

CITY OF ANGELS
CITY COUNCIL
MINUTES

Monday, December 4, 2017

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

Staff Present: Mary Kelly, David Hanham, David Myers, Todd Fordahl, Nathan Pry, Steve Flaigg and Susan Wenger

5:00 P.M. CALL TO ORDER

ADJOURN TO CLOSED SESSION

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

6:00 P.M. REGULAR MEETING

ACTION TAKEN IN CLOSED SESSION

- A. **PURSUANT TO CALIFORNIA CODE SECTION 54957: PUBLIC EMPLOYMENT - City Administrator**
Action: Direction was given to City Administrator
- B. **CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Initiation of Litigation pursuant to subdivision (d) (4) of Section 54956.9 (One potential case)
Action: Direction was given to City Attorney

APPROVAL OF AGENDA

MOTION by Council Member Oliveira, seconded by Council Member Hermann and carried 5-0 APPROVING THE AGENDA.

STAFF UPDATES

• **Consolidated Staff Report**

Council Member Hermann asked the status of the Conditional Use Permit for Certified Pure Laboratories.

City Administrator Mary Kelly congratulated Jennifer Tinnin, Accountant I, on her upcoming retirement.

David Hanham, Planning and Building Director, informed the Council that the City received a \$171,000 Sustainable Communities Grant.

There were no questions or comments from the public.

COUNCIL UPDATES

Council Member Hermann

- Attended a Transit meeting at CCOG discussing a JPA between Calaveras County and City of Angels to operate the Transit system.

Council Member Metildi

- Participated in the Angels Camp Business Association's Holiday Parade.

Mayor Behiel

- Attended the Angels Camp Business Association's Holiday Parade.

PUBLIC COMMENTS

Clea Lynch voiced her disapproval of comments made by a council member at a previous meeting.

Gina Gonzalez thanked the Council for attending and supporting the Angels Camp Business Association's Holiday Parade.

CONSENT AGENDA

MOTION by Council Member Oliveira, seconded by Council Member Hermann and carried 5-0 on items 'a', 'b', and 'd'; and 3-0 on item 'c' with Mayor Behiel and Council Member Metildi abstaining.

- a. Approve Minutes of Special Meeting of November 13, 2017
- b. Approve Minutes of Special Meeting of November 20, 2017
- c. Approve Minutes of Regular Meeting of November 21, 2017
- d. Adopt Resolution 17-39. A Resolution Issuing a Notice of Completion for the 2017 Road Improvement Project.

REGULAR AGENDA

1. **CONSIDERATION OF THE EXTENSION OF AN URGENCY MORATORIUM ORDINANCE CONCERNING THE CULTIVATION, COMMERCIAL AND RETAIL SALE, AND DELIVERY OF MARIJUANA AND RELATED LAND USES**

6:27 P.M. PUBLIC COMMENT OPENED

Jack Lynch questioned why the definition of 'deliveries' was not included in the extended ordinance. Derek Cole told the speaker that the word DELIVERY had a common meaning that didn't need to be defined, but that language placed in the ordinance on page 5, paragraph B provided specific requirements on the delivery of marijuana in the city.

David White said he was pleased with what the City Attorney had to say today and urged that they make Ordinance #480 permanent.

Judy Axtman thanked the members for serving on Council and reminded them they are responsible for following the will of the people. She expressed concern about any Council Member having any gain in commercial marijuana and encouraged them to recuse themselves.

Craig Whitty thanked the Council for all the research they've done. He spoke about the damage from marijuana he believes is being realized in Colorado. He wants the Council to keep marijuana out of the City.

Penny Jasud asked if there would be any surprises to be found on any Council Member's Form 700.

Vicki Reinke stated that the state won't issue a license unless you have a local license or permit. She stated she was glad the Council went with a ban and urged them to make it permanent.

6:38 P.M. PUBLIC COMMENT WAS CLOSED

Mayor Behiel and City Attorney Cole addressed the questions that arose during the public comment period.

MOTION by Council Member Oliveira, seconded by Vice Mayor Folendorf and carried 5-0 APPROVING THE EXTENSION OF AN URGENCY MORATORIUM ORDINANCE CONCERNING THE CULTIVATION, COMMERCIAL AND RETAIL SALE, AND DELIVERY OF MARIJUANA AND RELATED LAND USES.

2. **APPROVAL OF DE-OBLIGATING FUNDS FOR CONGESTION MITIGATION AIR QUALITY (CMAQ) PROJECT (5206-014) FOR THE PEDESTRIAN IMPROVEMENTS TO STATE ROUTE 49 AND STELTE PARK IMPROVEMENTS TO FINNEGAN CT FOR THE ALLOWANCE OF RE-PROGRAMMING THE CMAQ FUNDS INTO TWO NEW PROJECTS**

MOTION by Council Member Hermann, seconded by Vice Mayor Folendorf and carried 5-0 APPROVING THE DE-OBLIGATION OF FUNDS FOR CONGESTION MITIGATION AIR QUALITY (CMAQ) PROJECT (5206-014) FOR THE PEDESTRIAN IMPROVEMENTS TO STATE ROUTE 49 AND STELTE PARK IMPROVEMENTS TO FINNEGAN CT FOR THE ALLOWANCE OF RE-PROGRAMMING THE CMAQ FUNDS INTO TWO NEW PROJECTS.

CALENDAR

ADJOURN

Meeting was adjourned at 6:53 PM.

Scott Behiel
Mayor

ATTEST:

Susan Wenger
Deputy City Clerk