

**MINUTES
OF THE
SPECIAL MEETING
CLAYTON CITY COUNCIL**

TUESDAY, December 6, 2011

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 9 a.m. by Mayor Shuey in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Shuey, Vice Mayor Geller, Councilmembers Medrano, Pierce and Stratford. Staff present: City Manager Gary Napper, Police Chief Dan Lawrence, Community Development Director David Woltering, Assistant to the City Manager Laura Hoffmeister, and City Clerk Laci Jackson.

2. **PUBLIC COMMENT ON NO AGENDA ITEMS**- None.

3. **TOWN HALL MEETING**

The following business owners and community members were present: Steve Barton, Dennis Mitchell, Dolores Austin (Clayton Club Saloon), Jennifer Lutz and Shawn Robinson (Clayton Community Church), A.J. Chippero (Cup O' Joe), Dana Guzzetti (Bay Area News Group), Chris Kretz (Clayton Station Shopping Center), Lynne French (Windermere RE), Cathie Gernhardt (Cathie's Custom Creations), Barbara Carney (Frontier Beauty Salon, TLC Pet Grooming), Dick Ellis (Clayton Museum), Lynn Hadley (Resident), Lisa Ferrari (Bella Mia Spa), Candace Bass (Clayton Valley Art Collaborative), Ted Meriam (Clayton Historical Society), Jim Frazier (Hair by Jim), Angeline Booth (Windermere RE), JoAnne Caspar (Clayton Historical Society), Sue White (Accurate Business Services), Adalto Nascimento (Concord Patch), Clayton Perry (Skipolini's Pizza), Johnny Sandhu (Johnny's Deli), and Sam Sandhu (Village Market), Joe Sanchez, Gary Hood, and Jim Diaz.

- (a) Open Forum discussion between business community and City Council to address issues, concerns or matters of mutual interest:

Probable Topics

1. Roundtable discussion with Business and Property Owners – open forum.
2. Critique of the 2011 Concerts in The Grove series.

Vice Mayor Geller stated the public donated \$14,000 at the concerts in the 2011 season and CBCA has pledged up to \$12,000 to support the 2012 season. There will be 10 concerts next year starting May 12th and ending September 13th.

Mayor Shuey stated the goal of the Concerts was to get business traffic to the downtown businesses and they were partially funded in the past by the Clayton Redevelopment Agency as supporting local economic activity. The fate of the Redevelopment Agency is now in the hands of the courts at this time and future Redevelopment funds for the concerts are unknown.

Dennis Mitchell stated the concerts were great for their business.

Shawn Robinson stated people are parking in their private lot more and that will need to be discussed. The Mayor stated the church can certainly block off its private property.

Jim Frazier stated more event parking signs are needed at the end of the street where his business is located so that his private parking is not taken. Clayton Perry stated parking was a problem for a few people but there were not many complaints. The Police Chief stated most people were parked legally during concert nights.

Mayor Shuey asked how the concerts went as far as incidents? The Police Chief responded the concerts do not seem to be causing significant problems and one police officer is dedicated to each concert.

Johnny Sandu stated his business benefits from the walking traffic during those nights.

Jim Frazier asked about the introduction of vendors into the concerts. Councilmember Geller stated the goal of the concerts was to enhance the business for the downtown and vendors might take business away from local owners.

Cathie Gernhardt asked about the benefit to businesses that are not part of the downtown, such as having a pizza booth or T-shirts? Clayton Perry responded there would not be much benefit to selling slices of pizza; he tried and most people prefer a whole pizza.

Steve Barton stated he would be concerned about having vendors as a focus because they create distractions and people are at the concerts to enjoy the music. He stated he was worried about it just becoming another "festival."

Johnny Sandu stated he was not a fan of vendor booths because it takes away from the businesses in the area and it would make it more difficult to compete.

Dennis Mitchell stated the Clayton Club ran promotions at the concerts and anyone who made a donation received a coupon for a discounted beverage. Steve Barton suggested creating a downtown business coupon to redeem at any of the downtown businesses.

Councilmember Pierce commented for the last few years she and Tamara Steiner from the Clayton Pioneer have put together coupons and adds on the back of the concert schedule. Are those of value or not worth the effort?

Candace Bass stated it is nice to have those schedules available at community events.

AJ Chippero stated maybe there could be a raffle with prizes for people who make donations to the concerts.

Chris Kretz stated the concerts series seems to only focus on the downtown businesses and the tone is all about the downtown. What about the Clayton Station businesses?

Steve Barton stated the Clayton Station feels like the "stepchild" and it is important to make the businesses in that shopping center more involved with the concerts.

Councilmember Medrano stated they are referring to all of the businesses in Clayton and do not mean to exclude any business.

Gary Hood noted parking is a problem for lower and upper Easley residents and the music is loud and can be heard from their homes. He stated he has a problem with the porta-potties being stored across the street from the park all season and stated the storage of trash bins behind the park's bathrooms are an eye sore. He asked if a noise check could be done in the neighborhoods. He stated 50% of the calendar weekends in a year residents are impacted by events and loud music. Mayor Shuey stated the porta-potties were donated by Allied Waste Services and it doesn't hurt to ask about other options for storage.

Barbara Carney stated her businesses do not benefit from the concerts but maybe coupons would help.

Mayor Shuey stated maybe an email could be sent out to businesses interested in a citywide coupon.

Lynne French stated the concerts make the businesses more visible so all Clayton businesses benefit from that exposure.

Vice Mayor Geller stated concert surveys expressed there was a need for more toilets and that is why the porta-potties were brought in. They are chained and locked during the week and are only used during the event; by leaving them in place they are available for use by the other events. Gary Hood stated perhaps the City should consider building another permanent restroom because it would look nicer. Mayor Shuey stated those porta-potties are only used twenty days a year and the Council would have to have a funding mechanism to bring on another restroom.

Dennis Mitchell stated he would support the concerts being held every night of the week.

Barbara Carney stated there has been vandalism at night in the downtown. Steve Barton stated his businesses added more surveillance cameras because of the vandalism. The Mayor reminded the business owners to report all incidents to the Police Department. Jim Frazier stated he put up cameras and extra lighting to deter kids from hanging out. The Police Chief was asked to have officers at the concerts patrol more of the surrounding areas downtown during the concert.

3. Feedback on a Proposal to allow a private sponsor to hold five (5) additional weeknight concerts in The Grove Park in 2012 that could include one food sales booth and/or one alcohol sales booth.

Councilmember Medrano stated most cities have their concerts on weekdays. He stated he would like to add a weeknight concert that is privately funded with one beer or wine booth and one food booth. He stated this would be an opportunity for local businesses to participate. He stated this would allow people to come downtown on a weeknight.

Mayor Shuey asked if the booths would be for local businesses? Councilmember Medrano stated he would like the booths to be local businesses as a way to promote their business.

Sam Sandu stated he is ok with the concerts but is not ok with the booths.

Gary Hood stated he would like to **see** the focus not be on alcohol for all events. He stated many cities do not even allow alcohol in their parks.

Shawn Robinson asked that any plans stay away from Friday nights since the church has their summer movie series on their property those evenings.

Clayton Perry stated they have their car show on Wednesday nights and weekday concerts would not help their business. Mayor Shuey asked if they would be interested in joining with the concerts. Clayton stated he did not think the two events would work well together.

Councilmember Medrano stated more people would support local businesses on a week night because they won't have time to go home and prepare something after work before heading downtown.

Dennis Mitchell stated Wednesday nights are not good because that is the night they are busy with young people.

Jim Frazier asked about doing the concert in the Clayton Station. Chris Kretz stated he liked the idea. When asked, the Police Chief noted they would need to get a Temporary Use Permit from the City.

Lynn French stated it would be nice to have an alcohol free event.

Cathie Gernhardt asked what time the weekday concerts would be held? Councilmember Medrano responded 6:00 p.m.- 8:30 p.m.

Johnny Sandu asked why the food and alcohol booths? Councilmember Medrano stated it would help privately fund the concerts. Johnny responded memorabilia could be sold to help offset the costs.

Mayor Shuey stated the intent with the food vendor would be to showcase and highlight a certain business. Johnny Sandu stated the business would not make enough money for one night with all the fees and expense for government and health permits.

Councilmember Medrano stated he was trying to incorporate some of the business costs into the event, therefore they would not be asking businesses to cover the cost for the health department permits. He stated the liquor sales would produce the revenue. He stated he is looking to hold five weeknight concerts during the season.

Steve Barton stated he anticipates each concert would cost about \$3,000.

Gary Hood suggested moving all concerts to a weeknight.

Vice Mayor Geller stated the best idea he heard was for the Clayton Station to host some concerts. He noted the current Saturday concerts are very popular.

Lisa Ferrari stated parking would be an issue in the Clayton Station and could deter people from patronizing the businesses.

Shawn Robinson stated the church has a portable stage they could donate for a weeknight concert.

Jim Diaz stated moving concerts to the Clayton Station could be problematic because all of the equipment is stored downtown and it might create logistical issues.

Vice Mayor Geller stated there might be other ways to highlight the Clayton Station businesses without having a concert.

Chris Kretz noted the environment and ambiance in a shopping center is not the same as in a park.

Joe Sanchez asked how the weeknight concerts would be approved. Mayor Shuey stated it would have to be brought before the Council at a regular public meeting.

Lynn Hadley asked how the booths would work as far as fencing for the event area? Councilmember Medrano stated the alcohol would be limited to the park boundaries as it is now during the concerts.

Cathie Gernhardt asked if residents are having a parking problem in their neighborhood could have signs be put out to say no parking? The Police Chief stated the public street is for the public and if those signs are put out no one is allowed to park in those areas, including adjacent residents.

Sam Sandu stated foot traffic needs to be created during the week and added there is no restaurant for breakfast downtown. The City should search for a breakfast diner.

5. Ideas for promotion of a healthier local business economy.
(e.g., a Business Improvement District).

Councilmember Pierce stated Tamara Steiner from the Clayton Pioneer held a meeting to discuss a Business Improvement District (BID) with certain people recently.

Candace Bass stated she, Steve Barton, Ed Moresi and Jim Frazier held a meeting to brainstorming meeting on the subject but nothing was decided.

Jim Frazier stated the goal of the brainstorming session was to create a goal and find a collective voice. Steve Barton stated they were searching for a mission and ideas that all businesses could support. He stated they wanted to draw attention to new businesses and promote them.

The City Manager stated the formal aspect of forming a BID under state law is to get businesses working together, not top down by the City. Alternately, this could be done informally by the CBCA but it must be driven from the ground up.

Steve Barton stated the group discussed determining what they would want to spend money on before asking for money.

Councilmember Pierce stated technology could be used to make people more aware of their businesses. Gary Hood stated there is an app for smart phones that could be utilized.

Dennis Mitchell stated a lot of the things a BID does might already be being done.

Vice Mayor Geller suggested using the CBCA to get people together to further discuss this idea.

Jim Frazier suggested allowing more banners at the City entrance sites as long as they fit certain criteria. Mayor Shuey stated the banners at the entrances to the City lose effectiveness and get crowded.

Steve Barton asked how this would mesh with CBCA's mission? Councilmember Pierce stated a sub-committee of the CBCA could be put together to work on this concept.

Councilmember Stratford suggested a new resident mailer or brochure. Steve Barton stated a brochure had been put out in the 1990's that listed businesses and phone numbers and a new business kit. Candance Bass suggested a free map with all the shops in town on it. The City Manager suggested this be in electronic media so that it is easier to update but that all businesses would have to have the opportunity to be part of it if it were to be done by the City.

Sue White stated many people forget the Clayton Station is in Clayton and noted many of those business owners are not members of the CBCA. Why not?

4. General information/feedback on the City's General Plan goals (Housing Element) that encourage second-story housing in the Town Center area.

Kent Ipsen asked what the plans are for the Stanley property in the downtown area. The City Manager responded the property owner has been repeatedly contacted and is not interested in developing the land. He stated it is incumbent upon the land owners in the Downtown to do something with their property. He stated the City has been in talks with a company to put multi-density housing on private lands around the PacBell location.

Shawn Robinson asked what areas have the potential for second story housing? Councilmember Pierce stated all of Center Street.

6. Merits of holding semi-annual meetings of this nature?

There was no demonstrative interest holding this meeting more than once a year.

4. **COUNCIL ITEMS** – None.

5. **CLOSED SESSION-** 11:25 a.m. On call by Mayor Shuey the Council moved into Closed Session for the following purpose:

- (a) *Government Code Section 54957(b) (1).*
[Annual] Performance Evaluation of Public Employee
Title: City Manager

Report out from Closed Session: Mayor Shuey indicated the City Council met to discuss the purpose of Closed Session and that no reportable action was taken.

6. **ADJOURNMENT**– On call by Mayor Shuey the meeting adjourned at Noon.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL


David T. Shuey, Mayor