**MINUTES**

**REGULAR MEETING OF THE ETNA CITY COUNCIL**

**Monday March 2, 2020**

Members of the Etna City Council met on this 2nd day of March 2020, at the Etna City Council Chambers. Mayor Jaime Tarne called the meeting to order and led in the salute to the flag of the United States of America.

**Roll Call**

Council members Lori Fleck, Jaime Tarne, Cate Trost, and Mitch Trost were present.

**Oral Comments from the Public on Non-Agenda Item**

None.

**Budget Items**

None.

**Consent Calendar**

* Minutes of the Regular Meeting February 18, 2020
* Check Register
* Income Statement
* Balance Sheets

Councilmember Fleck moved to approve the Consent Calendar, M. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

**Council/Department Reports**

Officer Tony Stacher reported on the recent police activities with the Town of Fort Jones, and Etna. He also said that Brandon Buel has completed his background to become a police officer, and will shortly begin is FTO (field training hours.) The Council asked what the status was with the move from the PD to the Diggles Street building.

Fire Chief Alan Kramer reminded the Council about the Fire Fighter of the Year Dinner, and informed the Council that Brooklyn Tupman is the nominee for the Etna Fire Department.

Councilmember Fleck gave a brief report for the Ambulance Department. Fleck said she heard back from the attorney regarding the contract with Mt. Shasta Ambulance.

Assistant City Clerk Jenny Bennett gave a brief update regarding CalPERS and the MOU that the clerks have been working on. Bennett also reported that they have been working on water bill/landlord letters, and applications that will be sent out in a mailing.

Mayor Jaime Tarne reported that she has been working on the Conditional Use Permits pertaining to vacation rentals. Tarne also asked about the cleanup day, and whether or not it was going to happen this year. Fleck commented that so far nothing is planned for this event.

Mayor Tarne also asked about Friends of the Library sending a letter out with April billing. Council discussed that we will do what we have done in the past and they can split the cost of postage with the City.

**Current Business**

**Discuss/Approve Award for Howell Rehabilitation Project.** City Engineer Morgan Eastlick said that there was a lot of interest in this project, and there were seven bids that came in. R.B. Aldrich was the lowest bidder for the project. Eastlick is requesting approval for R.B. Aldrich Construction to complete the Howell Avenue Rehabilitation Project for $504,007. M. Trost moved to approve awarding R.B. Aldrich Construction to complete the Howell Rehabilitation Project, Fleck seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

**Discuss/Approve removing an employee from the Ambulance Department.** Councilmember Fleck explained that Ambulance Director Brooks O’Connor-Cone and Operations Captain Steve Molnar would like to remove Zion Parker from the Ambulance Department. Mayor Tarne tabled this item due to no attendance from the Ambulance Department.

**Discuss/Approve Water Bill.** Frank Meyers presented his case regarding his water bill at the last meeting. Mayor Tarne explained that the information was given to the City Attorney for review, and the advice from the attorney is to not make any adjustments, and correct the billing rates back to commercial rates.

Meyers argued that the bill was initially being sent to the wrong address, and that is why the bill had been paid late. Assistant Clerk Jenny Bennett explained that the City made appropriate adjustments at the start of the account to correct any errors that may have happened, and Meyers was in agreement with the adjustment that was made going forward.

Because Meyers is residing in the downtown commercial district, he was initially being charged commercial billing rates. He contacted the Mayor at the time and argued that he was being billed at incorrect rates, and should be billed at residential rates because the property is no longer in business and all commercial equipment had been removed from the building. The Mayor directed the clerks to bill him residentially going forward, and make any adjustments to penalty fees against the commercial rates. The Council is not in agreement with the decision that was made by the Mayor to switch billing rates.

Meyers is claiming that the clerks refused him his bill when he asked for it, and he came into City Hall numerous times. He also explained that he has removed every piece of commercial equipment at the property and it will never be used as a commercial building/business, and that it is legal for a residential property according to the county. The council explained to Meyers that the property is located in the Downtown Commercial District and regardless if there is no commercial equipment in the building the property should have been billed at commercial rates. The property is not zoned residential, and in order to reside in the downtown district you must live on the second level of a building and have a conditional use permit approved by the City Council. The Council also explained that the Mayor does not have the authority to make changes to billing accounts without City Council approval. Mayor Tarne said that the Council is now going to go with the advice of the attorney and switch the billing rates back to commercial rates, and no additional adjustments will be made to the bill.

Audience member Rick Kramer asked the Council if a variance could be applied for and approved by the City Council. The Council said that a variance can be applied for by the property owner. M. Trost commented that the Council is working towards having the Downtown Commercial District be zoned has a Historic District which will still not allow grown floor residents. M. Trost made a motion to switch the billing rates back to commercial rates effective for the next billing April 1st for March billing, Mayor Tarne seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

City Clerk Kris Hargrove reminded that there is a shut off pending for this account. M. Trost made a motion to extend the shut off for the account for 30 days, C. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes. Meyers requested that he receive our records regarding his bill. Asst. Clerk Bennett will have everything ready for him tomorrow morning.

**Discuss Ordinance 17.18 Mobile Home Residential.** Mayor Tarne explained that the County reviewed the Ordinance regarding buildings and determined that some language is out of date. Officer Stacher commented that some of the terminology needs to be changed. Council Fleck will work with the City Planner Rico on revising and updating the ordinance terminology. Fleck will report at the next meeting.

**Discuss/Approve Council Commissions.** The City Council discussed each commission and its responsibilities and assigned them to each member. Councilmember Fleck moved to approve the council commission changes, M. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

**Discuss/Approve Direct Deposit for Employees.** City Clerk Kris Hargrove explained that we have the ability to do direct deposit for employees for $400.00 a year plus $25.00 per month plus $.30 per paycheck. M. Trost moved to approve Direct Deposit for employees, C. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost.

**Discuss/Approve Water and Sewer Contract.** The clerks updated the water and sewer contract/agreement and sent it to the attorney for review. The attorney stated that the contract should be sent out to all new and current accounts. M. Trost moved to approve sending the application out with the water bills, C. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

**Discuss/Approve letter being sent to property owners with past due water bill accounts.** Assistant Clerk Jenny Bennett explained that we have been having issues with tenants moving in and moving out without notifying the city, and ultimately leaving unpaid balances. The letter hopefully will help with collecting bills, and informing landlord/property owners that they are responsible for any unpaid balances left by tenants. Fleck moved to approve sending out letter to landlords and property owners, M. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

**Discuss/Approve MOU for CalPERS.** Hargrove explained that the City does not have a current MOU with CalPERS, and is requesting approval for the draft version presented to Council. CalPERS is requiring the clerks to provide an MOU before we are able to move forward with our Payroll Reporting. M. Trost moved to approve the MOU to be sent to CalPERS, C. Trost seconded and the motion passed 4-0 with Fleck, Tarne, C. Trost, and M. Trost voting yes.

City Clerk Kris Hargrove gave an update on the PCT Patches and the results.

**Adjournment**

There being no further business the meeting was adjourned at 8:20 pm.

**SUMMARY:**

**PENDING ITEMS:**

* **Lot line adjustment behind museum**
* **Councilmember Fleck will work with Rico regarding ordinance terminology update**
* **Remove employee Zion Parker from the Ambulance Department**

Jenny Bennett,

Asst. City Clerk