

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

**September 27, 2011**

**CLOSED SESSION**

6:15 p.m. – City Council Chambers/Conference Room

**ROLL CALL** Mayor Ulmer called the General Session to order at 6:15 p.m.

COUNCILMEMBERS

PRESENT: Fauteux, Pauly, MacAloney, Reese, Ulmer

ABSENT: None

1. **Conference with Legal Counsel – Anticipated Litigation, significant exposure to litigation pursuant to Government Code Section 54956.9 Subdivision (B). One potential case** where, in the opinion of the City Council based on advice of the City Attorney, based in existing facts and circumstances, there is a significant exposure to litigation against the City.

**GENERAL SESSION**

7:00 p.m. – City Council Chambers/Conference Room

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

COUNCILMEMBERS

PRESENT: Fauteux, Pauly, MacAloney, Reese, Ulmer

ABSENT: None

**PLEDGE OF ALLEGIANCE TO THE FLAG** – Led by Pat Buttress, Southern California Edison

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

## **PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS**

### **2. Appointment of City Treasurer.**

It was moved by Councilmember MacAloney, seconded by Councilmember Fauteux and carried by the following roll call vote adopt Resolution No. 2011-3169 appointing Dennis Kuli as City Treasurer:

AYES: COUNCILMEMBERS: MacAloney, Fauteux, Reese, Ulmer

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

- Villa Park Community Services Foundation update
- Friends of the Villa Park Library update
- Orange County Fire Authority update
- Law enforcement update - Chief of Police Services Lt. Bob Wren

## **ORAL COMMUNICATIONS**

Frank Younis, Villa Park 76, spoke in opposition to the administrative fines/nuisance abatement lien assessed to Villa Park 76 at the August 30, 2011 meeting.

Pat Buttress, Southern California Edison, presented Council with a resolution of appreciation for its partnership with Edison International who is celebrating 125 years of service.

Jennifer Vaughn, Southern California Gas Company, introduced herself as the Gas Company's new Public Affairs Manager.

## **PUBLIC HEARINGS**

- 3. First Reading of Ordinance No. 2011-563, an Ordinance of the City Council of the City of Villa Park amending paragraph 2 of Subsection A of Section 23-16.7 of the Villa Park Municipal Code limiting the size and placement of temporary signage in residential and commercial zones (Continued from July 26, 2011).**

City Manager Sassoon presented the staff report.

Mayor Ulmer opened the public hearing.

City Council discussion ensued in regards to limiting the number of campaign signs per property.

Councilmember Pauly opposed the ordinance stating a property owner has the right to do what they want with regard to making a political statement on their property.

It was moved by Councilmember Fauteux, seconded by Councilmember MacAloney and carried by the following roll call vote to direct staff to amend the proposed ordinance to add a limit of one sign per property per candidate, with an exemption for campaign events:

AYES: COUNCILMEMBERS: Fauteux, MacAloney, Reese, Ulmer

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

#### **CONSENT CALENDAR (ITEMS # 4-8)**

Councilmember Pauly pulled items 6, 7 and 8.

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

AYES: COUNCILMEMBERS: Reese, Fauteux, MacAloney, Pauly

NOES: COUNCILMEMBERS: Ulmer

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

#### **4. Warrants and disbursements from August 12, 2011, to September 9, 2011.**

ACTION: Approve warrants and disbursements in the amount of \$446,693.00.

#### **5. Financial Treasurer's Report for the month of August.**

ACTION: Receive and file.

**ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

**6. Request approval of City Council minutes of August 30, 2011.**

Councilmember Pauly pulled this item seeking an amendment to the minutes.

It was moved by Councilmember Pauly, seconded by Mayor Ulmer and carried by a voice vote to approve the minutes as amended. Councilmember MacAloney opposed.

**7. Renewed Measure M Annual Funding Eligibility – Fiscal Year 2011-12.**

Councilmember Pauly questioned if the designation of Villa Park Road was in conformance with the MPAH.

City Manager Sassoon confirmed that it was.

It was moved by Mayor Ulmer, seconded by Councilmember MacAloney and carried by the following roll call vote to adopt Resolution No. 2011-3168:

AYES: COUNCILMEMBERS: Ulmer, MacAloney, Fauteux, Reese

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Pauly

**8. Resolution No. 2011-3170 authorizing an application for the CalFire Leafing-Out Grant Program.**

Councilmember Pauly pulled this item noting she was in opposition as it is a waste of money.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to adopt Resolution No. 2011-3170:

AYES: COUNCILMEMBERS: Fauteux, Reese, MacAloney, Ulmer

NOES: COUNCILMEMBERS: Pauly

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

## **NEW BUSINESS**

### **9. Review of School Site Traffic Action Plans.**

City Engineer Hindiyeh presented the staff report.

Discussion ensued.

There was no action on this item. Council directed staff to encourage our residents to review the plans and provide their comments and feedback.

### **10. Consideration of a Refuse Collection Franchise with Republic Waste services of Southern California, LLC, DBA Villa Park Disposal.**

Special Counsel Patrick Munoz presented the staff report.

Gary Clifford, CEO Athens Services, requested that Council reconsider the franchise and allow Athens to submit a proposal for hauling services. If not, he requested that Council consider asking Republic Services to retain Athens for the remainder of their contract with City.

Dave Ault, General Manager for Villa Park Disposal, spoke in favor of the franchise.

Brett Barbary, Athens Services, spoke on the proposed franchise and noted in Section 11.5.13 the City Manager has the authority to grant the ability to outsource street sweeping.

Extensive discussion ensued.

Dave Ault again stepped to the podium and stated a gentlemen's discussion between Villa Park Disposal and Athens took place, and a mutual agreement was reached in which Villa Park Disposal will retain Athens for the remainder of their existing contract with the City.

It was moved by Councilmember MacAloney, seconded by Mayor Pro Tem Reese and carried by the following roll call vote to adopt Resolution No. 2011-3167:

AYES: COUNCILMEMBERS: MacAloney, Reese, Fauteux, Pauly, Ulmer

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

**11. Discussion of Interim Report – Employee Salary and Benefit Plan.**

The matter was continued to the October 25, 2011 meeting.

**MAYOR AND COUNCILMEMBER MATTERS**

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

Councilmember Pauly requested that staff start tracking the number of residents on the Do Not Solicit list and add it to the City Manager's Monthly Report.

Mayor Pro Tem Reese reported on the Human Resources Committee and Community Development Committee meetings.

Councilmember Fauteux reported on the Serrano Water District Board meeting, Orange City Council meeting, Orange Unified School District Board meeting, League of California Cities Annual Conference, and CERT training class currently in progress.

Councilmember MacAloney reported on the Community Development Committee.

Mayor Ulmer reported on the Friends of the Villa Park Library, 9/11 Remembrance Ceremony and Car Show, Villa Park Community Services Foundation Board meeting, 50<sup>th</sup> Anniversary Committee, Human Resources Committee, and Community Development Committee.

**CITY MANAGER'S REPORT – None**

**ADJOURNMENT**

The City Council adjourned at 10:18 p.m. The next regular meeting of the City Council will be on Tuesday, October 25, 2011, at 7:00 p.m.

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W. Richard Ulmer, Mayor  
City of Villa Park

**ATTEST:**

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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.