

April 17, 2018

## **REGULAR MEETING**

The regular meeting of the Loyalton City Council was called to order by Mayor Mark Marin on April 17, 2018 at 6:00pm at the Loyalton Social Hall.

## **COUNCIL MEMBERS PRESENT**

M. Marin, N. Rogers, J. Markum

## **COUNCIL MEMBERS ABSENT**

None

## **STAFF PRESENT**

T. Smith-City Clerk-City Bookkeeper

## **GUESTS PRESENT**

J. Buck, A. Fassbender, P. Roen, E. Benson, R. Belli, L. Wright, M. Lombardi, P. DeMartini, R. DeMartini, A. Gunier, L. Ryan, M. Meder, E. Teague, A. White, D. Goicoechea, G. Donowho, K. Lombardi, J. Marsh, J. Dines, J. Beard, L. Hood, T. Standley.

## **APPROVAL OF AGENDA**

**(1 attachment)** Added to Agenda Item 15-5, was Resolution No. 5-2018. After the addition, J. Markum made a motion to approve the agenda as amended; it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried. (City Clerk T. Smith made mention during the meeting that item #7 was omitted from the agenda and the numbering went from #6 to #8, Council acknowledged.)

## **ANNOUNCEMENTS**

- (1 attachment)** Council Member Rogers handed in her resignation and made the announcement that her resignation will be effective following the nights' council meeting (04.17.2018). She said she was sorry to let the people in the community down and the people that voted for her but she was tired of the verbal abuse and would not accept it anymore. She thanked the city staff for all their help along the way, Nikki and Sam from Farr West Engineering who she stated it was a pleasure to work with and the Transportation Committee who she enjoyed working with as well. Mayor Marin stated he would call City Counsel tomorrow regarding this matter as well as a few other people because as you know, he said, nothing can be decided or voted on by only two council members.
- Council Member Markum announced that the abatement process will continue and the next round of letters going out from the city will address large and small stock animals.
- (3 attachments)** Council Member Rogers addressed the water and sewer situation at 605 Lewis Street along with the email from City Counsel regarding the legality of not turning the water on for the residence. It was concluded that the city had no legal obligation to turn the water on since the property owner was deceased and the person occupying the residence was doing so illegally. Lori Wright, from the Loyalton Senior Center, representing Michele Allen, asked that the email from Steve Gross be sent to Miss Allen's legal aide. Council Member Rogers said she would do so in the morning.

## **RICHARD MEDER COMMUNITY LEADER AWARD**

The Annual Richard Meder Community Leader Award was handed out this year to Assistant Fire Chief Robert DeMartini. Mayor Marin spoke briefly about Robert and reminisced about when Robert came back from "Vietnam" and joined the Fire Dept. in 1971. Marjorie Meder, widow of Richard Meder presented Robert with the award and read a very moving speech to everyone in attendance. She thanked Robert for his 40 plus years with the fire dept. and his dedication to the citizens. She said that Richard greatly respected Robert and liked him and would be very happy to know he was the recipient of the 2018 award.

## **APPROVAL OF MINUTES**

(2 attachments) With no corrections or changes, J. Markum made a motion to approve the minutes from the regular city council meeting of **March 20, 2018**, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried. With no corrections or changes, J. Markum made a motion to approve the minutes from the special city council meeting of **March 29, 2018**, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

## **PUBLIC COMMENT**

1. Robert DeMartini asked what would now happen with Nancy's resignation? Mayor Marin stated he would be checking with City Counsel Steve Gross and County Clerk Heather Foster, he would email Robert with what he found out. Robert asked if someone could be appointed but there cannot be more appointed then elected and that would be the case.
2. Mayor Marin read Mark Lombardi's Letter regarding the alleyway running through his property, at this time, M. Lombardi was not present at the meeting. Mayor Marin said he would carry the item on and consider it later. He asked if anyone had any comments about the alleyway? A speed bump was recommended.

## **STAFF REPORTS/WRITTEN COMMUNICATIONS**

None.

## **FIRE DEPARTMENT REPORT**

**Presented by Fire Chief S. Heywood:**

1. The Spaghetti Feed is May 12, 2018 at the Sierra Brooks Lodge from 5-8.
2. Following weekend will be an appreciation banquet for the volunteers.
3. Water Tender Grant was once again denied, Shawn wasn't surprised since that is a very difficult grant to get for a vehicle of that size. The Fire dept. will continue to grow their reserve account so that they can purchase their own water tender at some point in time.
4. Shawn asked about the check from SVHD for \$10,000.00 to the Fire Dept., in what account was that being held? That along with the \$792.88 donation from the SVCF was being held in the fire dept.'s operating account and since it was to be used for specific purchases, Shawn did not want it put into the Fire dept. reserve account. (Later that week at the Sierra County B.O.S. Special meeting regarding the City of Loyalton and the resignation, the donations were brought up to Van Maddox and after a brief discussion it was decided those donations would be moved to the reserve account, they were moved on 05.04.2018.)
5. Always looking for good volunteers for the fire dept.
6. Engine 11 was sold (located at WWTP). Mayor stated it did go up for surplus but there was no bid so it was sold.

project until it can be combined with other City construction projects. After a lengthy discussion and receiving input from former city bookkeeper, Kim Lombardi and Sierra County Board of Supervisor, Paul Roen, city council decided to go with option three which included Farr West assisting in identifying parts/materials needed at the WWTP to help address concerns raised in the 2013 Cleanup and Abatement Order that would expend the remaining USDA grant money. Samantha also stated that the \$47,000.00 spent already on engineering building the project would not be lost because when the project did resume or was combined with other projects, those designs and survey work could be built into the new project. a few comments came from the audience prior to the motion made by council. At that time J. Markum made a motion to accept Farr West's Recommendation and reject all bids and postpone the project until it can be combined with other City construction projects. Furthermore she added, to spend the remaining \$264,000.00 USDA Funding on product for further construction at the WWTP. The motion was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried. Nikki from Farr West asked if every item purchased would need approval or was it a blanket approval for all items purchased under the \$264,000.00USDA funding? The Mayor stated the motion covered the total \$264,000.00 to be spent on material/parts for the WWTP. Parts/Materials will be identified and a list will be put together.

**2. (1 attachment)** J. Markum made a motion to waive the second reading of an ordinance of the City of Loyalton, County of Sierra, state of California, repealing section 2.04.010, entitled, "Meetings" and adding a new section 2.04.010, entitled, "Meetings", to part 2, Chapter 2.04 of the Loyalton Municipal Code, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried. J. Markum made a motion to approve Ordinance no. 420, an ordinance of the City of Loyalton, County of Sierra, state of California, repealing section 2.04.010, entitled, "Meetings" and adding a new section 2.04.010, entitled, "Meetings", to part 2, Chapter 2.04 of the Loyalton Municipal Code, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**3. (1 attachment)** J. Markum made a motion to approve Resolution No. 3-2018, a resolution of the City Council of the City of Loyalton establishing the day, location and starting time for regular council meetings, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**4. (2 attachments)** Council Member Markum stated that community members have asked that a letter go out to property owners on the abatement of all cars, trash, weeds and things of such in an effort to clean up the appearance of the City of Loyalton. J. Markum made a motion to send out the notices of cleanup to all property owners, there was no second, motion failed due to a lack of a second. After further discussion between council and comments from meeting attendants regarding the abatement letter, a second attempted motion was made to send out the notices of cleanup to all property owners, this time the motion was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**5. (2 attachments)** After a brief summary of the resolutions and discussion, J. Markum made a motion to adopt and approve Resolution No. 4-2018, a resolution of the City Council of the City of Loyalton establishing the findings of the administrative hearing on abatement of nuisance for personal property. There was no second to the motion therefore the motion failed. A motion was not made to adopt and approve Resolution No. 5-2018, a similar resolution.

7. Need to sale Engine 12, it will need to be surplused.

## **FINANCIAL REPORT**

**(2 attachments)** There were no questions or comments from council regarding the financial report.

## **APPROVAL OF FINANCIAL REPORT**

M. Marin made a motion to approve the Financial Report as presented April 11, 2018; it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

## **PAYMENT OF BILLS**

**(2 attachments)** With no questions regarding the bills, M. Marin made a motion to pay the bills not to exceed **\$76,804.27**; it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

## **ACKNOWLEDGEMENT OF APPROVAL OF FUNDS TRANSFERS**

**(1 Attachment)** With no questions, comments or discussions, J. Markum made a motion to approve the four transfers from the general fund to the enterprise loan fund for a total of \$24,000.00, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**(1 Attachment)** With no questions, comments or discussions, J. Markum made a motion to approve the transfer proceeds from the Elephant Fire in the amount of \$1367.03 from the General Fund to the Fire Dept. Fund, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**(1 Attachment)** With no questions, comments or discussions, J. Markum made a motion to approve the transfer proceeds from the Chilcoot Fire in the amount of \$2545.55 from the General Fund to the Fire Dept. Fund, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

**(1 Attachment)** With no questions, comments or discussions, J. Markum made a motion to approve the transfer proceeds from the Eureka Fire in the amount of \$8800.11 from the General Fund to the Fire Dept. Fund, it was seconded by N. Rogers. Roll Call Vote: J. Markum-Aye, N. Rogers-Aye, M. Marin-Aye. Motion carried.

## **PUBLIC WORKS COMMITTEE REPORTS/PARK AND RECREATION**

None

## **OTHER COMMITTEE REPORTS**

None

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

**1. (2 attachments)** In regards to the summary of bids for the Church Street project and options to proceed, Samantha Stoughtenger presented council and all in attendance with the bid summary which was two bids, the lowest being \$105,007.00 more than the engineer's estimate for the project. With that being said, three options were presented to council by Farr West and Miss Stoughtenger. One, proceed with the \$369,007.00 bid, use the \$264,000.00 of USDA Funds and fund the rest from city funding, this option is one also recommended by Doug Colucci at the USDA, he has concerns that the \$47,000.00 already spent would be lost if the project was not completed. Two, attempt a negotiation with the bidding company to only build parts of the project or three, reject all bids and postpone the

**Meeting Adjourned**

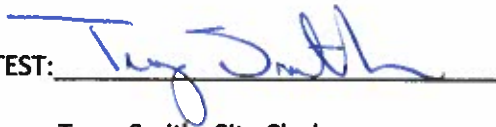
**Closed Session:**  
None

APPROVED:



**Mayor Mark Marin**

ATTEST:



**Tracy Smith, City Clerk**