



City Council Meeting Minutes **(DRAFT)**

Monday, June 01, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

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

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

Mayor Gunselman called the meeting to order at 6:00 PM.

Present: Mayor Claire Gunselman, Vice Mayor Sierk, Council Members Dan Riordan, and Jim Swift.

Absent: Council Member Susan Feist

City Treasurer: Victoria Runquist

Staff: Tom DuBois - City Manager, Derek Cole - City Attorney, Mason Peters - Finance Supervisor, Jim O'Connell - Police Chief, and Pam Caronongan - City Clerk

2. Pledge of Allegiance to the Flag

Mayor Gunselman led the Pledge of Allegiance.

3. Public Forum

Mayor Gunselman opened the meeting and asked how many people intended to make public comments because the room was full. The City Council wanted to provide up to one (1) hour for public comment prior to getting to City business.

City Attorney Cole advised that the City has the right to reduce the time allotted per individual for public comment.

With less than 12 speakers, the Mayor kept the normal five minutes allocated per individual public comment.

The following public comments were received:

1. Neil Maschado (identified himself as a Jackson resident and Amador Stars Board Member) - Spoke regarding child welfare issues and gateway drugs. He shared his viewpoints regarding kids and vaping, and that opening the doors to a marijuana dispensary will negatively impact the community.

2. Mark Ferek, resident of Pine Grove - Shared his opinion regarding the ICMA Code of Ethics, how he believed that City Manager DuBois violated the ICMA Code of Ethics by mentioning compliance with state laws and checking references, and wondered why City Manager DuBois addressed the press as if he was a member of the City Council.
3. Ron Houck - Spoke regarding the negative impact of opening a dispensary in Sutter Creek. Shared his testimony. He acknowledged that he understands that cannabis has medicinal use, but the vast users of marijuana are using it recreationally. He appealed to the City Council to not bring pot in Sutter Creek.
4. Kristine Anderson, Amador County resident. Shared testimony on how marijuana is a gateway drug which ruins lives and families.
5. Jodie Steneck - Brought up the current City ordinance prohibiting cannabis-related businesses opening in Sutter Creek needs to be amended first before engaging in any conversations with dispensaries.
6. Kristina Hodge (identified herself as a mental health professional living in Sutter Creek). Stated that Amador County has limited health resources for mental health. Shared her opinion that the proposed cannabis dispensary, which would be close to the Valley View housing project and the schools, would negatively impact the community in many ways. Public safety will be affected if the dispensary opens. She then said that the City must listen to public outcry opposing the project.
7. Rob Schneider, Jackson resident. Shared testimony supporting his stance against opening a dispensary in Sutter Creek. He said that there is a huge problem when something that was not okay before is now okay. He stated that it was not okay before, and it is still not okay now. At 18, a person can get a medicinal card - and 18 years old is still high school age. Wonders why the City is looking towards marijuana as a revenue resource, and are we - as a community - at the bottom of the barrel?
8. Amber Gardner - spoke in support of a regulated cannabis dispensary. Proposition 64 makes it legal. It would be better to allow regulated cannabis in our community to earn tax revenue and economic development. It could create jobs. It is practical, responsible, and forward thinking to allow it.
9. Barbara Brusatori - Shared about Sacramento cannabis dispensary incident where security personnel shot someone who was burglarizing the facility. She said to not open this door and the danger that comes with it. Kids are curious. Keep them away from danger, and vote no to cannabis.

4. **City Manager's Report**

City Manager DuBois in response to public comment clarified that he provides neutral information, and saying that the City will comply with state laws in regards to a dispensary is a neutral position. He shared that the dispensary application will be coming to the Planning Commission in July and that the city has in fact been checking references with many other cities including City managers, Police Chiefs and Council members.

City Manager DuBois presented his report before the City Council. City Manager DuBois responded to inquiries and requests for clarification from the City Council.

The City Council requested clarification / asked questions regarding the following items:

1. Code Enforcement consultant retirement and replacement
2. Sutter Hill bids - how many received thus far

City Manager DuBois' presentation can be accessed via this link:

<https://www.cityofsuttercreek.org/media/10501>

5. **Presentations**

None.

6. **Approval of Minutes**

A. City Council Regular Meeting Minutes of May 18, 2026

Recommendation: By motion, approve meeting minutes as presented.

The following modifications were to be made to the draft meeting minutes:

1. Vice Mayor Sierk - Correction to reflect that there was a Air Quality Board Meeting (page 9).
2. Mayor Gunselman - Correction to reflect on her verbal report - the location is the Historic Grammar School instead of the Monteverde Store.

Motion made by Vice Mayor Sierk, seconded by Council Member Riordan to approve the City Council Meeting Minutes of May 18, 2026 with the modifications indicated by the City Council.

AYES: Vice Mayor Sierk, and Council Members Feist, Riordan, and Swift

ABSENT: Council Member Feist

ABSTAIN: None

NOES: None

MOTION CARRIED 4-0, 1 Absent

7. **Consent Agenda**

The agenda items were pulled from the Consent Agenda for discussion:

1. Vice Mayor Sierk - Requested to pull Consent Agenda Item 7A.
2. Council Member Swift - Requested to pull Consent Agenda Items 7A, 7C, and 7D.

A. Waive Second (2nd) Reading and Adopt Ordinance No. 25-26-xx - Surveillance Ordinance

Recommendation: Waive Second (2nd) reading and Adopt Ordinance No. 25-26-xx - An Ordinance of the City Council of the City of Sutter Creek Adding Chapter 2.55 to the Sutter Creek Municipal Code Pertaining to Surveillance Technology and Privacy Protections.

On the second full page of the draft Ordinance, Vice Mayor Sierk wanted to have the draft Ordinance say “starting the first year of implementation” instead of specifying Fiscal Year 2026-2027.

City Attorney Cole provided an explanation on why the draft Ordinance currently has that verbiage, and that staff can make the requested change since the change is not substantive.

Council Member Swift wanted to go on record that the City Council, at this time, has not made a decision to move forward with any vendor.

City Manager DuBois provided clarification that before the draft Ordinance, the City would go through the regular vendor process. With the adoption of the draft Ordinance, the City Council would have more control to steer the process via Policies.

The City Council requested the City Clerk to read back the modification requested, and confirmed with City Attorney Cole that the modifications are legally acceptable.

One (1) public comment was received, with the Sutter Creek resident speaking in favor of the Ordinance.

Motion made by Vice Mayor Sierk, seconded by Council Member Swift to waive the second (2nd) Reading and Adopt Ordinance No. 25-26-xx with the modifications directed by the City Council to make the starting implementation date to be generic rather than specifying a start date of Fiscal Year 2026-27.

AYES: Vice Mayor Sierk, and Council Members Feist, Riordan, and Swift

ABSENT: Council Member Feist

ABSTAIN: None

NOES: None

MOTION CARRIED 4-0, 1 Absent

- B. Consolidate of the Upcoming November 2026 Municipal Elections with the Statewide General Election**
Recommendations: Staff recommend the following actions to the City Council:

- 1. Call for an election, requesting consolidation of the City of Sutter Creek's Municipal Elections with the Statewide General Election; and*
- 2. Authorize staff to file a Notice of Election with the Amador County Registrar of Voters (ROV); and*
- 3. Authorize staff to complete all necessary tasks involving the consolidation of elections; and*
- 4. Express intent to reimburse Amador County for the actual costs of the election.*

- C. Fair Political Practices Commission (FPPC) Biennial Review - Conflict of Interest Code**

*Recommendation: Adopt **Resolution No. 25-26-xx**, thereby updating the City's Conflict of Interest Code.*

Council Member Swift asked regarding the matrix/chart listing designated filers (job titles/descriptions) and disclosure categories. City Attorney Cole provided confirmation that there were no changes to the Conflict of Interest Code from the last time that it had been updated.

- D. Amador Community Wildfire Protection Plan (CWPP)**

*Recommendation: Review the Amador Community Wildfire Protection Plan (CWPP), approve by adopting **Resolution No. 25-26-xx**, and authorize Mayor Gunselman and/or designee City staff to sign the CWPP on the City's behalf.*

Council Member Swift asked regarding the City working closely with the Fire District regarding the CWPP. City Manager DuBois confirmed that the City has been working closely with the Fire District, and that the Fire District (while coordinating with the City) would take the lead regarding grant opportunities that the City would apply for in the future.

Motion made by Council Member Swift, seconded by Vice Mayor Sierk to approve all Consent Items.

AYES: Vice Mayor Sierk, and Council Members Feist, Riordan, and Swift

ABSENT: Council Member Feist

ABSTAIN: None

NOES: None

MOTION CARRIED 4-0, 1 Absent

8. Ordinances and Public Hearing

A. Public Hearing - Public Employee Vacant Position Report (AB 2561)

Recommendation: Receive report from staff; Open the Public Hearing, receive public comment and then close the hearing, and accept the annual vacancy report from staff.

City Manager DuBois provided the report before the City Council and responded to inquiries and requests for clarification from the City Council.

Mayor Gunselman opened the Public Hearing at 7:05 PM. Zero (0) public comments were received. Mayor Gunselman closed the Public Hearing at 7:06 PM.

Via consensus, the City Council received and accepted the report as presented by staff.

No motion was made regarding this agenda item.

9. Administrative Agenda

A. Receive the City of Sutter Creek's Draft Budget for Fiscal Year (FY) 2026-2027

Recommendation: Discuss, provide feedback, and give directions regarding the City of Sutter Creek's Draft Budget for FY 2026-2027 as presented by staff.

LATE PACKET - THIS ITEM WILL BE DISTRIBUTED LATER THIS WEEK (Distributed 5/29/2026)

City Manager DuBois and Finance Supervisor Peters jointly provided the report before the City Council and responded to inquiries and requests for clarification from the City Council.

1. Staff Presentation & Overview

- **Fiscal Outlook:** Staff presented the preliminary draft budget, noting it is a working document. The primary structural challenge remains revenue increasing at 2% to 3% annually, while operational costs rise between 5% and 10%.
- **Revenue Highlights:** The current budget outlook is stabilized by a full year of Transaction and Use Tax (TUT) local sales tax revenue, various grants, private donations, and anticipated one-time development impact fees from the Valley View project.
- **Fund Summaries**
 - **Wastewater/Enterprise Fund:** Estimated at \$5.6 million (larger than the General Fund due to accumulated reserves earmarked for capital spending).
 - **General Fund:** Estimated at \$3.4 million.
 - **Street and Gas Tax Funds:** Estimated at \$900,000 (strictly restricted for street maintenance).
 - **Valley View Impact Fees:** Estimated at \$1,600,000 in park impact fees.

2. Council Discussion & Clarifications

- **Valley View Project Impact Fees:** Staff provided a breakdown of the one-time impact fees from the 43-unit Valley View housing project (comprising 23 low-income working units and 23 permanent supportive housing units)
 - **Breakdown:** \$40,000 for public safety; over \$500,000 for parks and recreation; \$150,000 for local streets; \$450,000 for sewer connection fees; and over \$250,000 for the Sutter Hill collection system expansion.

- Restrictions: Council confirmed these are highly regulated, one-time fees backed by a nexus study and must strictly be spent on capital projects rather than ongoing operational costs.
- Operational Cost Drivers & Insurance Pools: Staff highlighted a 10% combined annual increase in labor, benefits, and insurance.
 - Flood Insurance: Finance Supervisor Peters reported ongoing coordination with the Risk Management Authority (RMA) to try to lower high property liability premiums by removing unnecessary flood coverage on city assets not on the FEMA floodplain list - with the Monteverde Store cited as an example. The final RMA revised pool budget is expected at the end of June.
- Capital Projects & Personnel Capacity: The draft budget includes over 30 city-wide capital projects across streets, wastewater, police, and parks. Staff noted that projects will be tackled in priority order, and any projects deferred due to staff capacity limits will roll over to the next fiscal year.
 - Solar & Battery Construction: Includes \$3.6 million in construction costs. An update on exact timing and utility incentive structures will be presented next month.
 - Financial Software: Staff confirmed that the implementation of the new financial software is complete, yielding operational efficiencies and time savings.
- General Fund Margins: Vice Mayor Sierk expressed concern regarding the tight 2% margin between General Fund revenues and expenses. Staff and Council noted that while the General Fund remains historically thin due to fixed operational costs, revenues are projected conservatively, and the city is successfully avoiding dipping into its reserves.

3. Department-Specific Budget Queries

- Police Department Equipment: * *Camera Clarification*: Council discussed line items for smart cameras/automated license plate readers (\$11,000/year for 5 years, corrected from an initial \$55,000 notation) and replacement cameras.
 - *Policy Compliance*: Council confirmed that including placeholder funds in the budget does not equal automated purchasing approval. Per recently passed city ordinance, surveillance technology procurement must return to the Council as a separate item pending explicit approval. An asterisk will be added to the budget to denote this requirement.
- Planning & Legal Services: Council noted a \$15,000 decrease in planning services and requested verification that planning hours are not being cut inappropriately. Legal expenses have been reallocated across the General and Wastewater funds, which includes a separate \$50,000 allocation for code enforcement. Council noted that the \$50,000 enforcement budget was for attorney fees, need funds for code enforcement consultant.
- Crest View Lighting District: Staff confirmed the expenditure budget was allocating too much of the finance departments time to the fund. This dropped the finance expense from \$10,000 to \$2,000 to better reflect efforts, and revenue projections will slightly rise due to new home construction on previously vacant parcels.

- Park Donations: Staff highlighted a \$125,000 private donation for a disabled-friendly ADA playground project at Minnie Provis Park (total project cost estimated at \$140,000, with \$15,000 from the General Fund). The project is nearing the public bidding phase.
- Weed Abatement: Staff confirmed the contract budget remains identical to last year. The program was highly successful, with all but one out-of-state property owner achieving compliance.

4. Public Comment

- Sandy Anderson (Sutter Creek): Read a statement from a resident questioning the necessity of a cannabis dispensary development agreement to balance the town budget, given the City Manager's report that TUT revenues, grants, and impact fees have already successfully positioned the city to meet infrastructure goals and maintain healthy reserves.
- Justin Howard: Submitted a comment expressing continued support for the Gopher Flat capital projects listed on the budget.

5. Council Action / Next Steps

The Council took a brief 5-minute recess during the item. No formal action was taken as this was a preliminary review. Staff will return to the next meeting with a finalized budget packet, including granular details on the wastewater funds and specific reserve accounts.

10. Mayor and Council Member Reports

Cannabis Dispensary in Sutter Creek

Council Member Swift said he had used ChatGPT to research the process and expressed concerns about potential lawsuits. Should there be an agenda item to discuss the application process and educate the public on the approach? Or could the City Attorney provide a report to Council?

Vice Mayor Sierk requested a separate or merged agenda item to consider amending the City ordinance prior to any furtherance or processing of the submitted dispensary application, citing a desire to listen to her constituents.

Council Member Riordan felt they had already discussed the process and voted to proceed. He saw no need to revisit this.

Mayor Gunselman agreed that the council had discussed and voted, and was given details on the process including potential ordinance amendments. The Mayor stated that the City had been very transparent by announcing a possible application months in advance that left a "vacuum of information," but that the process was legal, surgical, and had been successfully executed in numerous other California jurisdictions.

Council Member Swift noted a potential conflict of interest regarding the proposed dispensary location due to owning property across the street, stating he has requested a formal ruling from the Fair Political Practices Commission (FPPC).

City Attorney Cole stated an authoritative memo could not be produced by the upcoming week's agenda deadline. City Attorney Cole stated that the city is requiring broad indemnity from the applicant which covers liability from lawsuits. He outlined the upcoming timeline, targeting a Planning Commission hearing on July 8, 2026, followed by two required readings of any proposed ordinances before the City Council across July and August. He also noted that citizens have a legal check via the referendum process.

Regarding Vice Mayor Sierk's comments, City Attorney Cole noted that the Council could sponsor an initiative to put a question to the voters on the November ballot, but staff would need direction by July to meet the early August drop-dead election filing deadline, and that it would be moot as the application is being processed as required by law prior to the election.

Amador Air District Board

Vice Mayor Sierk provided a brief update regarding the Amador Air District Board meeting held on May 19, 2026. Discussions are ongoing regarding the Sutter Creek bin charge, with staff and the public working to find solutions to avoid repeating this year's scenario next year.

Signage

Council Member Swift presented a photograph of a temporary banner set-up on his family's private property. He requested that staff look into the feasibility of establishing a permanent, city-regulated banner structure at Gateway Park on Highway 49.

The Council agreed to have staff research potential Caltrans restrictions in that territory and report back.

Commendation Resolution for Ms. Lisa Klosowski

Vice Mayor Sierk requested to agendize a presentation for the next meeting to present a ceremonial resolution honoring Ms. Klosowski for her extensive benefactor work on behalf of the Visitor Center. The City Council directed staff to confirm Ms. Klosowski's availability in order to schedule the presentation.

11. City Attorney's Report

City Attorney Cole stated that he had nothing to report.

12. Information and Correspondence

A. Correspondence from the public - Received from May 1, 2026 to May 25, 2026
The City Council accepted all correspondence received from the public.

13. Closed Session

None

14. Report from Closed Session

None

15. Adjournment

The next regularly scheduled meeting is June 15, 2026.

Mayor Gunselman adjourned the meeting at 8:36 PM.