



**CITY COUNCIL MINUTES
TUESDAY, JANUARY 3, 2023**

**THIS MEETING WAS CONDUCTED IN-PERSON AT 33 CHURCH STREET,
THE PUBLIC WAS ALSO ABLE TO PARTICIPATE FROM HOME:**

Join Zoom Meeting

<https://us02web.zoom.us/j/9568520224>

or

Dial by phone:

301-715-8592

Meeting ID: 956 852 0224

6:30 P.M. 1. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of
Government Code Section 54956.9
(Claim of Michelle Van Der Veen and iHeart Homes, Inc.)

7:00 P.M. 2. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING

Council members Present:
Feist, Sierk, Swift and Gunselman
Vicky Runquist, City Treasurer

Absent: Peters

Staff Present:
Amy Gedney
Derek Cole
Karen Darrow
Jodi Steneck
Matt Ospital

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. REPORT FROM CLOSED SESSION

City Attorney Cole reported:

On motion of Councilmember Sierk, and second by Councilmember Gunselman, the City Council voted to direct City Staff to issue a rejection of the government claim. The vote was 4-0 in favor of the motion.

Ayes: Mayor Gunselman, Vice Mayor Sierk, and Council member Swift and Feist.

Noes: none.

Absent: Council member Peters.

5. PUBLIC FORUM

Lottie Tone of Sutter Creek asked why the tree in the median on Main Street was not lit for the holidays and asked why there are not printed copies of the agenda at the meetings and printed copies posted where they used to be.

City Manager Gedney noted that Public Works did not light that tree this year.

Frank Cunha of Sutter Creek asked if audio devices for the hearing impaired were available and why there has not been a staff report in the last four years in response to the petition that was submitted requesting a walking path.

Al Bierce of Sutter Creek asked who is responsible for the bulletin board at Sutter Hill. City Manager Gedney noted that it is the Business Association.

6. ELECTION OF MAYOR AND VICE MAYOR FOR 2023

Recommendation:

1. Elect a Mayor for 2023.

M/S Council member Swift/Sierk to nominate Council member Gunselman as Mayor for 2023.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

2. Elect a Vice Mayor for 2023.

M/S Council member Gunselman/ Feist to nominate Council member Sierk as Vice Mayor for 2023.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

7. INFORMATION/CORRESPONDENCE

A. Letter to Amador County Unified School District from ACTC regarding school consolidation plan.

Recommendation: For information only.

8. MAYOR AND COUNCIL MEMBER REPORTS

Council member Sierk asked when the council committee assignments would be discussed.

City Manager Gedney noted that they would be on the agenda for the next meeting.

Mayor Gunselman noted that the Sutter Creek Community Benefit Foundation had the Sutter Creek “book” sign repainted and put back up on Main Street.

9. CONSENT AGENDA

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of Council or the Public.

A. City Council Minutes of December 5, 2022

Recommendation: By motion approve minutes as presented.

M/S Council member Swift/Sierk to approve the City Council Minutes of December 5, 2022, as amended.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

B. Warrants

Recommendation: By motion approve warrants as presented.

M/S Council member Swift/Feist to approve the warrants, as presented.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

C. Planning Commission Appointment

Recommendation: Adopt Resolution 22-23- appointing Andrea Macon to the Planning Commission.*

M/S Council member Swift/Feist to Adopt Resolution 22-23-25 appointing Andrea Macon to the Planning Commission.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

10. ORDINANCES & PUBLIC HEARINGS- None.

11. ADMINISTRATIVE AGENDA

A. PARS 115 Trust-Pension Rate Stabilization Program.

Recommendation: Adopt Resolution 22-23- Adopting the Public Agency Retirement Services (PARS) Post-Employment Benefits Trust Program.*

Jodi Steneck Accounting Supervisor presented with Mitch Barker from PARS available to answer questions.

Mr. Barker noted that this program is a useful tool that can be utilized when the Council is ready. He clarified that there is not a set up fee and that the .25% fee is only after assets are deposited and will come out of plan assets.

M/S Council member Swift/Sierk to Adopt Resolution 22-23-26 Adopting the Public Agency Retirement Services (PARS) Post-Employment Benefits Trust Program.

AYES: Feist, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: Peters

MOTION CARRIED

- B. Review of capital improvement projects and cost estimates for inclusion in a future Capital Improvement Program.

Recommendation: For information and staff direction.

City Engineer Matt Ospital distributed copies of the map.

City Manager Gedney noted that there is a sinkhole on Gold Strike that has become the top priority.

Council member Sierk noted that she would like to have the needs of the Circulation Element included to see how they match up.

City Engineer Ospital confirmed that sidewalks were included in the cost estimate for Gopher Flat.

Lottie Tone of Sutter Creek asked how the general public can participate and make recommendations.

Council member Swift suggested adding a notice in the sewer bills.

Andrea Macon of Sutter Creek asked if there would be an opportunity for homeowners to work in partnership to do their own repairs at the same time.

Mike Kirkley of Sutter Creek asked what the current road funding sources and commented that a previous lack of fiscal responsibility has created the inability to maintain roads.

City Manager Gedney noted that there is very little funding available from SB1, gas tax and some RSTP funds.

Frank Cunha of Sutter Creek asked if a Safe Route to Schools grant could be applied for Gopher Flat and suggested asking the Rancheria or forming a CFD could be an option.

City Engineer Ospital noted that he would investigate whether it would be affordable to apply to for a Safe Route to Schools grant.
City Manager Gedney recommended that Council suggestions be submitted to staff and they can be brought back for further discussion.

12. FUTURE AGENDA ITEMS

Council member Sierk requested:

- 1- Set meeting schedule six months at a time to schedule agenda items.
- 2- Discuss use of Council stipends.
- 3- Status of Circulation Element
- 4- Status of Gopher Flat

City Manager Gedney noted that there is nothing to report on the Circulation Element of Gopher Flat.

Council member Feist requested:

- 1- Heritage Oak preservation discussion

Mayor Gunselman requested:

- 1- Gopher Flat update put on the agenda for discussion.

13. CITY ATTORNEY'S REPORT

A. Legislation Update for 2023

Recommendation: For information only.

City Attorney Cole presented the legislative updates.

4. CITY MANAGER'S REPORT

City Manager Gedney commended the Public Works, Police and Fire Departments for their storm response and noted and as a result the city fared well. A sewer spill that has already been reported and the sink hole at Gold Strike were some of the issues.

City Manager Gedney reported that the ARSA lawsuit is pending and that there are additional reporting requirements as a result of the lawsuit. She noted that the Board of Supervisors is doing an emergency proclamation because of the storm and that staff is waiting to see what the city might need to do as well.

15. ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

Claire Gunselman

Claire Gunselman, Mayor

Karen Darrow

Karen Darrow, City Clerk

Date Approved: January 17, 2023