

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, January 19, 2016**

Council Members Present: Mayor Wes Kulm, Vice Mayor Amanda Folendorf, Elaine Morris, Bert Sobon and Scott Behiel

Staff Present: Michael McHatten, Derek Cole, Dave Hanham, , Julie McManus, Dave Myers, Todd Fordahl, Nathan Pry, Kim Arth and Mary Kelly

**6:00 p.m. CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**MOTION** by Council Member Behiel seconded by Council Member Sobon and carried 5-0 APPROVING THE AGENDA AS PRESENTED.

**STAFF UPDATES**

Council discussed the consolidated report with staff.

**COUNCIL UPDATES**

**Bert Sobon**

Attended UWPA and a special UWPA meeting where litigation with AT&T was discussed.

**Wes Kulm**

Attended Destination Angels Camp subcommittee meeting on business recruitment.

Attended the Museum potluck.

Reviewed the Council Handbook and requested staff bring some alternatives to a future meeting on different approaches for updating the handbook.

**PUBLIC COMMENT**

There were no comments from the public in attendance.

**CONSENT AGENDA**

**MOTION** by Council Member Behiel, seconded by Council Member Morris and carried 5-0 APPROVING THE CONSENT AGENDA AS PRESENTED:

- a. Approve Minutes of Regular meeting held January 5, 2016 (with correction to item 1)
- b. Adopt Resolution No. 16-01 Approving Annual Youth Parade
- c. Water Conservation Update

**REGULAR AGENDA**

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**1. EVERY 15 MINUTES PRESENTATION –**

**MOTION** by Council Member Behiel, seconded by Council Member Morris and carried 5-0 ADOPTING RESOLUTION NO. 16-02. A RESOLUTION APPROVING THE TEMPORARY CLOSURE OF MURPHYS GRADE ROAD FOR THE BRET HARTE HIGH SCHOOL 'EVERY 15 MINUTES' PROGRAM

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2. **MUSEUM COMMISSION CANDIDATE INTERVIEW (continued from 1-5-2015 meeting)**

Applicant Clarence ‘Clancy’ Rogers introduced himself and explained why he was interested in serving on the commission.

The Council were unanimous in APPOINTING CLARENCE ‘CLANCY’ ROGERS AS MUSEUM COMMISSIONER TO FILL THE REMAINING TERM ENDING JUNE 30, 2017.

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3. **FY 2014/2015 AUDIT REPORT**

MOTION by Council Member Behiel, seconded by Council Member Morris and carried 5-0 ACCEPTING THE FY 2014-2015 AUDIT REPORT

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4. **FY 2015/2016 FIRST QUARTER FINANCIAL REPORT**

City Administrator, Michael McHatten, presented a PowerPoint showing the first quarter financials of the current fiscal year. The report provided updates on expenditure and revenue trends. No action was taken.

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5. **BUSINESS LICENSE FEE REVIEW**

The Council were divided on increasing business license fees versus keeping the current fee amounts. The City Administrator suggested more research be done on business license fees and also a possible sales tax increase. The business license fees will remain as it and staff will come back in a couple of months with additional details. Mayor Kulm asked staff to coordinate this item with the business community.

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*Council Member Behiel stated that item #7 may be relevant in the discussions for item #6 and requested item #7 be heard before item #6. Council agreed to the request.*

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7. **ADOPT RESOLUTION NO. 16-03: ADOPTING THE ANGELS CAMP STATE ROUTE 4 & 49 GATEWAY & CORRIDOR STUDY**

MOTION by Council Member Sobon, seconded by Council Member Behiel and carried 5-0 ADOPTING RESOLUTION NO. 16-03. A RESOLUTION ADOPTING THE FINAL DRAFT OF THE CITY OF ANGELS STATE ROUTE 4 AND STATE ROUTE 49 GATEWAY & CORRIDOR STUDY (PARTNERSHIP PLANNING GRANT), FINALIZE THE DOCUMENT AND DIRECT STAFF TO SUBMIT DOCUMENT TO CALTRANS FOR THE CLOSEOUT OF THE GRANT

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6. **PUBLIC HEARING: PROPOSED ORDINANCE REGARDING CULTIVATION OF MARIJUANA**

Derek Cole, City Attorney explained the background of this ordinance.  
8:30 p.m. Public Hearing Open

The following persons spoke in opposition of a cannabis ban in the City of Angels:

**Renaldo Brolio – Angels Camp; Edwin Brolio; Mark ?, Mountain Ranch; Cass Tomashesi, Mountain Ranch,; Tom Liberty, Mountain Ranch; Matt Clark, Hathaway Pines; Jed Richardson, Mountain Ranch; Brad Wilson, Angels Camp; Dan Cowchuck, Dogtown Road; Donald Bynes,; TJ Gallagher, Angels Camp**

The following person spoke in favor of a cannabis ban in the City of Angels:

**John Broeder, Angels Camp**

9:05 Public Hearing Closed

Council Member Sobon said that he represents the residents of the City. The majority of those speaking are not residents of the City. He has spoken to several neighbors and residents and they are not in favor of cultivation within the City. The City Attorney stated this can be passed and amended at a later date. Mr. Sobon said he will be supporting the ordinance banning cultivation within the City.

Vice Mayor Folendorf said she is not in favor of the ban. She stated she does not want to take away medicine for those that need it and is uncomfortable with the cost associated with going outside of the City to access medicinal marijuana.

Council Member Morris said people that need medicinal marijuana should be able to get it but she was undecided about cultivation within the City.

Council Member Behiel said that local businesses are receiving revenues indirectly. He said he cannot support the cultivation ban and would like the City to come up with regulations such as the County of Calaveras is doing. He would like to see an ordinance that is livable for everyone.

Mayor Kulm stated that the City Attorney has mentioned there could be a 'place holder' which would give the Council additional time to sort out these issues.

The City Attorney stated he could set in place a temporary ordinance – a moratorium on the present ordinance that would allow him to set up a set of resolutions that would permit some growth and other options. He suggested that he bring this back to Council at the February 16<sup>th</sup> Council meeting. He pointed out that this would not be a permanent ordinance but would allow some options to the current ordinance. The Council agreed unanimously with this suggestion and the item will be brought back as a Public Hearing at the February 16<sup>th</sup> Council meeting.

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8. **VARIOUS BOARD AND COMMISSION APPOINTMENTS**

The City Council agreed with the Mayor's suggested appointments of Council Members to the various Boards, Committees and/or commissions as outlined on the attached.

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**CALENDAR**

Calendar was reviewed by City Clerk Mary Kelly

**ADJOURNMENT**

MOTION BY COUNCIL MEMBER BEHIEL, SECONDED BY VICE MAYOR FOLENDORF AND CARRIED 5-0 ADJOURNING THE MEETING AT 9:30 P.M.

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Wes Kulm  
Mayor

ATTEST:

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Mary Kelly  
City Clerk