

MINUTES

PARADISE TOWN COUNCIL

REGULAR MEETING - 6:00 P.M. – AUGUST 11, 2009

The Regular Meeting of the Town Council of the Town of Paradise was called to order by Mayor Rutledge at 6:02 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California. Following the pledge of allegiance, the invocation was offered by Vice Mayor Culleton.

COUNCIL MEMBERS PRESENT: Steve "Woody" Culleton, Joe DiDuca, Scott Lotter, Alan White and Frankie Rutledge, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Assistant Town Clerk Volenski, Town Manager Rough, Town Attorney Moore, Assistant Manager Ivey, Assistant to the Town Manager/Business & Housing Services Director Gill, Finance Director Will, Community Development Director McGreehan, Human Resources Manager Farrell, Public Works Director/Town Engineer Schmidt, Fire Chief Haunschild and Police Chief Carrigan.

2. ITEMS DEFERRED FROM PREVIOUS MEETING

None.

3. CONSENT CALENDAR

Agenda Item 3(a): Motion by Lotter, seconded by White, Approved Minutes of the July 28, 2009, Regular Council Meeting. Roll call vote was unanimous.

TC (MIN) [APPR]
Minutes of the July 28,
2009 Regular Mtg.

Agenda Item 3(b): Motion by Lotter, seconded by White, Approved Check Register in the amount of \$1,807,865.42. Roll call vote was unanimous.

TC (FIN) [APPR] Check
Register in amount of
\$1,807,865.42. (310-10-
25)

Agenda Item 3(c): Motion by Lotter, seconded by White, (1) Approved a not-to-exceed amount of \$10,000 Professional Services Agreement with Liebert Cassidy Whitmore for legal services for employment issues; and, (2) Authorized the Town Manager to sign and enter into a contract with the law firm. Roll call vote was unanimous.

TC (AGT) [APPR]
Liebert Cassidy
Whitmore agrmt for legal
services Re:
employment issues
(CO7-19)

4. PUBLIC HEARING PROCEDURE

Mayor Rutledge informed the public of the public hearing procedure.

5. PUBLIC HEARINGS

Police Chief Carrigan reported to Council regarding the Supplemental Law Enforcement Services Fund grant monies estimated at \$100,000 offered through AB1584 COPS Frontline State grant and requested Council's approval of the department's spending plan for the funds for police vehicles and support of a Community Services Officer as outlined in the adopted FY 2009/2010 budget.

Mayor Rutledge opened the public hearing at 6:11 p.m. There were no speakers for or against the matter and Mayor Rutledge closed the public hearing at 6:11 p.m.

Agenda item 5(a): Motion by Lotter, seconded by Culleton, (1) Approved use of the monies to fund Police Vehicles and support a Community Service Officer in the Police Department; and, **(2)** Adopted Resolution No. 09-34, A Resolution of the Town Council of the Town of Paradise Accepting Supplement Law Enforcement Service Fund (SLESF) (AB1584 COPS Frontline). Roll call vote was unanimous.

TC (RES) [ADOPT] Res No 09-34, SLESF Grant in approx. amount of \$100,000 [HS&W] 480-20-06

Agenda item 5(b): None.

Town Manager Rough asked Council to consider continuing or rescheduling the public hearing for the proposed text amendments to the Paradise Municipal Code regarding sign regulations until the update for Design Review Guidelines were completed to allow for a combined effort since some of the issues are overlapping. He informed Council that he spoke with the Chamber of Commerce and requested they create a committee that would provide input from the business community to better address concerns regarding the sign regulations.

Council concurred to refer the sign issue back to the Planning Commission, and to open the public hearing for individuals prepared to speak on the proposed text amendments.

Mayor Rutledge opened the public hearing at 6:21 p.m.

1. Dean Fender, Paradise business owner and treasurer of the Paradise Chamber of Commerce, stated that the sign issue is a sensitive issue in the Town and requested that Council consider the economic times and hardships facing business, reconsider the issue of restricting or limiting signs, and send the text amendments back to the Planning Commission for further review and consideration.

2. Barbara Ely, Paradise business owner, stated that she would be submitting her application tomorrow and would be complying with the Town regulations, and commended Katie Simmons from the Chamber of Commerce on the remarkable work she has done for the business community of Paradise.
3. Jo Prescott, Paradise resident, stated that the signs and sandwich boards throughout Town are helpful, make a difference when choosing where to shop, and provide the opportunity to keep more money in Town.

Mayor Rutledge closed the public hearing at 6:37 p.m.

Community Development Director McGreehan informed Council that the amendments are not only relating to signs, but included other items that deal with the Housing Element that need to be adopted in order for the Housing Element to move forward.

Agenda item 5(c): Motion by Lotter, seconded by White, (1) Concurred with the project "CEQA determination" finding adopted by the Planning Commission on July 21, 2009, and embodied within Planning Commission Resolution No. 09-5; (2) Waived the first reading of Town Ordinance No. 495 and read by title only; (3) Introduce Ordinance No. 495, "An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapters 17.04, 17.20 and 17.26 relating to Land Use Regulations", as amended to specifically include, Section 1, definitions of "Body Piercing Shop", "Sign, Billboard"; and "Tattoo Shop" with the rest of Section 1 omitted; also including Sections 2, 3 4, 5 and 19 and excluding Sections 6 - 18 that will be sent back to the Planning Commission for further review. Roll call vote was unanimous.

TC (ORD) [INTRO] Ord.
495 Text Amendments
to Paradise Municipal
Code

6. PUBLIC COMMUNICATION

None.

7. COUNCIL CONSIDERATION

Agenda item 7(a): None.

Town Manager Rough reported that the Grand Jury Report named Paradise Fire Department and requested a reply from the Town.

Agenda item 7(b): Motion by Lotter, seconded by White, (1) Approved the Town of Paradise's response letter to the 2008-2009 Grand Jury Report; and, (2) Authorized the Mayor to sign the letter. Ayes of Culleton, Lotter, White and Mayor Rutledge, no of DiDuca.

TC (LEG) [AUTH]
Authorized Mayor to sign
Grand Jury Response
regarding Paradise Fire
Department. (550-20-20)

Agenda item 7(c): Motion by Lotter, seconded by White, (1) Amended the contract with Sierra Cascade LLC from \$157,000.00 to the amount of \$149,155.00 to cover actual construction costs of the Pentz Road Drainage Project at Pentz Road and Bille Road; and, (2) Authorized the Town Clerk to file a Notice of Completion with the County Recorder's Office with release of the \$149,155.00 following a 35-day lien period provided no liens are filed. Roll call vote was unanimous.

TC (AGT) [APPR]

Approved contract with Sierra Cascade LLC for Pentz/Bille Rd Project completion. (C08-08)

8. COUNCIL COMMUNICATION (Council Initiatives)

Agenda item 8(a): Vice Mayor Culleton reported that he will be attending the Youth Council meeting on Thursday and will be attending an award ceremony in Sacramento on Friday for the Skyway/Wagstaff project which won a regional and state award.

Councilmember White reported that BCAG has awarded the upper Skyway Humbug Summit Road contract to Franklin Construction which came in under bid and the Paradise Junior Girls Softball team have made it to the semi final round and will be playing Utah.

Mayor Rutledge reported on the 30th Anniversary Committee meeting where the date for the final event has been set for November 21 at the Senior Center.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

None

10. CLOSED SESSION

At 6:56 p.m. Mayor Rutledge announced that pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Charles L. Rough, Jr., Dennis Ivey, Denise Farrell and Gina Will, its designated representatives, regarding labor relations between the Town and the Paradise Police Officers Association; the Police Mid-Management Association; the Paradise Firefighters' Association; the Fire Mid-Management Association; the Confidential/Mid-Management Association; the General Employees Unit; and the Management Unit.

Mayor Rutledge reconvened the meeting at 7:15 p.m.

Agenda item 10a(1): Motion by Lotter, seconded by DiDuca, Adopted Resolution No. 09-35, Resolution adopting the "Amendment to the Memorandum of Understanding Between the Town of

TC (RES) [ADOPT] Res No. 09-35 Amending MOU between TOP and FMMA.

Paradise and the Fire Mid-Management Association from March 10, 2009 to June 30, 2009, Resolution No. 09-12", and authorized agreement, with said Amendment to expire on June 30, 2010. Roll call vote was unanimous.

Agenda item 10a(2): Motion by Lotter, seconded by White, Adopted Resolution No. 09-36, Resolution adopting the "Amendment to the Memorandum of Understanding Between the Town of Paradise and the Management Group from December 1, 2005 to June 30, 2008, Resolution No. 06-23" and authorized agreement, with said Amendment to expire on June 30, 2010. Roll call vote was unanimous.

TC (RES) [ADOPT] Res No. 09-36 Amending MOU between TOP and MGMT Group.

Agenda item 10a(3): Motion by Lotter, seconded by DiDuca, Adopted Resolution No. 09-37, Resolution adopting the "Amendment to the Memorandum of Understanding Between the Town of Paradise and the Police Mid-Management Association from July 1, 2005 to June 30, 2008, Resolution No. 06-20" and authorized agreement, with said Amendment to expire on June 30, 2010. Roll call vote was unanimous.

TC (RES) [ADOPT] Res No. 09-37 Amending MOU between TOP and PMMA.

11. ADJOURNMENT

MOTION by Lotter, seconded by White, adjourned the Council Meeting at 7:20 p.m. Council vote was unanimous.

APPROVED: August 25, 2009


FRANKIE RUTLEDGE, Mayor


JOANNA GUTIERREZ, CMC, Town Clerk

