



**CITY COUNCIL MINUTES
MONDAY, SEPTEMBER 5, 2023**

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>

or

Dial by phone:

301-715-8592

Meeting ID: 956 852 0224

CLOSED SESSION - 6:37 P.M

A. CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
(Two potential cases)

B. CONFERENCE WITH LEGAL COUNSEL -PENDING LITIGATION

Pursuant to Gov. Code sections 54956.9(d)(1)

Van Der Veen v. City of Sutter Creek

Amador Sup. Ct. Case No. 23-CV-13156

**1. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING –
7:07 P.M.**

Council members present:

Riordan, Swift and Gunselman (via zoom)

Absent;

Feist and Sierk

Staff Present:

Sandra Spelliscy, Interim City Manager

Derek Cole, City Attorney

Karen Darrow, City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. REPORT OUT OF CLOSED SESSION

Closed Session Item A – Denied administrative claim

Closed Session item B – No reportable action

4. PUBLIC FORUM

Lottie Tone of Sutter Creek noted concern over a handicap sign that is a hazard and needs to be fixed, dirty trash cans in front of businesses and illegal parkers that are not being ticketed.

5. APPROVAL OF MINUTES

A. City Council Minutes of August 21, 2023.

Recommendation: By motion approve minutes as presented.

M/S Council member Riordan/Swift to Minutes of August 21, 2023, as amended.

AYES: Riordan, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Feist and Sierk

MOTION CARRIED

6. CONSENT AGENDA- None.

7. ORDINANCES & PUBLIC HEARING

A. Introduction of Officer Daniel Rego

Police Chief O’Connell introduced new Police Officer Daniel Rego

B. Commendations - Officer McKeon and Officer Baldwin

Police Chief O’Connell presented a commendation for Sutter Creek Officers and assisting outside agencies for their handling of a call on August 27th.

C. County Assessor - Jim Rooney

County Assessor Jim Rooney and Assistant Assessor Jeff Hemmelman presented the 2023 Amador County Value Assessment.

8. ADMINISTRATIVE AGENDA

A. Greenstone Terrace no parking zone- *for discussion and staff direction.*

Council member Swift stepped down due to a conflict which resulted in a lack of a quorum. This item will come back on a future agenda.

B. Sutter Creek-ACRA pool contract- *for discussion and staff direction.*

This item was pulled and will come back on a future agenda.

C. Adopt Resolution 23-24-* Authorizing the Execution of an Easement Across the City-Owned Property Located at 80 Eureka Street (APN 018-180-031-000) for Ingress and Egress in Favor of the Owners of the Property Located at 101 Eureka Street (APN 018-190-002-000).

The Knight Foundry Alliance submitted a response via email prior to the meeting.

Property owner Byron Damiani distributed a revision to Exhibit B.

City Attorney Cole noted that with the KFA response coming in so late he needs more time to review.

Property owner Laura Damiani requested that the process be expedited because they currently do not have access to their property.

Frank Cunha of Sutter Creek noted that the previous owners had the property surveyed and it was reviewed and approved by the Planning Commission. He also noted that the property markers are still in the ground. Mr. Cunha explained that only a few rocks a couple of feet to provide access and asked if a non-exclusive public easement can be covered with an exclusive easement. He also asked why the survey that the Damiani's did a year ago is not being used.

Interim City Manager noted that staff did not include the map because they do not believe it to be accurate and that Staff has been working to understand what the existing rights are.

Mayor Gunselman noted that an undue burden on the foundry does not seem to exist.

Interim City Manager Spelliscy explained that a resolution will come back on Consent.

M/S Council member Riordan/Swift to direct staff to work with the City Attorney to provide the property owner with legal access to his property as soon as possible.

AYES: Riordan, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Feist and Sierk

MOTION CARRIED

9. MAYOR AND COUNCIL MEMBER REPORTS

Council member Swift distributed the most recent ARSA reservoir report that gives some reference as to where the system was at this time last year. He noted that Ione has been taking water and hopes that continues because the goal is to get rid of as much water as possible.

Council member Riordan reported that Supervisor Axe distributed a memo to provide an update about the self-help tax initiative and noted that he has been working with Mayor Gunselman and Interim City Manager Spelliscy on some preliminary calculations on which way forward might be the most advantageous for Sutter Creek and he would like to present their analyses and recommendations to the council at an upcoming meeting.

Mayor Gunselman further explained that the memo for Supervisor Axe is requesting an indication from each jurisdiction on which way they would like to go, so the County will be waiting on the Cities to respond. She also reported that the Fireman's Ball was very successful.

10. CITY MANAGER’S REPORT

Interim City Manager Spelliscy reported that staff got a bid and is scheduling the crosswalk painting and that she got a new contact for Cal Fire in Pine Grove for creek cleaning.

She also reported that the water drainage issue at 310 Gopher Flat has been in the system since 2021 and has been reassigned and staff will be working on it and that the rock wall near the high school is on school district property.

Interim City Manager Spelliscy noted she will not be available for the October 2nd meeting and suggested holding a special meeting on the afternoon of the October 30th.

She has been working with the consultant on the WWTP grant and they are promising to have new information regarding the I & I and cost estimates. Noted she had call with the project manager at the water board and met with the USDA, which has a program for grants and loans for waste water facilities since building a new treatment plant will probably need a combined financial package.

11. CITY ATTORNEY’S REPORT- None.

12. FUTURE AGENDA ITEMS

Council member Riordan requested:
Self-help tax initiative

13. INFORMATION/CORRESPONDENCE-None.

14. ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

Claire Gunselman

Claire Gunselman, Mayor

Karen Darrow

Karen Darrow, City Clerk

Date Approved: September 18, 2023