



**CITY OF CORNING
CITY COUNCIL MINUTES**

**TUESDAY, FEBRUARY 27, 2007
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 7:30 p.m.

B. ROLL CALL:

Councilmember:

Hill
Dickison
Zuniga
Turner
Strack

Mayor:

Mayor and Councilors were all present.

C. INVOCATION AND PLEDGE OF ALLEGIANCE:

City Manager Kimbrough led the Pledge of Allegiance.

D. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS: None.

E. ROSE TOBISCH, CORNING HIGH SCHOOL LIAISON REPORT: Not Present.

F. BUSINESS FROM THE FLOOR:

Recreation Programs Request:

Shannon Boles addressed the Council regarding the possibility of hiring a Recreation Coordinator. Mayor Strack responded stating that should the City decide to hire a Recreation Director, he would like to see it be done under a Recreation District rather than the City solely supporting it. He stated that the formation of a Recreation District was placed on the ballot in the past and was voted down, possibly the time is right to try this again. Mayor Strack further stated that he believed the City Council would support a Recreation District. Councilor Hill stated she would like the Recreation Commission to look into this and bring the information back to the City Council.

Randy Maday spoke stating a cost of \$145,000 presented by Garrett White, Recreation Director for the City of Orland at a previous meeting for a Recreation Program and Director. Mr. Maday said that such programs would create tax revenues for the City. Mayor Strack responded stating he would like to see such a program fall under a Recreation District, not solely financed by the City. Mayor Strack stated that Mr. Maday, Shannon Boles, and some of the others present tonight and requesting such a program reside in the County. Mayor Strack responded stating that the City hired a Recreation Coordinator a couple of years ago; this program was in effect for approximately one year and received very little response. Councilor Zuniga stated that she served as the Recreation Coordinator during this time, that her education had centered on recreation, she had received her degree in that field and that it was a passion of hers. She stated that she had sent out questionnaires to each household within the High School District with children to obtain an idea of what type of programs they would like, she received less than 1% of the completed questionnaires back.

Councilor Turner asked Mr. Maday the dollar amount contributed by the City of Orland, etc. for a recreation program and suggested the formation of an Ad-Hoc Committee consisting of two members from the Council and two members of the Recreation Commission to research this item. He then requested that this information be agendize and brought back to the Council

around mid-year budget for discussion and consideration. Councilor Turner and Councilor Zuniga volunteered to represent the Council on this Ad-Hoc Committee.

Corrine Maday spoke referring to a recent news article relating to the City budget and City sales tax revenues stating that possibly some of the revenue stated in this article could possibly provide funding for a Recreation Program. She stated that youth soccer, and other existing programs are growing beyond the capacity of the parents alone to keep going. She then read from statistics she acquired from a recent training she attended relating to teen pregnancies, youth drug and alcohol consumption, teen suicides, etc. She stated that she would hate to put this to a vote of the public for additional taxes, when according to the newspaper article the City tax revenues have increased and could possibly fund a recreation program.

Mike Albee stated that when he young, he was paid to assist former City Recreation Director Mike Ford in running basketball camps, and other City recreational programs. He stated that this paved the path for his future. He asked when the program started that employed Mr. Ford; Mayor Strack stated he believed that it dated back to the 1950's when Tag McFadden was the director. Mr. Albee stated that these programs make a great impact on the lives of the Children.

Mayor Strack explained the benefit of a Recreation District and how it works. Councilor Hill explained that a Recreational District tax doesn't necessarily mean an additional tax of \$100; it could possibly be as low as \$1 per parcel. It was explained that a District would operate with a Board of Directors, voted on by the members of the Recreation District. Mayor Strack stated that currently the City allocates and spends over \$100,000 a year to maintain the existing parks and recreational programs.

Members of the audience spoke questioning how and where the current recreation/parks budgeted money is spent. Jason Armstrong addressed the Council stating his desire is just to see his children take pride in the Community such as what he has observed by elder members of the Community. He further stated that possibly if more funding was spent and a Recreation Director hired the City would have much more than a 1% response from the Community. Sharie Peterson informing the Council that there are many children currently not able to be on the various sport teams, drill team, etc., these are the children that would especially benefit from an active recreational program.

Mayor Strack stated that an Ad-Hoc Committee would be formed consisting of Councilor Turner and Councilor Zuniga, two members of the Recreation Commission, and two members of the audience. Councilor Turner asked for this to be agendized for the next Council meeting. He also asked if contact could be made with City of Orland Recreation Director Garrett White to obtain documentation of programs, associated costs, and funding sources for his recreational program for Council review and consideration for possible City programs.

Corine Maday asked when the next budget would be done. City Manager Kimbrough stated that it is starting now and we will obtain a better idea of funding possibilities in June when the figures start coming in.

Complaint by property owner JoAnn Landingham regarding Flying J:

Joanne Landingham addressed the Council relating to issues with her neighbor the Flying J Truck Center. She stated that when she was out of the Country she wrote a letter requesting an access road to her property and a wall separating her property from Flying J. She stated that drivers from Flying J are climbing out of trucks and urinating near her property line and are to lazy to walk their garbage to the garbage containers. She informed the Council that her and her Caretakers dogs have been poisoned and she has had people entering and sleeping in her washhouse. She stated that her caretakers have logged license numbers and company names of the problem truckers and have contacted the company and was told that they would pay the veterinary bills associated with the dog poisoning, however this doesn't prevent future problems, some of the truckers still through food over the fence to the dogs.

Mrs. Landingham stated she would like the back 20' of the parking lot closed; or a fence (that she first requested) now be installed as a barrier separating the two properties. Mrs. Landingham then read a letter received from the General Manager at Flying J. She stated that all she wants is no garbage in her back yard and her animals not being poisoned...she reiterated that she wants a fence installed. She stated that she realizes that her house is in a bad area for a residence, she stated that she mows there side of the fence and trims there trees. Mrs. Landingham then introduced her caretakers, Mr. and Mrs. Kaye. Mr. Kaye addressed the Council, stating he had animals in his house that are better house broke than some of those Truck Drivers.

Mr. Brewer responded stating that Jack Alexander, City Building Official/Code Enforcement Officer spoke with the Manager of Flying J on the date that the City received the calls from Mrs. Landingham's Caretakers. Mr. Brewer stated the City has two Use Permits for this area, one for Mrs. Landingham and one for Flying J. He further stated that the mobile home lived in by Mr. Kaye located on the Landingham property is a Temporary Use Permit which is not conducive to an Industrial Zone. Mr. Brewer confirmed that the City did in fact receive her letter regarding a barrier wall and stated normally a masonry land use barrier would be constructed 6' high to separate residential and industrial use zones. Because of the grading and elevation, this was not possible in this case.

Councilor Hill asked if City Building Official Jack Alexander could possibly make sure that the weed abatement issues were taken care of. Mayor Strack asked if Mr. Brewer could possibly prepare something for the next Council Agenda regarding possibly requesting installation of fencing to separate the two properties.

G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience requests 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 February 13, 2007 Meeting with any necessary corrections.**
3. **February 2007 Claim Warrant - \$199,457.69.**
4. **February 22, 2007 Business License.**
5. **Recommend Appointment of Daniel Salado to the Corning Airport Commission.**
6. **Annual Tehama County State Fair Exhibit Contribution from the City of Corning.**
7. **Recreation Commission Recommendation to the City Council for One-time Donation in the Amount of \$1,000 to Subsidize the Swim Team Assistant and Head Coach Salaries.**

Mayor Strack stated that Item 7 would be removed from the Consent Agenda for further discussion. Councilor Turner motioned approval of Consent Agenda Items 1-6, and Councilor Hill seconded the motion. **Ayes: Strack, Hill, Dickison, Zuniga and Turner. Opposed: None. Absent/Abstain: None. Motion was approved by a vote of 5-0.**

H. ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Recreation Commission Recommendation to the City Council for One-time Donation in the Amount of \$1,000 to Subsidize the Swim Team Assistant and Head Coach Salaries.**

Councilor Dickison stated that she felt approving this would set a precedent for any recreation or other program. Councilor Turner stated that he disagreed, he believed that each item would be considered on their own merit.

Shannon Boles addressed the Council informing them of the Swim Team finances and the reason behind this request. She stated that they have already decided to raise fees to cover expenses in order to continue the program; however even with the increased fees they will still need assistance to cover the expense of instructors.

City Manager Kimbrough asked the Council should they decide to approve this item, where should the funds be taken from and who will the City pay the \$1,000. He was informed to the Corning Swim Team with the understanding that it will be returned to the City should the program not take place.

Councilor Hill motioned approval of the one time donation of \$1,000 to the Corning Swim Team to subsidize the salaries of the Swim Team Head Coach and Assistant. Councilor Zuniga seconded the motion. **Ayes: Hill, Zuniga and Turner. Opposed: Strack and Dickison.**
Absent/Abstain: None. Motion was approved by a vote of 3-2.

I. **PUBLIC HEARINGS AND MEETINGS:** Any person may speak on items scheduled for hearing at the time the Mayor declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

8. **POSTPONED FOR FURTHER CONSIDERATION BY THE PLANNING COMMISSION:**

Salado Orchard Apartment Project; Rezone 2006-3; Planned Development Use Permit 2006-231; To Rezone from R-1 to P-D, Planned Development and a Use Permit to Authorize the Construction and Operation of a 48 Unit Apartment Complex; Tentative Parcel Map 07-01; Pacific West Communities, Inc.; Located southwest of the Toomes Avenue & Blackburn Avenue Intersection, APN 71-020-02; Approximately 10.28 Acres.

J. **REGULAR AGENDA:**

9. **Theatre Improvement Update: Discussion**

a) **Theatre Ownership Structure – Oral Presentation by City Attorney Mike Fitzpatrick.**

b) **Seek Authorization to Seek Formal Bids for New Roof at Rodgers Theatre and Provide Direction and Goals for the Rodger's Theatre Building.**

City Attorney Michael Fitzpatrick briefly informed the Council on the legalities of giving the Theatre Building to a non-profit organization. Councilor Turner asked who would assume financial liability for the building under these circumstances. Mayor Strack stated that the benefits one way or the other would need to be weighed.

Danny Dunnegan requested to leave the building in the hands of the City and move forward with having the Theatre roof repaired.

Mayor Strack requested that the Friends of the Theatre come back to the Council with a Plan clearly stating what the Committee wants, whether it be a Theatre or a Community Theatre/Center, etc. Councilor Turner asked Danny what the funding sources are and how much money have they raised to date. Mayor Strack responded stating that funding source information needs to be provided from City Staff.

City Manager Kimbrough confirmed that the City should maintain ownership of the Theatre. The Council stated yes. He then confirmed that the Council would recognize that the money would have to come from the Park Bond Act in order for the process to begin to obtain these funds. Mayor Strack stated that he thought Staff should prepare a Staff Report to Council. Mr. Kimbrough

stated that \$52,304.30 remains in the Theatre fund as of now. He stated that we still have approximately \$8,000 remaining for the Theatre Marquee, which leaves roughly a little over \$40,000. Mayor Strack stated he would like the Friends of the Theatre to present a plan and Mr. Kimbrough to prepare a Staff report for the Theatre proposed budget. Council agreed that Public Works should move forward with the roof repairs/replacement and should start the formal bid process in May of 2007.

10. Discuss Need for Commission Rules and Procedures Including Standards for Residency and Attendance.

Mayor Strack introduced this item by title. Councilor Dickison stated that when she came to work for the City in 1963 anyone within the High School District could be on a Commission. Mayor Strack stated that this was not in writing. Councilor Hill stated a request that these rules and procedures apply to all Commissions.

Councilor Turner stated that some audience members approached him after the Planning Commission meeting relating to the 6:30 p.m. meeting time. Mr. Turner made the suggestion that the time be changed back to the 7:30 p.m. start time.

Councilor Dickison stated that at one time she believed that it was understood if Commissioners missed more than three meetings they would be removed from the Commission. Mayor Strack stated that one of the items he would like discussed is he would like the majority of the Commissioners be a resident of the City. Councilor Turner stated that he would be fine with a 3-2 (3 members of the Commissioners must live within the City Limits and the remaining two must be within the High School District). The Council agreed this to. Councilor Turner stated he didn't think a member of the Planning Commission not in attendance should be allowed to vote. It was also agreed that Commissioners missing three consecutive meetings could be removed from the Commission.

Gena Bowen stated that one of the problems is communication. Mr. Bowen asked what constitutes attendance, especially when coming late and leaving early. Councilor Hill stated it means attending the entire meeting. City Manager Kimbrough suggested possibly reviewing yearly attendance in December. It was requested to add a statement that the Commissioners will review and set meeting times and number of meetings necessary. Councilor Zuniga suggested adding a clause stating with public consideration.

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

L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: Mayor Strack announced that a letter had been received from the Union relating to the SDI issue.

M. REPORTS FROM MAYOR AND COUNCILMEMBERS:

11. Hill: None.

12. Dickison: None.

13. Zuniga: None.

14. Turner: Report on Attendance at the JPA meeting and announced the Grand Opening at Corning Disposal on March 9th.

14. Strack: Nothing.

N. ADJOURNMENT! 9:46p.m.



Lisa M. Linnet, City Clerk