

CITY COUNCIL MEETING MINUTES

May 28, 2013

Mayor Vierra called the May 28, 2013 City Council Meeting to order at 7:00 p.m. with the following in attendance:

ROLL CALL Council Members Durossette, Ingwerson, Kline, Lane, Mayor Vierra

INVOCATION by Pastor Steve La Farge, Grace Community Christian Church

PLEDGE OF ALLEGIANCE to the flag led by Mayor Vierra

CITIZEN COMMUNICATIONS

- Len Shepherd, resident, spoke of the importance of Memorial Day.

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING

ACTION: It was moved by Durossette/Seconded by Kline to approve the agenda as posted and certification of posting. **Motion carried unanimously. (5/0)**

APPOINTMENTS TO BOARDS/COMMISSIONS – None.

CONFLICT OF INTEREST DECLARATION – None.

CONSENT CALENDAR

1. General Correspondence – **Information Only**
 - a. Public Works monthly report for April 2013.
2. Register of Audited Demands for period covering May 6 -15, 2013.
3. **Resolution No. 2013-44** calling for the holding of a General Municipal Election on Tuesday, November 5, 2013, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities.
4. Waive Second Reading and adopt **Ordinance No. 2013-1017** amending the Ceres Municipal Code Chapter 10.36 to add a new Section 10.36.160 establishing a Towing Service Operator Fee to pay for the costs of properly administering the provisions of the Rotation Tow List Program and amending maximum fees allowed for Ceres rotation tow providers.
5. **Resolution No. 2013- 45** awarding the Construction Contract for the Mitchell Road Overlay (Phase II), STPL – 5241(038) Project to George Reed, Inc., authorizing a 10% contingency, and authorizing the City Manager to Execute the Contract, and approving a Budget Amendment to fully fund the project.
6. **Resolution No. 2013-46** authorizing adoption of Continuation of Participation in the Urban County Community Development Block Grant (CDBG) Program with Stanislaus County.

7. **Resolution No. 2013-XX** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for Fiscal Year 2013/14 and Setting a Public Hearing on June 10, 2013 to approve a Levy Assessment for CDRAB Activities and Projects. PULLED FOR FURTHER DISCUSSION.
8. **Resolution No. 2013-48** for the use of Measure H overtime funds to maintain staffing levels on patrol, response to emergencies after hours, and conduct criminal investigations.

ACTION: It was moved by Ingwerson/Seconded by Lane to approve Consent Calendar Items 1-6 and 8 as recommended by staff. **Motion carried unanimously. (5/0)**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

7. **Resolution No. 2013-XX** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for Fiscal Year 2013/14 and approve a Levy Assessment for CDRAB Activities and Projects.

This item was pulled at the request of Brenda Herbert, resident and downtown business owner. Ms. Herbert voiced several concerns including the proposed budget, the perceived lack of meeting notifications to the downtown business owners, the lack of improvements being made to the downtown area.

Council directed staff to schedule a Study Session for July 8, 2013, to include the City Council, the Planning Commission and the downtown business owners so all the issues can be discussed. Council will stop by the downtown businesses personally, to invite the business owners to the meeting in an effort to increase participation. Bryan Briggs, Redevelopment/Economic Development Manager, will assemble a list of issues to be discussed prior to the Study Session.

ACTION: It was moved by Kline/Seconded by Ingwerson continue Item 7, **Resolution No. 2013-XX** approving the Annual Report of the Ceres Downtown Revitalization Area Board (CDRAB) for Fiscal Year 2013/14 and Setting a Public Hearing date to approve a Levy Assessment for CDRAB Activities and Projects to the Study Session of July 8, 2013. **Motion carried unanimously. (5/0)**

UNFINISHED BUSINESS – None.

PUBLIC HEARING

9. Public Hearing - for Council to consider and possibly provide direction through **Ordinance No. 2013-XXXX** a proposed Zoning Ordinance Text Amendment (13-05 ZOTA) Chapter 18.42 Signs, modifying the current portable sign code to allow for limited usage of A-Frame signs that adhere to specific design standards.

Tom Westbrook Community Development Director, presented a brief staff report. Council discussed the pros and cons of allowing businesses to put temporary A-frame and feather banner signs outside their places of business. The City wants to be business-friendly and at the same time not diminish the aesthetics of the community. There was also discussion on the placement of signs.

8:10 p.m. Mayor Vierra opened the Public Hearing

The following speakers addressed Council opposing the use of temporary A-frame and/or feather banner signs. Among their concerns were: temporary signs cause clutter and cheapen the aesthetics of the area; the signs are difficult to read and do not increase business.

- Brenda Herbert, resident and business owner
- Don Cool, resident
- Len Shepherd, resident

8:20 p.m. there being no one else wishing to speak, the Public Hearing was closed.

After further Council discussion Council directed Staff to schedule the item for a future Study Session where it could be discussed more comprehensively and all the options of temporary signage could be discussed not just a-frame signs. The Planning Commission should be invited to attend the Study Session.

ACTION: It was moved by Ingwerson/Seconded by Kline continue Item 9, **Ordinance No. 2013-XXXX** a proposed Zoning Ordinance Text Amendment (13-05 ZOTA) Chapter 18.42 Signs, modifying the current portable sign code to allow for limited usage of A-Frame signs that adhere to specific design standards to a future Study Session, date uncertain. **Motion carried unanimously. (5/0)**

NEW BUSINESS - None

COUNCILMEMBER REFERRALS – None.

Mayor Vierra reported that there is an increase in the number of abandoned shopping carts and asked Staff to look into it.

REPORTS

Council and Staff reported on various recent and upcoming activities including the recently held Memorial Day Ceremony at the Ceres Cemetery; and the nearly completed Safe-Routes-To-School project. It was also reported that the Economic Development Strategy Plan currently being developed by Urban Futures Inc., should be ready for Council late July or early August.

8:26 p.m. Mayor Vierra adjourned the City Council Meeting to Closed Session.

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

Pursuant to Government Code Section 54957

10:45 p.m. Mayor Vierra reconvened in Open Session with nothing to report.

10:45 p.m. there being no further business, Mayor Vierra adjourned the City Council Meeting.

Chris Vierra, Mayor

Cindy Heidorn, CMC, City Clerk