

CITY OF ANGELS
CITY COUNCIL
MINUTES

Tuesday, November 15, 2011

Council Members Present: Elaine Morris (Mayor), Stuart Raggio, Roger Neuman and Scott Behiel

Absent: Jack Lynch (vice Mayor)

Staff Present: Michael McHatten, Richard Matranga, Dave Hanham and Mary Kelly

5:30 p.m. CALL TO ORDER

ADJOURN TO CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) (1) of Government Code Section 54956.9
(one potential case)

6:00 p.m. RECONVENE TO REGULAR CITY COUNCIL MEETING

ACTION TAKEN IN CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9
(one potential case)
Action Taken: Staff given direction

APPROVAL OF AGENDA

MOTION by Council Member Behiel, seconded by Council Member Neuman and carried 4-0 APPROVING THE AGENDA AS PRESENTED

STAFF UPDATES

Dave Hanham – Planning Director

- Updated report included in packet

Michael McHatten – City Administrator

- Referred to staff reports included in packet.
- Finance Officer is working on getting the quarterly budget report to Council.

COUNCIL UPDATES

Scott Behiel

- Attended CCOG – discussed the FHWA grants approved. CCOG is looking for 2 public members and public alternate.

Roger Neuman

- Attended Safety Services – discussed burn ordinance and emergency plan.
- Attended Destination Angels meeting – working on several programs to bring to Council.
- Attended UPA and CPPA (Calaveras County Power Authority)

Elaine Morris

- Attended UPA and Safety Services.

- Attended CCOG where the RTP process was discussed – workshops to be held on 11/17 in San Andreas and 1/26/2012 at BHHS.

PUBLIC COMMENTS

There was no comment from the public.

CONSENT AGENDA

MOTION by Council Member Raggio, seconded by Council Member Neuman and carried 4-0 **ADOPTING THE CONSENT AGENDA ITEMS AS PRESENTED:**

- Minutes of Regular meeting – November 1, 2011
- Adopt Resolution No. 11-42 Signature Authority
- Adoption of Ordinance #454: deleting duplicate weed abatement ordinance
- Approval of minute order suspending Council Committee meetings
- Approval of Work Order Agreement with Condor Earth for continued Groundwater Monitoring & Reporting

REGULAR MEETING

1. REQUEST CLOSURE OF MURPHYS GRADE ROAD FOR BRET HARTE HIGH SCHOOL “EVERY 15 MINUTES” PRESENTATION

MOTION by Council Member Behiel, seconded by Council Member Neuman and carried 4-0 **APPROVE THE CLOSURE OF MURPHYS GRADE ROAD FOR APPROXIMATELY 1 ½ HOUR(S) TO ALLOW BRET HARTE HIGH SCHOOL TO CONDUCT THE “EVERY 15 MINUTES” PRESENTATION**

2. PENALTY FEE REFUND

Richard Wilmshurst requested this item be placed on the Council agenda to refund a penalty fee the City charged his renter, Greg Scott. Greg explained that there was no penalty fee. He is in the process of obtaining a Conditional Use Permit for his car lot sales on Main St. and asked the Council to grant a waiver for the permit. The City Administrator explained that due to the wording on the agenda, his waiver request cannot be acted upon at this meeting. In previous discussions with the Planning Director, Mr. Scott was provided three possible actions in pursuing his request (attachment ‘A’). He said he would like to move forward with action #3:

“Suspend the application, petition the City Council directly for a ruling on the established use portion of the Project. If the Council concurs with the applicant then the Conditional Use Permit would not apply. If the Council concurs with Staff, then the Conditional Use Permit Application would be processed and presented to the Planning Commission at the next available meeting, unless the applicant pulls the application.”

Direction: Item to be agendized for the December 6, 2011 Council meeting.

3. FY 2012/2013 CCOG OVERALL WORK PROGRAM PROJECTS

MOTION by Council Member Neuman, seconded by Council Member Behiel and carried 4-0 **ACCEPTING THE PRIORITIZED CCOG 2012/2013 OVERALL WORK PROGRAM LIST:**

1. SR 4 and 49 Project Approval and Environmental Determination – Estimated Cost \$1,000,000, First Phase update of the PSR/PID – Estimated Cost \$225,000
2. Traffic Signal located at Stanislaus Avenue and SR 49 – Estimated Cost \$300,000
3. Overlay of Murphys Grade Road from City Limits to the intersection with Sidewalk Improvements -- Estimated Cost \$75,000

4. Overlay of Vallecito Road with Sidewalks creating a City Street from City Limits to Bridge – Estimated Cost 350,000
5. General Road Maintenance (Gardner Lane Overlay, Angels Oaks from SR 4 to Live Oak, etc) Estimated Cost -- \$250,000

4. **SPHERE OF INFLUENCE - PRESENTATION**

The Planning Director presented a PowerPoint showcasing the City of Angels' General Plan and the Sphere of Influence (SOI).

Vicki Oneto

Voiced concerns of the City's proposed SOI – does not see a benefit being in the City's SOI.

Joe Kelly

Voiced his objections to the City's proposed SOI. Asked who from the Board of Supervisors and what County staff were present at the joint General Plan workshop where the Sphere of Influence was discussed. Asked who from the Board of Supervisors, City Council and LAFCo were present at the meeting to discuss the SOI after the General Plan was approved - referred to in the Planning Director's presentation.

Ted Winans

Voiced concerns over the SOI. Was never given notice of the public meetings shown in the presentation. He said there needs to be hard support for what is being proposed. There is no economic justification for this SOI.

Bill Airola

Stated he was never informed of this proposed SOI. He only found out because he sits on the UPUD board.

Renaldo Broglio

Said the property owners who are affected by the SOI should have been talked to.

Tony Sanchez

Stated that if any of the Council had property in the proposed SOI they would be against this also. What is the purpose to expand all the way out to Red Hill Road? Is this for the City to get revenue? Can't the City survive as it is? He suggested a moratorium until the next census is taken to see what growth has taken place.

Doug Murray

Felt there was and is a lack of transparency in the General Plan/SOI process. Notice was never received by the property owners. He said the Council will be creating urban sprawl with readjusting the SOI.

Meeting was adjourned at 7:30 P.M.

Elaine Morris
Mayor

ATTEST:

Mary Kelly
City Clerk