

MINUTES OF THE CITY COUNCIL
CITY OF VILLA PARK, CALIFORNIA

The City Council of the City of Villa Park met in regular session Tuesday, August 22, 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
Warren Repke	City Engineer
Jarad Hildenbrand	Assistant to the City Clerk

FLAG SALUTE

Thomas P. Raimondi, III.

INTRODUCTIONS AND PRESENTATIONS

Recognition of Eagle Scout Thomas Raimondi, III of Troop 850

Mayor Bortle presented a plaque to Thomas Raimondi, III for his achievement to the rank of Eagle Scout.

Presentation from Connect-CTY

Brad Reese introduced Chad Castrita from Connect-CTY who gave a presentation on a communication process for emergency notification capabilities through the telephone reaching all Villa Park residents in 60 seconds of a major emergency. The program is prevalent in Orange County.

Mary Silzel, resident, encouraged the City Council to accept this program.

Upon inquiry from Councilmember Freschi, Mr. Castrita stated the cost is \$2.00 per household per year.

The program can be used by the Community Emergency Response Teams and by the City for general information purposes as well.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer to direct the City Manager to explore the program and bring back a proposal within two months. Motion passed unanimously.

Councilmember Fauteux

Councilmember Fauteux introduced Bob Meyer, a resident of Orange City, who recognized Dan Bonfadini for all his contributions as manager of Ralph's Grocery in supporting our troops overseas.

Councilmember Fauteux stated he is working on a program to recognize individuals from Villa Park serving in the military.

ORAL COMMUNICATIONS

Charlotte Bell, Friends of the Villa Park Library, gave an overview of its previous fund raising events and asked for help in raffling off a 2007 Cadillac CTS, the process of which will help expand the VP Library.

CONSENT AGENDA

1. Consideration to Waive Reading in Full of All Ordinances on the Agenda. Approved Action: The City Council waive reading in full of all ordinances on the Agenda.
2. Consideration of City Council Minutes of July 25, 2006. Item pulled.
3. Consideration of City Council Minutes of August 1, 2006. Item pulled.
4. Consideration of the List of Demands from July 20, 2006 to August 16, 2006. Approved Action: The City Council approve the List of Demands for July 20, 2006 to August 16, 2006 in the amount of \$158,687.35
5. Consideration of Release of Surety Bond Obligations, in Accordance with the Sales of Adelphia's Assets to Time Warner Cable. Approved Action: The City Council approve the Release of Surety Bond Obligations.
6. Consideration of Proclamation in Recognition of Developmental Disabilities Day on September 8, 2006. Approved Action: The City Council approve proclaiming September 8, 2006 as Developmental Disabilities Day.
7. Consideration of Proclamation in Recognition of Fire Prevention Week from October 8 – 14, 2006. Approved Action: The City Council approve proclaiming October 8 – 14, 2006 as Fire Prevention Week.

It was moved by Councilmember Fauteux, seconded by Councilmember Freschi, and carried by the following roll call vote to approve the Consent Agenda with the removal of Items 2 and 3.

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

Councilmember Freschi requested an amendment to the minutes of July 25, 2006. It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer, and carried by the following roll call vote to approve the Minutes of July 25, 2006, as amended,

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

Councilmember Freschi requested an amendment to the minutes of August 1, 2006. It was moved by Councilmember Freschi, seconded by Mayor Bortle and carried by the following roll call vote to approve the Minutes of August 1, 2006, as amended,

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

MATTERS PRESENTED BY COUNCILMEMBERS

8. Travel and Meetings.

Reports on the League of California Cities dinner attendance and discussion on the State Office of Emergency Services program were given by Councilmember Fauteux, Councilmember Bell and Mayor Bortle.

It was moved by Councilmember Fauteux, seconded by Councilmember Bell and carried by the following roll call vote to receive and file.

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

9. Councilmember Richard A. Freschi.

Councilmember Freschi spoke on the possibility of acquiring property commonly known as "The Santiago Pit" being the area bounded by Villa Park Road, Hewes Avenue, Prospect Avenue and Bond Street currently owned by the Orange County Water District that may be developed to generate tax money for the City and also about annexing portions of property adjacent to the City of Villa Park. Councilmember Freschi listed off the possible beneficial uses of the area, to include a park for City residents, and several potential commercial or residential opportunities that may benefit the City. City Manager Domer reported informational discussions with the Local Agency Formation Commission on the process which would require City of Orange agreement since the area is within Orange's Sphere of Influence.

Mayor Pro Tem Ulmer complimented Councilmember Freschi stating he agreed it was a good opportunity, but felt they needed to update their Strategic Plan. Discussion ensued.

It was moved by Councilmember Bell, seconded by Mayor Pro Tem Ulmer to send this item to the Community Development Committee. Motion passed unanimously.

CITY COMMISSION AND COMMITTEE REPORTS OR REFERRAL

Councilmember Fauteux reported on the West Nile virus and cautioned everyone on standing water being a breeding ground for mosquitoes.

Councilmember Fauteux reported that he attended the Serrano Water District meeting and the issue of the water supply tasting different. He stated this was due to hot weather and there was not a safety issue.

ITEMS FOR CONSIDERATION

10. Consideration of Resolution 2006-2903, A Resolution of the City Council of the City of Villa Park Targeted Rubberized Asphalt Concrete Incentive Grant Program.

City Manager Domer presented the staff report stating they are currently seeking applications for grants for rubberized asphalt for the street program which last longer and are quieter.

It was moved by Councilmember Freschi, seconded by Councilmember Fauteux and carried by the following roll call vote to approve Resolution No. 2006-2903, A Resolution of the City Council of the City of Villa Park Targeted Rubberized Asphalt Concrete Incentive Grant Program.

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

11. Consideration of Amending Section 19-2.3, 19-2.11 and 19-3.2 of the Villa Park Municipal Code and First Reading of Ordinance No. 2006-521.

City Manager Domer stated this was a proposed Ordinance to address several parking and traffic items in the City. A staff report details the changes proposed.

Mayor Pro Tem Ulmer commented on the proposed Ordinance meeting some of the problems on parking and stated overnight parking does not need to be on the increase in Villa Park. Mayor Pro Tem Ulmer brought this item up at a Community Development Meeting and believes that in addition to assisting with law enforcement abilities, it helps the City aesthetically.

The following individuals spoke in opposition to the proposed Ordinance, with regard to overnight parking.

Grace Bjornstad
Dan Sly
Pat Lamb
Richard Walters
Wayne Wilson
Carol Smith
Jim Rickbash
Debo Tracewell
Ilene DeBreta
Nancy Longyear
Nicole Jones
Joe Simeone
Kathy Slidas
Lois Courti

Richard Walters and Dan Armstrong spoke in favor of the proposed Ordinances.

Councilmember Bell felt what was proposed was not a perfect answer and needed suggestions, recommending it be sent back to the Community Development Committee. Discussion ensued.

It was moved by Councilmember Freschi, seconded by Mayor Bortle to have separate items and send back to the Community Development Committee. Motion passed unanimously.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer to adjourn this item to the Town Hall meeting on October 10, 2006 at 7:30 p.m. Motion passed unanimously.

Recess

Mayor Bortle declared a recess at 9:50 p.m. and reconvened the meeting at 9:55 p.m.

12. Consideration of Waiver of Fees for 19312 Canyon Drive, Resident: Jim and Holly Moat.

City Manager Domer presented the staff report recommending waiver of fees of \$1,961.00 for the placement of a storm drain pipe.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to waive the fee of \$1,961.00 for the placement of a storm drain pipe across 19312 Canyon Drive in recognition of contribution to improvements to the storm drain system.

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

PUBLIC HEARINGS

13. Consideration of Resolution No. 2006-2891, a Resolution Declaring Conditions at 18812 Smoketree Circle, Villa Park, California to Constitute a Public Nuisance, Ordering the Correction of Said Nuisance and Assessing the Cost of Abatement. (Continued from July 25, 2006).

Mayor Bortle opened the public hearing.

City Manager Domer reported the new owner was making the improvements and recommended the consideration of the proposed nuisance at 18812 Smoketree Circle be withdrawn.

Mayor Bortle closed the public hearing.

It was moved by Councilmember Freschi, seconded by Mayor Pro Tem Ulmer and carried to withdraw the consideration of Public Nuisance at 18812 Smoketree Circle. Motion passed unanimously.

14. Consideration of Conditional Use Permit No.0648, a request to modify the existing single family residence, reducing the total floor area by one (1%) percent, which will still exceed the allowable floor area of thirty-two (32%) by five (5%) percent for a new floor area of thirty-seven (37%) percent. (Location: 9782 Daron Drive; Applicant Shapour Mirbabai).

Mayor Bortle opened the public hearing.

City Manager Domer presented the staff report stating this was a request for a Conditional Use Permit to modify the existing single family residence, reducing the total floor area by one (1%) percent, which will still exceed the allowable floor area of thirty-two (32%) by five (5%) percent for a new floor area of thirty-seven (37%) percent.

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 approve Conditional Use Permit No. 0648.

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

15. Consideration of Conditional Use Permit No. 0649, a request to exceed the roof height limit of twenty-five (25) feet for a new roof height limit of twenty-eight (28) feet; a request to increase the allowable lot coverage from twenty-four (24%) percent to twenty-eight (28%) percent; and a request to increase the allowable floor area from thirty-two (32%) to thirty-four (34%) percent. (Location: 18261 Regency Circle: Applicant: Mary Miura).

Mayor Bortle opened the public hearing.

City Manager Domer presented staff report stating this was a request for a Conditional Use Permit to exceed the roof height limit of twenty-five (25) feet for a new roof height limit of twenty-eight (28) feet; a request to increase the allowable lot coverage from twenty-four (24%) percent to twenty-eight (28%) percent; and a request to increase the allowable floor area from thirty-two (32%) to thirty-four (34%) percent.

Russell Miura commented on the request stating they were asking for 28 feet to get the second floor correct.

Maury Jason, stated his understanding of conditional use permits was for properties with unique problems and questioned its uniqueness.

City Attorney Hampel explained uniqueness would be under a request for a variance and not a conditional use permit which does not deviate from the zoning ordinance and deals with a sensitive area to determine the compatibility of the surrounding area.

Councilmember Bell stated he was concerned due to a change in lot coverage and was opposed to it. Discussion ensued.

It was moved by Councilmember Bell, seconded by Councilmember Fauteux and carried by the following roll call vote to deny Conditional Use Permit No. 0649.

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

16. Consideration of Conditional Use Permit No. 0650, a request to exceed the height limit of twelve (12) feet for outdoor living areas/patio covers for a new height of thirteen (13) feet. (Location: 10242 Old Lamplighter Lane: Applicant Lance Friedman).

Mayor Bortle opened the public hearing.

City Manager Domer stated this was a request to exceed the height limit of twelve (12) feet for an outdoor living area/patio cover for a new height of thirteen (13) feet.

Mayor Bortle closed the public hearing.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to approve Conditional Use Permit No. 0650.

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

17. Consideration of Conditional Use Permit No. 0651, a request to exceed the roof height limit of twenty-five (25) feet for a new roof height of twenty-eight (28) feet, two (2) inches for the addition of a second story. (Location: 18252 East Lincoln Street; Applicants: Hoan and Hoa Nguyen).

City Manager Domer stated the applicant wanted to withdraw the request.

It was moved by Councilmember Fauteux, seconded by Mayor Pro Tem Ulmer and carried by the following roll call vote to withdraw consideration of Conditional Use Permit No. 0651.

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

STAFF REPORTS

City Manager/City Clerk

18. Report of Candidates Nominated for Members of the City Council at the November 7, 2006 Municipal Election:

City Manager Domer stated the five qualified candidates that will be on the ballot were Patricia Bortle, James Rheins, Bradley Reese, Robert Fauteux and Deborah Pauly. Mr. Domer also stated that information on Measure FF is on the website.

19. Columbus Day Closure to Public, October 9, 2006.

City Manager Domer requested October 9, 2006 be closed to the public, but will still have staff working.

It was moved by Councilmember Freschi, seconded by Councilmember Bell and carried by the following roll call vote to close City Hall to the public on October 9, 2006, Columbus Day.

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

20. Reorganization of Staff Positions.

City Manager Domer presented a report on the proposed reorganization of City staff positions requesting the City Council to approve the reorganization per Villa Park Municipal Code section 2-4.10, outsourcing the accounting position, elements of the Clerk, creating a planning position under the City Manager as Planning Director, and making a permanent full time administrative services position requesting authorization by the City Manager to staff the positions.

It was moved by Councilmember Freschi, seconded by Councilmember Bell and carried by the following roll call vote to approve reorganizing City Hall positions, receive and file the staffing needs assessment and direct the City Manager to return by September 26, 2006 with Finance position options.

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

21. Consideration of Participation in Orange County Transportation Authority's Go-Local Grant Program and Participation with City of Anaheim as lead agency.

City Manager Domer reported on the agreement with the City of Anaheim to partner with them relative to the OCTA Go-Local Grant Program for transportation needs.

It was moved by Councilmember Bell, seconded by Councilmember Fauteux and carried by the following roll call vote to authorize the City Manager to enter into an agreement with the City of Anaheim in order to participate in the OCTA Go-Local Grant Program.

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

City Attorney:

City Attorney Hampel requested the City Council to allow staff to bring back a Resolution of Denial of Conditional Use Permit 0649 for the next meeting.

It was moved by Councilmember Bell, seconded by Councilmember Fauteux by the following roll call vote to approve direct staff to prepare a Resolution of Denial of Conditional Use Permit No. 0649 for the next meeting.

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

City Engineer:

22. Capital Improvement Project: Lemon Street Concept Plan.

The City Engineer presented the Concept Plan for the Lemon Street Project which is based on a concept of better utilizing the existing substantial right of way to provide not only vehicle traffic lanes for cars and bicycles, but also a recreation trail per the General Plan and center median for beautification of the corridor. Recommendation to have the City Council approve the design contingent upon funding.

Lee Allred, supported the general concept stating they were moving in the right direction and urged its approval.

Janet Dante liked the stops signs at Valley, but expressed concern over the parking and trail fencing.

Nicole Jones, stated she was opposed to the trail behind her home and stop signs on Valley. She felt it was too convoluted of a concept. Staff commented the stop signs were on the plans in error. No additional signs are planned.

Jeanne Kumaki, spoke in favor of the plan and urged the City Council to approve it and to get it going.

Donald Swenson, stated he did not object to the plan but would like to see a traffic signal on Taft and Lemon.

Chris Felix stated it was a great concept, but would like to see the west side of Lemon to be cleaned and also encouraged landscaped medians.

Dr. Linda Bartrom stated the plan was amazing.

Vern Hoy, stated the plan was great and will do a lot for the City of Villa Park, but objected to the medians.

It was moved by Councilmember Freschi, seconded by Councilmember Bell and carried by the following roll call vote to approve accept the Concept Plan.

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

ORDINANCES

None

RESOLUTIONS

None

ORAL COMMUNICATIONS

Dr. Linda Bartrom, Villa Park High School teacher, spoke about her television course stating she feels she should be the one to teach it. She urged the parents and students to go to the Orange Unified School District meeting and voice their opinion on this matter.

CLOSED SESSION

Closed session was held on the Real Property negotiation for Parcel No. 372-682-03 of Tract 7245 (Osumi portion) at Meats Avenue. Negotiations are Ken Domer for the City and Osumi. Not reportable action at this time.

ADJOURNMENT

It was moved by Councilmember Freschi, seconded by Councilmember Bell and carried unanimously to adjourn the meeting at 10:55 p.m. to the regular meeting on September 26, 2006 at 7:30 p.m.

Patricia L. Bortle, Mayor
City of Villa Park

ATTEST:

Kenneth A. Domer, City Clerk
City of Villa Park