



City Council Meeting Minutes

Monday, March 17, 2025 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

Called to order at 6 PM

Present:

Council Members: Dan Riordan, Julia Sierk, Claire Gunselman, Jim Swift, Susan Feist

City Treasurer: Victoria Runquist

Staff:

City Manager, Tom DuBois

Contract City Attorney, Derek Cole

Public Works Director, Dan LaFontaine

Finance Supervisor, Mason Peters

2. Pledge of Allegiance to the Flag

Mayor Gunselman led the pledge

3. Public Forum

Bruce White -Asked a question regarding weed abatement on property outside city limits.

Byron Damiani - Comment regarding pre-screening of Gold Rush - 900 houses eventually, exceeding current housing needs. He would like to understand the benefits to the city. Concerned about projects that stop before completing phasing. He would like to see infrastructure benefits up front.

Pete Jensen - Gold Rush concerns - He would like to know what the process is for the project. Where can a map of the project and project timeline be found? What will the impact be on the WWTP? What is happening with the tax that was initiated for WWTP development? Do we have a record for the developer of the new project?

4. City Manager's Report

City Manager, Tom DuBois, gave a report [using the attached presentation](#).

5. Presentations

None

6. Approval of Minutes

A. City Council Minutes of March 3, 2025

Recommendation: By motion approve minutes as presented.

Motion to approve by Council Member Sierk, Seconded by Council Member Riordan

Motion Passed 5 - 0

7. Consent Agenda

A. Notice of Preparation for Bidding on Wastewater Collection System Repairs

Information Only

[Staff Report CIP collection work.pdf \(0.06 MB\)](#)

Motion to accept the report as presented, by Council Member Riordan, Seconded by Council Member Sierck

Motion Passed 5 - 0

8. Ordinances and Public Hearing

None

9. Administrative Agenda

A. Resolution Authorizing City Manager to Sign Wastewater Engineering Agreement

Council Member Sierck asked if this was replacing anyone? Gary Ghio is retiring and this replaces him as our wastewater engineer.

Council Member Swift - Likes that Hydrosience did our master plan and knows us.

Mayor Gunselman - Likes knowing we have an Advocate as we engage with large construction firms.

Motion to approve the resolution by Council Member Sierk, Seconded by Council Member Swift

Motion Passed 5 - 0

B. Minnie Provis Park Improvements

a. [Presentation on proposed park improvements](#) by Public Works Director, Dan LaFontaine

b. Discussion:

Council Member Riordan - Isn't there some funding opportunities for this work?

Public Works Director, LaFontaine - Yes, we can apply for grant funds from the Amador County Foundation

Mayor Gunselman - Doesn't the Rancheria have a Park's grant?

Public Work Director, LaFontaine - We can look into it.

City Manager, DuBois - We are also looking into a few other options as well.

Council Member Feist - I would advise looking for some prettier water fountains and more durable than plastic.

Council Member Sierk - Agree to the need to look for something nicer for the fountain in better material. Would also be good to look at the area below the City Office building and how it could be used better.

c. Public Comment:

Barbara Holmes - Asked about the picnic area down by the creek, which looks kind of scruffy. Sometimes the water level may be a concern, but would be good to spruce up that area.

Council Member Feist - There used to be more trees down by the creek which helped.

Public Works Director, LaFontaine - That area wasn't part of this project but we can look into it for the future.

Resident - Fountain - Granite style and cost effective can be found in stainless.

d. Motion

Motion to Approve the Park design improvements for Minnie Provis Park, motion by Council Member Riordan, Seconded by Council Member Feist

Motion Passed 5 - 0

C. Update to Weed and Nuisance Ordinance

a. City Manager, Tom DuBois, gave a high level overview relative to [the staff report](#). Explained definitions, constraints of enforcement and comparison with City of Jackson's similar ordinance.

Contract City Attorney, Derek Cole - The suggested ordinance is patterned on the Angels Camp Ordinance as a starting point. Can work off of other examples as well.

b. Discussion:

Council Member Swift - I would like to see more than one template of the ordinance.

Council Member Riordan - I would also like to see several templates. I sent some comments: I like the idea of having a \$500 penalty. I like streamlining the process to avoid multiple iterations and cycles of the process. The issues on pasture land - would be good to go with a perimeter as a safe way to go.

Council Member Swift - We cut a fire break, and don't expect compensation. I would remove that.

City Manager, DuBois: The more specific you can be with suggestions the better. The goal here is to get people to comply. Do you think \$500 is too much of a penalty? Jackson is at \$100.

Council Member Riordan: I don't think \$500 is too much. There is a lot of risk related to this.

Mayor Gunselman - By the time the fine is given, the person has been warned a couple of times. Notice has been posted by the Fire department. I think it's fair and I wouldn't want to add too many more steps. Only some will be enforced upon each season. Instead of only a complaint basis, I think we should also consider danger to the community.

Council Member Feist - Agree. With \$100 you can't even weed whack a property.

City Manager, DuBois - For clarification - We would have the ability to issue an administrative fine. If the person didn't comply, we would hire a private firm to go in and clean up the property. That, and an administrative fee would be added to the property. Jackson had a hard time finding private companies to do the work. Once the city started enforcing the ordinance, they had better compliance.

Council Member Sierk - People will be responsive once they see the fine is real. At the COunty level they only had 3 properties that hadn't complied when enforced.

Mayor Gunselman - Am assuming we would only come to the point of fining someone if they were unresponsive to notices.

Council Member Feist - Due to the fire danger, notices need to be date specific for compliance. It can't go on indefinitely.

Council Member Swift - We need more involvement in the drafting of this from the Fire Chief given their expertise in fire fuel mitigation.

City Manager, DuBois - Yes, we are working with them. Often issues arise with landowners who are not present.

Council Member Swift - What are the mechanics of sending a letter? What happens if there is no response?

Contract City Attorney, Cole - We would want to keep proof of service of the letters. Needs to be certified mail.

City Manager, DuBois - We would be giving notices by certified mail.

Council Member Riordan - This needs to be clarified in the draft ordinance, so that it is very clear in the document. Will we need to budget an amount related to carrying this out?

City Manager, DuBois - We don't need to get into the budget aspect yet given the time to move through adoption of the ordinance.

Council Member Feist - What are the laws around going on people's land to enforce the ordinance?

Contract City Attorney, Cole - We would need to get an abatement warrant. This is an operational process separate from the ordinance.

c. Public Comment

Charles - Supports putting the ordinance in place. Last year talked to Fire Chief Dominic, who would like to mitigate on a year round basis. This requires year round education of our residents to avoid having to enforce this due to the time and energy involved.

Council Member Swift - Last thing we want to do is enforcement as you have noted.

Barbara Holmes - It wasn't clear on how fees will be recouped? Is that through a lean? Also asked about jurisdiction of certain properties such as at the school at Spanish St and Sutter/Ione Rd which has a lot of dry material. Also at the top of California Drive and Erickson Ranch.

Council Member Swift - That is a good question! What do we do if the backyard is at the city limit and the fire hazard is outside the city limit?

Contract City Attorney, Cole - We cannot enforce on the County. Only have jurisdiction on property within city limits.

Brian Holmes - California Drive - Neighbors try each year to deal with the weeds up against their yards by talking to the Conservancy to get a fire break. They put some cows but they don't create a break. Really needs a dozer to create a break. Should go to the County about this.

Council Member Swift - We do have jurisdiction on the school property as it is within the city limits.

City Manager, DuBois - Fees are recouped on the property tax bill the next year.

Craig Lambert, 40 Nickerson - Concerned about insurance requirements vs City requirements. Citizen education is important around this.

Council Member Swift - In my experience we have never required anyone to remove a tree or shrub - it has typically been grass.

Council Member Feist - It would be good to talk about dates with the Fire Chief and timing of inspections.

d. Direction:

Direction given to Staff to continue work on the ordinance.

D. Empty Storefront Ordinance

- a. Presentation for discussion on proposed Storefront Ordinance by City Manager, Tom DuBois. Accompanying [staff report](#). Empty storefronts can be detrimental to other businesses and the overall aesthetic of the city. Example from Nevada City shows how an ordinance can be used to safeguard the appearance of downtown. Brought this for Council Discussion.

- b. Discussion:

Council Member Sierk - Question - Can a vacant store owner just black out a window? This section needs to be clear and unambiguous.

Council Member Swift - Has this been brought to the business association? Should be brought to them.

City Manager, DuBois - This is the first step. If the Council wants to move forward we'll reach out to others.

Mayor Gunselman - I had four people reach out and say it was a great idea. It isn't the business association that has vacant storefronts so need to talk to building owners. Can we ask to be notified when and where buildings are being advertised. If we say that buildings must keep up with painting, that might be hard to enforce given the size of the buildings and costs associated. Having decorated windows and more communication with the city is good. Would like to build more conversations between businesses/property owners and the city.

Council Member Riordan - Likes the idea and would support this moving forward with discussion with others. It matters when people come to the town and see it as a vibrant community. We should do everything we can to keep up the vibrancy of the city.

Mayor Gunselman - It would also be good to talk to some of the realtors.

- d. Public Comment:

Craig Lambert - Historic towns have ordinances about keeping up appearance because it is important for historic towns. Paint is not that expensive and is a small thing to keep up appearance. Is surprised that there isn't already more requirements around this as it is important for a city like Sutter Creek.

Barbara Holmes - Could play on the "Jewel of the Motherlode" theme for the city.

Mason Peters - We could use the Design Review Committee to approve the displays.

Council Member Feist - We could get the art council involved.

Council Member Swift - Doesn't want to have the Design Review Committee used for windows displays.

Charles - There is a good example in Jackson where a massage business just painted storefront which is not attractive.

- e. Next Steps

City Manager, DuBois - Where does this rank in terms of city projects?

Council Member Swift - Not urgent, Weed Abatement first.

Mayor Gunselman - It is a direction we all want to go, but not the top priority.

Council Member Sierk - It would be good to move it forward as we come up to the busier Summer months.

Council Member Feist - We could look for grant money for this type thing as well.

Council Member Riordan - What is a realistic timetable for getting this done?

City Manager, DuBois - We can start outreach and will bring a timetable in near future.

Council Member Feist - Need to make sure displays are actually good.

Council Member Riordan - Let's send this back to Staff to come up with more detail before we get too far with questions and details.

Staff agreed to return with a proposal based on council feedback.

10. Council Member comments

Council Member Swift - I like the new seating layout in the chamber. Might like to have the council facing the public more directly.

Council Member Sierk - We had a lengthy ACRA meeting. The NEXUS fees project for Bryson Park is agreed and going to the Board of Supervisors for approval. ACRA is working with Calaveras county for a partnership because they don't have a recreation agency. They are also proposing to drop the KAP program after June 30, 2025 as it has become a financial drain. They are waiting for the audit report as the budget is very tight.

At the Board of Supervisors, the Supervisors had a long discussion about Short Term Rentals and possible ordinance related to that in order to free up available houses. The County is looking at a \$3M shortfall in the general fund budget. They are looking for savings.

11. City Attorney

None

12. Future Agenda Items

Council Member Feist - Is working on a rough draft for a Tree Ordinance and would like to discuss a Dark Skies ordinance to help reduce light pollution.

Council Member Sierk - Asked if the Sutter Creek rock plaque near Miner's Bend could be moved to a better location? More visible location to see it.

13. Information and Correspondence

- A. [Feb 2025 Treasurer's Report](#)
- B. [Feb 2025 Finance Department Report](#)
- C. [Feb 2025 Cash Flow Report](#)
- D. [Feb 2025 Revenue Report](#)
- E. [Feb 2025 Expense Report](#)
- F. [Feb 2025 Police Report](#)
- G. [February City Engineering Report](#)
- H. [Public Works Report](#)
- I. [Feb 2025 Planning Department Report](#)
- J. [ARSA Individual Water Balance Final Reports](#)
- K. Correspondence and Emails to Council
 - [Letter to Council](#)
 - [ACTC Gold Rush RTMF](#)

14. Closed Session

None

15. Report from Closed Session

16. Adjournment - 7:45 PM

The next regularly scheduled meeting is April 7, 2025