

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, August 1, 2017**

Council Members Present: Mayor Scott Behiel, Vice Mayor Amanda Folendorf, Council Members Linda Hermann, Joe Oliveira and Veronica Metildi

Staff Present: Mary Kelly, Julie McManus, David Myers, David Hanham, Nathan Pry, Todd Fordahl, Chris Adams, Chris Johnson, Teresa Johnson, Jodi McDearmid, James McKeon, Steven Poortinga and Susan Wenger

**4:30 p.m. CALL TO ORDER**

**COUNCIL ADJOURNED TO CLOSED SESSION**

The City Council convened to closed session. Mayor Behiel reconvened to open session.

**6:08 p.m. REGULAR MEETING**

**PLEDGE OF ALLEGIANCE**

**ACTION TAKEN IN CLOSED SESSION ON JULY 18, 2017**

1. **CONFERENCE LABOR NEGOTIATOR:** Pursuant to California Code 54957.6 Safety-Police, and Miscellaneous MOUs. City Negotiator: Julie McManus, Finance Officer  
Council Action: Direction given to City Administrator.

**ACTION TAKEN IN CLOSED SESSION**

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO SECTION 54956.8:** Property: APN# 60-010-34, Angels Camp: Agency Negotiator: Mary Kelly, City Administrator; Negotiating party: Calaveras Visitors Bureau. Under Negotiation: Price and Terms  
Council Action: Direction given to City Administrator
2. **CONFERENCE LABOR NEGOTIATOR:** Pursuant to California Code 54957.6 Safety-Police MOU. City Negotiators: Mary Kelly, City Administrator and Julie McManus, Finance Officer  
Council Action: Closed session continued to end of regular meeting.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO SECTION 54956.8:** Property: APN# 060-012-002, Angels Camp: Agency Negotiator: Mary Kelly, City Administrator; Negotiating party: U.S. Post Office. Under Negotiation: Price and Terms  
Council Action: Closed session continued to end of regular meeting.

**APPROVAL OF AGENDA**

MOTION by Vice Mayor Folendorf, seconded by Council Member Metildi and carried 5-0 APPROVING THE AGENDA.

**STAFF UPDATES**

Vice Mayor Folendorf asked about the work being done on roots from the trees in the downtown sidewalks. Dave Myers, City Engineer explained that they would cut out the roots that are a tripping hazard and, if necessary, replace the tree. Council Member Hermann asked if the City Engineer was familiar with a spongy material that other cities used at the base of trees that are planted in walkways. He was familiar with it. Council Member Metildi asked if there was an ongoing investigation into the Pet Bath House and why they were currently operating. David Hanham, Planning and Building Director told the Council that their

conditional use permit was going to go before the planning commission for a regular review. As long as the conditional use permit was valid the business could operate.

## **COUNCIL UPDATES**

### **Amanda Folendorf**

Attended UWPA. They are hoping to have the remat before November which helps us with our contribution this year, and we may not have to add that additional cost for water delivery.

### **Linda Hermann**

Attended UWPA. She met with Michael Minkler, UWPA's general counsel, who explained to her about the cost recovery from electrical production. He asked Linda to invite the other City Council members to call him for an explanation and to accompany him on a tour of the flumes. She visited Laguna Beach which has similarities to Angels camp. It sits on a State Highway like Angels Camp does, sidewalks are not up to par, and it's very crowded. But it works. She thinks we can look at our town in a different way if you compare the two.

### **Scott Behiel**

Attended UWPA. He believes the remat contract is a big deal and can save the City money. Attended the annual NCPA dinner. He felt it was a good event for networking. Attended Coffee Tuesday. He thought that was a good networking event as well. He learned we are gaining ground on the Utica Hotel.

## **PUBLIC COMMENT**

Lorrie White, Angels Camp resident, said she received a comment from a concerned citizen that said the play equipment at Utica Park was too hot for the kids to play on and wants the City Council to consider building a cover similar to the one in Murphys Park over the play structure.

Gina Gonzalez, was having difficulty finding the agenda because she couldn't find the City's website.

## **CONSENT AGENDA**

MOTION by Council Member Oliveira, seconded by Council Member Metildi and passed 5-0 APPROVING THE CONSENT AGENDA AS PRESENTED:

- a. Adopt Resolution 17-27. A Resolution Issuing a Notice of Completion for the N. Baker & Bush Street Sewer Improvement Project.

## **REGULAR AGENDA**

1. **PUBLIC HEARING: CONFIRMING DIAGRAM & ASSESSMENT & DIRECTING AUDITOR OF CALAVERAS COUNTY TO CONTINUE TO COLLECT ASSESSMENTS FOR FY 2017-2018 FOR THE LANDSCAPING & LIGHTING DISTRICT NO. 1 – GREENHORN CREEK -**  
Continuation of Public Hearing

MOTION by Vice Mayor Folendorf, seconded by Council Member Oliveira and carried 5-0 ADOPTING RESOLUTION NO. 17-23. A RESOLUTION APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND DIRECTING AUDITOR OF CALAVERAS COUNTY TO CONTINUE AND TO COLLECT ASSESSMENTS FOR FY 2017-2018 FOR THE LANDSCAPING & LIGHTING DISTRICT NO. 1 - GREENHORN CREEK.

2. **PUBLIC HEARING: APPROVE RESOLUTION ADOPTING THE SUSTAINABLE COMMUNITIES GRANT-MAIN STREET PLAN** - Steve Knoll, Design Workshop, summarized the Sustainable Communities Grant-Main Street Plan report with a powerpoint presentation.  
Public Hearing Opened: 6:48 pm  
David White, Angels Camp resident, questioned the right turn only on 4 and 49 and asked if the City had talked to the Post Office about having the US Post office in the downtown area join the other Post Office in town to relieve downtown parking.  
Gina Gonzalez asked if the sidewalks that are high would be eliminated and if downtown deliveries would stay the same. Mr. Knoll said the sidewalks would remain. She was concerned that there would be

less parking. Dave Hanham said restriping and expansion of current parking lot areas would make up for the parklets. Ms. Gonzalez asked about truck deliveries and Dave Hanham said large truck deliveries would stay the same for the time being.

Debbie Ponte, Exec. Director of Destination Angels Camp, said that members of their advisory council and board have looked at the plan. She commented that the folks working on the plan have been very responsive to the community needs and concerns. She said the plan was a vision and not in concrete so there is opportunity to massage it a little bit more. On behalf of Destination Angels Camp she was supportive of the plan and encouraged the council to approve it. DAC is ready to help the City to find funds to get some of the things on the plan completed.

Public Hearing Closed: 6:57

Council Member Hermann asked about funding for the any of the plan. David Hanham indicated that the only funds we currently have might be traffic mitigation funds.

Council Member Oliveira asked about practical experience with this vision. Steve Knoll said that although every community is different and the City is challenged by the limitations in the downtown area, he reminded the Council that the Main Street movement from several years ago sparked interest in people putting money into the downtown area. The plan really augments the treasure the City has here.

Carl Baker, CalTrans Chief, Rural Planning and Administration, told the Council that CalTrans funds these kind of grants because they want to see these kinds of improvements in your communities so that you can make the transportation system work not just for cars and pedestrians, as well as the economic boost from having people milling around your downtown area.

Vice Mayor Folendorf complimented staff and expressed excitement about the project.

Council Member Metildi thanked staff and others involved in the plan and said the plan was an amazing concept.

Mayor Behiel appreciated the work involved. He told the Council and staff of successes in Livermore and Lodi where they have implemented similar plans.

Council Member Hermann talked about the section of the plan that addressed implementation.

MOTION by Council Member Hermann, seconded by Vice Mayor Folendorf and carried 5-0 ADOPTING RESOLUTION NO. 17-28. A RESOLUTION APPROVING THE MAIN STREET PLAN AND SENDING TO CALTRANS FOR APPROVAL AND CLOSEOUT OF THE SUSTAINABLE COMMUNITIES GRANT.

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3. **PUBLIC HEARING: ADOPTION OF FY 2017/2018 BUDGET** – Julie McManus, Finance Officer, summarized the final budget.

Public Hearing Opened: 7:16

Mayor Behiel asked if there were any members of the public wishing to comment on this item. There being none, the public hearing was closed.

Public Hearing Closed: 7:17

MOTION by Vice Mayor Folendorf, seconded by Council Member Metildi and carried 5-0 APPROVING RESOLUTION NO. 17-29. A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE 2017/2018 FISCAL YEAR.

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4. **DRAFT RESPONSE OF THE ANGELS CAMP CITY COUNCIL TO THE 2016-2017 GRAND JURY REPORT** – Mayor Behiel stated his opinion of the Grand Jury report then reviewed each of the prepared responses to the findings and recommendations made by the Grand Jury.  
MOTION by Council Member Hermann, seconded by Council Member Metildi and carried 5-0 to change the response to Finding #5 to read, "The City Agrees."  
Mayor Behiel opened for public comment.

Debbie Ponte, Exec. Director, DAC, agreed with the comments made by Council and asked if the words Administrative Staff in Finding #7 shouldn't be changed to reflect the title of the position being referred to rather than administrative staff in general. Mayor Behiel explained that the Finding was made by the Grand Jury and could not be revised. Ms. Ponte asked who was interviewed by the Grand Jury. Mayor Behiel, Vice Mayor Folendorf, City Administrator Mary Kelly, and Finance Officer Julie McManus raised their hands. Mary Kelly responded saying Mayor Wes Kulm and Council Member Sobon were also interviewed.

Lorrie White asked how many members were on the Grand Jury and if they all reviewed and signed the report. She felt there was a lot of emotion in the City Council's response and the Council Members who were not on Council during the time period covered in the report might be taking it personally. She hoped the City Council would remove the emotion from their response. She cautioned the Council that adding a name or title to the response to Finding #7 might open the City to a lawsuit.

Council Member Hermann felt the Grand Jury overreacted.

Council Member Oliveira mentioned that he comes from a business background and was the recipient of audits. When he first read the Grand Jury report the tone, the specific accusations and the nature of it just made his eyebrows go up. In his experience with audits, with respect to findings that had been resolved prior to the conclusion of the investigation, the solutions were stated in the report. The Grand Jury provided no indication in their findings that many of the issues had already been addressed by the City.

**MOTION** by Council Member Oliveira, seconded by Vice Mayor Folendorf to PREPARE A FINAL DRAFT RESPONSE OF THE CALAVERAS GRAND JURY FINAL REPORT AS AMMENDED BY THE MOTION ABOVE AND DIRECT STAFF TO SUBMIT A FORMAL RESPONSE OF THE 2016-2017 CALAVERAS COUNTY GRAND JURY FINAL REPORT TO CALAVERAS COUNTY SUPERIOR COURT.

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## CALENDAR

### ADJOURNED TO CLOSED SESSION

The Council returned to closed session.

### RECONVENED TO OPEN SESSION

9:08 P.M. Reconvened to open session. Action to be reported out at the next meeting.

### ADJOURNMENT

THE MEETING WAS ADJOURNED AT 9:10 P.M.

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Scott Behiel  
Mayor

ATTEST:

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Susan Wenger  
Deputy City Clerk