



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

**NOVEMBER 24, 2009**

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was convened at 7:00 p.m. in the Council Chambers on November 24, 2009, by Mayor Batchelor.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Batchelor.

3. **ROLL CALL**

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

Absent: \*Councilmember Besneatte

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None

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

5.1 Ted Jorgensen, Dixon Big O Tires, asked the Council to take a stand for local owned businesses. He discussed business retention, filing an appeal against Les Schwab Tires, attention needed for the General Plan, and protecting Dixon's charm.

\*Councilmember Besneatte arrived at 7:04 p.m.

5.2 Jim Haughn, Haughn and Son Tires, noted the approval of Les Schwab, the bad economy for local businesses, asked for time until the economy changes, and to postpone final approval of Les Schwab to move into Dixon.

- 5.3 Larry Simmons expressed his personal concern of the short time for public to respond to projects. He preferred more time for the public/businesses reaction or commentary.

6. **ITEMS FROM THE CITY COUNCIL**

- 6.1 Vice Mayor Fuller discussed talking to Greg Peterson, Solano Land Trust, about opportunities to preserve agricultural land.
- 6.2 Councilmember Ceremello reported about attending the Planning Commission meeting. He discussed the Joint City Council / Dixon Unified School District meeting regarding the Gretchen Higgins gate, asked for an alternate Councilmember be assigned to this subcommittee, and requested an emergency item be added to this agenda because of safety and liability. He discussed emails addressed to the City Manager from Dave Scholl about placing the subject of Veterans' exemption on the Council agenda, paper of general circulation, he having no conflict of interest with the Independent Voice, and charges to the Redevelopment Agency fund. He suggested applying the Redevelopment Agency funds to the Core Area Drainage Project. In addition, he discussed Flying J's request to move the retention pond.
- 6.3 Councilmember Cayler reported about attending the change-of-command at Travis Air Force Base, Transportation Advisory Commission (TAC) meeting, Dixon Family Services' 25<sup>th</sup> Anniversary party, Travis Regional Armed Forces Committee meeting, Solano Water Agency meeting, California Water Service turkey distribution, Veterans' dinner, and noted the Scottish Games will be returning to Dixon in 2011.
- 6.4 Councilmember Besneatte noted his neighbor asked if they could be notified about street sweeping, discussed garbage not being picked up at a commercial building, and expressed concern with the service from the franchise. He discussed the inappropriateness of attending a meeting at the request of a developer, clarified that he had no interest in the trespassing issue at the Firehouse project, that he was contacted about a non-elected body making decisions for the City, an email received from Ourania Riddle about a honeysuckle plant impacting her yard, and gave accolades to Jack Caldwell and California Water Services for distributing turkeys locally for the holidays.
- 6.5 Mayor Batchelor noted the schedule for street sweeping has been published in the Dixon Tribune, clarified his role as Mayor is to meet with people who want to bring business to Dixon and to put them in touch with City staff, the misinterpretation from Flying J relating to these meetings, discussed the Planning Commission acted with transparency on a permitted use in a permitted zone. He noted California Water Service has been purchasing and distributing turkeys locally for 20 years and thanked them for this service.

7. **ITEMS FROM THE CITY TREASURER**

The City Treasurer was not present.

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 amended agenda. Roll call was taken as follows:

Ayes: Besneatte, Cayler, Ceremello, Fuller, Batchelor  
Noes: None  
Abstain: None  
Absent: None

9. **CONSENT CALENDAR**

Councilmembers Ceremello and Besneatte had questions regarding Item 9.6.

Councilmember Besneatte noted his previous complaints and concerns.

Councilmember Ceremello noted Councilmember Besneatte's comments relating to his sidewalk and why the sidewalk was not completed.

Royce Cunningham, City Engineer, reviewed his August 11, 2009, staff report. Councilmember Besneatte's sidewalk was marked, but not part of the specifications because there was not enough funding. He responded to Council questions.

Councilmember Besneatte asked that Item 9.6 be voted on separately.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt the Consent Calendar, except Item 9.6. Roll call was taken as follows:

Ayes: Besneatte, Cayler, Ceremello, Fuller, Batchelor  
Noes: None  
Abstain: None  
Absent: None

A motion was made by Councilmember Besneatte to not approve Item 9.6. The motion failed due to the lack of a second to the motion.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 09-187 accepting the 2008 Sidewalk Replacement Project and authorizing the City Clerk to file a Notice of Completion. Roll call was taken as follows:

Ayes: Cayler, Ceremello, Fuller, Batchelor  
Noes: Besneatte  
Abstain: None  
Absent: None

- 9.1 **Approved the City Council Minutes for the October 13, 2009, meeting.**
- 9.2 **Adopted Resolution No. 09-183 approving the Enumeration of Claims.**
- 9.3 **Adopted Resolution No. 09-184 supporting the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.**
- 9.4 **Adopted Resolution No. 09-185 declaring various vehicles and equipment to be obsolete and surplus.**
- 9.5 **Adopted Resolution No. 09-186 amending the Transit Fund (350) budget and authorizing the purchase of two wheelchair accessible minivans from El Dorado Bus Sales using the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$95,000.**
- 9.6 **Adopted Resolution No. 09-187 accepting the 2008 Sidewalk Replacement Project and authorizing the City Clerk to file a Notice of Completion.**

See Minutes on Page 3.

- 9.6A **Adopted Resolution No. 09-188 authorizing the City Engineer to execute an easement deed to Pacific Gas and Electric for a ten-foot wide easement through the City Parking Lot at North Jackson Street and West B Street.**

#### **Dixon Redevelopment Agency**

- 9.7 **Redevelopment Agency Resolution amending the Housing Set Aside Program Guidelines and administrative procedures to conform to the Neighborhood Stabilization Program.**

See Redevelopment Agency Minutes for November 24, 2009.

### 10. **PUBLIC HEARINGS**

- 10.1 **Matters relating to Chapter 12 of the Dixon City Code relating to telecommunication facilities: (PA 09-08) (ZON 09-05) (Zoning Ordinance) (Continued from 11-10-09)**
  - 1. **Resolution approving a Negative Declaration.**

**2. Ordinance amending Section 12.16 relating to General Provisions and Exceptions of antennas and transmission towers and adding Section 12.34 relating to telecommunication facilities.**

Dave Dowswell, Community Development Director, noted this item was continued because of changes relating to exempting HAM operators and discussed the changes.

Mayor Batchelor opened the public hearing.

Bill Paul thanked the Council and Mr. Dowswell for exempting HAM operators from the ordinance.

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

A motion was made by Councilmember Ceremello, seconded by Vice Mayor Fuller, to continue the Negative Declaration to December 8<sup>th</sup>, and waive reading, read by title only, introduce the ordinance, and continue to December 8<sup>th</sup>. Roll call was taken as follows:

Ayes:	Besneatte, Ceremello, Fuller, Batchelor
Noes:	Cayler
Abstain:	None
Absent:	None

**11. UNFINISHED BUSINESS**

**11.1 Matters relating to subdivision regulations:**

- 1. Ordinance repealing Chapter 10 of Article II of the Dixon City Code relating to subdivision regulations.**
- 2. Ordinance adding Title 17 to the Dixon Municipal Code relating to subdivision regulations.**

Dave Dowswell, Community Development Director, discussed the final authority for tentative and parcel maps from the last Council meeting and the changes made to reflect Council direction. Mr. Dowswell and City Engineer Royce Cunningham responded to Council questions.

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

Councilmember Ceremello thought reversion to acreage could be approved by the Community Development Director and that all corrections should be made first.

A motion was made by Councilmember Cayler, seconded by Vice Mayor Fuller, to waive reading, read by title only, introduce the ordinances, and continue to December 8, 2009. Roll call was taken as follows:

Ayes: Besneatte, Cayler, Fuller, Batchelor  
Noes: Ceremello  
Abstain: None  
Absent: None

**11.2 Matters relating to amendments to the City of Dixon Engineering Standards and Specifications: (Continued from 11-10-09 #12.3)**

- 1. Resolution approving a Negative Declaration of environmental impact for the Engineering Standards and Specification amendments.**
- 2. Resolution amending the Engineering Design Standards and Construction Specifications.**

Royce Cunningham, City Engineer, reviewed the changes proposed to the Engineering Standards and Specifications and responded to Council questions.

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

A motion was made by Councilmember Besneatte, seconded by Vice Mayor Fuller, to adopt Resolution No. 09-190 approving the Negative Declaration and Resolution No. 09-191 amending the Engineering Design Standards and Construction Specifications. Roll call was taken as follows:

Ayes: Besneatte, Cayler, Ceremello, Fuller, Batchelor  
Noes: None  
Abstain: None  
Absent: None

**12. NEW BUSINESS**

**12.1 Matters relating to a social host accountability ordinance:**

- 1. Resolution finding the proposed addition of Chapter 11 to the Dixon Municipal Code is categorically exempt from the California Environmental Quality Act (CEQA).**
- 2. Ordinance adding Chapter 11.04 to Title 11 of the Dixon Municipal Code relating to social host accountability.**

Tony Welch, Police Captain, discussed the social host ordinance holds non-commercial individuals responsible for underage drinking at parties on property and the two main types of social host ordinances (criminal and civil liability), and fines.

Mayor Batchelor asked for public comment.

Pastor Steve Rost, Alcohol, Tobacco, and Other Drugs (ATOD) member, noted the problem is serious in Dixon, supported the ordinance, and discussed the survey conducted by the California Department of Education.

Cookie Powell, Dixon Family Services, read a statement from Laura Dilgard, Licensed Clinical Social Worker, supporting the ordinance, that it is a high priority for the ATOD team, and that it would be helpful to the schools.

Brian Dolan, Human Resources/Pupil Services and member of ATOD, discussed the key components of danger to high school students, parents support use of ATOD, critical for teens in town, this needs to be treated seriously, to hold parents responsible, and strongly urged adoption of the ordinance.

Erica Mejia, Miracle Christian Worship and ATOD member, noted they are a promoter and full supporters the ordinance, discussed the importance of the ordinance, the damage to children with alcohol, and parents not understanding when parties are promoted in their home.

Merry Wood, Anderson Parent/Teacher Organization, noted they collectively support the ordinance targeting parties and if the ordinance saves a life it would be worth it.

Larry Simmons asked about the appeal process and fines.

Don Mort, Reducing Rates Coalition, discussed this being the perfect ordinance for Dixon and Solano County, provided statistics that 65% of teens receive alcohol from family and friends, and strongly supported the ordinance.

Tiffany Wing supported the ordinance, but asked about the impact on parents who have no knowledge of parties.

After a lengthy Council deliberation, a motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 09-192 finding the proposed ordinance exempt from CEQA and waived reading, read by title only, introduced the ordinance, and continued it to December 8, 2009. Roll call was taken as follows:

Ayes:	Cayler, Fuller, Batchelor
Noes:	Besneatte, Ceremello
Abstain:	None
Absent:	None

**12.2 Resolution confirming the Community Group Subsidy Subcommittee funding recommendation for Fiscal Year (FY) 2009-10 to allocate \$7,500 to Dixon Family Services.**

Jeff Matheson, Public Works and Community Services Director, discussed the annual allocation of funds for community groups and the selection process. He noted only one proposal was received from Dixon Family Services for a number of programs. Mr. Matheson responded to Council questions.

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

A motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to adopt Resolution No. 09-193 allocating \$7,500 to Dixon Family Services (AG09-041). Roll call was taken as follows:

Ayes:	Besneatte, Cayler, Fuller, Batchelor
Noes:	Ceremello
Abstain:	None
Absent:	None

**12.3 Bay Area Toll Authority (BATA) regarding a proposal to increase bridge tolls. (Requested by Councilmember Ceremello)**

Councilmember Ceremello expressed concern that the closest meeting to Dixon will be held in Concord. He discussed the intent of BATA to increase the bridge toll to \$10.

Councilmember Besneatte discussed generating revenue versus review of operations and there is no economic evaluation. He supported sending a letter that he does not support any fee increase for Dixon citizens.

Councilmember Cayler preferred individual efforts rather than the entire Council.

Vice Mayor Fuller expressed concern about increasing fees for citizens, that justification should be provided, and agreed to a letter stating there is no meeting on this side of the Bay and no increase in rate.

Mayor Batchelor noted the fee increase is for retrofitting and seismic stability of the aging bridges. He preferred individual letters be sent expressing your specific concerns.

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

Councilmember Ceremello felt a letter from the entire Council would carry more weight.



A motion was made by Councilmember Ceremello, seconded by Councilmember Besneatte, to send a letter from the entire Council opposing the increase of bridge tolls. Mayor Batchelor requested the Council vote be included in the letter. Roll call was taken as follows:

Ayes: Besneatte, Ceremello, Fuller  
Noes: Cayler, Batchelor  
Abstain: None  
Absent: None

13. **OTHER AGENCY BUSINESS**

None

14. **ITEMS FROM THE CITY ATTORNEY**

None

15. **ITEMS FROM THE CITY MANAGER**

Nancy Huston, City Manager, wished everyone a Happy Thanksgiving.


16. **CLOSED SESSION**

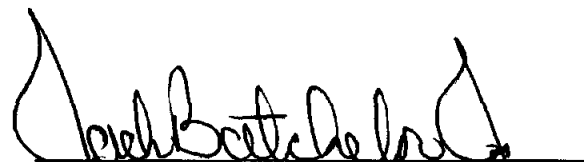
None

17. **ADJOURNMENT**

The City Council meeting adjourned at the hour of 9:45 p.m.

ATTEST:

  
Janice Beaman, CMC  
City Clerk

  
Jack Batchelor, Jr.  
Mayor