



**CITY OF CORNING  
CITY COUNCIL MINUTES  
TUESDAY, MAY 26, 2009  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

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

**B. ROLL CALL:**

**Council:** Becky Hill  
Ross Turner  
Toni Parkins  
John Leach  
**Mayor:** Gary Strack

All Council Members were present except Councilor Hill who is attending the League of California Cities Mayors & Council Members Executive Forum in San Diego.

**C. INVOCATION AND PLEDGE OF ALLEGIANCE:**

Councilor Leach gave the Invocation and City Manager Stephen Kimbrough led the Pledge of Allegiance.

**D. PROCLAMATIONS, RECOGNITIONS, AND APPOINTMENTS: None**

**E. NOLAN SCHLERETH, CORNING HIGH SCHOOL LIAISON REPORT: Not present.**

**F. BUSINESS FROM THE FLOOR:**

Dean Cofer spoke regarding comments by City Manager Kimbrough published in the Saturday, May 23, 2009 Corning Observer article "Officials brace for more cuts" and asked who gave Mr. Kimbrough authorization to make statements regarding possible cuts to Police, Fire services. Mr. Cofer stated that he didn't think the residents of Corning would support such cuts.

**G. CONSENT AGENDA:**

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 May 12, 2009 Meeting with any necessary corrections.
3. May 20, 2009 Claim Warrant - \$333,211.79.
4. Business License Report – May 2009.
5. Approve Contract Change Order No. 3 for the Safe Routes to School, Cycle 7 Contract.
6. Approve and Accept the Notice of Completion for the Safe Routes to School, Cycle 7 Project and Approve Final Pay Estimate No. 7 – Release of Contract Retention in the amount of \$17,560.40.
7. Approve and Accept the Notice of Completion for the Marguerite Avenue Overlay Project.

Councilor Turner asked to pull Consent Agenda Item No. 3 for further clarification. Councilor Turner then moved to approve Consent Agenda Items 1 through 2, and 4 through 7. Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

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**H. ITEMS REMOVED FROM THE CONSENT AGENDA:****3. May 20, 2009 Claim Warrant - \$333,211.79.**

Councilor Turner clarified that the Waste Management expenses in the amount of \$1,890 listed on the Claim Warrant were for disposal bins used at the City Cleanup Day and that the Wadell Engineering Corp. expenditure was reimbursable under the Airport Expansion Grant.

Councilor Turner moved to approve Consent Agenda Item No. 3 and Councilor Parkins seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

**I. REGULAR AGENDA:****8. Review Survey and Consider City Pool User Fee Increases.**

Mayor Strack introduced this item by title and Public Works Director John Brewer explained the associated expenditures and income of the pool. Mr. Brewer explained that Public Works Administrative Secretary Dawn Grine had contacted neighboring City's and surveyed their pool use fees. This information was utilized when developing the proposed fee increases. Councilor Leach asked if there was a user maximum number on a family pass, Mr. Brewer responded stating that he didn't know. Councilor Turner asked how resident verses non-resident status was verified; Mr. Brewer responded that the Pool Manager Jessica Jorgensen has methods in place.

Councilor Parkins moved to approve the revised Pool Fees effective June 1, 2009 with the stipulation that Public Works Director John Brewer would provide the Council with a maximum number limitation on the Family Passes. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

**9. Authorize Installation of New Stormsewer Drain Line Connecting Short Drive Drainage Facilities to City Stormsewer Facilities in Edith Avenue, and Appropriate \$20,350 from Drainage Mitigation Fund 345 to Street Projects Account 345-8030-3001 to fund this Installation.**

Mayor Strack introduced this item by title and Public Works Director John Brewer further briefed the Council on the proposed action, how it would be accomplished, and why it is needed. Councilor Leach asked if the City had the funds to complete this; he was informed that we did in the development impact fees mitigation fund for drainage. Councilor Leach stated that this has been needed for a long time. Councilor Turner asked how the project costs were determined and was informed that it was an estimate provided by the City Engineer. Councilor Turner moved to:

Authorize the installation of the new stormsewer drain line connecting Short Drive drainage facilities to the City stormsewer facilities in Edith Avenue as detailed in the Staff Report to relieve flooding along Short Drive; and

Appropriate \$20,350 from Drainage Mitigation Fund 345 to Street Projects Account 345-8030-3001 for the installation of the new stormsewer line connecting Short Drive drainage facilities to the City stormsewer facilities in Edith Avenue as detailed in this Staff Report.

Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

**10. Approve Marguerite Avenue Overlay Budget Adjustments – Final Accounting.**

City Manager Kimbrough asked to pull this item from the Agenda at this time and bring it back to Council at a later date in order to check the Maintenance of Effort clause and check the compliance. By Council consensus this item was removed from the Agenda.

**11. Staff review of complaint regarding Kaufman Building located on the northwest corner of Solano and Fifth Streets.**

Mayor Strack introduced this item by title stating that this property is possibly in foreclosure. Council was informed that the Building Official has made contact with the owner and either the property owner or the City will repair the hazardous window. Councilor Turner then asked; if this property is in foreclosure, who would be responsible? City Attorney Mike Fitzpatrick stated that until sold, it would be the property owner.

Mr. Cofer stated that this report had more emission than answers and proceeded to explain what subjects/items weren't addressed, eluding that either it had not been properly investigated, or the City is covering something up.

Mr. Cofer then addressed the Council regarding his concerns in relation to the asbestos removal and demolition of the building fronting Fifth Street between Solano and Yolo Streets. Councilor Leach voiced his concerns also. Councilor Turner stated that he thought it would be difficult to trace where the debris had been disposed. Councilor Leach suggested that Building Official Terry Hoofard, Public Works Director John Brewer and Planning Director John Stoufer, with the assistance of the City Attorney, contact the property owner and confirm the project contractor's name and how the debris was discarded. By Council consensus the City Manager will act on the Council's request.

### **12. Approve City Council Budget Meeting Schedule.**

All dates are fine except Monday, June 15<sup>th</sup>. By Council consensus the Monday, June 15<sup>th</sup> study session date was changed to Thursday, June 18<sup>th</sup>. Councilor Leach moved to change the June 15<sup>th</sup> budget study date to Thursday, June 18<sup>th</sup>. Councilor Turner seconded the motion.

**Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

### **13. Approve 2009/2010 Capital Improvement Budget for all City Departments.**

Mayor Strack introduced this by title and then spoke with each Department Head regarding their associated budgets.

**Police Department:** Evidence Room first priority and purchase two police vehicles (vehicles will hopefully be partially funded by grant funds) as the second priority. Chief Cardenas explained the reasons for the evidence room renovation/move, stating that this would be done in phases as funding allows. Councilor Turner asked if the unused basement of City Hall could be utilized possibly for storage for the Museum; it was stated that this was a possibility, however the stairs are still a safety issue and utilizing this area would be a last resort.

**Fire Department:** Mayor Strack confirmed that the priorities listed are in the order that the Chief wants. Mayor Strack stated that the LaFrance Ladder Truck was a higher priority than the listed 17<sup>th</sup>...emphasizing that this is a debt we have to meet. Councilor Turner asked about the painting for the building and if there were any funds left over from the bathroom remodel, he was informed there were no funds left over.

### **Public Works Department:**

**Streets:** Mayor Strack asked about North Street from First to Marguerite Avenue, stating that he would not like to see listed as that high a priority although it is probably the worst street in town, however he would like to see Solano Street repaired before North Street as it is more heavily utilized. Councilor Turner asked about the method for discerning Street repair priority and his concern about Blackburn Avenue being prioritized for 2018-2019, emphasizing that if North Street is so bad, the City should certainly maintain Blackburn Avenue, a North Street alternative route. Mayor Strack stated that he believed Blackburn Avenue should be moved up in the priorities and Colusa Street completed through so that not so much traffic would utilize North Street. Councilor Turner stated he also believed Blackburn Avenue should be moved up in the priorities listing. Mayor Strack suggested moving Blackburn Avenue to the top and North Street to the end of the list. Councilor Turner suggested obtaining a cost completing Colusa Street through from East Street to Marguerite Avenue under long-term projects.

**Water:** Clark Park will hopefully be completed in 2009/2010 with an estimated cost of \$578,000. Councilor Turner suggested moving the well pump houses to the bottom of the list and to possibly consider fencing the Houghton Avenue well site. This was approved by consensus.

**Sewer/WWTP:** Mayor Strack asked if the change in the river path is creating, or will create a problem with the Cities outfall equipment (diffuser). Mayor Strack asked if the City plans to do the smoke testing this year...Mr. Brewer stated that we hope to as none was completed this year.

**Parks:** With Council consensus will leave as is listed.

**Airport:** Mr. Brewer stated that we are putting together a grant application and hope to make some major improvements at the Airport, however the Grant requires a 5% match from the City in funding.

**Building Maintenance.:** No Change.

**Fleet Maintenance: Two vehicles on wish list.** No discussion.

**Engineering:** No discussion.

**Public Works Administration:** No discussion.

Councilor Turner asked about the information regarding transferring water meter reading to Community Service Officer (CSO), creating another full-time CSO and moving Public Works Maintenance Worker/Meter Reader Troy Grootveld back to full-time Public Works Maintenance Worker.

Councilor Parkins moved to adopt the "City of Corning Long-Range Capital Improvement Program and Priorities for Services 2009-2010 with the discussed changes. Councilor Leach seconded the motion. **Ayes: Strack, Turner, Parkins and Leach. Opposed: None. Absent: Hill. Abstain: None. Motion was approved by a 4-0 vote with Hill absent.**

**J. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

**K. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION:** Mayor Strack stated that the City has received numerous letters regarding the TANC Transmission Project. John Stoufer briefed the Council on this issue stating that one of the proposed routes goes through a portion of the City's Airport land. He also informed the Council that the comment period had been extended.

**L. REPORTS FROM MAYOR AND COUNCIL MEMBERS:**

**14. Hill:** In San Diego on City business.

**15. Turner:** Stated that he had a long talk with Jim Neilson regarding the TANC issue.

**16. Parkins:** Nothing.

**17. Leach:** Nothing.

**18. Strack:** Spoke with Mr. Neilson on not taking City money.

**M. ADJOURN TO CLOSED SESSION:** 8:57 p.m. after a 5-minute break.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to Section 54956.8

Potential Land Acquisition for Parks – Accessor Parcel No's. 71-136-01 thru 09

Negotiating Party: City Manager.

**N. RECONVENE AND REPORT ON CLOSED SESSION: 9:26 p.m.**

Mayor Strack announced that the Council had met with the Labor Negotiator and City Staff and gave them direction.

**O. ADJOURNMENT: 9:30 p.m.**



**Lisa M. Linnet, City Clerk**