

**CITY OF ANGELS  
CITY COUNCIL  
MINUTES**

**Tuesday, April 16, 2013**

Council Members Present: Jack Lynch (Vice Mayor), Stuart Raggio, Wes Kulm and Bert Sobon

Council Members Absent: Elaine Morris

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Todd Fordahl, Dave Hanham and Mary Kelly

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

**ADJOURN TO CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION  
City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV37944
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) (1) of Government Code Section 54956.9 (on potential case)
- C. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6  
Safety-Police MOU, Misc-Non Exempt MOU and Misc-Exempt MOU. City Negotiator: Michael McHatten, City Administrator

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

**ACTION TAKEN IN CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION  
City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV37944  
Council Action: DIRECTION GIVEN TO INTERIM CITY ATTORNEY
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) (1) of Government Code Section 54956.9 (on potential case)  
Council Action: DIRECTION GIVEN TO INTERIM CITY ATTORNEY
- C. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6  
Safety-Police MOU, Misc-Non Exempt MOU and Misc-Exempt MOU. City Negotiator: Michael McHatten, City Administrator  
Council Action: DIRECTION GIVEN TO CITY ADMINISTRATOR

**APPROVAL OF AGENDA**

The City Administrator pulled item ‘b’ from the consent agenda. This item will be heard at a later date.

**MOTION** by Council Member Raggio, seconded by Council Member Sobon and carried 4-0-1 APPROVING THE AGENDA AS PRESENTED.

## STAFF UPDATES

### David Myers – City Engineer

Updated the sprayfield project – on schedule. Received the preliminary plans for the Mark Twain Sidewalk project.

Council Member Sobon asked if clogging was happening on only one lift station. Myers explained that this is a hardware problem with the lift station and staff will be replacing. Council Member Lynch asked if a notice can be put on the water bill pointing out expense to the City.

### Todd Fordahl –Chief of Police

Report included in packet.

### David Hanham – Director of Planning and Building

Will be attending the CTC in May regarding funding for the City. He and the Interim City Attorney will be reviewing the Oak Tree Ordinance and will be taking to Planning Commission.

Council Member Kulm asked what was meant by the house on Amador that may be a candidate for health and safety receivership. The City Attorney explained that this issue is a code violation and a legal civil lawsuit appoints a receiver to review the violations.

Council Member Lynch asked why the City was meeting with the County on their General Plan and a conditional use permit with Ironstone. Hanham explained that the events held at the vineyard have impacts on the City and they are reviewing the conditional land use permit as it affects the City.

### Michael McHatten– City Administrator

Mr. McHatten introduced the new Museum Director, Kimberly Arth, to the Council. He reported she has been on the job since early April and he has heard nothing but good things about her from the Museum staff and Commission.

## COUNCIL UPDATES

### Bert Sobon

- Attended CPPA and discussed actions taken for direct access legislation for energy services. He pointed out that PG&E has applied to the Federal Regulator Energy Commission (FERC) for a rate increase. This is being challenged by CPPA.
- Attended LAFCO and discussed the Sphere of Influence for sanitary districts San Andreas and Murphys.

### Wes Kulm

- Attended ACBA presentation on the '20 Ingredients of an Outstanding Downtown' put on by ACBA and DAC. He suggested there be more participation from the Council and Planning Commission.
- Attended DAC
- Attended Wagon Trail Workshop in Copperopolis. His general impression is that Caltrans and the County are committed to completing this project. He suggested the same workshop be held in the City.

### **Dave Hanham will find out when and where future workshops are being held.**

- Attended Museum lecture series and encouraged involvement by the Council and community.
- Attended the ACBA sidewalk sale.
- Toured the fire station

### Jack Lynch

- Attended UPA meeting and met with CCWD – looking for additional irrigation water.
- Attended a 4<sup>th</sup> of July planning meeting. ACBA has retained the services of the U.S. Sea Cadet Band.
- Attended LAFCo where updates and changes were adopted for the Sphere of Influence. Preliminary approval of the budget.

## **PUBLIC COMMENTS**

**Jack Johnson** – 788 Tuolumne

Voiced his complaint that several members of staff sit with their backs to the audience. Suggested something be done for getting a new City Hall.

Voiced concerns over lack of code enforcement in the City. Suggested the City look into restoring a part-time position for a code enforcement officer.

## **FEATURE BUSINESS PROGRAM: ‘Calaveras Lumber’**

Anne Forrest introduced Mike Fullaway, owner of Calaveras Lumber. Mike reported that he and his wife began the business in 1976 with three (3) employees. At the peak of business, the store employed 84 employees. Current staffing is 45 employees. He stated that the growth rate of his store is dynamic and he sees expansion in the future. Mike thanks DAC and Anne Forrest for their commitment to the City businesses. He has employees who have worked with him over 20 years and he credits this with a great working relationship. He praised Police Chief Fordahl and his staff and stated it was wonderful to have local law enforcement. Council Member Sobon reinforced Mike’s assessment of his employees. Council Members Sobon, Kulm and Raggio voiced their appreciate of the staff and the help they receive at the store. Council Member Lynch said that Mike has gone far afield in developing business and this shows determination. He pointed out that Mike also volunteer as a member of the Altaville/Melones Board He thanked him for giving back to the community.

## **CONSENT AGENDA**

Council pointed out some minor revisions to the minutes dated April 2, 2013. The City Clerk was directed to make revisions and bring back for approval on May 7, 2013.

## **REGULAR AGENDA**

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### **1. FEDERAL LANDS ACCESS PROGRAM (FLAP) GRANT APPLICATION**

**MOTION** by Council Member Kulm, seconded by Council Member Sobon and carried 4-0-1 APPROVING A GRANT APPLICATION THROUGH THE FEDERAL LANDS ACCESS PROGRAM TO ENGINEER AND CONSTRUCT THE CENTRAL AND SOUTH REACHES OF THE ANGELS CREEK TRAIL

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### **2. 2012 FIRE DEPARTMENT ANNUAL REPORT**

Fire Chief Petersen and Deputy Chief/Fire Marshal Pry provided a Powerpoint of the Fire Department’s annual report and Performance Measures. There was no action by Council.

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### **3. VARIOUS BOARD AND COMMISSION APPOINTMENTS**

Council Member Kulm was appointed as member to the Environmental Mental Health Department Independent hearing panel. Council Member Raggio will act as alternate.

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## **MEETING WAS ADJOURNED AT 7:40 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Susan Winans  
Deputy City Clerk