



TOWN OF LOOMIS

ACTION MINUTES REGULAR MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650
AND ALOFT ROGERS-BENTONVILLE
1103 SOUTH 52ND STREET, ROGERS, AR 72758
AND 5911 CRAIG COURT, LOOMIS, CA 95650
www.loomis.ca.gov

TUESDAY	AUGUST 9, 2011	7:00 P.M.
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. a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One case		
TUESDAY	AUGUST 9, 2011	7:30 P.M.

CALL TO ORDER Call to order by Mayor Morillas at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Calvert participation by telephone.
Councilmember Liss
Councilmember Scherer
Councilmember Ucovich participation by telephone.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Liss stated the following:

- there is a public meeting coming up on The Orchard at Penryn EIR
- he wants to make sure that the Town has a representative at the meeting

Councilmember Ucovich stated he would like to put on another agenda, an evaluation of the Blue Anchor Park.

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 may be limited to five minutes or less**, at the discretion of the Mayor.

Nancy Beck, 6304 David Avenue and representing the Park, Recreation and Open Space Committee (PROSC), stated the following:

- Council directed the PROS Committee to meet with the Historical Society to come up with a sign for the Blue Anchor Park
- two of the PROSC met with them and agreed with the suggestion from Beth Enright (from the Historical Society)
- she also had an example to show of a kiosk that the City of Auburn has

Mike Reagal, professional artist in Granite Bay, stated the following:

- he heard the Council might be interested in putting some artwork on the Horseshoe Bar overpass
- he has done art commissions such as some hotels and a bridge in Stockton
- he is here to let the Council know that he is available

Karen Clifford stated the following:

- she is here to address the Orchard at Penryn situation
- a year ago Council drafted a letter to the County Board of Supervisors addressing concerns for this project
- the project is coming forward with the environmental impact report and on August 29th the written material is due
- the meeting will be Thursday, August 11th at 10:05 a.m. in the Placer County Planning Commission hearing room

Councilmember Liss said he will attend the meeting on Thursday.

Rosemary Freeborn, Humane Society of the Sierra Foothills, stated the following:

- the County has a proposed ordinance revision to dangerous and vicious dogs
- a vicious dog is an animal that has done severe injury to a human being
- the proposed ordinance allows vicious dogs to be transferred and they have grave reservations for transferring animals within that category
- dangerous dogs are those that have attacked and killed other pets, they are allowed to have another chance
- we need to take a firm step with action on dangerous and vicious dogs because they are becoming more prevalent and the County doesn't properly address them as far as public safety goes
- she asked to have this item on a future agenda for discussion

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 Liss, seconded by Councilmember Scherer and passed by voice vote.

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 pulling items 7 and 8B forward for discussion. On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

- | | | |
|----|--|--------------------|
| 1. | Council Minutes – 7/12/11
6/29/10, 12/7/10 (Councilmember Calvert abstaining) | APPROVE
APPROVE |
| 2. | Monthly Check Register – July | 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. | 2010/11 Goals Update | RECEIVE AND FILE |
| 8. | <u>Cal Trans Bridge Raising Environmental Report</u>
Receive and file information. If Council Members who were unable to attend the 8/2/11 workshop have other comments please submit those to staff for inclusion in the comment letter being prepared by the Town Attorney. | RECEIVE AND FILE |

CONSENT ITEMS FORWARDED

7. Placer Sustain Agreement For Energy Project

APPROVE

Approve entering into agreement with Placer Sustain to do an energy project in the Loomis downtown at a cost not to exceed \$5000.00 and authorize Mayor to sign an agreement satisfactory to the Town Attorney.

Councilmember Ucovich asked how many businesses have signed up to have audits done and is it available for all the businesses in Loomis?

Perry Beck, Town Manager, stated the following:

- the outreach to the businesses has not been done yet, it will start on the 18th of August with Pacific Gas and Electric (PG&E)
- we needed to have a narrow project that we could get done by December 31, 2011 because a Federal Assistance with Solar will be running out at that time
- Placer Sustain is assisting to coordinate in this effort

Councilmember Liss stated the following:

- for the record, he is Chair of the Board of Placer Sustain
- on the advice of the Town Attorney, he is able to proceed to vote on the project
- since the last meeting Placer Sustain has received qualification as a tax exempt cooperation under Federal IRS rules
- the non- interest exception in Government Code 1091.5 (a)(8) should apply
- he will not receive any funds from the project
- he disclosed his relationship with Placer Sustain and will be allowed to deliberate and vote on this item

Sonja Cupler, 5630 Tudor Way, stated the following:

- she asked why this hasn't gone out to bid to anyone else that might be qualified
- we have a Councilmember and Planning Commissioners that have relationships with Placer Sustain

Quincy McCourt, 3781 Circle Drive, stated he supports this 100% as well as some of his neighbors.

Jo Carol Arisman, 6160 Rachel Lane, asked why we are spending \$5000 on Placer Sustain.

Perry Beck expounded on how the Town started working with a local group of citizens that were working on making Loomis sustainable (Placer Sustain) and pointed out that the Town is not in a position to do what Placer Sustain can do to put the program together.

Following further discussion on the matter, a motion was made to approve entering into an agreement with Placer Sustain to do an energy project in the Loomis downtown at a cost not to exceed \$5,000 and authorize Mayor to sign an agreement satisfactory to the Town Attorney. On motion by Councilmember Calvert, seconded by Councilmember Scherer and passed by voice vote, with Councilmember Ucovich voting no.

8 B. Loomis Downtown Park Project-Acceptance

ADOPT RESOLUTION

Adopt resolution accepting the Loomis Downtown Park Project constructed by Koch Excavating, Inc. and begin the one year warrantee period to cover any labor and/or Material defects.

Councilmember Ucovich stated the following:

- the contract called for colored concrete and it needs to be resolved
- on the next agenda he would like to see if all of the goals for the park have been met

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

- the concrete is mixed at the plant and they were given the exact same specs as the Depot
- when the concrete is wet you can't tell what the color will be
- Bair Construction is now putting in another segment of sidewalk and will be following the same specs as the Depot, if the concrete has color this time than we will know that the plant did not put color in the other one
- what we can do is stain the concrete to make sure it matches
- we still have a 10% retention and the money doesn't have to be released until the end of the month

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 11-15, accepting the Loomis Downtown Park Project Improvements provided by Koch Excavating, Inc., begin the one year warrantee period to cover any labor and/or material defects, and the 10% retention shall be used to ensure the color of the concrete is what was specified in the contract. On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by voice vote.

PUBLIC HEARING

9. Possible Revisions to the Town Animal Keeping Ordinance

The Town Council previously directed the Planning Commission to review the Town's Animal Keeping Ordinance. The Commission has finished their review and has forwarded their recommendations to the Council for consideration.

Recommended action: Hold public hearing and decide whether to introduce Ordinance amending current animal keeping standards and permit requirements for first reading.

Public comment:

Councilmember Liss stated that the Council's direction was to address the large parcel issue in the RS zoning districts.

Jean Wilson, 4301 Barton Road and Planning Commissioner, stated the following:

- they talked about the larger lots but there were only three of those lots and they thought the changes they made would adequately address the larger lot issue
- there was more flexibility for the pygmy goats and the potbelly pigs
- in Section 2 under the notes (4) "Guinea hens, peacocks, rooster, swans and geese are prohibited," ----she believed the intention was only in lots less than half an acre

Cynthia Walden, 3467 Humphrey Road, stated that she thought the setbacks were going to be addressed in regards to vacant non-buildable parcels and the fees on minor use permits.

Kathleen Giel, 3455 Humphrey Road, stated that she has a concern about the setbacks if more animals are allowed on the larger lots.

Rosemary Freeborn urged Council to send a letter to the Board of Supervisors regarding dangerous and vicious dogs.

Jo Carol Arisman stated that she would hate to see any animal breed taken out just because there are a few that are mean.

At 8:31 p.m. Councilmember Ucovich was disconnected from the phone.

Following further discussion on the matter, a motion was made to send this back to the Planning Commission to address the large lots and non-conforming uses in all districts and the dangerous dog issues (find out what the City of Auburn has done); and to ask staff to review the fees for animal keeping to come back with a recommendation to Council. On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by voice vote. Councilmember Ucovich was absent

BUSINESS

10. Content, Creation and Distribution Expo Update

Peter Oakes, Loomis resident, will give an update on the Content, Creation and Distribution project that he is organizing for September 16 and 17, 2011 in Loomis

Recommended action: Hear presentation and give direction to staff if needed.

Public comment:

Perry Beck gave an update on the Content, Creation and Distribution Expo and answered questions.

At 8:36 Councilmember Ucovich joined the meeting again by phone.

No public comment.

Peter Oakes arrived late but was given time to expound on the progress of the Expo and answered questions.

11. Sign Ordinance Review

At the July Meeting Councilmember Liss asked that Council review the sign ordinance. Over the last few years the Town has been more tolerant with signs of all types but primarily to allow businesses a time to experiment with signage as a means to encourage more traffic during the current economy. It may be time to re-visit code requirements especially on the non-business temporary signs popping up in right-of-ways.

Recommended action: Discuss and give direction to staff.

Public comment:

Perry Beck stated he received an email from Elden Lewis from Sierra Stair Works and read it to the Council regarding putting up directional signs from the freeway off-ramp to Swetzer Road.

Tom Seth, 5774 Mareta Lane, pointed out that the Council needs to address the signs all over the fence at the corner of King and Swetzer roads.

Sonja Cupler stated the following:

- she is a member of the Loomis Tea Party Patriots and they have been placing yard signs in areas where signs were already existing
- some of the other non-profit groups also have some signs throughout Town

Gil Martin, 7931 Boulder Creek Road in Penryn, asked if Loomis has a sign ordinance.

Councilmember Liss stated the following:

- he would like to have staff take pictures of illegal signs around Town to provide information on how we should proceed to take care of the issue
- we should focus on helping our businesses by putting in monument signs (Swetzer, Sierra College and Taylor Roads)
- directional signs to the Swetzer Business Park
- ask the Chamber if they want to play a role in helping the businesses on Swetzer Road get monument signs for their courts

Mayor Morillas pointed out that the trees along Taylor Road in front of the businesses are hiding all the signs and we should look into trimming those trees up so the signs can be visible to the public.

Councilmember Ucovich stated that we need to think about an entry sign at Sierra College/Taylor Road and how many businesses would be allowed to be put on a monument sign.

Councilmember Scherer stated the following:

- he would like to have staff come back at the next meeting with some multi-tenant monument signs, the cost of them, the placement, and the design
- he suggested having on the signs little symbols
- we need to get the people in compliance with the temporary signs throughout Loomis
- we can start with letting the businesses know that we will be removing illegal signs and replacing them with a sign program

Staff has direction.

12. Volunteer Projects

At the July meeting Councilmember Liss asked that Council discuss volunteer projects at a Subsequent meeting. The idea is to have a project list that can be circulated to groups and individuals identifying projects that volunteers might do.

Recommended action: Discuss and give direction to staff.

Public comment:

Sonja Cupler stated the following:

- she would be more than happy to take this list to the Loomis Tea Party Patriots Group
- she doesn't believe code enforcement and sign enforcement should be done by volunteers

Theresa Macintosh, 2315 Newcastle Road in Newcastle, stated the following:

- the youth in her church are always looking for service projects and Eagle Scout projects in our community
- they have many volunteers and her church is very interested in doing large and small service projects every year
- it would be nice to have a list, online, of projects that can be done by volunteers and a contact person

Cindy Walden pointed out that the Placer County Sheriff's have a volunteer Star program and there are other programs that may help with code enforcement and removing signage.

Jo Carol Arisman questioned if the Town had liability insurance on these volunteers.

Roger Smith, Newcastle, pointed out that the kids that go to jail need to be put to work and community service would be good for them.

Jean Wilson stated that Del Oro is looking at dropping their senior projects but they may be looking at having them do community service.

COMMITTEE REPORTS

13. Placer County Community Services Commission - Calvert
14. Placer County Economic Development Commission – Liss
15. Placer County Flood Control/Water Conservation District – Morillas
16. Placer County Transportation Planning Agency – Ucovich
17. Placer County Mosquito Abatement – Kelley as citizen rep
18. Placer County Air Pollution Control District – Ucovich/Morillas
20. Local Agency Formation Commission (alternate) - Ucovich
21. Sacramento Area Council of Governments – Scherer/Liss
22. Placer Land Trust ex-officio representative – Scherer
23. Borders Committee – Morillas/Liss
24. Business Committee – Morillas/Calvert

ADJOURNMENT

Mayor Morillas stated there was no further business and adjourned at 9:32 p.m.

Mayor

Town Clerk