

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park, California convened February 24, 2009 at 6:30 p.m. in a Regular Meeting in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER Mayor Rheins called the meeting to order at 6:30 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

James Rheins	Mayor
Bill Mac Aloney	Mayor Pro Tem
Deborah Pauly	Councilmember
Brad Reese	Councilmember
W. Richard Ulmer	Councilmember

STAFF PRESENT

Don Powell	Interim City Manager
Todd Litfin	City Attorney
Joe O'Neil	City Engineer
Jason Carson	Associate Planner
Jarad Hildenbrand	Assistant City Manager / Deputy City Clerk
Michele Danaher	Finance Manager
Jorge Garcia	Management Assistant

PLEDGE OF ALLEGIANCE TO THE FLAG led by Edward De La Torre and Preston Huber from Serrano Elementary School.

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Academic Achievement Award to Brittany Dorn from Lutheran High School.
- State of the Schools – Villa Park Elementary.
- Representative from the Villa Park Community Services Foundation.
- Law Enforcement Issues - Chief of Police Services Lt. Tom Gallivan.

ORAL COMMUNICATIONS

Don Arrington of Villa Park Fire Station No. 23 spoke in favor of the reserve program.

Bob Fauteux, 9912 Briley Way, encouraged residents to purchase the Villa Park history book, "The Hidden Jewel."

Scott Smith, Americare Ambulance, presented information and announced they have re-bid on OCFA's RPF for Ambulance Services for the City.

APPOINTMENTS

1. Consideration of Villa Park Community Services Foundation Appointments.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to appoint the following individuals for a term ending January 2011: Jill Kuli and Ellen Turnbull:

AYES:	COUNCILMEMBERS:	Reese, Mac Aloney, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

PUBLIC HEARINGS

2. Consideration of Resolution No. 2009-3054, Declaring Conditions at 9765 Crestview Circle, Villa Park, California a Public Nuisance, Ordering the Correction of Said Nuisance and Authorizing Abatement.

Mayor Rheins opened the public hearing.

Dave Thomas, 9711 Crestview, spoke in favor of declaring the property a nuisance.

Bill Yim, property owner, addressed Council's concerns.

Mayor Rheins closed the public hearing.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2009-3054:

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

3. Consideration of Conditional Use Permit No. 0692, A Request to Bring the Total Number of Garages Spaces on the Property to Four (4). Location: 18941 El Moro Way. Applicant: Steve Igoe.

Mayor Rheins opened the public hearing.

Justin Van Mullen, architect, spoke in favor of the project.

Mayor Rheins closed the public hearing.

It was moved by Councilmember Reese, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2009-3055, approving Conditional Use Permit No. 0692:

AYES:	COUNCILMEMBERS:	Reese, Ulmer, Pauly, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

4. Consideration of Variance Permit No. 0693, A Request to Encroach Twenty (20') Feet into the Required Twenty-five (25') Foot Rear Yard Setback. Location: 19032 Nathan Circle. Applicants: Robert and Joan Dubrish.

Mayor Rheins opened the public hearing.

Jack Moren, architect, spoke in favor of the project.

Mayor Rheins closed the public hearing.

It was moved by Councilmember Ulmer, seconded by mayor Pro Tem Mac Aloney and carried by the following roll call vote to adopt Resolution No. 2009-3056, approving Variance Permit No. 0693:

AYES:	COUNCILMEMBERS:	Ulmer, Mac Aloney, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

5. Consideration of Variance Permit No. 0694, A Request to Encroach Two Feet, (2'2") Two Inches into the Required Twelve Foot, (12'2") Two Inch Setback on the North Side of the Property. Location: 10092 Knuth Circle. Applicant: Sharon Flynn.

Mayor Rheins opened the public hearing. With no public comment, Mayor Rheins closed the public hearing.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to adopt Resolution No. 2009-3057, approving Variance Permit No. 0694:

AYES:	COUNCILMEMBERS:	Pauly, Mac Aloney, Ulmer
NOES:	COUNCILMEMBERS:	Reese, Rheins
ABSENT:	COUNCILMEMBERS:	None

ORDINANCES

6. Ordinance No. 2009-538, An Ordinance of the City Council of the City of Villa Park Adding Chapter 23-25 to the Villa Park Municipal Code Relating to General Fencing Requirements.

Mayor Rheins opened the public hearing.

Don Ebrite, 18131 Lincoln, addressed several concerns relative to the proposed Ordinance.

Mayor Rheins closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to approve a first reading of Ordinance No. 2009-538, setting March 24, 2009 as a second reading and adoption:

AYES:	COUNCILMEMBERS:	Ulmer, Reese, Pauly, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

RESOLUTIONS

7. Resolution No. 2009-3047, Adopting by Reference the "Local Government Records Management Guidelines" as the City's Official Records Retention Schedule, as Amended from Time to Time by the Secretary of State, and Designating the City Clerk as Records Management Coordinator.

It was moved by Councilmember Reese, seconded by Councilmember Ulmer and carried by the following roll call vote to adopt Resolution No. 2009-3047:

AYES:	COUNCILMEMBERS:	Reese, Ulmer, Pauly, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Closed Session was moved to the end of the meeting.

CONSENT CALENDAR

Mayor Pro Tem Mac Aloney abstained from Items No. 13.

Councilmember Pauly pulled Items No. 11 and 12 for further clarification.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the Consent Calendar:

AYES:	COUNCILMEMBERS:	Mac Aloney, Ulmer, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

The Consent Calendar consisted of the following items:

9. Denial of Claim – Michael Sebastian. Approved Action: That the City Council Reject the Claim and Direct the City Manager or Designee to Send a Letter of Rejection to the Claimant.
10. Denial of Claim – Rene Ruacho. Approved Action: That the City Council Reject the Claim and Direct the City Manager or Designee to Send a Letter of Rejection to the Claimant.
13. Request Approval of City Council Minutes of November 18, 2008. Approved Action: That the City Council Approve the Minutes of November 18, 2008.
14. Request Approval of City Council Minutes of December 9, 2008. Approved Action: That the City Council Approve the Minutes of December 9, 2008.
15. Request Approval of City Council Minutes of December 16, 2008. Approved Action: That the City Council Approve the Minutes of December 16, 2008.
16. Request Council Confirmation of Financial Activity from January 10, 2009 through February 3, 2009. Approved Action: That the City Council Approve the Financial Activity in the total Amount of \$290,826.91.
17. Request Council Confirmation of Financial Treasurer’s Report for the Month of January. Approved Action: That the City Council Receive and File the Treasurer’s Report.
18. Request Council Confirmation of Code Enforcement Report for the Month of February. Approved Action: That the City Council Receive and File the Code Enforcement Report.
19. Resolution No. 2009-3051, Denying Conditional Use Permit No. 0690 for a Large Family Day Care Home. Location 17742 Bishop Circle. Applicant: Ali Assadzadeh. Approved Action: That the City Council Adopt Resolution No. 2009-3051.
20. Sheriff Request to Use Grant Funds to Purchase Four Tasers. Approved Action: That the City Council Approve an Appropriation of \$3,700 from CLEEP Funds to Purchase Four Tasers to be Given to the Orange County Sheriff’s Department for Exclusive Use by Deputies Assigned to Villa Park.
21. Management Intern Position. Approved Action: That the City Council Authorize the City Manager or Designee to Fill the Management Intern Position.
- 22A. Consideration of Closing City Hall to the Public for Installation of Office Work Space – March 9, 2009. Approved Action: That the City Council Authorize the City Manager to Close City Hall to the Public on Monday, March 9, 2009 and Publicize Accordingly.
- 22B. Designation of Emergency Operations Space at City Hall. Approved Action: That the City Council Concur with the Staff Recommended Designations of Office Space Utilization of the Emergency Operations Center at City Hall.

11. Request Authorization to Advertise for Bids - Cannon Street Wall Project.

It carried by a unanimous voice vote the following roll call vote to authorize staff to advertise for bids for the Cannon Street Wall Project.

12. Award of Contract - 2008/2009 Sewer Rehabilitation Project.

It was moved by Councilmember Pauly, seconded by Councilmember Ulmer and carried by the following roll call vote to award the contract in the amount of \$244,742.00 to RePipe California, Inc. and authorize the Mayor and Deputy City Clerk to execute on behalf of the City:

AYES:	COUNCILMEMBERS:	Pauly, Ulmer, Reese, Mac Aloney, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

CONTINUED ITEMS/ OLD BUSINESS

23. Reconsideration of Ordinance No. 2005-512 Prohibiting Parking During Posted Street Sweeping Times.

It was moved by Councilmember Reese, seconded by Mayor Rheins and carried by the following roll call vote to prepare an amendment to the existing ordinance and continue to the March 24, 2009 meeting:

AYES:	COUNCILMEMBERS:	Reese, Rheins, Pauly, Ulmer, Mac Aloney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

24. Consideration of Agreement with ATS Communications.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to not extend its agreement with ATS Communications:

AYES:	COUNCILMEMBERS:	Mac Aloney, Ulmer, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

NEW BUSINESS

25. Consideration of Rearranging the Order of Business for City Council Meetings.

It was moved by Councilmember Ulmer, seconded by Councilmember Reese and carried by the following roll call vote to direct staff to incorporate said changes and bring back in April for final approval:

AYES:	COUNCILMEMBERS:	Ulmer, Reese, Mac Aloney, Pauly, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

26. Considerations Related to the Villa Park Towne Centre.

It carried by a unanimous voice vote approve the idea of the Mayor hosting a Mayor's "Downtown Villa Park" Luncheon for the eleven Towne Centre owners; seek the owners' concurrence with the Towne Center Realignment Improvement Project and discuss the concept of banners and/or baskets with no commitment to either.

MAYOR AND COUNCILMEMBER REQUESTED MATTERS

27. Consideration of Two Directional Pole Signs to the Towne Centre at Wanda Road And Villa Park Road.

Discussion was held. The Council unanimously approved in concept the Mayor's idea for two pole signs at Wanda and Villa Park Road and directed staff to initiate partnership discussions with Towne Centre owners.

28. Individual Councilmember Items.

Councilwoman Pauly mentioned she would like Council to revisit the idea of an invocation and spoke on the smart timer grants through the Serrano Water District.

Councilmember Reese mentioned he would like Council to revisit the idea of an invocation as well.

Mayor Pro Tem Mac Aloney invited residents to a gathering at his house this Saturday where Congressman Ed Royce will be speaking.

COMMITTEE/ COMMISSION/ BOARD REPORTS

Councilmember Pauly reported on the Serrano Water District and Technology Committee meetings.

Councilmember Reese reported on the Orange County Fire Authority and Orange County Sanitation District meetings.

Mayor Rheins reported on the Orange County Vector Control Board meeting.

Mayor Pro Tem Mac Aloney reported on the Villa Park Cable Access Television Board and Investment Advisory Committee meetings.

Councilmember Ulmer reported on the Investment Advisory Committee meeting.

29. Meeting Attendance Reports.

Mayor Rheins, Councilmember Pauly and Councilmember Ulmer reported on the League of California Cities, Orange County Division general meeting.

STAFF REPORTS

Management Assistant

Management Assistant announced the City is hosting a CERT meeting on March 16 and Neighborhood Watch meeting on March 31.

Associate Planner

Associate Planner Carson updated Council on the Morrow Circle public nuisance property.

Finance Manager

No report.

Assistant City Manager / Deputy City Clerk

No report.

City Engineer

No report.

City Attorney

No report.

City Manager

Interim City Manager Powell updated Council on the status of Cannon Wall and announced the City was looking to nominate the Community Services Foundation for the 2009 Helen Putnam Award of excellence.

ORAL COMMUNICATIONS

Teri Brooks Elmendorf, 10291 Camden Circle, spoke on the proposed agenda format and asked Council to consider the high school camera students schedules.

Don Ebrite, 18131 Lincoln Street, spoke on fire ants near the School District's headquarters on Katella Avenue.

CLOSED SESSION

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Section 54956.9: two potential cases.

City Attorney Litfin reported the Villa Park City Council returned from Closed Session with no reportable action.

ADJOURNMENT

Adjourn to a Special Meeting on February 26, 2009 at 5:00 PM at Rockwell's Café and Bakery, 17853 Santiago Boulevard, Villa Park, California.

MAYOR'S INVITATIONAL DINNER WITH ASSEMBLYMAN CURT HAGMAN

It was moved by Mayor Rheins and carried unanimously to adjourn the meeting at 11:51 p.m.

James Rheins, Mayor
City of Villa Park

ATTEST:

Jarad Hildenbrand, Deputy City Clerk
City of Villa Park