



MINUTES
REGULAR MEETING OF THE
DIXON CITY COUNCIL
DIXON REDEVELOPMENT AGENCY

MARCH 23, 2010

1. **CALL TO ORDER**

The Regular Meeting of the Dixon City Council was convened at 7:03 p.m. in the Council Chambers on March 23, 2010, by Mayor Batchelor.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Batchelor.

3. **ROLL CALL**

Present: Councilmember Dane Besneatte, Kay Fulfs Cayler, Michael Ceremello,
Vice Mayor Rick Fuller, Mayor Jack Batchelor

Absent: None

4. **PRESENTATIONS/ PROCLAMATIONS/ RECOGNITION**

None

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

5.1 Drew Graska asked about the Veterans' exemption and requested the South Almond drainage project be completed before any other projects.

6. **ITEMS FROM THE CITY COUNCIL**

6.1 Councilmember Ceremello noted other code sections relating to veterans' exemption will return to Council. He discussed the Planning Commission meeting, collecting signatures to oppose the proposed water rate increase, and holding office hours. He hoped the live-streaming of the meeting would be at the next meeting and noted that Larry Simmons requested "Other Agency Business" be moved to earlier in the meeting.

- 6.2 Councilmember Cayler reported about attending the Travis Regional Armed Forces Committee (TRAFC) meeting, the Travis Retiree Appreciation Dinner, Dixon Firefighters Annual Awards Dinner, and the corned beef and fish fry dinners at the American Legion.
- 6.3 Councilmember Besneatte discussed being an observer for the Fire Chief interviews and the Dixon Firefighters Annual Awards Dinner.
- 6.4 Mayor Batchelor reported about attending the Evening of Honor for Fire service members that is sponsored by Rotary Clubs in Solano County, Women's History Month, and noted the Meals on Wheels fundraiser on March 24th. Mayor Batchelor also discussed attending the Dixon Firefighters Annual Awards Dinner and congratulated and recognized each firefighter who received an award. He noted he had the opportunity to tour the building at the Old Fire Station that is a Redevelopment Agency partnership project.

7. **ITEMS FROM THE CITY TREASURER**

James Slaughter arrived late to the meeting.

8. **APPROVAL OF AGENDA**

Councilmember Ceremello requested "Other Agency Business", Item 13.1, be considered before Public Hearings. Nancy Huston, City Manager, reported the Project Manager has not arrived and suggested considering Item 13.1 before "New Business".

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

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

9. **CONSENT CALENDAR**

Vice Mayor Fuller noted that Item 9.3 stated he previously served on the Community Action Plan of Solano and clarified that he had served on a similar committee, but not that one.

Councilmember Ceremello requested Items 9.7 and 9.8 be considered separately from the Consent Calendar.

Councilmember Besneatte requested Item 9.6 be considered separately from the Consent Calendar.

Mayor Batchelor asked for public comment.

Dave Scholl thought Council minutes should be completed from one meeting to the next.

A motion was made by Councilmember Besneatte, seconded by Councilmember Cayler, to adopt the Consent Calendar, Items 9.1 through 9.5. Roll call was taken as follows:

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

9.1 Matters relating to City Council Minutes:

- 1. Approved the City Council Minutes for the February 22, 2010, Special meeting.**
- 2. Approved the City Council Minutes for the February 23, 2010, Regular meeting.**

9.2 Adopted Resolution No. 10-044 approving the Enumeration of Claims.

9.3 Approved minute action confirming the appointment of Vice Mayor Rick Fuller to serve on the Community Action Partnership (CAP) of Solano Joint Powers Authority (JPA) Board.

9.4 Approved minute action rejecting all proposals received for copier leases for the City Hall, Engineering Department, and Fire Department and authorizing the City Clerk to re-advertise for proposals.

9.5 Waived reading, read by title only, and adopted Ordinance No. 10-033 amending the Planned Development Plan (PDP) for the Brookfield Senior Housing Planned Development Plan, located at the northeast corner of the Valley Glen Drive/Heritage Lane, and South First Street intersection. (APN: 116-030-150) (PA 07-14) (PD 07-01)

9.6 Resolution revising the fee schedule for the Jim B. Stevens Arena.

See Minutes on Page 4.

9.7 Resolution authorizing the submittal of a grant application, local matching funds of at least ten percent of the project total, and the City Engineer to execute any associated documents for the State Community-Based Transportation Planning Grant for preparing the Transportation Mobility Master Plan.

See Minutes on Page 4.

Dixon Redevelopment Agency

9.8 **Matters relating to Redevelopment Agency Minutes:**

1. **Redevelopment Agency Minutes for the February 9, 2010, meeting.**
2. **Redevelopment Agency Minutes for the February 23, 2010, meeting.**

See Redevelopment Agency Minutes for March 23, 2010.

9.6 **TAKEN OUT OF ORDER**

Resolution revising the fee schedule for the Jim B. Stevens Arena.

Councilmember Besneatte preferred charging \$30 for one hour use and \$20 an hour for multiple hour use.

Jeff Matheson, Public Works and Community Services Director, discussed the flexibility of arena rentals and noted the fee is low compared to surrounding areas.

Mayor Batchelor asked for public comment.

A motion was made by Councilmember Ceremello, seconded by Councilmember Besneatte, adopt Resolution No. 10-045, as amended, to charge \$30 for one hour of use and \$20 an hour for multiple hour use. Roll call was taken as follows:

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

9.7 **TAKEN OUT OF ORDER**

Resolution authorizing the submittal of a grant application, local matching funds of at least ten percent of the project total, and the City Engineer to execute any associated documents for the State Community-Based Transportation Planning Grant for preparing the Transportation Mobility Master Plan.

Councilmember Ceremello discussed not deciding about the Level of Service and noted the funding is not free. He needed more information before considering for approval.

Councilmember Besneatte discussed funding up to 90% and the cost the City would be responsible for.

Royce Cunningham, City Engineer, responded to Council questions.

Nancy Huston, City Manager, noted the information is needed for the General Plan update.

Mayor Batchelor asked for public comment.

Herb Cross noted if the work is necessary to apply for the grant. If the City does not apply, then someone else will take it.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 10-046 authorizing submittal of a grant application for the State Community-Based Transportation Planning Grant. Roll call was taken as follows:

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

10. PUBLIC HEARINGS

10.1 **Matters relating to the General Plan:**

1. **Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program.**
2. **Resolution approving an amendment to the General Plan changing the land use description for High Density Residential (HD) by eliminating the “For Seniors” requirement. (GPA-10-01) (Citywide)**
3. **Matters relating to property located on the Southeast corner of North First Street at Stratford Avenue: (APN: 0115-010-450) (PA-10-02) (ENV 10-01) (GPA-10-01) (ZON 10-01)**
 1. **Resolution approving a proposed amendment to the Land Use Map changing the land use designation from Neighborhood Commercial (NC) to High Density Residential (HD).**
 2. **Waive reading, read by title only, and introduce an Ordinance rezoning approximately 6.5 acres from Neighborhood Commercial-Professional & Administrative Office-Planned Development (CN-PAO-PD) to Multi-Family Residential, Professional & Administrative Office, and Planned Development (RM-2-PAO-PD).**

Dave Dowswell, Community Development Director, discussed the high density for senior only designation, the General Plan Advisory Committee review of three sites, comments received from other agencies during the comment period, Planning Commission review of sites and recommendation that this is the preferred site. Mr. Dowswell responded to Council questions.

Mayor Batchelor opened the public hearing.

Mark Farias, Plumbing MD, received the notice but because of the listed location, he did not think it pertained to his parcel. He believed the project would negatively impact his property. He noted their property is 1/3 developed, felt it would not be fair to develop with high noise uses.

Rick Cannaday, General Manager of Insulfoam, opposed the St. Anton Apartments being located there before. He discussed their business operating 24/7, manufacturing in all three buildings with lots of noise, and there would be complaints. He does not want relegated hours and wanted the property to stay light industrial.

Steve Cannaday, Bellingham Marine, noted he had not received the notice, they manufacture concrete floats, start at 3:00 a.m., can work two shifts a day, seven days a week, and they are noisy. He expressed concern with high density in an industrial area.

Mike Fedyk, Milgard Tempering, noted he had not received a notice, their operation is 24/6 and is 95% product shipping. He expressed concern with the negative impacts and would like to stay there.

Larry Simmons noted putting residential into an industrial area had been discussed in detail before and there is no institutional knowledge.

Michael Dean, City Attorney, noted Attachment 5 includes the minutes of the prior meeting.

Bill MacLaughlin, owner of Dixon Commercial Properties, discussed the proposed housing development, acoustical standards for business and residential, and felt the concrete warehouse would be a good sound buffer. He stressed the importance of his development and discussed the opposition several years ago.

Drew Graska suggested the testimony and options be weighed and ask who would want to live there.

After Council deliberation, a motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to adopt Resolution No. 10-047 adopting the Mitigated Negative Declaration and Mitigation Monitoring Program and Resolution No. 10-048 approving an amendment to the General Plan eliminating “for seniors” from the land use description for High Density Residential. 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, seconded by Councilmember Cayler, to deny the ordinance to rezone 6.5 acres from CN-PAO-PD to RM-2-PAO-PD for Parcel No. 0115-010-450. Roll call was taken as follows:

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

11. **UNFINISHED BUSINESS**

None

The City Council recessed for a break at 8:55 p.m.

The City Council meeting reconvened the meeting at 9:05 p.m.

13. **TAKEN OUT OF ORDER**

- 13.1 **Redevelopment Agency Resolution authorizing a deferred housing loan to Davis Senior Housing Communities, Inc., for the Heritage Commons Affordable Senior Housing Project, in the amount of \$343,000.**

See Redevelopment Agency Minutes for March 23, 2010.

12. **NEW BUSINESS**

- 12.1 **Joint Resolution extending the term of the Joint Exercise of Powers Agreement (JEPA) between the City of Dixon and Solano Irrigation District through June 30, 2010.**

Royce Cunningham, City Engineer, discussed the expiring JEPA, noted negotiations are continuing, and requested the JEPA be continued through June 30, 2010.

A motion was made by Councilmember Cayler, seconded by Councilmember Besneatte, to adopt Resolution No. 10-049 extending the JEPA to June 30, 2010. Roll call was taken as follows:

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

12.2 **Resolution approving the 2009 Annual General Plan Review.**

Dave Dowswell, Community Development Director, discussed the State requirement to review the General Plan annually, noted activity is slow, and reviewed the changes.

Mayor Batchelor asked for public comment.

Dave Scholl discussed what things the City “claims” to be doing, the attitude of the Community Development Department, not encouraging economic growth of small businesses, and felt staff “killed” his business.

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

Councilmember Ceremello felt Mr. Scholl’s comments had merit.

A motion was made by Councilmember Cayler, seconded by Vice Mayor Fuller, to adopt Resolution No. 10-050 approving the 2009 Annual General Plan Review. Roll call was taken as follows:

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

12.3 **Matters relating to weeds, refuse, and rubbish:**

1. **Resolution declaring all weeds, refuse, and rubbish as a public nuisance and setting a public hearing date for the City Council meeting on May 11, 2010, to hear any objections to the proposed removal of weeds, rubbish, and refuse relating to 1565 McCarthy Court, Dixon.**
2. **Resolution declaring all weeds, refuse, and rubbish on other specified parcels of property as a public nuisance and setting a public hearing date for the City Council meeting on May 11, 2010, to hear any objections to the proposed removal of weeds, rubbish, and refuse.**

Relating to Item 12.3.1, Councilmember Ceremello recused himself, due to the discussion of his property, until public comment and left the room.

Steve Bird, Police Captain, discussed that each year the City schedules weed abatement because of threat of fire, the process used to identify affected developed and vacant parcels, noted that one parcel is owned by a Councilmember, and that property has a separate Resolution and showed pictures of the property. All the remaining properties are included in the second Resolution, but the process that is being used are the same for both. He reported that notices will be sent to property owner and property owners have until May 23rd to voluntarily abate the property.

Mayor Batchelor asked for public comment.

Councilmember Ceremello discussed the three-tiers of his lawn, his continuing to cleanup, wanted a detailed list of what should be abated, questioned why backyards are not included, and asked when the policy changed to include developed property.

Susie Salmons noted Councilmember Ceremello's property being on the list declaring weeds, refuse, and rubbish. She felt he should be disqualified from participating in the discussion of judging the condition of any property based on evidence of his own yard.

Warren Salmons presented pictures of Councilmember Ceremello's yard, discussed Councilmember Ceremello having to be forced to maintain his yard, the deplorable conditions of his front and back yard and being a public nuisance, with rats and vermin being a public health and safety issue.

Larry Simmons noted the wide-spread problem and high grass is a safety and fire problem.

After Council deliberation, a motion was made by Councilmember Cayler, seconded by Vice Mayor Fuller, to adopt Resolution No. 10-051 declaring all weeds, refuse, rubbish as a public nuisance and setting May 11, 2010, as the hearing date to hear objections relating to 1565 McCarthy Court. Roll call was taken as follows:

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

Relating to Item 12.3.2, Captain Bird noted this is the same as the previous item, discussed the number of parcels identified as being a public safety hazard and public nuisance, that notices will be sent to property owners, and they have until May 23rd to voluntarily abate the property. He showed some pictures of properties on the list, and overview map with properties identified.

Councilmember Ceremello discussed the list not being comprehensive, homes that he identified are not on the list, and unequal enforcement.

Jon Cox, Police Chief, noted that some properties are listed by Assessor Parcel number and not by address.

Mayor Batchelor asked for public comment.

Ginger Emerson discussed undeveloped lots downtown.

A motion was made by Vice Mayor Fuller, seconded by Councilmember Cayler, to adopt Resolution No. 10-052 declaring all specified properties as public nuisance and setting May 11, 2010, as the hearing date to hear objections. Roll call was taken as follows:

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

13. **OTHER AGENCY BUSINESS**

13.1 **Redevelopment Agency Resolution authorizing a deferred housing loan to Davis Senior Housing Communities, Inc., for the Heritage Commons Affordable Senior Housing Project, in the amount of \$343,000.**

See Redevelopment Agency Minutes for March 23, 2010.

14. **ITEMS FROM THE CITY ATTORNEY**

None

15. **ITEMS FROM THE CITY MANAGER**

15.1 Nancy Huston, City Manager, encouraged everyone to complete and return their Census Forms.

16. **CLOSED SESSION**

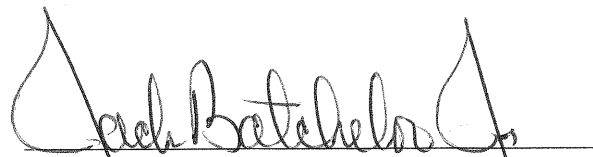
None

17. **ADJOURNMENT**

The City Council adjourned the meeting at the hour of 10:35 p.m.

ATTEST:


Janice Beaman, CMC
City Clerk


Jack Batchelor, Jr.
Mayor