

## **City of Santa Clara City Council Minutes**

The Santa Clara City Council met on **October 24, 2011**. The meeting was called to order at 6:37 by Mayor Jeff Hunt. The meeting was opened with the Pledge of Allegiance. Present for roll call was Councilman Felix, Councilman Chamberlain, Councilman Hodges and Councilman Jonassen and Councilman Folbre. All Council members were present.

Councilman Chamberlain wanted a correction/change to his comment on the minutes. Councilman Chamberlain stated that the county would require at least 32,000 people to have a JP court and that with 725 people it would not be feasible for the City of Santa Clara to have one. Councilman Folbre wanted a correct to his comment regarding Bill White, He is a City Employee and receives a W-2 and is supervised by the Mayor. Councilman Folbre made a motion to approve the minutes from the September 26, 2011 meeting as corrected. Councilman Felix seconded the motion. Motion carried.

Marion ISD School Board members Victor Contreras and James Hartman spoke about the New Marion School Bond Election. Early voting started today.

### **Citizens to Heard**

Margret Davis of 8245 Youngford Road – She read the ordinances that afternoon. She asked the City Council to consider to not vote on the dis-annexation and to not dis-band the city's Planning Commission.

Cindy Peters of 1477 Country Lane – She suggested that when ordinances are put together and /or suggested that any information given as fact, be backed up with a source document.

Steve Beisser of 1144 Cody Lane – He doesn't understand the need for some ordinances and the deceitfulness of others. He hoped that all proposed ordinances be written by or at least reviewed by the city attorney before the ordinances are approved.

John Peters of 1477 Country Lane – He said that the ordinances sounded very similar to the dis-annexation ordinance that was tabled or was not accepted in the last meetings. He hoped that all signatures on the petition and relationships of boundaries changes would be verified.

Chairman Peters gave a report of the Planning Commission October 10, 2011 meeting. The Planning Commission meeting included topics of:

    Weed and Brush control on the city roads.

    Placement of 3 Flood Control Gates for 2011 – 2012 year was tabled until November's meeting to give no time on finding out cost.

    Road Flooding was tabled until November's meeting.

    Marquees for city announcements was given to the Communications Committee.

    Santa Clara City Park was given to City Development Committee, went more along the lines as part of the master plan for the City of Santa Clara.

### **Financial Report**

Balance sheets were given along with a list of checks to all Council. Got an invoice from an electrical company that did work in May and was just now billing us. Councilman Folbre asked who had done the work and for what. Mayor Hunt replied that it was for a relay light on Country Lane and work was done by a local electrician that we. Councilman Chamberlain asked if we were responsible for a caution light for the rail road. Mayor Hunt replied with this yes since it's not a straight shot across the

tracks. Councilman Jonassen made a motion to accept the financial report. Councilman Felix second. Motion Carried.

### **City Ordinances**

The following are the 8 ordinances that were on the agenda:

Place Number Ordinance - This ordinance is to limit confusion on who is up for election and when. Mayor said that the formatting isn't correct to pass. Councilman Folbre asked if the new city attorney had reviewed. Mayor Hunt replied: No. Councilman Folbre says to table this ordinance until the next meeting so that the city attorney can review. Councilman Felix makes a motion to table until next meeting in order for the city attorney to review. Councilman Jonassen made a motion to accept the ordinance, but in the correct format. Councilman Folbre seconds Councilman Felix's motion. Councilman Jonassen and Councilman Chamberlain oppose. Councilman Hodges abstained. 2 for and 2 against, Mayor voted to have city attorney look over and visit again at next meeting.

Exemption Category Ordinance – This ordinance is for the age in population to offer some kind of relief from taxes. Mayor Hunt said that the city already had an ordinance but cannot find it. Councilman Folbre made a motion to table until city attorney can review and research for the original again and bring what can be found back to next meeting. Councilman Chamberlain seconded the motion with that it be brought back next meeting. 3 in favor (Councilman Folbre, Felix, and Chamberlain) Councilman Jonassen and Councilman Hodges abstain. In the middle of the motions and discussions of this ordinance, Councilman Folbre made a motion to table all the ordinances on the agenda until the city attorney can look over and research can be done and to ensure the ordinances are in proper format. Councilman Chamberlain wanted to second with that these ordinances be brought back to the November meeting. Councilman Jonassen replied that these ordinances are agenda items and all items must be discussed, once they are discussed then he had no objections to table them until next meeting. Councilman Chamberlain withdraws his second.

Records Managements Ordinance – Ordinance reiterates the responsible for records management, appoints of management records is not available then responsible goes to city secretary. Councilman Folbre asked where Councilman Jonassen got this format from? Councilman Jonassen said that it was cut and pasted from the code. Councilman Folbre said that this ordinance needs to go to the city attorney for review. Mayor Hunt then asked why if cut and pasted from codes then would they need this ordinance. Councilman Chamberlain stepped in saying that Councilman Jonassen has done a lot of research on this and that a code of ordinances copy should be available at the front counter. Ordinances are a law and must be kept. Councilman Jonassen made a motion to accept the ordinance as is with corrections for formatting. Councilman Chamberlain seconds. Councilmen Felix and Folbre abstain. 2 For, 1 against, 2 abstaining. Mayor against.

Resident Definition Ordinance - This ordinance is to define who is a legal resident of the City of Santa Clara. Councilman Chamberlain had asked previous council and mayor, and didn't get it. Mayor Hunt replied he had looked on the web (only, didn't contact city officials) to find a similar ordinance in another city (Pleasanton) and didn't find one. Mayor Hunt felt that a statement in the ordinance would rub people. After much discussion and a comment made by the city attorney, Councilman Chamberlain decided to withdraw the ordinance.

Rules For Meeting Ordinance- This ordinance is for establishing Robert's Rule of Order as rules in which City Council meetings and other meeting will be held, order and style of agenda. Councilman

Hodges said that he would like to see more structure at the meetings. After much discussion Councilman Hodges made a motion to accept as written with editing format and being sent to the city attorney for review and with addition to have the right of the Chair to give citizens time for input. Councilman Felix second. Motion Carried.

Competitive Bidding Ordinance - Basically this will keep the city out of trouble. After much discussion again, a motion was made to amend replacing \$50.00 amounts with \$100.00. Councilman Jonassen seconds. Then Councilman Jonassen made a motion to accept as is with additional formatting and approval by city attorney. Councilman Felix second. Motions Carried.

Government Organization Ordinance - Councilman Jonassen made a motion to adopt the ordinance with corrections to formatting and review by city attorney. Councilman Chamberlain seconds the motion. Following the motion there was a lengthy discussion regarding this ordinance and replacing the Planning Commission with 5 different committees, one for each councilman. Then motion was made again, 2 for the motion (Jonassen & Chamberlain), 3 against (Felix, Folbre and Hodges) Ordinance was not accepted.

Secretary's Duties Ordinance - Basic ordinance and to take over for the Records Management if there isn't one. Mayor Hunt informed Councilman Jonassen that Chairman John Peters is working on a secretary's job description, and is a pretty classic job description. A motion to accept with proper formatting and review by city attorney was made. Councilman Hodges seconds. 4 for motion, 1 abstaining (Felix)

Bounty Line Adjustment Ordinance - There was much discussion on this ordinance. Councilman Folbre made a motion to table this ordinance until the city attorney could review it. Councilman Jonassen seconds the motion. Councilman Jonassen said that is would affect people that are in the city and not ag. The city attorney Adam Campbell had basically said that this ordinance fails on its face and that there are conflicting maps and needs a survey. Councilman Felix said that if the city attorney said it's fails on its face then why have it? Councilman Folbre said that he would like to withdraw his original motion to table and make a new motion. Councilman Jonassen said that there was already a second on that motion. This ordinance was tabled.

**Mayor's Announcements** - On Saturday, October 29, 2011 the Rail Road Crossing on Santa Clara Road will be closed from 7 A.M. - 4 A. M. We have the Official City Maps and are in the proper format.

Councilman Hodges made a request to have the next City Council on the 3<sup>rd</sup> Monday in November due to Thanksgiving. The next meeting would be November 21, 2011.

The next Planning Commission will be November 14, 2011.

Councilman Folbre made a motion to adjourn. Councilman Felix seconded the motion.

Jeff Hunt  
Mayor

Amie Bandel  
Secretary