



**CITY COUNCIL MINUTES
MONDAY, FEBRUARY 20, 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>

6:30 P.M. 1. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING

Council members present:

Feist, Riordan, Swift and Gunselman

Vicky Runquist, City Treasurer

Absent: Sierk

Staff Present:

Tom DuBois, City Manager

Derek Cole, City Attorney

Karen Darrow, City Clerk

Dan Lafontaine, Public Works Director

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PUBLIC FORUM – None.

4. CITY MANAGER’S REPORT

City Manager DuBois presented an overview highlighting the following:

-ARSA individual briefings on dissolution almost complete

-Amador City Council Meeting - ARSA discussion Thursday, 7 PM

-Community Polling on City Priorities is in the field

-Code Enforcement progressing

-Upcoming Events

March 23 -24 Behind the Cellar Door

April 19 Spring Fling

April 20 Earth Day Run / Walk

April 26 Kit Carson day

Upcoming Agenda items for April:

Amador Tuolumne Community Action Agency next month, Audit Results, Annual WWTP Report and Impact Fees Public Hearing.

Upcoming Agenda items for May:

Draft Budget, ARSA Dissolution and Wastewater Rate Public Hearing.

5. PRESENTATIONS

- A. Proclamation commending Chyenne Vaith for creating the best entry of a new city logo design.
- B. Amador Recreational Agency Update – Justin Howard, Executive Director
Justin Howard provided an update and noted that ACRA was willing to contribute \$5,000 towards the pool repair. He announced that he was resigning from ACRA effective April 1st with Michael Rock stepping in as the new Executive Director.

6. APPROVAL OF MINUTES

- A. City Council Minutes of Special Session March 4, 2024.

Recommendation: By motion approve minutes as presented.

M/S Council member Riordan/Feist to approve the Special City Council Minutes of March 4, 2024, as presented.

AYES: Feist, Riordan, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Sierk

MOTION CARRIED

- B. City Council Minutes of Regular Session March 4, 2024.

Recommendation: By motion approve minutes as presented.

M/S Council member Feist/Swift to approve the Regular City Council Minutes of March 4, 2024, as amended.

AYES: Feist, Riordan, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Sierk

MOTION CARRIED

7. CONSENT AGENDA

- A. Adopt Council Procedures and Protocols
- B. Housing Element Annual Report/HCD
- C. Adopt Resolution 23-24-* Designating City Manager as Rep for FEMA and OES

M/S Council member Swift/Riordan to Approve the Consent Agenda, as presented.

AYES: Feist, Riordan, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Sierk

MOTION CARRIED

8. ORDINANCES & PUBLIC HEARING – None.

9. ADMINISTRATIVE AGENDA

- A. Wastewater Rate Payer Study Base Case
Mark Hildebrand, sewer rate consultant, provided a recap of the 2019 plan and presented the forecasted model with best- and worst-case scenarios.

Mike Kirkley of Sutter Creek asked if the new set of increases would nullify the previously approved increases. Questioned putting money into the ARSA system that would be abandoned.
Seems premature for a rate increase with no set numbers.

City Manager Tom DuBois noted that the intent would be to invest as little as possible into the ARSA system and clarified that this is not driven by growth, it is an old system but will eventually run out of capacity. He also noted that it became clear that 2% is not going to cover it as it is less than inflation this year, doing it now to build up reserves to prepare for one of these options.

B. 40 Broad Street Exemption

City Manager Tom DuBois noted that the DRC approved demolition of the garage and the Planning Commission approved with the conditions of approval and is coming to Council to review the lot split.

Mike Kirkley commented that it seems like the applicant is asking for a variance, so they don't have the expense of adding parking and questioned if the city wants to keep encouraging lot splits with no parking.

The Council discussed the need to require off street parking.

M/S Council member Riordan/Swift to refer back to the Planning Commission to reconsider the conditions of approval to include a requirement for parking on the exemption property.

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

C. 290 Spanish Exemption

Council member Riordan stepped down from this item due to a conflict of interest. City Manager Tom DuBois presented, noting that after the lot split, the home in the will be non-conforming due to a non-compliant set back.

M/S Council member Swift/Feist to Adopt Resolution 23-24-24 Approving an exception to the Zoning Ordinance 18.16. (setbacks) for Vesting Tentative Parcel Map #2871.

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

D. Emergency Pool Repair Discussion

City Manager Tom DuBois presented an overview of the state of the pool and the conditions of the lease with the school district.
Council member Riordan noted his displeasure with the lack of partnership with the School District.

Mayor Gunselman noted her agreement with Council member Riordan in regard to the lack of partnership with the School District that having the pool open this summer is important to residents all over the county and that the \$5,000 from ACRA is not enough. She suggested community fundraising could be successful although it could not happen before the pool opens for the summer.

Mike Kirkley commented that the pool is a county resource, and all players should be paying to maintain it.

The Council directed staff to meet with the School District to request that they contribute an equal share towards the pool repair.

10. MAYOR AND COUNCIL MEMBER REPORTS

Council member Swift reported that there is a Fire District meeting tomorrow and suggested that the meeting table set up be changed to open it up to be more inclusive to the public. He also noted that he will be attending the upcoming LAFCO meeting.

Council member Riordan noted that he will miss the next Council meeting and the next ACTC meeting.

Council member Feist noted that she will be attending the ACT meeting on Thursday.

11. CITY ATTORNEY'S REPORT – None.

12. FUTURE AGENDA ITEMS – None.

13. 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

14. ADJOURNMENT

The meeting was adjourned into closed session at 8:51 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
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Section 54957
Title: Council Appointed Officers

REPORT FROM CLOSED SESSION

No reportable action.

Claire Gunselman

Claire Gunselman, Mayor

Karen Darrow

Karen Darrow, City Clerk

Date Approved: April 2, 2024