

MINUTES OF THE CITY COUNCIL

CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park convened Tuesday, March 24, 2009 at 6:00 p.m. in a Regular Meeting in the City Council Chambers, 17855 Santiago Boulevard, Villa Park, California.

CLOSED SESSION

6:00 p.m. – City Council Conference Room / Studio

CALL TO ORDER Mayor Rheins called the meeting to order at 6:00 p.m.

ORAL COMMUNICATIONS

None.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Closed Session Per Govt. Code Section 54956.9 (c) relating to initiation of litigation: two potential cases.
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Closed Session Per Govt. Code Section 54957 (b) relating to appointment, employment, evaluation of performance for public employee: Management Assistant.
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Closed Session Per Govt. Code Section 54957 (b) relating to appointment, employment, evaluation of performance for public employee: City Manager.

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

GENERAL SESSION

6:30 p.m. – City Council Chambers

CALL TO ORDER Mayor Rheins called the meeting to order at 6:43 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

James Rheins	Mayor
Bill Mac Aloney	Mayor Pro Tem
Deborah Pauly	Councilmember
Brad Reese	Councilmember
W. Richard Ulmer	Councilmember

STAFF PRESENT

Don Powell	Interim City Manager
Todd Litfin	City Attorney
Joe O'Neil	City Engineer
Jason Carson	Associate Planner
Jarad Hildenbrand	Assistant City Manager / Deputy City Clerk
Michele Danaher	Finance Manager
Jorge Garcia	Management Assistant

PLEDGE OF ALLEGIANCE TO THE FLAG Led by Lt. Tom Gallivan.

PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

- Academic Achievement Award - Katelyn Stoner from Villa Park High School.
- Representative from U.S. Census Bureau – Beatrice Fernandez.
- Representative from Serrano Water District.
- Villa Park Community Services Foundation Update.
- Villa Park Women's League Beautification Award.
- Law Enforcement Issues - Chief of Police Services Lt. Tom Gallivan.

ORAL COMMUNICATIONS

Jay Scollick, 18412 Old Lamplighter, announced the 5th Annual VP5K was going to be held Saturday, June 27, 2009.

Teri Elmendorf, 10291 Camden Circle, announced tonight's Council meeting marked the 20th Anniversary of VPTV broadcasting live.

Nancy Jenkins, 18212 Hillcrest Circle, invited Council to attend the LA Breakers dwarf basketball game Friday evening. All proceeds benefit the 2009 Grand Night.

PUBLIC HEARINGS

4. Consideration of Conditional Use Permit No. 0695, A Request to Construct a Five (5) Car Garage Bringing the Total Number of Garage Spaces on the Property to Eleven (11). Location: 19221 Taft Avenue. Applicant: Larry Flores.

Mayor Rheins opened the public hearing. No members of the public addressed the City Council. Mayor Rheins closed the public hearing.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2009-3061 approving Conditional Use Permit No. 0695:

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

5. Resolution No. 2009-3059, Authorizing the City's Participation in the Orange County Sheriff's Department False Alarm Fee Program.

Mayor Rheins opened the public hearing. No members of the public addressed the City Council. Mayor Rheins closed the public hearing.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Mac Aloney Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2009-3059:

AYES:	COUNCILMEMBERS:	Reese, Mac Aloney, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

6. Ordinance No. 2009-539, An Ordinance of the City Council of the City of Villa Park Amending Section 19-2.10 of the Villa Park Municipal Code Prohibiting Parking on City Streets During Posted Street Sweeping Hours.

Mayor Rheins opened the public hearing. No members of the public addressed the City Council. Mayor Rheins closed the public hearing.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Mayor Rheins and carried by the following roll call vote to approve a First Reading of Ordinance No. 2009-539, setting April 28, 2009 as a Second Reading and adoption:

AYES:	COUNCILMEMBERS:	Mac Aloney, Rheins, Pauly, Reese, Ulmer
NOES:	COUNCILMEMBERS:	None

ABSENT: COUNCILMEMBERS: None

ORDINANCES

7. Ordinance No. 2009-538, An Ordinance of the City Council of the City of Villa Park Adding Chapter 23-25 to the Villa Park Municipal Code Relating to General Fencing Requirements.

Mayor Rheins opened public comment.

Don Ebrite, 18131 Lincoln Street, addressed several concerns relative to the proposed Ordinance.

Bob Green, unknown address, spoke in opposition to the Ordinance.

Mayor Rheins closed public comment.

It was moved by Councilmember Ulmer, seconded by Mayor Rheins and carried by the following roll call vote to approve the Second Reading and Adopt Ordinance No. 2009-538:

AYES:	COUNCILMEMBERS:	Rheins, Pauly, Reese, Ulmer
NOES:	COUNCILMEMBERS:	Mac Aloney
ABSENT:	COUNCILMEMBERS:	None

RESOLUTIONS

8. Resolution No. 2009-3060, In Support of Villa Park Reserve Firefighters that Man Orange County Fire Authority Fire Engine No. 223.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to adopt Resolution No. 2009-3060 as amended:

AYES:	COUNCILMEMBERS:	Reese, Mac Aloney, Pauly, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

CONSENT CALENDAR (ITEMS # 9-17)

Mayor Pro Tem Mac Aloney pulled Item No. 11 for further discussion.

Councilmember Pauly pulled Items No. 9 and 14 for further discussion.

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

AYES: COUNCILMEMBERS: Ulmer, Reese, Pauly, Mac Aloney, Rheins
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

The Consent Calendar consisted of the following items:

10. Request Council Confirmation of Financial Treasurer's Report for the Month of February. Approved Action: That the City Council Receive and File the Treasurer's Report.
12. Band Sponsored Car Show Parking Request for May 9, 2009. Approved Action: That the City Council Authorize the Placement of Temporary Signs Allowing Parking Along Taft Avenue Where Appropriate to Accommodate the Event.
13. Determining the Lemon Street and Santiago Boulevard Pavement Rehabilitation Project will not have a Significant Adverse Effect on the Environment Authorizing the Interim City Manager to File a Notice of Exemption. Approved Action: The City Council Approve the CEQA Document Certifying the Lemon Street and Santiago Boulevard Pavement Rehabilitation Project as Categorically Exempt.
15. Authorization for Mayor to Submit Application for Helen Putnam Award through the League of California Cities. Approved Action: That the City Council Authorize the Mayor and Interim City Manager to Sign and Submit Subject Application to the League of California Cities.
16. Authorization for the City to Execute a License Agreement with Gudzunus Properties. Approved Action: That the City Council Authorize the Interim City Manager and City Attorney to Develop a License Agreement for the Installation of Pedestrian Light Poles.
17. City Building Official Letter to Towne Centre Business Owners Regarding Safety of Light Poles. Approved Action: That the City Council Receive and File.
9. Request Council Confirmation of Financial Activity from February 4, 2009 through March 4, 2009.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to approve the Financial Activity in the amount of \$449,992.11:

AYES: COUNCILMEMBERS: Pauly, Mac Aloney, Reese, Ulmer, Rheins
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

11. Request Council Confirmation of Code Enforcement Report for the Month of March.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by a unanimous voice vote to receive and file the Code Enforcement Report.

14. Determining the Mesa Drive Widening and Guard Rail Project will not have a Significant Adverse Effect on the Environment Authorizing the Interim City Manager to File a Notice of Exemption.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by a unanimous voice vote to approve the CEQA document certifying the Mesa Drive Widening and Guard Rail Project as categorically exempt.

CONTINUED ITEMS/ OLD BUSINESS

18. Order of Business for City Council Meetings.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Pauly and carried by the following roll call vote to adopt Resolution No. 2009-3058 establishing the order of business for City Council meetings:

AYES:	COUNCILMEMBERS:	Mac Aloney, Pauly, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

20. Council Chamber Refurbishment.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Ulmer and carried by the following roll call vote to approve the Ad Hoc Committee recommendations and appropriate from the General Fund \$34,000 to complete the refurbishment of the Council Chambers:

AYES:	COUNCILMEMBERS:	Mac Aloney, Ulmer, Pauly, Reese, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Reese and carried by the following roll call vote to approve the Ad Hoc Committees placement recommendation and to appropriate \$850 for the inclusion of the National Motto "In God We Trust":

AYES:	COUNCILMEMBERS:	Mac Aloney, Reese, Pauly, Rheins
NOES:	COUNCILMEMBERS:	Ulmer
ABSENT:	COUNCILMEMBERS:	None

- 18b. Resolution No. 2009-3063, A Resolution of the City Council of the City of Villa Park Declaring its Intent to Conduct a Public Hearing on conditions present at Villa Park Towne Centre, Villa Park, California to Determine whether such conditions constitute a public nuisance.

It was moved by Councilmember Pauly, seconded by Councilmember Reese and carried by the following roll call vote to adopt Resolution No. 2009-3063 setting a Public Hearing for April 28, 2009:

AYES: COUNCILMEMBERS: Pauly, Reese, Ulmer, Mac Aloney, Rheins
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

18c. Resolution No. 2009-3062, Authorizing the City Engineer to execute various State and Federal transportation program documents required for highway projects including street right-of-way certifications.

It was moved by Councilmember Reese, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote to adopt Resolution No. 2009-3062:

AYES: COUNCILMEMBERS: Reese, Mac Aloney, Pauly, Ulmer, Rheins
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

NEW BUSINESS

19. Financial Oversight Options for Villa Park Cable Access Television Corporation and Villa Park Community Services Foundation.

It was moved by Mayor Rheins, seconded by Councilmember Reese and carried by the following roll call vote to continue the item to the April 28, 2009 meeting:

AYES: COUNCILMEMBERS: Rheins, Reese, Pauly, Ulmer, Mac Aloney
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

21. Abbreviated Business License Program.

It carried by a unanimous voice vote to continue the item to the April 28, 2009 meeting.

22. License Agreement with OneFi Technology.

It was moved by Councilmember Ulmer, seconded by Councilmember Pauly and carried by the following roll call vote to terminate subject license agreement:

AYES: COUNCILMEMBERS: Ulmer, Pauly, Reese, Mac Aloney, Rheins
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

MAYOR AND COUNCILMEMBER REQUESTED MATTERS

23. Two Directional Pole Signs to the Towne Centre and Wall Sign at Wanda Road and Santiago Boulevard.

It was moved by Councilmember Pauly, seconded by Mayor Pro Tem Mac Aloney and carried by the following roll call vote not to approve two directional pole signs to the Towne Centre and wall sign at Wanda Road and Santiago Boulevard:

AYES:	COUNCILMEMBERS:	Pauly, Mac Aloney, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

24. Mayoral Travel Request – 2009 Legislative Action Days in Sacramento, California.

It was moved by Mayor Pro Tem Mac Aloney, seconded by Councilmember Reese and carried by the following roll call vote to approve the Mayor's travel request in an amount not-to-exceed \$1,300:

AYES:	COUNCILMEMBERS:	Mac Aloney, Reese, Ulmer, Rheins
NOES:	COUNCILMEMBERS:	Pauly
ABSENT:	COUNCILMEMBERS:	None

25. Individual Councilmember Items.

Councilmember Pauly requested that staff research the smart timer grants offered through Serrano Water District.

COMMITTEE/ COMMISSION/ BOARD REPORTS

No Report.

ADJOURNMENT

Adjourn in Celebration of former Mayor Dr. Robert Helton's 80th Birthday.

It was moved by Mayor Rheins and carried unanimously to adjourn the meeting at 12:45 p.m. to a Special Meeting on April 13, 2009 at 5:00 PM.

James Rheins, Mayor
City of Villa Park

ATTEST:

Jarad Hildenbrand, City Clerk
City of Villa Park