



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, AUGUST 14, 2012, 7:00 P.M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

Mayor Curtis W. Morris  
Mayor Pro Tem Emmett Badar  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Jeff Templeman

City Manager Blaine Michaelis  
City Attorney Ken Brown  
Deputy City Clerk Debra Black  
Assistant City Manager for Community Development Larry Stevens  
Assistant City Manager Ken Duran  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns

**1. CALL TO ORDER AND FLAG SALUTE**

Mayor Morris called the regular City Council meeting to order at 7:00 p.m. and led the flag salute.

**2. RECOGNITION**

Parks and Recreation Director Bruns provided a presentation on the recently completed work to restore the City entry wagon monument. She commented that the City Facilities and Parks crews worked on the project along with community volunteer Margie Green. Mayor Morris presented Ms. Green with a certificate and recognized Facilities Maintenance Workers Pete Lopez and Tom Plowman who were in attendance. She commented that staff was willing to step up and take on this project and others that may not be in their scope of work because of the expertise they are able to contribute.

**3. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

Ginny Philips, 525 North Amelia Ave., commented on the recent criminal trial against her husband regarding a railroad box car on their property. He stated that she felt they had a major victory because the judge argued that the boxcar is a permitted use if it is moved. She added that Mr. Stevens testified that approval of the box car would require the lowest level of review by the City. She added that the box car will stay.

Mayor Morris asked City Manager Michaelis to provide a summary of the court case. Mr. Michaelis reported that the case was decided by the Judge last Friday and found Mr. Philips guilty of 6 violations regarding the location of box car on the property. He added that the judge found that the use of the box car for storage and a play room was acceptable but the structure must be permitted and approved by the City. He also outlined the penalties imposed on Mr. Philips and that the judge gave a date of November 13, 2012, for the box car to be removed or the necessary approvals be obtained by Mr. Philips.

Elaine Regis, San Dimas Chamber of Commerce, reported that the City Birthday Bar-B-Que was a success. She also reported on the upcoming Chamber Mixer and Western Days.

Pui-Ching Ho – Librarian presented upcoming summer reading programs and activities.

#### **4. CONSENT CALENDAR**

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or citizen requests removal for separate discussion.)

**MOTION:** It was moved by Councilmember Dennis Bertone, seconded by Councilmember John Ebner and carried to accept, approve, and act upon the consent calendar, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

**RESOLUTION NO. 2012-48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JULY AND AUGUST, 2012.**

- b. Approval of amended minutes for the regular City Council meeting of July 10, 2012
- c. Approval of minutes for the regular City Council meeting of July 24, 2012.

END OF CONSENT CALENDAR

#### **5. OTHER MATTERS**

- a. Adoption of the revised 2012-13 Budget

Assistant City Manager Duran gave an overview of the revised budget. Mayor Morris clarified that the 1 ½ increase of contribution to retirement is from employee share of salary, not increase in retirement benefit.

Councilmember Templeman commented that it is good for the community to know that we have 72% of our general operating costs in reserves.

**Motion:** It was moved by Councilmember Bertone, seconded by Councilmember Templeman to approve the adoption of revised 2012-13 Budget. The motion carried unanimously.

- b. Adoption of Resolution No. 2012-50 Amendment to the Salary Resolution to create two positions: Senior Planner and Deputy City Clerk

Mr. Duran reported that as was presented to the City Council previously, in order to complete the staff reorganizations as a result of the personnel reductions a couple of staff adjustments need to be made. He added that there is a need to reclassify the existing Departmental Assistant/Deputy City Clerk to Deputy City Clerk with an adjusted salary range and the creation of a Senior Planner position. He added that Resolution 2012-50 amends the existing pay plan to create these two positions with their corresponding salary ranges.

In response to a question by Councilmember Templeman Mr. Duran explained the prior and current staffing levels for the Development Services Department. Also, Mr. Stevens explained the intended supervisory structures for code enforcement and planning.

Councilmember Templeman commented that he fully understands the need to reclassify the Deputy City Clerk position but he is not in favor of the Senior Planner position because the City just eliminated other positions.

In response to questions Mr. Stevens discussed the current and anticipated work load for the Planning Division and the staffing levels and a work distribution.

Councilmember Templeman commented that he still questions adding additional resources after eliminating positions and with questions of existing productivity.

Mayor Morris suggested that the Council should consider two motions to address each position separately. After the Resolution was read by title Mayor Morris asked for a motion to approve the Resolution including just the Deputy City Clerk position. A motion was made by Councilmember Bertone to waive further reading and adoption Resolution 2012-50 for the Deputy City Clerk position. The motion was seconded by Councilmember Badar and passed unanimously.

Mayor Morris asked for a separate motion to approve the Resolution with the Senior Planner position. Councilmember Ebiner commented that he would prefer two separate Resolutions. Mayor Morris responded that the minutes would reflect the separate discussion and motion.

Councilmember Bertone made a motion to include the Senior Planner in Resolution 2012-50. The motion was seconded by Councilmember Ebiner.

Councilmember Badar asked if the decision on the Senior Planner was denied if it could be brought back at a later time. Mr. Michaelis responded that the decision could be discussed at any time.

Mr. Stevens further discussed the planning case load and his thoughts on assigning cases.

The motion passed by a vote of 3-2 with Councilmember Templeman and Ebiner voting against.

Mayor Morris suggested it would be clearer for Council to vote on two separate Resolutions. He asked for a motion to approve Resolution 2012-50, a resolution only adding the Deputy City Clerk classification. Councilmember Bertone made a motion to approve, seconded by Councilmember Ebiner and passed unanimously.

Mayor Morris asked for a motion to approve Resolution 2012-51, a resolution only adding the Senior Planner position. Councilmember Bertone made a motion to approve, seconded by Councilmember Ebner and passed by a vote of 3-2 with Councilmember Templeman and Badar voting against.

- c. Adoption of Resolution No. 2012-49 to include the position of Housing Programs Manager in the Supplemental Employee Retirement Plan.

City Manager Michaelis presented to council the consideration of adding the Housing Program Manager to the Supplemental Employee Retirement Plan. This is the same package offered to the City Clerk position with no additional costs involved.

**Motion:** It was moved by Councilmember Templeman, seconded by Councilmember Badar.

The motion carried unanimously.

## 6. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five (5) minutes or as may be determined by the Chair.*)

Dr. Marvin Ersher, provided a historical perspective on how the Pioneering a New Era logo on the wagon monument was developed.

Ginny Philips, 525 North Amelia Ave., commented that the City Manager's comments on the trial missed the point that the judge said that the box car could be permitted. She added that they will get it engineered and will get it approved.

- b. City Manager

Nothing to report.

- c. City Attorney

Nothing to Report.

- d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

Nothing to report.

- 2) Individual Members' comments and updates.

Councilmember Templeman attended an Eagle Scout event and volunteered at the Birthday BBQ.

Councilmember Badar attended Birthday BBQ as well. He also acknowledged the passing of Cynthia Ersher.

Councilmember Bertone commented that while going through the difficult time of budget talks, council doesn't always agree and he feels that it is not necessarily a bad thing. He feels that the bad times are behind us.

3) Reappoint Youth Member to the Parks and Recreation Commission.

Amanda Avery, term scheduled to expire Sep. 2012, is eligible and requests reappointment. The commission terms for youth members are annual.

**MOTION:** Councilmember Ebiner moved and Councilmember Badar seconded.

The motion carried unanimously.

**7. ADJOURNMENT**

The regular meeting was adjourned in honor of Cynthia Ersher at 8:09 p.m. The next meeting is on August 28, 2012, at 7:00 p.m.

Respectfully submitted,

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City Clerk