

Call To Order

The regular council meeting was called to order at 6:30 p.m. by Mayor Frith. Vice Mayor Sheppard, Council Members Busch and Thompson were present. Council Member Arnold was absent. Staff present: City Administrator Mark Sorensen, City Attorney Greg Einhorn, City Engineer Steve Speights, City Planner Scott Friend and City Clerk Roben Dewsnap.

1. **COMMUNITY PARTICIPATION:** Resident Mary Frith asked council to consider installing a “no u-turn” sign at the intersection of Fifth Street and C Street. She stated the pavement was lifting due to delivery trucks making u-turns there.
2. **PRESENTATION:** Mayor Frith presented a proclamation to Jerry Long for his service to the citizens of Biggs as Fire Apparatus Engineer for the City of Biggs Fire Department.
3. **NEW BUSINESS:**

A. BCAV (Biggs Community Action Volunteers) Request to Utilize Library Basement.

City Administrator Mark Sorensen stated BCAV requested to utilize the basement of the Biggs library for storage. A sample use agreement had been provided to council.

BCAV representative Mary Frith gave a brief history of BCAV. She did not agree with the proposed agreement that was presented regarding liability. BACV members Kelly Graham, Mike Hudson, Kari Wheeler and Mel McLaughlin also stated their concerns about the agreement wording.

Mayor Frith asked council if they would allow BCAV to use the basement of the library for storage. If a property use agreement was necessary for BCAV, should all organizations utilizing city owned property abide by the same terms?

Mr. Sorensen stated this is a common facilities agreement and was merely a suggested format.

City Attorney Greg Einhorn stated the intent of the agreement was to be sure the use of the property was clearly specified as well as control and access.

Council concurred the agreement was too formal and restrictive.

Council agreed with the concept of the library use but did not support the agreement as drafted. Mr. Sorensen would meet with other organizations that would be using the facility and come back to council with new agreement.

B. Fence Location.

Mr. Sorensen stated home owner Tammie Loftin wished to address Council about the placement of her fence.

Ms. Loftin informed council she had recently replaced her fence at 419 E Street and soon after received a letter from the City informing her the fence was too close to the sidewalk and was too high for a front yard. She stated the E Street side of her house was used as the back yard rather than the front yard and her fence matched the neighbor's existing fence. She was asking council to allow her to leave the fence where it was currently located. Ms. Loftin informed council Vice Mayor Sheppard was a cousin in case he would need to recuse himself from discussion.

City Planner Scott Friend stated the issue here was the City code does not allow fences over four feet in height in a front yard area. Regardless of where the front of Ms. Loftin's house was, there were still infractions; the fence is on City property and to close to the sidewalk. The code section on exceptions does not address this issue, and this issue does not meet the requirements for a variance.

Mayor Frith asked what the setback was and if there a line of sight issue.

Mr. Friend stated the setback was one foot behind the sidewalk and there was a safety concern with the line of sight.

Mr. Friend informed Ms. Loftin that no action could be taken tonight but the City would continue to work with her on the issue.

Mayor Frith suggested that any fence inquiries should be sent to the planner for review.

4. PUBLIC HEARINGS:

- A. City Planner Scott Friend stated this item was a follow-up to the May Public Hearing on the Zoning Code Amendment ZCA2013-01.

Mr. Friend stated a new item #11 had been added to the code specifically addressing when and how the City will take action to address fences located on public property or where fences obstruct public safety features or present a public safety hazard.

He asked to strike the words "posts or deteriorating cross-supports" under (1) paragraph two.

Mayor Frith opened the hearing to the public.

Proponent – None.

Opponent – None.

Mayor Frith closed the hearing to the public.

Mayor Frith suggested all fence modifications should require a review.

Mr. Friend suggested continuing the public hearing next month and add to the code a clarity statement suggesting all fence modifications need a review.

Motion/Second to continue the public hearing to the next regular council meeting.
(Frith/Thompson, MCU; Absent: Arnold)

5. CONSENT CALENDAR:

- A. Approval of Council Minutes for Regular Meeting of May 14, 2013.
- B. Approval of warrants: #8361– 8372; Z00837 – Z00853, and 27116 – 27196 for the month of May 2013 in the amount of \$374,875.19.
- C. Acknowledge receipt of Accountant's Compilation Report and Monthly Cash and Investments Report for April 2013.
- D. Acknowledge receipt of Biggs Fire Department Report for May 2013.

Motion/Second to approve the consent calendar as presented. (Thompson/Busch, MCU; Absent: Arnold)

6. DEPARTMENT REPORTS:

A. Planning:

1. Mr. Friend gave a brief review of the Planning Activity Report included in the agenda packet.
2. Temporary Occupancy of Manufactured Homes and Recreational Vehicles Code Amendment. Mr. Friend stated this item was held over from the last council meeting for more discussion. Council had asked that the code separate the topics of the occupancy of Manufactured Homes from the topic of the temporary occupancy of recreations vehicles.

After council discussion, Council agreed to keep the days of occupancy as they currently were, separate recreational vehicles from mobile homes and remove the rent prohibition for the non-residential district.

B. Engineering:

1. City Engineer Steve Speights reviewed the Department Activity Report which included the Sixth Street Bridge Project and the Wastewater Treatment Plant Phase 1 Design and Funding. He discussed the MUN Study and asked if council was interested in participating in the study. Council concurred they were interested in Mr. Speights investigating the MUN Study.
2. Mr. Speights asked council to approve submittal of an application for funding to USDA by resolution.

Motion/Second to approve Resolution No. 2013-19 by reading of title only, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING AN APPLICATION FOR FUNDING THE WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT PHASE 2 FROM THE USDA, RURAL DEVELOPMENT WATER AND WASTEWATER DISPOSAL LOAN AND GRANT PROGRAM." (Frith/Thompson, MCU; Absent: Arnold)

3. Mr. Speights asked council to approve the application for financing under the State Revolving Fund Program of the State Water Quality Control Board by resolution.

Motion/Second to approve Resolution No. 2013-20 by reading of title only, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS APPROVING REVISED PROJECTED SEWER ENTERPRISE OPERATING BUDGETS FOR CLEAN WATER STATE REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT UPGRADE - PHASE 1." (Frith/Sheppard, MCU; Absent: Arnold)

C. Public Safety.

Chief Mike Brown informed council the city's current fire engine was 13 years old with 100,000 miles. He would be coming back to ask council if they wanted to retain or sell the current engine.

D. Sutter Butte Flood Control Agency (SBFCA). No report.

E. Pubic Works. This topic was already discussed.

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F. Electric. Mayor Frith gave a report on electric issues.

G. BCAG. Council Member Busch reported on the BCAG meeting he attended.

Council Member Busch reported he would not be attending the July council meeting, the BCAG meeting on June 27th or the SCORE meeting on June 28th.

H. Air Quality. No report.

I. Solid Waste. No report.

J. Mosquito Abatement. No report.

K. Other commission reports. Council Member Thompson stated the 4th of July Celebration was coming along nicely. She had requested the County place no parking signs on Rio Bonito on the 4th of July.

Resident Mary Frith informed council that National Night Out was scheduled for August 6th.

L. City Administrator:

1. City Administrator Mark Sorensen asked council to consider authorizing the purchase of environmental services for 3069 Eighth Street.

Motion/Second to approve purchase of environmental services from Hanover Environmental Services, Inc. for 3069 Eighth Street not to exceed \$4,500.
(Sheppard/Thomson, MCU; Absent: Arnold)

2. Mr. Sorensen presented the preliminary 2013-2014 budget to council.

Council agreed to meet Monday, June 17th at 11 a.m. to further discuss the budget.

7. INFORMATIONAL: None

8. ADJOURNMENT: The meeting was adjourned at 9:48 p.m.

ATTEST:


Roben Dewsnap, CITY CLERK

APPROVED:


Roger L. Frith, MAYOR