

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in regular session Tuesday, May 25, 2004 at 7:30 PM in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CALL TO ORDER: Mayor Bortle called the meeting to order.

ROLL CALL:

COUNCILMEMBERS PRESENT:

Patricia Bortle	Mayor
Bill MacAloney	Mayor Pro Tem
Bob Bell	Councilmember
Bob Fauteux	Councilmember
Rich Freschi	Councilmember

STAFF PRESENT:

George Rodericks	City Manager/City Clerk
Cristina Sundstrom	Deputy City Clerk
Leonard Hampel	City Attorney
Warren Repke	City Engineer

FLAG SALUTE:

Serrano Elementary School sixth-grader Sam Apeldoorn led the flag salute.

APPOINTMENTS:

1. **Investment Advisory Committee Nomination and Appointment.**

Two applicants, Richard Ulmer and William Nelson, introduced themselves at the podium to the Council. The third applicant, Bill Zakowicz, was out of town and unable to attend the meeting.

Richard Ulmer, 18550 Martinique, is a graduate of Brown University and he attended Harvard University. His background in business includes twenty-five years working as Vice-President and President of Allergan Herbert, Inc., two years experience running Rich Ulmer and Associates, and ten years as CEO and President of InVitro International.

William Nelson, 18151 Charter Road, addressed Council about his qualifications for this volunteer position. These include: twenty-five years as a senior financial manager with two major corporations, Atlantic Richfield Company and Southern California Gas Company; Trustee of the Orange County Cemetery District, an appointed position by the Orange County Board of Supervisors, where he serves as Chairman of the Investment Committee; Member of the Board of Directors of Pacific West Association of Realtors, where he served as Vice Chairman of the Budget and Finance Committee; MBA in

Finance from the University of Southern California and BA in Economics from California State University, Dominguez Hills; and he served on the Orange County Grand Jury from 2002-2003.

Councilmember Bell asked City Manager Rodericks to clarify when the next vacancy for the Investment Advisory Committee would be.

City Manager Rodericks stated that it would be in January, 2006.

Councilmember Bell stated that he hoped one of the applicants who was not chosen to serve this year would please take note and try again in 2006.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Bell, and carried by the following roll call vote to nominate and appoint Richard Ulmer as a Member of the Investment Advisory Board:

AYES:	COUNCILMEMBERS:	Bell, MacAloney
NOES:	COUNCILMEMBERS:	Fauteux, Freschi, Bortle
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

It was moved by Councilmember Freschi, seconded by Councilmember Fauteux, and carried by the following roll call vote to nominate and appoint William Nelson as a Member of the Investment Advisory Committee:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

2. Committee Appointments and Assignments – Mayor Patricia Bortle.

Mayor Bortle proposed making one change to the Finance Committee. She asked that the Council consider replacing Mayor Pro Tem MacAloney as the alternate with Councilmember Fauteux.

It was moved by Councilmember Bell, seconded by Mayor Pro Tem MacAloney, and carried by the following roll call vote to approve the Committee assignment change to the alternate of the Finance Committee as proposed by Mayor Bortle:

AYES:	COUNCILMEMBERS:	Bell, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Fauteux

INTRODUCTIONS AND PRESENTATIONS:

Presentation of Commendation for Outstanding Academic Achievement to Matt Swanson, Villa Park High School Sophomore.

Councilmember Bell read the student's biography and congratulated him on his accomplishments.

Mayor Bortle shook his hand and offered her congratulations and encouraged him to continue doing great things. Matt received a Certificate, a City pin, and two certificates from the Town Plaza.

Recognition of Eagle Scout Attainment to Villa Park Residents Robert J. Anctil and Brandon Wood.

Robert J. Anctil, Troop 850, spoke to Council about his project at Villa Park Elementary School where he built shelves that have been put to good use by the students.

Brandon Wood, Troop 163, discussed his project which he did for Villa Park High School. He installed a new outside P.A. system that is permanent, except for the speakers.

David Cheng, Troop 850, was unable to attend the meeting. All three Eagle Scouts received a certificate, a City pin, and their name engraved on the Eagle Scout plaque proudly displayed in the City Council Chambers.

Resident and attorney Bill Baker and his son William Baker, both Eagle Scouts, spoke briefly to the Council about this important accomplishment for a Scout and they offered their congratulations to the new Eagle Scouts.

Presentation of Plaque to Former City Councilmember Robert McGowan.

An engraved plaque and gavel was presented to former Councilmember Robert McGowan, who resigned March 28, 2004 after fifteen years of overall service to the City of Villa Park.

His years of service include: Planning Commissioner from 1978-1980; City Councilmember from 1980 to 1986 and from 1998 to 2004; and Mayor from April 1982 to July 1983 and again from November 1999 to November 2000.

The five members of the City Council wished him well and thanked him for his years of dedicated service.

Presentation of PowerPoint and Video on West Nile Virus, Rat Control and Benefit Assessment Program by Orange County Vector Control District's Public Information Officer, Mike Hearst.

After an informative PowerPoint presentation and video, Mr. Hearst took questions from the Council and audience.

Councilmember Fauteux had two questions. First, he asked Mr. Hearst to explain the Benefit Assessment proposal and the specific costs involved for every Orange County property owner. Secondly, he asked what will happen to the Fire Ant program if the mail-out ballot is not successful.

Mr. Hearst responded that the assessment proposal is to increase single family residence assessments from \$1.92 per household by \$5.42/year for a total future charge of \$7.34/year/household. In order to maintain their current level of service, the assessment is \$2.37, to add and continue the Fire Ant Eradication program, the cost is \$3.05. These two numbers add up to \$5.42. He further explained that the Fire Ant program would disappear and staff lay-offs would occur and response times would be longer if the Benefit Assessment proposal fails.

He explained that if the assessment is approved by the voters, some of the monies will go to pay for new staff to gear up for the West Nile Virus battle. The Fire Ant program is worked through a partnership with private industry so there is no need for an increase in staff to manage this program.

Mayor Pro Tem MacAloney questioned the expense involved in mailing out these ballots.

Mr. Hearst replied that the cost of postage was about \$700,000.

Councilmember Bell spoke to the issue of mailing out ballots. He stated that to his knowledge it had never happened before by the Orange County Vector Control District.

Mr. Hearst explained the fact that the State of California has raided their portion of property taxes twice and that this time it is a cut of between one and two million dollars. This is a decrease that will exist for two years, minimum. If property owners vote to increase the assessment by the proposed \$5.42 per year per single-family residence, then the shortfall would disappear.

ORAL COMMUNICATIONS:

Erik Kuli, 9102 El Rito Drive, spoke to Council on behalf of the Villa Park Community Services Foundation. First he addressed the Council about the upcoming Family Picnic at Irvine Lake on Sunday, May 30th at noon. The tickets are \$3 for all over age 5 and free for Car Show entrants and Military personnel with identification. He stated that the water level of Lake Irvine is high this year and should allow for a larger space for relaxing and watching the entertainment of Barnaby, a children's favorite performer as well as the Car Show, crafts for purchase, good food cooked by the Rotary Club of Villa Park, and Orange County Sheriff exhibits and demonstrations. Donations have been received by Phil's Unocal and Ruby's Restaurant, and Mayor Pro Tem MacAloney, to name just a few.

He announced that there will be a final Family Picnic planning meeting at Serrano Water District on May 26th. All those interested in the Foundation may attend a monthly board meeting the third Monday of the month at noon located at the City Council Chambers.

Mayor Bortle asked Mr. Kuli for an update on the installation of the Clock Tower.

He responded that he was not privy to the exact date on which the installation will be completed.

Chuck Niemann, 18920 Valley Drive, addressed Council about the Car Show. He said it is not too late to pay the \$15 to enter a car and that residents may get an application at

City Hall. He has organized the Car Show event for several years and is hoping for about 20 car entries.

Teri Elmendorf, President of Villa Park Elementary School Restoration, Inc., addressed Council about the May 18th Open House of the restoration buildings. She reported that the old (1926) school bell was rung for over two hours to celebrate the event. VPESR, Inc. holds its monthly board meetings on the third Tuesday, 7:30 PM, at the Villa Park Elementary School restoration site. For all those interested they may call her at 997-9288.

Jill Kuli, 9481 Henderson Way, spoke on behalf of the Villa Park Elementary School Restoration, Inc. regarding the fundraising that is underway to raise \$100,000 by December, 2004. The reason they need this funding is to purchase architectural plans for the restoration.

In a letter addressed to the City Council dated May 24, 2004, she requested that the City relinquish the funds set aside in the City budget of \$5,000 from 2003-04 and \$5,000 from 2004-05 so they can get started on the retrofitting and repair process of the building.

City Manager Rodericks concurred that the \$5,000 is in the 2003-04 budget and that he would need a formal request along with documentation from the organization in order to process their request.

Councilmember Fautuex added that he thought it would be appropriate for VPESR, Inc. to submit the annual financial statements as well.

Mrs. Kuli stated that she would see to it that these documents were received by the Council before the Budget Study session, June 15, 2004.

CONSENT AGENDA:

1. Consideration to Waive Reading in Full of All Ordinances on the Agenda. Approved Action: That the City Council waive the reading in full of all ordinances on the Agenda.
2. Consideration of City Council Minutes of April 1, 2004. Approved Action: That the City Council approve the City Council Minutes of April 1, 2004.
3. Consideration of City Council Minutes of April 13, 2004. Approved Action: That the City Council approve the City Council Minutes of April 13, 2004.
4. Consideration of List of Demands for April 30, 2004. Approved Action: That the City Council approve the List of Demands for April 30, 2004, numbered 1 through 37 in the amount of \$35,903.58.
5. Consideration of List of Demands for May 25, 2004. Approved Action: That the City Council approve the List of Demands for May 25, 2004, numbered 1 through 19 in the amount of \$129,213.71

6. Consideration of Agreement for Trauma Intervention Programs, Inc. Approved Action: That the City Council approve the Agreement between the City of Villa Park and Trauma Intervention Programs, Inc. and authorize the Mayor to execute the Agreement on behalf of the City.
7. Consideration of Amendment No. 1 to Orange County Waste Disposal Agreement with the City of Villa Park. Approved Action: That the City Council approve the Amendment to Agreement with Orange County Waste Disposal and authorize the Mayor to execute the Agreement on behalf of the City.

Councilmember Fauteux asked to pull items 2, 3, and 6.

It was moved by Councilmember Bell, seconded by Mayor Pro Tem MacAloney, and carried by the following roll call vote to approve Consent Agenda Items 1, 4, 5 and 7:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Bell, and carried by the following roll call vote to approve Consent Agenda Items 2 and 3:

AYES:	COUNCILMEMBERS:	Bell, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Fauteux

City Manager Rodericks discussed the T.I.P., Inc. total cost to the City to be \$750.00 per year.

Councilmember Fauteux pointed out that this was a 100% volunteer program and that those people providing the services are unpaid. He stated that it was a worthy program and that the community benefits greatly from its services.

It was moved by Councilmember Fauteux, seconded by Councilmember Bell, and carried by the following roll call vote to approve Consent Agenda Item 6:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

MATTERS PRESENTED BY COUNCILMEMBERS:

Orange County Fire Authority – Proposition 172.

Councilmember Bell gave an update on Proposition 172. He announced that he will be attending the OCFA Executive Board Meeting on May 27th and that a draft budget is available at this time for anyone who may wish to contact him. Councilmember Bell serves on the OCFA Finance Committee.

Mayor Bortle announced that the quarterly Neighborhood Watch Captain's meeting in the Council Chambers will be held on May 26, 2004 at 7 PM. Anyone may attend. There will be an Orange County Sheriff's demonstration of the website, the mobile data vehicle computers, and a sharing of crime data statistics. She cautioned that there is a high incidence of car burglaries currently and that residents may want to think about installing security lights as a means of deterring intruders.

The next "Meet the Mayor" on VPTV will introduce a representative of Opera Pacific. Mayor Bortle announced that Opera Pacific cordially invites the public to attend "Opera Under the Stars," the first annual Free Community Concert on Saturday, June 26th at 8:00 PM. Please RSVP by June 14, 2004 to Merrie Goddard at (714)830-6371.

CITY COMMISSION AND COMMITTEE REPORTS OR REFERRALS:

Councilmember Fauteux discussed the 29% increase in the Serrano Water District rates that have already gone into effect. He encouraged residents to conserve water this summer to avoid paying extra high water bills.

ITEMS FOR CONSIDERATION:

Mayor Pro Tem MacAloney requested an update on City Historian, Jan Van Emon's, book being written entitled, "The Hidden Jewel."

City Manager Rodericks responded that he would contact Mrs. Van Emon and let the Council know her response by the June 22, 2004 Council meeting.

PUBLIC HEARINGS:

1. Consideration of Conditional Use and Variance Permit No. 0588 for master bedroom addition encroaching into required side yard setback, 4th car garage, and an increase in the maximum allowable lot coverage from 24% to 27%—
Location: 9681 Dodson Way; Applicant: Robert Brumleu.

Mayor Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicant is requesting permission to construct a master bedroom addition that encroaches 2 feet into the required 10 foot side yard setback, a fourth car garage addition, and a second story over the proposed garage.

The applicant is also requesting a reduction in the required lot coverage of 24% for a 2-story structure. Based on the City's zoning codes, this second story addition would change the maximum allowable lot coverage from 32% to 24%. The applicant is proposing lot coverage at 27%. An increase in the maximum allowable lot coverage from 24% to 27% requires Variance approval.

This Public Hearing was continued from the April 27, 2004 City Council meeting.

Based on a review of the project application, the proposed project does not meet the objectives of the Villa Park Zoning Code and there are no extraordinary circumstances applicable to the property.

Staff recommends approval of the Conditional Use Permit for a fourth garage but cannot recommend approval of a Variance for a reduction in the required side yard setback and for an increase in lot coverage over the maximum allowable.

It is recommend that the City Council conduct a Public Hearing, review the application, and make appropriate findings thereto.

Public testimony was given by the applicant, Robert Brumleu. He asked that the Council make a decision and not continue (a second time) it to another meeting to address the Variance portion of the application.

Mayor Pro Tem MacAloney stated he was in favor of waiting for a first reading on June 15, 2004 of the Ordinance to address lot coverage.

Councilmember Freschi stated that the findings for granting a Variance are specific. He does not wish to show favoritism and he will not compromise what is currently written in the Villa Park Zoning Code.

Councilmember Fauteux stated that he was not in favor of approval of a setback encroachment.

Mayor Bortle stated to the applicant that she felt it would be in his favor to allow the Ordinance to be reviewed and that he might end up with a Variance in the long run.

Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Bell, to approve Conditional Use and Variance Permit No. 0588. The motion failed for lack of a second.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Freschi, and carried by the following roll call vote to approve the Conditional Use Permit No. 0588, adopting Resolution No. 2004-2749, a Resolution of the City Council of the City of Villa Park (Location: 9681 Dodson Way; Applicant: Robert Brumleu):

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

City Attorney Hampel advised the Mayor to re-open the Public Hearing to address the Variance portion of the application at the June 22, 2004 City Council meeting.

Mayor Bortle re-opened the Public Hearing.

It was moved by Councilmember Freschi, seconded by Councilmember Fauteux, and carried by the following roll call vote to re-open the Public Hearing to reconsider Variance Permit No. 0588 and continue it to the June 22, 2004 City Council meeting (Location: 9681 Dodson Way; Applicant: Robert Brumleu):

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None

ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

2. Consideration of Continued Conditional Use and Variance Permit No. 0592 for a detached RV garage and pool house addition exceeding 15 feet in height – Location: 18172 Abbott Lane; Applicant: Jeff Krolosky.

Mayor Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicants are requesting permission to construct a detached 750 square foot RV garage and pool house exceeding 15 feet in height to a maximum height of 16 feet 6 inches.

This Public Hearing was continued from the April 27, 2004 City Council meeting.

The subject property is located at 18172 Abbott Lane and is in the E-4 Small Estate zoning district.

A Conditional Use Permit is required for the addition of garage spaces totaling 4 or more. The applicant is proposing the addition of a detached RV garage at the rear of the property bringing the total garage spaces to four or more.

The applicant is also proposing that the 750 square foot structure be constructed at a height of 16 feet 6 inches. Detached structures are limited to a height of 15 feet.

A Variance is required for any increase in the maximum allowable height of structures.

Based on a review of the project application, the proposed project does not meet the objectives of the Villa Park Zoning Code and there are no extraordinary circumstances applicable to the property.

Staff recommends approval of the detached structure at a height of 15 feet, but cannot recommend approval of the Variance request to allow the structure to be constructed at 16 feet 6 inches.

It is recommended that the City Council conduct a Public Hearing, review the application, and make appropriate findings thereto.

Public testimony was given by the applicant, Jeff Krolosky. He stated that his neighbors were in favor of the project. He explained that he believes his proposal does not impact the neighborhood and so his Variance should be approved by the Council.

Further testimony was heard by his neighbor Phil Singerman, 18221 Evergreen Circle, who stated he was not in favor of constructing such a tall building, which is visible from his home, and that he would be amenable to him planting some specific trees that the two had discussed. His preference would be for Mr. Krolosky to not build a garage that exceeded 15 feet in height.

Councilmember Freschi stated that he was not in favor of granting a Variance in this situation because it would be granting a special privilege and not based on a decision dictated by the Zoning Code. He said the Code does not allow an exception in this case.

Furthermore, he noted that the Vehicle Code allows for a height maximum of 13 feet, 6 inches. He questioned why the applicant would need to exceed the 15 foot height requirement for his garage.

The applicant explained that the garage door, itself, needs to be 13 feet due to the size of his vehicles.

Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Fauteux, seconded by Councilmember Bell, and carried by the following roll call vote to approve Conditional Use Permit No. 0592 for a detached garage at a height of 15 feet and deny Variance Permit No. 0566 to allow the structure to be constructed with a height of 16 feet, 6 inches (Location: 18172 Abbott Lane; Applicant: Jeff Krolosky):

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Mayor Bortle requested a five-minute recess at 9:30 PM.

The meeting resumed at 9:35 PM.

3. Consideration of Conditional Use Permit No. 0593 to allow construction of a detached patio cover and fireplace– Location: 10112 Workman Circle; Applicant: John Elliot.

Mayor Bortle opened the Public Hearing.

City Manager Rodericks reported that the applicant is requesting permission to add a detached patio cover and fireplace of approximately 414 square feet.

The subject property is located in the E-4 Small Estate zoning district. The applicant is proposing to add a detached patio cover and fireplace of approximately 414 square feet. Based on a review of the project application, the proposed project meets the objectives of the Villa Park Zoning Code and complies with height, lot coverage, floor area, and setback requirements.

Staff recommends approval of the application.

It is recommended that the City Council conduct a Public Hearing, review the application, and make appropriate findings thereto.

Public testimony was given by the applicant's wife, Sherry Elliot, who stated she wished the Council would approve her project.

Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Bell, seconded by Councilmember Freschi, and carried by the following roll call vote to adopt Resolution No. 2004-2756, a Resolution of the City

Council of the City of Villa Park, approving Conditional Use Permit No. 0593 for a detached patio cover and fireplace (Location: 10112 Workman Circle; Applicant: John Elliot):

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

4. Consideration of Vacation of a Portion of Street Easement Right-of-Way on Loma Street at Mesa Drive/Crestview Circle and Storm Drain Easement Within Tract 8013 (Villa Isle Drive).

Mayor Bortle opened the Public Hearing.

City Engineer Repke reported that the construction of Loma Street improvements from Mesa Drive/Crestview Circle to Cannon Street resulted in a final determination of the required street right-of-way. This final right-of-way determination created two parcels of excess easement right-of-way no longer required for street purposes. In Agreements with the adjacent property owners, vacation of these parcels was a condition of the dedication of additional right-of-way that was needed to complete the project.

Tract 8013 dedicated a forty-foot wide drainage easement across the rear portion of four properties along Villa Isle Drive and Villa Isle Circle. The City recently constructed an underground storm drain within this area as a cooperative project with the property owners. The property owners dedicated a new 15 foot wide easement along the alignment of the new storm drain pipe. As a condition of the new easement dedication, the City agreed to vacate the original 40 foot easement which will no longer be needed for drainage purposes.

The following findings have been made with regard to the proposed vacations:

- The Loma Street easements to be vacated are no longer necessary for present or prospective public use;
- The Loma Street vacation shall reserve and except from the vacation any easement and right necessary to maintain, operate, replace, remove, or renew existing public utility facilities;
- The Tract 8013 storm drain easement to be vacated is no longer necessary for present or prospective public use;
- The City's action will not eliminate any existing access or affect any rights owned by others;
- Approval of the proposed vacation will not constitute a gift of public property since the vacation deals with an easement only and the underlying land title is vested in other property owners;
- There are no special conditions required prior to recording of the vacation resolutions.

Vacation of the existing 40 foot storm drain easement within Tract 8013 will relieve the City of maintenance and liability responsibility of the area which could result in a long-term savings to the City.

It is recommended that the City Council conduct a Public Hearing, review the proposed easement vacations and make appropriate findings thereto. Staff recommends adoption of the vacation proposals.

Mayor Pro Tem MacAloney asked City Manager Rodericks whether all the Villa Isle homeowners have paid the City the money they owe.

City Manager Rodericks responded affirmatively.

Councilmember Fauteux asked City Manager Rodericks about the condition of the easement.

City Manager Rodericks stated that this proposal brings the City's liability to zero percent.

Mayor Bortle closed the Public Hearing.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem MacAloney, and carried by the following roll call vote to adopt Resolution No. 2004-2758, a Resolution of the City Council of the City of Villa Park, ordering the vacation of a forty foot wide storm drain easement within Tract 8013 subject to reservation easements and to adopt Resolution No. 2004-2759, a Resolution of the City Council of the City of Villa Park, ordering the vacation of a portion of Loma Street subject to reservation of easements:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

STAFF REPORTS:

City Manager:

May/June City Newsletter.

City Manager Rodericks reported that the City produces a quarterly newsletter with information on City programs, services, partner agencies, public information articles, and public service announcements.

Costs for the production of the City newsletter are consistent with the 2003-04 Operating Budget.

It is recommended that the City Council review the May/June edition of the City newsletter and authorize the production of the edition.

Councilmember Freschi asked for clarification on the difference between questions #1 and #2 on the survey.

City Manager Rodericks clarified this for him.

Councilmember Freschi asked for further clarification on question #5.

City Manager Rodericks responded that the question was intended to ask residents if they are satisfied with the shopping available to them at the Town Plaza.

Mayor Bortle urged residents in the City to take the time to fill out the survey and to please return it as soon as possible.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem MacAloney, and carried by the following roll call vote to review the May/June edition of the City newsletter and authorize production of this edition:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

City Attorney: No report.

City Clerk: No report.

City Engineer:

1. Consideration of Resolution No. 2004-2757 Preliminarily Approving and Adopting Report for Sewer Pump Station Maintenance for Fiscal Year 2004-05 and Appointing Time, Date, and Place for Hearing Thereon.

City Engineer Repke reported that the estimated fund balance at the end of the current fiscal year is \$978.95. An annual assessment of \$15,200 is required to cover the operating costs and the annual major maintenance and replacement needs based on the Five-Year Improvement Program. This equates to \$950 per parcel and should remain constant over the next four years.

It is recommended that the City Council adopt Resolution No. 2004-2757 to accept the Report for Sewer Pump Station Maintenance Charges For a Portion of Tract No. 10523 and Tract No. 13204 for fiscal year 2004-05 and set June 22, 2004 as the date for the Public Hearing.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Bell, and carried by the following roll call vote to adopt Resolution No. 2004-2757, a Resolution of the City Council of the City of Villa Park, accepting the Report for Sewer Pump Station Maintenance Charges For a Portion of Tract No. 10523 and Tract No. 13204 for fiscal year 2004-05 and setting June 22, 2004 as the date for the Public Hearing:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

2. Request Authorization to Advertise Bids for FY 2003-04 Street Maintenance Project.

At the request of Mayor Bortle, no staff report was read by City Engineer Repke.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Freschi, and carried by the following roll call vote to approve the plans, specifications and contract documents entitled, "2003-04 Street Maintenance Project" and to authorize the City Engineer and City Clerk to advertise for construction bids:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

OTHER BUSINESS: None.

ORAL COMMUNICATIONS:

Dr. Robert Helton, 10051 Briley Way, addressed the Council about his poor service with Adelphia Cable, Inc. He commented on the poor reception and how his service was shut off temporarily without notice.

Mayor Bortle asked city staff to have the Public Utilities Committee look into this matter regarding Adelphia.

Mr. Helton asked the Mayor if she would allow discussion on the proposed cell tower for Villa Park.

Councilmember Fauteux acknowledged the recent rate increase that went into effect by Adelphia.

Regarding the cell tower issue, City Manager Rodericks reported that Site Management Services is still looking into the matter. City Manager Rodericks is still looking into alternatives.

ORDINANCES:

1. Consideration of Second Reading of Ordinance No. 2004-502 Amending Sections 23-19.1, 23-19.10, 23-19.10, 23-19.16, 23-19.22 of Chapter XXIII of the Villa Park Municipal Code Relating to Variances, Conditional Use Permits, and Zone Changes.

City Manager Rodericks reported that currently the City's Zoning Code prescribes a process for zone changes as part of the Variance and Conditional Use Permit planning process. It is recommended that the City Council adopt the attached changes to bring this process into conformance with State law requiring an Ordinance for zone changes.

It is recommended that the City Council accept for second reading and adopt Ordinance No. 2004-502, an Ordinance of the City Council of the City of Villa Park amending Sections 23-19.1, 23-19.10, 23-19.16 and 23-19.22 of Chapter XXIII of the Villa Park Municipal Code relating to Variances, Conditional Use Permits and Zone Changes.

It was moved by Councilmember Freschi, seconded by Councilmember Bell, and carried by the following roll call vote to approve the second reading and adopt Ordinance No. 2004-502, an Ordinance of the City Council of the City of Villa Park amending Sections

23-19.1, 23-19.10, 23-19.16 and 23-19.22 of Chapter XXIII of the Villa Park Municipal Code relating to Variances, Conditional Use Permits and Zone Changes:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, MacAloney, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

RESOLUTIONS: None.

CLOSED SESSION: None.

ADJOURNMENT:

It was moved by Mayor Bortle and carried unanimously to adjourn the meeting at 10:05 PM. to the Budget Study Session on Tuesday, June 15, 2004 at 7:30 PM.

Patricia L. Bortle, Mayor
City of Villa Park

ATTEST:

George J. Rodericks, City Clerk
City of Villa Park