



**MINUTES OF THE REGULAR MEETING OF THE  
RIDGECREST CITY COUNCIL AND  
RIDGECREST REDEVELOPMENT AGENCY**

**City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555**

**December 20, 2006  
6:00 p.m.**

**Tape Recorded  
Tape 06-32**

This meeting was tape recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council/Redevelopment Agency. Meetings are recorded solely for the purpose of preparation of minutes.

**CALL TO ORDER – 6:03 p.m.**

**ROLL CALL**

**PRESENT:** Mayor Marshall Holloway, Mayor Pro Tem Steven Morgan, Vice Mayor Thomas Wiknich, Council Members Daniel Clark and Ronald Carter

**STAFF:** Harvey Rose, City Manager; Steven O'Neill, City Attorney; Rita Gable, City Clerk; Jim Winegardner, Administrative Services Department Director/City Treasurer; Jim McRea, Community and Economic Development Department Director, Dennis Speers, Public Works Department Director; Joe Pollock, Assistant Public Works Director; Ron Strand, Deputy Chief of Police; and other personnel

**CLOSED SESSION – 6:00 p.m.**

GC54956.9 Conference with Legal Counsel – Liability Claim of L&D Construction #06-12

**REGULAR SESSION – 6:30 p.m.**

**PLEDGE OF ALLEGIANCE led by BSA troop 412 from Calvary Chapel**

**INVOCATION – Reverend Ralph Mueller, Ridgecrest Presbyterian Church**

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### CITY ATTORNEY REPORT OUT OF CLOSED SESSION

In Closed session Council reviewed and discussed the Liability Claim of L&D construction and rejected it.

### APPROVAL OF AGENDA

City Manager Rose announced that the ordinance pertaining to Medical Marijuana was not on the Agenda for this meeting.

Moved by Council Member Morgan, second Council Member Wiknich TO APPROVE THE AGENDA. No public comment carried with a voice vote of 5 ayes.

### PROCLAMATIONS AND PRESENTATIONS

#### 1. Youth Advisory Council Reports

none

### PUBLIC COMMENT 6:39 p.m.

Dave Matthews

- Merry Christmas
- Welcomed Tom Wiknich to the Council
- Hoped to see Ray Arthur here tonight
- Wants him to stand up click his heels and

Wittsell, 1209 W Robert

- Came because thought marijuana would be on agenda
- Mayor told him we were going to do this tonight
- Worked at Walla Walla VA hospital in 1969
- Later in late 90's Alexandria VA clinic and worked with veterans
- It is four times more likely to get emphysema - 50-72 percent for cancer in marijuana smokers
- Chemical ingredients were 3% in 60's now 20%
- Psychosis and breakdowns are common
- schizophrenia increases
- Tobacco smoke is bad and so is this
- There are other health conditions associated with marijuana

Frank Nickleson, 228 S. Sunland

- Worked in emergency services in Trona
- Noted weeds in vacant lots, streets and sidewalks

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- If fire occurs on windy day there are not enough fire fighters to catch it before it races through neighborhoods
- Brought photos and CD to show areas
- Remembered when we had no curbs and gutters
- Got forced down our throats when incorporated
- Things are in a disgraceful condition all over city
- Enforce the laws and safety codes of the state
- No right to shove this aside with excuse of no money
- Halt all frivolous activities and get back to doing what is necessary

f

Clark suggested he call Bob Smith and give him this info

Cathleen Phillopi, 617 W. Ward

- Lives next to lot full of weeds
- Afraid if they caught on fire her house would burn

Jerry Taylor, 315 Mesquite

- Noted the barriers on N. China Lake Boulevard
- They are there for a reason - no longer a left turn lane
- People are still ignoring them – we need more barriers or closer watch by the Police Department

Mike Neel, Randall Street

- Not correct that dispensary is gone because of council
  - Mr. Rose - they closed for their own reasons
- Sheriff has been aware of how many dispensaries were to be in county – there are 6
- Was told that there are 15 in line waiting west of mountains
- They will not be here even if not in Ridgecrest
- Context of discussion was that the marijuana ordinance would be on this meeting
- Disappointed that it has not being taken up and finalized

Mayor Holloway confirmed that the licensing is correct and that there was no rush to bring it back once the dispensary was closed

Al Huey, 1128 Windy Lynn

- Wants lamp in the street light and has been asking for some time to get it replaced

Joe Pollock responded that he took call from Al and reported it to SCE – the City does not do street light maintenance

- Also disappointed the marijuana ordinance has been tabled

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- Don't think Council wrote this ordinance for the one business but for the big picture
- There is continuing litigation with cities who have not issued licenses
- Moratorium ends in February so it needs to be addressed
- Table because of the report from the report from the police chiefs associations
- Audio of meeting indicated there were three confirmed votes
- Need to come to a decision either up or down
- Looked at 1162.5 Compassionate Act and no way does it permit dispensary or store front operations so what code or law is directing Council to consider this

Walt Maurer, 209 W. Mariposa

- Heard recently that it was not on the agenda
- Commented on lack of minutes on the City web site
- Thanked Mr. Rose for returning his phone call
- He and Council draft the agendas
- Does not understand the delay on the marijuana issue feels that it is very simple decision
- Whished everyone Merry Christmas

Dorothy Bennett, Randal Street

- Shocked that you are shocked that Council is not considering the marijuana issue
- Why not let the Council study this and get back to us
- Merry Christmas to all

Council Member Wiknich suggested bringing it to the January 17 meeting

Council Member Carter will be meeting with the Mayor, Police Chief and Mr. Rose Thursday after new years

Mike Neel

- Question a meeting being held and only a couple of Council going to it

Mayor Holloway stated it is not a public meeting

Walt Maurer

- Asked Council why not entertain an ordinance that prohibits marijuana dispensaries

Closed at 7:08 p.m.

**CONSENT CALENDAR**

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2. Resolution No. 06-88, A Resolution Of The Ridgecrest City Council Authorizing Payment Request 3 For Work Completed To Date In The Amount Of \$68,444.06 With Retained Funds To Date In The Amount Of \$87,547.34 To Asphalt Construction Company For The Construction Of Mahan Street From Upjohn Avenue To Ridgecrest Boulevard, Graaf Avenue From Norma Street To Wayne Street And Reeves Avenue To 660 Feet East  
Ponek
3. Resolution No. 06-89, A Resolution Of The Ridgecrest City Council Authorizing The City Manager To Reject All Bids For The Pinney Pool Filter Systems And To Purchase Filters Directly From Knorr Systems Inc And Installation Directly With Horizon Mechanical
4. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of October 18, 2006, 2006  
Gable
5. Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 1, 2006, 2006  
Gable
6. Council Expenditure Approval List (DWR) Dated December 1, 2006 In The Amount Of \$500.00  
Winegardner
7. Council Expenditure Approval List (DWR) Dated December 8, 2006 In The Amount Of \$198,144.09  
Winegardner
8. Council Expenditure Approval List (DWR) Dated December 12, 2006 In The Amount Of \$89.00  
Winegardner
9. Agency Expenditure Approval List (DWR) Dated December 8, 2006 In The Amount Of \$10,088.60  
Winegardner

Dave Matthews clarified a comment made by Walt Maurer regarding lack of minutes on the City web site – minutes have to be approved by Council before they are printed or posted. Items 4 and 5 are minutes for approval.

Moved by Council Member Morgan, second Council Member Carter TO APPROVE THE CONSENT CALENDAR. Public comment heard. Carried with a voice vote of 5 ayes.

**ORDINANCES AND RESOLUTIONS**

*The following item was tabled at the Council meeting of December 6, 2006 and requires a motion to remove from the table.*

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Moved by Council Member Wiknich, second Council Member Morgan TO REMOVE ORDINANCE NO. 06-18 FROM THE TABLE. No public comment. Carried with a voice vote of 5 ayes.

**10. Ordinance No. 06-18, An Ordinance Of The City Council Of The City Of Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Controlled Games Rose**

This ordinance was introduced for first reading, by title only, at the regular Council meeting of November 15, 2006 and for second reading and adoption on December 6, 2006 at which time it was tabled. It is brought to the Council at this time for second reading and adoption.

Dr. Wittsell

- Has seen patients addicted to many things and has seen gambling creep in as an addiction

Al Huey

- Reflected back two weeks ago
- Reason why we don't have gentlemen's clubs and head shops
- Guess it would be alright to see casino signs

Cathleen Phillopi

- This is a mall community
- Lost her license so got on bike and went about her errands
- She is not in the best of health but manages

Walt Maurer

- No limit on amount of wager on the controlled gaming
  - Mr. Rose sated the Code says limit is imposed by card room owner
  - There never been limits set by the City
- So city cannot impose on them
  - No - only if we wish to but we do not want to
- So we are going to pay more in taxes due to increased crime

Bud Klamt

- Feel strongly about this
- Put restrictions on marijuana - do what is morally right and stop this
- Two tables is good number

Mike Neel

- feels families in the City do not want card tables in the City of Ridgecrest and that it should be zero

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Mr. Rose clarified waging limits wording – the Attorney General didn't like our original wording and number of table so

Council Member Morgan

- See no reason to deny recreational gaming as people seem to want it

Council Member Clark

- Has more concern with internet gambling and has no problem with this
- Those going to card rooms are over 21 and not children
- Supports this ordinance

Moved by Council Member Clark second Council Member Morgan TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 06-18, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO CONTROLLED GAMES. Public comment heard. Carried with a voice vote of 5 ayes.

**11. Ordinance No. 06-19, An Ordinance Of The City Council Of The City Of Ridgecrest Adding Article 23 To Chapter IV Of The Ridgecrest Municipal Code Regarding Food Establishment Grading Rose**

This ordinance was introduced for first reading, by title only, at the regular Council meeting of December 6, 2006 and is brought to the Council at this time for second reading and adoption.

Moved by Council Member Clark, second Council Member Carter TO WAIVE READING IN FULL AND TO INTRODUCE, BY TITLE ONLY, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST ADDING ARTICLE 23 TO CHAPTER IV OF THE RIDGECREST MUNICIPAL CODE REGARDING FOOD ESTABLISHMENT GRADING. No public comment. Carried with a voice vote of 5 ayes.

**12. Ordinance No. 06-20, An Ordinance Of The City Council Of The City Of Ridgecrest Adding Article 5 To Chapter I Of The Ridgecrest Municipal Code Regarding Eminent Domain Rose**

This ordinance was introduced for first reading, by title only, at the regular Council meeting of December 6, 2006 and is brought to the Council at this time for second reading and adoption.

Moved by Council Member Wiknich second Council Member Morgan TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST ADDING ARTICLE 5 TO CHAPTER I OF THE RIDGECREST MUNICIPAL

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CODE REGARDING EMINENT DOMAIN. No public comment. Carried with a voice vote of 5 ayes.

13. **Ordinance No. 06-21, An Ordinance Of The City Of Ridgecrest Amending Section 22.3 And Adding Section 22.4 To Chapter XXII Of The Ridgecrest Municipal Code Regarding Exercising Eminent Domain By The Redevelopment Agency Of The City Of Ridgecrest** **Rose**

This ordinance was introduced for first reading, by title only, at the regular Council meeting of December 6, 2006 and is brought to the Council at this time for second reading and adoption.

Moved by Council Member Wiknich second Council Member Morgan TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY, ORDINANCE NO. 21, AN ORDINANCE OF THE CITY OF RIDGECREST AMENDING SECTION 22.3 AND ADDING SECTION 22.4 TO CHAPTER XXII OF THE RIDGECREST MUNICIPAL CODE REGARDING EXERCISING EMINENT DOMAIN BY THE REDEVELOPMENT AGENCY OF THE CITY OF RIDGECREST. No public comment. Carried with a voice vote of 5 ayes.

**CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

Next regular Meeting will be January 17, 2007

At recent meeting of City Organization Committee presented report of Council Committee restructuring. Was proposed that Council meet in a retreat setting to discuss the committee restructuring. Best would be on a Saturday – need to find agreeable date. Also retreat to discuss elected mayor and charter or general law city.

All agreed to January 20

Council Member Wiknich encouraged whoever would like to apply for appointments to committees or Planning Commission to do so with the City Clerk

**CITY ATTORNEY REPORTS**

**COMMITTEES, BOARDS AND COMMISSIONS**

14. **Council Appointments To Committees, Boards and Commissions**

**Council may make appointments to the various committees, boards and commission at this time if they have selected appointees. Names of current or most recent members are shown.**

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All Council Committee terms are for 2 years (coincides with City elections)

**Committees Upon Which Council Serve**

Economic Development	Council Members Clark/Holloway
Legislative	Council Members Holloway
Infrastructure	Council Members Morgan/Wiknich (interim)
City Organization	Council Members Carter/Morgan
Quality of Life	Council Members Clark/Carter
RACVB	Member and alternate vacant

**Committees To Which Council Makes Citizen Appointments**

Redevelopment Advisory Committee Members	Council Members Morgan/Carter (ex-officio members)
Youth Advisory Council	Council Members Carter/Clark
Planning Commission	Council Member Morgan – Lois Beres Council Member Carter – Howard Laire Council Member Clark – Jerry Taylor Council Member Martin – Jim Smith Council Member Holloway – Mike Biddlingmeier

**All temporarily reappointed**

Personnel Board	Council Member Morgan – Michael Smith Council Member Carter – Eddie Edwards Council Member Clark – Margaret Holm Council Member      – Dave Mechtenberg Council Member Holloway – Gary Charlton
Redevelopment Advisory	Council Members Carter/Morgan ex-officio members Council Member Morgan – Nicole Guerreo Council Member Carter – Bob Peoples Council Member Clark – Mike Hogan Council Member      – Ron Ketcham Council Member Holloway – Gary Charlton



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Mayor Holloway / Mayor Pro Tem Martin

RACVB

Council Member Morgan - alternate

Quad State

Council Member Morgan

**Current Council Committees and incumbents**

**Economic Development Committee**

Members: Chair Dan Clark, Chip Holloway, Mike Biddlingmeier, Howard  
Laire

Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference  
Room

Next meeting to be announced

**Legislative Committee**

Members: Chair Duke Martin, Chip Holloway

Meetings: probably quarterly - at 8:00 a.m.; Council Conference Room

Next meeting to be announced

**Infrastructure Committee**

Members: Chair Steve Morgan, Tom Wiknich, Jim Smith, Lois Beres

Meetings: 2nd Tuesday of the month at 4:00 p.m., Council Conference  
Room

Dec 12

- Discussed barriers on China Lake Boulevard
- Request from business to take them down
- Council Impact Plan
- Vote to move to Council the traffic signal cameras and extended 2 year warranty
- CDBG discussed
- Street lighting - overhead wood pole with citizens working with it
- Update on WalMart
- Concrete zipper report not best option for s - others being looked at
- Capital improvement list
- Public Works Director Speer has an open door policy

Next meeting January 9 2007

**Planning and Zoning Ad Hoc Committee**

Members: Chair Steven Morgan, Vice Chair Chip Holloway, Jerry Taylor  
and Jim Smith

Meetings: 4th Wednesday of the month at 4:30 p.m.

Next meeting to be announced Dec 21

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**City Organization Committee**

Members: Chair Ron Carter, Steve Morgan

Meetings: 2nd Thursday of the month at 5:00 p.m.; Council Conference Room

Met December 14

- Kern County transit - we are putting money into this
- In negotiations with County for more funding
- Giving 6 weeks notice of discontinuing
- Discussed retreat and 4 committees being discussed
- Action committee to deal with gangs
- Discussed elected mayor
- Questioned general law or charter for City of Ridgecrest
- Fire services was discussed

Next meeting January 11 2007

**Quality of Life Committee**

Members: Chair Dan Clark, Ron Carter, Howard Laire, and Jerry Taylor

Meetings: 4th Thursday of the month at 5:00 p.m.; Kerr-McGee Center

Next meeting January 25 2007

**Redevelopment Advisory Committee**

Members: Chair Mike Hogan, Vice Chair Nicole Guerrero, Bob Peoples, Gary Charlon, Ron Ketcham; Ex-officio Members Council Members Steven Morgan and Ron Carter, Planning Commissioner Lois Beres

Meetings: 3rd Tuesday of the month at 5:15 p.m., Council Conference Room

Next meeting January 16 2007

**RACVB**

Council Member Duke Martin – chip reported read memo

Council Member Steve Morgan- Alternate

Met December 20

Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office

Next meeting January 17 2007

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

Clark – Arts Council will meet January 24 2007 5 p.m. Kerr-McGee Center

Morgan – January 12, 2007 Quad State in Bakersfield

Holloway – Kern County Air Pollution Control District – EPA passed on cement plant in Tehachapi – it was tested for mercury - 2 new air monitoring stations are in the plans - one possibly on the base and one in Tehachapi for mercury monitoring

**MAYOR AND COUNCIL COMMENTS**

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### **Clark**

- Had some trouble last week regarding his mail
- Some people are going through mail boxes and looking for gift cards or money
- Encouraged everyone to get their mail as soon as it is delivered
- Congratulated Boys And Girls Club for 50K grant
- Wished everyone Merry Christmas and Happy New Year
- Thanked Scouts for attending

### **Carter**

- Thanked Scouts for being here and for leading the Pledge of Allegiance
- Wished everyone great holidays and Happy Christmas

### **Wiknich**

- He too thanked the scouts for leading the pledge
- Urged any citizen wishing to serve on the Planning Commission to fill out an Application with the City Clerk
- He intends to interview applicants before he makes an appointment
- Asked for addition to agenda for presentation of results of the survey he conducted during the campaign
- Asked about the suggestion of having Council comments at beginning of meetings – will be discussed at retreat
- Weeds around the community need to be taken care of
- Merry Christmas and Happy New Year

### **Morgan**

- Excited about the possibility of reorganization of the committees
- Planning on each department having a committee
- Appreciates all comments he receives from the citizens
- This is a special time of year when we are friendly, happy and giving
- Would love to bottle it and spread it out over the year
- Remember what is going on this month and try to extend it

### **Holloway**

- Thanked Scouts too
- Thanked Ray Arthur publicly for all he has done
- He has brought so much into the community
- Has grown the film commission and tourism over the time he has been here
- So well known throughout the industry and so efficient no wonder he has been swept away
- Welcomed back Dave Matthews – know he has been having some family issues

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- Noted we have new people who have come to 2-3-4 and maybe 5 meetings in a row
- Community has great compassion and empathy towards those who need help
- Great to see how many pull together at this time of year
- Merry Christmas and Happy New Yea to all

**ADJOURNMENT**

Mayor Holloway adjourned the meeting at 8:04 p.m.

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Rita Gable, City Clerk