

**KINGSBURG CITY COUNCIL
REGULAR MEETING
FEBRUARY 20, 2019**

6 P.M. REGULAR SESSION MEETING:

Invocation was given by Pastor PJ Lewis of The Well Kingsburg, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

Call to Order and Roll Call - At 6:03PM the Kingsburg City Council meeting was called to order.

Council Members Present – Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North and Mayor Michele Roman.

Council Members Absent – None

Staff Present – City Manager Alex Henderson, City Attorney Michael Noland, Finance Director Alma Colado, Community Services Director Adam Castaneda, and Planning Secretary Mary Colby.

Public Comments: Colby Wells, Public Affairs Manager for Southern California Gas Company, updated the City Council on the natural gas situation in California.

Todd Thompson, residing at 2871 22nd Court, said that he walks his dogs on Madsen Avenue every day. He said that traffic has increased, and trucks are parking on the side which narrows the street and obstructs Traffic. He said that at the Kamm and Academy right turn lane there is a delivery van parked there quite often. He said that we need dog bags and that this is not a very dog friendly town. Dog owners need to be able to clean up after their pets if they forget their bag.

Approve Agenda: Council Member Dix made a motion, seconded by Council Member Palomar, to approve the agenda, as published. The motion carried by unanimous voice vote.

Consent Calendar: Council Member North asked that Item No. 4.3 be pulled. Council Member Dix asked that Item No. 4.4 also be pulled.

Council Member Hurtado made a motion, seconded by Council Member Dix, to approve the Consent Calendar except Nos. 4.3 and 4.4 which were pulled. The motion carried by unanimous voice vote.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the February 6, 2019 Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.
- 4.2 Check Register:** Ratify/approve payment of bills listed on the check register for the period January 30, 2019 through February 13, 2019 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 Pulled**
- 4.4 Pulled**
- 4.5 Adopt Resolution 2019-016** -A Resolution of The City Council of The City of Kingsburg Declaring City Equipment Surplus

Pulled Consent Calendar Items:

- 4.3 First Reading of the Sidewalk Vending Ordinance 2019-002-** Staff report prepared by City Clerk Abigail Palsgaard. Waive first reading and introduce Ordinance No. 2019-002, An Ordinance of the City of Kingsburg Adding Chapter 5.40 To Title 5 of the Kingsburg Municipal Code Regulatory Sidewalk Vending and pass to a second reading with the following recital constituting reading the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG ADDING CHAPTER 5.40 TO TITLE 5 OF THE KINGSBURG MUNICIPAL CODE REGULATORY SIDEWALK VENDING”

Council Member Dix asked if this will include the Chamber events. City Manager Alex Henderson said that this is specifically related to the action at the State level.

A motion was made by Council Member North to approve Consent Calendar Item No. 4.3. The motion was seconded by Council Member Palomar and carried by unanimous vote.

- 4.4 Second Reading and Adoption of Ordinance 2019-001-** Waive the second reading and adopt Ordinance No. 2019-001, An Ordinance Of The City Of Kingsburg Amending Title 17 - Zoning, Of The Kingsburg Municipal Code, Pre-Zoning Real Property From Fresno County's Ae-20 Zone District (Exclusive Agriculture, 20-Acre Minimum) To Kingsburg's R-1-7 Zone District (Single-Family Residential, One Unit Per 7,000 Square Feet) with the following recital constituting reading the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG AMENDING TITLE 17 - ZONING, OF THE KINGSBURG MUNICIPAL CODE, PRE-ZONING REAL PROPERTY FROM FRESNO COUNTY'S AE-20 ZONE DISTRICT (EXCLUSIVE AGRICULTURE, 20-ACRE MINIMUM) TO KINGSBURG'S R-1-7 ZONE DISTRICT (SINGLE-FAMILY RESIDENTIAL, ONE UNIT PER 7,000 SQUARE FEET)”

Council Member Dix said that there is a lot of concern about the types of housing going into this development. He said that these are to follow the guidelines in the North Kingsburg Specific Plan (NKSP). He said that we want to ensure that the quality of construction and design are in keeping with the NKSP. City Manager Alex Henderson said that, in addition to the NKSP, there is the Anderson Village Specific Plan they will have to follow.

A motion was made by Council Member Dix, seconded by Council Member North, to approve Item No. 4.4 of the Consent Calendar. The motion carried by unanimous voice vote.

Regular Calendar

HEARING ON APPEAL OF ADMINISTRATIVE CITATION REGARDING REAL PROPERTY LOCATED AT 590 TENTH AVENUE, KINGSBURG, CALIFORNIA- Staff report prepared by City Attorney Michael Noland

Public Hearing Opened at 6:16 PM

Presentation by City Staff – City Attorney Michael Noland gave a brief overview of the content of the citation. He said that Mr. and Mrs. Ziegel will present their appeal to the City Council.

Presentation by Building Owner and Others Attending the Hearing -

Dean Ziegel who lives at 590 10th Avenue, said that he brought Chris and Laurie, realtors when they purchased the property. The containers have been in place for five years. He would like the Council to consider allowing us to keep the containers on the property. The City is inconsistent in enforcement. His is not the only residence with containers on the property. We have lost \$100,000.00 worth of property due to theft which has all been reported to the Police Department.

Chris, the real estate broker representing Dean in purchase of property said that he did extensive research on the property and was told that storage containers would probably be all right in that area. There is only one neighbor that has a problem with the container. There was a map showing the property as agricultural.

There was a discussion between City Attorney, Chris and Dean regarding zoning of the property.

Council Member North asked for the approximate date the containers were placed on the property. March of 2015

City Attorney Michael Noland said that another building could be constructed but not large enough to enclose the two storage containers.

Council Discussion

City Attorney Michael Noland – The map that is in packet is correct. The color of parcels should continue to 10th Avenue.

The Council discussed the issue with removal of third container and alleged discussion with Code Enforcement. After that conversation, staff went back and reviewed the Municipal Code and determined other containers must be removed.

The code provides an appeal process. The City did not have an appeal form. This was produced and provided to Mr. Ziegel.

The City has only one Code Enforcement Officer who is also the Building Official. Our Code Enforcement is on a complaint basis. The City does not have enough staff.

A variance was discussed. Mr. Ziegel can apply for a variance, but staff is not sure that there is enough evidence to support the variance be granted. Mr. Ziegel is welcome to proceed.

Realtor Chris objected that the zoning map is incorrect and has been changed on the website.

Council Member Palomar said that he does not object to the containers.

The City Attorney advised that if a variance is applied for, it will go to the Planning Commission.

Council Decision on Appeal of Administrative Citation

Council Member Dix made a motion, seconded by North to deny the appeal by Dean Ziegel to allow the storage containers to remain on the property. The motion carried by unanimous voice vote.

PUBLIC HEARING TO CONSIDER APPROVAL OF A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KINGSBURG AND THE HOUSING AUTHORITY OF FRESNO COUNTY BY THE KINGSBURG CITY COUNCIL-

Open Public Hearing – At 7:02pm Mayor Roman opened the Public Hearing.

City Attorney Michael Noland gave a brief overview of the development agreement between the City of Kingsburg and the Housing Authority of Fresno County. Fresno County is requesting cap facilities and development impact fees be paid with a soft loan over 180 months.

City Council Discussion- None.

Open for Public Comment – At 7:05pm Mayor Roman opened the Public Comment.

Michael Duarte, The Housing Authority of Fresno County, said a soft loan is typical in the mortgage industry, no mandatory payments, all based on cash flow for development. He is working with the County and secured some financing through them.

City Attorney Michael Noland said the soft loan will accrue interest at an appropriate rate.

Todd Thompson, resident, asked if there are renderings available. He inquired the criteria for low income seniors.

Close Public Comment- At 7:11pm Mayor Roman Closed the Public Comment

Continued City Council Discussion- None.

Close Public Hearing – At 7:12pm Mayor Roman closed the Public Hearing.

Council Member Hurtado made a motion, seconded by Council Member North, to approve the First Amendment to The Development Agreement Between The City Of Kingsburg And The Housing Authority Of Fresno. The motion carried by unanimous voice vote.

Special Event Application Discussion

Community Services Director Adam Castaneda readdressed the special event application that was first presented in January. He contacted other cities regarding their event applications as directed by Council. Staff recommendations incorporating a tiered system for types of organizations that can close down streets. Staff also recommends changing a portion of special event application to charge vendors that participate. Community Services Director Adam Castaneda said we can control the use of the park as far as commercial sales due to the fact we have to maintain the public aspect of the parks.

Todd Thompson, resident, asked why are we doing any events except through the Chamber. Nancy Thompson, resident, asked are we talking about non profits that are not members of the chamber.

Jolene Polyack, Economic Development Consultant, asked if there is an opportunity to encourage more involvement with these non-chamber vendors. She spoke about local business on Draper conducting a promotion themselves.

Council directed staff to bring back the special events application to a future meeting for further discussion and invite the Chamber representatives to attend.

APN 396-091-01 (Old Stone Hotel) Property Agreement To Construct Mixed Use Residential Project

City Manager Alexander Henderson presented a power point presentation of the history of the Stone Hotel Property and the planned development at that location.

Council discussed a timeline for building, elevations in accordance of the Form Based Code, the angle of building in relation to the corner and an addition of a marquee on the building.

Efrain Yanez, property owner, stated he is very excited to build the Stone Plaza.

Council Member Dix made a motion, seconded by Council Member North to approve the Agreement to Construct Mixed Use Residential Project for APN 396-091-01 (Old Stone Hotel Property). The motion carried by unanimous voice vote.

Crime Statistics Report for the Month of January 2019 and General Police Department Update

Police Records Supervisor Corina Padilla presented power point regarding the NBIRS new reporting system that California is going to implement by 2021. Police Records Supervisor Corina Padilla compared Kingsburg statics with other communities.

Informational- No Action Necessary

Council Reports and Staff Communications

Community Services Commission: Council Member Hurtado said they will meet next Thursday.

Public Safety Committee: Council Member Palomar stated that they have not met.

Chamber of Commerce: Council Member North said they met a week ago Tuesday. The Chamber discussed the Farmers Market, no consensus, will continue as an agenda item for discussion. Opportunity to partner with a local business with plans to conduct an event and close down part of Draper St. Event is in March they voted to deny that partnership opportunity. Mobile food vendors were discussed. The contract between the City and the Chamber was discussed and agreed upon. They discussed partnerships, the contract with City clearly outlines the Chamber events the opportunity above did not fall within those guidelines.

Economic Development: City Manager Alexander Henderson said they have not met, the Woods building has a letter of intent and submitted initial plans. Magosh Brewery is moving forward behind Morgan's Flooring. Hope to be semi-brewing by the Car Show.

Finance Committee: City Manager Alexander Henderson said they will meet next Tuesday.

Planning Commission City Manager Alexander Henderson said they did not meet in February.

City Manager's Report: Wayfinding projects have been given notice to proceed.

Other Business that may come properly before the City Council

Mayor Roman stated that on March 11th from 1pm to 3pm SKF will be doing their sexual harassment training. Staff can attend for free. Mayor Roman was made Chairman of the Board for SKF.

Future Agenda Items

None.

The Kingsburg City Council Regular Meeting was adjourned into Closed Session at 8:26pm.

CONFERENCE WITH LABOR NEGOTIATORS

California Government Code Section 54957.6

City Designated Representative: Alexander Henderson

Employee Organization: Kingsburg Professional Firefighters Association (KPFA)

Public Employee Evaluation – Government Code Section 54957

Title: City Manager

The Close Session was adjourned into Regular Kingsburg City Council Meeting at 9:30pm.

City Attorney Michael Noland stated there was no report out.

The Regular Kingsburg City Council Meeting was adjourned at 9:30pm.

Submitted by:

Abigail Palsgaard, City Clerk