

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, May 21, 2013**

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

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Dave Hanham and Susan Winans

**4:00 p.m. CALL TO ORDER**

**ADJOURN TO CLOSED SESSION**

- A. PUBLIC EMPLOYMENT APPOINTMENT- CITY ATTORNEY: Pursuant to California Code 54957
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV3794

**6:00 p.m. REGULAR MEETING - CALL TO ORDER**

**ACTION TAKEN IN CLOSED SESSION**

- A. PUBLIC EMPLOYMENT APPOINTMENT- CITY ATTORNEY: Pursuant to California Code 54957
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup Ct. Case No. 11CV3794

Mayor Morris continued Items A and B from closed session to the end of the regular meeting.

**APPROVAL OF AGENDA**

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

**STAFF UPDATES**

**Michael McHatten** – City Administrator

Report included in packet.

Council Member Lynch asked about Risk Services on GASB 45 timeline.

City Administrator McHatten informed the Council that it was working ahead of schedule and they may have a work product for Council review in July. It appeared to have minimal budget impact.

Council Member Kulm referred to page six of the City Administrators report and commented that the public may not realize all that is going on. He is pleased that we have this mechanism to monitor activity and commended the City Administrator and Staff.

**David Hanham** – Director of Planning and Building

Report included in packet.

**David Myers** – City Engineer

Report included in packet.

**Derek Cole** – Interim City Attorney

Informed the Council that he was advised by County Council that changes to the dispatch agreement had been accepted.

## COUNCIL UPDATES

### Bert Sobon

- Attended LAFCO meeting – Jenny Lind Fire District and Foothill Fire District merged to Calaveras Consolidated Fire District. He was encouraged that the two districts could work together to consolidate. He also informed the Council and public of LAFCO's new website calaveraslafco.org

### Wes Kulm

- Attended the May 13<sup>th</sup> Behind the Scenes event at Frogtown sponsored by ACBA.
- Attended the May 14<sup>th</sup> DAC meeting
- May 19<sup>th</sup> to 21<sup>st</sup> attended the International Conference of Shopping Centers in Las Vegas to promote Angels Camp. He was impressed with the number and diversity of attendees. He and Anne Forrest from DAC had the opportunity to introduce themselves to many west coast developers and indicated that the Council may want to revise code in order to attract major retailers to Angels Camp.

### Jack Lynch

- Attended the May 8<sup>th</sup> bi-weekly meeting of the Angels Camp Commemorative Committee where they discussed the 2<sup>nd</sup> annual July 4<sup>th</sup> celebration and the Labor Day Street Faire.
- Participated in the May 10<sup>th</sup> interviews for the City's Finance Officer.
- Attended May 14<sup>th</sup> UPA meeting where they discussed budget and water concerns. This is the second year of significantly below average rainfall. This impacts power generation revenues and he anticipates that UPA will come to the City Council and UPUD for a drawdown of reserves.
- Attended the May 15<sup>th</sup> Museum Commission monthly meeting where they discussed the June 8<sup>th</sup> event, Saturday At The Mines. He encouraged all to attend. There will be exhibits, demonstrations, and food.
- Attended the May 20<sup>th</sup> LAFCO meeting where they discuss adopting a tag line, "Promote orderly development, protect agricultural lands, and approve local boundaries."

### Elaine Morris

- Attended the May 9<sup>th</sup> meeting of the Central Sierra Economic Development District. Mayor Morris informed the Council and Public of the District's Comprehensive Economic Dev Strategy which is posted on their web site, along with a district profile with economic and demographic information on 5 counties, training opportunities for small business. They also discussed a PG&E grant program that will be posted on the website the end of June.

## PUBLIC COMMENTS

Public comment period was opened at 6:22 pm

### **Andrea Modrell** – Manager of the Angels Camp Farmer's Market

Informed the Council that the Farmer's Market will start on June 7<sup>th</sup> and continue to September 9<sup>th</sup>. She asked if the Council would consider eliminating the need for a business license to sell at the Farmer's Market as the fee cuts into the small profit that most sellers make. She was informed that the issue would be discussed later under Agenda item 2 and she opted to address the Council at that time.

### **Evonne Redding Hamm** – Angels Camp

Asked why the City's website was not current.

Interim City Attorney Derek Cole agreed that a brief response from City Administrator McHatten would be permissible. City Administrator McHatten addressed the Council saying that the website had been compromised by hackers and that it was being rebuilt. It is still a work in progress. He also reminded the Council that funds were requested in last year's budget to update the web site, but the funds were not appropriated.

The Public Comment period was closed at 6:27 pm.

## FEATURE BUSINESS PROGRAM

**Dave Hitchcock** – Owner, Aspen Street Architects

City Council and the Public were treated to a slide presentation from Dave Hitchcock that encompassed a variety of projects that his firm had developed.

## CONSENT AGENDA

MOTION by Council Member Sobon, seconded by Council Member Lynch and carried 5-0 ADOPTING THE CONSENT AGENDA ITEM AS PRESENTED:

- a. Approve Minutes of Regular meeting May 7, 2013

## REGULAR AGENDA

1. **DESTINATION ANGELS CAMP ANNUAL REPORT** - Bob Trinchero, Chairman, DAC and Anne Forrest, DAC

Destination Angels Camp presented a slideshow that encompassed 1<sup>st</sup> year milestones, completed projects and goals. There was no action by Council.

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7:04 pm - Mayor Morris called a recess.

The meeting reconvened at 7:09 pm.

2. **BUSINESS LICENSE FEES AS IT RELATES TO SPECIAL EVENTS** – Michael McHatten, City Administrator

The City Administrator informed the City Council and Public that the City's Business License Ordinance was adopted in 1991 and that neither the Ordinance or the fees associated with a City Business License had been modified since that time.

7:19 Public Comment Opened

Mayor Morris asked if there were any members of the public who wished to comment on this item.

**Andrea Modrell** – Manager, Angels Camp Farmer's Market

Stated that, while she understands the reason for business licenses for resellers, she requested a waiver of the business license requirement for farmers and artisans participating in the farmer's market.

**Tey Cross** – Angels Camp

Stated he was between a rock and a hard spot because he was a local business owner and currently pays for business licenses for 2 businesses, but he feared that requiring business licenses for sellers at the Farmer's Market or one-day events might make us non competitive. He supports waiving fees for the Farmer's Market.

**Anne Forrest** – Angels Camp

DAC asked local businesses for comments on the issue of business licenses for persons doing business on a temporary basis. She read two letters from local business owners that encouraged participation without the need for obtaining a business license in such events.

**Evonne Redding Hamm** – Angels Camp

Asked if participants at Farmer's Market were required to post their business license. Also stated that the Farmer's Market isn't new as there was one in the Middleton's parking lot in the 1990's.

**Tey Cross** – Angels Camp

Spoke in support of eliminating the business license requirement for vendors at events such as street faires and farmer's market.

Mayor Morris asked if there was anyone wishing to comment. Hearing none the public comment period was closed at 7:40 pm.

The Council agreed to suspend the business license requirement for sellers at special events while the ordinance is under review. The City Administrator will work with Derek Cole, Interim City Attorney to review the ordinance and make a recommendation to Council.

**3. BUDGET AMMENDMENT – Michael McHatten, City Administrator**

A budget ammendment in the amount of \$6,188.26 to Angels Camp Business Association was introduced for the purpose of replenishing the depleted reserves used to cover the 2012 Centennial Celebration.

8:10 pm

Mayor Morris asked if there were any members of the public who wished to comment on this item.

**Tey Cross** – Angels camp

He told the Council that the Angels Camp Centennial Committee (ACCC) did not have a handle on Centennial costs. Now that the committee has that experience to draw from they do not anticipate a shortfall with future events.

**Anne Forrest** – Angels Camp

The Angels Camp Veterans District has granted the Angels Camp Centennial Committee \$2,500. ACCC is also sending out sponsorship solicitations. They feel they have a more realistic budget for upcoming events.

Mayor Morris asked if there was anyone wishing to comment. Hearing none the public comment period was closed at 8:15 pm.

Mayor Morris indicated that she would like to see an accounting of expenditures. City Administrator McHatten stated that Anne Forrest would have that information available to Council on May 22, 2013.

MOTION by Council Member Sobon, seconded by Council Member Lynch and carried 5-0  
APPROVING A BUDGET AMMENDMENT IN THE AMOUNT OF \$6,188.26 TO ANGELS CAMP BUSINESS ASSOCIATION TO REPLENISH DEPLETED RESERVES USED TO COVER THE 2012 CENTENNIAL CELEBRATION.

**CALENDAR**

Calendar was reviewed by City Administrator McHatten.

**MEETING WAS ADJOURNED TO CLOSED SESSION AT 8:17 P.M.**

**CLOSED SESSION**

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV3794

8:37 pm

Interim City Attorney Derek Cole was excused from the meeting.

A. PUBLIC EMPLOYMENT APPOINTMENT- CITY ATTORNEY: Pursuant to California Code 54957

**RECONVENE FROM CLOSED SESSION**

A. PUBLIC EMPLOYMENT APPOINTMENT- CITY ATTORNEY: Pursuant to California Code 54957

COUNCIL ACTION: Direction was given to staff.

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING/PENDING LITIGATION City of Angels Camp v. Marie A. Starr, Calaveras Sup. Ct. Case No. 11CV3794

COUNCIL ACTION: Direction was given to staff.

**MEETING WAS ADJOURNED AT 8:45 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk