

**RIO DELL CITY COUNCIL
STUDY SESSION
REGULAR MEETING
NOVEMBER 16, 2010
MINUTES**

The Study Session/Regular Meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Barsanti, Dunker, Marks, and Thompson

Others Present: City Manager Henrickson, Chief of Police Hill, Finance Director Beauchaine, Acting Public Works Director Jensen (arrived at 6:30 p.m.) and City Clerk Dunham

STUDY SESSION MATTERS

Business License Ordinance Update

City Manager Henrickson stated he was pleased to announce that former Interim City Manager Stretch agreed to complete the draft Business License Ordinance update since he had started the update process prior to his leaving and was well into the process. He said the Council has the option of moving the process forward, bringing the draft ordinance forward after the first of the year, or not at all.

Mr. Stretch proceeded with review of the process and submitted two separate draft reports and attachments concerning the City's Business License Program. He said the two areas of focus were; 1) updating the business license ordinance and 2) establishing new business license administrative fees to cover the cost of administering the program. He said a third item is that the Council may want to give staff direction to prepare an amended schedule of business license taxes as a ballot measure for the Spring 2011 election since some of the current business license taxes date back to 1965.

In referring to the first report dealing with update of the business license ordinance, Mr. Stretch pointed out several sections in the existing ordinance that need to be updated such as: establishing that the administration of the business license program is through the City Clerk; expanding some definitions for the purpose of clarity; establishing that there is a business license tax for the purpose of raising city revenue *and* a business license fee to reimburse the city for the cost of processing and administering the program; changes in the renewal process including due dates and penalties; addressing two or more businesses at the same location; modifying veteran's exemption language; requiring business license fees for 1 or more rental units rather than two or more; defining public taxi cab businesses; modifying language regarding yard sales; and defining the appeal process.

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Mr. Stretch stated the draft ordinance reflected all of the proposed changes and was reviewed and approved by the City Clerk, Finance Director, Chief of Police, City Manager and City Attorney.

A second report was submitted in regard to the establishment of administrative fees associated with processing and administering the business license program.

Mr. Stretch explained under Prop 218, a business license *tax* may be imposed by a city for revenue raising purposes but is subject to approval of the electorate unlike *fees* imposed for regulatory purposes limited to covering the cost of administering a business license program which are merely subject to the noticed public hearing process before the City Council. He noted that passage of Prop 26 with the November 2nd election requires that certain state and local fees be approved by two-thirds vote namely fees that address adverse impacts on society or the environment caused by the fee-payer's business but after further review of the initiative he felt that it would not apply in this instance.

Attachment 1 to the report addressed calculations in support of the proposed Business License Application Administrative Fee of \$38.35 as well as the administrative fee of \$25.05 for a subsequent business license at the same location.

Councilmember Thompson stated he didn't feel 45 minutes to process a business license application was adequate; Mr. Stretch explained 45 minutes was an average time that was established by staff.

Councilmember Dunker asked if potential salary increases were considered in calculating the fees; Mr. Stretch said typically fee schedules are reviewed annually.

It was agreed that the matter come back to the Council in January for further discussion. Councilmember Marks suggested the cost of putting the measure on the ballot also be researched.

Weapons Method of Disposal

Chief of Police Hill stated the Police Department is in possession of several weapons that have been obtained over past years that are no longer useful for various reasons and are basically a liability to the City. He said his recommendation is to properly dispose of the weapons. Five possible options were presented as follows:

- Destroy the weapons by cutting them up with a torch
- Sell the weapons directly to a dealer for a predetermined amount of money
- Sell the weapons to an authorized vendor who will provide credit in lieu of cash
- Provide the weapons to an auction company who will sell the weapons for a percentage
- Sell or donate the weapons to another law enforcement agency

Discussion continued regarding the various options. Chief Hill noted that none of the firearms are of high quality and that one of the guns was a high powered semi-automatic rifle which can not be sold in California.

City Manager Henrickson said it was up to the Council to make a decision on the method for disposal but if it were his choice he would either destroy them or sell them to another law enforcement agency for a modest price.

Consensus of the Council was to bring the matter back to the Council for approval of Option 2 to sell the weapons to a dealer for a predetermined amount of money with the exception of the semi-automatic rifle which would be donated to the sheriff's department.

There being no further discussion, the study session adjourned at 6:35 p.m.

The meeting re-convened at 6:36 p.m.

CEREMONIAL

Proclamation in Recognition of November 2010 as National Family Caregivers Month in the City of Rio Dell

Mayor Woodall read the proclamation recognizing November 2010 as National Family Caregivers Month in the City of Rio Dell.

CONSENT CALENDAR

Mayor Woodall announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion. .

Motion was made by Thompson/Marks to approve the consent calendar including approval of minutes of the November 2, 2010 regular meeting; authorization for the City Manager to order Fireman's Park playground equipment; and approval of Gutierrez Land Surveying Contract Amendment on Project II Disposal Site Project. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Selection of Proposal for Engineering Traffic Study

City Manager Henrickson stated information was presented to the Council during the study session on November 2nd regarding the need to perform Engineering and Traffic Surveys for certain streets within the City in order to enforce speed limits using radar. The consensus was to have all of the streets presented surveyed based on the estimated costs presented which ranged from \$2,000 to \$3,000 for five to seven recommended streets. Three options were presented as follows:

- Option 1 - \$4,200 – Davis St., Wildwood Ave., Pacific Ave., Belleview., Riverside Dr., Monument Road, and Painter St.
- Option 2 - \$3,600 – Davis St., Wildwood Ave., Pacific Ave., Belleview Ave., Riverside Dr., and Monument Road
- Option 3 - \$3,000 – Davis St., Wildwood Ave., Pacific Ave., Belleview Ave., and Riverside Dr.

Chief Hill said his recommendation would be to go with Option 1 and complete all of the recommended surveys at one time to provide for consistency for maintaining a survey schedule in the future. He noted these surveys are required to be conducted every seven years.

Al Petrovich asked if there were any studies done on potential affects the radar may have on passengers; Chief Hill said based on his training the affects were very insignificant.

Councilmember Barsanti asked how the study would impact the current speed limits; Chief Hill said speed limits could actually be increased or decreased and some streets such as Belleview Ave. would probably be segmented based on residential density.

Motion was made by Marks/Dunker to direct staff to facilitate the completion of the Engineering and Traffic Surveys as described in Option 1. Motion carried 5-0.

PUBLIC PRESENTATIONS

Al Petrovich, 1231 Eeloa Ave. addressed the Council regarding the issue of “Smart Meters” being installed by PG&E for the purpose of controlling the use of energy and said he wanted to alert the community this is going on. His concern was that there were health issues as well as privacy issues being violated and asked that the City Council consider adopting an ordinance placing a moratorium on installation of these meters pending further studies.

Councilmember Thompson commented that these meter would control every segment of electrical usage throughout the day and if a consumer uses an appliance at the wrong time, their bill could potentially double in cost. He said he also had concerns regarding health and safety of the meters.

Council concurred to place the item on a subsequent agenda for further discussion.

REPORTS/STAFF COMMUNICATIONS

City Manager Henrickson informed the Council that he would be out of the office the following week for the Thanksgiving holiday.

Finance Director Beauchaine reported on recent activities in the finance department and stated the city auditors were here last week for the site visit portion of the audit and that it had gone very well.

Chief of Police Hill reported on recent activities in the police department and stated that the bicycle helmet program he worked on with the school went very well and he noticed a significant increase in compliance in regard to kids wearing helmets with the help of helmet donations.

Acting Public Works Director Jensen reported on recent activities in the public works department stating that some repair work was done at Monument and Wildwood as part of the Wildwood Ave. Paving Project due to some ponding of water in that area; they were working on the air gap system at the wastewater plant; and had repaired the sink hole on Sequoia Ave.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Woodall announced she had participated in the tour of the wastewater treatment plant that took place prior to the meeting and said the yard looks great with completion of the Solids and Disinfection Project.

Councilmember Marks reported on her attendance at the Humboldt Waste Management Authority (HWMA) stating that she may be coming back in January asking for Council comments on upcoming projects involving HWMA.

Councilmember Thompson reported on his attendance at Redwood Coast Energy Authority (RCEA) and announced there would be a LED Holiday Light Exchange taking place at the River Lodge on November 20-21 where you can bring up to four strings of your working holiday lights and trade them for free LED mini lights. He said the same program would be available at Redwood Acres on December 3-5 and at Arts Alive on December 4 at the Redwood Coast Energy Authority.

ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Mayor Woodall announced the Council would be adjourning to closed session to discuss the following items:

- Public Employee Performance Evaluation Title: City Manager (Gov't Code Section 54957)
- Conference with Labor Negotiator; the City's Designated Representative City Manager Ron Henrickson Concerning Rio Dell Police Officers Association; Rio Dell Employees Association; and Contract Employees (Gov't Code Section 54957.6)

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The Council adjourned to Closed Session at 7:05 p.m.

The regular meeting reconvened at 7:56 p.m.

Mayor announced the items discussed in closed session.

Councilmember Marks stated based on the City Manager's evaluation, the City Council felt it would be appropriate to offer an increase in compensation to the City Manager. City Manager Henrickson said he would prefer to discuss any potential salary increase with the salary compensation study adjustments. He said if anything, the Council could grant him a couple of extra days of executive leave.

Motion was made by Dunker/Woodall to grant the City Manager an additional 40 hours of executive leave. Motion carried 5-0.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 8:00 P.M. to the December 7, 2010 regular meeting.

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk