

MINUTES
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY

Regular Meeting – January 21, 2020
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Carbone opened the meeting at 5:30 p.m.

The invocation was led by Reverend Robert Hellam

The Pledge of Allegiance was led by Police Chief Brian Ferrante.

Present: Mayor Mary Ann Carbone
Vice Mayor Blackwelder
Council Member Hawthorne
Council Member Sofer
Council Member Cruz

Staff: Aaron Blair, City Manager
Vibeke Norgaard, City Attorney
Brian Ferrante, Police Chief
Charles Pooler, City Planner
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

Mayor Carbone announced that her report of the Women's Mayors Conference was distributed along with the Police Department's Statistical Report. Item 8A, Presentation of Certificates to the West End participants will be continued to the next Council meeting and that a Council Member conflict exists for Agenda items 9A & 11C.

Police Chief Ferrante provided a report on the Statistical Comparison of Crimes by City from 2014 to 2018 and noted that Sand City had a reduction 35% of crimes committed within the City. He further explained the changes in legislation that changed misdemeanors to felonies, and the need for rehabilitation programs for drug offenders.

Council Member Hawthorne suggested that the statistics be placed on the City's website so the public is aware of how well the department is performing their job.

City Manager Blair reported that the West Bay Street repair project is moving forward, that a mid-year budget review is scheduled for the first week of February, and that Staff is looking into a code enforcement bid for service.

AGENDA ITEM 5, PUBLIC COMMENT

5:44 P.M. Floor opened for Public Comment.

There were no comments from the Public.

5:44 P.M. Floor closed to Public Comment.

AGENDA ITEM 6, CONSENT CALENDAR

- A. There was no discussion of the December 10, 2019 Special City Council Meeting Minutes.
- B. There was no discussion of the December 17, 2019 Sand City Council Meeting Minutes.
- C. There was no discussion of the City **Resolution** making Re-Appointments to the Design Review Committee (Paul Davis & Elizabeth Sofer).
- D. There was no discussion of the City **Resolution** making New Appointment of Chris Barlow to the Sand City Design Review Committee until January 2022.
- E. There was no discussion of the City/Successor Agency Monthly Financial Report, September 2019.
- F. There was no discussion of the City **Resolution** Updating the Appointments to Various Local and Regional Agencies and Boards effective, January 21, 2020.
- G. There was no discussion of the City **Resolution** Honoring Gregory Hawthorne as the 2020 Champion of the Arts Lifetime Achievement Awards Recipient.
- H. There was no discussion of the City **Resolution** Confirming Members of the Sand City Arts Committee.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Hawthorne. AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 7, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 8, PRESENTATION

A. Presentation of Certificates by Mayor Mary Ann Carbone and Stephen Vagnini to Volunteers/Supporters of the 2019 West End Celebration

Mayor Carbone commented that this item will be continued until the Tuesday, February 4, 2020 Council meeting.

AGENDA ITEM 9, PUBLIC HEARING

{Council Member Cruz stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property}

A. Consideration of City RESOLUTION Disapproving a Time Extension of CUP 594 for Max Kammerer at 836 Afton Avenue within the South of Tioga Area and Allowing Said Permit to Expire

City Planner Pooler reported that Conditional Use Permit 594 ("CUP 594") was approved by the City Council on July 21, 2015 and issued to Max Kammerer of Ornamental Iron to establish and operate an ornamental metal fabrication workshop at 836 Afton Avenue. The Property is located within the designated South of Tioga Planning District intended for new development. CUP 594 specified a one (1) year time limit to July 31, 2016 with the option of 90-day time extensions thereafter. The intent was for interim uses. CUP 594 was repeatedly extended in 90-day increments by the City until January of 2019; whereby, CUP 594 was not continued past April 30, 2019. There was no further action by the City to renew CUP 594, or any other interim permits within the South of Tioga area. The subject property was owned by Cathy Gomez at the time of issuing CUP 594 in 2015 and was purchased by the Developer in 2019. Mr. Kammerer continues to operate the business at the property.

CUP 594 is being brought before the City Council at a noticed public hearing to make a final determination as to the status of this permit and whether to deny any further time extension(s).

Mr. Kammerer manufactures items that include, but not necessarily limited to, gates, hand railings, balcony rails, and other functional and decorative metal items. Activities on-site include welding, grinding, sanding, cutting, hole punching, drilling, hammering, and rolling steel

CUP 594 contained multiple conditions and references to Mr. Kammerer's operation being an interim use until the South of Tioga Project was ready to proceed. Those conditions are reviewed as follows:

Condition #2: states that "*Conditional Use Permit (CUP) 594 is for the express purpose of authorizing a limited scale ornamental metal fabrication workshop within an approximate 2,000 square foot area of an existing*