



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL

MARCH 24, 2009

1. **CALL TO ORDER**

The Special Meeting of the Dixon City Council was called to order at 6:00 p.m. to meet in Closed Session in the Council Chambers Conference Room on March 24, 2009, by Mayor Batchelor.

Present: Councilmembers Kay Fulfs Cayler, Michael Ceremello, Victoria Coppes, Rick Fuller, and Mayor Jack Batchelor

Absent: None

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

1. Pursuant to Government Code Section 94957 relating to Public Employee Appointment:
Title: Police Chief
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
(Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9) - One Potential Case

Michael Dean, City Attorney, reported Item 2 relates to the Public Records Act request of Dave Scholl regarding City Attorney invoices.

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

The City Council reconvened at 6:59 p.m.

Mayor Batchelor called the Regular Meeting of the City Council to order at 7:00 p.m.

Mayor Batchelor reported that the City Council met in Closed session relating to the subjects above and there is no reportable action on Items 1 and 2.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Batchelor.

3. **ROLL CALL**

Present: Councilmembers Kay Fulfs Cayler, Michael Ceremello, Victoria Coppes, Rick Fuller, and Mayor Jack Batchelor

Absent: None

Mayor Batchelor asked that the four Oakland Police Officers who died in the line of duty be recognized with a Moment of Silence.

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None

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

5.1 Bunyan Johnson, Solano County Grand Jury, informed the Council that the Superior Court needs volunteers to serve on the 2009-2010 Civil Grand Jury. He reviewed the qualifications, duties, and time commitment necessary, noted that full time employment does not preclude a person from serving on the Grand Jury, and would like at least one candidate from Dixon.

5.2 Mary Ann Montague discussed bringing the concept of developing housing for the aging to the City Council and General Plan Advisory Committee, that at the beginning development stages to include necessary accessories (i.e. accessible shower, grab bars, etc.), and that this is an opportunity to ask builders to include this type housing. She also suggested Redevelopment Agency funds be offered to homeowners to upgrade housing for those aging.

5.3 Ginger Emerson distributed a letter relating to the Joint City Council and Dixon Unified School District Subcommittee meeting held. She clarified and discussed points on behalf of many neighborhood residents.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Cayler reported about attending the Travis Regional Air Force Committee (TRAFC) meeting and the Citizen of the Year dinner at which Jill Orr was named Citizen of the Year by the Chamber of Commerce.

6.2 Councilmember Coppes reported about attending the Joint City Council/Dixon Unified School District meeting where the Hall Park gate was discussed. She also attended the Downtown Dixon Business Association meeting and the Volunteer Firefighter's dinner.

6.3 Vice Mayor Fuller reported attending the Planning Commission meeting and expressed concern about comments made by Councilmember Ceremello, as a Councilmember or as a citizen, that may have been inappropriate. He requested a discussion on a Council agenda about Councilmembers role at commission meetings.

He reported participating in the Meals on Wheels Program, felt all Councilmembers should participate, and that it was a gratifying experience.

Vice Mayor Fuller reported about attending the Woodland Health Care Foundation dinner for the Mayor, was able to network with Yolo County elected officials, and noted the branch is becoming more active in the Dixon community.

He also reported about attending the Volunteer Firefighter's awards dinner and appreciated the effort, service, and applauded all Firefighters.

6.4 Mayor Batchelor reported that he did not attend the Meals on Wheels because he joined other members of the Solano Transportation Authority for meetings at the State Capitol and noted the topics of discussion.

Mayor Batchelor commended and congratulated the following:

Jason Barker, Firefighter/Paramedic, as Dixon's Firefighter of the Year;
Jill Orr as Citizen of the Year;
Lynn Bobbitt as Ambassador of the Year;
Dixon Dance Studio as Business of the Year;
Richard Reeser as Veteran of the Year; and
the family of Chuck Coates received the Humanitarian Award.

6.5 Councilmember Ceremello discussed speaking at the Planning Commission meeting, he welcomed the idea about placing a Council item on the agenda for discussion, and noted he checked with Joanna Smith regarding his participation at Commission meetings.

7. **ITEMS FROM THE CITY TREASURER**

None

8. **APPROVAL OF AGENDA**

There was no discussion on this item.

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

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

9. **CONSENT CALENDAR**

Councilmember Ceremello requested Item 9.4 be considered separately from the Consent Calendar.

A motion was made by Councilmember Cayler, seconded by Councilmember Coppes, to adopt the Consent Calendar, except for Item 9.4. Roll call was taken as follows:

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

9.1 **Approved the following City Council Minutes:**

1. **Regular Meeting of February 10, 2009.**
2. **Regular Meeting of February 24, 2009.**

9.2 **Adopted Resolution No. 09-045 approving the Enumeration of Claims.**

9.3 **Adopted Resolution No. 09-046 authorizing budget amendment to reimburse Union Pacific Railroad (UPRR) for reviewing the proposed West B Street Pedestrian Undercrossing plans, in the amount of \$25,000. (Budget Amendment #2008-09-03-01)**

9.4 **Resolution declaring all weeds, refuse, and rubbish on specified parcels of property as a public nuisance and setting the public hearing date for the City Council meeting of May 12, 2009, to hear any objections to the proposed removal of weeds, rubbish, and refuse.**

See Minutes following the Consent Calendar.

9.5 **Approved minute action authorizing the City Clerk to issue the Request for Bids for purchasing gasoline and diesel fuel products.**

9.6 **Waived reading, read by title only, and adopted Ordinance No. 09-010 amending Sections 12.29.07 and adding Section 12.29.07D to Chapter 12 of Article II of the Dixon City Code relating to Restoration of a Damaged Structure/Rebuilding of Non-Conforming Residential Structures. (PA 09-04) (ZON 09-02) (Introduced on 03-10-09 #10.2)**

9.7 **Approved Proclamation proclaiming March 2009 as “American Red Cross Month”.**

9.4 **TAKEN OUT OF ORDER**

Resolution declaring all weeds, refuse, and rubbish on specified parcels of property as a public nuisance and setting the public hearing date for the City Council meeting of May 12, 2009, to hear any objections to the proposed removal of weeds, rubbish, and refuse.

Councilmember Ceremello did not have any objections, but noted this program having been in place for several years, and last year vacant parcels were not addressed about weeds, particularly at Evans Road and A Street and North First Street. He noted in 2007 the lots were abated, but in 2008 they were not, and asked if the Police Department will be enforcing this year.

A motion was made by Councilmember Cayler, seconded by Councilmember Coppes, to adopt Resolution No. 09-046 declaring all weeds, refuse and rubbish on specific parcels as a public nuisance and setting the hearing date for May 12, 2009, for the City Council to hear any objections. Roll call was taken as follows:

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

10. **PUBLIC HEARINGS**

10.1 **Waive reading, read by title only, and introduce an ordinance amending Sections of 12.20.02a, 12.20.03 and 12.20.06 and adding Section 12.20.09 to Section 12.20 of Chapter 12 of Article II of the Dixon City Code relating to Temporary Signs. (PA 09-02) (ZON 09-01) (Continued from 03-10-09 #10.3)**

Dave Dowswell, Community Development Director, presented the background for the proposed changes, discussed the Planning Commission review and recommendation to Council for approval, and discussed the use of “A Frame” signs, temporary banners, and streamers. The Planning Commission agreed to allow Gary Short to keep his mobile sign until July 1, 2009, and Mr. Short agreed to it. Mr. Dowswell reviewed the proposed changes to the draft ordinance and responded to Council questions.

Michael Dean, City Attorney, clarified that mobile signs driving around the City for advertising are not permitted.

Mayor Batchelor opened the public hearing.

Gary Short felt realtor signs on public sidewalks should be addressed in the ordinance. He noted mobile signs were not addressed in the existing ordinance and that he developed the sign. He requested the Planning Commission to consider limitations to mobile signage to industrial/commercial areas, but the Planning Commission disagreed. The Planning Commission unanimously agreed to allow his mobile sign until July 1, 2009. For community events on public property, the City is limited in regulation at the event and thought it should be made clear in the ordinance. He requested some mobile signage be limited, be reasonable, but be allowed indefinitely with an application process and noted it is a form of advertising. Mr. Short responded to Council questions.

Ginger Emerson asked if permitted “A Frame” signs downtown are against the curb or against the building. Mr. Dowswell replied that criteria is being developed with the encroachment process and may vary depending on the front of the buildings. Signs will be located so not to interfere with getting out of the car or blocking sidewalks. Ms. Emerson noted the potted trees are a problem when opening car doors and hoped the signs will not be a problem.

Larry Simmons asked if the ordinance takes into consideration the upcoming event signs on the Pardi Lot that are beneficial. Nancy Huston, City Manager, replied the Pardi Lot is owned by the Redevelopment Agency and they have been silent as long as the signs are representative of the community and are not political signs.

Councilmember Ceremello asked why government is exempt. He discussed the shortcomings of the ordinance and not including Little League, Soccer sign-ups, etc. He asked for the ordinance to be returned to the Planning Commission.

Dane Besneatte expressed concern about the “nominal fee” for small businesses, placing fees on small business must come to an end, and authorization of one person to decide if signage appropriate. He felt the ordinance is ill-advised and needs to be re-thought about the implications of the law being imposed on the business that are far beyond than what is written.

Brian Alexander noted he is against anything on sidewalks, felt sidewalks are for pedestrians, and thought Mr. Short was innovative with his mobile sign.

Drew Graska discussed the right-of-way of sidewalks and that the City does not enforce bushes encroaching onto sidewalks.

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

After a lengthy deliberation and discussion with staff, Mayor Batchelor asked the City Attorney if the ordinance should return to the Planning Commission.

Mr. Dean replied that a precise ordinance must be introduced and if it requires amendments, then the Planning Commission would reconsider.

The Council referred the ordinance to the City Attorney and Community Development Director.

The City Council recessed for a break at 8:50 p.m.

The City Council reconvened the meeting at 8:55 p.m.

11. **UNFINISHED BUSINESS**

None

12. **NEW BUSINESS**

12.1 **Resolution approving the budget policy for the City of Dixon in order to maintain fiscal sustainability.**

Sandra Sato, Finance and Technology Director, discussed the budget policy that was identified as a Council goal and the amendment made to the definition of a balanced budget. She discussed the purpose of the budget principles, minimum reserve levels, and reserve levels for other agencies. Ms. Sato responded to Council questions.

Nancy Huston, City Manager, discussed changes and combining funds into the General Fund.

Mayor Batchelor asked for public comment.

David Dingman recommended changing the reserve level to 10-20%, recited statistics from other cities, and felt a 5% reserve is too low.

Drew Graska discussed solvency and sustainability of the city and reserves should not be used to balance the budget.

Larry Simmons discussed maintaining reserves for emergencies and suggested looking ahead for economic improvement.

After Council deliberation, a motion was made by Vice Mayor Fuller, seconded by Councilmember Coppes, to adopt Resolution No. 09-048 approving the budget policy to maintain fiscal sustainability. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

None

14. **ITEMS FROM THE CITY ATTORNEY**

None

15. **ITEMS FROM THE CITY MANAGER**

15.1 Nancy Huston, City Manager, reported the fourth quarter sales tax is higher than last year and noted the sales tax in other cities in Solano County are lower.

16. **CLOSED SESSION**

None

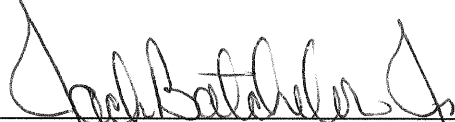
17. **ADJOURNMENT**

The City Council meeting adjourned at the hour of 9:30 p.m.

ATTEST:



Janice Beaman, CMC
City Clerk



Jack Batchelor, Jr.
Mayor