

**ANDERSON CITY COUNCIL MINUTES
December 15, 2009**

REGULAR SESSION 7:00 P.M.

ROLL CALL

Councilmembers present: Councilmember Yarbrough
Councilmember Hunt
Vice-Mayor Comnick
Councilmember Webster
Mayor Schaefer

Councilmembers absent: None.

Also present: City Manager Dana Shigley, City Attorney Michael Fitzpatrick, and City Clerk Juanita Barnett.

INVOCATION

Elder Doug Deese, Anderson/Cottonwood Neighborhood Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Vice-Mayor Norma Comnick led the Pledge of Allegiance.

SCHEDULED CITIZEN REQUESTS TO ADDRESS THE CITY COUNCIL – None.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA - None.

STUDENT REPORTS

Anderson New Tech High School student representative Bryan Barnes gave an update on school activities.

Anderson Union High School student representative Shannon Westmorland gave an update on school activities.

COUNCIL REPORTS

Councilmembers used this time to report on community activities they participated in and to announce upcoming events.

CONSENT AGENDA

By motion made, seconded (Comnick/Yarbrough), and carried, the Council took the following action:

Approved the minutes of the regular meeting of November 17, 2009.

Received and filed warrant 114321 to 114380 in the amount of \$266,637.35; warrant 114381 to 114463 in the amount of \$197,430.80; warrant 114464 to 114504 in the amount of \$86,522.79; warrant 114505 to 114584 in the amount of \$188,954.61; an ACH in the amount of \$3,081.20; a wire transfer in the amount of \$95.73; an ACH in the amount of \$3,081.20; and a wire transfer in the amount of \$95.73.

Waived reading, except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.

Received and filed the Year 2010 appointments list.

Adopted Resolution No. 09-94 establishing annual City holidays and City Hall closure hours.

Adopted Resolution No. 09-95 authorizing access to Sales and Use Tax Records pursuant to Revenue and Taxation Code Section 7056.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None.

PUBLIC HEARING

ALL LEGAL NOTICES WERE GIVEN ACCORDING TO LAW

PUBLIC HEARING - MITIGATED NEGATIVE DECLARATION FOR THE DESCHUTES INTERCHANGE PROJECT

This was the time set aside to receive public input on a proposed Mitigated Negative Declaration for the Deschutes Interchange Project.

City Manager Dana Shigley answered questions from Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council continued the public hearing until January 5, 2010.

PUBLIC HEARING – 2008-13 HOUSING ELEMENT UPDATE TO THE GENERAL PLAN; RESOLUTION NO. 09-96

This was the time set aside to receive public input on the proposed 2008-13 Housing Element Update.

Planning Director John Stokes gave a staff report and answered questions from Council.

7:33 p.m.: The Public Hearing was opened. No comments were received either for or against the proposed update. The Public Hearing was closed.

By motion made, seconded (Comnick/Hunt), and carried, the Council adopted Resolution No. 09-96 finding that the Housing Element update could not have a significant adverse effect on the environment, adopting a Negative Declaration, and adopting GPA 09-01 the 2008-13 Housing Element.

REGULAR AGENDA

FINANCE DEPARTMENT

ANNUAL ADOPTION OF CITY INVESTMENT POLICY; RESOLUTION NO. 09-97

7:35 p.m.: Mayor Schaefer left the room.

Finance Office Manager Liz Cottrell gave a staff report and answered questions from Council.

7:36 p.m.: Mayor Schaefer returned and took his seat at the dais.

By motion made, seconded (Hunt/Yarbrough), and carried the Council adopted Resolution No. 09-97 establishing the City's Investment Policy.

ANNUAL REPORT ON DEVELOPMENT IMPACT FEES

Finance Office Manager Liz Cottrell gave a staff report and together with City Manager Dana Shigley, answered questions from Council.

By motion made, seconded (Comnick/Yarbrough), and carried the Council accepted the Finance Office Manager's annual report on development impact fees.

PUBLIC WORKS DEPARTMENT

ADVERTISEMENT FOR BIDS ON THE NORTH STREET PHASE II PROJECT; RESOLUTION NO. 09-98

Public Works Director Jeff Kiser gave a staff report and answered questions from Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council adopted Resolution No. 09-98 making findings regarding the use of Tax Increment Funds for construction of improvement to North Street as required by the Health and Safety Code, approving the Plans, Specifications, Estimates and Contract Documents prepared by Omni-Means Engineers and Planners for the North Street Phase II Project, instructing the Public Works Director to advertise for bids, and authorizing the opening of bids at 2:00 p.m. on Wednesday, January 13, 2010, in the City Council Chambers at City Hall.

STAFF REPORTS – None.

CLOSED SESSION

Public Comment on Closed Session Item(s): - None.

7:50 p.m.: ***The City Council convened to Closed Session to consider the following:***

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Pursuant to subdivision (A) of Govt. Code Section 54956.9)

Name of case: *Jack v. City of Anderson et al.*


8:05 p.m.: ***The City Council reconvened to Open Session.***

CLOSED SESSION ANNOUNCEMENT

Mayor Schaefer announced that the Council sat in Closed Session to discuss existing litigation with direction given to the City Attorney.

ADJOURNMENT

8:05 p.m.: ***The City Council adjourned to January 5, 2010.***


Norma Comnick, Mayor

ATTEST:


Juanita Barnett, City Clerk