

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, March 6, 2012**

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

Absent: Jack Lynch (Vice Mayor)

Staff Present: Michael McHatten, Richard Matranga, Todd Fordahl, Vanessa Apodaca, Melisa Ralston, Dave Hanham and Mary Kelly

**5:00 p.m. CALL TO ORDER**

**ADJOURN TO CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 (three potential cases)
- B. CONFERENCE WITH LABOR NEGOTIATORS: pursuant to California Code Section 54957.6 Fire MOU and Exempt MOU. City Negotiator: Michael McHatten, City Administrator

**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 (three potential cases)  
ACTION TAKEN:  
1. Direction given to Attorney  
2. Direction given to staff  
3. Direction given to staff
- B. CONFERENCE WITH LABOR NEGOTIATORS: pursuant to California Code Section 54957.6 Fire MOU and Exempt MOU. City Negotiator: Michael McHatten, City Administrator  
ACTION TAKEN: City Administrator directed to act on behalf of City Council in negotiations with employees.

**APPROVAL OF AGENDA**

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

**STAFF UPDATES**

**Todd Fordahl** – Police Chief

- Referred to his Submitted a list of concerns to Sheriff's Office regarding AB109. Will be meeting with parties on Thursday, March 8<sup>th</sup>.

**Dave Hanham** – Planning Director

- Reviewed report included in the packet. Attended Economic Development conference in Sacramento.

**Melisa Ralston** – Finance Officer

- Council Member Neuman asked when a report on the new software capabilities would be available. Melisa stated Council would receive a report within the next 2 weeks.

**Michael McHatten** – City Administrator

- Referred to his consolidated report provided. Complimented the Police Chief in on his fine reporting and update to the Council of AB109.

## **COUNCIL UPDATES**

**Stuart Raggio**

- Attended UPA – will be starting budget workshops soon.

**Roger Neuman**

- Attended LAFCO where work programs and the MSR's were reviewed. Will be attending LAFCO workshop in Murphys on April 25<sup>th</sup> and 26<sup>th</sup>.
- Attended DAC and LLD meetings.

## **PUBLIC COMMENTS**

**Tey Cross** – President of ACBA

Reported on ACBA's future activities: Springfling on April 14<sup>th</sup>, Antique Car Rally, Farmer's Market, Taste of Calaveras, etc. Provided the Council with the 2012 restaurant guides.

**Charlotte Wheeler** – Business Owner (Perfect Nitch and Angels Camp Hotel).

Reported her sewer and water has increased at her hotel to \$17K per year. She has 1 meter on the premises and sees no logical answer to these costs. She asked Council to look into other sewer bills, including residential and compare with hers.

**Steve Difu** – 576 Sasa

Asked Council why they were approving resolutions under the consent agenda. This action has not been done before.

**Anne Forrest** – 1545 Tryon Road

Publicly thanked the generous donation from the Veteran's and Tony Tyrrell for the contribution to purchase the American flags throughout downtown.

## **CONSENT AGENDA**

**Steve Difu** – 576 Sasa

Asked if it is legal to approve resolutions under the consent agenda? The Mayor explained there are no public hearing items under the consent agenda – all items are routine in nature and anyone can pull an item for discussion. She asked if Mr. Difu would like to pull an item from consent to discuss. Mr. Difu declined.

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

- a. Approve Minutes of Regular meeting February 21, 2012.
- b. Approval of check register.
- c. Direct City Clerk to advertise two (2) vacant seats on Planning Commission.
- d. Approve Resolution No. 12-04 Bennett Street Abandonment.
- e. Approve Street Improvement Project and authorize City Engineer to advertise for bids.
- f. Award contract to ERS Industrial Services for Filter Media Replacement Project and authorize the City Administrator to execute contract.
- g. Award contract to Condor Earth Technologies for the Groundwater Monitoring Project and authorize the City Administrator to execute contract.

## **REGULAR MEETING**

1. **ADOPT RESOLUTION NO. 12-05 RECOGNIZING AND SUPPORTING DESTINATION ANGELS CAMP CORPORATION AS A NONPROFIT ORGANIZATION SERVING AS AN ECONOMIC DEVELOPMENT CORPORATION FOR ANGELS CAMP**

Anne Forrest presented Destination Angels Camp (DAC) as the next step in the implementation of the Branding Plan. DAC would be a non-profit public benefit corporation with the main objective of

business retention and business recruitment with an emphasis on “strengthening the historic downtown as a critical element in the grater community fabric.” There would be a board of directors (up to 25), including the City Administrator, City Planning Director, a City Council Member, representatives from ACBA and from the Fair Board. This would be a public private partnership. Anne asked the Council to approve Resolution No. 12-05 recognizing and supporting DAC as a nonprofit public private partnership.

Mayor Morris and Council Member Raggio voiced concerns of the City’s involvement as a partner financially. Raggio requested this item be continued so he has an opportunity to review the information and research some questions he has. Mayor Morris had several questions on the bylaws and agreed with Raggio that continuing the item would give her time to study the issue more in depth. Council Member Behiel said he applauded the volunteers and had no hesitation in approving the resolution. Council Member Neuman agreed but said he would support continuing the item to allow the other Council Members further review.

The following persons spoke in support of the DAC resolution:

Anne Forrest, Tey Cross, Dixon Collins, Steve Difu, Buck Reed, Mike Kristoff, Steve Fairchild, Tonya Peterson, Charlotte Wheeler, George Wendt.

The City Clerk received four emails in support of the DAC resolution which were forwarded to the Council. Emails received from:

Michael Chimente – Bret Harte Union High School District  
Rosie Sundell – Bear Valley Resorts  
Wrenae Rowe – Planning Commission DAC subcommittee  
Jason Smith

MOTION by Council Member Raggio, seconded by Mayor Morris and carried 3-1-1 with Council Member Behiel voting ‘NO’ and Council Member Lynch absent, APPROVING THE CONTINUATION FOR DISCUSSION ON THIS ITEM TO THE MARCH 20, 2012 COUNCIL MEETING.

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2. **UPDATE ON ANGELS CAMP SPHERE OF INFLUENCE**

MOTION by Council Member Neuman, seconded by Council Member Raggio and carried 4-0 DIRECTING STAFF TO MOVE FORWARD DRAFTING AN AMENDMENT TO THE GENERAL PLAN TO INCLUDE NEW SPHERE OF INFLUENCE

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3. **ACKNOWLEDGMENT TO VOLUNTEER FIREFIGHTERS ASSOCIATION FOR PURCHASE OF RESCUE EQUIPMENT**

Fire Chief Greg Petersen and Fire Marshall/Deputy Fire Chief Nathan Pry reported on low angle rope rescue equipment and high visibility traffic/cold weather jackets purchased by the Fire Fighters Volunteer Association and donated to the Angels Fire Department. In the past, Angels Fire has relied on other fire districts i.e., Murphys, Columbia and Tuolumne for assistance in emergencies due to the lack of this needed equipment. This needed equipment will allow Angels Fire to provide better service to the citizens of Angels Camp. Thanks was given to the volunteer fire association from the Angels fire department personnel and from the City Council.

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**MEETING WAS ADJOURNED AT 8:15 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk