

# MINUTES

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD  
TWENTYNINE PALMS, CALIFORNIA  
TUESDAY, APRIL 12, 2005  
7:00 P.M.**

**1.0 CALL TO ORDER** – Mayor Benton called the meeting to order at 7:04 p.m.

**PLEDGE OF ALLEGIANCE** – Councilmember Bernal led the Pledge of Allegiance.

**INVOCATION** – Pastor Katie Goetz, United Methodist Church

**ROLL CALL** – The following Councilmembers were present: Bernal, Cole, Klink, and Mayor Benton. Mayor Pro Tem Spear was on an excused absence.

## **2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

2.1 Mayor Benton presented a proclamation to Betsy Sellers with One Legacy recognizing April 2005 as “National Donate Life Month”.

2.2 Mayor Benton presented a proclamation to Kurt Schauppner of the Desert Trail, in honor of the Desert Trail's 70 Years of Service to the Community of Twentynine Palms.

2.3 Councilmember Kevin Cole was asked by Mayor Pro Tem Steve Spear to present checks in the amount of \$400.00 each to the Twentynine Palms International Thespian Society and the Twentynine Palms High School Select Choir. Councilmember Cole explained the money received from Waste Management, Mayor Pro Tem Spear, and Michael Duncan of Triad Realtors is for cleaning up the City. Katie Van Sumeren, the representative for the International Thespian Society thanked the Mayor and Councilmembers for giving them this opportunity. The Twentynine Palms High School Select Choir performed for the Mayor and Councilmembers to say thank you.

## **3.0 ANNOUNCEMENTS**

3.1 Mayor Benton announced that these proceedings will be televised on Cable T.V., Channel 6, as follows: April 13, 2005 at 7:00 p.m. and Saturday, April 16, 2005 at 3:00 p.m.

## **4.0 PUBLIC COMMENTS**

Granton Mark, Twentynine Palms said that he wanted to complain about a sign that was a waste of money. He then said that the under grounding of the utilities was a bad idea.

R.R. Surratt, co-owner of the Cactus Bar, Twentynine Palms. He spoke regarding the red/green curb issue in front of his business. He mentioned that approximately 4-6 weeks prior, he had inquired about the red/green curb issue in front of his business. He has not heard anything and wanted to know the status of his inquiry.

Beverly Briggs, Twentynine Palms spoke regarding the speeding vehicles on Baseline Road. She asked that a speed sign be installed shortly after entering Baseline Road from Utah Trail. She said this may alleviate the speeding problem.

Alhin Rominiecki, Hotchkiss, Colorado and part time resident of Twentynine Palms spoke regarding the imposed property tax for the Solid Waste Self-Hauler application. He felt the constringent regulation was just silly and he would like to see an exception created for the part time residents or something that is less intrusive.

## **5.0 CITY COUNCIL COMMENTS**

Councilmember Cole spoke regarding the vast amount of visitors that we have in our community at this time do to our wonderful wild flower season and how happy he is about this. He then reminded the citizens of our community to be friendly to our visitors so that they will pass the word about what a great place Twentynine Palms is to visit. He then spoke of the City County Conference in Lake Arrowhead and what a great opportunity it is for the Councilmembers to interact with the County Representatives and our County Supervisor.

Councilmember Joel Klink thanked the Chamber of Commerce for promoting the City and enlightening him via e-mail of up and coming events through agendas and correspondences. He then sent out his condolences to Liz Meyer for the loss of her husband. He then spoke regarding the Adopt a Street program and said what a good way this is for a family to take their own street and be responsible to keep it clean he mentioned that if the citizens would be interested in this program to see Cindy Villescass here at City Hall.

Mayor Dawn Benton sent his condolences to the Meyers family as well.

## **6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR**

- 6.1 Waive the Reading of the Ordinance and Approve the Reading by Title Only  
RECOMMENDATION: The City Council approve the reading by title only of all ordinances and that further reading of such ordinances be waived.
- 6.2 Warrant and Payroll Register  
RECOMMENDATION: Receive and file register totaling \$ 513,475.85.
- 6.3 Approval of Minutes  
RECOMMENDATION: The City Council/Redevelopment Agency approve the Minutes of the March 8, 2005 City Council meeting.

- 6.4 Law Enforcement Report – February 2005  
RECOMMENDATION:
- 6.5 Chamber of Commerce Report – March 2005  
RECOMMENDATION: Receive and file.
- 6.6 Treasurer’s Report – February 2005  
RECOMMENDATION - Receive and file.
- 6.7 Enhanced Security Project for Emergency Operations Center  
RECOMMENDATION: The City Council approve a bid from E&J Key for the Enhanced Security Project of the Emergency Operations Center. The estimated cost, including installation, would not exceed \$30,000. The project would be purchased with Homeland Security grant funds and would have no impact on the General Fund.

On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 4-0-1 roll call vote (Spear excused absence), the Consent Calendar was approved as submitted.

**7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND /OR ADDED AGENDA ITEMS.— None**

**8.0 PUBLIC HEARING**

**NOTE: Item 8.2 taken out of order per Mayor Dawn Benton**

- 8.2 **(PC 05-01)** General Plan Amendment from Applicant Tom Egerer to Change Zoning, Increasing Density From One Unit Per Five Acres to Three Units Per Acre, 20 + Acres Southwest Corner of Sullivan Road and Copper Mountain Road, APN 613-051-03.  
RECOMMENDATION: Conduct the Public Hearing and Deny the Application as recommended by the Planning Commission.

City Manager Michael Swigart (City Manager Swigart) presented a Staff Report to the Councilmembers.

Mayor Benton opened the Public Hearing.

The following people (Twentynine Palms) spoke in opposition of the project: Beverly Briggs, Jack Briggs, Ann Underhill Cogden, M.J. “Mac” Dube, Pat Flanagan, Owen Gillick, Pat Massey, Henry Mattson, Nichole Panter, Susan L. Reilly, Jack Shay, Jill Smith, Paul Smith, and T.J. Williams.

The following have requested to be recorded in opposition of Agenda Item 8.2: Burton and Joanne Anderson, Gretchen Grunt, D.J. Masker, Campbell Rimmington, Carl and Lynne Shmakoff, and Bill Truesdell.

A brief discussion occurred between the Councilmembers.

Mayor Benton read a statement for Mayor Pro Steve Spear in his absence. Mayor Pro Tem Spear asked that it be read into the record. (see Agenda packet for April 12, 2005 City Council meeting for permanent record)

On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 4-0-1 roll call vote (Spear excused absence), the City Council denied the General Plan amendment application as recommended by the Planning Commission.

A 10 minute recess was called by Mayor Benton at 8:05 p.m.

Mayor Benton reopened the meeting at 8:13 p.m.

- 8.1 **(PC 04-52)** Continued from March 8, 2005 Meeting. Development Code Update, Review of Chapters 19.07 Rural Living (RL), 19.08 Single Family Residential (RS), 19.09 Multi-family Residential (RM), 19.10 Commercial Districts (CG, CO, CT, and CN), 19.12 Service Commercial (CS) and Community Industrial (IC), 19.14 Open Space Residential (OSR), 19.15 Public (P), 19.20 General Plan Amendments, 19.40 Application Process and Submittal Requirements, 19.44 Public Hearing Notice, 19.48 Accessory Uses, 19.66 Commercial Vehicle Parking, and 19.70 Lighting Standards.  
RECOMMENDATION: Conduct the Public Hearing, consider the Planning Commission recommendation, introduce Ordinance No. 194, and direct staff to bring Ordinance No. 194 back for adoption.

City Manager Swigart presented a Staff Report.

Wally Pacholka, Twentynine Palms, spoke in favor of Agenda Item 8.1 Regarding: Development Code update to 19.70 Lighting Standards.

Pat Flanagan, Twentynine Palms, spoke in favor of Item 8.1 Development Code update to 19.70 Lighting Standards.

Jack Shay, Twentynine Palms, spoke in favor of Ordinance No. 194.

Valerie Driscoll, Twentynine Palms, spoke in opposition of the proposed 24" eaves.

T.J. Williams, Twentynine Palms, stated that he is ok with the General Plan but not to Item 8.1 of the Development Code updates.

D.J. Masker, Twentynine Palms, spoke in favor of Item 8.1 on the Development Code updates.

Susan L. Reilly, Twentynine Palms, spoke in favor of Item 8.1 Development Code update to 19.70 Lighting Standards.

Mayor Pro Tem closed the Public Hearing.

A discussion occurred between the City Councilmembers in detail on the 24" eaves, under grounding of utilities, and the Commercial Vehicle Parking.

On a motion made by Councilmember Cole, seconded by Councilmember Bernal and carried with a 4-0-1 roll call vote (Spear excused absence) the City Council approved the Development Code amendments with the Planning Commission recommendations with the exception of the under grounding utilities ordinance (will not adopt changes and will maintain existing ordinance) and with the amendment suggestion to the Tow Truck section of the ordinance.

- 8.3 **(PC 04-53) Amendment of General Plan Land Use and Circulation Plans.**  
**RECOMMENDATION:** Conduct the Public Hearing and Approve the General Plan Amendment as recommended by the Planning Commission.

City Manager Swigart presented a Staff Report to the City Council.

A brief discussion occurred between the Councilmembers and Staff regarding the alternate roads (Cactus Drive and Joshua Drive) and whether or not to hold these roads until the City is able to study the downtown area. The study for the downtown area would include marketing, commercial uses, architectural design, circulation and street amenities

A consensus was reached not to follow the Planning Commission recommendation to remove Cactus Drive and Joshua Drive as Collectors from the Circulation Plan. They will not be acted on until the Downtown Study is completed.

Mayor Benton opened the Public Hearing.

Hearing no requests to speak, Mayor Benton closed the Public Hearing.

On a motion made by Councilmember Cole, seconded by Councilmember Klink and carried with a 4-0-1 roll call vote (Spear excused absence), the City Council approved the amendments of the General Plan and Land Use and Circulation Plan with the exception of the Planning Commission recommendation to remove Cactus Drive and Joshua Drive as Collectors from the Circulation Plan. They will not be acted on until the Downtown Study is completed.

- 8.4 **(PC 04-47) Appeal of Conditions of Approval (Right of Way Dedications) for Conditional Use Permit (CUP) for Intensification of Use, Adding a Towing Business to Existing Facilities, 72878 Twentynine Palms Highway (APN 618-151-67 and 68).**  
**RECOMMENDATION:** Present Appeal to City Council for a Decision Regarding Right of Way Dedications.

City Manager Swigart announced that the owner of the property Carol Smith called and asked that the Public Hearing be continued to Tuesday, April 26, 2005 at 7:00 p.m. Staff agreed.

On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 4-0-1 roll call vote (Spear excused absence) the Public Hearing was continued to Tuesday, April 26, 2005 at 7:00 p.m.

**9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None**

**10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT AGENCY -**

**10.1 Planning Commission Appointment/Reappointment**

**RECOMMENDATION:** Appointment /Reappointment of Planning Commissioners.

Mayor Dawn Benton announced that he and Councilmember Elaine Bernal (Councilmember Bernal) were the sub-committee for this selection.

Councilmember Bernal stated that there were several applicants and the amount of qualifications presented was absolutely impressive and that she and Mayor Benton spent numerous hours reviewing the applications and the applicants. She congratulated each and every applicant who applied and applauded them for their efforts.

Councilmember Bernal announced their recommendations for the new Planning Commissioners as Irving O. Stone III and Bill Easter, Jr.

Councilmember Cole commended the sub-committee for their diligence on making their decision and said they did a great job.

Councilmember Klink echoed Councilmember Cole's comments.

On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 4-0-1 voice vote, that the City Council appoint Irving O. Stone, III and Bill Easter, Jr. to the City of Twentynine Palms Planning Commission.

**11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS – Councilmember Cole asked for a joint workshop with the City Council and the Planning Commission.**

**12.0 CLOSED SESSION - None**

**13.0 ADJOURN – Mayor Benton adjourned the City Council meeting at 9:44 p.m. in memory of Dave Meyers who passed away on April 1, 2005.**

Respectfully submitted,

Adda L. Harris, Deputy City Clerk