

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – February 09, 2016**

1. OPENING

Mayor Jody Jones called the February 9, 2016 Town Council Meeting to order at 6:02 p.m. in the Council Chamber located at 5555 Skyway, Paradise, California. Following the Pledge of Allegiance to the Flag of the United States of America, Council Member Greg Bolin offered an invocation.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John Rawlings and Jody Jones, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Joanna Gutierrez, Town Manager Lauren Gill, Town Attorney Dwight Moore, Finance Director/Town Treasurer Gina Will, Community Development Services Director Craig Baker, Public Works Director Marc Mattox, Onsite Sanitary Official Doug Danz, Assistant Town Clerk Dina Volenski, Administrative Assistant Colette Curtis, Police Chief Gabriela Tazzari-Dineen and North Division Chief David Hawks, CAL FIRE/Paradise Fire.

Proclamation: Mayor Jones presented the Teen Dating Violence Awareness Month Proclamation to Catalyst Representative Melody Proebstel, Education and Community Outreach Coordinator.

Police Chief Gabriela Tazzari-Dineen introduced and presented recognitions to the following Paradise Police Department Employee/Volunteers of the Year:

Officer of the Year:	Manny Ayala
Dispatcher of the Year:	Danielle Moskowitz
Civilian Employee of the Year:	Jennifer Robbins
VIPS of the Year:	Pat Clark-Aris
PASH of the Year:	Jay and Martha Shepard

North Division Chief David Hawks introduced and presented recognitions to the following Career and Volunteer Firefighters of the Year:

Career Firefighter:	Keith "KC" Castillo
Volunteer Firefighter:	Jeff Dodge

Public Works Director/Town Engineer Marc Mattox presented the first annual report on the Downtown Paradise Safety Project. Police Chief Gabriela-Tazzari Dineen and North Division Chief Hawks reported to the Council that they each believe that the reconfigured roadway has improved the safety for motorists and

pedestrian by slowing the speed of motorists traveling on Skyway through the downtown area, and by increasing the ability of public safety personnel to maneuver through the downtown when responding to calls for service.

Mayor Jones opened the matter for public comment.

1. Ward Habriel stated that after his traffic accident in the downtown, the public safety responders that took him to the hospital stated their non-support of the changes to the Skyway, thanked Marc Mattox for an excellent presentation on the Downtown Safety Project, and that he thinks to change the behavior of motorists, the Town should consider posting language on a billboard on Skyway that informs motorists of legal consequences of speeding and to provide law enforcement to enforce that consequence.
2. Nicki Jones stated that she opened Bobbi's Boutique, a clothing store, in the downtown because of the downtown safety project, that the new configuration does provide a safer environment for downtown shoppers even though it does take a little longer for commuters to commute through the downtown.
3. William Martin stated that he was skeptical about the road change, but now is supportive based on the outcome.
4. Tom Kelly stated the problems are due to unsafe speeds and requested that the Council place a stop sign at the intersection of Skyway and Boquest.
5. Cassandra Peregoy asked if the Town could do something about the people that are taking shortcuts on side streets to avoid the Skyway. Cassandra stated that she lives on Pearson Road and believes that traffic has increased in her neighborhood as a result of the project.

Public Works Director/Town Engineer Mattox informed that the Butte County Association of Governments (BCAG) is the agency studying whether or not there is diversion, that there is a higher volume of traffic overall.

2. CONSENT CALENDAR

Council Member Culleton requested that agenda item 2e, relating to purchase of property located at 6148 Skyway, be removed from the consent calendar.

MOTION by Culleton, seconded by Lotter, approved the consent calendar items 2a, 2b, 2c, 2d, 2f and 2g as presented. Roll call vote was unanimous.

- 2a. Approved Minutes of the January 12, 2016 Regular Council Meeting.
- 2b. Approved January 2016 cash disbursements in the amount of \$991,573.41.

- 2c. Contingent upon approval of an Administrative Permit by the Community Development Director, authorized the Town Manager to enter into an Agreement with Pamela Funk and Harold Funk relating to the use of public right of way adjacent to 6256 Skyway for the operation of their business(es).
- 2d. Acknowledged receipt of the Fiscal Year 2014/15 Financial Statement Audit report as presented by Town staff.
- 2f. Adopted Resolution No. 16-03, A Resolution Accepting the Work performed under the Police Department Emergency Siding Project (Contract No. 15-17). Total project cost is \$97,361.46. Work performed by Ginno Construction of Chico, California.
- 2g. Adopted Resolution No. 16-04, A Resolution declaring a certain vehicle as surplus property and authorizing donation to the Butte County Fire Safe Council by the Town Manager.

3. ITEMS REMOVED FROM CONSENT CALENDAR

- 3a. Consider adopting Resolution No. 16-02, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager to Execute an Agreement to Purchase Real Property from Moller Investment Group, Inc. relating to 6148 Skyway, Paradise, California.

Town Manager Lauren Gill provided the background that led up to this proposal for the Town Council to approve the purchase of this triangular piece of property in the downtown area located at 6148 Skyway at the intersection with Foster Road. The property was appraised at \$13,000, that the property has been posted sale for 12 months and that no offers were made until very recently, and that she investigated this property as a potential site that could be used by the Town to benefit the public and the downtown businesses and recommended that Council approve the purchase agreement. The availability of the property first came to her attention after it was used by Paradise Rotary to stage a dedication of furniture and planters to the Downtown Beautification Project.

Public Works Director Marc Mattox discussed the type of property, describing it as an irregularly shaped parcel located on the corner of Foster Road and Skyway. The property is vacant, previously used as a gas station, that development something other than a park or parking lot would be difficult, and that the public works department proposes purchase for a project which would incorporate alternative transportation and public transit uses. Director Mattox discussed the potential for the Butte County Association of Governments to establish a transit transfer station at the site that would improve the site at no cost to the Town, that there is a park-n-ride lot located 100 yards from the site that can be used for parking, and that he would like Council to authorize a purchase amount of up to \$15,000 to counter a recent offer as the seller has agreed to sell the property to the Town for the amount of \$15,000.

Mayor Jones opened the matter for public comment.

1. Steve Crowder stated that he and his wife own an embroidery business, A Stitch Above, a business located in the downtown, that he thinks a vibrant downtown is in everybody's best interest and thinks that developing this triangle property as a public place would be a plus for the downtown and asked Council to approve the purchase.
2. Claude Means stated that he owns Classic Auto Body, an auto body business located in the downtown across from the triangle property, that he is opposed to the property becoming a bus stop, and discussed the problems he experienced when the bus stop was on Foster Road by his business which included people loitering in front of his business window and littering around and on his property. Mr. Means stated that he does not understand how a bus stop would not impede traffic, that the site is currently used as a parking lot for people who work in the downtown, that he has proposed the counter offer to buy the property in order to keep its use as a parking lot, that he would be willing to lease it back to the Town for \$1 per year, and if this property becomes a public place, he believes that the transients are likely to take it over.

Council Member Culleton stated that he requested removal of this item because he wanted the public to be made aware of the Butte County Association of Government's interest in using the property for a transit transfer station and that any funding from BCAG is tied to transit.

MOTION by Lotter, seconded by Rawlings, adopted Resolution No. 16-02, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager to Execute an Agreement to Purchase Real Property from Moller Investment Group, Inc. relating to 6148 Skyway, Paradise, California, and authorized a purchase amount not to exceed \$15,000. Roll call vote was unanimous.

4. PUBLIC COMMUNICATION

1. Michael Ledbetter stated that he has a \$3,000 lien on his tax bill related to garbage service and asked for a refund of his tax monies.
2. Daphne Ledbetter thanked Public Works Director Marc Mattox for his presentation as up until tonight she had been a critic of the project. Ms. Ledbetter stated that she and her husband, who just spoke, clean out yards and homes for people, that they frequent the Neal road landfill and have no need for garbage service at the own home, that there have been no complaints about their home from neighbors and requested an exemption from the requirement for garbage service.
3. Larry Foss has known the Ledbetters for 26 years, that they are very neat, tidy, diligent and responsible people.

4. Leslie Foss stated that she appreciates the improvements on Skyway, has seen what has happened in Chico with the roundabouts, that Almond Street is a much safer spot for the bus stop, and asked if the Butte County Fire Safe could remove brush from the Trailway.
5. Dan Wentland has been waiting for the Town to fix Dean Road for 30 years, that it used to be on the improvement list and informed the Council the extensive use of the road and problems resulting from persons accessing the Feather River for recreation use. Mr. Wentland spoke against establishing a park in the downtown, thinks downtown parking is necessary and that thousands of people do not like the Skyway Project.

5. PUBLIC HEARINGS

- 5a. Following a report from staff, Mayor Jones opened the second public hearing to solicit comments and/or suggestions regarding the 2016-2017 Community Development Block Grant Draft Annual Plan funding priorities. There were no speakers and Mayor Jones closed the public hearing at 8:15 p.m. Community Development Block Grant (CDBG) funds are awarded for the purpose of community development activities that are directed toward revitalizing neighborhoods, for economic development and providing improved community facilities and services. Final action is scheduled for approval at the April 12, 2016 Council Meeting

6. COUNCIL CONSIDERATION

- 6a. Onsite Sanitary Official Doug Danz report to Council regarding the June 19, 2012 State Water Resources Control Board policy for the design, operation and maintenance of onsite wastewater treatment systems, and explained how the state policy provides an opportunity for jurisdictions to submit their own implementation plans under the Tier II provisions of the policy. Mr. Danz reviewed the various amendments that clarify and synchronize the onsite manual and the Paradise Municipal Code and requested that the Council adopt the amendments in order that he may submit a Local Agency Management Plan, or LAMP, to the State Board by May 13, 2016.

MOTION by Bolin, seconded by Lotter, waived the reading of the entire ordinance and approved reading by title only, and introduced Ordinance No. 559, "An Ordinance Amending Paradise Municipal Code Sections 13.04.035, 13.04.040, 13.04.070, 13.04.080, 13.04.110 and 13.04.112 Relating to Onsite Sewage Disposal Regulations." Roll call vote was unanimous. The proposed amendments include provisions required for subsequent approval by the State Water Resources Control Board relating to establishment of a Local Agency Management Program (LAMP) pursuant to State Policy.

- 6b. Town Manager Lauren Gill and Finance Director/Town Treasurer presented the 2015/16 mid-year budget report and requested that Council approve the recommended mid-year budget adjustments set forth in the staff report and to provide direction to staff for scheduling a Town Council goal setting workshop to discuss 2016/17 budget priorities and a Master Fee Schedule revision.

MOTION by Bolin, seconded by Culleton, approved recommended mid-year budget adjustments as presented and set a special meeting for February 25, 2016 at 3:00 p.m. for a Town Council goal-setting workshop. Roll call vote was unanimous.

- 6c. Community Development Director Baker reported to Council regarding the proposal to establish an Administrative Penalty Amnesty Program as an incentive to abate long-standing and chronic Paradise Municipal Code violations and a minor Paradise Municipal Code Amendment to PMC Chapter 1.09 related to Administrative Citations. The program would establish, among other things, a temporary amnesty period, a shorter time period for the warning notice, and would allow for the Town to initiate the public nuisance abatement process after a six-month period.

Mayor Jones opened the matter for public input from those who have turned in comment cards.

1. Ward Habriel spoke in favor of the program as he believes abatement of nuisance properties will improve overall property values in the Town.

MOTION by Bolin, seconded by Rawlings, directed staff to draft a resolution document for Town Council consideration that would establish a temporary code enforcement civil penalty reduction program and an ordinance document that would result in a minor modification to the Paradise Municipal Code (PMC) Chapter 1.09 (Administrative Civil Penalties) regarding the written warning related to PMC violations. Roll call vote was unanimous.

7. COUNCIL INITIATED ITEMS AND REPORTS

- a. Council initiated agenda items: None
- b. Council reports on committee representation

Council Member Rawlings was the Master of Ceremony at the for the public safety awards presented at the VFW Hall in Paradise; attended all three Paradise Irrigation District protest hearings; was at Doug Teeter's ribbon cutting ceremony and the Community Coffee held by

Assemblyman James Gallagher and Senator Jim Nielson at Paradise Cinema Seven.

Vice Mayor Lotter attended the League of California Cities Public Safety Policy Committee meeting; Doug Teeter's ribbon cutting ceremony; and informed there was a good turnout at the Community Coffee at the Cinema Seven; and, there were over 600 people at the PID Protest hearing at the Paradise Performing Art Center and that the PPAC might be a good venue for a future Town meeting as it was offered to the PID a reduced, or no cost.

Mayor Jones attended the BCAG special meeting.

- c. Future Agenda Items: Discuss reflectors for the roadways.

8. STAFF COMMUNICATION

Town Manager Report: None.

Community Development Director Report:

Director Baker reported on the site plan review by Planning Commission relating to a project on Black Olive to establish a ten-room motel that was approved with a condition that the use be converted to ten studio apartments within a certain time period; Taco Bell has requested design review; Verizon has pulled a building permit for the cell tower on the property occupied by Extra Storage near the intersection of Elliott and Skyway; that Eye Life Institute has plans to establish a commercial facility at 5898 Clark on a property that is currently a vacant lot; and, Safeway development is in progress to establish a retail center, fueling station and drive through on property located on Skyway near its intersection with Black Olive.

9. CLOSED SESSION - None

10. ADJOURNMENT 9:30 p.m.

Date approved: March 8, 2016

By: _____/s/_____
Jody Jones, Mayor

Attest: _____/s/_____
Joanna Gutierrez, CMC, Town Clerk