

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – September 12, 2017**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Lotter at 6:00 p.m. in the Town Council Chambers at 5555 Skyway, Paradise, California. An invocation was offered by Council Member Bolin.

COUNCIL MEMBERS PRESENT: Greg Bolin, Jody Jones, Melissa Schuster, Michael Zuccolillo and Scott Lotter, Mayor.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director/Town Treasurer Gina Will, Public Works Director/Town Engineer Marc Mattox, Administrative Analyst Colette Curtis, Police Chief Gabriela Tazzari-Dineen, Division Chief, CAL FIRE/Paradise, David Hawks and Business and Housing Services Supervisor Kate Anderson.

- 1a. The recognition of a special donation from Mayor Lotter was presented by Police Chief Tazzari-Dineen and Fire Chief Hawks with a special appearance of Officer Wilkey and K-9 Officer Cash.
- 1b. The presentation regarding Explore Butte County was presented by Dori Franklin.
- 1c. The presentation updating the Town Council on the Yellowstone Kelly Project and announcing the Heritage Trail Rededication Ceremony to be held on September 23, 2017 was given by Bill Hartley.

2. CONSENT CALENDAR

MOTION by Bolin, seconded by Jones, approved all consent calendar items 2a-2k as presented. Roll call vote was unanimous.

- 2a. Approved Minutes of the August 8, 2017 Regular Town Council Meeting.
- 2b. Approved August 2017 Cash Disbursements in the amount of \$2,178,161.03. (310-10-032)
- 2c. Adopted Resolution No. 17-33, A Resolution of the Town Council of the Town of Paradise Accepting Contract No. 14-02, Cypress Curve Realignment Project, performed by Knife River Construction of Chico, CA. (510-20-151, 950-40-021, 510-20-084)
- 2d. Adopted Resolution 17-34, A Resolution of the Town Council of the Town of Paradise authorizing and approving the borrowing of funds for Fiscal Year 2017-2018, the issuance and sale of a 2017-2018 tax and revenue

anticipation note therefor, and approving certain other actions related thereto. (350-40-019)

- 2e. Approved Resolution No. 17-35, A Resolution of the Town Council of the Town of Paradise authorizing the execution and delivery of a lease with option to purchase, and authorizing certain actions in connection therewith. (The Lease/Purchase Items includes 3 Ford Explorer 4-Door Police Patrol Vehicles and Equipment costing approximately \$150,000, that have already been approved with the 2017/18 Operating and Capital Budget)(380-45-056, 380-40-59)
- 2f. Adopted Resolution No. 17-36, A Resolution of the Town Council of the Town of Paradise Accepting Contract No. 17-05, Measure C Bille Rd Overlay, performed by Knife River Construction of Chico, CA. (950-40-037, 510-20-161)
- 2g. Adopted Resolution No. 17-37, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Clerk Department Pursuant to Government Code Section 34090. (160-20-016, 160-20-017)
- 2h. Awarded Contract for the Police Department Carpet Replacement to Dick's Floor Covering in the amount of \$16,979.36, and authorized the Town Manager to execute an agreement with Dick's floor Covering relating to the carpet replacement and approved contingency expenditure not to exceed 10%. (280-60-005)
- 2i. Authorized the Town Manager to award the Installation of Police Patrol Vehicle Emergency Equipment and Mobile Data Computer (MDC) Bid to Precision Wireless Service, 791 Blevins Street, Lakeport, CA 95453. (The lease payment will be funded by Measure C funds, and has already been included in the 2017/18 budget.) (480-35-002, 395-70-017, 380-45-056)
- 2j. Accepted the donation of four (4) "Air for Paws" animal resuscitators and two (2) Trauma Kits from Scott Lotter, Paradise Cinemas & Mayor of the Town of Paradise, to the Town of Paradise Fire Department in the amount of \$350, and the Paradise Police Department in the amount of \$1,000. (395-50-13)
- 2k. Accepted the donation of \$200.00 from Cathy Hales to be used for the animals at the Animal Shelter. (395-50-13)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

- 1. Ward Habriel – has informed individuals about TOP Access, had positive interactions with the Police Department and invited the Town Council to the Senior Center fundraiser which is a Murder Mystery Dinner to be held on October 22, 2017.

2. Suzi Muller – is a new resident to Paradise, loves the community, lives on West Wagstaff, invited Council to drive on West Wagstaff and requested Council repave the road because it is a hazard to walkers and bikers and should be a nice entrance to Bille Park.

5. PUBLIC HEARINGS

For items that require a published legal notice and/or a mailed notice.

Public Hearing Procedure:

- A. Staff Report
 - B. Mayor opens the hearing for public comment in the following order:
 - i. Project proponents (in favor of proposal)
 - ii. Project opponents (against proposal)
 - iii. Rebuttals – if requested
 - C. Mayor closes the hearing
 - D. Council discussion and vote
- 5a. Mayor Lotter announced that the Town Council would conduct the duly noticed and scheduled public hearing to receive comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program. Upon conclusion of the public hearing the Town Council will consider authorizing the Town Manager to submit the CAPER to the Department of Housing and Urban Development. The CAPER outlines CDBG accomplishments and expenditures, as well as provides an evaluation of the Town's progress in meeting its community development goals and objectives. (710-10-090)

The public hearing was opened at: 6:40 p.m.

There were no public comments.

The public hearing was closed at: 6:41 p.m.

Motion by Jones, seconded by Schuster, authorized the Town Manager to submit the CAPER to the Department of Housing and Urban Development. Roll call vote was unanimous.

- 5b. Mayor Lotter announced that the Town Council would conduct the duly noticed and scheduled public hearing establishing an Updated and Revised Master Schedule of Fees. Upon conclusion of the public hearing the Town Council will consider adopting a Resolution Establishing a New Master Schedule of Fees for Town Services. (Repealing the Fee Schedule Previously adopted by Resolution No. 17-27) (395-20-019)

Administrative Services Director/Town Treasurer Gina Will provided an update on the Master Schedule of Fees. The purpose of the revision is to reconsider the implementation of the credit card convenience fee, to reclassify five commercial fees to the valuation table and to add back an onsite review fee that was inadvertently left off the last fee schedule.

The public hearing was opened at: 6:44 p.m.

There were no public comments.

The public hearing was closed at: 6:45 p.m.

Motion by Bolin, seconded by Zuccolillo, the Town Council adopted Resolution No. 17-38, A Resolution of the Town Council of the Town of Paradise, Establishing a New Master Schedule of Fees for Town Services. (Repealing the Fee Schedule Previously adopted by Resolution No. 17-27) (The Master Schedule of Fees will go into effect November 11, 2017) Roll call vote was unanimous.

6. COUNCIL CONSIDERATION

6a. Following a report from Administrative Analyst Colette Curtis regarding the progress on the business license/registration program Mayor Lotter opened the matter for public input.

1. Ward Habriel inquired as to which businesses would be excluded because he belongs to the Paradise Garden Club, a 501(c)3, and did not see any reason for the club to need a license or any other non-profit organizations.

Council stated that the issue of non-profits purchasing business licenses/registration had been part of the conversation and was being explored. They may need to register so that they are included in the database, but not be charged a fee.

MOTION by Jones, seconded by Schuster, approved the following items:

1. Received an update on the progress of the business license committee regarding the Business License program, which will focus on low cost, public safety and benefit to business owners.
2. Directed staff to hold one or more public workshops on the Business License program
3. Directed staff to draft a Business License Ordinance for discussion at a future Council meeting. All Council Members present agreed unanimously.

6b. Administrative Services Director/Town Treasurer Gina Will provided an update on the Operating and Capital Budgets for the 2016/17 and 2017/18 years, recommended budget adjustments, updating and amending the Town of Paradise Capital Improvement Plan for 2017/18 and revising the personnel structure and approving/revising job descriptions for the 2017/18 fiscal year.

MOTION by Bolin, seconded by Jones, approved the following items:

1. Reviewed and filed the financial information provided by staff concerning the 2016/17 and 2017/18 operating and capital budgets; and,
 2. Approved staff recommended budget adjustments; and,
 3. Adopted Resolution 17-39, A Resolution of the Town Council of the Town of Paradise updating and amending the Town of Paradise Capital Improvement Plan for the 2017-2018 fiscal year; and, (950-40-034, 340-40-014)
 4. Adopted Resolution 17-40, A Resolution of the Town Council of the Town of Paradise, California, approving job descriptions and revising the personnel structure for certain Town of Paradise positions for the fiscal year 2017-2018. Roll call vote was unanimous. (610-10-017, 610-10-015)
- 6c. **MOTION by Zuccolillo, seconded by Schuster**, authorized the Mayor and Town Manager to enter into an agreement for banking services with US Bank for five years with an optional extension of two years. Roll call vote was unanimous. (510-20-176)

7. COUNCIL INITIATED ITEMS AND REPORTS

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

Council Member Schuster attended the following meetings/events: Butte County Mosquito and Vector Control (BCMVC), League of California Cities Conference, Ponderosa back to school barbeque, Blue Zone Project, Focus Paradise, LAFCo on behalf of BCMVC, Butte County Special Districts Association Luncheon, Paradise Citizens Alliance, Shasta Cascade Wonderland Association and Safe Routes 2 School (SR2S) Ribbon Cutting.

Council Member Jones announced that she and Town Manager Gill will be presenting to the Chico City Council regarding the Sewer Feasibility Study and requesting a letter of support to start searching for funding; showed a video from BCAG regarding the fatalities on Highway 70 and shared where the proposed funding is coming from to finish the widening of the road. The video will be posted on the Town's Facebook page.

Council Member Bolin attended the SR2S Ribbon Cutting and the Business License meetings.

Mayor Lotter attended the LAFCo meeting, SR2S Ribbon Cutting/Dedication, announced that the Police Chief recruitment is moving forward and that he will be attending the League of California Cities conference beginning tomorrow.

- c. Future Agenda Items – None

8. STAFF COMMUNICATION

Town Manager Report

Manager Gill updated the Council on the progress of the home at 5983 Crestview Drive. The property has had Code Enforcement issues since 2010, primarily fire hazards and structures that have been removed. The property owner is in an out of state assisted living facility. A certified letter has been sent requesting right of entry. There have been three (3) citations issued this year at the direction of the Fire prevention department. There are options moving forward: Seek Abatement of Fire Hazards (continue to fine), continue to try and contact property owner, file a lawsuit against the property owner to establish a receivership or another nuisance abatement issue would include the Town paying to have the property cleaned up and then putting a lien on the property for the cost of the expenses.

Council asked if there are other ways other than A 'Right of Entry' order to access the property so that weeds can be mowed.

Town Attorney Dwight Moore stated there are only a limited number of ways in order to take care of the problem, one would be the Nuisance Abatement process – hold a hearing, order property owner to correct problem, if not taken care of within 30 days a judge could approve entry of property.

1. Ron Serrano – stated that he has been dealing with this property since 2012, this is not a new issue, everything has been discussed and dealt with and the problem has come back.
2. Wanda Hoeffner – neighbor of 5983 Crestview, stated that the scotch broom is eight feet tall and needs to be killed so that it does not come back.
3. Ward Habriel – remembers the problem in 2012 and at that time offered to assist; he has again offered to try and make the property a project for the "Make A Difference Day" in October.

Town Manager Gill will continue to try and contact the property owner to find some resolution to the problem and will bring back a report to Council at the October meeting.

- Community Development Director Report

Town Manager Gill provided the Community Development update on the following projects: Skyway/Black Olive Center (Safeway), Starbucks, Westside Pizza, Lynn's Optimo, Mama Celeste Gastropub and Pizzeria, Carousel Motel and Ikkyu Japanese Restaurant. Council informed that Berkowitz Gym is going into the old Salvation Army and Paradise Coffee Company is going in on Clark Road.

9. CLOSED SESSION

At 8:00 p.m. Mayor Lotter announced that the Town Council would adjourn to hold the following closed sessions:

- 9a. Pursuant to Government Code section 54956.9(d)(1), Town Council will hold a closed session with the Town Attorney Dwight L. Moore and Town Manager Lauren M. Gill relating to the following pending litigation:

Town of Paradise vs. Wendy Jane Baker, et al. - County of Butte, Superior Court Case No. 16CV02070.

Council Member Bolin recused himself from item 9a due to a potential conflict of interest.

At 8:14 p.m. Town Attorney Moore announced that the Town Council took action on the Lawsuit of Town of Paradise vs. Wendy Jane Baker, et al. and authorized approval to have the Town Manager execute the Subordination Agreement relating to the loan of \$31,458.20 concerning the property, financing, raising of the structures and borrowing the money to do so. Approved by all Town Council present with Bolin absent and not voting.

Council Member Bolin returned to the closed session at 8:16 p.m.

- 9b. Pursuant to Government Code section 54957, the Town Council will hold a closed session discussion relating to a performance evaluation of the Town Manager.

At 9:14 p.m. Mayor Lotter reconvened the Town Council meeting and reported that no action was taken.

10. ADJOURNMENT

Mayor Lotter adjourned the council meeting at 9:14 p.m.

Date Approved: October 10, 2017

By: _____/s/_____
Scott Lotter, Mayor

Attest:

_____/s/_____
Dina Volenski, CMC, Town Clerk