

**MINUTES**  
**PARADISE TOWN COUNCIL**  
**REGULAR MEETING – 6:00 PM – February 13, 2018**

**1. OPENING**

The Regular meeting of the Paradise Town Council was called to order by Mayor Jones at 6:00 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Vice Mayor Bolin.

**COUNCIL MEMBER PRESENT:** Greg Bolin, Scott Lotter, Melissa Schuster, Mike Zuccolillo and Jody Jones, Mayor.

**COUNCIL MEMBER ABSENT:** None

**STAFF PRESENT:** Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director Gina Will, Public Works Director/Town Engineer Marc Mattox, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Police Chief Gabriela Tazarri-Dineen, Police Lieutenant Eric Reinbold, Battalion Chief Curtis Lawrie and Community Development Director Craig Baker.

- 1a. The Proclamation to Catalyst Domestic Violence recognizing February as Teen Dating Violence Awareness Month was accepted by Margo and Sydney from Catalyst Domestic Violence. (180-40-26)
- 1b. The Volunteers in Police Service (VIPS) 2017 Annual Report was presented by Charlie Rollo. (480-60-09)
- 1c. The Proclamation recognizing outgoing Police Chief Gabriela Tazzari-Dineen was presented by Mayor Jones. (180-40-26)

**2. CONSENT CALENDAR**

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

- 2a. Approved minutes of the January 9, 2018 Special and Regular Town Council meetings.
- 2b. Approved January 2018 Cash Disbursements in the amount of \$2,055,402.20. (310-10-32)
- 2c. Following the Town Council's review of the Fiscal year 2016/17 financial statement audit report, the Council received and filed the Report, as submitted. (385-10-37)

- 2d. 1. Concurred with staff's recommendation of Bender Rosenthal Incorporated to perform professional right of way acquisition services for the Skyway/Black Olive Signalization Project; and, 2. Authorized the Town Manager to execute a Town Attorney approved professional services agreement with Bender Rosenthal Incorporated. (510-20-185)
- 2e. 1. Approved the hire of an additional Public Works Maintenance Worker I; and, 2. Approved an additional budget appropriation of \$24,013 to cover the increased costs of the hire for fund 2120 Gas Tax/Street Maintenance. (340-40-15)
- 2f. Following a report from the members of the Planning Commission Interview Panel regarding the interview process; 1. Concurred with the recommendation of the interview panel; and, 2. Appointed applicant Kim Morris to fill the existing vacancy on the Planning Commission, effective immediately with term to expire June 30, 2021. (760-45-12)

### **3. ITEMS REMOVED FROM CONSENT CALENDAR**

### **4. PUBLIC COMMUNICATION**

- 1. Claudia Benike informed Council about the winter benefit for the Paradise Symphony on February 25, 2018 featuring Dawn Harms and about the Gold Nugget Museum Guitar Exhibit on March 3 and 24, 2018.
- 2. Judy Carpenter informed the Town Council about the feral cat issues in her neighborhood and would like the Town Council to address this serious issue.
- 3. Gary Shallenberger thinks the integrity of the FBI is being undermined and asked the Town Council to place an item on the next regular agenda supporting the FBI.
- 4. Ward Habriel informed the Town Council the California State Garden Club president attended the Paradise Garden Club meeting regarding their discussion about being fire safe and fire safe landscaping. Mr. Habriel stated that Paradise and Butte County are ahead of other areas regarding fire safe landscaping.
- 5. Virgil Hales asked the Town Council to send a letter for him to the courts and stated that cannabis has health benefits.

### **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 Jones announced that the Town Council would conduct the 2nd public hearing to solicit comments and/or suggestions regarding the 2018-2019 Annual Plan funding priorities. 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 10, 2018 Council Meeting. (710-10-91)

Administrative Analyst Colette Curtis provided a brief overview of the CDBG Annual Plan funding priorities and informed Council that five applications were received for subrecipient funding and that the selection of the recipients will be in March.

The public hearing was opened at 6:35 p.m.

There was no public comment.

The public hearing was closed at 6:35 p.m.

## **6. COUNCIL CONSIDERATION**

- 6a.
1. Consider implementing a low-cost business license program that provides important public safety information as well as information on the Town's economic and business landscape
  2. Consider waiving the entire reading of proposed Ordinance No. 568 and approve reading by title only: and, consider introducing Ordinance No.568 an Ordinance adding Chapter 5.22 to the Paradise Municipal Code Relating to Business License.
  3. Direct staff to update the Master Fee schedule to reflect the Business License fee.

Administrative Analyst Colette Curtis provided an extensive overview of the proposed Business License program including background on the current licensing process, recommendations for the proposed program and suggestions that were implemented from the prior Council meeting.

Mayor Jones opened the meeting for public comments:

1. Steve Crowder, Chamber representative, stated that the Chamber was involved in the Business license process, they voted and endorsed the Business License program with the changes. Mr. Crowder stated, that as a business owner, he felt \$40 was a reasonable fee.

2. Ward Habriel asked what emergency has been experienced in the Town where not having a business license affected public safety. Mr. Habriel also stated that the leadership does not have the public trust and the public doesn't see the need to do the business license.

Curtis Lawrie, Battalion Chief, explained that cutting down on the time it takes for an engine to respond limits damage, the more information the Fire Dept. has, the more efficient and better able they are to address issues. The Quail Run facility burned more than necessary because of the difficulty contacting the property owner to learn where the electricity shut offs were. Mr. Lawrie explained that it takes for the Fire Department to assess the risks of a situation—therefore having more information in advance of a situation saves time. Another example was a fire at Smokie Mountain Steak House where they were trying to contact the property owners to gain access, but couldn't wait any longer and had to break down the front door. If the Fire Dept. had contact information, they may have been able to save the property owner the cost of repairing the front door.

3. Paul Lyons does not support the business license, but maybe a business directory. He already has several licenses, he has never needed a business license, he thinks the cost will rise, and he also thinks that there are already enough regulations.

4. John Rank does not support the business license, thinks this is a registry and nothing meaningful, is concerned with exemptions that do not clearly mention rentals or general landlords. He is concerned that this will add unnecessary regulations and add to the cost of doing business.

5. Scott Steele does not support the business license, thinks that the information already exists with Certified Unified Program Agency (CUPA) and other databases. He currently pays licensing fees to seven different governmental agencies including CUPA which requires him to fill out a detailed registration for first responders, including hazardous materials. He thinks we need to support and foster the businesses that are already here in town.

6. Owen Suihkonen does not support the business license, thinks that the yellow pages phone book contains all the business information necessary to the Town of Paradise, that the business license issue should be put to a public vote, that the Website is an expense that the Town cannot afford and asked who would update the information.

7. Doug Teeter does not support the business license, thinks the alarm registration is providing the same service, thinks the public safety concerns could be addressed by the Fire Marshal, thinks the permit process will be slow and that volunteers going door to door would be more valuable. He asked for clarity on home based businesses and if they are required to get a home occupancy license too.

8. Dan Wentland does not support the business license, asked if home based business, such as his own, needed to register (Town Manager replied, no, home businesses are exempt) asked if the license impacted the annual Fire inspection fee (the Town Manager answered that the annual fire inspection fee is separate from the business license)

9. Kelly Conner supports the business license, would like to see the town become more formal with a business license, thinks the information gathered will help the town move forward economically.

Battalion Chief Lawrie answered questions from the Council Members and stated that businesses have been started in town that were in the wrong zones that were potentially hazardous and that a business license could possibly help avoid that from happening in the future.

Town Attorney Dwight Moore included some amendments to the proposed Ordinance:

- Section 5.22.020, page 228 of the agenda packet, add definition “C. Home based business means home occupation or a residential rental project consisting of two or more units.”
- Section 5.22.060, page 230 of the agenda packet, the last sentence needs to be revised to say, “Tax-exempt religious organizations shall be exempt from paying the fee under this section.”
- In Section 5.22.070 Exemption, page 230 of the agenda packet, add #7, **“Residential Rental Properties;** Residential rental properties with no more than one unit shall be exempt from obtaining a business license.” (Original Item #7 moves to Item #8)

Council Member Lotter stated that some people don’t want anything. He thinks the council has arrived at a good compromise, and that the Town Council is responsible for the safety of the community and the first responders and this is a tool that has been recommended to help them do their job. The business license is about the public safety of the community.

Council Member Schuster thanked everyone who provided input into the business license, it was better than expected, although not perfect. The most important issue is public safety, a business license allows the town to reach out to more people in case of an emergency.

Council Member Zuccolillo stated that if it’s about public safety, every house should be licensed. He stated that a responsible business owner should know the zoning, but that a business license won’t prevent a business from opening in the wrong zone. He stated that the staff is all busy and he would rather see energy focused on other things and that enforcement will be hard to implement and doesn’t think that a business license is the answer.

Vice Mayor Bolin thanked everyone for their input, doesn’t think the phonebook is the answer and that’s not where the information is going to come from. He thinks the business license is a benefit to the first responders and that we owe it to them to give them this information. He stated that if this goes through we better use this information and that it logically seems like an important thing to do.

Mayor Jones stated that she thinks that all the concerns have been addressed, it is not intrusive, it is easy to do online, and the fee will be waived if the business registers by January. She has been persuaded by the Police Chief and the Fire Chief and that if they

tell the Council they need a business license, the Council would be remiss to not do it. She thinks the cost of \$25 annually is reasonable to have a safer town.

**MOTION by Lotter, seconded by Bolin**, implement a low-cost business license program that provides important public safety information as well as information on the Town's economic and business landscape; 2. Waived the entire reading of proposed Ordinance No. 568 and approved reading by title only: and, introduced Ordinance No.568 an Ordinance adding Chapter 5.22 to the Paradise Municipal Code Relating to Business License with the amendments included by the Town Attorney; and 3. Directed staff to update the Master Fee schedule to reflect the Business License fee. AYES of Bolin, Lotter, Schuster and Mayor Jones. NOES of Zuccolillo. MOTION PASSED.

Town Engineer Marc Mattox provided an overview of the results of the Pavement Management Program which is a computer assisted method of organizing and analyzing information about pavement conditions. The findings of the Pavement Management program present a clear avenue for the Town Council to assess and prioritize the needs of public roadway infrastructure funding levels.

1. Ward Habriel asked President Donald Trump for money.
- 6b. **MOTION by Bolin, seconded by Zuccolillo** adopted the Paradise 2018 Pavement Management Program Final Report. The findings of the Pavement Management Program present a clear avenue for the Town Council to assess and prioritize the needs of public roadway infrastructure funding levels. Roll call vote was unanimous. (510-20-169 & 950-40-40)
- 6c. **MOTION by Zuccolillo, seconded by Lotter**, concurred with staff recommendation to continue to seek approval from the California Transportation Commission to eliminate Trailway widening from the scope of work for the Yellowstone Kelly Heritage Trailway Enhancement Project, enabling the Town to consider awarding Contract 15-03 on April 9, 2018. Roll call vote was unanimous. (950-40-36)
- 6d. **MOTION by Zuccolillo, seconded by Schuster**, awarded the Fleet Maintenance Bay Addition Contract 17-13 to Bob Becker of Paradise, CA in the amount of their bid, \$98,780.00. Roll call vote was unanimous. (510-20-186)

## **7. COUNCIL INITIATED ITEMS AND REPORTS**

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

Council Member Schuster attended the Butte County Mosquito and Vector Control meeting; Explore Butte County (TBID) meeting, the zone marketing grant has launched and is collaborating with the San Francisco Chronicle travel piece; attended the North State Economic Conference; attended Blue Zone meeting; Chico/Paradise Chamber

Awards Dinner; Fire Engine 81 Dedication; Butte County Board of Supervisor meeting where they were discussing Air B&B.

Council Member Lotter attended the League of California Cities Public Safety Meeting; Engine 81 Dedication: Butte County City Selection Committee where Mayor Jones was selected to represent cities for the County Oversight Committee.

Vice Mayor Bolin attend the Fire Engine 81 Dedication.

c. Future Agenda Items

- Council Member Schuster would like to discuss Air B&B at the Goal setting meeting.
- Vice Mayor Bolin would like to discuss realtors and Onsite working together to make sure there is collaboration between the two entities so that buyers know what they are buying.
- Council Member Lotter has discussed with citizens in wheelchairs the ADA compliance issues and mentioned that the Town needs to meet with the Post Office because there are mailboxes that need to be relocated.

**8. STAFF COMMUNICATION**

Town Manager Report – None

- Community Development Director Craig Baker provided an update on the following projects: Safeway Black Olive Project, Starbucks, Lynn's Optimo, Mama Celeste's Gastropub and Pizzeria, Jack in the Box, Woodview Retirement Cottages and Achieve Charter School.

**9. CLOSED SESSION - None**

**10. ADJOURNMENT**

10a. At 10:03 p.m. Mayor Jones adjourned the Regular February 13, 2018 meeting to February 27, 2018 at 3:00 p.m., Paradise Town Hall, 5555 Skyway, Paradise, California 95969, for the purpose of holding a Regular Adjourned meeting pursuant to Government Code Section 54955.

Date Approved: March 13, 2018

By: \_\_\_\_\_/s/\_\_\_\_\_  
Jody Jones, Mayor

Attest:

\_\_\_\_\_/s/\_\_\_\_\_  
Dina Volenski, CMC, Town Clerk