



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION MEETING MINUTES**

**TUESDAY, APRIL 26, 2016
CITY COUNCIL CHAMBERS
794 THIRD STREET**

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL: Council: Darlene Dickison

**Dave Linnet
Tony Cardenas
Willie Smith
Gary Strack**

Mayor:

All members of the City Council were present.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

C. PUBLIC COMMENTS:

D. REGULAR AGENDA:

**1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:
Agency Negotiator: William May, Labor Relations Consultant
Discussion and Direction on a contingency plan to Contract Police and Fire
Dispatch Services should Measure A not be approved by the Electorate.**

**2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION PURSUANT TO
SECTION 54956.9 (d)(4): Urgency Item Added.
Escrow No.: 17686-DM – Claim to proceeds in Escrow.**

**E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON
CLOSED SESSION: 6:40 p.m.**

Mayor Strack reported that Council met in Closed Session with the Labor Negotiator and the City Attorney and gave them direction.

Lisa M. Linnet, City Clerk



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A. CALL TO ORDER: 6:42 p.m.

B. ROLL CALL:

Council:

Darlene Dickison

Dave Linnet

Tony Cardenas

Willie Smith

Mayor:

Gary Strack

All members of the City Council were present.

C. PLEDGE OF ALLEGIANCE: Led by the City Manager.

D. INVOCATION: Led by Mayor Strack.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

E. PUBLIC COMMENTS:

Julie Johnson apologized for her disruption at the last meeting.

F. PRESENTATIONS: Presentation of Employee Recognition Awards:

Tom Watson, Police Administrative Manager – Police Department: A Certificate was presented to Tom Watson by City Manager Kristina Miller on behalf of Police Chief Jeremiah Fears.

Lisa Linnet, Confidential Assistant/City Clerk – City Manager: A Certificate was presented to Lisa Linnet by City Manager Kristina Miller.

Wayne Jobe, Equipment Operator – Public Works: A Certificate was presented to Wayne Jobe by Public Works Director Dawn Grine.

Jared Smith, Fire Department Volunteer – Fire Department: Fire Chief Martin Spannaus stated that Mr. Smith was unable to attend tonight, he would ensure that Mr. Smith received his Certificate.

G. BUSINESS FROM THE FLOOR: None.

H. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.

- 1. Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
- 2. Waive the reading and approve the Minutes of the April 12, 2016 City Council Closed Session and Regular Meeting with any necessary corrections:**
- 3. April 20, 2016 Claim Warrant - \$125,401.87.**
- 4. April 20, 2016 Business License Report.**
- 5. Award Bid for the 2016 Street Paving Project to Northwest Paving, Inc. in the amount of \$170,812.**

Councilor Smith moved to approve Consent Items 2-6. Councilor Dickison seconded the motion. **Ayes: Strack, Dickison, Linnet, Cardenas and Smith. Opposed/Abstain/Absent: None.** This motion was approved by a 5-0 vote.

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

J. PUBLIC HEARINGS AND MEETINGS: None.

K. REGULAR AGENDA:

7. Provide Staff direction regarding the establishment of a Noise Ordinance.

Mayor Strack introduced this item by title and announced that the Police Chief stated that he felt that California Penal Code and the California Vehicle Code already address this. City Manager Kristina Miller briefed the Council on her research and concurs with the recommendation of the Police Chief. Mayor Strack asked if the referenced Codes respond to construction noise in residential neighborhoods or limit the hours when work can commence. He was informed no. The City Attorney responded with some suggestions should the City wish to move forward with an Ordinance. **By consensus, Council directed Staff to continue use of the existing Penal and Vehicle Codes and not establish a new Ordinance at this time.**

8. Provide Staff direction regarding the establishment of a Mural Ordinance.

Mayor Strack stated that he did drive through town and believes the City should limit the murals to possibly one wall or a quarter of the building and not allow them to be painted all over the building or over windows. During the discussion it was confirmed that existing murals would be "Grandfathered" in.

Councilor Cardenas stated that if we are going to address this, he believes that we should also encompass the other issues mentioned at the previous meeting in regards to the downtown business area. He also stated that he believes that any decision process enacted should include the businesses that would be affected. The City Attorney responded to some of the possible legalities and recommended to the Council that all potential legal issues be thoroughly researched. **By consensus, Council directed Staff not to proceed with a mural Ordinance.**

L. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.

M. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.

N. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Dickison: Reported on her attendance at the Community Action Tripartite Executive Board Meeting last Thursday, she also attended the Rodgers Theatre Board meeting that same day and updated the Council on the Theatre stating that the projector is on order and the seats are covered and are ready to be painted.

Linnet: Reported that 50 shopping carts had been returned and that there has been no new tagging. The May Madness Car Show will be held on May 6th and 7th with a pancake breakfast at the Fire Hall on the 7th.

Cardenas: Reported on his attendance at the 3CORE Meeting on April 22nd. He stated that he attended the Chamber of Commerce Car Show Meeting tonight prior to the Council meeting, they are moving ahead.

Smith: Reported that last Wednesday the Senior Center paid tribute to their Volunteers.

Strack: Reported that he has a Transportation Meeting on Thursday to discuss Unmet Needs.

O. ADJOURNMENT!: 7:27 p.m.,

Lisa M. Linnet, City Clerk