



# TOWN OF LOOMIS

ACTION MINUTES  
REGULAR MEETING OF  
LOOMIS TOWN COUNCIL  
LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

916-652-1840

[www.loomis.ca.gov](http://www.loomis.ca.gov)

<b>TUESDAY</b>	<b>SEPTEMBER 9, 2014</b>	<b>7:00 P.M.</b>
<b>CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.</b>		
<p>a. <b>CONFERENCE WITH REAL PROPERTY NEGOTIATOR.</b> Pursuant to Section 54956.9 of the Government Code:  Property: 3790 Taylor Road (currently leased to High Hand Nursery)  Agency Negotiator: Rick Angelocci, Town Manager  Under Negotiation: Price and term</p>		
<p>b. <b>CONFERENCE WITH LABOR NEGOTIATOR:</b> Pursuant to Section 54957.6 of the Government Code.  Agency Negotiator: Rick Angelocci, Town Manager  Employee Organizations: Maintenance Workers (Operating Engineers Local 39)</p>		
<p>c. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.</b> Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 case</p>		
<b>TUESDAY</b>	<b>SEPTEMBER 9, 2014</b>	<b>7:30 P.M.</b>

**CALL TO ORDER** Call to order by Mayor Wheeler at 7:40 p.m.

## PLEDGE OF ALLEGIANCE

## ROLL CALL

Present:

- Mayor Wheeler
- Councilmember Black
- Councilmember Calvert
- Councilmember Morillas
- Councilmember Ucovich

## STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.
- b. No action taken.
- c. No action taken.

## PROCLAMATIONS/RECOGNITIONS

Mayor Wheeler proclaimed Constitution Week, September 17<sup>th</sup> through the 23<sup>rd</sup>.

## MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Ucovich stated the following:

- we need to apply for "Safe Route to School" for a sidewalk on Humphrey Road by Clark Powers School on the west side of the road
- questioned if there was CMAC grants coming up this year

Brian Fragiao, Town Engineer/Public Works Director, stated the following:

- it would be cheaper and faster if staff put in the sidewalk
- when you deal with "Safe Routes to School" you are dealing with Los Angeles, San Diego, San Francisco with bigger schools and where they have areas that people are getting injured or killed

- the Town has applied five or six times and because we are asking to put something in without any injury issues, they don't look at us as a priority
- RSTP money will be coming up for road maintenance

Councilmember Black pointed out that there are trailers again on King Road next to Humphrey Road.

Councilmember Calvert asked if vacancies or any changes in the downtown business area could be put in the town report.

Mayor Wheeler stated the following:

- It is campaign time
- two years ago the sign waving at Taylor Road and Horseshoe Bar Road intersection caused great distractions and became a public safety issue
- people stepped off the curb and an adult ran across the intersection against the light in front of the kids and things got out of control
- his side and the opponent sides were there but after that night his sign wavers supported him in not going there again
- he challenged the candidates here tonight to not wave their signs at the same intersection for public safety issues
- he will also be issuing a statement to the newspaper

## TOWN REPORT

### LOOMIS CHAMBER OF COMMERCE UPDATE

Jenny Knisley stated the following:

- while she was gone Pat Brechtal spoke at the Caltrans meeting
- at one of the Placer County Economic Development meetings they talked about a Placer County Business Walk and included the Loomis Chamber (she hasn't heard anything on that yet)
- they are working on the Eggplant Festival, their shirts are done, they have their posters done and are putting them out
- they are extending the event to have a benefit concert for Peter Oakes from 6 to 10 p.m. after the Eggplant Festival

**All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.**

**Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the**

**Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.**

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is three minutes but can be changed by the Mayor.

Bill Branch, 6605 Wells Avenue, stated the following:

- he commended the mayor for raising the issue on the sign waving for all of the candidates
- he urged a little caution, if it could be kept in hand the sign waving is part of our charming small town democracy
- he suggested greater attention in how the town handles campaign signs in the right of way and maybe look into seeing how the other Towns around us handle that (Rocklin has political signs all over in the right of ways)
- if campaign signs are not going to be allowed in the right of way than all signs need to be removed such as real estate and business signs that are in the right of way too

**ADOPTION OF AGENDA:** Council will typically adopt the agenda in the order listed or modify the order in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by the following vote:

Ayes:	Black, Calvert, Morillas, Ucovich, Wheeler
Noes:	None
Abstained:	None
Absent:	None

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by the following vote:

Ayes: Black, Calvert, Morillas, Ucovich, Wheeler  
Noes: None  
Abstained: None  
Absent: None

## CONSENT AGENDA

## RECOMMENDED ACTION

- |    |                                     |                  |
|----|-------------------------------------|------------------|
| 1. | Council Minutes – 8/12/14           | APPROVE          |
| 2. | Monthly Check Register – August     | RECEIVE AND FILE |
| 3. | Statement of Activity               | RECEIVE AND FILE |
| 4. | Treasurer’s Report                  | RECEIVE AND FILE |
| 5. | Planning Status Report              | RECEIVE AND FILE |
| 6. | Update on Council Committee Reports | RECEIVE AND FILE |

## CONSENT ITEMS FORWARDED

## BUSINESS

7. **Update on Crude Oil by Rail**  
Presentation and discussion by Town Manager and Chief Bettencourt on shipments of crude oil being transported through many jurisdictions  
**Recommended action:** Receive and file.  
**Public comment:**

Chief Lawrence Bettencourt, Loomis Fire Chief, expounded on the crude oil tank cars and the four main causes for derailments, the coordination with all of the agencies that will take effect in case of a derailment, reaching a common voice from everyone, prevention is more important than reaction, enhanced training and answered questions.

John McEldowney, Program Manager with Placer County Office of Emergency Services, expounded on three Placer County Hazardous Material teams (in Roseville, the eastside of Truckee and in Bowman), first responder coordination, and answered questions.

A citizen from the audience asked what the response time was for hazmat.

Chief Bettencourt stated the following:

- about 15 minute response time for first responders
- Roseville and Rocklin have several hundred gallons of foam but they have to rotate it because of the shelf life
- the large amount of foam that would be needed would be from the Bay area which would be about a 2 hour response time

Jo-Carol Arisman, 6160 Rachel Lane, handed out a map for the Council and discussed the following:

- she discussed the crash in Canada and the statement made by the attorney for the railroad company that “the ability to inspect the track, regularly, is impossible and some areas of the track are probably never inspected”
- the map that she gave them shows where we have a gas station
- if we had a big explosion the second map shows a mile circle and what it would take in
- we would have a two to three hour response time and where she lives there is only one way out
- if the service station goes, others will go and we would be in a bad situation
- the public needs to get more involved and start looking at what is going on

Bill Branch stated the following:

- commended everyone for looking out for us
- he reminded the Council that just 10 miles down the tracks, during the Vietnam war (250 pound bombs over heated in a train car), there was an explosion in Antelope that wiped out the town

Council received and filed the information.

Recess from 8:50 p.m. to 9:00 p.m.

## 8. Gated Communities

Staff has received requests from homeowners in the Monte Claire Subdivision regarding the prohibition of gated communities in the Town's General Plan

**Recommended action:** Hear public comment and direct staff

**Public comment:**

David Andre, 5620 Monte Claire Lane, stated the following:

- there are a lot of college students in the Rocklin Manor apartments adjacent to them and they get a lot of walking traffic down their street
- they have seen an increase of activity since the Walmart was built
- they have had vehicles stolen, vandalism, and an intoxicated individual was in his backyard outside his son's bedroom
- he had things stolen from his property during the construction of his home
- he requested that the Town General Plan be amended to no longer prohibit gated communities

Jeff Mitchell, Town Attorney, stated the following:

- it's important that the public understand that this is before the Council as a first look to see if there is any desire to explore this
- Council is not being asked to decide tonight, there would have to be a public hearing process to go through

Bill Branch stated the following:

- they had an axe murderer show up by their pool one night
- they reacted by putting a gate on their property and for forty years it has protected them
- he was involved in the incorporation of the town
- one of the founding principles of the town was that there would be no gated communities
- everyone wanted the small town atmosphere and the feeling was that you can't have it if large portions of the town is gated off where their neighbors can't even go there
- an exception was granted for St Francis Woods because the project was already pending before we were incorporated, as a result one of the most beautiful parts of the Town are not even seen because the neighbors are not allowed in their
- he is concerned that a number of other subdivisions will request it (the domino effect) if you allow it for Monte Claire then others will follow

Jean Wilson, 4301 Barton Road, stated the following:

- this came about in public hearings on the General Plan
- there was a feeling that St. Francis Woods was not Loomis, it was not small town, not friendly, and not open
- the consensus at the meetings was that they don't want gated communities and Loomis was not Granite Bay
- the crime situation is not necessarily unlike other parts of town, they had a drunk person that slept in their woods one night and neighbors have had break-ins and things stolen
- they have had a camper trailer that was vandalized on their property before they built
- she was on the Planning Commission when the Monte Claire development went in and there was never a promise of having that gated
- if we allow them to have a gate, then possible Poppy Ridge, Poppy Ridge II, Montserrat side roads, High Cliff, Hunters Crossing, Hunter Oaks, Brace Ranch Estates, Rachel Estates, and this will open the flood gates
- this is a step in the wrong direction

Vic Markey stated the following:

- he has a piece of property in Sacramento that he monitors all the time because he is worried about break-ins
- a gate won't resolve everything but it will be one part of a program that will protect his home
- he has a right to protect his home and have a gate

Councilmember Calvert stated the following:

- this clearly violates the General Plan
- changing it because of one neighborhood would be a travesty to the common process
- the residents that moved in there fully knew that there would be no gate and that the apartments were adjacent to them
- amending the General Plan should only be under extreme circumstances and only to benefit the greater community and not just a couple of homes in one neighborhood
- the domino effect would definitely come into play and open up the flood gates
- she is also concerned about fire and safety response times

Councilmember Ucovich stated he would like to have the Sheriff's Department summarize the value of having gated communities and if it helps to reduce crime.

Councilmember Morillas stated the following:

- she would like to stay with the General Plan as it is, it took a couple of years of public meetings to get approved
- at those meetings the public didn't want gated communities

No direction was given, information only.

## FUTURE AGENDA ITEMS

Councilmember Ucovich asked staff to research and see if the Town has a noise ordinance.

## COUNCIL COMMITTEES

- Project Go, Inc. – Community Action Agency – Morillas/Ucovich
- Placer County Economic Development Board – Black/Wheeler
- Placer County Flood Control/Water Conservation District – Morillas
- Placer County Transportation Planning Agency – Ucovich/Calvert
- Placer County Mosquito Abatement – Russ Kelley as citizen rep
- Placer County Air Pollution Control District – Black/Ucovich
- Local Agency Formation Commission – Ucovich
- Sacramento Area Council of Governments – Wheeler/Black
- Placer Land Trust ex-officio representative – Calvert
- Borders Committee – Wheeler/Morillas
- Business Committee – Black/Morillas
- Schools Liaison – Black/Wheeler
- SPMUD Ad Hoc Committee – Wheeler/Morillas

**ADJOURNMENT** A motion was made to adjourn at 9:42 p.m. On motion by Councilmember Calvert, seconded by Councilmember Black and passed by the following vote:

**Ayes:** Black, Calvert, Morillas, Ucovich, Wheeler

**Noes:** None

**Abstained:** None

**Absent:** None

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Mayor Dave Wheeler

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Town Clerk