

SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
July 19, 2017– 6:00 p.m.

Meeting was called to order at 6:00 p.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joe Franco, Mendy Schuster and Kathie Garnier.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney and Gwenna MacDonald, City Clerk.

1 APPROVAL OF AGENDA:

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve the agenda as submitted; motion carried unanimously. Ayes: Stafford, Franco, Wilson, Schuster and Garnier

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: No business.

3 CLOSED SESSION: At 6:01 p.m. the Council entered into Closed Session to discuss the following:

A CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION– Significant exposure to litigation pursuant Government Code section 54956.9(d)(2) regarding one (1) potential case

B CONFERENCE WITH LABOR NEGOTIATORS – pursuant to Government Code Section §54957.6

1 Agency Negotiator: Jared G. Hancock
 Bargaining Unit: Fire, SPOA

At 7:10 the City Council adjourned closed session.

4 RETURN TO OPEN SESSION:

At 7:11 p.m. the City Council reconvened in Open Session.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief; Dan Newton, Public Works Director; John King, Police Chief; Deborah Savage, Finance Manager; and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that prior to Closed Session, the City Council approved the agenda with no changes. The City Council met in closed session and there was direction given but no reportable action taken. The City Council voted to table one item for discussion until the next regular meeting.

5 BUSINESS FROM THE FLOOR:

Chris Cole requested information regarding the ongoing investigation related to the hiring of the Police Chief, asking for confirmation that the investigator is in no way affiliated with the City.

Jessica Ryan, City Attorney, responded that the investigation was still ongoing and no information could be shared at this time.

Mr. Cole stated that he was not asking for details regarding the investigation, just whether or not the process was conducted independently from the City. He stated that the investigation should be conducted by an

individual completely impartial to and in no way affiliated with the City. He has knowledge that the investigator was at one time represented by the attorney that the City is using for the case, and in his opinion that invalidates the whole investigation and the matter should be dropped. He asked if the investigation was solely related to the hiring of the Police Chief, and not an investigation of two members of the department.

Ms. Ryan responded that the question is definitely related to an on-going investigation and the City would not be providing a comment.

Mr. Cole stated that it was not necessary to respond because he already knows the answer, and alleges that the investigation has turned into a witch hunt against two officers who have spent 28 years and 20 years, respectfully, putting their lives on the line for the community. It has negatively affected many members of the law enforcement community and it needs to be dropped. He cautioned that the national news media is in town and is going to be getting involved. Mr. Cole asked if the City could guarantee the high moral standards and background of the Pool Director, and confirm that he has had no contact with the police department in the past 90 hours.

Ms. Ryan stated that the questions being asked are related to an ongoing investigation and asking for any comment regarding that investigation is compromising the due process and confidentiality that the individuals involved are entitled to. Anything related to personnel matters are also not going to be commented on. She requested that if the members of the public had any information that they believed to be related to the investigation, to please submit the comments to her attention in writing. Ms. Ryan informed those present that it is a very difficult situation when there is an ongoing investigation and the City and City personnel are not in a position to comment or talk about it or it harms the integrity of the process. The people who are interviewed or a part of the process are also advised not to comment, but they do not always follow that advice and it can be harmful when information is relayed about what is happening.

Mr. Cole responded that it is likely that there will be lawsuits coming that will easily bankrupt the City, and he urged the Council to take action to cease the investigation and save the City.

Denise Pickens stated that she has serious concerns regarding safety in the community. The criminal element is out of control and she no longer feels safe after dark in the parking lots at Walmart and Safeway. She said that the Police Department morale, wages, and resources are in a terrible state and now with the loss of two more officers it is just going to keep getting worse. Ms. Pickens addressed the Mayor directly and insisted on obtaining information regarding a matter unrelated to City business.

Mayor Garnier responded that she would not be providing any comments on the matter.

Stephen King local attorney, spoke regarding due process, and the justice system which is to consider an individual innocent until proven guilty.

Alexis Gold spoke regarding a family member who had been accused of wrong-doing, and the hardship it created for her family.

Keith Cordoba commented regarding issues related to crime and corruption in local government.

Chris Montgomery discussed the increase in crime in the community and the concerns related to a stronger focus on public safety. The use of drugs among the youth is increasing every day, and law enforcement

should be the priority for the City. The neighborhood watch groups are great but it takes everyone in the community working together.

Mayor pro tem Franco stated that at every meeting this is a recurring concern and he urged staff to start a dialog with the community, with other safety groups and agencies, and start moving forward to take the community back. He agreed that it would have to be a community effort.

Chris Montgomery thanked Mayor pro tem Franco for his comments, adding that it is frustrating that the criminals keep getting picked up and then they can't keep them in jail. He stated that he thinks the community pool is a great thing and his kids love it, but people are angry when they see that the City can build a pool, but their stuff keeps getting stolen because crime is out of hand.

Jessica Ryan requested that the members present who have concerns and questions to write those down, and submit to the City in writing so that they can be addressed and responded to. It takes a group effort in the community and everyone is a part of it, but working together can only happen through good communication and collaboration.

Mike Pickens commented that with great power comes great responsibility and an obligation to have great integrity.

Nicholas McBride spoke regarding economic development issues and the regional plan that was developed by the Lassen Economic Development Council. He and Councilmember Wilson were very active and involved in that process as the council representatives, and he urged the City to adopt the document as its regional plan. It was developed through input from numerous business owners and community leaders, and bringing more positive growth and businesses into the community is an important part of reducing crime.

Mayor pro tem Franco stated that he works for the Forest Service and he sees the challenges that are created through budget cuts, retirements, and general attrition that the lack of resources brings about a situation where the local agencies have to work together because no one group can solve the problems alone. It is a good time to move forward and keep the pressure on the criminal activity and send the message to them that Susanville is no longer going to be a comfortable place for them to engage in the behavior.

Mayor Garnier thanked everyone present for their comments.

6 **CONSENT CALENDAR:** Mayor Garnier reviewed the items on the Consent Calendar:

- A Approve minutes from the City Council's June 7, 2017 meeting
- B Approve vendor warrants numbered 100749 through 100877 for a total of \$771,235.59 including \$112,210.86 in payroll warrants
- C Receive and file Monthly Finance Report: June 2017

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Consent Calendar; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

7 **PUBLIC HEARINGS:**

7A **Consider approval of Resolution No. 17-5384 establishing and adopting Schedules of Fees for Services previously Resolution No. 17-5368** Ms. Savage explained that the City Council considered and adopted the 2017-2018 Schedule of Fees for Services at the May 17, 2017 meeting by Resolution No.

17-5368. The adoption of the Property Maintenance ordinance which established a Vacant Neglected Building Monitoring Program through the approval of Ordinance No. 17-1011 in June 2017 included a fee associated with vacant buildings. It is necessary to revise the previously adopted Fee Schedule to include the \$1,000 fee that is required to include a property in the vacant building program, per the terms set forth in the ordinance. Ms. Savage concluded that this was the only change to the Schedule of Fees.

Mayor Garnier opened the public hearing at 7:57 p.m. and requested comments from the public.

There being no comments, the public hearing was closed at 7:58 p.m.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to approve Resolution No. 17-5384; motion carried unanimously. Ayes: Franco, Wilson, Stafford, Schuster and Garnier.

8 **COUNCIL DISCUSSION/ANNOUNCEMENTS:** None.
Commission/Committee Reports:

9 **NEW BUSINESS:**

9A **Consider request to allow the sale of alcoholic beverages concessions at the Diamond Mountain Golf Course Club House on August 19, 2017 and authorizing the Susanville Sunrise Rotary to obtain appropriate licensing** Mr. Hancock explained that the City received a request from the Susanville Basque Club to conduct an alcoholic beverage sale at the Diamond Mountain Golf Course. The Club hosts a Picon Open Golf Tournament, which is scheduled for August 19, 2017 and Sunrise Rotary will be providing the alcohol concession at the event. City Council approval is required for the application process through the Department of Alcoholic Beverage Control. Mr. Hancock invited a representative from the Susanville Basque Club to speak.

Michelle Zubillaga discussed the tournament, and explained that the proceeds are used to fund academic scholarships for graduating high school seniors. The scholarships are not restricted to students of Basque heritage, and the Club is always looking for ways to raise money and share the Basque culture with the community. They are partnering with the Susanville Sunrise Rotary, as the club has a lot of experience with fund raising projects in the community.

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to authorize the sale of Alcoholic Beverages for the event; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Stafford and Garnier.

Councilmember Wilson announced that he would be recusing himself from consideration of the following item because the request is from one of his customers, and he exited the Council chambers.

9B **Consider fee waiver request for use of Memorial Park for Art in the Park events, July 11 – August 15, 2017** Mr. Hancock reported that the City has received a request to waive fees for the use of Memorial Park for six days in July through August 15, 2017. Ms. Rhoda Ede-Weber is a local business owner and CEO of the newly-formed Amy's Corner. She is offering art projects for the community's children to be held in the picnic area of Memorial Park. She has received a lot of interest for the classes and wants to allow as many children as possible to participate and keeping the costs down will allow her to reduce the charges for each child. She has requested City Council support by either waiving or reducing the daily park use fee of \$59.00. The total unearned revenue for the event would be \$354.00.

Mayor Garnier commented that the event is benefiting the youth in the community and that is a good thing.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to authorize a full waiver of the park use fees in the amount of \$354.00; motion carried. Ayes: Franco, Stafford, Schuster and Garnier. Abstain: Wilson.

Councilmember Wilson returned to the Council chambers.

10 **SUSANVILLE COMMUNITY DEVELOPMENT AGENCY:** No business.

11 **SUSANVILLE MUNICIPAL ENERGY CORPORATION:** No business.

12 **CONTINUING BUSINESS:** No business.

13 **CITY ADMINISTRATOR'S REPORTS:** No business.

14 **COUNCIL ITEMS:**

14A **AB1234 travel reports:**

Mayor pro tem Franco stated that the City needs to open a dialog with the community regarding crime. The opinions expressed at the pas several meetings have been a reflection of the sentiment of the people and it is important to take the first step and listen to new ideas, explore new funding options, and really move forward to address the issues of crime in Susanville. Anyone with drug or criminal ties needs to become very uncomfortable with living here and take their illegal activity elsewhere. He requested that the matter be kept at the forefront of discussions.

Stephen King, local attorney, thanked the Police and Fire personnel for their actions during the recent fire event at his building.

Mayor Garnier stated that there has recently been a van parked in front of Memorial Park, and that she drives by twice a day, sometimes three, and it appears that someone is living out of it. She requested that the police department follow up.

15 **ADJOURNMENT:**

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to adjourn; motion carried. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

Meeting adjourned at 8:18 p.m.

Respectfully submitted by

Kathie Garnier, Mayor

Gwenna MacDonald, City Clerk

Approved on: August 16, 2017