

**KINGSBURG CITY COUNCIL  
SEPTEMBER 7, 2016  
REGULAR MEETING MINUTES**

Invocation was given by Pastor Jim Collins of First Baptist, followed by the Pledge of Allegiance led by Mayor Bruce Blayney.

**6:00 P.M. REGULAR MEETING**

**Called to order:** Mayor Blayney called the Regular Meeting to order at 6:02pm.

**Council Members present:** Ben Creighton, Staci Smith, Michelle Roman, Sherman Dix and Mayor Bruce Blayney.

**Council Members absent:** None.

**City Staff present:** City Manager Alex Henderson, City Attorney Michael Noland, Finance Director Maggie Moreno, Public Works Director Darren Hays, Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal and City Clerk Abigail Palsgaard.

**Public Comments:** None.

**Approve Agenda:** A motion was made by Council Member Dix, seconded by Council Member Roman, to approve the agenda as published. The motion carried by unanimous voice vote.

**Consent Calendar:** A motion was made by Council Member Smith, seconded by Council Member Dix, to approve the Consent Calendar as published. The motion carried by unanimous voice vote.

1. **Approval of City Council Minutes** – Approve the minutes from the August 16, 2016 Joint Workshop and the August 17, 2016 City Council Meeting as prepared by City Clerk Abigail Palsgaard.
2. **Check Register**– Ratify/approve payment of bills listed on the check register for the period July 28, 2016 through August 31, 2016 as prepared by Accounts Payable Clerk Grace Reyna.
3. **Treasurer’s Report**– Approve the Treasurer’s Report as of July 31, 2016 as prepared by Finance Director Maggie Moreno.
4. **Labor Management Workers’ Compensation Alternative Dispute Resolution Agreement Between the City of Kingsburg and the Kingsburg Police Officer’s Association-** Staff Report prepared by City Manager Alex Henderson.
5. **Labor Management Workers’ Compensation Alternative Dispute Resolution Agreement Between the City of Kingsburg and the Kingsburg Firefighter’s Association-** Staff Report prepared by City Manager Alex Henderson.

6. **Award Sierra Street Reconstruction & 6th Avenue Drive Rehabilitation – Federal Project No. STPL 5170 (043) & (049).** Staff Report prepared by Dave Peters.
7. **Claim Rejection-** Reject Claim No. FR96909 submitted by Kristin Perez on August 11, 2016. Staff Report prepared by City Clerk Abigail Palsgaard.

**Pulled Consent Calendar Items: None.**

## **REGULAR CALENDAR**

### **Introduction of Ryan Boyd, Todd Walters and Rick Gordon- New Public Works Employees**

Public Works Director Darren Hays said he would like to thank Finance Director Maggie Moreno and City Manager Alex Henderson for the viable budget which allowed the department to have two new hires. Mr. Hays introduced Todd Walters and Rick Gordon and said he is pleased with their performance so far.

### **PUBLIC HEARING – Adopt Resolution 2016-048 adding the approved changes to the City of Kingsburg Capital Facilities Fees/Development Impact Fees, set at the February 17, 2016 Public Hearing, to the Master Fee Schedule.**

Public Hearing Opened at 6:07pm.

City Manager Alex Henderson said this is a formal adoption of the fees approved regarding the City's impact fees program approved previously. Staff recommending adoption of the fees

Council Discussion Opened at 6:08pm.

Council Member Dix said it is a great thing we got this done as we see development plans for the future coming in and we do not to be underfunded.

Public Comment Opened at 6:09pm.

Close Public Comment at 6:09pm.

Continued Council Discussion Opened at 6:09pm.

Close Public Hearing at 6:09pm.

Council and Staff discussed the change in wording in the resolution and that certain fees are specifically identified.

A motion was made by Council Member Roman, seconded by Council Member Smith, to adopt Resolution 2016-048 adding the approved changes to the City of Kingsburg Capital Facilities Fees/Development Impact Fees, set at the February 17, 2016 Public Hearing, to the Master Fee Schedule. The motion carried by unanimous voice vote.

### **PUBLIC HEARING – Ordinance Amending Section 6.04 of Title 6 of the Kingsburg Municipal Code Regarding Dogs and Other Animals.**

Public Hearing Opened at 6:11pm.

Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal presented that the new ordinance addresses the noise complaint, the number of animals and other concerns brought forward at the August 17, 2016 council meeting.

Council Discussion Opened at 6:13pm.

Mayor Blayney voiced that he has been approached with concerns about microchipping. Council Member Creighton asked how we will enforce the microchipping of dogs.

Mayor Blayney said the police are not going to be going around listening for barking dogs. If the dog is defending its territory or responding to people walking by, police will not provide warning or citation. He said they will only issue a citation if the complaining party will sign and if they have evidence it is going on. The police officers will try to remedy the situation by speaking to the animal owner. If the animal owner doesn't remedy the situation, then they will have to do enforcement. Mayor Blayney explained how the fines worked with in a 12 month period.

Council Member Dix asked what is the current noise violation and fine. Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal said it is a penal code violation.

Council Member Roman said she received a message from Citizen Marcella Tau who voiced that the reason to have dogs is for security, she agrees. She said that is not what we are discussing here. Police officers would notify the animal owner first before enforcing the barking dog section.

Ms. Winslow-Schmal said yes, the animal owner may not know that their dog is barking while they are away from home or in a similar situation. The officers do not want to issue a ticket, they will want to work it out for it to be resolved.

Council Member Creighton said he wants to have a discussion of real world scenarios. Citizens have reached out about being arrested for having a barking dog.

Council Member Dix asked about removing the dog from the city limits. City Manager Henderson said the ordinance addresses all violations (penalty section). If you have 3 barking dog citations then you will have to remove the animal on the 4<sup>th</sup>.

Council Member Creighton asked if all of these items are complaint base. Mr. Henderson said yes, most of these are by complaint cases. We are not going to change the way we do it, there is just fines now and an end game if the problem is not remedied.

Council Member Creighton asked if the rest of council is in agreement of removing the wording in regards to the microchipping of cats. There was agreement.

Public Comment Opened at 6:33pm.

Mark Jones, 1891 21<sup>st</sup> Ave., spoke about cats and dogs being dropped off in the country. He is for the ordinance and the fixing of cats. He said he would like to volunteer to help animals.

Jodi Brinkman, 2750 14<sup>th</sup> Ave, had an incident with 3 stray dogs who were aggressive. She asks that the City work on having a better solution for citizens who contain stray dogs.

Jan Isumaru, Park Place, concerned about how new residents will be notified of the animal code to ensure they can follow the rules.

Brenda Prado, 630 12<sup>th</sup>, has an issue with dogs at large, it is a major problem. She asked how the City will keep track of how many times a dog is found to be at large.

City Manager Henderson said if police cannot catch the dog or does not see it, a resident can sign the citation as the victim. Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal said right now the City has to have possession of the dog for an at large call citation. Ms. Prado said she is concerned because the animal is usually gone by the time an officer arrives. Council Member Roman thanked her for her volunteering.

Michelle, representing the Mayor from Parlier, asked about the licensing of animals. Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal said it is a State Law.

Margie Smith, 641 12<sup>th</sup>, asked if the animal control officer will know proper procedures of handling dogs. She wanted to make sure they get the proper training for the officer's safety. She is worried about stray dogs attacking people.

Mayor Blayney said we are doing everything we can to expand our police force. We are trying to put together a way to provide additional public safety funding.

Margie Smith is worried about bitter neighbors. She said the controversy against microchipping is that some owners are against it because their animals are their property.

Close Public Comment at 7:11pm.

Continued Council Discussion opened at 7:11pm.

Council Member Roman spoke about citizens needing to register their dog. She is not sure if everyone knows that they need to do this. She wants to know if we can partner with a vet to inform dog owners about registering their dogs.

City Manager Henderson said he has had a conversation with the vet recently, and is working with them to push them toward city hall.

Council Member Dix spoke about an experience with their neighbor's barking dog. He is worried about people not getting enough notice.

Mayor Blayney said it is up to the police officer. Council Member Creighton said without mandatory microchipping it is impossible to enforce.

Brenda Prado, asked about mandatory spaying and neutering and why is it not in the ordinance. City Manager said he spoke to Valley Animal Center and Second Chance, and that some people are already upset with microchipping.

Council Member Roman asked about foster dogs and if they needed to be licensed if there are only here a short period of time.

Community Services and Senior Citizens Coordinator Ashlee Winslow-Schmal said even if they are here for a short period of time they should get a license. It is the best and easiest system to return the dog to family.

City Manager Henderson said it is important to note in regards to loose dogs in town, he and Council Member Roman has met with Second Chance and Valley Animal to work on getting the loose dog solution solved. This ordinance is one step in the right the direction.

Public Hearing Closed at 7:29pm.

A motion was made by Council Member Creighton, to waive the first reading and introduce Ordinance No. 2016-004 Deleting Section 6.04.050 And Adding Section 6.04.170 To Chapter 6.04 Of Title 6 Of The Kingsburg Municipal Code, and pass to a second reading with the following recital constituting reading of the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG  
AMENDING CHAPTER 6.04 TO TITLE 6 OF  
THE KINGSBURG MUNICIPAL CODE”

With the amending of the ordinance to remove the regulation of microchipping cats, seconded by Council Member Smith. The motion carried by unanimous voice vote.

### **Southeast Regional Disposal Site Financial Forecast.**

City Manager Alex Henderson said the City of Kingsburg is a partial owner of a closed disposal site which hasn't been in operation since 1990. As of right now there is a surcharge on every ton collected and that has covered the cost of maintaining the site.

Mayor Blayney said the site is the Dinuba Ave. dump. Landfills were closed and a part of the disposal fees go to take care of the site. The State has changed the rules and there will more additional costs with more studies and modifications. The cash flow shows they will be out of money in 3 years. The JPA agreement says the Board has the authority and is binding to make rules upon all of the members. They will add the charge in the next year in a half. Fresno County graciously offered to take the allocation based on the number of citizens. They are offering to give us a better deal. Council discussed the fiscal impact.

### **Council Reports and Staff Communications**

#### Community Services Commission

Council Member Roman said they are still talking about the skate park. They met with the American Ramp Company where they discussed designing a skate park. The American Ramp Company will be back in September 14<sup>th</sup> at 5:30pm to discuss how to design the skate park in a meeting open to the public. They are working on getting additional funding and there has been positive feedback from people who would like to purchase a brick around it.

#### Public Safety Committee

Council Member Creighton said they will meet next week.

#### Chamber of Commerce

Council Member Smith said the Chamber meets next Tuesday. They are still accepting applications for executive director.

#### Economic Development

City Manager Henderson said they will be meeting later this month. He has been meeting business owners regarding use of their space downtown.

#### Finance Committee

Mayor Blayne said they met 8/23/16 regarding excess fund investments. They also discussed funding for public safety. The committee is going to present a good viable project. He said one option is a partial tax, one is a sales tax. Will probably go down the partial tax.

#### Planning Commission

Mayor Blayne said they will meet tomorrow night at 6pm.

#### City Manager's Report

City Volunteer Davit Jintcharadze introduced himself and spoke about his country, The Republic of Georgia. He said he is here to learn and share knowledge regarding The Republic of Georgia and build friendships with America.

#### **Other Business as May Properly Come Before the City Council**

Council Member Roman reminded about the Harvest Moon and Jazz Festival and also the Train Depot Grand Opening on September 24<sup>th</sup>. She said the ribbon cutting is at 4pm, and the festivities begin at 12pm.

#### **Adjourn Regular Kingsburg City Council Meeting**

Kingsburg City Council Regular Meeting was adjourned at 7:55pm.