



CITY OF CALISTOGA

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STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Kathy Flamson
DATE: August 7, 2018
SUBJECT: Approval of Minutes from the July 17, 2018 City Council Meeting

SIGNATURE:

DYLAN FEIK, City Manager

DESCRIPTION: Approval of Minutes from the July 17, 2018 City Council Meeting

RECOMMENDATION: Approve Minutes.

SUMMARY: Approve Minutes from the July 17, 2018 regular Calistoga City Council meeting.

ATTACHMENTS:

1. Draft Minutes of Aforementioned Meeting

MINUTES

CITY COUNCIL – REGULAR MEETING

TUESDAY, JULY 17, 2018 - 6:00

P.M.

CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER – ROLL CALL

Mayor Canning called the Regular Session to order at 6:00 p.m.

In attendance were the following: Councilmember James Barnes, Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, and Vice Mayor Michael Dunsford.

Absent: Mayor Chris Canning

Also in attendance: Acting City Manager/Finance Director Gloria Leon, Public Works Director Michael Kirn, Planning and Building Director Lynn Goldberg, Police Chief Mitch Celaya, Fire Chief Steve Campbell, Recreation Department Manager Rachel Melick, and City Clerk Kathy Flamson.

B) SALUTE TO THE FLAG

C) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS

Vice Mayor Dunsford opened oral communication.

Having no one come forward, **Vice Mayor Dunsford** closed oral communication.

D) ADOPTION OF MEETING AGENDA

It was **MOVED** by Councilmember Kraus and **SECONDED** Councilmember Barnes by to approve the Council Meeting. The Motion carried by the following vote:

**AYES: Councilmembers Kraus, Barnes and Lope-Ortega
Barnes and Vice Mayor Dunsford**

NOES: None

ABSTAIN: None

ABSENT: Mayor Canning

E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

- **Councilmember Kraus** noted resurfacing, water main and sidewalk repair, all on Lake Street, will begin soon.

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- **Councilmember Lopez-Ortega** asked residents not to put unwanted items on the street to discard them. She asked that residents dispose of them properly.
 - **Councilmember Barnes** noted an influx of scooters in the large metropolitan areas, also stating there is talk of the opportunity of scooter companies targeting tourist towns. He asked staff to investigate options to ban the rental of scooters in Calistoga. His intention isn't to ban the use of scooters by residents, just companies renting them to tourists. He also suggested a ban on plastic drinking straws used in restaurants in Calistoga on a voluntary basis, without an ordinance.

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48 **F) Mayor Canning CITY MANAGER'S REPORT**

- **Acting Manager Leon** – stated Washington Street to Fairway is currently closed from 8-5 for repair. This project will be completed by Mid-September. The Phase II drainage project is almost done.

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52 **G) PROCLAMATIONS/PRESENTATIONS/AWARDS**

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- 1) **Vice Mayor Dunsford** postponed giving **Utility Systems Superintendent Ben Zacharia** a **20-year Service Award** because he was unable to attend the meeting due to illness. This item will be continued to the **August 7, 2018 City Council** meeting.

58 **H) CONSENT CALENDAR**

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- 2) **Approval of minutes from the June 19, 2018 regular Calistoga City Council Meeting.**
 - 3) **Adoption of Resolution No. 2018-074 declaring certain property surplus and authorizing the City Manager to dispose of said property.**
 - 4) **Adoption of Resolution No. 2018-075 approving Amendment No. 11 to the Joint Powers Agreement with the Napa Valley Transportation Authority (NVTA) to make changes as requested by various agencies.**
 - 5) **Adoption of Resolution No. 2018-076 authorizing the City Manager or designee to enter into a professional services agreement for animal control and shelter services not to exceed \$35,000 for Fiscal Year 2018-2019 and approve a budget adjustment in the amount of \$10,000 derived from the General Fund Unassigned Fund balance, Account No. 01-41074453.**
 - 6) **Adoption of Resolution No. 2018-077 accepting as complete the 2017 Microsurfacing Project constructed by Telfer Pavement Technologies and authorizing the Public Works Director to file a Notice of Completion.**

80 It was **MOVED** by Councilmember Barnes and **SECONDED** by
81 Councilmember Lopez-Ortega to approve Item Nos. 2, 3, 4, 5, and 6 of
82 the Consent Calendar. The Motion carried by the following vote:

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84 **AYES:** Councilmembers Barnes, Lopez-Ortega and Kraus
85 and Vice Mayor Dunsford
86 **NOES:** None
87 **ABSTAIN:** None
88 **ABSENT:** Mayor Canning
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90 **I) PUBLIC HEARING**

91 **7) Adoption of a resolution denying the appeal of Sandy Tucker of the**
92 **Planning Commission's denial of Use Permit 2018-5.**

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94 Councilmembers Barnes, Kraus and Vice Mayor Dunsford disclosed
95 they had discussions with Ms. Tucker.

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97 Planning and Building Director Goldberg opened the item.

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99 Sandy Tucker discussed the background of her appeal.

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101 Council and staff discussion ensued.

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103 Attorney Emily Fisher with the Law Office of Tina Wallis, spoke in favor of
104 allowing Ms. Tucker to allow Permit UP 2018-5 and addressed the points
105 included in the letter from Tina Wallis's letter of July 16, 2018. (Noted as
106 "Correspondence Received" on the website)

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108 Council discussion ensued with Ms. Fisher and Ms. Tucker.

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110 Vice Mayor Dunsford opened the Public Hearing at 6:44 p.m.

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112 Jennifer Breiner, Katie Serini of Lerner Drive, Joey Lewis of Clearlake,
113 Placido Garcia of Mitzi Drive spoke in favor of allowing Ms. Tucker to open
114 her business on Lincoln Avenue.

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116 The appellant chose not to rebut any items brought up during the Public
117 Hearing.

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119 Vice Mayor Dunsford closed the Public Hearing at 6:54 p.m.

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121 Council and staff discussion ensued.

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123 Vice Mayor Dunsford asked staff to work with Ms. Tucker to come up with a
124 set of conditions in order for her business not to look like a formula business.
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126 **City Attorney Rudin** discussed the Calistoga Municipal Code items for a
127 formula business.

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129 Council and staff discussion ensued.

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131 **Ms. Tucker** clarified some of the issued discussed by City Council and staff.

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133 It was the consensus of the Council to continue this item to the August 7,
134 2018 regular City Council meeting and direct staff to coordinate with the
135 appellant to find potential conditions of approval for the Use Permit to address
136 the formula business concerns.

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138 **It was MOVED by Councilmember Barnes and SECONDED by**
139 **Councilmember Kraus to continue the appeal of Sandy Tucker of the**
140 **Planning Commission's denial of Use Permit 208-5 to the August 7, 2018**
141 **regular City Council meeting. The Motion was carried by the following**
142 **roll call vote:**

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144 **AYES: Councilmembers Barnes, Kraus and Lopez-Ortega and**
145 **Vice Mayor Dunsford**

146 **NOES: None**

147 **ABSTAIN: None**

148 **ABSENT: Mayor Canning**

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150 **8) Adoption of Ordinance No. 736 amending the Calistoga Municipal Code**
151 **Title 2 (Council, Administration and Personnel) by adding Section 2.10-**
152 **080 Director of Parks & Receptions.**

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154 **Acting City Manager/Finance Director Leon** presented the item.

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156 Council and staff discussion ensued.

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158 **Vice Mayor Dunsford** would like to bring a report back to the City Council
159 regarding having all classes free for residents living within the Calistoga
160 School District.

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162 **Vice Mayor Dunsford** opened the Public Hearing at 7:50 p.m.

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164 Having no one come forward, **Vice Mayor Dunsford** closed the Public
165 Hearing at 7:50 p.m.

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167 Council and staff discussion ensued.

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169 **It was MOVED by Councilmember Kraus and SECONDED**
170 **Councilmember Barnes by to adopt Ordinance No. 736 amending the**
171 **Calistoga Municipal Code Title 2 (Council, Administration and**

172 **Personnel) by adding Section 2.10.080 Director of Parks & Recreations.**
173 **The Motion was carried by the following roll call vote:**

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175 **AYES: Councilmembers Kraus, Barnes and Lopez-Ortega and**
176 **Vice Mayor Dunsford**
177 **NOES: None**
178 **ABSTAIN: None**
179 **ABSENT: Mayor Canning**

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181 **9) Adoption of Ordinance No. 737 amending the Calistoga Municipal Code**
182 **Chapter 1.12 Nuisance Abatement relating to the time allowed to correct**
183 **violations.**

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185 **Administrative Services Director Leon** opened the item. **Police Chief**
186 **Celaya** presented the item.

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188 Council and staff discussion ensued.

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190 **Vice Mayor Dunsford** opened the Public Hearing at 7:57 p.m.

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192 Having no one come forward, **Vice Mayor Dunsford** closed the Public
193 Hearing at 7:57 p.m.

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195 Council and staff discussion ensued.

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197 **It was MOVED by Councilmember Kraus and SECONDED**
198 **Councilmember Lopez-Ortega by to adopt Ordinance No. 737 amending**
199 **the Calistoga Municipal Code Chapter 1.12 Nuisance Abatement relating**
200 **to the time allowed to correct violations. The Motion was carried by the**
201 **following roll call vote:**

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203 **AYES: Councilmembers Kraus, Lopez-Ortega and Barnes and**
204 **Vice Mayor Dunsford**
205 **NOES: None**
206 **ABSTAIN: None**
207 **ABSENT: Mayor Canning**

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209 **10) Adoption of Ordinance No. 738 amending the Calistoga Municipal Code**
210 **to delete the requirement for B & B Guest Rooms to be located within an**
211 **existing structure.**

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213 **Planning and Building Director Goldberg** opened the item.

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215 Council and staff discussion ensued.

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217 **Vice Mayor Dunsford** opened the Public Hearing at 8:02 p.m.

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Toppa Epps was in favor of this ordinance.

Vice Mayor Dunsford closed the Public Hearing at 8:02 p.m.

It was **MOVED** by Councilmember **Kraus** and **SECONDED** Councilmember **Barnes** by to adopt **Ordinance No. 738** amending the Calistoga Municipal Code to delete the requirement for B & B Guest Rooms to be located within an existing structure. The Motion was carried by the following roll call vote:

- AYES:** Councilmembers **Kraus, Barnes and Lopez-Ortega** and **Vice Mayor Dunsford**
- NOES:** **None**
- ABSTAIN:** **None**
- ABSENT:** **Mayor Canning**

J) GENERAL GOVERNMENT

11) Adoption of Resolution No. 2018-079 authorizing Fiscal Year 2018-2019 Community Enrichment Grant Awards.

City Clerk Flamson presented the item.

Council and staff discussion ensued.

Vice Mayor Dunsford opened public comment.

Having no one come forward, **Vice Mayor Dunsford** closed public comment.

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by Councilmember **Lopez-Ortega** to adopt **Resolution No. 2018-079** authorizing Fiscal year 2018-2019 Community Enrichment Grant Awards. The Motion was carried by the following vote:

- AYES:** **Vice Mayor Dunsford, Lopez-Ortega** Councilmembers **Kraus and Barnes**
- NOES:** **None**
- ABSTAIN:** **None**
- ABSENT:** **Mayor Canning**

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K) ADJOURNMENT

Mayor Canning adjourned the meeting at 8:14 P.M. to the next regular meeting of the Calistoga City Council held at 1307 Washington Street, on August 7, 2018.

Respectfully submitted:

Prepared by: Kathy Flamson, City Clerk

Approved by: Chris Canning, Mayor

Approved: