

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, September 15, 2009**

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris and Craig Turco

Staff Present: Richard Matranga, Gary Ghio, Dale Mendenhall, Melisa Ralston, David Hanham and Mary Kelly

**5:00 PM      CALL TO ORDER**

**ADJOURN TO CLOSED SESSION**

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Scott Kenley and Richard Matranga  
Employee Organization: Peace Officers Association

**RECONVENE**

**5:55 P.M.      ABATEMENT ITEM**

**CONSIDERATION OF ABATEMENT/DEMOLITION OF THE LODE HOTEL (continued from August 4, 2009 Council meeting) -** Steve Flaigg, Building Inspector

Steve Flaigg reported that the engineer has submitted new pages to the current plan which slowed the progress down a couple of weeks. He has been keeping a contact log and keeps the City Engineer updated on the work progress.

**Direction: City Engineer to enter building to check progress.**

**Direction: Agendize item for October 20<sup>th</sup> CC meeting**

**6:00p.m.      REGULAR MEETING**

**ACTION TAKEN IN CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATORS. Agency designated representatives: Scott Kenley and Richard Matranga. Employee Organization: Peace Officers Association

Council Action: No decision made - direction given to negotiator

**APPROVAL OF AGENDA**

Agenda item #5 "PRESENTATION REGARDING MAINTENANCE RESPONSIBILITY/OWNERSHIP OF ROADS IN GREENHORN CREEK" was moved up to the beginning of the regular agenda for discussion. Agenda item #4 "CHAMBER OF COMMERCE'S FROGTÖBERFEST PARADE" was pulled from agenda. Agenda item #10 "CONSIDERATION OF REDUCTION IN FORCE OF PEACE OFFICER PERSONNEL" was pulled from the agenda and continued to a future closed session.

**STAFF UPDATES**

**Dale Mendenhall** – Police Chief

- Reviewed report included in the packet

**Dave Hanham** – Planning Director

- Reviewed report included in packet

- Will provide Council with MSR comments on 9/16
- Reviewed New Melones EIR
- Planning Commission reviewed sign definitions
- CCOG OWP work items will be brought to Council in October.

**Gary Ghio** – City Engineer

- Pre-construction conference next Tuesday
- Preliminary design for TE project within a few weeks.
- Meet with Craig and Dave regarding Caltrans relinquishment agreement

**Bruce Silva** – Building Official

- Excavation has started at the Utica Park kitchen

**Direction: Present kitchen design and update progress at next council meeting**

**COUNCIL UPDATES**

**Councilmember Morris**

- Attended CCOG, LLD, Safety Services, Traffic Circulation and BLT
- Will be attending Infrastructure and UPA

**Councilmember Turco**

- Attended CCOG where Caltrans District 10 Director Russ Chittenton was present. Discussed the speed sign issue on highway 4 – was very receptive
- Attended Safety Services where decision was made to erect a yield sign on Bush St. & Utica Lane and to put reflective street markers on Mark Twain.
- He and CM Boeding met with department heads regarding ideas/concerns re: absence of city administrator.

**Councilmember Boeding**

- Attended LLD, Safety Services and Personnel/Finance
- Will be attending LAFCO

**Mayor Lynch**

- Attended CCOG meeting and met Director Chittenton.
- **Attended meeting with Joe Spano, Gary Ghio and Carol Woolf in Stockton to discuss installation of 4th water filter. Will discuss further at Facilities/Infrastructure meeting on Friday.**
- Met with the veteran’s district regarding the possibility of the City acquiring the property on Booster Way.

**PUBLIC COMMENT**

**John Broeder** – 1860 Finnegan

Repeated his complaint of the continuing sewer odor on Finnegan.

**Robbin Dobel** – 2227 Marks Ranch Road

Voiced her concerns of the stench on Finnegan and the toxic gasses.

(NOTE: letters of concern were given to the City Clerk. Will be attachment to minutes.)

**Ryan Sullivan** – 2101 Finnegan

Lives in the same neighborhood where smells are bad. Works for CCWD and said he can fix the problem easily and inexpensively. Mayor Lynch asked if he would attend the Facilities/Infrastructure meeting scheduled for Friday 9/18. He replied that he would.

**Amy Culligan** – 787 Smith Flat road

Voiced concerns of ‘awful’ smell

**Scott Largent** – 2227 Marks Ranch Road

Voiced concerns of bad stench in area.

**Carol Holmboe** – Citizen of Angels Camp

Asked that odor problem be taken care of. Visitor’s comment and the smell is ‘gross’

**Rick Downey** – 817 Smith Flat Road

Asked why the odor issue has not been addressed sooner

**Colleen Tracy** – Calaveras County Health Department

Informed the Council of a committee meeting being sponsored by the High Schools on H1N1 Flu (Swine Flu). Asked for the City's support. Meetings will be held on Thursday, September 24<sup>th</sup> at the Calaveras High School gym and Tuesday, September 29<sup>th</sup> at Bret Harte High School theater. Notices will be sent to schools and newspapers.

**Bob Menary** – ACBA President

Informed Council of ACBA upcoming events, including: Taste of Calaveras on October 11<sup>th</sup>, Candidates night at Camps on October 12<sup>th</sup>, sidewalk sale on October 17<sup>th</sup> and the annual Christmas parade.

**Tim McSorley** – CCOG

Reported:

- Shoofly on Vallecito Road is almost complete and should open on Friday
- Working on the Overall Work Program for 2010/2011. The Regional Transportation Plan (RTP) update will be using most of the available funding CCOG has for that fiscal year. Asked the City to still submit projects.
- Explained that the Relinquishment Agreement between the City and Caltrans is a City/Caltrans issue not a CCOG issue, but CCOG will do what they can to assist.
- The California Transportation Commission (CTC) will be coming to Calaveras County sometime in October to host a town hall forum. Will keep City updated.

**Jim Rosbrook** – Altaville/Melones Fire

Explained that he was working the Yosemite fire when his letter requesting a waiver in sign fees was presented to the Council and denied. Has additional information that may change Council's mind and asked if this could again be placed on upcoming agenda for review.

**Direction: Item to be placed on the October 6<sup>th</sup> agenda.**

**Kathy Collins** – Branding Leadership Team

Reported that the BLT will host a swap meet at Raspberry Lane during the sidewalk sale event on 10/17.

**Lisa Mayo** – Calaveras Visitor's Bureau

Reported that the Calaveras County booth won a gold ribbon at the State fair. Out of 35 counties, Calaveras received "best experienced" award. The booth has been dismantled and parts are being displayed in empty storefronts downtown.

**George Fry** – 1304 Oak Place

Stated that he is working with a national organization to bring 750 people to the City of Angels next fall for a conference.

### **CONSENT AGENDA**

**MOTION** by Council Member Turco, seconded by Council Member Boeding and carried 4-0 to adopt the consent agenda:

- a. Minutes of Regular meeting – September 1, 2009
- b. **MOTION** to pay bills

## REGULAR MEETING

**Item #5 was presented at this time**

**5. PRESENTATION REGARDING MAINTENANCE RESPONSIBILITY/OWNERSHIP OF ROADS IN GREENHORN CREEK** – Steve Difu, Greenhorn Creek Resident

Mr. Difu presented a Powerpoint presentation explaining the history of the LLD and requested ownership and maintenance of the roads in Greenhorn Creek become the City's responsibility. The City Attorney explained that although it is rare for an LLD to include road maintenance in services provided, more time was needed to determine the legalities of Difu's request. Mayor Lynch suggested that the terms of the revenue agreement be renegotiated as a matter of fairness. The City Council will look at the facts and numbers coming from the LLD and resolve the issue now. Council Member Morris asked the City Attorney if there was anything to prevent Council Members Lynch and Turco from voting on this item because they live in Greenhorn Creek. The City Attorney recommended he research any financial impact and other legal issues before any action is taken.

**Kim McCarthy** – 253 Point Drive

In support of the City maintaining the roads, she stated that the residents of Greenhorn Creek have contributed financially to the City and the General Public uses areas in Greenhorn Creek.

**Brian Bates** – 249 Blair Mine Road

Stated there is a negatism on tourism from the City. He said he does not understand and is disappointed that residents in the GHC community are treated differently than those not living there.

**Trish Ford** – 138 Smith Flat Road

Voiced concerns over the statement of GHC residents having "special" benefits. The other residents of the City also receive special benefits.

**Mike Kristoff** – GHC General Manager

Clarified that the Golf Course is not part of GHC. The roads are part of the LLD. He also pointed out that LLD stands for Landscaping Lighting District.

**Denise Turco** – 244 El Dorado Court

Stated that this is a perfect opportunity for the City Council and City of Angels to recognize that GHC is part of the City of Angels.

**Jim Pisula** – GHC Resident

In agreement with what Ms. Turco said and stated that GHC is an asset to the City and the City has improved since GHC was built.

**Rick Downey** – 817 Smith Flat Road

Spoke in support of the City's ownership of the roads in GHC.

**MOTION** by Council Member Boeding, seconded by Council Member Lynch and carried 4-0 TO CONTINUE THIS ITEM TO THE OCTOBER 6<sup>TH</sup> COUNCIL MEETING TO ALLOW CITY ATTORNEY TO RESEARCH LEGAL ASPECTS OF FINANCIAL RESPONSIBILITY AND OWNERSHIP ISSUES OF THE ROADS IN GHC.

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

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**Item #3 was presented at this time**

**3. BRET HARTE HIGH SCHOOL HOMECOMING PARADE** – Travis Bardsley, Bret Harte Student  
**MOTION** by Council member Turco, seconded by Council Member Boeding and carried 4-0  
ADOPTING RESOLUTION NO. 09-36. A RESOLUTION APPROVING THE BRET HARTE HIGH SCHOOL HOMECOMING PARADE

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**Item #1 was presented at this time**

**1. DESIGNATION OF A 15-MINUTE PARKING SPACE IN FRONT OF 1267 S. MAIN STREET, WORLD MERCANTILE (recommendation from Planning Commission) – Dave Hanham, Planning Director**

The Planning Director stated that the Planning Commission is recommending a six-month trial for a 15-minute loading zone in front of the World Mercantile. He detailed 4 conditions required by the Planning Commission stating that it was approved 4-1 by the Commission. Council Member Turco voiced his concerns about who will monitor this and the possibility of setting precedent for other eateries or business owners wanting their own loading zones. Planning Director Hanham agreed this could be an issue and explained that the Traffic Circulation Committee is updating the parking study to address the downtown area. The City Attorney explained the question of monitoring would need to be addressed with a resolution or ordinance.

**Steve Difu** – 576 Sasa

Stated other merchants would take advantage of this. There is not enough parking downtown now, why take a space away?

**Gary Croletto** – Chair, Planning Commission

At the Planning Commission meeting, there were a number of public comments. He suggested a decision not be made on this item until the draft minutes from that meeting were complete and the Council has a chance to review.

**Michelle Lee** – Angels Camp resident

Spoke in support of the 15-minute parking space.

**Buck Reed** – Angels Camp resident

Spoke in support of the 15-minute parking space.

**George Fry** – Angels Camp resident

Spoke in support of the 15-minute parking space.

**Niki Robison** – Manager, World Mercantile

Explained how tough it is running a business now. The parking space would not be exclusive to the Mercantile. They do not plan to challenge anyone parking there. The Mercantile would pay the cost to change it to a 15-minute zone.

**MOTION** by Council Member Boeding, seconded by Council Member Morris TO CONTINUE THIS ITEM TO THE OCTOBER 6, COUNCIL MEETING.

**Direction:** Planning Director to provide draft Planning Commission minutes of this item.

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**2. APPROVAL OF BRANDING LOGO DESIGN – Niki Robison, Brand Leadership Team**  
Niki Robison gave a brief history of the new logo design for Angels Camp as the Mountain Sports Capital.

**Rosie Sundell** – Bear Valley

Explained that this logo has been approved by the Branding Committee and recommended its approval by the Council.

**MOTION** by Council Member Turco, seconded by Council Member Morris and carried 4-0 APPROVING THE CITY OF ANGELS BRANDING DESIGN LOGO

**This item was placed back on the agenda for discussion, having been pulled previously in error.**

**4. CHAMBER OF COMMERCE'S FROGTOBERFEST PARADE – Diane Gray, Executive Director, Chamber of Commerce**

**MOTION** by Council Member Morris, seconded by Council Member Boeding and carried 4-0 ADOPTING RESOLUTION NO. 09-37. A RESOLUTION APPROVING THE CALAVERAS COUNTY CHAMBER OF COMMERCE FROGTOBERFEST PARADE

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**6. WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT PHASE III – ARRA FUNDING** – Gary Ghio, City Engineer

The City Engineer explained this was an information item only. The City still needs to receive the final agreements and hope to have them all by the end of next week. The loan rate has not been settled yet, but will be between 1%-3%.

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**7. PROPOSITION 218 NOTICE & PROTEST PROCEDURE RELATED TO THE JUNE 2006 WASTEWATER USER FEE INCREASE** – Richard Matranga, City Attorney

The City Attorney explained that approval from the Council was needed to move forward with the Proposition 218 Notice & Protest procedures. He suggested the City consider holding a workshop to educate the public on this requirement by the State.

MOTION by Council Member Boeding, seconded by Council Member Morris and carried 4-0 DIRECTING STAFF TO COMPLETE A NOTICE AND PROTEST PROCEDURE FOR THE JUNE 2006 WASTEWATER USER FEE.

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**8. PUBLIC HEARING: ADOPT ORDINANCE #438 AMENDING CHAPTER 3.30 OF THE ANGELS CAMP MUNICIPAL CODE** – Richard Matranga, City Attorney

9:01 Public Hearing Opened

Mayor Lynch asked if there were any public comments regarding this item. There being none, the public hearing was closed.

9:02 Public Hearing Closed

MOTION by Councilmember Turco, seconded by Councilmember Boeding and carried 4-0 ADOPTING ORDINANCE #438 - AMENDING CHAPTER 3-30 OF THE ANGELS CAMP MUNICIPAL CODE – PURCHASE, BID PROCEDURE, ENGINEERING RELATED CONSULTANT SERVICES AND PROPERTY DISPOSAL (INTRODUCED AUGUST 18, 2009)

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**9. PERIODIC PRESENTATIONS TO THE PUBLIC FROM GROUPS/ENTITIES RECEIVING CITY MONIES (referred by Personnel/Finance Committee)** – Council Member Turco

Council Member Turco explained that he is recommending an accounting of funds spent from the various agencies who receive City funds be provided to the public. Council Member Boeding stated this is not necessary as these agencies show how they plan to use these funds when they present their budgets to the Council. Mayor Lynch felt this was an excellent idea as it increases visibility to the general public.

MOTION by Council Member Turco, seconded by Mayor Lynch and carried 4-0 DIRECTING THE MUSEUM, ANGELS CAMP BUSINESS ASSOCIATION, BRAND LEADERSHIP TEAM AND VISITORS BUREAU PRESENT TO THE COUNCIL AN UPDATE ON COMMUNITY SUPPORT ACTIVITIES

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

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**10. CONSIDERATION OF REDUCTION IN FORCE OF PEACE OFFICER PERSONNEL (continued from 9/1 CC meeting)** – Richard Matranga, City Attorney

This item was pulled from the agenda.

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**11. ESTABLISHING COST PER GALLON FOR SEWAGE TREATMENT FOR FY 2009/2010 (continued from 9/1 Council meeting)** – Melisa Ralston, Finance Officer

The Finance Officer presented 3 scenarios for reducing the cost per gallon for sewage treatment.

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 4-0 APPROVING POTENTIAL ITEM 'B' (AS PER ATTACHED) ESTABLISHING COST PER GALLON FOR SEWAGE TREATMENT FOR FY 2009/2010

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12. **CONSIDERATION, APPROVAL AND ADOPTION OF FY 2009/2010 BUDGET (continued from 9/1 Council meeting)** – Melisa Ralston, Finance Officer  
MOTION by Council Member Turco, seconded from Council Member Boeding and carried 4-0 TO CONTINUE THIS ITEM UNTIL FINAL FIGURES ARE RECEIVED FROM THE POLICE OFFICERS ASSOCIATION
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13. **APPROVE RESOLUTION ESTABLISHING COST PER GALLON FOR SEWAGE TREATMENT FOR FY 2009/2010 (continued from 9/1 Council meeting)** – Melisa Ralston, Finance Officer  
MOTION by Council Member Boeding, seconded from Council Member Morris and carried 4-0 TO CONTINUE THIS ITEM UNTIL THE FINAL 2009/2010 BUDGET IS APPROVED
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14. **CLOSURE OF CITY HALL FROM 11:30am – 12:30am (referred by Personnel/Finance Committee)** – Melisa Ralston, Finance Officer  
MOTION by Council Member Turco, seconded by Council Member Morris and carried 4-0 APPROVING THE CLOSURE OF CITY HALL FROM 11:30am – 12:30pm

**MEETING ADJOURNED AT 9:35 P.M.**

ATTEST:

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Jack Lynch  
Mayor

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Mary Kelly  
City Clerk