

CITY OF ANGELS
CITY COUNCIL
MINUTES

Tuesday, April 19, 2016

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

Staff Present: Michael McHatten, Dave Hanham, , Julie McManus, Dave Myers, Todd Fordahl and Mary Kelly

5:30 p.m. CALL TO ORDER

COUNCIL ADJOURNED TO CLOSED SESSION

The City Council convened to closed session. Chair Kulm reconvened to open session.

6:00 p.m. REGULAR MEETING

PLEDGE OF ALLEGIANCE

ACTION TAKEN IN CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO SECTION 54956.8:

Property: APN# 060-012-002, Angels Camp; Agency Negotiator: Michael McHatten, City Administrator;

Negotiating party: U.S. Post Office. Under Negotiation: Price and Terms

Council Action: Direction given to Negotiator

APPROVAL OF AGENDA

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

STAFF UPDATES

There were no questions for staff regarding the consolidated report.

COUNCIL UPDATES

Amanda Folendorf

Attended landscape workshop; Went to State Capitol with CCOG and other staff to discuss the Wagon Trail Project; Attended dedication to Tony Tyrell of the Bret Harte Sports Complex.

Bert Sobon

Attended UWPA meeting – general manager and legal contracts were established; attended CCOG; attended the ACCC meeting – Gold Rush Day celebration is now being called the Mark Twain Festival; attended LAFCO – discussed general plan and circulation elements and approved 2016-2017 budget.

Scott Behiel

Attended IRWMP – discussed potential grants; attended UWPA budget meeting; attended DAC – discussed ideas for social media.

PUBLIC COMMENT

Anne Forrest – ACCC informed the Council of upcoming events for the Mark Twain Festival.

FEATURE BUSINESS PRESENTATION

Christine Abudaidi of Sugar Bakery explained she has been in business now for 1 year. Everything has met her expectations with her business. She has only 1 employee – herself. She begins baking at

3am, opens the store at 6am and closes around 3pm. She has received support from the other businesses, DAC, ACBA and the community. Her clientele is a 'nice mix of locals and tourists'.

CONSENT AGENDA

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

- a. Approve Minutes of Regular meeting of March 15, 2016
- b. Adopt Resolution No. 16-12. A Resolution Approving the Road Closure of State Route 49 in the City's Historic District for the Mark Twain Festival (formerly called Gold Rush Day)
- c. Correction to Appropriations Limit for FY 2003-2004 through FY 2015-2016
- d. Authorization for Sole Source Contracting for the Wetland Mitigation and Restoration Project

REGULAR AGENDA

1. **UPDATE ON IMPLEMENTING RESTORATION MITIGATIONS AND WETLAND MANAGEMENT MEASURES**

The City Administrator provided Council with an update on the mitigation measures for the wetlands
Council Action: This was an informational item only – no action by the City Council was required.

2. **2016 FOURTH OF JULY PICNIC IN THE PARK FUNDING REQUEST**

MOTION by Council Member Behiel, seconded by Council Member Sobon and approved 5-0 APPROVING A FY 2015-16 BUDGET EXPENDITURE IN THE AMOUNT OF \$5,500.00 TO FUND THE ANGELS CAMP COMMEMORATIVE COMMITTEE FOURTH OF JULY 'PICNIC IN THE PARK' EVENT

3. **ADOPT RESOLUTION AWARDING THE PARKS UPGRADE PROJECT TO JOHN ALLEN CONSTRUCTION**

MOTION by Council Member Sobon, seconded by Council Member Behiel and carried 5-0 ADOPTING RESOLUTION NO. 16-13. A RESOLUTION AWARDING THE PARKS UPGRADES (UTICA PARK, TRYON PARK) PROJECT TO JOHN ALLEN CONSTRUCTION AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE THE CONTRACT

4. **APPOINT ADDITIONAL MEMBERS TO THE STAKEHOLDER'S COMMITTEE FOR THE SUSTAINABLE COMMUNITIES GRANT**

MOTION by Council Member Morris, seconded by Council Member Sobon APPOINTING ANNE FORREST AND CITY COUNCIL MEMBERS BEHIEL, AND KULM AS ADDITIONAL MEMBERS AND FOLENDORF AS ALTERNATE MEMBER TO THE STAKEHOLDERS COMMITTEE FOR THE SUSTAINABLE COMMUNITIES GRANT

5. **PUBLIC HEARING: ADOPT ORDINANCE # 474 ADDING CHAPTER 27 TO TITLE 8 CONCERNING CULTIVATION OF MARIJUANA**

Derek Cole, City Attorney explained he had no further information to add from previous meetings regarding this item. He reviewed the procedures the Council could take. It was noted that on page 2, paragraph 4, the words "or cultivate" was to be deleted.

6:50 p.m. Open Public Hearing

The following persons spoke in **opposition** of the marijuana cultivation ban in the City of Angels: **Tommy Hayes, Angels Camp; Adrian Nestor – Angels Camp; Rosalee Callahan; TJ Gallagher, Angels Camp.**

The following persons spoke in **favor** of a marijuana cultivation ban in the City of Angels:
Firman Brown, Angels Camp; Kim McCarthy, Angels Camp; Dan Pinnell, Angels Camp; John Broeder, Angels Camp; Robert Reed, Angels Camp; Jack Lynch, Angels Camp; Kristi Reeseman, Angels Camp; Barbara Yook, Calaveras District Attorney;

7:14 Closed Public Hearing

MOTION by Council Member Sobon, seconded by Council Member Morris and carried 4-1 with Vice Mayor Folendorf voting 'NO' ADOPTING ORDINANCE #474. AN ORDINANCE ADDING CHAPTER 27 TO TITLE 8 OF THE CITY OF ANGELS MUNICIPAL CODE CONCERNING CULTIVATION OF MARIJUANA (with correction on page 2, paragraph 4 – deleting the words “or cultivate”)

Roll Call: Kulm {YES}, Folendorf {NO}, Morris {YES}, Behiel {YES}, Sobon {YES}

CALENDAR

Calendar was reviewed by City Clerk Mary Kelly

ADJOURNMENT

MOTION BY COUNCIL MEMBER SOBON, SECONDED BY COUNCIL MEMBER BEHIEL AND CARRIED 5-0 ADJOURNING THE MEETING AT 7:30 P.M.

Mayor Wes Kulm

ATTEST:

Mary Kelly
City Clerk