

**APRIL 11, 2023, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 8:17 P.M.**

COUNCIL MEMBERS PRESENT: R. Coe, L. McIntosh, P. Shelton R. West. A. Teter

OTHERS PRESENT: J. Goodwin, City Manager
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
D. Sylvester, Police Chief
A. Paquette, Fire Chief
S. Wong, Finance Director
L. Thomason, City Clerk
J. Johnson, Account Clerk

PLEDGE OF ALLEGIANCE: Council Member R. West led the pledge of allegiance.

PUBLIC COMMENT

None.

CONSENT CALENDAR

It was moved by Council Member P. Shelton, Seconded by Council Member L. McIntosh to **approve minutes from the regular City Council meeting on March 28, 2023; Ordinance No. 490 Amending Title 18 of the Wheatland Municipal Code to establish a streamlined permitting process for electric vehicle charging stations (EVCS) in compliance with Assembly Bill (AB) 1236 and AB 970; Proclamation Declaring April 2023 as Child Abuse Prevention Month; annual review of City of Wheatland’s Investment Policy; Alcohol Beverage Control license designation and designate the Community Development Director and City Engineer as property negotiators for property located at APN 015-180-117 and 015-180-102.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) Police Chief Damiean Sylvester presented the staff report to provide direction to staff regarding animal control services in the community. The City of Wheatland currently has a MOU with the County of Yuba (dated 2000) to provide the below Animal Control Services to the City: Yuba County Animal Control (AC) will license all animals for Wheatland residents and AC will take reports on “human only” bites, which is per Environmental Health. The fees received from Wheatland residents go directly to the Yuba County General Fund and are used to provide the above services and house any Wheatland animals turned into the Animal Shelter. Per the MOU, the city is required to license 125 animals per year and agrees to pay \$10 per license, per year, for unsold licenses below 125. In 2021, 76 animals were registered by Wheatland residents, and in 2022, there were 106 registrations, which are below the 125 required per the MOU. Yuba County Sheriff’s Department has not billed the city the \$10 per license fee for being below 125 licenses per year since the MOU was put in place. Currently the Wheatland Municipal Code is inconsistent with the MOU we currently have with the Yuba County Sheriff’s

Department. The Wheatland Municipal Code states the City Clerk is responsible for providing dog license applications and license tags and collecting the fees from residents. The Wheatland Municipal Code states all animal complaints and loose dogs are to be reported to the Police Department or City Clerk. The Police Department does respond to all animal calls/complaints in the city. Most of those calls are dogs at large and dogs barking excessively. The Police Department has responded to numerous dogs at large calls within the city limits and has taken possession of dogs who are found at large in our city. The Police Department currently makes every effort to locate the owner of a dog at large and return the dog to the owner. If the owner cannot be located or identified, the Police Department transports the dog to the Yuba County Sheriff Department Animal Shelter. Recently the Police Department responded to a report of two loose dogs attacking and killing another dog that was being walked by the owner. With the assistance of Yuba County Animal Control, the two dogs were captured and taken to the Yuba County Animal Shelter. The owner of one of the dogs was identified and criminal charges are currently pending against the owner. Some residents have voiced concerns about what they believe to be inadequate animal control services in the community. Concerns expressed include too many dogs running loose in the city, not enough accountability for owners of loose dogs, and the owners are not facing criminal charges when warranted. Some residents want an Animal Control Officer working in the city limits so the number of loose dogs and calls for service would decrease.

City Council Comments

Mayor R. West commented on the number of staff at animal control, Chief Sylvester stated he does not know. Mayor West questioned if animal control has ever come to the City, Sylvester responded no. West stated that the City should take the responsibility to educate the public for pet owners to take responsibility for their pets.

Council Member P. Shelton commented on animal complaints and questioned how many animals have been taken to animal control. Chief Sylvester responded less than five. Shelton questioned if police officers have had training in animal control, Sylvester stated there has been no specific training for animal control and the Police Department deals with phone calls and makes the best decision possible to resolve the situation. Shelton commented on directing staff to review the current MOU with the Yuba County Sheriff Office, update and require owner information on dog tags and review and amend the ordinance regarding animals in the City.

Council Member A. Teter commented on the average time for a call for a loose animal. Chief Sylvester stated the department tries for two hours to locate the owner, if no response, the animal is taken to animal control. Teter questioned if loose animals were taken care of by animal control, how would the Police Department participate to resolve the issue. Chief Sylvester responded they would try to reunite the animal with its owner.

Council Member L. McIntosh stated the animal ordinance needs to be amended to remove the City Clerk as a contact for loose animals and educate the community to license animals. An unidentified audience member commented on licensing animals, McIntosh stated it is a municipal code requirement in the City to license animals. McIntosh also stated that ordinances in the Wheatland Municipal Code should be current and to direct staff to investigate Police Department training for animals.

Public Comment

Charlene Bole commented on phone calls to the county and the expectation of the caller to speak with someone in the City, but the calls transfer to Yuba Sheriff Office dispatch. Bole stated she called for help and the dispatch clerk told her they did not have time for the call and hung up on her. Bole also commented there should be a second phone number to call for help. Chief Sylvester explained there are two numbers to call, 911 or (530) 633-2821. Bole stated that pet owners need to be educated and code

enforcement complaints should be filled out and filed with the City. Bole added that phone numbers of pet owners should be added to pet registration tags.

Cathy Watson commented on code enforcement and fire call issues. Watson stated the county does not deal with Wheatland calls. Watson questioned if the City has an ordinance for animals and the number allowed, Chief Sylvester responded yes. Council Member L. McIntosh stated residents are allowed to have four animals, including fosters. Watson questioned if the City has a time limit for how long an animal is allowed to be chained or tied up and a leash law. Watson also questioned how many times the Police Department will deal with the same animal before something permanent is done.

Lisa Schulthies questioned when the caller is hung up on, how will the City respond in the future. Mayor West responded the City needs to be notified immediately when a call for help is not handled appropriately. Chief Sylvester added that the Yuba County Sheriff Office dispatch worked for a long period of time without a supervisor, however that has changed, and they are working on making improvements in service. Schulthies commented on harboring vicious animals and procedures for filing a report. Schulthies added that many homeowners have called to complain about the dogs.

City Attorney J. Buckman clarified information for audience and council members, referencing the Wheatland Municipal Code and filing a report.

Chief Sylvester explained the case involving Schulthies animal is pending and the attacking dogs were taken. The more aggressive dog was not returned to the owner. There have been no additional calls about the dogs or charges filed.

REPORTS

Finance Director S. Wong reported on the Senior Accountant filed the Government Employee Compensation Report with the State Controller, health insurance enrollment and the final payment for City Hall is being processed.

Council Member A. Teter reported on the Economic Development Committee.

Meeting adjourned to Closed Session at 6:45 p.m.

CLOSED SESSION

The meeting was reconvened at 8:17 p.m. with no reportable action.

There being no further business, Mayor R. West adjourned the meeting in memory of former Finance Director Roger Carroll at 8:17 p.m.

Minutes approved and adopted on this 25th day of April 2023.

Rick West, Mayor

Lisa Thomason, City Clerk