

**MAY 14, 2024, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 7:03 P.M.**

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

OTHERS PRESENT: B. Zenoni, City Manager
S. Wong, Finance Director
D. Schilling, City Engineer
J. Buckman, City Attorney
A. Paquette, Fire Chief
L. Thomason, City Clerk

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

PUBLIC COMMENT

None.

CONSENT CALENDAR

It was moved by Vice Mayor R. Coe, Seconded by Council Member A. Teter, to **approve minutes on April 23, 2024, and adopt Resolution No. 22-24 Authorizing Execution of an Agreement with Yuba County for Utilization of RIMS Public Safety Software.** Vote called – AYES: All. Motion carried.

PUBLIC HEARING

1) City Manager Bill Zenoni presented the staff report for discussion and consideration of an Ordinance Amending Wheatland Municipal Code Chapter 8.16 relating to the cleanup of hazardous materials; amending section 8.08.170 relating to the recordation and collection of nuisance abatement liens; and amending Wheatland Municipal code sections 18.30.040 relating to conditional uses within a C-11 neighborhood commercial district and 18.33.040 conditional uses within a C-2 neighborhood commercial district. Chapter 8.16 authorizes the Wheatland Volunteer Fire Department to clean up or abate the effects of any hazardous substance or waste deposited upon or into property or facilities within the City. Wheatland Volunteer Fire Department no longer provides fire protection services within the City limits, the City Attorney recommends that the Municipal Code be amended to authorize the Wheatland Fire Authority to undertake the duty to enforce the correction of fire or life hazards within the City limits. Section 8.08.170 states the manner in which the City must provide notice to the responsible person(s) of a property of which the City abated a nuisance and the subsequent process for recording a lien with the county recorder. The City Attorney recommends that the Municipal Code be amended to update and correct a legal citation within section 8.08.170. Section 18.30.040 establishes the commercial designation for convenience shopping facilities within Wheatland pursuant to the General Plan, or any applicable Area Plan. Previously, the City adopted urgency ordinances establishing limitations on massage parlors within the City, but those ordinances expired without the City Council making permanent changes to the Municipal Code. At the time,

the state of the law was in flux and the Legislature had adopted laws that limited the City's ability to regulate massage parlors. In the subsequent years, the Legislature restored some of the City's ability to regulate massage parlors (through a 2014 law), and there has been a significant trend of reputable massage parlors such as Massage Envy opening in retail centers. Law enforcement in some communities continue to report that a number of massage parlors contribute to or facilitate illicit activities, such as prostitution or sex trafficking. City staff wishes to encourage reputable massage parlors that may want to establish businesses within the City without risking the establishment of criminal or disreputable businesses. The City Attorney therefore recommends that the Municipal Code be amended to include massage establishments as conditional uses within the C-1 and C-2 Neighborhood Commercial Districts. Requiring a conditional use permit for these businesses will ensure that they are subject to conditions intended to ensure that the massage businesses are run in a reputable manner. These conditions would include: (1) the business must be owned by a California Massage Therapy Council certified massage practitioner; (2) the business will employ only persons who are certified by California Massage Therapy Council; (3) the business will not serve alcoholic beverages on the premises; and (4) the business will not be open before 8 AM or after 9 PM. Other conditions may also be added as deemed appropriate for the location and other specific facts related to an application to establish a massage parlor.

It was moved by Vice Mayor R. Coe, Seconded by Council Member P. Shelton to **waive the first reading or Ordinance No. 496 Amending Wheatland Municipal Code Chapter 8.16: Relating to the Clean Up of Hazardous Materials, Section 8.08.170: Relating to the Recordation and Collection of Nuisance Abatement Liens, Section 18.30.040: Relating to Conditional Uses Within a C-1 Neighborhood Commercial District, and Section 18.33.040: Relating to Conditional Uses Within a C-2 Neighborhood Commercial District.** Vote called – AYES: All. Motion carried.

Public Comment – None.

REGULAR CALENDAR

1) City Engineer Dane Schilling presented the staff report for consideration and adoption of resolution approving SB-1 Funding Project List for Fiscal Year 2024-25. On April 28, 2017, State Senate Bill 1 (SB-1), also known as the Road Repair and Accountability Act of 2017, was signed into a law by Governor Brown. SB-1 established the Road Maintenance and Rehabilitation Account (RMRA) to address deferred maintenance on the state highway system, and local street and road systems. RMRA funds are available to cities and counties for basic road maintenance, rehabilitation, and critical safety projects that may include, road maintenance and rehabilitation, safety projects, railroad grade separation, complete streets components and traffic control devices. The Pavement Management Program lists SB-1 funds as one of several sources of street maintenance funding. SB-1 requires cities to adopt, by resolution, a list of projects proposed to receive funding from the RMRA prior to a given fiscal year. This list represents the staff's current plan and intent for expenditure of the SB-1 funds. City Council may choose to modify or alter the list at any time by resolution. Staff needs to report on the selected projects by June 30th to make the first round of reporting to the California Transportation Commission. Capital street maintenance projects accomplished last year were Hooper Street resurfacing, Olive Street resurfacing, West Main Street resurfacing and C Street resurfacing and slurry seal. Potential SB-1 funded projects for Fiscal Year 2024-25: Crack sealing of various streets, Wheatland Road Complete Streets, and slurry seal streets. Unexpended SB-1 funds may be rolled-over and accumulated for use in future years. The projects are intended to improve and maintain the quality of the roadways and ensure that the City's local road network continues to meet the needs of the community.

Henry Gilbert commented on Wheatland Road drainage.

It was moved by Council Member P. Shelton, Seconded by Council Member A. Teter to **adopt Resolution No. 23-24 to approve list of projects funded by SB-1, the Road Repair and Accountability Act in Fiscal Year 2024-25**. Vote called – AYES: All. Motion carried.

REPORTS

D. Schilling reported on Beale AFB and SACOG.

S. Wong reported on Department of Finance population estimates are 3,893.

B. Zenoni reported on the Wheatland 150 celebration and pet parade, SACOG and Beale AFB presentation, the Regional Sewer Ad Hoc Committee meeting and budget.

A. Teter reported on a LAFCo update.

R. West reported on the groundbreaking ceremony for the new signal at Highway 65 and McDevitt Street.

There being no further business, Mayor R. West adjourned the meeting at 7:03 p.m.

Rick West, Mayor

Lisa J. Thomason, City Clerk