



City Council Meeting Minutes

Monday, September 16, 2024 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

The City of Sutter Creek City Council Meeting was available via Zoom and in person.

1. Call to Order and Establish a Quorum for Regular Meeting

PRESENT

Mayor Claire Gunselman

Vice Mayor Julia Sierk

Council member Jim Swift

Council member Susan Feist

Council member Dan Riordan

Treasurer Vicky Runquist

2. Pledge of Allegiance to the Flag

Mayor Gunselman led the pledge

3. Presentations

A. Presentation Cal Jobs First – Andrew Gardener

The presentation can be viewed by following the link below:

[Sierra Jobs First \(cityofsuttercreek.org\)](http://cityofsuttercreek.org)

4. Public Forum - None

5. City Manager's Report

The City Manager's presentation can be viewed by following the link below:

[9436 \(cityofsuttercreek.org\)](http://cityofsuttercreek.org)

6. Approval of Minutes

A. City Council Minutes of August 19, 2024

Recommendation: By motion approve minutes as presented.

Motion made by Council member Riordan, Seconded by Council member Swift to approve the City Council Minutes of August 19, 2024, as amended.

Voting Yea: Vice Mayor Sierk, Council member Swift, Council member Riordan

Voting Abstaining: Mayor Gunselman, Council member Feist

B. City Council Minutes of August 26, 2024

Recommendation: By motion approve minutes as presented.

Motion made by Vice Mayor Sierk, Seconded by Council member Riordan to Adopt the City Council Minutes of August 26, 2024, as amended. Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Feist, Council member Riordan. Voting Abstaining: Council member Swift.

7. Consent Agenda

Motion made by Vice Mayor Sierk, Seconded by Council member Feist to Approve the Consent Agenda, as presented.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan

A. Proclamation Commemorating Constitution Week September 17th- 23rd

B. Waive the second reading in full and enact Ordinance No. _____ Ordinance Amending Chapter 2.08 and Section 2.52.020 of the Sutter Creek Municipal Code Concerning the City Clerk and Appointment of Planning Commissioners

8. Ordinances and Public Hearing - None

9. Administrative Agenda

Item E was moved up to accommodate Council member Sierk's schedule.

A. Adopt Resolution 24-25-* Consenting to the assignment of a solid waste franchise from Aces Waste Services, Inc. to Delta Container Corporation and authorizing the City Manager to execute an amendment to the solid waste franchise agreement between the City and Aces.

City Attorney Cole presented.

The Council expressed their appreciation to the families and employees at ACES and thanked them for years of great service and noted that they were happy that the staff would be able to stay on.

Motion made by Council member Swift, Seconded by Council member Riordan to Adopt Resolution 24-25-09 Consenting to the assignment of a solid waste franchise from Aces Waste

Services, Inc. to Delta Container Corporation and authorizing the City Manager to execute an amendment to the solid waste franchise agreement between the City and Aces.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

Police Chief O'Connell reported on a violent altercation that sent one of the officers to the hospital. He noted that the officer was treated and released and wanted to make sure that the Council was aware of some of what the officers must endure in their service to the city.

B. Informational report on wastewater planning activities for discussion and questions

Public Works Director Dan LaFontaine provided an update as outlining activities regarding the wastewater treatment plant and the new facility the city plans to build. Staff is assessing the current plant's capacity and future expectations as we develop the new plant. Discussions with the regional water board focus on the disposal of treated water, whether it will flow into the creek year-round or be used for spray fields, and evolving regulations. Stricter cleanliness standards for nitrates and phosphorus may challenge our secondary plant's capacity.

Staff is in talks with the water board to explore water disposal options, necessary testing, and future regulations to avoid surprises.

Additionally, he noted that they are engaging with design and construction firms, considering the bid-build versus design-build methods. The design-build approach may offer efficiency for a small city, but it also risks dependency on a single firm.

The plan is to issue a Request for Qualifications in the next month or two to secure a firm and clarify our path forward. Securing funding is essential for the efforts.

Council member Riordan asked if staff has developed a matrix to help navigate the decision-making process and if talking to regional partners about a joint solution has been considered.

Dan LaFontaine noted that it is not economically feasible to work with other agencies due to the distance.

City Manager Tom DuBois noted that Ione may still be a partnership option.

Mayor Gunselman asked if the design build saves money and questioned how the USDA loan would impact the borrowing situation.

City Manager DuBois did not think it would have an impact.

Council member Feist noted that the value of reclaimed water is important to keep in mind.

Council member Sierk asked if the new position would be involved in the grant applications.

- C. Review of current City Ordinance and discussion about potential enforcement starting in 2025

City Manager Tom DuBois gave an overview regarding weed abatement and enforcement options.

He suggested bringing the list of noncompliant property owners to the Council one time, like delinquent sewer bills and then following with the penalty.

Council member Swift asked for clarification about the reference to a misdemeanor. City Attorney Cole noted that any violation of a city ordinance is a misdemeanor.

City Manager DuBois noted that he is continuing to work with the Fire Department on enforcement processes.

- D. Adopt Resolution 24-25-* assigning lease of State owned pipeline and reservoirs to the City of Sutter Creek upon dissolution of the ARSA JPA

Council member Sierk left the meeting at 7:25 p.m.

Motion made by Council member Riordan, Seconded by Council member Swift to Adopt Resolution 24-25-11 assigning lease of State owned pipeline and reservoirs to the City of Sutter Creek upon dissolution of the ARSA JPA

Voting Yea: Mayor Gunselman, Council member Swift, Council member Feist, Council member Riordan

Voting Abstaining: Vice Mayor Sierk

- E. Adopt Resolution 24-25-* expressing support for Phase 1 improvements of Bike/Ped route to Amador City

City Manager Tom DuBois noted that ACTC's focus is on construction ready projects and that there is some money for planning projects. He explained that this resolution is not a commitment to anything just an expression of interest.

Council member Sierk noted that this is Phase 1 of the 3 Phase plan explaining that the Board of Supervisors has the final say on which projects to fund and that showing interest in Phase 1 is the first step.

Council member Riordan clarified that approval is voted on by the ACTC Commissioners.

Motion made by Vice Mayor Sierk, Seconded by Council member Feist to Adopt Resolution 24-25-10 expressing support for Phase 1 improvements of Bike/Ped route to Amador City.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

10. Mayor and Council Member Reports

Mayor Gunselman noted that the concert in the park was a success and expects to do it again and reported that the Fireman's Ball was a successful event and that almost all attendees were local. She complimented staff on completing the FEMA reimbursement.

Council member Riordan asked about the permit to work in the creek and Public Works Director Dan Lafontaine reported that they have not received it yet.

11. City Attorney's Report - None

12. Future Agenda Items

Council member Feist requested that shade trees on main Street and at Miners' Bend be discussed.

13. Information and Correspondence

So Noted.

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Monthly Finance Report
- D. Monthly Expense Report
- E. Monthly Revenue Report
- F. Monthly Cash Flow Report
- G. Monthly AP Reports
- H. Monthly Treasurer's Report
- I. Monthly Administrative Services Report
- J. Monthly City Engineer Report
- K. Monthly Planning Report

The Council adjourned into Closed Session at 7:32 p.m.

14. Closed Session

- A. CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)
1 potential case
- B. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to Government Code Section 54957.6

Agency Negotiator: Tom DuBois, City Manager

Employee Organizations: Sutter Creek POA

15. Report from Closed Session

No reportable action was taken. Direction was given to staff.

16. Adjournment

Claire Gunselman, Mayor

Karen Darrow, City Clerk

Date Approved: