



*** AMENDED MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON REDEVELOPMENT AGENCY**

FEBRUARY 22, 2011

Closed Session at 6:00 p.m.

The Special Meeting of the Dixon City Council was called to order at the hour of 6:01 p.m. to meet in Closed Session in the Council Chambers Conference Room on February 8, 2011, by Mayor Jack Batchelor, Jr.

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

Absent: None

Mayor Batchelor announced that the City Council will meet in Closed Session to discuss the following:

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

City Negotiators:	Nancy Huston, Steve Johnson, and Michael Dean
Employee Organization:	Dixon Professional Firefighters Association Dixon Police Officers Association Dixon Senior Management Association Public Employees Union, Local One Non-Represented Management Unit Non-Represented Non-Management Unit

There were no public comments.

The City Council recessed into Closed Session at 6:02 p.m.

Closed Session recessed at 6:55 p.m.

1. **CALL TO ORDER**

Mayor Batchelor reconvened the Regular Meeting at 7:08 p.m. and announced the City Council had met in Closed Session for a conference with labor negotiators with no reportable action.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

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

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 **Phirehouse Philharmonic Proclamation**

Mayor Batchelor introduced three members of the Phirehouse Philharmonic Jazz Group and read the Proclamation honoring the group's retirement after fifty-one years of entertaining local and worldwide communities.

Bill Fairfield spoke on behalf of the band and provided historical background.

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

5.1 Kay Fulfs Cayler noted a local newspaper incorrectly stated that the City of Dixon purchased a table reservation for the Chamber of Commerce Citizen of the Year Dinner Dance. She stressed that attendees always purchase their own tickets and courtesy tables are designated for City attendees who have paid for their own tickets.

5.2 Mike Hamilton apologized that Councilmember Fuller "got thrown under the bus" as a spokesman for the Grillin' and Chillin' event and invited him to attend their next meeting.

5.3 Dave Scholl invited everyone to attend the St. Patrick's Day Dinner sponsored by the Knights of Columbus on March 13th. Tickets are \$15.00 for adults and \$7.00 for children.

5.4 Carol Pruet, Dixon Chamber of Commerce, invited everyone to attend the Open house and ribbon-cutting for the Veterans Transitional Housing at 10:00 a.m. on Friday, February 25th, at 261 S. Jefferson Street.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Vice Mayor Ceremello discussed networking opportunities and information he obtained while attending the Pension Reform Bootcamp for City Officials.

- 6.2 Councilmember Bogue noted that many people come to him after meetings addressing issues after the votes have been taken. He noted that citizens should feel free to come by before meetings to discuss their opinions, but after the fact is a little bit too late.
- 6.3 Councilmember Besneatte noted that he is also available to receive public input at his office.
- 6.4 Mayor Batchelor noted the Mayor's Conference recently held in Dixon featured Michael Coleman as a speaker who provided analysis of the State Budget.

7. **ITEMS FROM THE CITY TREASURER**

None.

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to approve the agenda, as submitted. Roll call was taken as follows:

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

9. **CONSENT CALENDAR**

Councilmember Besneatte requested that Items 9.6, 9.7 and 9.8 be heard separately. Councilmember Bogue requested that Item 9.2 be heard separately. Vice Mayor Ceremello requested that Item 9.10 be heard separately.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue to approve the Consent Calendar, except Items 9.2, 9.6, 9.7, 9.8 and 9.10. Roll call was taken as follows:

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

9.1 Approved City Council Minutes for the February 8, 2011, Regular Meeting.

9.2 Resolution approving the Enumeration of Claims.

See Minutes on Page 4.

- 9.3 Waived reading, read by title only, and adopted Ordinance No. OR11-002 repealing Chapter 18 of Article I of the Dixon City Code relating to Cable Television Franchises.
- 9.4 By minute action, approved the Mayor's appointment of Brenna Brians to the Planning Commission.
- 9.5 By Minute Action, approved public liability insurance requirements for the Grillin' and Chillin' event to limits of \$1,000,000 per person and \$2,000,000 aggregate for the upcoming May Fair Parade.
- 9.6 Resolution authorizing the City of Dixon to "piggyback" on the U.S. Communities contract with Independent Stationers of Indianapolis, Indiana, for office supplies using U.S. Communities Contract Number MA-IS-1140050 with the finding that it is in the best interest of the City.

See Minutes on Page 5.

- 9.7 Resolution authorizing the City Manager to execute a Consultant Services Agreement Amendment No. 2 with Willdan Financial Services for Assessment Engineering Services associated with the Dixon Landscaping and Lighting Maintenance District.

See Minutes on Page 5.

- 9.8 Resolution approving a six-month extension to the Performance Contract with Solano Transportation Authority (STA) for Dixon Read-Ride.

See Minutes on Page 6.

- 9.9 Waived reading, read by title only, and adopted Ordinance No. OR11-003 repealing Chapter 4 of Article II of the Dixon City Code regarding the 1993 General Plan.

- 9.10 Resolution approving a budget amendment in the amount of \$3,808 for the Pavement Management Technical Assistance Program Grant matching funds.

See Minutes on Page 7.

9.2 TAKEN OUT OF ORDER

Resolution approving the Enumeration of Claims.

Councilmember Bogue questioned payments for badges, the Employer Roundtable Luncheon, an invoice from Lawson Products for miscellaneous parts and received explanations to his satisfaction from staff.

A motion was made by Councilmember Fuller, seconded by Councilmember Besneatte, to adopt Resolution No. 11-019 approving the Enumeration of Claims. Roll call was taken as follows:

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

9.6 TAKEN OUT OF ORDER

Resolution authorizing the City of Dixon to “piggyback” on the U.S. Communities contract with Independent Stationers of Indianapolis, Indiana, for office supplies using U.S. Communities Contract Number MA-IS-1140050 with the finding that it is in the best interest of the City.

Councilmember Besneatte expressed concern about piggy-backing on a company located in Los Angeles, the extended period of time for the contract, and asked whether comparisons were made.

Steve Johnson, Human Resources Director and Acting City Clerk, reported that 500 separate items were compared for both companies, e-commerce savings should be experienced on top of the 3%, and the contract complies with the City’s purchasing requirements.

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

A motion was made by Councilmember Besneatte, seconded by Councilmember Fuller, to adopt Resolution No. 11-020 authorizing the City of Dixon to “piggyback” on the U.S. Communities contract for office supplies (AG 11-00). Roll call was taken as follows:

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

9.7 TAKEN OUT OF ORDER

Resolution authorizing the City Manager to execute a Consultant Services Agreement Amendment No. 2 with Willdan Financial Services for Assessment Engineering Services associated with the Dixon Landscaping and Lighting Maintenance District.

Councilmember Besneatte noted the additional \$8,500 does not appear justified and was concerned that additional charges can be added each year although the terms of the agreement do not change.

Nancy Huston, City Manager, noted a new level of work is being requested and the intention is to transition the workload to City staff in the future.

Vice Mayor Ceremello asked why the work is not done in-house instead of advancing work to a contractor and why the training period is so long.

Ms. Huston reported the deadline is this summer, the contract is needed to perform in time while training and transitioning, and this work will be done by an engineer.

Royce Cunningham, City Engineer, noted he previously signed off on work performed by the Senior Management Analyst, but Willdan changed the method of reporting formerly done by Public Works and one more year is recommended to transition properly.

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

A motion was made by Councilmember Fuller, seconded by Mayor Batchelor, to adopt Resolution No. 11-021 authorizing the City Manager to execute Consultant Services Agreement Amendment No. 2 with Willdan Financial Services. Roll call was taken as follows:

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

9.8 TAKEN OUT OF ORDER

Resolution approving a six-month extension to the Performance Contract with Solano Transportation Authority (STA) for Dixon Redit-Ride.

Councilmember Besneatte requested justification for the dollar amount and extension of the contract.

Nancy Huston, City Manager, noted the City is fortunate STA has been able to find us transit funds, the program requires a tremendous amount of work previously performed by Jeff Matheson, and while she is overseeing Public Works, Transit, and Recreation to save money, the six months enables time to reallocate the work in-house and seek grant funds.

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

A motion was made by Councilmember Besneatte, seconded by Councilmember Fuller, to adopt Resolution No. 11-022 approving a six-month extension to the Performance Contract with Solano Transportation Authority for Dixon Redit-Ride. Roll call was taken as follows:

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

9.10 TAKEN OUT OF ORDER

Resolution approving a budget amendment in the amount of \$3,808 for the Pavement Management Technical Assistance Program Grant matching funds.

Councilmember Ceremello noted it is a cost to obtain information we already know and seems unnecessary.

Royce Cunningham, City Engineer, noted the work was previously performed in-house by someone who retired, there are other high-priority projects for remaining staff, the streets are deteriorating at a rapid rate, and work will be covered in-house within two years but this year consultant services are needed.

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

A motion was made by Vice Mayor Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. 11-023 approving a budget amendment in the amount of \$3,808 for the Pavement Management Technical Assistance Program Grant matching funds. Roll call was taken as follows:

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

10. PUBLIC HEARINGS

None.

11. UNFINISHED BUSINESS

11.1 Review the City Standard Form Developer Defense Indemnity Agreement and provide direction to staff.

Dave Dowswell, Community Development Director, reported that during recent property negotiations, Dan Figueroa expressed concerns about terms of the City's Standard Form Developer Defense Indemnity Agreement and requested the words

“defend, indemnify, and” be eliminated after which the Council directed staff to conduct a review. Mr. Dowswell reported on results of a survey that showed six out of seven cities require very similar indemnity agreements.

Michael Dean, City Attorney, expressed the opinion that the wording should remain, provided reasons, noted the City should consider tightening, rather than loosening, requirements and responded to Council questions.

Mayor Batchelor asked for public comments.

Dan Figueroa noted that, after discussion, he has a better understanding of the fine print, read his prepared statement into the record, and asked that Item C be expanded for clarity, Item D regarding land divisions be changed to read “four” lots, limits should be clearly stated, the resolution could be further improved, and indemnity agreements should not be necessary for many projects.

Ginger Emerson noted she is working on a public records request for the old town area that relates and some infill projects knowingly involved improper land use.

- * Councilmember Besneatte thought it appropriate that coverage for the City’s misconduct and negligence be excluded by adding the wording included in Vacaville’s agreement that reads “this duty to indemnify and defend shall not extend to any claim, suit or action arising solely from the City or its officers or employees’ negligence or misconduct.”

Mr. Dowswell confirmed that Item C is repetitive and could be eliminated, Item D should be changed to read “four” lots, and further refinement could be done.

Mr. Figueroa supported the recommendations and requested that he and other developers be included in discussions to offer input.

Councilmember Bogue noted the possibility of exemptions should be stated during the application phase.

The consensus and direction of the Council was that the agreement would be acceptable after the recommended changes and further refinement by staff.

11.2 Discuss request by Councilmember Ceremello to review City Council Resolutions 85-29 and 02-173 regarding labor negotiations.

Vice Mayor Ceremello noted his concerns regarding the City Manager’s potential financial conflict of interest while conducting labor negotiations because the City Manager’s salary is usually adjusted according to other salary increases and may result in large scale upward movement of salaries. He referenced a book entitled “Plunder” which addresses his position and felt the Council’s viewpoint needs representation since the Council represents the public rather than staff. He noted major cuts to employee wages and benefits can cause a difficult situation for the City Manager and asked to hear public comments.

Byron Chapman asked for clarification on how raises within bargaining units can work their way up and whether a percentage is used as a constant. He noted a percentage should not be across-the-board since there is a big difference between dollar amounts for higher and lower-level salaries at a certain percentage.

Nancy Huston, City Manager, reported that she is not in the same bargaining unit, her main function is to bring annual City budgets to Council for approval and to see that it remains within Council authority, and a meet and confer process is conducted under a complex system of laws.

Michael Dean, City Attorney, explained the relationship between employee memorandums of understanding, the tie-in to confidential employees, and that the City Manager has a separate employment agreement not within the confidential group that used to have a theoretical tie to other department heads.

Vice Mayor Ceremello noted salary compaction resulted in a 15% differential policy that drove salaries up under past practices.

Dave Scholl asked whether a labor proposal is presented to the Council for input and/or approval before it is presented to the bargaining unit.

Mayor Batchelor responded that very specific directions for discussions with labor groups are given by Council and noted the 15% differential was removed in the last City Manager contract therefore an incentive to negotiate salary increases does not apply now.

Councilmember Fuller felt the current process is beyond reproach, provides Council control, one councilmember should not influence more than others, now is not the time to start tweaking the process, and he was not compelled to make a change.

Councilmember Bogue felt the current City Manager has proven to be beyond reproach and he has nothing but good to say about her, however a portion of the City Manager's contract is tied to another contract, the City Manager is not responsible to the public, the Council carries the heavier burden for decisions, the City Manager is put in a bad position, and that it would benefit the City to have a Councilmember in negotiations.

- * Councilmember Besneatte agreed that the City Manager is doing her best to represent the Council, but that it puts her in an awkward position and it may not be a prudent time to make a change, but he is still up in the air on a solution.

Ms. Huston noted that changes to Resolution No. 85-25 would take months and it is necessary to proceed with negotiations.

Mayor Batchelor noted they are all accountable, they represent everyone, and it is not a matter of putting the City Manager in a bad position, it is her job, she does

not just act on her own, and cannot execute an agreement without Council approval. In placing two Council members on the negotiating team, he felt the Council would be serving those two opinions and egos rather than the public, the Vice Mayor is not qualified for negotiations, there is no proof that the current process has put the City in jeopardy, and there are too many important issues to deal with and no compelling evidence to support making a change.

Vice Mayor Ceremello responded there is no better time to make the change, he does not distrust anybody but things can be done differently, recommended that he and Councilmember Besneatte be added to the negotiating team, and noted they would not be sole negotiators since Steve Johnson, Human Resources Director, would still be involved.

Councilmember Fuller noted that Vice Mayor Ceremello talks about what he can do but cannot show what he has done, he did not want to listen to the Vice Mayor pontificate about how the Council is not in unison, resents that the Vice Mayor is trying to make decisions for him, it would be a huge mistake that would open the City up to liability, a combative atmosphere would ensue, and employees would be used as a whipping post for something that is not their fault.

Vice Mayor Ceremello noted the City is in this position through the sins of our forefathers and motioned to direct staff to bring back an action to reject the current resolutions and establish a new negotiating team. The motion was seconded by Councilmember Bogue and supported by Councilmember Besneatte.

Mayor Batchelor obtained consensus that current negotiations will continue while the changes are addressed and the item will be scheduled for consideration at the last City Council meeting in May.

Redevelopment Agency:

11.3. Discussion and action at a later date to provide staff direction on amending funding levels for the remaining downtown and community events for Fiscal Year 2010-11 by adjusting the Agency budget from other programs or directing staff to submit to the City Council for alternative General Fund allocations at its next meeting.

Mark Heckey, Economic Development Director, discussed previous funding levels for community events, impacts of State actions on Redevelopment Agency funds, provided options for fulfilling some funding requests from the General Fund, requested Council direction and responded to questions from Council.

Mayor Batchelor noted that complete and accurate budget, revenues and expenditures should be provided before allocating any funds and grants should be explored.

Vice Mayor Ceremello agreed that the reports received are unclear and the events need to start paying their own way.

Councilmember Besneatte noted the Mayfair Parade is an historic event that is coming up in May and needs funds. He recommended other events can wait for consideration, but the Chamber of Commerce should be allowed to return within two weeks to report back for funding.

Councilmember Fuller agreed with Councilmember Besneatte.

Councilmember Bogue noted groups need to look at cutbacks, fundraisers, and provide accurate accounting.

Mayor Batchelor asked for public comments.

Carol Pruet, Chamber of Commerce, confirmed they would provide a profit and loss statement within a week, are willing to return unused funds, are cutting back and increasing parade fees, and will have more time next year to seek a corporate sponsor to participate in funding.

Kay Fulfs Cayler requested continuing support for the Dixon Rotary Fireworks in the amount of \$2,133.00 to put with their own funds to cover a \$5,000 deposit required in April.

Mayor Batchelor noted the Dixon Rotary should be able to easily raise those funds without City assistance.

Mike Hamilton, Director of the Grillin' and Chillin' Chili Cook-off, noted that businesses and services made a lot of money during their first event, they paid most of the money back to the City, but will be asking for \$5,000 for what is hoped will be the last year they need assistance.

Jill Orr, Chamber of Commerce, noted the City is requesting budgets that have already been provided.

Dave Scholl, Independent Voice, discussed that Lambtown committee members contribute their own money, and groups should be promoting each other's events.

Mayor Batchelor recommended parade funds be decided at the next Council meeting upon receipt of financial documents and other events will need to wait for a decision.

Mr. Heckey confirmed that actual financial figures are needed rather than budget figures.

11.4 Resolution approving Budget Amendment #2011-01 allocating \$27,320 to RDA General Construction Account 510-540-560-000 for Americans With Disabilities Act (ADA) improvements.

Dave Dowswell, Community Development Director, discussed the need to complete ADA improvements contained in the Five-Year Capital Improvement Plan and requested approval of a budget amendment for the improvements. He noted the proposed amendment amount of \$27,320 was incorrectly stated in the staff report and should be corrected to read \$27,020.

Mayor Batchelor asked for public comments.

Byron Chapman questioned the qualifications of the City's ADA Coordinator and noted the Coordinator is required to be knowledgeable in Building Code and Federal Laws.

Nancy Huston, City Manager, confirmed that Dave Dowswell is the City's ADA Coordinator for building issues, Bruce Monighan is a certified specialist who advises the City and is training Mr. Dowswell, and Steve Johnson handles employment issues related to ADA.

A motion was made by Councilmember Fuller, seconded by Vice Mayor Ceremello, to adopt Resolution No. RDA 11-004 approving Budget Amendment #2011-01 allocating the corrected amount of \$27,020 to the RDA General Construction Account for Americans With Disabilities (ADA) improvements. Roll call was taken as follows:

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

The City Council recessed for break at 10:24 p.m.

The City Council reconvened at 10:33 p.m.

12. **NEW BUSINESS**

12.1 **Resolution approving the 2010 review of the City of Dixon's General Plan policies and programs.**

Dave Dowswell, Community Development Director, provided a brief history of the City's current General Plan, noted the Planning Commission's comments and recommendation for approval, and discussed progress and issues related to completion of elements of the General Plan.

Mayor Batchelor asked for public comments.

Dave Scholl noted one of the goals of the General Plan is to preserve the historic character of the City and destruction of the home at 193 East B Street did not support that goal.

Ginger Emerson noted she discussed the house referred to by Mr. Scholl at the February and March meetings last year, the owners did not understand the General Plan, and the City should have provided input.

Kay Fulfs Cayler noted cost is a major consideration in preservation, old houses take a lot of time and money, and she is tired of hearing about destruction of the house.

Mayor Batchelor noted the owner knew the building was historical, would have renovated if possible, but preferred to have the money.

A motion was made by Councilmember Besneatte, seconded by Councilmember Bogue, to adopt Resolution No. 11-024 approving the 2010 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

12.2 Resolution of the City Council of the City of Dixon establishing a City-wide Records Retention Policy and Records Retention Schedule.

Steve Johnson, Human Resources Director and Acting City Clerk, discussed the streamlining process of records destruction enabled by approval of a records retention policy and schedule, review by the City Attorney and City Departments, guidelines followed, reasons for adopting, and the fact that it is a living document that can be changed by the Council and will move the City into the 21st Century.

Vice Mayor Ceremello asked if the City had considered microfiche for preservation of records.

Mr. Johnson responded that we are in the first phase of determining "what" we want to keep and microfiche falls in the second phase of determining "how" we want to keep records.

Mayor Batchelor asked for public comments.

Ginger Emerson confirmed that Planning records she is currently researching are not scheduled for destruction.

A motion was made by Vice Mayor Ceremello, seconded by Councilmember Fuller, to adopt Resolution No. 11-025 establishing a City-wide Records Retention Policy and Records Retention Schedule. Roll call was taken as follows:

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

ABSENT: None

12.3 Council consideration of options and direction to staff regarding amendment of the Dixon City Code to allow for the sale and use of State-approved (“safe and sane”) fireworks within the City of Dixon.

Greg Lewis, Fire Division Chief/Fire Marshal, discussed the history of the ban on fireworks implemented in the 1970’s after significant fireworks damage, its value as a component of fire prevention, presented statistics showing negative impacts of fireworks, additional processes required by Fire and Police to permit, inspect and store, and recommended that the ban remain in place.

Vice Mayor Ceremello discussed Senate Bill 839 that deals with illegal fireworks and asked about the City’s status on such regulations.

Mike Dean, City Attorney, noted an Administrative Citation Procedure is in place to address problems.

Mr. Lewis could not confirm the number of citations issued for fireworks because the City is no longer proactive in issuing citations due to staff reductions.

Mayor Batchelor asked for public comments.

Dennis Revell, Revell Communications for TNT Fireworks, provided a binder of information on safe and sane fireworks, discussed items allowed in California, fundraising benefits for non-profit organizations, and large fines authorized by SBA839 that can generate significant City revenue, and recommended approval of an ordinance allowing fireworks.

Julius Cherry, Cherry Consultants representing TNT Fireworks, was a former Fire Chief in Sacramento who works with non-profits in the community and supports the sale of fireworks that provides a tremendous benefit to them.

Bill Fairfield, former Dixon Fire Chief, reported that he was responsible for the ordinance that banned fireworks in Dixon, noted there were many more fires than presented in the statistics, and safe and sane fireworks open the door to over-the-border illegal fireworks.

Nick Gilbert, Phantom Fireworks, expressed his support for the non-profits.

Dave Scholl supported safe and sane fireworks, formerly sold them in Wyoming, experienced no injuries in ten years, and felt availability discourages the use of illegal fireworks and the public would like to have them. He noted our forefathers stressed that the Fourth of July should be celebrated with bonfires and illuminations.

Greg Coppes felt it was a difficult decision because we should listen to the Fire Marshal but people would also like to get fireworks for their children.

Russ Cayler felt that if the City says fireworks are okay, it will attract illegal use, non-profits should stay away from fireworks because of blame and liability, other fund raisers are available, and fireworks are not a good idea.

Byron Chapman felt that experiences for the young are important, we are protecting them too much and should allow them to stumble and fall to have a greater chance of success. He supported our ability to use fireworks rather than fireworks themselves and expressed fond memories of childhood fireworks.

Kay Fulfs Cayler asked why more non-profits were not present at the meeting to support fireworks if they are so wonderful.

Jill Orr would like to see fireworks available as they were when she was a child.

Mayor Batchelor read an e-mail from Cindy Duncan stating that under no circumstances does she want fireworks in her neighborhood and was adamantly opposed.

A comment card from Dave Scholl stated that the Knights of Columbus would be interested in selling fireworks.

Councilmember Bogue was familiar with safe and sane fireworks and supported the two-year pilot program proposed in Ordinance Option #2.

Councilmember Besneatte noted he does not take the decision lightly, but celebrated with fireworks on the 4th of July with no injuries as a child, saw it as an issue of responsibility, and supported Option #2.

Councilmember Fuller experienced enforcement issues in Fresno, additional regulations and fires impact Police and Fire budgets, people do not know the difference between safe and unsafe at first glance, burn unit patients increase during the 4th of July, and he opposed removing the ban on fireworks.

Vice Mayor Ceremello felt the injury issues are blown out of proportion, too many things are illegal, freedom to choose is important, and he supported removing the ban on fireworks.

Mayor Batchelor thought that safe and sane fireworks are an oxymoron and the recommendation that children should be allowed to stumble and fall is difficult to accept when you know a person who has been burned.

A motion was made by Councilmember Besneatte, seconded by Councilmember Bogue, to direct staff to prepare necessary documents to amend the Dixon City Code to allow for the sale and use of State-approved fireworks and adopt Option No. 2. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

14. **ITEMS FROM THE CITY ATTORNEY**

None.

15. **ITEMS FROM THE CITY MANAGER**

15.1 Nancy Huston, City Manager, reported that a request for bids for the Core Area Drainage Project will be on the next agenda.

16. **CLOSED SESSION**

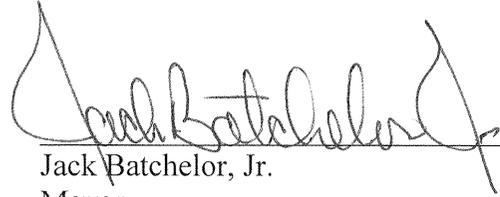
RECONVENE TO OPEN SESSION

17. **ADJOURNMENT**

The Regular Meeting of the Dixon City Council was adjourned at the hour of 12:01 a.m.



Sue Johnston
Deputy City Clerk



Jack Batchelor, Jr.
Mayor