

## MINUTES OF THE CITY COUNCIL

### CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in a regular session Tuesday, August 26, 2008 at 6:30 p.m. in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

**CALL TO ORDER** Mayor Reese Called the meeting to order at 6:30 p.m.

### **ROLL CALL**

#### **COUNCILMEMBERS PRESENT**

Brad Reese	Mayor
James Rheins	Mayor Pro Tem
Deborah Pauly	Councilmember
W. Richard Ulmer	Councilmember
Vacant	Councilmember

#### **STAFF PRESENT**

Ken Domer	City Manager
Todd Litfin	City Attorney
Joe O'Neil	City Engineer
Michelle Danaher	Finance Manager
Jarad Hildenbrand	Assistant to the City Clerk / Management Analyst

### **INTRODUCTIONS AND PRESENTATIONS**

- Presentation of Proclamation to Eagle Scout Benjamin C. Rosales of Troop 850. Mayor Reese read a short biography about Ben and congratulated him for attaining the rank of Eagle Scout. Councilmember Pauly presented Ben with a proclamation at the Eagle Court of Honor on Saturday, August 16.
- Representative from the Villa Park Community Services Foundation, Inc. Bob Fauteux reported on recent Foundation activities.
- Representative from the Villa Park Women's League. Kim Parker reported the VPWL is celebrating their 40<sup>th</sup> Anniversary this year and the theme is Forty, Fabulous and Fun! Mrs. Parker then introduced new board members in attendance: Birgit Miller, Jennifer Salgado, Daena Hullinger, Kathy Palkovic and Lorrie Tack. She then presented the City of Villa Park with a check for \$2,150, raised from their Wine & Dine event, to help beautify the City.
- Representative from the Villa Park High School Media Class. Dr. Bartrom was unable to attend; however, she will be in attendance at the September meeting.
- OCFA Battalion Chief Michael Moore – Compressed Air Foam System. Chief Moore gave a PowerPoint presentation regarding the new Compressed Air Foam System

(CAFS). He stated the Orange County Fire Authority Board of Directors approved a purchase order for seven CAFS to be installed on their Patrols. The addition of the CAFS into their brush fire patrol units brings a significant defensive tool in support of structure protection and firefighter safety.

- Chief of Police Services Lt. Tom Gallivan – Law Enforcement Issues. Lt. Gallivan reported on the recent unprovoked stabbing of the 14-year-old girl. He reassured residents it was a random and extremely rare event and the City of Villa Park continues to work proactively with the Orange County Sheriff's Department to make sure the community is the safest in Orange County. Measures include: utilizing the Sheriff's Professional Service Responders on a volunteer basis to perform additional residential patrol in unmarked cars; the creation of citizen involved action groups; and, directed enforcement patrols which place an additional Sheriff's vehicle in the City strictly for increased residential patrol during the days for increased visibility and deterrence to day time residential burglaries.

### **ORAL COMMUNICATIONS**

Bruce Gleason, 9782 Santiago Boulevard, spoke in opposition to Measure AA – In God We Trust. Mr. Gleason announced he reserved the Community Room on October, 29, to discuss Measure AA and extended an invitation to the residents.

Teri Brooks, 10291 Camden Circle, spoke in favor of Measure AA and discussed the school bond issue relating to Villa Park Elementary.

### **RECESS**

### **PUBLIC HEARINGS**

1. Consideration of Conditional Use Permit No. 0682, A Request to Exceed the Height Limit of Twelve (12') Feet for Outdoor Living Areas/Patio Covers for a New Height Not to Exceed Fifteen (15') Feet. Location: 18832 Patrician Drive. Applicants: Greg and Susan Ashwill.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Councilmember Ulmer questioned if the neighbors were able to reach a conclusion.

In discussing with both parties, City Manager Domer mentioned it does not sound as though and agreement was reached and left it up to the applicants to answer.

Greg Ashwill, applicant, spoke in favor of his project mentioning he attempted to meet with the Siles's in which they declined the meeting.

Dr. Joaquin Siles, 18852 Patrician Drive, spoke in opposition to the project.

Councilmember Pauly asked Mr. Siles's why he refused to meet with the Ashwill's.

Dr. Joaquin Siles responded they did not want to have any type of relationship with the Ashwill's.

Mayor Pro Tem Rheins stated that after looking at all the facts this structure does meet the findings for approval of the conditional use permit.

Councilmember Pauly mentioned she had high hopes that the two neighbors would have worked this out peacefully. Additionally, she stated she believes an honest mistake was made and if the Ashwill's had thought they needed to apply for a conditional use permit they would have.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2008-3024, approving Conditional Use Permit No. 0682:

AYES:	COUNCILMEMBERS:	Rheins, Reese, Pauly, Ulmer
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

2. Consideration of Conditional Use Permit No. 0685, A Request to Bring the Total Number of Garage Spaces on the Property to Four (4) or More. Location: 18981 Wildwood Circle. Applicants: Michael and Darcee McKeen.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Mayor Reese closed the public hearing.

It was moved by Councilmember Ulmer, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to adopt Resolution No. 2008-3029, approving Conditional Use Permit No. 0685:

AYES:	COUNCILMEMBERS:	Ulmer, Rheins, Pauly, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

3. Consideration of Variance Permit No. 0686, A Request to Encroach Three (3') Feet into the Required Thirteen (13') Foot Setback on the South Side of the Property. Location: 10711 Vida Drive. Applicants: Terry and Gloria Clingan.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Councilmember Pauly abstained as she resides within the 300' radius of the property.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution No. 2008-3030, approving Variance Permit No. 0686:

AYES:	COUNCILMEMBERS:	Rheins, Reese, Ulmer
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Pauly

4. Consideration of Resolution No. 2008-3022, A Resolution Declaring Conditions at 17832 Morrow Circle, Villa Park, California to Constitute a Public Nuisance, Ordering the Correction of Said Nuisance and Authorizing Abatement.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report and was available for questions.

Mayor Pro Tem Rheins stated that Council has been discussing this property for a while and the owners have had several months to bring it back to a safe and livable condition which they have yet to do.

Mayor Reese closed the public hearing.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote adopt Resolution No. 2008-3022, declaring conditions at 17832 Morrow Circle, Villa Park, California to constitute a public nuisance, ordering the correction of Said Nuisance and authorizing abatement:

AYES:	COUNCILMEMBERS:	Pauly, Rheins, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

5. Consideration of Resolution No. 2008-3023, A Resolution Declaring Conditions at 18252 Hillcrest Circle, Villa Park, California to Constitute a Public Nuisance, Ordering the Correction of Said Nuisance and Authorizing Abatement.

Mayor Reese opened the public hearing.

City Manager Domer presented the staff report stating since last meeting the property was purchased. Since the purchase, the property was cleaned up to a degree and the next step is to replace the wood fencing section. Based on discussion with the new owners, City Manager Domer recommended deleting the item or continuing it to next months meeting.

Mayor Reese closed the public hearing.

It was moved by Mayor Pro Tem Rheins, seconded Councilmember Pauly by and carried by the following roll call vote to continue the public hearing to the September 23, 2008 City Council meeting:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

### **CONSENT CALENDAR**

Councilmember Pauly pulled items number 8 and 10 for further discussion.

Mayor Pro Tem Rheins abstained from item number 9 as he was absent from the meeting.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the remainder of the Consent Calendar:

AYES:	COUNCILMEMBERS:	Pauly, Rheins, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

The Consent Calendar consisted of the following items:

6. Consideration to Waive Reading in Full of all Ordinances and Meeting Minutes on the Agenda. Approved Action: That the City Council Waive Reading in Full of all Ordinances and Meeting Minutes on the Agenda.
7. Consideration of City Council Special Meeting Closed Session Minutes of June 28, 2008. Approved Action: That the City Council Approve the Closed Session Minutes of June 28, 2008.
9. Consideration of City Council Special Meeting Minutes of August 7, 2008. Approved Action: That the City Council Approve the Special Meeting Minutes of August 7, 2008.
11. Consideration of Treasurer's Report for the Month of July. Approved Action: That the City Council Receive and File the Treasurer's Report for the Month of July.
12. Notice of Completion – 2007-08 Sewer Rehabilitation Project and 2007-08 CMP Storm Drain Rehabilitation Project. Approved Action: That the City Council Accept the Project and Authorize the City Clerk to File the Notice of Completion.
8. Consideration of City Council Minutes of July 22, 2008.

Councilmember Pauly pulled item number 8 and moved to approve the Minutes as amended. It was seconded by Mayor Reese and carried by a unanimous voice vote.

10. Consideration of the List of Demands from July 10, 2008 through August 18, 2008.

Councilmember Pauly pulled item number 10 questioning the amount of bond refunds. City Manager Domer stated Finance Manager Danaher reconciled the City's street and pool bond accounts as part of an administrative clean up.

Councilmember Pauly questioned why our Law Enforcement expenditure was less than usual. City Manager Domer stated the City had a credit of approximately \$20,000 after contract negotiations completed with the Sheriff's Department.

Councilmember Pauly questioned how much the City's spends on Doggie Walk Bags and how often we order them. City Manager Domer stated the doggie walk stations were built and installed for an Eagle Scout project. Finance Manager Danaher mentioned the City spends approximately \$1,700 a year on the bags. Councilmember Pauly suggested a potential partnership with SCRAPS, the new dog bakery, in the Towne Centre.

Councilmember Pauly questioned who was responsible for the outlet that was installed in the VPTV room. City Manager Domer stated the City will split the costs with VPTV. The City is in the process of relocating our networking equipment and needed an additional outlet.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Rheins and carried by the following roll call vote to approve the List of Demands in the amount of \$442,151.91:

AYES:	COUNCILMEMBERS:	Pauly, Rheins, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

### **ITEMS FOR CONSIDERATION**

13. Consideration of Partnership Opportunity with Villa Park Community Services Foundation for New Modular Stage System.

City Manager Domer presented the staff report and was available for questions.

Steve Marquez, representative of the Villa Park Community Services Foundation, spoke in favor of the partnership opportunity for the new modular stage system.

City Council discussion ensued relating to the different partnership opportunities with our community groups to include the Women's League and Rotary.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Pauly and carried by the following roll call vote to authorize the allocation of \$2,500 in unreserved General Funds to reimburse the purchase of a modular stage system by the Villa Park Community Services Foundation:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Ulmer, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

14. Consideration of the 2008 League of California Cities Annual Resolution Packet.

City Manager Domer presented the staff report and was available for questions.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to approve a support position for Resolution number 1, with amendments or deny if not amended, and a support position for Resolutions number 2, 3 and 4, directing Mayor Reese to vote accordingly:

AYES:	COUNCILMEMBERS:	Rheins, Ulmer, Pauly, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

15. Consideration of Coordinator of Volunteer Services Position.

Assistant to the City Clerk Hildenbrand presented the staff report and was available for questions.

Councilmember Pauly questioned how the applicant would be selected and if they would be provided office space and a budget. City Manager Domer replied the applicant would go through the application process and interview. Additionally, they would be given office space, but not a budget; however, they would have access to the City's equipment such as the computer and Xerox copy machine.

It was moved by Mayor Pro Tem Rheins, seconded by Mayor Reese and carried by the following roll call vote to approve the Coordinator of Volunteer Services position authorizing Staff to seek applications for appointment:

AYES:	COUNCILMEMBERS:	Rheins, Reese, Pauly, Ulmer
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

16. Consideration of Authorization to Solicit for Sealed Bids – Installation of Heating, Ventilation & Air Conditioning (HVAC) Dedicated Unit for Villa Park Library.

City Manager Domer presented the staff report and was available for questions.

It was moved by Mayor Pro Tem Rheins, seconded by Councilmember Ulmer and carried by the following roll call vote to authorize the solicitation of bids for the purchase, installation, necessary duct work, structural enforcement and mechanical screening for the Villa Park Library HVAC Project:

AYES:	COUNCILMEMBERS:	Rheins, Ulmer, Pauly, Reese
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Councilmember Pauly questioned if the Library is allowed to keep the remainder of the \$15,000 not used to purchase the HVAC unit. City Manager Domer confirmed he would work with the Supervisor's Office to make sure they would.

17. Consideration of Participation in Countywide Mass Notification System.

City Manager Domer presented the staff report and was available for questions.

It was moved by Mayor Reese, seconded by Councilmember Pauly and carried by the following roll call vote to authorize the Mayor to execute the Memorandum of Understanding with the County of Orange for participation in the Countywide Mass Notification System:

AYES:	COUNCILMEMBERS:	Reese, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

18. Consideration of Public Review Process for Potential Funding and Implementation of a Infrastructure Improvement Program for Distributed Antenna System, Wireless and Surveillance "Virtual Gate" Network.

City Manager Domer presented the staff report and was available for questions.

Mayor Pro Tem Rheins stated he believes this is a very smart attack to take on the issue.

Councilmember Ulmer stated the City is blessed to have the public members that we do on the Investment Advisory Committee.

Councilmember Pauly stated she had real concerns regarding the issue and the only way to find answers is to dig deep. She questioned if ATS Communications would be made available to assist. City Manager Domer confirmed they would.

Councilmember Pauly additionally questioned if the City's been able to get a hold of the map where AT&T has laid fiber optic in the City. City Manager Domer stated AT&T is still trying to locate the map.

It was moved by Mayor Pro Tem Rheins, seconded by Mayor Reese and carried by a unanimous voice vote to authorize the development of a Technology Committee, seek applicants, and return at the September meeting for consideration of appointment.

19. Consideration of Designating the Santiago Boulevard adjacent to the Villa Park Towne Centre for Inclusion in a Underground District and Scheduling of Public Hearing.

City Engineer O'Neil presented the staff report and was available for questions.

It was moved by Councilmember Pauly, seconded by Mayor Reese and carried by the following roll call vote to schedule a public hearing for September 23, 2008 for approval of a resolution setting an underground utility district:

AYES:	COUNCILMEMBERS:	Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

### **COUNCILMEMBER COMMUNICATIONS**

Councilmember Ulmer reported on the Community Development Committee meeting.

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

Mayor Pro Tem Rheins reported on the Orange County Vector Control District's Board meeting.

Councilmember Pauly reported on the Serrano Water District and the Environmental Committee and Public Utilities Committee meetings. She further suggested adding an update on the Sewer Users Fee in the next City-wide newsletter.

#### 20. Travel and Meetings.

There were no reports as Councilmember's did not attend any meetings paid for by the City.

#### 21. Individual Councilmember Items.

Councilmember Pauly requested that staff contact the Barnett family and get an update on the Adopt-A-Marine Home Hospitality Program.

Councilmember Pauly also mentioned September 11, 2008, marks the 7<sup>th</sup> Anniversary of one of our Country's worst tragedies and we should be sure to fly the flag that day to honor those that lost their lives that day.

### **STAFF REPORTS**

#### City Manager/City Clerk

City Manager Domer reported the City will be closed on Monday, September 1, in observance of Labor Day.

#### Finance Department

No report.

#### City Attorney

No report.

City Engineer

No report.

**ORDINANCES**

None.

**RESOLUTIONS**

22. Consideration of Resolution No 2008-3031, A Resolution of the City Council of the City of Villa Park Proclaiming September as National Preparedness Month.

Assistant to the City Clerk Hildenbrand presented the staff report and was available for questions.

It was moved by Councilmember Ulmer, seconded by Mayor Reese and carried by the following roll call vote to adopt Resolution 2008-3031, proclaiming September as National Preparedness Month:

AYES:	COUNCILMEMBERS:	Ulmer, Reese, Pauly, Rheins
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

**ORAL COMMUNICATIONS**

None.

**CLOSED SESSION**

None.

**ADJOURNMENT**

It was moved by Mayor Reese and carried unanimously to adjourn at 9:40 p.m.

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Brad Reese, Mayor  
City of Villa Park

**ATTEST:**

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Kenneth A. Domer, City Clerk  
City of Villa Park