

MINUTES OF THE CITY COUNCIL  
CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in adjourned regular session Tuesday, August 1, 2006 at 7:30 p.m. 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
Rich Ulmer	Mayor Pro Tem
Bob Bell	Councilmember
Bob Fauteux	Councilmember
Rich Freschi	Councilmember

**STAFF PRESENT:**

Ken Domer	City Manager
Leonard Hampel	City Attorney

**FLAG SALUTE:**

Deputy Chief Pat Walker

**ORAL COMMUNICATIONS**

None

**ITEMS FOR CONSIDERATION**

1. Consideration of all Necessary Items Related to an Advisory Measure Concerning the Sale and Use of Safe and Sane Fireworks in the City of Villa Park.

City Manager Domer reported this item was continued from the previous meeting to determine if an advisory measure should be placed on the ballot. If approved, a full fiscal analysis will be completed as to potential costs to the City.

Councilmember Freschi presented an overview of the reasoning behind this item stating it only refers to State of California certified safe and sane fireworks and has no vested interest in this issue, but feels the people should have the right to vote on it.

W. R. "Bill" MacAloney spoke in opposition to the proposed measure and presented a petition requesting the City Council to uphold the ban on fireworks in the City of Villa Park and not unnecessarily spend taxpayers' money.

City Manager Domer reported he received a letter from the VPCSF stating they were not in favor of repealing the ban and were against profiting from the sale of fireworks.

Laura Blaul, Fire Marshall, stated their mission is fire safety and fireworks do cause property damage and injuries quoting the Grand Jury statistics that led to the ban of fireworks.

Wayne Silzel spoke in opposition to the proposed measure stating there are many places to enjoy fireworks.

Jake Wager, stated this area has a history of destructive fires and having fireworks is an invitation to destruction.

Jack Cleary, reported he surveyed his neighbors and 25 out of 28 were against the ballot measure and had a problem with the words "safe and sane".

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer to not place the advisory vote on the November ballot. Second by Mayor Pro Tem Ulmer was withdrawn after council discussion to continue to allow public comment.

Dr. Robert Helton, stated he saw no reason to change the ban or a need to put it on the ballot.

Robert Finnerty, stated he was in support of safe and sane fireworks.

Deborah Pauly stated the ban on fireworks is a fire safety issue and not the Council's job to help non-profits make money.

Brad Reese stated this is more of a safety issue and a bad idea.

Mayor Bortle closed the public hearing.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to not place the advisory vote on the November ballot asking the residents of Villa Park if they wish to have the right to purchase State of California certified safe and sane fireworks.

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Freschi, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

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2. Consideration of Amending Term Limit Ordinance and Setting the Matter Before Voters at the November 7, 2006 General Election.

City Manager Domer presented the staff report stating this was a second reading of an Ordinance to amend term limits recommending they accept the second reading.

Mayor Bortle opened the public hearing.

Mary Silzel stated two 4-year terms was adequate and need new blood to encourage younger residents to run.

Dr. Robert Helton stated he would like to see new blood on the City Council and saw no reason to change the limits.

Deborah Pauly requested the Council to place this item on the ballot.

Mary Silzel commented there are individuals willing to run, but fear the treatment given to them.

Wayne Silzel, stated the issue being put on the ballot appears to be self-serving and requested this item be tabled.

City Attorney Hampel explained the significance of the Ordinance relating to the term of office and that it was his interpretation that it only changes the life time ban, not the term limits for current members.

Mayor Bortle closed the public hearing.

It was moved by Mayor Bortle, seconded by Councilmember Freschi to table the second reading of Ordinance No. 2006-520. Motion denied by the following roll call vote:

AYES:	COUNCILMEMBERS:	Freschi, Bortle
NOES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer
ABSENT:	COUNCILMEMBERS:	None

It was moved by Councilmember Fauteux, seconded by Councilmember Bell to accept for second reading and adopt Ordinance No. 2006-520, an Ordinance of the City Council of the City of Villa Park Amending Section 2-2.14 of Chapter II of the Villa Park Municipal Code Relating to Term Limits for City Council members. Motion carried by the following roll call vote:

AYES:	COUNCILMEMBERS:	Bell, Fauteux, Ulmer, Bortle
NOES:	COUNCILMEMBERS:	Freschi
ABSENT:	COUNCILMEMBERS:	None

Upon inquiry from Wayne Silzel, City Attorney Hampel explained the process of adopting the Resolutions and Ordinance for putting it on the ballot,

Bill MacAloney inquired as to the cost expended for this issue. City Attorney Hampel stated there was considerable work done on this item, but covered under the City's Retainer Agreement. City Manager Domer explained the only cost was the \$1300.00 to put it on the ballot and publication costs.

**ORAL COMMUNICATIONS**

None

**ADJOURNMENT**

It was moved by Councilmember Bell, seconded by Councilmember Fauteux and carried unanimously to adjourn the meeting at 10:10 p.m. to the Regular Meeting on August 22, 2006.

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Patricia L. Bortle, Mayor  
City of Villa Park

**ATTEST:**

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Kenneth A. Domer, City Clerk  
City of Villa Park