



## CITY OF GALT

### MINUTES

**REGULAR CITY COUNCIL MEETING**  
**Council Chambers, 380 Civic Drive, Galt, California**  
**Tuesday, August 17, 2010, 7:00 pm**

The meeting was called to order at 7:00 pm by the mayor. Council Members present: Payne, Haines, Powers, and Shelton.

Staff members present: City Manager Behrmann, City Clerk Aguire, Community Development Director Campion, Public Works Director Halladay, City Attorney Rudolph, Chief of Police Cattolico, Finance Director Kiriu, Human Resources Administrator Islas, and Parks and Recreation Director Jeffries.

**OPENING CEREMONIES** - Silent prayer was observed, the flag salute was recited and the video statement was read by the city clerk.

**AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS** - None

**PRESENTATIONS:** City Clerk Aguire gave the oath of office to Marylou Powers. Powers thanked her family and friends.

**PUBLIC COMMENTS** - The clerk announced that members of the audience could address the council on any matter which is not on the agenda but within the subject matter jurisdiction. She advised the location of the speaker sheets, asked that speaker sheets be presented to the clerk prior to addressing council and advised that each person would have a five minute time limit to speak.

John Slaughterback said he felt the appointment to council was a means to give a candidate an advantage during the upcoming election.

Chief Catollico introduced Lt. Brian Vizzusi who was replacing Ken Erickson.

**CONSENT CALENDAR** - Consisting of Items 1 through 4.

1. **SUBJECT:** Minutes of the special and regular adjourned meetings of August 4, 2010.  
**RECOMMENDED ACTION:** Accept the minutes as submitted.
2. **SUBJECT:** City of Galt Warrants.  
**RECOMMENDED ACTION:** Approve the warrants as submitted.
3. **SUBJECT:** Acceptance of public improvements for 201 Fourth Street (Aka Oddfellows or Brewster Building).  
**RECOMMENDED ACTION:** Adopt Resolution No. 2010-68 approving the final acceptance of the public improvements for 201 Fourth Street (aka Oddfellows or Brewster Building).
4. **SUBJECT:** Galt Joint Union Elementary School District Memorandum of Understanding (MOU) – State After School Education & Safety Program (ASES).

**GALT CITY COUNCIL MINUTES  
REGULAR MEETING OF AUGUST 17, 2010  
PAGE 2 OF 6**

**RECOMMENDED ACTION:** Adopt Resolution No. 2010-69 approving the MOU with the Galt Joint Union Elementary School District for the State After School Education and Safety Program (ASES) Grant for the 2010-2011 school year commencing August 23, 2010 and ending June 9, 2011.

**ACTION:** Upon a motion by Payne, seconded by Haines, the consent calendar was approved by a unanimous roll call vote.

**SCHEDULED MATTERS - PUBLIC HEARING**

1. **SUBJECT:** Galt Parks Master Plan Update/Mitigated Negative Declaration.

**RECOMMENDED ACTION:** 1) Conduct a public hearing to receive comments regarding the Galt Parks Master Plan Update and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, 2) adopt Resolution No. 2010-70 adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) prepared for the Galt parks Master Plan date; and 3) adopt Resolution No. 2010-71 adopting the Galt Parks Master Plan Update.

Kate Kirsh, Foothill Associates, gave a presentation of the Galt Parks Master Plan Update and reviewed the process. The mayor opened the public hearing. Hearing no comments, the mayor closed the public hearing.

**ACTION:** Upon a motion by Payne, seconded by Haines, Resolutions Nos. 2010-70 and 2010-71 were adopted by a unanimous roll call vote.

2. **SUBJECT:** 2009 Parks and Recreation Public Facilities Fee Updates.

**RECOMMENDED ACTION:** 1) Conduct a public hearing to receive comments relating to the 2009 Parks and Recreation Public Facilities Fee Updates; and 2) adopt Resolution No. 2010-72 approving a revised Recreation Impact Fee applicable to new development.

Victor Irzyk, Goodwin Consulting Firm, gave a presentation of the 2009 Parks and Recreation Public Facilities Fee Updates and reviewed the process. The mayor opened the public hearing.

Mike Guttridge said in 2009, one house was built with none in 2010. He discussed the price of a final map and building a home. Hearing no additional comments, the mayor closed the public hearing.

Payne said she had a difficult time supporting a fee increase for 2012 and said it would not encourage jobs through growth. She wanted to send a message to the business community that the city wanted jobs. Haines said he liked the idea of gradual growth, but wanted to revisit the issue in the future. He asked that it be brought back in 2012. Powers agreed to readdress the issue in 2012. Shelton asked what would happen if council did not increase the fees. Rudolph said there was a new study based on facilities which was a fair distribution of the costs. He said the nexus report said council could set the fee from zero to the high number in the study. He recommended adopting the resolution with the modification to establish the fee at the current level or a level which was a consensus of council. Behrmann said if council adopted the resolution without the increases included, staff would have to come back to council for an increase. Council would agree with the facilities, but not the fee increase.

**GALT CITY COUNCIL MINUTES  
REGULAR MEETING OF AUGUST 17, 2010  
PAGE 3 OF 6**

Rudolph said under section 3 of the resolution strike out the remainder of the sentence that began with “shall automatically increase...”, remove the words “through June 30, 2010” from the second column on the table and replace the single family fee to read \$8,009 and the multi-family fee to \$6,630 and strike out the third column.

**ACTION:** Upon a motion by Haines, seconded by Powers, Resolution No. 2010-72 as amended by the city attorney was adopted by a unanimous roll call vote.

**REGULAR CALENDAR**

**CITY ATTORNEY'S OFFICE**

1. **SUBJECT:** Vacancy on the City Council.  
**RECOMMENDED ACTION:** Make an appointment to fill the vacancy, take no action or provide further direction to staff.

Rudolph gave a staff report. Haines thought council did not need to appoint another member and wanted to wait until the election. Powers agreed.

Mattie Shepherd Krachunis said it was an injustice to the community to not have a full council.

Al Baldwin thought council should have all five members at 100%. He asked council to reconsider their decision.

Ted Anderson congratulated Powers. He said council was missing the point because council was representing the city and the city did not have full representation with four members. He said he was interested to serve in the interim until the election. He reviewed his history, experience and knowledge and discussed his concentration of economic development.

Shaun Farmer commended council member Haines and Power for upholding democracy. He said council was elected by the people which was part of the process. He said an appointment was cheating the public.

Mike Singleton said he disagreed with Farmer and thought council should be fully staffed. He reviewed his philosophy for council and said he was the best choice.

2. **SUBJECT:** An ordinance of the city council of the city of Galt adding chapter 2.60 of the Galt Municipal Code regarding conflicts of interest guidelines and a resolution of the city council of the city of Galt designating filing positions and creating disclosure categories for conflict of interest.  
**RECOMMENDED ACTION:** Adopt Ordinance No. 2010-06 adding chapter 2.60 of the Galt Municipal Code regarding conflicts of interest guidelines; waive further reading of the ordinance; and adopt Resolution No. 2010-67 designating filing positions and creating disclosure categories for conflict of interests.

Rudolph gave a staff report.

**GALT CITY COUNCIL MINUTES  
REGULAR MEETING OF AUGUST 17, 2010  
PAGE 4 OF 6**

**ACTION:** Upon a motion by Haines, seconded by Payne, Ordinance No. 2010-06 and Resolution No. 2010-67 were adopted by a unanimous roll call vote.

3. **SUBJECT:** An ordinance of the city council of the city of Galt repealing and replacing chapter 9.38 of the Galt Municipal Code regarding special events.

**RECOMMENDED ACTION:** Introduce an ordinance repealing and replacing chapter 9.38 of the Galt Municipal code regarding Special Events, waive further reading of the ordinance; and continue the matter to the next meeting.

Rudolph gave a staff report and explained the ordinance and exemptions.

Shawn Farmer said certain sections were unconstitutional in excluding certain business and religious affiliations. He also thought it was based on bias information and said a 30 day lead time was unreasonable.

Mary Chapman felt the same way as Mr. Farmer and said the city had no right to tell people how to run their business.

Heather Farmer said the city was making every effort to put them out of business. She said the ordinance was a ploy and the building would stay in the family.

John Henke said he was at the city two years ago regarding the same issue. He said there was one security staff person for every 75 persons. He added that they were self contained and did not need the city and government to help him. He accused the city of being anti business friendly and said the ordinance was unconstitutional.

Leslie Esparsa said it was frightening the way it was written. She was concerned on how it would affect the Grange Hall. She had a few questions that the attorney answered and said the city was not targeting businesses, but was targeting loud parties and was satisfied.

Roy Johnson was concerned about the Grange and said they had a lot of events through non-profit organizations with no charge. He said it was street parking although it never hindered traffic. He said the restrictions could put them out of business and thought the timeframe was unreasonable and the ordinance was unconstitutional.

Jennifer Coumbs said the ordinance was unconstitutional because of peaceful assembly. She recently attended a children's birthday party which would have required a permit, Boy Scout events and work projects which would have required a permit, funerals, etc. She said they were not public safety issues.

Patrice Moreno said she was very active in the community and a local real estate agent. She discussed her VIP Event Center, a new business. She was very concerned with the ordinance and how it would affect her business, Lighting of the Night parade, National Night Out, etc.

Woody said he had parties with 50-100 people and he would not get a permit.

**GALT CITY COUNCIL MINUTES  
REGULAR MEETING OF AUGUST 17, 2010  
PAGE 5 OF 6**

Payne asked about the timeframe. Behrmann said people could get a permit well in advance of 30 days and said they could also get an annual permit for funerals. Payne said she thought the ordinance was reasonable.

Mary Chapman said the police department was there if there was trouble and said the city had no right to tell people what they could do with their property.

Haines was concerned the ordinance would not be fairly enforced. He felt the thirty days might be too much and one group might be discriminated against over another group. Powers said noise and alcohol were the two big problems. She felt there should be different provisions for an event selling and serving alcohol and an event that was not. She also said time of day made a difference and security was very important when alcohol was being served.

Shelton said he thought another meeting for discussion could be in order. He asked how council felt. Haines agreed with having an additional meeting and said he would be glad to participate. There was a consensus for Shelton and Haines to attend a meeting regarding the Special Events Ordinance. Payne asked if other cities had a similar ordinance. She thought part of the problem was misunderstanding the ordinance. Council asked Behrmann to set-up a meeting regarding the ordinance and bring back the ordinance at a later date.

4. **SUBJECT:** An ordinance of the city council of the city of Galt repealing and readopting chapter 8.40 of the Galt Municipal Code regarding Noise Control Standards.  
**RECOMMENDED ACTION:** Introduce Ordinance 2010-07 repealing and readopting chapter 8.40 of the Galt Municipal code regarding Noise Control Standards, waive further reading of the ordinance; and continue the matter to the next meeting.

Rudolph gave a staff report.

Mike Guttridge said when they started to build homes, they needed to start early. Campion discussed the timeframes and Guttridge was satisfied.

**ACTION:** Upon a motion by Haines, seconded by Powers, Ordinance No. 2010-07 was introduced by a unanimous roll call vote.

**CITY MANAGER'S OFFICE**

5. **SUBJECT:** Associate Planner and Senior Planner Job Description modification  
**RECOMMENDED ACTION:** 1) Approve the proposed job description of Associate Planner/Senior Planner; abolish the two separate job descriptions of Associate Planner and Senior Planner, and change the frozen unfilled and the current filled planner positions in the Community Development Department to the Associate/Senior Planner position, and 2) approve a supplemental appropriation in the amount of \$4,590 from unallocated General Fund Reserves.

Islas gave a staff report.

**GALT CITY COUNCIL MINUTES  
REGULAR MEETING OF AUGUST 17, 2010  
PAGE 6 OF 6**

**ACTION:** Upon a motion by Payne, seconded by Powers, the proposed job description of Associate

Planner/Senior Planner was approved, the two separate job descriptions of Associate Planner and Senior Planner were abolished, and the frozen unfilled and the current filled planner positions in the Community Development Department to the Associate/Senior Planner position were frozen, and 2) a supplemental appropriation in the amount of \$4,590 from unallocated General Fund Reserves was approved by a roll call vote of council.

**COMMUNICATIONS:** None.

**ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL.**

**CITY CLERK'S REPORT:** Aguire gave a list of upcoming events.

**COMMENTS BY STAFF:** None.

**COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS**

**VICE MAYOR PAYNE:** Thanked the Cadets and James Guthmiller for their participation in the Farmer's Market.

**COUNCIL MEMBER HAINES:** Congratulated Marylou Powers.

**COUNCIL MEMBER POWERS:** Had nothing.

**MAYOR SHELTON:** Thanked everyone for attending.

There being no further business to come before council, the meeting was adjourned by the mayor at 9:38 pm.

Respectfully submitted,

Elizabeth Aguire  
City Clerk