

Jackson City Council
Minutes
Regular Meeting of March 12, 2012

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

Michael Daly, City Manager
Marc Crain, New Fire Chief
Susan Peters, City Planner

COUNCIL MEMBERS ABSENT:

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Sweet and seconded by Vice-Mayor Gonsalves, and unanimously carried to approve the City Council Agenda dated March 12, 2012 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Minutes of February 27, 2012 meeting.
- b. Approval of Expenditure Report for March in the amount of \$ 38,862.88.
- c. Approval of Salary related items for January in the amount of \$264,565.35.
- d. Accept January 2012 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for February 2012.
- f. Receive Jackson Fire Department Monthly Report for February 2012.
- g. Receive Building Department Monthly Report for February 2012
- h. Approve Agreement with Amador Farmers Market for 2012 Season.

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi, and unanimously carried to approve as amended except for:

1. Councilmember Sweet abstained on the approval of Check 235693 in the amount of \$570.79.
2. Mayor Crew abstained on the approval of Check 235675 in the amount of \$725.00.

4. ADMINISTRATIVE REPORTS.

Fire Chief Crain reported the following:

1. The Department responded to 128 calls last month, 90 medical calls, 13 public assists, 8 fire related, 3 hazardous materials, 14 traffic accidents and 37 of the calls or 29 percent were outside of the city limits for automatic aid to the AFPD.
2. Assisted with the Jack-in-the-Box fire. The fire is under investigation by the Amador Fire Protection District's Fire Marshal and CalFire's local investigator. At this time no cause has been determined.

3. The Volunteer Fire Department has elected not to hold their Annual Tri-Tip Barbeque at Dandelion Days due to the weekend weather forecast.

City Planner Peters reported on the following:

1. Working on the Housing Element update.
2. Shelly Davis-King, an archaeologist/cultural resources specialist is reviewing the information regarding the demolition permit for 215 Court Street.
3. Shelly Davis-King is also providing the environmental paperwork for the Kennedy Wheel Project. Staff received an email with a progress update and noted Caltrans environmental department has indicated a decision that Ms. Davis-King might be able to prepare the Finding Of Effect form.

City Manager Daly reported on the following:

1. Beetle Barbour, A-TCAA and he were the only two in attendance at the grant application Public Hearing for discussion of possible State CDBG Application that was held Saturday, March 3 at 11:00 a.m., at the Jackson Civic Center. A-TCAA will be putting together the CDBG application for funding and the City Council will hold a special City Council meeting on Monday, April 2 at 5:15 p.m.
2. In the absence of Police Chief Morrison, he reported the Police Department had two unusual cases this week, first occurred when a state parolee stole a vehicle and a pursuit ensued and second involved eviction of two sex offender registrants from the Oro De Amador property at the dam.
3. Recruitment for the Fire Engineer is open through March 15. Due to the number of applications received to date the deadline might have to be extended.
4. Met with Neil Peacock, ACTC to discuss the community transportation planning based project regarding local projects in Jackson. ACTC anticipated making an informative presentation to the City Council late April or early May.
5. Assembly Bill 1191 at the Senate side and the State budget has a line item to backfill 4.4 million dollars lost by counties and cities in Amador and Mono 2010 and 2011.
6. The City and the Chamber of Commerce will be meeting to discuss co-hosting an informational ADA workshop to help local businesses understand their responsibilities under the Americans with Disabilities Act and avoid costly litigation.
7. The Indian Gaming Special Distribution Fund focus this year is communication equipment for our law enforcement.
8. Amador Farmers Market for 2012 Season is scheduled to begin May 20 through October this year in the Busi Municipal Parking Lot from 9:00 a.m. to 1:00 p.m. on Sundays.

5. COUNCIL REPORTS.

Councilmember Sweet reported on the following:

1. Save the Wheel presentation at the Board of Supervisors and was awarded a \$15,000 grant paid over the next three years.
2. Save the Wheel presentation at the Sutter Creek City Council and the Jackson Rotary.
3. Participated on the City Engineer panel interviews.

Mayor Crew reported on the following:

1. Participated on the City Engineer panel interviews.

Councilmember Garibaldi inquired if the City had donated any funds for the Save the Wheel program. Councilmember Sweet stated the City allocated \$25,000 from the City's park in-lieu mitigation fund to provide some seed funding for this project to pay for some of the pre-application work that might be necessary and believes to date \$1,200 has been spent.

DISCUSSION CALENDAR.

6. Continued Public Hearing - Amendments to City Sign Ordinance and Enforcement Approach.

City Manager Daly reported at the February 26, 2012, City Council meeting the updated sign regulations ordinance was presented at a public hearing and proposed for consideration by the City Council. At that meeting the staff report highlighted the proposed amendments to the Sign Regulations. Though there was no public comment during the item, the City Council opted to continue the public hearing to this meeting in order to get additional information related to the proposed regulation changes. At that meeting the staff was directed to provide the following information for tonight's meeting:

1. Ordinance 670 Amending Jackson Municipal Code Chapter 17.54, Sign Regulations – Exhibit A, should reflect the track changes. The City Council was provided a copy of the “track version” of the proposed update to sign regulation provisions. The new language is underlined, while deleted areas are shown with strike-through text.
2. Verification the proposed changes reflect the comments made by the City Council at the January 23, 2012 Council meeting. Staff listened to the recording to review those comments and determined similar to the February 27 meeting, no comments were made by the public. The City Council discussed the following items at that meeting:
 - a. The treatment of existing permanent signs that would fall under the current five year amortization provision in the regulations. The consensus of the City Council was to grandfather in these signs rather than require what could be a costly replacement.
 - b. Three of the newly proposed sign regulation provisions: window signs, aggregate signs and other prohibited signs. The concern was whether these signs could be grandfathered similar to the other non-conforming signs.
 - c. Replacing signs that are damaged by circumstances out of the control of the owner. Staff confirmed that language exists in the ordinance that allows for replacement of signs in these situations.
 - d. If a business closes, does the new business; sign need to comply with the regulations. Staff confirmed that compliance would be required unless a sign exception was granted.
 - e. If the opaque background requirement for cabinet lit signs would apply when signs are changed. Staff confirmed it would.
 - f. If grandfathering of the signs at Mel & Faye's Diner due to a possible trademark or copyright issue with the name. Staff confirmed these signs would be grandfathered and would not require a modification at this time and could be replaced in the future.
 - g. The enforceability of preventing a vehicle with a logo or other commercial business information painted or stickered on the vehicle from parking in public parking lots (Section 17.54.185). Staff recommended the language be retained to prohibit banners from being draped on vehicles or other signs placed in trailer and left in a parking space in a public parking lot. Possible language describing this prohibition was provided if this option was preferred.

- h. Enforcement Policy for enforcement of the proposed updated sign regulations. Enforcement of the sign ordinance can be broken down into two main parts: Enforcement of illegal signs and enforcement of nonconforming signs. As suggested at the January 23, 2012 meeting, the City Council would evaluate the compliance of signs on a semi-annual basis, with an eye for obvious infractions of the temporary sign provisions are required. Enforcement would be focused on the education of businesses to help them comply with sign regulations, hopefully reducing enforcement to a minimum. Met with Police Chief Morrison regarding using the current Parking Enforcement Officer, Heather Russell to assist with this enforcement. Staff agreed it would be nice to have another staff member involved and will be meeting with Ms. Russell to discuss this matter. The City Council was provided a description of proposed enforcement of illegal signs and enforcement of nonconforming signs.

City Planner Peters added the “track version” of the proposed update to sign regulation provisions is posted on the City’s website.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff, it was the consensus of the City Council that the following section be amended as follows:

Section 17.54.020 Definitions

C. “American Flag” “Sign” does not include the flag of the United States of America, the flag of the State of California, the flag of the County of Amador, or the flag of the City of Jackson nor any support frame or standard which is used exclusively for display of any such flag; also includes patriotic bunting.

17.54.185 Vehicle-Mounted Signs

- A. No sign shall be placed or erected in the bed of a truck or on the deck of a trailer or a truck.
- B. Banner or other temporary signs displayed on vehicles shall be prohibited.
- C. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this Section during the term of the special event only. Upon the conclusion of the special event, such signs must either be dismantled, moved to a location where the sign is not visible from public rights-of-way or made to comply with the provisions of this Chapter. For the purposes of this subsection, the term “special event” shall mean a parade, circus, fair, carnival, festival, or other similar event that is intended to or likely to attract substantial numbers of persons and is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.
- D. This Section shall not apply to signs that are being transported for installation.

Moved by Councilmember Sweet and seconded by Councilmember Garibaldi and carried by a 4 to 1 vote (Councilmember Lewis dissenting) to approve the first reading of Ordinance 670 Amending Jackson Municipal Code Chapter 17.54, Sign Regulations.

7. City Engineer Selection. Review and determine Council action.

City Manager Daly reported the City of Jackson contracts for the services provided by a City Engineer. The use of a contract City Engineer enables the City to receive the diverse types of engineering services necessary for planning and maintaining the City's infrastructure and also provides additional flexibility when expertise in certain types of engineering services are necessary. The City has contracted with Weber, Ghio and Associates since 1995. Previously, contract City Engineers were considered city staff members and a competitive selection process was not required on any regular interval.

Recently, Caltrans informed local jurisdictions using contract City Engineers that a competitive selection process for these services must be undertaken at least once every five years. After learning of this requirement, the City published a public notice on February 3, 2012, soliciting statements of qualifications from firms interested in providing City Engineer services for the City of Jackson. The City is also establishing a "Prequalified Consultant List" which can be used for future projects for specialized consulting services related to the City Engineering services. Establishing this list eliminates the need to publish a request for qualification for each project.

The City received statement of qualification documents from six firms. Not all of these firms were interested in the City Engineer position, but requested to be placed on the prequalified consultant list. The following firms submitted statements:

Burne Engineering Services, Inc.
Dokken Engineering
KASL Consulting Engineers
Weatherby-Reynolds-Fritson, Engineering and Design
Weber, Ghio & Associates, Inc.
Willdan Engineering

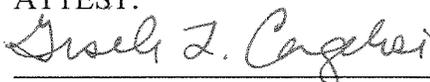
The City's interview panel consisted of Mayor Crew, Councilmember Sweet and City Manager Daly. The panel's conclusion was that Weber, Ghio & Associates, Inc. was most qualified to perform City Engineering service for the City of Jackson. The panel also recommended that the other five firms be placed on the prequalified consultant list.

Moved by Vice-Mayor Gonsalves and seconded by Councilmember Lewis and unanimously carried to adopt Resolution 2012-10, officially designating the firm of Weber, Ghio and Associates as City Engineer, and identifying five other firms as prequalified consultants with the following stipulation: In the event the City needs to utilize a consultant from the prequalified consultant list that a local consultant be selected.

8. ADJOURNMENT.

Adjourn: 8: 30 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk
Transcribed from Audio Recording

Date Approved: March 26, 2012