



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON PUBLIC IMPROVEMENT CORPORATION
DIXON PUBLIC FINANCING AUTHORITY AND
THE SUCCESSOR AGENCY OF THE DIXON
REDEVELOPMENT AGENCY

OCTOBER 9, 2012

0. Special Closed Session Meeting at 6:00 p.m.

The Special Meeting of the Dixon City Council was called to order at 6:00 p.m. in the Council Chambers by Mayor Jack Batchelor, Jr. to meet in Closed Session to discuss the following:

Pursuant to Government Code Section 54957 relating to Public Employee:
Performance Evaluation: City Manager

Present: Councilmember Thom Bogue, Rick Fuller, Michael Ceremello,
Mayor Jack Batchelor, Jr.

Absent: * Vice Mayor Dane Besneatte

Mayor Batchelor asked for public comments. There were no public comments.

The City Council convened into Closed Session at 6:00 p.m.

* Vice Mayor Dane Besneatte arrived at 6:05 p.m.

Closed Session adjourned at 6:16 p.m.

Mayor Batchelor reported the six-month performance evaluation had been conducted with City Manager Jim Lindley and his performance was rated from satisfactory, to commendable, to outstanding in all areas.

1. CALL TO ORDER

The Regular Meeting of the Dixon City Council was called to order at 7:00 p.m. by Mayor Jack Batchelor, Jr.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Jack Batchelor, Jr.

3. **ROLL CALL**

Present: Councilmembers Thom Bogue, Rick Fuller, Michael Ceremello,
Vice Mayor Dane Besneatte, Mayor Jack Batchelor, Jr.

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Resolution honoring and thanking Coastal Cleanup Day volunteers who assisted in clean-up of City Ponds A and B and an additional waste site as part of the Statewide Coastal Cleanup Day on September 15, 2012.**

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to adopt Resolution No. 124 honoring and thanking Coastal Cleanup Day volunteers who assisted in clean-up of City Ponds A and B and an additional waste site as part of the Statewide Coastal Cleanup Day on September 15, 2012. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

5. **AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)**

5.1 Steve Steiert noted the current graffiti ordinance is not working successfully, the soundwall by the Red Roof Inn owned by Helmut Sommer that is in full view of Interstate 80 has not had graffiti removed in three months since Mr. Steiert officially made a report to the Police Department, and felt the ordinance should be better enforced or strengthened.

5.2 Susie Salmons commented on an article written by Councilmember Ceremello in the Independent Voice wherein he stated that families like hers, the former Police Chief's, and others "of this country continue to rot it from within". She noted the Police Chief's 16 years of dedication to the City and that the actions of Councilmember Ceremello, the Scholls, the Riddles and whoever else is responsible for putting the newspaper together should be ashamed.

5.3 Warren Salmons noted Councilmember Ceremello is one of the primary authors of Measure N that will cost the taxpayers \$400,000 this year and \$200,000 each

year thereafter, although Councilmember Ceremello has a home in Dixon he has not paid his property taxes in recent years, and Dixon taxpayers should be outraged that Councilmember Ceremello expects the rest of the community to pay for Measure N and all other City costs when he does not pay his fair share. Mr. Salmons recommended the community vote "No" on Measure N because it is too expensive and don't vote for Michael Ceremello for Mayor because he does not pay his taxes.

- 5.4 Drew Graska noted that some campaign signs are being removed from properties in town, or vandalized, by those who have no authority to remove them.
- 5.5 Steve Bird reminded those running for office that they must obtain the property owner's permission to place signs on public property.
- 5.6 Byron Chapman discussed a recent ceremony held at the Dixon Public Library establishing the Carnegie Building as a registered historical landmark on it's 100th anniversary, and noted it is one of the few still serving as libraries. He acknowledged Susan Werrin as the major driving force in accomplishing this difficult task and thanked her for all of her efforts. Mr. Chapman discussed current and former City officials who did not attend the event, the compensation received by former City officials who are concerned about the cost of Measure N and that they participate in the community at select times when it is in their best interest.

6. ITEMS FROM THE CITY COUNCIL

- 6.1 Councilmember Ceremello thanked the Salmons for reading his newspaper column and thought it was possible he had been misquoted. He noted their comments misconstrued the costs of the initiative which were calculated by a paid City consultant, there was not discussion of costs savings through efficient records retrieval, and there is no requirement for digitizing records stated in the initiative.

Councilmember Ceremello responded to Mr. Bird's comments regarding removal of signs, noted the destructive methods being utilized by those who are not property owners, those who want to win at any cost, and noted they should all be ashamed.

Councilmember Ceremello apologized for not attending the Carnegie event, said he would have attended had he received notice of the event, and noted David Werrin also worked diligently to accomplish the recognition.

Councilmember Ceremello discussed comments by Councilmember Fuller regarding patriotism and veterans at the last meeting, that he drew some insight from those comments, but noted that even Councilmember Fuller appeared to acknowledge the need to fix the system.

6.2 Councilmember Fuller noted he did not appreciate some of the derogatory comments made about the veterans discussion in Councilmember Ceremello's column, his two sons were incorrectly identified in the article, and Councilmember Fuller noted he does not appreciate the way Councilmember Ceremello continually makes angry and derogatory comments about his counterparts and expects them to just take it and not react, when they do react he jabs back in his column, and Councilmember Ceremello conducts himself in two different forums which is unfair to others who do not treat him unprofessionally. Councilmembers should be setting a good example for students present at the meeting and the people they serve, and he recommended those who sit at the dais should speak less and listen more.

6.3 Councilmember Bogue noted he does not blame the firefighters for their pay, he blames those who approved it.

6.4 Vice Mayor Besneatte commented that signs are not a problem in all elections, that he once saw the spouse of one candidate fixing a sign for another candidate and he hoped that is how Dixon would respond.

Vice Mayor Besneatte requested staff to reset the stoplight at West A Street at Porter and Adams for better traffic flow, announced the Chamber of Commerce will be sponsoring the 20th Annual Epicurean Fete on November 3, 2012, discussed his participation in the SoFit 5K event where Dixon placed third in the County, wished the best of luck to all candidates and noted those running for office should be careful what they wish for.

6.5 Mayor Batchelor invited all senior citizens to the Senior Resource Fair being held at the Senior Center the next weekend, invited the community to attend the Fire Station Open House this weekend from 10:00am – 2:00pm, and noted that he also had not received any notice of the Carnegie Building ceremony and would have been there had he known.

7. **ITEMS FROM THE CITY TREASURER**

None.

8. **APPROVAL OF AGENDA**

Councilmember Ceremello requested Item 12.5 be moved to the beginning of New Business since so many in the audience were present for that item.

A motion was made by Councilmember Fuller, seconded by Councilmember Ceremello, to approve the Agenda, as amended. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None

ABSENT: None

9. **CONSENT CALENDAR**

There was no discussion on this item.

A motion was made by Councilmember Fuller, seconded by Councilmember Ceremello, to adopt the Consent Calendar. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

9.1 **Matters relating to City Council Minutes:**

9.1.1 **Approved the Minutes of the September 17, 2012 Special City Council Meeting.**

9.1.2 **Approved the Minutes of the September 25, 2012 Regular City Council Meeting.**
(Contact: Suellen Johnston, Deputy City Clerk)

9.2 **Adopted Resolution No. 12-125 approving the Enumeration of Claims.**
(Contact: Joan Michaels Aguilar, Finance Director)

9.3 **Approved the Mayor's appointments of Bryan Poole as the Student Representative and Camarina Augusto as the Student Alternate Representative to the City's Parks & Recreation Commission.** (Contact: Steve Johnson, Acting City Clerk)

9.4 **Received annual report regarding storm water best management practices as required by Municipal Code Section 16.06.120 (B).** (Contact: Janet Koster, Public Works Administrator)

9.5 **Received notification to the City Council regarding bi-annual amendments to the City of Dixon's Conflict of Interest Code.** (Contact: Steve Johnson, Acting City Clerk)

Dixon Public Financing Authority

9.6 **Received notification to the City Council regarding bi-annual amendments to the Dixon Public Financing Authority's Conflict of Interest Code.** (Contact: Steve Johnson, Acting City Clerk)

Dixon Public Improvement Corporation

9.7 **Received notification to the City Council regarding bi-annual amendments to the Dixon Public Improvement Corporation's Conflict of Interest Code.** (Contact: Steve Johnson, Acting City Clerk)

10. **PUBLIC HEARINGS**

11. **UNFINISHED BUSINESS**

11.1 **Resolution approving modifications to the City of Dixon Public Works Master Bid Document.** (Morrie Barr, Interim City Engineer and Public Works Director)

A motion was made by Councilmember Bogue, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-126, as amended, approving modifications to the City of Dixon Public Works Master Bid Document. Roll call was taken as follows:

AYES: Besneatte, Bogue, Fuller, Batchelor
NOES: Ceremello
ABSTAIN: None
ABSENT: None

12. **NEW BUSINESS**

12.5 **TAKEN OUT OF ORDER**

Approval of City Council policy regarding adherence to California Government Code Section 6254 pertaining to what constitutes a public document and which documents are subject to public discovery. (Presenter: Jim Lindley, City Manager)

A motion was made by Vice Mayor Besneatte, seconded by Councilmember Fuller, to not approve a City Council policy regarding adherence to California Government Code Section 6254 pertaining to what constitutes a public document and which documents are subject to public discovery. Roll call was taken as follows:

AYES: Besneatte, Bogue, Fuller, Batchelor
NOES: Ceremello
ABSTAIN: None
ABSENT: None

12.1 **Resolution authorizing the suspension of competitive bidding and the purchase of one new fire engine through cooperative purchase pricing from Golden State / Pierce Fire Apparatus, and approving a budget amendment to the Fire capital outlay budget not to exceed \$580,000.** (Presenter: Aaron McAlister, Fire Chief)

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-127, approving Option 1, and authorizing the suspension of competitive bidding and the purchase of one new fire engine through cooperative purchase pricing from Golden State / Pierce Fire Apparatus, and approving a budget amendment to the Fire capital outlay budget not to exceed \$580,000 (AG12-032). Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

- 12.2 **Matters relating to a freeway LED sign by DuPratt Ford on City property:**
1. **Provide staff direction regarding a proposal to install an electronic message center (EMC) sign on city-owned property located on the west side of North Lincoln Street across from DuPratt Ford.**
 2. **If the Council is supportive of the proposal, direct staff to enter into a consultant services agreement with Peter Hellman “broker” to prepare a request for proposal (RFP) to send out to sign companies who specialize in installing EMC signs.**
(Presenter: Dave Dowswell, Interim Community Development Director)

By consensus of the City Council, staff was directed to proceed with a consultant services agreement with Peter Hellman “broker” (AG 12-033) to prepare a request for proposal (RFP) to send out to sign companies who specialize in installing EMC signs.

- 12.3 **Resolution approving the 2011 review of the City of Dixon’s General Plan policies and programs.** (Presenter: Dave Dowswell, Interim Community Development Director)

A motion was made by Councilmember Fuller, seconded by Vice Mayor Besneatte, to adopt Resolution No. 12-128 approving the 2011 review of the City of Dixon’s General Plan policies and programs. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

- 12.4 **Resolution approving a Side Letter Agreement amending the current Memorandum of Understanding between the City and the Dixon Police Officers Association related to vacation and sick leave.** (Presenter: Steve Johnson, Human Resources Director)

A motion was made by Councilmember Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. 12-129 approving a Side Letter Agreement

amending the current Memorandum of Understanding between the City and the Dixon Police Officers Association related to vacation and sick leave. Roll call was taken as follows:

AYES: Besneatte, Bogue, Ceremello, Fuller, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

- 12.5 **Approval of City Council policy regarding adherence to California Government Code Section 6254 pertaining to what constitutes a public document and which documents are subject to public discovery.** (Presenter: Jim Lindley, City Manager)

See Minutes on Page 6.

13. **OTHER AGENCY BUSINESS**

Successor Agency of the Dixon Redevelopment Agency:

- 13.1 **Receive and file agreed-upon-procedures reports and information about recent lawsuits challenging provisions in AB 1484.** (Presenter: Joan Michaels Aguilar, Finance & Technology Director)

Report received from Joan Michaels Aguilar, Finance & Technology Director, and filed.

14. **ITEMS FROM THE CITY ATTORNEY**

15. **ITEMS FROM THE CITY MANAGER**

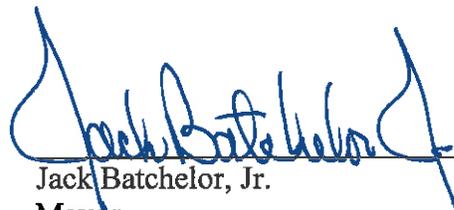
16. **CLOSED SESSION**

RECONVENE TO OPEN SESSION

17. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council was adjourned at 10:15 p.m.


Suellen Johnston
Deputy City Clerk


Jack Batchelor, Jr.
Mayor