

ACTION MINUTES OF THE CITY COUNCIL  
CITY OF VILLA PARK, CALIFORNIA

**January 22, 2013  
Regular Meeting**

<p><b>GENERAL SESSION</b> 7:00 p.m. – City Council Chambers</p>
---

**ROLL CALL** - Mayor Reese called the General Session to order at 7:00 p.m.

COUNCILMEMBERS

PRESENT: Mills, Fascenelli, Reese, Barnett, Pauly

ABSENT: None

**PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Dennis Kuli

**PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS**

- Presentation of Proclamation to the Villa Park Spartan Football Team
- Serrano Water District update
- Villa Park Community Services Foundation update
- Friends of the Villa Park Library update
- Orange County Fire Authority update
- Orange County Sheriff's Department update

**ORAL COMMUNICATIONS**

Rich Ulmer, 18552 Martinique Court, recognized Bill Campbell, former Orange County Supervisor, Third District, for his many years of service.

**CONSENT CALENDAR (ITEMS # 1-11)**

Councilwoman Pauly pulled items 1, 9 and 11.

Mayor Pro Tem Barnett pulled items 4 and 10.

It was moved by Councilman Mills, seconded by Councilwoman Pauly and carried by the following roll call vote to approve the remainder of the Consent Calendar:

AYES: COUNCILMEMBERS: Mills, Pauly, Fascenelli, Barnett, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

**2. Financial Treasurer's Report for the month of December.**

ACTION: Receive and file.

**3. Request approval of City Council minutes of December 18, 2012.**

ACTION: Approve.

**5. January 31, 2012 Town Hall Meeting Report.**

ACTION: Receive and file.

**6. Board of Director appointments to the Villa Park Community Services Foundation.**

ACTION: Receive the recommendation of the Foundation Board and re-appoint Bob Hunter and Jill Kuli, and appoint Rich Ulmer to serve on the Foundation for a two year term.

**7. Acting as Members of the Villa Park Community Services Foundation, consider the recommendation of bylaw changes as approved by the Board of Directors.**

ACTION: Acting as the Members of the Villa Park Community Services Foundation, approve the bylaw changes as recommended by the Board of Directors.

**8. Appointments to the Investment Advisory Committee.**

ACTION: Re-appoint Steven Pollack, Jim Rheins and Bill Underwood to serve on the Investment Advisory Committee for a two year term.

## ITEM(S) REMOVED FROM THE CONSENT CALENDAR

### 1. Warrants and disbursements from December 13, 2012, through January 11, 2013.

Councilwoman Pauly pulled this item questioning charges on the City's credit card. City staff provided clarification.

It was moved by Councilwoman Pauly, seconded by Mayor Reese and carried by the following roll call vote to approve warrants and disbursements in the amount of \$1,178,849.11:

AYES: COUNCILMEMBERS: Pauly, Reese, Fascenelli, Mills, Barnett

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

### 4. Update on status of code enforcement at 18061 Rosanne Circle.

Mayor Pro Tem pulled this item questioning when the \$1,000/day penalty took effect. City staff responded.

It carried by a unanimous voice vote to receive and file.

### 9. Notice of Completion – City Hall Façade Demolition and Construction Project.

Councilwoman Pauly pulled this item questioning whether the City Council accept and file the NOC since there was a stop work notice filed on the project. City Attorney Litfin responded accordingly stating the City could approve the NOC.

It was moved by Councilwoman Fascenelli, seconded by Councilman Mills and carried by the following roll call vote to accept the project and authorize the City Clerk to file the Notice of Completion:

AYES: COUNCILMEMBERS: Fascenelli, Mills, Pauly, Barnett, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

10. **An update on progress related to Ordinance No. 2012-573, extending Ordinance No. 2012-572, an urgency interim ordinance approving the temporary prohibition on non-restaurant, non-retail uses in the Towne Centre with the exception of the properties located at 17859 and 17871 Santiago Boulevard.**

Mayor Pro Tem Barnett pulled this item questioning the attendance and progress of the community meetings that were held. City staff responded.

It carried by a unanimous voice vote to receive and file.

11. **A Resolution of the City Council of the City of Villa Park appointing Donald Peter Moriarty, as the volunteer CERT Coordinator, to be the OUSD Emergency Operations Center representative from the Villa Park CERT program.**

Councilwoman Pauly pulled this item to note a couple of corrections that needed to be made and questioned when the appointment would expire. Staff noted the corrections and stated the appointment would last until further action of the City Council.

It was moved by Councilwoman Pauly, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2013-3220:

AYES: COUNCILMEMBERS: Pauly, Reese, Fascenelli, Mills, Barnett

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

## **NEW BUSINESS**

12. **Request for Proposal – Comprehensive Citywide Fees and Charges Rate Study.**

City Manager Hildenbrand provided the staff report.

Rich Freschi, 10151 Phelan Drive, spoke in opposition to the RFP.

Jim Brown, 18552 Mendocino Circle, spoke in opposition to the RFP.

Pat Buttress, SCE, spoke with regards to the RFP.

City Council discussion ensued.

It was moved by Councilman Mills, seconded by Councilwoman Fascenelli and carried by the following roll call vote to authorize the City Manager to issue a Request for Proposals to prepare a comprehensive study of citywide fees and charges rate study:

AYES: COUNCILMEMBERS: Fascenelli, Barnett, Reese

NOES: COUNCILMEMBERS: Mills, Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

### **MAYOR AND COUNCILMEMBER MATTERS**

**13. Councilmember requested matter (Reese and Barnett): Sale and Use of Safe and Sane Fireworks.**

Mayor Reese and Mayor Pro Tem Barnett provided comments.

City Council discussion ensued.

Rich Freschi, 10151 Phelan Drive, spoke in support of allowing safe and sane fireworks.

Representatives from the Orange County Fire Authority spoke in opposition to removing the ban on fireworks.

Jim Brown, 18552 Mendocino Circle, spoke in opposition to allowing safe and sane fireworks.

John Kelly, Vice President of TNT Fireworks, addressed the City Council.

Further City Council discussion ensued.

It was moved by Mayor Reese, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to direct staff to prepare an ordinance permitting the sale and use of state-approved "safe and sane" fireworks on a one-year trial basis. The ordinance shall include provisions to address specific areas where fireworks would be prohibited, and shall also address areas of concern including permits, dates of sale, date and hour of discharge, firework stand locations, 24-hour security, and fees to offset City costs:

AYES: COUNCILMEMBERS: Reese, Barnett, Fascenelli, Mills, Pauly

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

**14. 2013 City Council Committee Appointments.**

Councilwoman Fascenelli provided comments and suggested that the City Council honor Councilwoman Pauly's request to not be placed on any Council committees this year.

Councilwoman Pauly maintained her position that she would not be accepting any committee assignments in 2013.

The City Council decided to honor Councilwoman Pauly's position and voted to replace her on the CDC, PUC and Towne Centre committees.

It was moved by Mayor Reese, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to appoint Councilman Mills (Chair) and Councilwoman Fascenelli to the Community Development Committee:

AYES: COUNCILMEMBERS: Reese, Barnett, Fascenelli, Mills

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

It was moved by Councilman Mills, seconded by Councilwoman Fascenelli and carried by the following roll call vote to appoint Councilwoman Fascenelli (Chair) and Mayor Reese to the Public Utilities Committee:

AYES: COUNCILMEMBERS: Mills, Fascenelli, Barnett, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

It was moved by Mayor Reese, seconded by Mayor Pro Tem Barnett and carried by the following roll call vote to appoint Councilwoman Fascenelli (Chair) and Councilman Mills to the Towne Centre Committee:

AYES: COUNCILMEMBERS: Reese, Barnett, Fascenelli, Mills

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

**15. Individual councilmember information items and/or required meeting attendance reports.**

Councilwoman Fascenelli reported on the Public Utilities Committee meeting, the Foundation Board meeting and the League of California Cities Conference in Sacramento.

Mayor Reese reported on the City's Strategic Planning Session.

Councilman Mills reported on the Vector Control District Board meeting.

**ADJOURNMENT**

The City Council adjourned at 9:47 p.m. The next Regular meeting will be held on Tuesday, February 26, 2013 at 7:00 p.m.

---

Brad Reese, Mayor  
City of Villa Park

**ATTEST:**

---

Jarad L. Hildenbrand, City Clerk  
City of Villa Park

Note: The above minutes are a summary of actions. A DVD recording of this meeting additionally serves as an official record and is available upon request from City Hall.