TOWN OF LOOMIS

ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650 AND
5777 CENTURY BOULEVARD, SUITE 1555, LOS ANGELES, CA

TUESDAY	DECEMBER 13, 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 REAL PROPERTY NEGOTIATOR:** Pursuant to Section 54956.9 of the Government Code.
Property: APN 044-111-001, 3750 Taylor Road, Town of Loomis owned property (currently leased to High Hand Nursery)
Negotiator: Rick Angelocci, Town Manager
Under Negotiation: price and terms

b. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:** Pursuant to Section 54956.9 of the Government Code.
Property: APN 044-133-002, 3790 Taylor Road, Placer County owned property (currently leased to High Hand Nursery)
Negotiator: Rick Angelocci, Town Manager
Under Negotiation: price and terms

TUESDAY	DECEMBER 13, 2011	7:30 P.M.

CALL TO ORDER **Call to order by Mayor Morillas at 7:33 p.m.**

PLEDGE OF ALLEGIANCE

ROLL CALL
Mayor Morillas
Councilmember Calvert
Councilmember Liss
Councilmember Scherer participated by telephone at 7:37 p.m.
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

a. No action taken.
b. No action taken.

RECOGNITIONS/PROCLAMATIONS:

Volunteers For The Old Fashion Christmas Tree Lighting And Fair Event

Mayor Morillas also congratulated Del Oro Principal Gayaldo and Head Coach Casey Taylor for the Del Oro Football team that was selected to play in the Div II State Bowl Game against Helix High School.

AT THIS TIME SELECTION OF MAYOR AND MAYOR PRO TEMPORE FOR THE TERM DECEMBER 2011 THROUGH THE SEATING OF THE NEW MAYOR AT THE BEGINNING OF THE FIRST REGULAR MEETING OF DECEMBER 2012 WILL OCCUR. (Need motion for both appointments)

No public comment.

A motion was made to appoint Councilmember Calvert as Mayor and Councilmember Scherer as Mayor pro tempore. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by the following roll call vote:
Ayes: Calvert, Liss, Morillas, Ucovich, Scherer by telephone
Noes: None
Absent: None

* * *

AT THIS TIME THE NEW MAYOR WILL GIVE RECOGNITION TO THE OUT GOING MAYOR

* * *

TAKE A 10 MINUTE RECESS FOR REFRESHMENTS

Recess at 7:47 p.m. to 7:59 p.m.

* * *

DURING HER TERM AS MAYOR FOR THE 2012 YEAR COUNCILMEMBER CALVERT WANTED THE COUNCIL TO BE AWARE OF THE FOLLOWING PRIORITIES THAT SHE WOULD LIKE TO ENCOURAGE:

1. **Shed to Shed:** Continue the focus on the downtown, including designing and constructing the downtown park, and promoting downtown businesses with more festivals and events.

2. **Mayor's Recreation Task Force:** Focus on building sense of community through a special advisory committee to organize special events and identify community needs.

3. **Better Borders:** Continue to resolve impacts from developments in neighboring communities beyond litigation.

4. **Partnerships:** Pursue more community involvement through mutual benefit partnerships with businesses, schools, organizations and individuals.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Liss asked to have the Heritage Park planning brought forward for discussion at the January Council meeting regarding the use of the land.

Councilmember Scherer stated the following:
- **on a future agenda he would like to have discussion on the implementation of the Downtown Master Plan and go over this with the new Town Manager**
- **also, he would like to have a discussion with the new manager about Council's expectations so he can have a fair evaluation down the road**
- **the Del Oro band and cheer team are trying to raise money to go to Southern California with the Football Team and he plans to drop by $100 at Town Hall for them and invited everyone to participate in this excellent cause**

Councilmember Ucovich stated the following:
- **he has a request from several neighbors regarding the Sunrise Loomis Park**
- **there are buttons on Arcadia and they are not doing the job of slowing the traffic down**
- **he asked the Town Engineer if they could bring this up at their next Traffic Committee meeting**
- **there is a bench that was moved out in front of the Depot but it is in the main pathway**
- **he asked to have this on another agenda to discuss the bench being moved over to one of the areas in the park**

Councilmember Morillas pointed out that staff has a list of people that would like to purchase benches and suggested putting the same granite benches in the park.

Council agreed (5/0) to bring the following items on the January 10, 2012 Council agenda for discussion:
- **the Heritage Park planning**
- **discussion and implementation of the Downtown Masterplan**
- **discussion of Council's expectations for the new Town Manager**
- **discussion of the granite bench donations for the new 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** is five minutes.\

Richard Jackson, 4000 Hunters Drive, expounded on the following:
- **the road is deteriorating because of poor drainage by the intersection at Sierra College Boulevard and Brace Road**
- **an 18 inch open drain was put in with no grade over it and the ditch to the hole is collapsing**

Kelly Groth, 3996 Lakeside Court, stated the following:
- **he asked to have Agenda 21 on a future agenda**
- **we are for sustainable and recycling but we want to separate that from the political**
- **it is prudent to allow them to address the Council regarding the political ramifications when adopting these green sustainable programs**

Rick Angelocci, Town Manager, stated Mr. Groth can submit a letter to him regarding having this item on another meeting.

Bill Branch, 6605 Wells Avenue, stated the following:
- **it is unfair to imply that when a private citizen gives up their time to serve the Town that they should be required to give up their outside activity**
- **whether they are a member of environmental groups or the Tea Party or whatever group, they have a perfect right to belong to an organization as long as they are sensitive to any conflict of interest**

Roger Smith, 6755 Wells Avenue, stated the following:
- **he suggested that the Town Manager make a monthly report of basic business that has transpired since the last Council meeting**
- **some of the details of the Town that don't necessarily come out at the regular meeting**

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, moving item 12 before item 10. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by the following roll call vote:
Ayes: Calvert, Liss, Morillas, Scherer, Ucovich
Noes: 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.

No public comment.

A motion was made to adopt the Consent Agenda. On motion by Councilmember Morillas, seconded by Councilmember Liss and passed by roll call vote:
Ayes: Calvert, Liss, Morillas, Scherer, Ucovich
Noes: None

CONSENT AGENDA		RECOMMENDED ACTION
1.	Council Minutes – 11/8/11	*APPROVE*
2.	Monthly Check Register – November	*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*

7. Annual Statement of Investment Policy — *ADOPT RESOLUTION*
A Resolution of The Town Council Of The Town Of Loomis acknowledging the review, receipt and filing of the annual Statement of Investment policy
Resolution 11-21

8. Loomis Downtown Parking Facility Project Acceptance — *ADOPT RESOLUTION*
A resolution of the Town Council of the Town of Loomis accepting the Loomis Downtown Parking Facility Project improvements provided by Bair Engineering & Excavating
Resolution 11-22

9. Mayor's Recommendations On Committee Assignments — *APPROVE*
The yearly Council reorganization that occurs in December, with or without an election, also ushers in the incoming Mayor's recommendations on committee assignments for the new calendar year 2012.

CONSENT ITEMS FORWARDED

PUBLIC HEARING

10. **Proposed Animal Keeping Ordinance**
The Council directed the Planning Commission to evaluate the Town's Animal Keeping Ordinance and the permit requirements and process as related thereto and recommend draft changes to the Council
Recommended action: Hear staff report, take public comment and decide whether to introduce Ordinance for first reading amending current animal keeping standards and permit requirements
Public comment:

Jean Wilson, 4301 Barton Road, pointed out the following:
- Shambaugh Ranch is an equestrian facility which requires a hearing and a use permit
- they were allowed more horses because Dr. Fellers, a Veterinarian, evaluated the ranch on the basis of what the parcel could hold

Julie Giomi, 3653 South Holly Street, stated the following:
- a fair amount of money and time has been spent on this item
- the proposal that is in place is fair and just and asked Council to approve this

Kathleen Giel, 3465 Humphrey Road, stated the following:
- over the past year there has been a lot of research and development and a lot of accommodations made
- having a setback from the property line is important to keep animals away from the property line
- what is proposed is good for animal owners and property owners

Cynthia Walden, 3467 Humphrey Road, stated the following:
- she understands chickens are allowed to roam anywhere during the day and at night they are confined to a certain location
- in our code we allow for less than 20 birds in an aviary with no setbacks and four chinchillas, four guinea pigs, or four rabbits confined with no setbacks
- she asked Council to allow 4 chickens with no setbacks when confined at night in a location

Nancy Beck, 6304 David Avenue, stated the following:
- what we have in our ordinance, regarding property line, should be enforced on smaller residential neighborhoods
- she has experienced having a pen right next to her fence and not everyone keeps their chicken coops clean
- the odor and flies were offensive when they went out to their swimming pool

Richard Jackson pointed out that if chickens are allowed free range than the pen is as big as the property.

Rick Angelocci stated that during the day they can roam on the property but at night they must be in the coop within the setbacks.

Recess at 10:13 to 1020 p.m.

Following further discussion on the matter, a motion was made to approve first reading of Ordinance 249, amending Sections 13.42.030 and 13.28.030 of the Municipal Code relating to animal keeping standards and permit requirements with the following amendments:
- revise Note 6 to Table 4-2, to read: "Animal slaughtering shall be prohibited in the RS zone district"
- revise first line in Table 4-2, delete the words "20 or more"
- add a new Note (7) to Table 4-2, following the column heading "from side/rear property lines:" "the zoning administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size and the size and use of the proposed animal structure, provided that the structure (1) does not interfere with emergency vehicle access, and (2) complies with any required setback from dwellings."

On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by the following roll call vote:
Ayes: Calvert, Liss, Morillas, Scherer
Noes: Ucovich

11. **Gaber Appeal of Town Manger's Decision**
On November 7, 2011, the Town Manager held an Administrative Hearing pursuant to Municipal Code Section 7.04.060 regarding the failure to abate a nuisance at 5335 Poppy Ridge Road
Recommended action: Receive and review Administrative Hearings officer determination And statement of appeal; take testimony, hold hearing and uphold, reject, or modify Town Manager's determination.

Mayor Calvert suggested continuing this item so that Council can conduct a workshop for an onsite visit and have everyone there, with the permission of the property owner, and come back in January to continue the appeal hearing.

Councilmember Morillas stated she has asma and will not attend the onsite visit.

Daryl Martin, 5320 Barton Road, stated the following:
- they have had to endure this situation for four to five years, the construction, periods of abandonment, and almost a year of a burned out structure
- they have been more than patient with this property
- he supports and appreciates the Town's effort in clearing this blight from the neighborhood as soon as possible

John Barakat, 5345 Poppy Ridge Court, stated the following:
- he lives next door to the property and this has been going on for many years
- it is causing environmental hazards and health issues with his family (the smell and the mold)
- he asked Council to not let this go on any longer

Bill Loscotoff, current president of the Poppy Ridge Homeowners Association, stated the following:
- they have invited the owners of the property on numerous occasions to attend the board to try to get some resolution to this and they have not responded at all
- the Association and the Town of Loomis has been patient with them to the extent that their patience has run out

Dimitry Rocklin, representing the owner of the property (Leonid Gaber), stated the following:
- the fire was in March, then a joint task force had to evaluate the property for a report, it was determined that it was an arson, then it had to go to the Sheriff's Department and the final determination was done by the insurance company two months before the Administrative Hearing
- this is the first time he has heard about health issues, the only issue they were aware of was the debris and equipment that was left on the property
- 24 hours after the fire the property was boarded up and fenced
- they were asked to reinforce the fence and they did
- they are asking for more time

Jeff Mitchell, Town Attorney, stated that we are not taking testimony tonight just public comment, the issue before the Council is whether to continue this item.

Pat Miller, 4395 Gold Trail Way, stated the following:
- she lives in the neighborhood and this burned building is visible from Barton Road, Poppy Ridge Drive, and Rocklin Road
- she supports taking action on this tonight

Jean Wilson, 4301 Barton Road, stated the following:
- she also lives in the area and passes the burned out building on numerous occasions
- if the arson and insurance company investigation didn't complete until late September then they were not in a position to be able to do anything until then

Bill Garret, Pasture at Sierra Christian Church, stated the following:
- his church is right below the burned house
- they recently completed doing a lot of improvements on their property and they have had to look at the burned house for close to a year
- he supports moving forward on this tonight

Following further discussion on the matter, a motion was made to continue the hearing to the January 10, 2012 Council meeting and to direct staff to set a time and date for an onsite public meeting, with all parties invited. On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by the following roll call vote:
Ayes: Calvert, Liss, Scherer
Noes: Morillas, Ucovich

Councilmember Scherer left the meeting by telephone at 10:55 p.m.

At this time Council discussed item 13.

BUSINESS

Council discussed item 12 after the Consent Agenda.

12. **Union Pacific Track Replacement Schedule** **(Time certain 7:45 p.m.)**
This item involves the proposed Union Pacific Railroad track replacement project through Loomis
Recommended action: Hear presentation and receive and file.
Public comment:

Lisa Stark, Director of Public Affairs for Northern California and Nevada with Union Pacific, gave an update on the track replacement project and answered questions.

Richard Jackson would like to see a map of where they are going to close the roads and where the traffic is going to be diverted.

Pat Miller, 4395 Gold Trail Way, stated she supports having a bus to take the children to school and doing the work over the weekend.

Nancy Beck, 6304 David Avenue, stated she agrees with Ms. Miller and suggested extending the signage down King Road to Auburn Folsom Road so they are aware of the closures.

Council discussed the following:
- **specific time and dates for the road closure**
- **add Council and schools, etc. to the daily email updates**
- **asked if they can work on the project Saturday and Sunday instead of during the week (less traffic and no school)**
- **have a plan to bus the children across the tracks to the schools**
- **provide temporary access across the tracks with traffic control**
- **notice in the Sacramento Bee, Loomis News, TV, radio, traffic reports and Chamber of Commerce**
- **logging trucks need to be notified of the closure on Sierra College Boulevard**
- **have signage posted at the end of King Road/Auburn Folsom Boulevard and the end of Sierra College Boulevard/193**

Recess at 9:05 p.m. to 9:14 p.m.

At this time Council discussed item 10.

Item 13 was discussed after item 11.

13. **Directional Sign Along Interstate 80**
Included under the Town's Goal Setting #1 item C it proposes to install a directional sign along Interstate 80 and staff is asking if the sign is to be a directional sign to the downtown or a community welcome sign for Loomis
Recommended action: Direct staff.
Public comment:

No public comment.

Councilmember Liss stated the following:
- **we don't need another sign**
- **what is distinctive about Loomis are the trees, grass, raising horses, and open space**
- **maybe there could be some creative artwork that is reminiscent of our fruit sheds, horses, and other country type experiences**

Councilmember Morillas stated we should postpone this until they do the bridge- raising over Interstate 80 on Horseshoe Bar Road.

Councilmember Ucovich stated that the purpose for the billboard is to draw people downtown for our businesses.

Mayor Calvert stated that we need to continue looking into the Caltrans bridge-raising opportunity.

Following further discussion on the matter, a motion was made to continue this item until we have more information on the bridge over-crossing. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

COMMITTEE REPORTS

14. Placer County Community Services Commission - Calvert
15. Placer County Economic Development Board – Liss
16. Placer County Flood Control/Water Conservation District – Morillas
17. Placer County Transportation Planning Agency – Ucovich
18. Placer County Mosquito Abatement – Kelley as citizen rep
19. 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

A motion was made to adjourn at 11:12 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

Mayor Sandra Calvert

Town Clerk