



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON REDEVELOPMENT AGENCY

SEPTEMBER 14, 2010

1. CALL TO ORDER

The Special Meeting of the Dixon City Council was called to order at the hour of 6:00 p.m. to meet in Closed Session in the Council Chambers Conference Room on September 14, 2010, by Mayor Jack Batchelor, Jr.

Present: Councilmembers Kay Fulfs Cayler, Michael Ceremello,
Vice Mayor Rick Fuller, Mayor Jack Batchelor, Jr.

Absent: Councilmember Dane Besneatte

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, Michael Dean, and Steve Johnson

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

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

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

Closed Session recessed at 6:48 p.m.

Mayor Batchelor reconvened the Regular Meeting at 7:02 p.m. and announced the City Council met in Closed Session for a conference with labor negotiators and there was no reportable action.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

Present: Councilmembers Kay Fulfs Cayler, Michael Ceremello,
Vice Mayor Rick Fuller, Mayor Jack Batchelor, Jr.

Absent: Councilmember Dane Besneatte

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

4.1 Proclamation for Senior Fall Prevention Awareness Week.

Mayor Batchelor presented a proclamation declaring September 22 through September 28 Senior Fall Prevention Awareness Week to Rochelle Sherlock, Coordinator, Senior Coalition of Solano County.

Ms. Sherlock spoke about the Fall Prevention Partnership in Solano County that surveyed the serious and prevalent issue of senior falls and introduced Joan Axelson who spoke about her recovery from a shoulder replacement.

4.2 Introduction of Fire Division Chiefs.

Aaron McAlister, Fire Chief, introduced Ron Karlen and Greg Lewis, longtime members of the Fire Department who were promoted to the position of Fire Division Chief.

4.3 Matters relating to Kathy Spridgen:

1. **Resolution honoring Kathy Spridgen for her 23 years of service to the City of Dixon.**
2. **Presentation of Resolution to Ms. Spridgen.**

Mayor Batchelor reported that Kathy Spridgen was retiring from her position as Administrative Manager for the Police Department after 23 years of service to the City and asked for approval of a resolution honoring her.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 10-151 honoring Kathy Spridgen for her years of service to the City of Dixon. Roll call was taken as follows:

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

Mayor Batchelor read the resolution and noted Ms. Spridgen's accomplishments.

Jon Cox, Police Chief, thanked Ms. Spridgen for being a true friend and wonderful co-worker who possessed a wealth of corporate knowledge.

Nancy Huston, City Manager, noted Ms. Spridgen is very professional, knows her work, trained staff well, and has a great sense of humor.

Ms. Spridgen noted it was a pleasure and honor to serve the City, she always strived to treat everyone with dignity and respect, and thanked her family and the wonderful people she worked with.

4.4 Matters relating to Howard Burnett:

- 1. Resolution honoring Howard Burnett for his 20 years of service to the City of Dixon.**
- 2. Presentation of Resolution to Mr. Burnett.**

Mayor Batchelor asked for approval of a resolution honoring Howard Burnett, Senior Maintenance Worker, for his 20 years of service to the City.

A motion was made by Councilmember Cayler, seconded by Councilmember Ceremello, to adopt Resolution No. 10-152 honoring Howard Burnett for his years of service to the City of Dixon. Roll call was taken as follows:

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

Mayor Batchelor read the resolution and discussed Mr. Burnett's contributions, can-do attitude, and background.

Nancy Huston, City Manager, noted Mr. Burnett was always thoughtful, cared about people, did the unexpected, was excellent at maintenance and repair, and his skills saved the City a lot of money.

Mr. Burnett thanked everyone.

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

- 5.1 Dana Foss, Lambtown Co-chair, announced Lambtown will be held on October 2, 2010. There will be additional family events and a car show this year.

6. ITEMS FROM THE CITY COUNCIL

- 6.1 Vice Mayor Fuller noted he hired Kathy Spridgen as a dispatcher, and she was a good supervisor and great supporter.

He noted the two new Fire Division Chiefs are consummate professionals that he has known for years.

- 6.2 Councilmember Ceremello noted a letter from Dixon Sanitary indicated a 1.7% decrease in costs for last year and he hoped it would reflect in a reduction in contract costs during upcoming negotiations.
- 6.3 Councilmember Cayler reported about attending the Americans with Disabilities Briefing sponsored by the DDBA and Chamber of Commerce and reminded everyone about Travis Week activities, the Air Force Ball, the Chamber of Commerce Job Expo, the Epicurean Event, Spooktacular, the Veterans Hall Business Expo, and the Lamb Festival (the new name for Lambtown).
- 6.4 Mayor Batchelor thanked the dedicated staff members who are retiring or being promoted.

7. ITEMS FROM THE CITY TREASURER

James Slaughter, City Treasurer, noted the candidates for banking services have been narrowed down to two and he plans to make a recommendation within a few weeks.

8. APPROVAL OF AGENDA

There was no discussion on this item.

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

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

9. CONSENT CALENDAR

Councilmember Ceremello requested that Items 9.4, 9.5 and 9.7 be considered separately.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve the Consent Calendar, except for Items 9.4, 9.5 and 9.7. Roll call was taken as follows:

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

9.1 Matters relating to City Council Minutes:

1. **Approved the City Council Minutes for the August 19, 2010, Special Joint meeting.**
2. **Approved the City Council Minutes for the August 24, 2010, Regular meeting.**

9.2 Adopted Resolution No. 10-153 approving the Enumeration of Claims.

9.3 Adopted Resolution No. 10-154 accepting the California Department of Forestry and Fire Protection (CalFire) 2010 Volunteer Fire Assistance (VFA) Grant, approving VFA Agreement 7FG10017 (AG 10-031), and amending the FY 2010-2011 General Fund Budget.

9.4 Resolution authorizing the City Manager to execute an extension to the State Transportation Improvement Program (STIP) with the State of California regarding the Transportation Center Improvements.

See Minutes on Page 5.

9.5 Matters relating to On-Call Weed Abatement Service Project:

1. **Resolution finding the On-Call Weed Abatement Services Project to be categorically exempt from the California Environmental Quality Act (CEQA); and**
2. **Minute Action authorizing the City Clerk to advertise for bids for on-call weed abatement services.**

See Minutes on Page 6.

9.6 Waived reading, read by title only, and adopted Ordinance No. 10-009 amending sections of the Dixon City Code exempting certain fees for active duty and honorably discharged veterans of the United States Uniformed Services and their widows and spouses. (Introduced 08-24-10, #11.1)

9.7 Resolution approving a Performance Contract with Solano Transportation Authority (STA) for Dixon Read-Ride.

See Minutes on Page 6.

9.4 TAKEN OUT OF ORDER

Resolution authorizing the City Manager to execute an extension to the State Transportation Improvement Program (STIP) with the State of California regarding the Transportation Center Improvements.

Councilmember Ceremello felt it was ill-advised to go ahead with additional expense for environmental studies when the project is not ready to proceed and may not be wanted. He preferred to wait until a full Council is present to decide.

A motion was made by Mayor Batchelor, seconded by Vice Mayor Fuller, to approve Resolution No. 10-155 authorizing the City Manager to execute an extension to the State Transportation Improvement Program (STIP) with the State of California regarding the Transportation Center Improvements. Roll call was taken as follows:

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

9.5 TAKEN OUT OF ORDER

Matters relating to On-Call Weed Abatement Service Project:

- 1. Resolution finding the On-Call Weed Abatement Services Project to be categorically exempt from the California Environmental Quality Act (CEQA); and**
- 2. Minute Action authorizing the City Clerk to advertise for bids for on-call weed abatement services.**

Councilmember Ceremello suggested delaying action on this item until after Item 10.1 since the actions are related.

Mayor Batchelor asked for public comments.

Byron Chapman asked for clarification as to how a decision on this item affects Item 10.1.

Mayor Batchelor noted there is no effect.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve Resolution No. 10-156 finding the On-Call Weed Abatement Services Project to be categorically exempt from the California Environmental Quality Act (CEQA) and authorizing the City Clerk to advertise for bids for on-call weed abatement services. Roll call was taken as follows:

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

9.7 TAKEN OUT OF ORDER

Resolution approving a Performance Contract with Solano Transportation Authority (STA) for Dixon Redit-Ride.

Councilmember Ceremello noted City staff should be qualified to handle administration of the contract without outside assistance.

Nancy Huston, City Manager, noted the transit work requires labor intensive reporting and specific training that current staff does not possess, and the contract is an interim measure until hiring can be done.

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

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to approve Resolution No. 10-157 approving a Performance Contract with Solano Transportation Authority (STA) for Dixon Redit-Ride (AG 10-032). Roll call was taken as follows:

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

10. **PUBLIC HEARINGS**

10.1 Matters relating to weed abatement:

- 1. Conduct Public Hearing to consider objections to the declaration of public nuisances and issuance of administrative citations for the failure to remove refuse, weeds and rubbish from developed and vacant parcels by property owners.**
- 2. Adopt Resolution overruling objections to the proposed issuance of citations for the failure to remove weeds, rubbish, and refuse and ordering the Police Chief to issue citations, and/or conduct abatement utilizing an independent contractor on certain lots and parcels.**

Steve Byrd, Police Captain, displayed photos depicting conditions of three properties notified for abatement that remain non-compliant and provided background of the hearing and noticing process.

Mayor Batchelor opened the public hearing.

Byron Chapman asked about the process for notifying the City of complaints.

Seeing no one else present to speak, Mayor Batchelor closed the public hearing.

Councilmember Ceremello noted citations were issued in the past prior to a public hearing and asked about the owner notification process. He noted other lots that are in equally bad condition, regardless of previous mowing, and owners should not be singled-out.

Christina Gastelum, Code Compliance Officer, reported on efforts to contact owners and the reasons for lack of compliance.

Captain Byrd indicated all properties were on the original list, recontact is necessary, and weed abatement is an on-going process.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 10-158 overruling objections to the proposed issuance of citations for the failure to remove weeds, rubbish, and refuse and ordering the Police Chief to issue citations, and/or conduct abatement utilizing an independent contractor on certain lots and parcels. Roll call was taken as follows:

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

10.2 Matters relating to brine discharging water softening and conditioning appliances:

- 1. Adopt Resolution finding adoption of an ordinance amending the City Code relating to brine discharging water softening and conditioning appliances exempt from the California Environmental Quality Act (CEQA) and authorizing the City Clerk to file a Notice of Exemption; and**
- 2. Waive reading, read by title only, and introduce an Ordinance of the City Council of the City of Dixon amending Part XIV of Chapter 17 of Article I of the Dixon City Code relating to brine discharging water softening and conditioning appliances.**

Royce Cunningham, City Engineer, compared current chloride limits with 2014 levels, noted current practices will not bring the City in line with 2014 requirements, discussed key points of the water softener exchange program, and responded to Councilmembers' questions regarding program funding, water treatment, and alternatives.

Mayor Batchelor opened the public hearing.

Dave Scholl, Independent Voice, did not support compulsion and fines and suggested seeking grant funding, or diluting salt water with fresh water at the plant.

Drew Graska asked about mitigation at the source, the source of liter standards, and noted no provision for people able to perform the work themselves.

Ryan Batty supported the proposal and asked about treatment levels for hard water.

Seeing no one else present to speak, Mayor Batchelor closed the public hearing. Mike Dean, City Attorney, noted text corrections as follows: Correct wording at Findings Y and Z, remove brackets around words in Findings W and X, and change the word “certified” to “licensed” in Subsections 17.14.7 F and N.

Mayor Batchelor noted the need to move forward although solutions are not always perfect.

Councilmember Ceremello recommended making water softeners illegal rather than spending money on incentives for the relatively few offenders, and did not support the program in it’s current state.

Vice Mayor Fuller felt taking no action would also cause problems and favored approval.

Councilmember Cayler felt incentives were a reasonable solution.

A motion was made by Councilmember Cayler, seconded by Vice Mayor, to adopt Resolution No. 10-159 finding adoption of an ordinance amending the City Code relating to brine discharging water softening and conditioning appliances exempt from the California Environmental Quality Act (CEQA) and authorizing the City Clerk to file a Notice of Exemption. Roll call was taken as follows:

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

The City Council recessed for break at 8:53 p.m.

The City Council reconvened at 9:02 p.m.

10.3 Matters relating to General Plan Amendment, Rezoning, and Zoning Ordinance Text Amendment (PA 10-12) (ENV 10-04) (GPA 10-03) (ZON 10-02):

1. **Adopt Resolution adopting a Negative Declaration in compliance with CEQA (California Environmental Quality Act).**
2. **Adopt Resolution amending the General Plan land use designation from Commercial Services (SC) to Neighborhood Commercial (NC) for the properties located at 110 and 124 Porter Road, 100 and 109 North Adams Street, 459-475 Marvin Way and 320 and 350 West A Street (APN 113-052-120, 113-054-100, 230 and portions of 150 and 200, and 114-082-150 and 160 and 114-083-160) and amending the General Plan land use designation from Commercial Services (SC) to**

Low Density (LD) for the front portion of the property located at 210 Porter Road (APN 114-090-010).

3. **Waive reading, read by title only, and introduce an Ordinance changing the zoning from Service Commercial (CS) to Neighborhood Commercial (CN) for the properties located at 100 North Adams Street and 320 and 350 West A Street (APN 113-054-100, 230 and portions of 150 and 200), changing the zoning from Service Commercial (CS) to One Family Residential (R1-40) for the front portion of 210 Porter Road (APN 114-090-010) and changing the zoning from Light Industrial (ML) to Public Service (PS) for the properties located at 220 North Jefferson Street and at the east end of West B Street (APN 113-054-210 and 113-056-110).**
4. **Waive reading, read by title only, and introduce an Ordinance amending Section 12.08.03 (Neighborhood Commercial Zoning District) of the Dixon City Code (Zoning Ordinance) by adding “automobile repair garages” to the list of “Conditional uses”.**

Dave Dowswell, Community Development Director, explained inconsistencies in zoning and land use, noted the Planning Commission recommended changing the General Plan to match the zoning, and reported property owners were supportive of the proposal with the exception of the owner of 124 Porter Road who would be adversely affected. He responded to questions from Councilmembers.

Mayor Batchelor opened the public hearing.

Bob Cannova, the business owner of Dixon Glass at 124 Porter Road also representing the owner of 110 Porter Road, asked about the legality of previous zoning changes and preferred his property zoning remain Service Commercial (CS).

Walter Portell, property owner of 124 Porter Road, noted Neighborhood Commercial (CN) zoning would degrade his property, greatly limit business possibilities, and preferred the zoning remain as it is.

Dana Foss, owner of 350 West A Street, noted rezoning to Service Commercial (CS) is appropriate and asked that her property be rezoned Mixed Use if the rail station is constructed.

Seeing no one else present to speak, Mayor Batchelor closed the public hearing.

Councilmember Ceremello recommended changing the zoning to Service Commercial (CS) to match the General Plan.

Vice Mayor Fuller did not support adversely impacting a long-term business.

Mayor Batchelor directed staff to modify the zoning to Service Commercial (CS) to match the General Plan and continued this item to October 12, 2010.

10.4 Matters relating to a Zoning Ordinance Text Amendment (PA10-11) (ZON 10-03)

- 1. Adopt Resolution adopting a Negative Declaration in compliance with the California Environmental Quality Act (CEQA).**
- 2. Waive reading, read by title only, and introduce an Ordinance amending Section 12.10.03 (Highway Commercial Zoning District) of the Dixon City Code (Zoning Ordinance) by adding “mini storage and caretaker residence” to the list of “Conditional Uses”.**

Dave Dowswell, Community Development Director, recommended mini storage as a good use for a difficult property, and the addition of mini storage to the list of Conditional Uses.

Mayor Batchelor and Vice Mayor Fuller disclosed prior discussions with Helmut Sommer, owner of the property. Councilmember Cayler disclosed a phone call with Mr. Sommer.

Mayor Batchelor opened the public hearing.

Helmut Sommer distributed a property map, discussed years of difficulty in marketing the property, requested an overlay for recreational vehicle storage, and noted the project will draw indirect sales tax.

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Fuller, to adopt Resolution No. 10-160 adopting a Negative Declaration and waived reading, read by title only, and introduced an Ordinance amending Section 12.10.03 (Highway Commercial Zoning District) of the Dixon City Code (Zoning Ordinance) by adding “mini storage and caretaker residence” to the list of “Conditional Uses”. Roll call was taken as follows:

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

10.5 Waive reading, read by title only, and introduce an Ordinance amending the Street Tree Ordinance, Article I, Chapter 18, of the Dixon City Code to reflect current City practice and consistency with the Zoning Ordinance.

Janet Koster, Senior Management Analyst, noted changes incorporated by Council request at the initial hearing that included an advisory-only Street Tree List, removal of encroachment and vandalism terminology, and identification of problem trees.

Mayor Batchelor opened the public hearing.

Seeing no one present to speak, Mayor Batchelor closed the public hearing.

Councilmember Ceremello noted that Councilmember Besneatte was absent and had concerns and recommended waiting to hear his comments before making a decision.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to waive reading, read by title only, and introduce an Ordinance amending the Street Tree Ordinance, Article I, Chapter 18, of the Dixon City Code to reflect current City practice and consistency with the Zoning Ordinance.. Roll call was taken as follows:

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

11. UNFINISHED BUSINESS

- 11.1 Waive reading, read by title only, and adopt an Ordinance amending Sections 12.02, 12.04, 12.05, 12.07, 12.08, 12.09, 12.09A, 12.10, 12.11, 12.12, 12.12A, 12.14, 12.16, 12.23, 12.24, 12.26, and 12.27 of Chapter 12, Article II, of the Dixon City Code (Zoning Ordinance) relating to definitions, renewable energy, parking, permitted uses, conditional uses, air quality standards, storage of wastes, landscaping, and conservation regulations. (Introduced 08-24-10, #10.2)**

Janet Koster, Senior Management Analyst, reviewed revisions made to the draft ordinance following the initial public hearing including terminology related to xeriscape landscaping and change of the word “shall” to “encourage” in reference to the Street Tree List.

Councilmember Ceremello noted that on Page 32 E(2), the word “shall” was not changed and should be corrected prior to approval.

Ms. Koster reported that section was not part of the original motion and the correction can be made with the next ordinance revision.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to adopt Ordinance No. 10-010 amending Chapter 12, Article II, of the Dixon City Code (Zoning Ordinance) relating to definitions, renewable energy, parking, permitted uses, conditional uses, air quality standards, storage of wastes, landscaping, and conservation regulations. Roll call was taken as follows:

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

12. **NEW BUSINESS**

12.1 Adopt Resolution adopting the Public Agency Retirement System (PARS) Trust Section 457 Alternate Retirement System (ARS), establishing a Trust Agreement with PARS, and authorizing the Human Resources Director to execute administrative documents necessary to implement the Alternative Retirement System (ARS).

Steve Johnson, Human Resources Director/Acting City Clerk, relayed details of the proposed program, noted the City would experience increased cost savings over time while benefitting the part-time employees who participate.

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

Councilmember Ceremello preferred to include the option for Council to participate to increase City savings.

Mr. Johnson reported that the Council could opt-in, however, the decision was irrevocable for future councils.

A motion was made by Vice Mayor Fuller, seconded by Mayor Batchelor, to adopt Resolution No. 10-161 adopting the Public Agency Retirement System (PARS) Trust Section 457 Alternate Retirement System (ARS), establishing a Trust Agreement with PARS (AG 10-033), and authorizing the Human Resources Director to execute administrative documents necessary to implement the Alternative Retirement System (ARS). Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

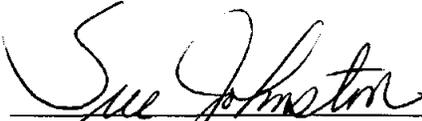
Dixon Redevelopment Agency

13.1 Adopt a Redevelopment Agency Resolution to set funding for Downtown and community events for Fiscal Year (FY) 2010-11.

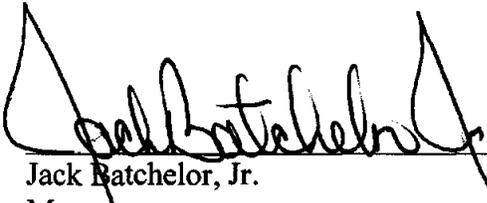
SEE DIXON REDEVELOPMENT AGENCY MINUTES FOR SEPTEMBER
14, 2010.

14. **ITEMS FROM THE CITY ATTORNEY** None.
15. **ITEMS FROM THE CITY MANAGER** None.
16. **CLOSED SESSION**
17. **ADJOURNMENT**

The Regular Meeting of the City Council adjourned at the hour of 10:54 p.m.



Sue Johnston
Deputy Clerk



Jack Batchelor, Jr.
Mayor