

ANDERSON CITY COUNCIL MINUTES

**Regular Meeting
December 1, 2015**

REGULAR SESSION

The regular session was called to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Councilmember Comnick
Councilmember Browning
Councilmember Yarbrough
Vice-Mayor Baugh
Mayor Hunt

Councilmembers absent: None.

Also present: City Manager Jeff Kiser, City Attorney Jody Burgess, Assistant City Manager Liz Cottrell, Police Chief Michael Johnson, City Engineer David Durette, and City Clerk Juanita Barnett.

INVOCATION

Mike Gallagher from the Manter House, gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Browning led the Pledge of Allegiance.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Kim Chamberlain invited the Council to participate in the Wreaths Across America event at the Veterans Cemetery on December 12, 2015, at 12:00 noon and provided event flyers to the Council.

CONSENT AGENDA

By motion made, seconded (Comnick/Yarbrough), and carried by a 5-0 vote, the Council took the following actions:

Approved the minutes of the regular meeting of November 17, 2015.

Received and filed warrant 2885 to 2951 in the amount of \$76,653.20; warrant 2952 to 3017 in the amount of \$61,367.04; an ACH in the amount of \$1,190.13; and an ACH in the amount of \$24,704.69.

Enacted Ordinance No. 793 (second reading) adding Chapter 9.17 to Title 9 of the Anderson Municipal Code, relating to the regulation of butane resale, as introduced (first reading) on November 17, 2015.

Enacted Ordinance No. 794 (second reading) adding Chapter 8.57 to Title 8 to the Anderson Municipal Code relating to regulating shopping carts in the City of Anderson, as introduced (first reading) on November 17, 2015.

Waived reading, except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.

Adopted Resolution No. 15-48 Amending the 2014-2015 Adopted Budget.

Vote: AYES: Councilmembers Comnick, Yarbrough, Browning, Baugh, and Mayor Hunt.
NOES: None.
ABSTAIN: None.
ABSENT: None.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None.

PUBLIC HEARINGS

PUBLIC HEARING – GENERAL PLAN AMENDMENT/REZONE FOR JACOBS AND 1ST READING OF ORDINANCE

Jim Hamilton gave a staff report and answered questions with the Council.

6:12 pm: The Public Hearing was opened. No Comments were received. The Public Hearing was closed.

By motion made, seconded (Baugh/Browning), and carried by a 5-0 vote, the Council adopted the mitigated negative declaration and mitigation monitoring program for the project pursuant to California Environmental Quality Act Guidelines Section 15070 with the State Clearinghouse number SCH#2015092016; introduced Ordinance No. 795 (first reading), approving the General Plan Amendment and Re-zoning, with associated mitigation measures pursuant to City of Anderson Zoning Code Chapter 17.54 Zoning Amendments, and set the ordinance for enactment (second reading) on December 15, 2015.

The City Clerk read the ordinance by title only.

Vote: AYES: Councilmembers Baugh, Browning, Comnick, Yarbrough, and Mayor Hunt.
NOES: None.
ABSTAIN: None.
ABSENT: None.

REGULAR AGENDA

CITY ATTORNEY

DISPLAYING THE NATIONAL MOTTO IN THE CITY COUNCIL CHAMBERS; RESOLUTION NO. 15-49

City Attorney Jody Burgess gave a staff report.

The City Clerk stated she received a phone call from Loyd List in support of displaying the national motto in the Council Chambers.

Robert Young stated he is in favor of displaying “In God We Trust” in the Council Chambers.

By motion made, seconded (Hunt/Yarbrough), and carried by a 5-0 vote, the Council adopted Resolution No. 15-49 approving the permanent and prominent displaying of the national motto, “In God We Trust”, in the City Council Chambers at Anderson City Hall.

Vote: AYES: Mayor Hunt, Councilmembers Yarbrough, Comnick, Browning and Baugh.
NOES: None.
ABSTAIN: None.
ABSENT: None.

CITY MANAGER

REVIEW OF MAYOR / VICE-MAYOR SELECTION PROCESS

City Manager Jeff Kiser gave a staff report.

The Council reviewed the Mayor / Vice-Mayor Selection process.

Robert Young stated his support for a one year Mayor / Vice-Mayor Term and recommended considering changing from a Vice-Mayor to Mayor ProTem.

The Council directed staff to review Vice-Mayor versus Mayor ProTem and to report back to the Council.

By motion made, seconded (Comnick/Yarbrough), and carried by a 4-1 vote, the Council changed the term of Mayor / Vice-Mayor from two years to one year.

Vote: AYES: Councilmembers Comnick, Yarbrough, Browning, and Mayor Hunt.
 NOES: Councilmember Baugh.
 ABSTAIN: None.
 ABSENT: None.

CITY CLERK

ANNUAL CITY COUNCIL COMMITTEE/COMMISSION APPOINTMENTS

City Manager Jeff Kiser gave a staff report, and together with City Clerk Juanita Barnett, answered questions from the Council.

By motion made, seconded (Yarbrough/Baugh), and carried by a 5-0 vote, the Council reappointed Fred Bergstrom to the Building Board of Appeals for a four year term ending December 31, 2019; reappointed Larry Mower to the Shasta Mosquito/Vector Control District Board for a four year term ending December 31, 2019; and directed staff to re-advertise for the remaining three vacancies on the Building Board of Appeals and to bring the matter back to Council for appointment in the future.

Vote: AYES: Councilmembers Yarbrough, Baugh, Browning, Comnick, and Mayor Hunt.
 NOES: None.
 ABSTAIN: None.
 ABSENT: None.

AMENDMENT TO THE SHASTA COUNTY ECONOMIC DEVELOPMENT CORPORATION BYLAWS; RESOLUTION NO. 15-50

City Manager Jeff Kiser gave a staff report and answered questions from the Council.

By motion made, seconded (Browning/Baugh), and carried by a 5-0 vote, the Council adopted Resolution No. 15-50 authorizing the Mayor to vote for and sign the Written Ballot of the Permanent Members of the Economic Development Corporation of Shasta County, a California Nonprofit Public Benefit Corporation, on behalf of the City Council, approving the Restated Bylaws of the Corporation and the Certificate of Amendment of the Articles of Incorporation of the Corporation.

Vote: AYES: Councilmembers Browning, Baugh, Comnick, Yarbrough, and Mayor Hunt.
 NOES: None.
 ABSTAIN: None.
 ABSENT: None.

STAFF REPORTS – None.

COUNCIL REPORTS/COMMENTS

Councilmembers used this time to report on meetings and activities they participated in and to announce upcoming events.

Councilmember Browning requested staff to review the new regulations recently signed into law by the Governor regarding marijuana and bring a recommendation for amending our existing ordinance back to Council for consideration.

CLOSED SESSION

Public Comment on Closed Session Item(s): - None.

6:52 p.m.: *The City Council convened to Closed Session to discuss the following:*

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Gov't. Code Sec. 54956.9(d)(1))

Three cases: US District Court Case No. 11-CV-01653

City of Anderson v. Antonio Damian, Jr., Shasta County Superior Court Case No. 18120

Barbara A. Peck v. City of Anderson, Shasta County Superior Court Case No. 181009

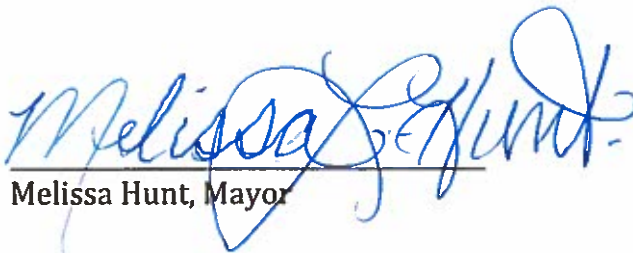
7:18 p.m.: *The City Council reconvened to Open Session.*

CLOSED SESSION ANNOUNCEMENT: Mayor Hunt announced Council sat in Closed Session to receive updates on existing litigation with no reportable action taken.

ADJOURNMENT

7:19p.m.: *The City Council adjourned to December 15, 2015.*

ATTEST:


Melissa Hunt, Mayor


Juanita Barnett, City Clerk