that Council read by title only and passage of the second reading and possible adoption of the attached five Ordinances AMENDING SECTIONS OF CHAPTER EIGHTEEN OF THE ZONING ORDINANCE OF THE CITY OF WILLOWS and (2) adopt the attached Resolution approving the text amendments**

City Planner Mantele introduced this item to the council sharing with Council that staff recommends that text amendments pass second reading and be adopted.

a-1. An Ordinance of the City Council of the City of Willows amending chapter 18.25 definitions of the Willows Municipal Code of the City of Willows specifically section(s) 18.25.030 and 18.25.070 revising the definition of carport and garage with all other text to remain unchanged.

ACTION:

Motion: Vice-Mayor Warren /Second: Council Member Mello

Moved to approve that the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Vice-Mayor Warren /Second: Council Member Yoder

Moved to approve an Ordinance of the City Council of the City of Willows amending chapter 18.25 definitions of the Willows Municipal Code of the City of Willows specifically section(s) 18.25.030 and 18.25.070 revising the definition of carport and garage with all other text to remain unchanged and pass second reading and be adopted.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

a-2. An ordinance of the City Council of the City of Willows amending chapter 18.55 Central Commercial District of the Willows Municipal Code of the City of Willows specifically section 18.55.020(18) adding an exception to the code with all other text to remain unchanged.

ACTION:

Motion: Council Member Yoder /Second: Council Member Mello

Moved to approve that the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Council Member Yoder /Second: Council Member Mello

Moved to approve an ordinance of the City Council of the City of Willows amending chapter 18.55 Central Commercial District of the Willows Municipal Code of the City of Willows specifically section 18.55.020(18) adding an exception to the code with all other text to remain unchanged and pass second reading and be adopted.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

a-3. An ordinance of the City Council of the City of Willows amending chapter 18.60 General Commercial District of the Willows Municipal Code of the City of Willows specifically section 18.60.020(7) adding an exception to the code with all other text to remain unchanged.

ACTION:

Motion: Council Member Mello /Second: Vice-Mayor Warren

Moved to approve that the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Council Member Mello /Second: Vice-Mayor Warren

Moved to approve An ordinance of the City Council of the City of Willows amending chapter 18.60 General Commercial District of the Willows Municipal Code of the City of Willows specifically section 18.60.020(7) adding an exception to the code with all other text to remain unchanged and pass second reading and be adopted.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

a-4. An ordinance of the City Council of the City of Willows amending chapter 18.110 General Provisions and exceptions of the Willows Municipal Code of the City of Willows specifically section 18.110.050(2) fences by revising the fences definition and adding section 18.110.090(8) non-conforming uses to the code allowing existing single story structure within the CC and CG zones to be used for residential uses with all other text to remain unchanged.

ACTION:

Motion: Council Member Yoder /Second: Vice-Mayor Warren

Moved to approve that the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Council Member Yoder /Second: Vice-Mayor Warren

Moved to approve an ordinance of the City Council of the City of Willows amending chapter 18.110 General Provisions and exceptions of the Willows Municipal Code of the City of Willows specifically section 18.110.050(2) fences by revising the fences definition and adding section 18.110.090(8) non-conforming uses to the code allowing existing single story structure within the CC and CG zones to be used for residential uses with all other text to remain unchanged and pass first reading.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

a-5. An ordinance of the City Council of the City of Willows amending chapter 18.125.120 comprehensive sign law of the willows municipal code of the City of Willows specifically section(s) 18.125.120 (exceptions to standard), and 18.125.150-A, with all other text to remain unchanged.

ACTION:

Motion: Council Member Mello /Second: Vice-Mayor Warren

Moved to approve that the Ordinance next in line be read by title only.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

ACTION:

Motion: Council Member Mello /Second: Vice-Mayor Warren

Moved to approve an ordinance of the City Council of the City of Willows amending chapter 18.125.120 comprehensive sign law of the willows municipal code of the City of Willows specifically section(s) 18.125.120 (exceptions to standard), and 18.125.150-A, with all other text to remain unchanged and pass second reading and be adopted.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT: Williams

ABSTAIN:

Regular Business:

a. Consider Adoption of a Resolution Respecting the Retirement of Michael R. Stover.

Administrative Services Director Sailsbery introduced the topic sharing this in regard to the industrial disability retirement of respected officer Michael Stover. He was injured in February 2017 prior to the separation and closure of the Willows Police Department. He was seen by a medical professional and was deemed permanent and stationary. Based upon that it is recommended that Council pass a resolution to respect the retirement of Michael Stover.

ACTION:

Motion: Council Member Yoder /Second: Vice-Mayor Warren

Moved to approve the Resolution Respecting the Retirement of Michael R. Stover.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Mello, Yoder, Vice-Mayor Warren, Mayor Hansen

NOES:

ABSENT:

ABSTAIN:

Council/Staff Reports/Comments:

a. Staff Reports/Comments:
Interim City Manager has no comments from staff at this time.

b. City Council Reports/Comments:

Council Member Mello:

Inquired who won the pumpkin contest? Staff informed Council that the City was not a winner, however, they applauded staff efforts.

Mayor Hansen: Glenn County Water Authority Meeting was cancelled. He also gave kudos to the Public Works Department for a great start to the annual leaf pick up.

Adjournment:

The Meeting was adjourned at 8:23 PM

Dated: November 15, 2017

Robyn Johnson, City Clerk