

Jackson City Council
Minutes
Regular Meeting of November 14, 2011

Wayne Garibaldi
Patrick Crew
Marilyn Lewis
Keith Sweet, Vice-Mayor
Connie Gonsalves, Mayor

Michael Daly, City Manager
Andrew J. Morris, City Attorney
Marc Crain, New Fire Chief
Scott Morrison, Police Chief
Susan Peters, City Planner
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

Mayor Gonsalves called the meeting to order at 7:00 p.m.

1. CEREMONIAL.

a. Proclamation Honoring Planning Commissioner Darek Selman. Mayor Gonsalves presented Darek with the Proclamation honoring him for his service on the Planning Commission. Darek Selman thanked the City Council for appointing him to serve on the Planning Commission because it lets the average citizen know what can and or can't be done.

b. Presentation of Certificates of Appreciation for Jackson Revitalization Committee Members Lana Vukovich (absent) and Jane Wilkinson. Mayor Gonsalves presented Jane Wilkinson a certificate of appreciation 2008- 2011. Jane Wilkinson stated it was an honor to serve on the Jackson Revitalization Committee alongside such a great group of people.

2. APPROVAL OF AGENDA.

**Moved by Councilmember Lewis and seconded by Councilmember Crew, and
unanimously carried to approve the City Council Agenda dated November 14, 2011 as
presented.**

3. PUBLIC MATTERS NOT ON THE AGENDA.

Al Lennox, Veterans American Legion Post 108, thanked the City Council for approving the Veteran's Day Parade permit. He reported there were over 40 entries in this year and the Legion feed over 700 people at the luncheon afterward. He thanked City Manager Daly, Police Chief Morrison and staff for their assistance. He noted Jackson's Veteran's Parade aired on KCRA News.

Albert "Poncho" Villa, President, American Legion Post 108, stated it was from the heart of a veteran that he wanted to thank the City Council and the public for attending the parade. He was present to acknowledge Police Chief Morrison with a plaque of appreciation for his generous support and assistance to the Veterans American Legion Post 108. He stated the Legion at their December 1st meeting would be presenting Police Chief Morrison with a proclamation and invited the City Council and public to attend.

Al Lennox, American Legion Ambulance Service, acknowledged Councilmember Lewis's request to the City Council to purchase two automated external defibrillator units (AED) for the Civic Center. He stated the American Legion Ambulance Service would donate two Automated External Defibrillator units to the City of Jackson.

Mayor Gonzales on behalf of the City Council she thanked Mr. Lennox and the American Legion Ambulance Service for their generous donation of two automated external defibrillator units for the Civic Center.

Bill Orescan, Jackson presented two concerns to the City Council for consideration.

1. Ministerial projects and how they are processed. He presented an example of a variance application and objected to the City's current variance process.
2. Recommendation the Fire Department charge \$500 to the homeowner for fire callouts to supplement their budget.

Mayor Gonsalves thanked Mr. Orescan for his concerns. She stated Homeowner Fire Policies in California do not cover that type of charge and she could provide him with the actual verbiage tomorrow.

City Attorney Morris stated for the record the City Council could not take action on these items because they were not on the agenda for consideration.

4. CONSENT CALENDAR.

- a. Approval of Minutes of October 24, 2011 meeting.
- b. Approval of Expenditure Report for November in the amount of \$259,037.04.
- c. Approval of Salary related items for October the amount of \$255,361.07.
- d. Accept September 2011 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for October 2011.
- f. Receive Jackson Fire Department Monthly Report for October 2011.
- g. Receive Building Department Monthly Report for October 2011.
- h. Approve Request from Argonaut Breakfast Lions to Use Aime Field Parking Lot for Christmas Tree Sales, November 22 – December 24, 2011.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and unanimously carried to approve as presented except for:

- 1. Mayor Gonsalves abstains from the Approval of Minutes of October 24, 2011.**
- 2. Vice-Mayor Sweet abstained on the approval of Check 235164 in the amount of \$533.97.**
- 3. Councilmember Lewis dissented on the approval of Check 235164 for Stantec in the amount of \$8,662.00.**

5. ADMINISTRATIVE REPORTS.

Fire Chief Crain also reported on the following:

1. The Department responded to 92 calls last month, 56 medical calls, 11 public assists, 11 fire related, 4 hazardous materials, 10 traffic accidents and 26 of the calls or 28 percent were outside of the city limits for automatic aid to the AFPD.
2. The Department with the assistance from CalFire will hold an intense two day class on Structural Firefighting Command & Tactics Refresher course on December 10 and 11 at 208 Court Street. The Department has coordinated with Amador County and several other fire agencies to perform a fire training burn at that location on December 17 for about 4 or 5 hours. The department will notify the surrounding neighborhood.
3. Santa Patrol will include a food drive collection for the Interfaith Food Bank.

Police Chief Morrison reported the Department responded to 550 calls for service last month.

City Planner Peter reported the Planning Commission meeting for November has been cancelled. Since the Architectural Regulations has been adopted her focus has changed to completing the revisions to the Housing Element.

City Attorney Morris reported he has been working with Fire Chief Crain regarding the live fire training and the Joint Use Agreement for one of the Fire Engine.

City Manager Daly reported on the following:

1. The American Legion Post 108, Veterans' Day Parade was held on Main Street, November 11, the event has evolved and pictures will be posted on the city website.
2. The Marcucci Bridge Slap Project ribbon cutting ceremony will Tuesday, November 22 at 9:00 a.m.
3. The California Transportation Commission will be performing a site visit regarding the Environmental Enhancement Mitigation Program Grant for Jackson Vista Point Improvement Project on Thursday, November 17 at 10:00 a.m.
4. The Jackson Business and Community Association are hard at work preparing for this year's Christmas Delights, November 25 and 26 from 6:00 p.m. to 9:00 p.m. and the Christmas tree lighting will only be on Saturday this year.

6. COUNCIL REPORTS.

Councilmember Crew reported on the following:

1. Attended the Jackson Revitalization Committee meeting.
2. Attended the Sutter creek Wastewater Master Plan and ARSA master Plan ad-hoc committee meeting.

Councilmember Lewis attended the Amador County Solid Waste Management meeting and noted there is recycling center located in Sutter Creek.

Councilmember Garibaldi reported on the following:

1. Attended the Amador County Recreation Agency meeting.
2. Attended the Jackson Revitalization Committee meeting.
3. Attended the Amador Council of Tourism meeting.

Vice-Mayor Sweet reported on the following:

1. Kennedy Tailing Wheel Preservation Project presentation was made to the Sutter Creek Women's Club.
2. The 8th reprint of the Kennedy Wheels booklet has been completed and is available at City Hall and several locations in the county for \$7.50.

DISCUSSION CALENDAR.

7. Public Hearing – Comment on City's Application for Brownfield Grant Funding for Oro De Amador Property.

City Manager Daly reported staff has been working with the Amador County Recreation Agency on preparing the City's application for Brownfield Grant Funding for Oro De Amador Property. Staff was notified today there have changed in the application requirements. Due to the additional cost

associated with these requirements and the fact the grant application is due on Monday, November 28, staff determined it was not a good expenditure at this time and the application was withdrawn. Staff hopes to have a better handle of this process next year and note there was still Proposition 40 Funding that could be looked into.

8. Public Hearing – Sign Ordinance Update.

City Planner Peters reports on October 18, 2010 the City Council directed the Planning Commission to update Development Code, Article III, Chapter 17.54, Sign Regulations, specifically to address political signs, however, other issues were discussed as well, including changing pole and cabinet sign regulations. Over the past year the Planning Commission has held a number of workshops regarding amendments to the Sign Regulations. On October 15, 2011 the Planning Commission approved a motion to recommend the City Council approve the following proposed amendments to the Sign Regulations Ordinance:

- To address the non-conforming political sign issue a time limit was added to Section 17.54.115, Removal of Nonconforming Signs;
- A reduction in the maximum height for pole signs to six feet so that they are more similar to a monument sign;
- Disallowance of internally lit cabinet signs;
- Changes to Section 17.54.165, Certain Signs Prohibited in All Zones, prohibiting use of attention getting signs, changeable copy signs, electronic display screens, and electronic message centers;
- Addition of definitions for changeable copy sign, reader board sign, electronic display screen, and electronic message center;
- Description of how signs are measured and inclusion of Figure 3-22, Calculation of Sign Area;
- Regulations for window signs;
- New regulations regarding vehicle mounted signs;
- Regulations for total aggregate signage allowed; and
- Amendments to Section 17.54.100, Nonconforming Signs, prohibiting new businesses moving into an existing building from utilizing the prior businesses' existing nonconforming signs. This section also requires a five year amortization period for existing businesses to remove their nonconforming signs. The Planning Commission's recommendation is to retain this requirement.

Councilmember Crew inquired if Jackson businesses were noticed about the proposed Sign Ordinance amendments. City Planner Peters reiterated the since October 18, 2010, Planning Commission has held a number of workshops with minimal public input. The Planning Commission at their October 17 meeting held a public hearing and received no public comment. The notice was published in the local newspaper and posted at City Hall.

City Attorney Morris stated there was some confusion as to the definitions for nonconforming, legal and illegal signs which might be problematic, enforceable and conflicts with State law. He recommended the language be amended before adoption of this ordinance.

Vice-Mayor Sweet encouraged the City Council to approve the proposed Sign Brochure, approve the first reading of the Ordinance 670 by title only and direct City Attorney Morris to modify the verbiage of the ordinance for the second reading.

Mayor Gonsalves opened the public hearing. Thornton Consolo voiced his concerns regarding the Sign Ordinance. Hearing no further comments from the public, Mayor Gonsalves closed the public hearing.

After considerable discussion among the City Council and staff it was agreed some of the revisions were too restrictive. Their concern was that the Jackson businesses were not properly notified of the proposed amendments to the Sign Ordinance. City Attorney was directed to modify the verbiage of the ordinance. This item was continued. City Manager Daly stated staff will prepare a Sign Ordinance Public Information Approach for the November 28 meeting.

Mayor Gonsalves called for a recess at 8:19 p.m. Mayor Gonsalves reconvened the meeting at 8:30 p.m.

9. Planning Commission Appointment.

City Manager Daly reported Planning Commissioner Darek Selman was relocating his residence outside the city limits of Jackson and will no longer be eligible to serve on the Commission. The term of Mr. Selman's seat is scheduled to expire on June 30, 2012. Staff was directed to place public notices in the typical locations to seek a replacement Commissioner. As of Thursday, November 10, only one application from Fred Hall was received and provided for City Council consideration.

Fred Hall, applicant, thanked the City Council for the honor of being considered to serve on the Planning Commission and would give it his best effort.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and unanimously carried to appoint Fred Hall to serve the remainder of Darek Selman term which expires June 30, 2012.

10. Jackson Revitalization Committee Appointments.

City Manager Daly reported the Jackson Revitalization Committee two year terms expired in September. The regular term on the committee is two years and the seats are staggered so that approximately half of them expire each year. All of the current committee members who have terms expiring are interested in continuing on the committee except Jane Wilkinson (merchant) and Lana Vukovich (property owner). The Jackson Revitalization Committee recommended that all terms of the current committee members be re-approved for an additional two years. The following committee members terms expiring and have requested reappointment: Mayor Connie Gonsalves, JBCA Representative Aaron May, Resident Rich Hoffman and Member-at-large Mark Hirschel. As of Thursday, November 10, only one application from Robert Carr was received and provided for City Council consideration.

Moved by Councilmember Garibaldi, seconded by Councilmember Crew, and unanimously carried to appoint Robert Carr (merchant) to serve on the Jackson Revitalization Committee.

11. Request from Councilmember Lewis for City to Purchase Two Automatic External Defibrillator Units for the Civic Center.

No action taken since the American Legion Ambulance Service offered to donate two Automated External Defibrillator units to the City of Jackson.

12. Quarterly Budget Review. Review and provide direction to staff.

City Manager Daly reported on June 27, 2011, the City Council adopted the City Budget for FY 2011-12. This budget review item is a first look at how the projections for both revenues and expenditures are faring after the first three to four months of this fiscal year.

Revenues:

- The first three months of sales tax revenue is down slightly from same period last year, a decrease of \$7,843 approximately 5%.
- Transient occupancy tax was nearly equal with last year, up \$24.13 from last year's first quarter total of \$72,007.10.
- VLF swap/ERAF property tax was budgeted as a lost revenue for this fiscal year. The City is working with other Amador County cities and County officials to address this issue with local state legislative representative to fix this unintended consequence resulting from the basic aid status of ACUSD.
- Enterprise funds, water and sewer are trending as expected. Water revenue is generally higher during the summer months. Sewer revenue is trending slightly lower than budgeted by one percent.

Expenditures:

- The first four months of the total General Fund expenditures are 32.6% of the total budget which included the Departmental expenditure summaries.
- Enterprise funds, water and sewer are higher for this period. Water expenditures higher due to the water bond payment and Operation expenditure patterns are within the regular budgeted amounts. Sewer expenditures higher due to cost associated with the environmental impact report and design work for the NPDES compliance project.

13. Amend Fire Department Budget for Full-Time Fire Services Training Costs. Review and determine Council action.

City Manager Daly stated the action on this item was to adopt a resolution allocating additional funds in the Measure M Fire Department budget for Training and Overtime to support the training need of the full-time firefighters:

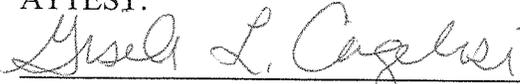
Fire Chief Crain reported as the Fire Department moves forward in the training and certification levels our career/full-time fire staff the department will need to allocate funds for training and occasional overtime coverage in order for the staff to attend regional training courses. The request is a transfer in the Measure M funds to add \$2,000 to the line item for training \$3,000.

Moved by Councilmember Crew and seconded by Councilmember Lewis, and unanimously carried to Adopt Resolution 2011-34 Amending the Measure M Fire Department Budget for Fiscal Year 2011-2012, allocating \$2,000 to the training line item and \$3,000 for additional related overtime costs.

ADJOURNMENT.

Adjourn: 8: 55 p.m.

ATTEST:



 Gisele L. Cangelosi, City Clerk

Date Approved: November 28, 2011