

#4

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

October 23, 2012
Regular Meeting

GENERAL SESSION
7:00 p.m. – City Council Chambers

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

COUNCILMEMBERS

PRESENT: Barnett, Pauly, Ulmer, MacAloney, Reese

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Councilmember Barnett

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Villa Park Community Services Foundation announcements
- Friends of the Villa Park Library update
- Orange County Fire Authority update
- Orange County Sheriff's Department update

At the request of Mayor Reese, this item was moved forward on the agenda to accommodate members in the audience.

15. Councilmember requested item (Barnett): Serrano Water District announces changing in drinking water treatment.

Representatives from Serrano Water District, Woody Rickerl, Rich Freschi and Dr. Najm provided a short question and answer session regarding the addition of chloramines into Villa Park's water system.

After much discussion, the Serrano Water District representatives invited Villa Park residents and all other individuals interested to attend an informational meeting held the following week at Serrano Water District's local office.

ORAL COMMUNICATIONS

Villa Park resident, Jim Reichert, expressed his concerns regarding the addition of a bank in the Villa Park Towne Centre.

Nicol Jones, a Villa Park resident and Home School League member, discussed the October 19, 2011 Traffic Implementation Plan and requested that Council revisit the idea of allowing parking on the east side of Center, north of Lincoln.

Erin Lannon, a representative of Sullivan Solar Power, discussed the Solar Program within the Orange County community. She commended Villa Park residents' efforts to replace traditional energy efforts with solar.

CONSENT CALENDAR (ITEMS # 1-10)

Councilmember Pauly pulled item 6, 7, 8, and 9.

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

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

1. Warrants and disbursements from Sept. 17, 2012 through Oct. 14, 2012.

ACTION: Approve warrants and disbursements in the amount of \$290,428.55.

2. Financial Treasurer's Report for the month of September.

ACTION: Receive and file.

3. Request approval of City Council minutes of September 25, 2012.

ACTION: Approve.

4. Establishment of an Environmentally Preferable Purchases and Practices Policy.

ACTION: Adopt the Environmentally Preferable Purchases and Practices Policy and direct staff to include this policy in the City Council Policy Manual, and begin its implementation immediately.

5. Consideration of a resolution authorizing an application for grant funding from SB 1346 Rubberized Asphalt Concrete Grant Program.

ACTION: Adopt Resolution No. 2012-3211 authorizing the City Manager to pursue and execute all documents related to grant opportunities from the California Department of Resources, Recycling, and Recovery for use of Rubberized Asphalt Concrete.

10. Second Reading of Ordinance No. 2012-571, an Ordinance of the City Council of the City of Villa Park, California, amending Article 23-16, Section 23-16.4, regarding signs in C-N Commercial zone.

ACTION: Approve second reading and adopt Ordinance No. 2012-571.

ITEM(S) REMOVED FROM THE CONSENT CALENDAR

6. Villa Park Public Library Lease Agreement.

Councilmember Pauly pulled this item to discuss the fiscal impact the Villa Park Library contract has with the City of Villa Park. She would like to further explore the possibility of eliminating expenses for the library.

It was moved by Councilmember Pauly, seconded by Mayor Reese and was carried by the following roll call vote to approve a Lease Agreement between City of Villa Park and County of Orange to continue providing Library Services, and authorize Mayor to execute such Lease Agreement:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

7. Approval of Change Order No. 1 for the replacement of Neighborhood Identification Sign at Lemon and Villa Park Road.

Councilmember Pauly pulled this item expressing her concern regarding fiscal costs. She discussed the large price tag of the change order and emphasized that the sign would now cost 35% of what had been budgeted overall for the project.

City Council discussion ensued.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Pauly, and failed by the following roll call vote to continue the matter until after the sign on Villa Park Road and Wanda Road is installed:

AYES: COUNCILMEMBERS: MacAloney, Pauly

NOES: COUNCILMEMBERS: Reese, Barnett, Ulmer

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

It was moved by Councilmember Barnett, seconded by Councilmember Ulmer and was carried by the following roll call vote to approve and authorize the City Manager to execute Change Order No. 1 in an amount up to \$4,000 for the installation of monument lighting at Villa Park Road and Lemon Street, and to also negotiate with the contractor seeking a credit given the change of design and reduced cost in labor and materials:

AYES: COUNCILMEMBERS: Barnett, Ulmer, Reese

NOES: COUNCILMEMBERS: Pauly, MacAloney

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

8. Withdrawal from Orange County Council of Governments (OCCOG).

Councilmember Pauly pulled this item stating that she was excited to finally be withdrawing from OCCOG and requested that Council look into withdrawing from the League of California Cities next fiscal year.

It was moved by Councilmember Pauly, seconded by Mayor Reese and was carried by the following roll call vote to adopt Resolution No. 2012-3214:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

9. Consideration of a resolution establishing the Villa Park Cert Registry Program.

Councilmember Pauly pulled this item for the benefit of the public and requested that staff provide a report on the matter. Assistant to the City Manager Ryan Smoot reported this program is to identify and establish a list of residents who by reason of occupation, training, or otherwise, may be able and willing to assist in the event of an emergency.

It was moved by Councilmember Pauly, seconded by Mayor Reese and was carried by the following roll call vote to adopt Resolution No. 2012-3215 establishing the Villa Park CERT Registry Program:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

PUBLIC HEARINGS

11. Consideration of Resolution No. 2012-3216, a Resolution of the City Council of the City of Villa Park declaring conditions at 18061 Rosanne Circle, Villa Park, California a Public Nuisance, ordering the correction of said Nuisance, and authorizing abatement.

Assistant to the City Manager Ryan Smoot provided the staff report on this case.

Mayor Reese opened the public hearing for discussion.

Councilmember Barnett stated that this issue has continued for too long and needs immediate attention. He also requested that staff provide regular updates to Council, so that the situation is remedied in a timely matter.

Villa Park residents Doug Reed and Dave Carson spoke on behalf of the neighbors who were affected by conditions on the property and expressed their concerns regarding home operated businesses in residential zones.

With no one else wishing to speak, Mayor Reese closed the public hearing.

It was moved by Councilmember Pauly, seconded by Councilmember Barnett and was carried by the following roll call vote to adopt Resolution No. 2012-3216:

AYES: COUNCILMEMBERS: Pauly, Barnett, Ulmer, MacAloney, Reese
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

12. Consideration of Conditional Use Permit No. 0729: a request to construct a new garage in addition to the existing three (3) car; Conditional Use Permit No. 0730: a request to exceed the height limit of twelve (12) feet, to construct a detached accessory building with a height of sixteen (16) feet; Conditional Use Permit No. 0731: a request to exceed the standard garage door height of eight (8) feet for a ten (10) feet high garage door; and Conditional Use Permit No. 0732: a request to construct a recreational tennis court with exterior lighting and fencing. Location: 18976 Mesa Drive. Applicant: Tom White.

Planning Manager Jennifer Lilley provided the staff report.

Mayor Reese opened the public hearing for discussion, and with no one wishing to speak he soon closed the hearing.

It was moved by Mayor Pro Tem MacAloney, seconded by Mayor Reese and was carried by the following roll call vote to approve Conditional Use Permit No. 0729, Conditional Use Permit No. 0730, Conditional Use Permit No. 0731 and Conditional Use Permit No. 0732 subject to the conditions of approval:

AYES: COUNCILMEMBERS: MacAloney, Reese, Barnett, Pauly, Ulmer
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

13. An urgency Ordinance of the City Council of the City of Villa Park, California, adopting a 45 day temporary prohibition on the establishment of new non-restaurant, non-retail uses in the Towne Centre.

Planning Manager Jennifer Lilley provided the staff report regarding this matter.

Mayor Reese opened the public hearing for discussion.

Councilmember Pauly expressed her concerns regarding the vested rights of the property owners and the tenants.

Villa Park resident Dr. Helton expressed his desire to keep the gas station.

Jim Reichert, a Villa Park resident, felt that City Council was taking a step in the right direction with the Ordinance.

James Brown, a Villa Park resident, expressed the need to keep the gas station and spoke in favor of the Ordinance.

Property owners, Michael Weiss and David Gayl, spoke in opposition to the ordinance.

Frank Younis, operator of the gas station, addressed the property owners concerns and spoke in favor of keeping the gas station.

At this time, Mayor Reese called for a 5 minute recess.

Charlie Arbing, Chase Bank, spoke in opposition to the Ordinance.

Teri Brooks Elmendorf, a Villa Park resident, spoke in favor of the gas station.

City Council discussion ensued.

It was moved by Mayor Pro Tem MacAloney, seconded by Councilmember Ulmer and was carried by the following roll call vote to adopt Ordinance No. 2012-572:

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

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER MATTERS

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

Councilmember Ulmer reported on the Villa Park Community Services Foundation, the Friends of the Villa Park library membership and support, as well as the Investment Advisory Committee.

Mayor Pro Tem MacAloney complimented Michelle Danaher and the Investment Advisory Committee on their achievements. He also reported on Serrano Water District, the Orange City Schools Committee, and his impending surgery for cancer.

Mayor Reese reported on the Sanitation District, Orange County Fire Authority, the Community Development Committee, the Villa Park Volunteer FireFighters Fire Hydrant Dedication Ceremony, as well as the Towne Centre meeting.

Councilmember Pauly discussed the Villa Park City Schools meeting, the planning conference she attended with Planning Manager Jennifer Lilley, the Towne Centre meeting, as well as offered suggestions regarding publicity and CERT.

VILLA PARK TEAM REPORT - None

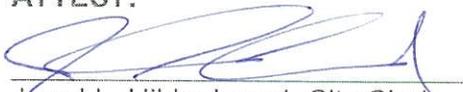
ADJOURNMENT

The City Council adjourned at 10:46 p.m. in memory of Todd Matthews and Barbara Halligan. The next Regular meeting will be on Tuesday, November 13, 2012 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.