



**CITY COUNCIL MINUTES
MONDAY, APRIL 15, 2024**

THIS MEETING WAS CONDUCTED IN-PERSON AT 33 CHURCH STREET,
THE PUBLIC WAS ABLE TO VIEW FROM HOME:

Join Zoom Meeting
<https://us02web.zoom.us/j/9568520224>

6:00 P.M. 1. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING

Council members present:

Feist, Riordan, Sierk, Swift and Gunselman

Vicky Runquist, City Treasurer

Staff Present:

Tom DuBois, City Manager

Derek Cole, City Attorney

Karen Darrow, City Clerk

Dan Lafontaine, Public Works Director

Jim O'Connell, Police Chief

Mason Peters, Finance Supervisor

2. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PUBLIC FORUM

Tracy Birkner with the Amador Council of Tourism spoke about marketing efforts for Amador County.

5. CITY MANAGER'S REPORT

City Manager Tom DuBois gave a presentation outlining updates based on City priorities, including:

Vegetation Cleanup near roadways ongoing, Main Street Sidewalk Improvements April 29 & 30, Energy Audit of City Buildings to save utilities, ARSA debt dismissed, ARSA Dissolution progressing, Pinewoods 2 - Sewer Line extension Update, Gold Strike Court Storm drain replacement completed, Local use and transaction tax planning and Code Enforcement.

Upcoming agenda items:

Knight Foundry Update, Draft Budget, ARSA Dissolution, Wastewater Rate Public Hearing, ACRA Pool contract, Wastewater Prop 218 Hearing, Local Transaction and Use tax language.

[City Manager presentation](#)

6. PRESENTATIONS

- A. Visitor Center Update- Lisa Klosowski
Lisa Klosowski with e Visitor Center presented an update and distributed a budget proposal.
- B. Police Department Update – Chief O’Connell
Police Chief Jim O’Connell presented.
[Police Department Presentation](#)

7. APPROVAL OF MINUTES

- A. City Council Minutes of Special Session April 2, 2024.
Recommendation: By motion approve minutes as presented.

M/S Council member Sierk/Feist to approve the Special City Council Minutes of April 2, 2024, as presented.

AYES: Feist, Sierk, Swift and Gunselman
NOES: None
ABSTAIN: Riordan
ABSENT: None
MOTION CARRIED

8. CONSENT AGENDA

- A. Adopt Resolution 23-34-*Authorizing the City Manager to Execute a Deferred Improvement Agreement Between the City of Sutter Creek and Ninevah LLC for Danco Communities Site Plan Permit at Valley View Way/Bowers Drive.

This item was pulled for discussion. Council member Swift stepped down from this item due to to a conflict.

Members of the public Mike Kirkley, Sharyn Brown Charles Logan and Jenny Menes commented.

City Attorney Derek Cole noted that discussion needs to be in regard to the item that was agendized.

M/S Council member Riordan/Sierk to Adopt Resolution 23-34-26 Authorizing the City Manager to Execute a Deferred Improvement Agreement Between the City of Sutter Creek and Ninevah LLC for Danco Communities Site Plan Permit at Valley View Way/Bowers Drive, as presented.

AYES: Feist, Riordan, Sierk and Gunselman
NOES: None
ABSTAIN: Swift
ABSENT: None
MOTION CARRIED

- B. Accept 2023 Audit and Basic Financial Statement Report

Member of the public Mike Kirkley commented that he has never seen an audit on the Consent agenda, noting that it requires discussion and questions answered and suggested that it be brought back.

M/S Council member Swift/Sierk to table this item until the Auditor can come for a presentation and to answer questions.

AYES: Feist, Riordan, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIED

Mayor Gunselman called for a 5-minute recess and the meeting reconvened at 7:33 p.m.

9. ORDINANCES & PUBLIC HEARING

A. Public Hearing: Impact Fee ENR Adjustment

- 1) Hold a public hearing to hear testimony regarding the proposed inflationary adjustment to the impact fees.
- 2) Adopt Resolution 23-24-* authorizing an inflationary adjustment to the impact fees, effective July 1, 2024.

Finance Supervisor Mason Peters introduced this item.

Mayor Gunselman opened the Public Hearing at 7:35 p.m.

Member of the public Mike Kirkley commented that the park fee is too high and questioned what is being done with the money that is being collected.

M/S Council member Feist/Riordan to close the Public Hearing at 7:37 p.m.

AYES: Feist, Riordan, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIED

The Council requested that a new Nexus Study be initiated in the near future.

M/S Council member Sierk/Feist to Adopt Resolution 23-24-27 authorizing an inflationary adjustment to the impact fees, effective July 1, 2024, and direct staff to bring back a Nexus Study cost.

AYES: Feist, Riordan, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIED

10. ADMINISTRATIVE AGENDA

A. Wastewater Rate Payer Study

Recommendation: Approve Proposition 218 Notice advising property owners and sewer service customers of a Proposed Sewer Rate Adjustment Beginning July 1, 2024.

City Manager Tom DuBois presented.

Wastewater Rate Study Presentation

Member of the public Mike Kirkley commented that a 45% increase will be sticker shock for a small group of ratepayers and that the increase should be modified or pushed off until there are better numbers for the cost of the treatment plant. He suggested that a desk audit be performed on the sewer time spent by staff.

M/S Council member Riordan/Sierk to Approve Proposition 218 Notice advising property owners and sewer service customers of a Proposed Sewer Rate Adjustment Beginning July 1, 2024.

AYES: Feist, Riordan, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIED

B. Budget Update – *for information and discussion*

Finance Supervisor Mason Peters presented the budget update.

Council member Sierk asked how confident staff is that the budget is on track since it currently is over budget. Mason Peters noted that he expects to be on budget by year end.

Council member Riordan noted that the Projected Year End column is not being modified by actuals, that it just continues to reflect the budgeted amount. He commented that it is not very helpful like that and suggested changing it in the future.

Mayor Gunselman called for a 3-minute recess and the meeting reconvened at 9 p.m.

C. Transaction and Use Tax- Resident Survey Results

Recommendation: Direct staff to continue to prepare a local transaction and use tax for the Nov 5, 2024, election and return to Council with updates.

Lucia Del Puppo with FM3 Research presented the survey results.

Transaction and Use Tax- Resident Survey Results

Member of the public Mike Kirkley commented cautioning that a general tax is concerning even with good intentions City Council members change and so do priorities.

Mayor Gunselman commented that the survey results show that the public interest aligns very closely with the Council priorities.

Council members Feist, Riordan, Sierk, and Mayor Gunselman agreed that staff should continue working towards a 1.5% increase. Council member Swift noted that he did not feel the timing is right and can't support at this time.

The Council directed staff to continue to prepare a local transaction and use tax for the November 5, 2024, election and return with updates.

11. MAYOR AND COUNCIL MEMBER REPORTS- None.

12. CITY ATTORNEY’S REPORT – None.

13. FUTURE AGENDA ITEMS – None.

14. INFORMATION/CORRESPONDENCE

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Treasurer’s Report
- D. Monthly Administrative Services Report
- E. Monthly Finance Department Report
- F. Warrants
- G. Monthly Engineer’s Report
- H. Monthly Planning Report
- I. Public Communications

ADJOURNMENT

The meeting was adjourned into closed session at 9:58 p.m.

15. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)
SEIU Local 1021 v. City of Sutter Creek, Pub. Emp. Rel. Bd.
Case No. SA-CE-1244-M

REPORT FROM CLOSED SESSION

No reportable action.

Karen Darrow

Karen Darrow, City Clerk

Date Approved: **May, 6, 2024**

Claire Gunselman

Claire Gunselman, Mayor