

**MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING - 6:00 P.M. – JANUARY 25, 2011**

The Special Meeting of the Town Council of the Town of Paradise was called to order by Mayor White at 6:01 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California and the pledge of allegiance was recited.

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

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Town Manager Gill, Finance Director Will, Community Development Director Baker, Public Works Director/Town Engineer Schmidt, Acting Fire Chief Jensen, Police Chief Buzzard, and Onsite Official Danz.

Agenda Item 1d: Anthony Lindsey, Assistant Building Official/Assistant Fire Marshal was introduced to the Town Council by Community Development Department Director Baker.

Agenda Item 1e: Fire Chief Jensen made the following recognitions: (1) Bud Parrott, Firefighter of the Year; and, (2) Jeff Dodge, Volunteer Firefighter of the Year.

2. ITEMS DEFERRED FROM PREVIOUS MEETING – None.

3. CONSENT CALENDAR

Agenda Item 3(a): MOTION by Titus, seconded by Lotter, accepted a monetary donation to the Town of Paradise from a private donor in the amount of \$5,000 to be used by the Police Department for police equipment and supplies. Roll call vote was unanimous.

Agenda Item 3(b): MOTION by Titus, seconded by Lotter, accepted a monetary donation to the Town of Paradise from the Doolittle Revocable Inter Vivos Trust in the amount of \$2,128.12 to be used by the Town for Animal Control Services. Roll call vote was unanimous.

Agenda Item 3(b): MOTION by Titus, seconded by Lotter, acknowledged receipt of the first Fire Department Transition Plan Update by Fire Chief Jensen. Roll call vote was unanimous.

4. PUBLIC HEARING PROCEDURE

Mayor White informed the public of the public hearing procedure.

5. PUBLIC HEARINGS

Assistant Manager Gill reported to Council regarding the Town of Paradise Community Development Block Grant Program (CDBG) Annual Action Plan for Program Year 2011/2010 that establishes priorities and provides information on activities that are funded with the Town's CDBG allocation, and stated that based on current estimates, approximately \$200,000 will be available for the program year. Projects may be funded in the areas of housing, economic development, community facilities and/or public services which primarily benefit low/moderate income persons, eliminate blight, or resolve an imminent threat to public health or safety. Ms. Gill also discussed the purpose of forming a subcommittee consisting of two Council Members and staff to meet with subrecipients regarding public service funding allocation for the CDBG 2011-2012 annual plan.

Agenda Item 5(a): Mayor White opened the public hearing at 6:17 p.m. There were no speakers and Mayor White closed the public hearing at 6:17 p.m. No other action was requested of Council. A second public hearing is scheduled for March 8, 2011.

Agenda Item 5a-2: Council concurred to appoint Vice Mayor Culleton and Council Member Titus to serve on a subcommittee to meet with subrecipients and make recommendations for public service funding allocations for the Community Development Block Grant Program (CDBG) 2011-2012 Annual Plan.

Following a report from Community Development Department Director Baker regarding the Planning Commission recommendation for Town Council approval of the South Paradise Sphere Prezone Amendment Plan, a town-initiated prezone plan amendment encompassing a $\pm 1,920$ -acre land area affecting ± 134 properties located within a three-mile wide by one-mile long land area corridor straddling Neal Road that abuts and is located due south and southwest of the southern limits of the Town of Paradise, Mayor White opened the public hearing at 6:33 p.m.

Speaking for the proposed prezone:

1. John Mooney thanked the staff for updating the plan in order that he may apply to have property annexed into the Town of Paradise.

Speaking against the proposed prezone:

1. Loren Harvey asked for clarification if a flag lot can be annexed and stated that he has relatives that live in the area proposed for rezone and they are living in the County because they do not want to be part of the Town.
2. Lisa Blair asked for clarification regarding what zoning is applicable to the area.
3. Jim Ely asked if any parcel in the sphere of influence could be considered for annexation.

It was explained that the prezone is necessary in order to give property owners with property contiguous to the Town of Paradise border an option to annex into the Town; and, only if an annexation application is approved, would the Town zoning apply.

Mayor White closed the public hearing at 6:41 p.m.

Agenda Item 5b: MOTION by Titus, seconded by Culleton, (1) Made the finding that there is no substantial evidence that this prezone ordinance will have a significant effect on the environment; (2) Waived the first reading of Ordinance No. 511 and approved reading by title only; (3) Introduced Ordinance No. 511, An Ordinance Adopting the Town of Paradise South Sphere Prezone Amendment Plan and Prezoning Certain Real Properties to Further Promote and Implement Zoning Consistent with the 1994 Paradise General Plan and Pursuant to Paradise Municipal Code Section 17.45.500 et. seq.; and (4) Directed staff to prepare an ordinance summary for publication. Roll call vote was unanimous.

6. PUBLIC COMMUNICATION – None.

Mayor White announced that members of the public are limited to addressing the Town Council only on the items listed on the Special Meeting Agenda.

7. COUNCIL CONSIDERATION

Onsite Official Danz reported to Council regarding the ordinance proposed to amend Sections 13.04.020, 13.04.050 and 13.04.110 of the Paradise Municipal Code Relating to New Parcels and Sewage Disposal Systems, explaining that the amendments would (1) Provide definitions for “community wastewater systems” and

“advanced treatment systems;” (2) Increase the number of times a septic system construction permit can be renewed from two to indefinitely, so long as the new permit is updated to current code standards; also synchronizes existing codes such that septic system repair permits are valid for no more than 90 days; (3) Allow creation of parcels using advanced wastewater treatment systems to be sized for systems having greater wastewater capacity than 300 gallons per day; and, (4) Allow parcels to be created that are exempt from minimum net lot area sizing criteria if the parcels will be served by a community wastewater system.

Mayor White opened the matter for public comment.

1. Jon Remalia asked for clarification regarding lot line adjustments and what would be considered an existing lot or a new lot under the new rules.

Town Engineer/Public Works Director Schmidt stated that the Subdivision Map Act clearly regulates how lot line adjustments are processed.

2. Nick Weigel, Northstar Engineering and member of Butte County Wastewater Advisory Committee, spoke in favor of the proposed amendments, stating that he thinks this is a step in the right direction.

Agenda Item 7(a): MOTION by Titus, seconded by Lotter, (1) Waived the reading of entire Ordinance No. 512 and approved reading by title only; (2) Introduced Ordinance No. 512, An Ordinance Amending Sections 13.04.020, 13.04.050 and 13.04.110 of the Paradise Municipal Code Relating to New Parcels and Sewage Disposal Systems; and, (3) Directed staff to prepare an ordinance summary for publication. Roll call vote was unanimous.

Agenda Item 7(b): MOTION by Culleton, seconded by DiDuca, (1) Waived the reading of entire Ordinance No. 513 and approved reading by title only; and, (2) Introduced Ordinance No. 513, An Ordinance Amending Section 2.08.010 of the Paradise Municipal Code Related to Paradise Town Council Meetings. Roll call vote was unanimous. The amendment will change Town Council meeting date to the first Tuesday of the month at 6:00 p.m. Roll call vote was unanimous.

Agenda Item 7(c): None.

Following a report from Town Manager Rough regarding the creation of a temporary job classification and recruitment for an Assistant Fire Chief, Mayor White opened the matter for public comment.

1. Loren Harvey stated that we live in such a wonderful community with clear air and beautiful scenery that he thinks applicants will come here for the location and not only for the salary or for career enhancement.

Agenda Item 7(d): MOTION by Culleton, seconded by Lotter, Authorized the creation of a temporary job classification for Assistant Fire Chief, and: (1) Established the job classification of Assistant Fire Chief; (2) Approved the job description for the position; (3) Approved the salary schedule associated with the position; and, (4) Authorized staff to recruit candidates for the temporary position of Assistant Fire Chief at the Fire Chief salary range. Roll call vote was unanimous.

Agenda Item 7(e): Council concurred to appoint Mayor White and Council Member DiDuca to serve on the Town's Investment Committee comprised of the Town Manager, Assistant Town Manager and the Town Treasurer.

Agenda Item 7(f): Council concurred to authorize Mayor White, Council Member Titus and Town Manager Rough to enter into exploratory discussions with other public agencies, community groups and organizations concerning the future of the Paradise Performing Arts Center (PPAC).

8. ADJOURNMENT

Council concurred to adjourn the meeting at 8:08 p.m.

APPROVED: February 8, 2011


ALAN WHITE, Mayor


JOANNA GUTIERREZ, CMC, Town Clerk

