

**MINUTES**  
**CITY COUNCIL – REGULAR MEETING**  
**WEDNESDAY, NOVEMBER 3, 2010 - 7:00 P.M.**  
**CALISTOGA COMMUNITY CENTER**

**CALL TO ORDER**

**Mayor Gingles called the Regular Session to order at 7:02 p.m.**

In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Dunsford, and Mayor Jack Gingles.

Also present were Planning and Building Director Charlene Gallina, Interim City Manager William Norton, and City Clerk Susan Sneddon.

**ORAL COMMUNICATION**

**Mayor Gingles** announced that Richard Spitler has accepted an employment offer as City Manager, and will begin on December 6, 2010. He also stated that Maintenance Superintendent Bill McBride's mother passed away today.

**Doug Cook, 109 Wappoo Ave (Brannon Cottage Inn owner)**, stated that he is troubled that he is not being refunded the costs of the permits obtained through the City. He stated that he never completed the second phase of his remodel at Brannon Cottage Inn. He stated that on June 24, 2010 he contacted Public Works Director/City Engineer Takasugi and Planning and Building Director Gallina requesting a refund on the permit fees because he decided not to proceed with the second phase of the project. He stated that he is left with an approximate \$27,000 debt because he is not proceeding with the second phase of his project.

**Mayor Gingles** asked Mr. Cook to contact Interim City Manager Norton to follow up with his request for a refund.

**Dennis McNay, 2653 Foothill Blvd (Councilmember candidate)**, congratulated Mayor Gingles and Chris Canning for their success in the City's November 2, 2010 General Municipal Election.

**Mayor Gingles** thanked Mr. McNay for his candidacy in running for Councilmember in the recent City election.

## **ADOPTION OF MEETING AGENDA**

It was **MOVED** by **Councilmember Slusser** and **SECONDED** by **Councilmember Kraus** to approve the City Council Meeting Agenda. The Motion was carried unanimously.

## **PROCLAMATION OF APPRECIATION**

### **1. Proclamation in recognition of the new Poet Laureate for Napa County.**

**Mayor Gingles** read the proclamation.

**Yvonne Henry, City's representative on the Napa County Arts and Culture Commission (Commission)**, congratulated the City Council on being the first in the County to present this proclamation.

**Michael Waterson, Napa County Poet Laureate**, thanked the Council for this unexpected honor.

## **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

**Councilmember Garcia** congratulated the incumbents and Chris Canning for succeeding in the City's November 2, 2010 General Municipal Election. He reminded the public about the November 4<sup>th</sup> public meeting regarding Internet safety.

**Councilmember Slusser** congratulated those that ran in the November 2, 2010 Election. She stated that Farmstead Restaurant in St. Helena will be donating all corkage fees to the Calistoga Community Pool Project.

**Councilmember Kraus** thanked the public for supporting him in his candidacy in the City's recent election. He stated that a hazard exists on Fairway next to Dr. Wilkinson's Hot Springs Resort; support cables from a power pole are compromising the sidewalk. He requested that staff contact AT&T to address the issue.

**Vice Mayor Dunsford** congratulated Mayor Gingles on becoming Mayor for two more years; he also congratulated Gary Kraus and Chris Canning on their candidacy.

**Mayor Gingles** stated that California Proposition 22 regarding banning the State from borrowing from local government was passed unanimously. He provided an update on the Caltrans trench repair paving at the corner of Lincoln Avenue and Washington Street.

## CONSENT CALENDAR

**Mayor Gingles** stated that **Item No. 4 and 5** are to be pulled from the Consent Calendar.

**Councilmember Kraus** asked that a correction be made to the October 5, 2010 Council regular meeting minutes (**Item No. 2**) regarding his comment on *Item No. 4 – Water and Wastewater Service Rates and Connection Fees Ordinance*. He requested that the word “crafted” be removed because he did not state that the draft Ordinance was “crafted” by the Council; it was “crafted” by staff.

2. **Minutes of September 7, 2010, September 21, 2010, and October 5, 2010 regular City Council meetings; minutes of the September 23, 2010, September 24, 2010, September 27, 2010, October 5, 2010, and October 28, 2010 Special City Council Closed Sessions.**
3. **Consideration of an Ordinance, initiated by the City of Calistoga, repealing Title 15, California Building Standards specifically, Chapters: 15.01 General Provisions, 15.04 Administrative Code, 15.08 California Building Code, 15.12 California Electrical Code, 15.16 California Mechanical Code, 15.20 Uniform Plumbing Code, 15.24 California Energy Code, 15.28 California Historical Building Code, 15.32 California Fire Code, 15.36 California Existing Building Code, 15.40 California Reference Standards, 15.44 Uniform Code for the Abatement of Dangerous Buildings, and 15.48 Uniform Housing Code of the Calistoga Municipal Code, and adopting the 2010 California Building Standards Code, Title 24, as adopted by the California State Building Standards Commission.**
4. **Consideration of a Resolution authorizing the lease purchase of a recreation van, street sweeper, police patrol vehicle, police radios and replacement of the remaining SCBA bottles for the Fire Department.**
5. **Consideration of a Resolution accepting donations of materials and equipment from the Felgenhauer Trust to the Calistoga Police Department.**
6. **Adoption of Resolution No. 2010-102 authorizing the acceptance of donations for the 2010 Calistoga Bewitched event.**

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Garcia to approve **Items No. 2, 3, and 6** on the Consent Calendar. The Motion was carried unanimously

4. **Adoption of a Resolution authorizing the lease purchase of a recreation van, street sweeper, police patrol vehicle, police radios and replacement of the remaining SCBA bottles for the Fire Department.**

**Councilmember Slusser** asked the reasoning for the City spending money for the purposed lease purchases (**Interim City Manager Norton** reviewed the financial benefits of the lease-purchases).

It was **MOVED** by Councilmember Slusser and **SECONDED** by Mayor Gingles to adopt **Resolution No. 2010-103** authorizing the lease purchase of a recreation van, street sweeper, police patrol vehicle, police radios and replacement of the remaining SCBA bottles for the Fire Department. The motion was carried by the following vote:

**AYES:** Councilmember Slusser, Mayor Gingles, Councilmember Garcia, Councilmember Kraus, and Vice Mayor Dunsford

**NOES:** None

**ABSTAIN/ABSENT:** None

5. **Adoption of a Resolution accepting donations of materials and equipment from the Felgenhauer Trust to the Calistoga Police Department.**

**Councilmember Kraus** recognized the Felgenhauer Trust for their generous donation to the Calistoga Police Department.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Garcia to adopt **Resolution No. 2010-104** accepting donations of materials and equipment from the Felgenhauer Trust to the Calistoga Police Department. The motion was carried by the following vote:

**AYES:** Councilmembers Kraus, Garcia, Slusser, Vice Mayor Dunsford, and Mayor Gingles

**NOES:** None

**ABSTAIN/ABSENT:** None

## **PUBLIC HEARING**

7. **Consideration of a Resolution regarding a request by Bob Fiddaman and Susan Hoffman to enter into a Mills Act Historic Property Preservation Agreement for preservation of the historic Palmer House located at 1300 Cedar Street.**

**Planning and Building Director Gallina** introduced this item. She stated that the Mills Act Program allows the City to enter into a historical property preservation agreement with the owner of a qualified owner-occupied or income-producing property for the purpose of protecting and preserving properties of historical significance. She stated that in April 2010 the Planning Commission approved the design review application to restore the Palmer House. She stated that the ten-year Agreement has an automatic renewal provision. She stated that based on a preliminary estimate made by the County Assessor the estimated fiscal impact to the City over a ten-year period would be \$7,700, and to the County \$30,800. She stated that upon execution of the Agreement it is submitted to the Napa County Assessor to figure the amount to be reduced.

**Joe Hensley, Aurora Park Cottage innkeeper,** asked why the City would allow reductions in fees when funding is needed in these difficult financial times.

**Planning and Building Director Gallina** stated the City's share of the annual property taxes is 20% (\$770/year); over a ten-year period this equates to \$7,700. She stated that based on current data the local school district assessment would be approximately \$37.

**Councilmember Kraus** stated that the Basic Aid School District funding is approximately 60% of the assessed value of the buildings within the City to assist in funding both the City's School District and the County's College District. He stated the tax rate is probably a product of Proposition 13 which is spread over the entire County.

**Administrative Services Director Mushallo** confirmed that 50% to 60% of the funding comes back to the City.

**Bob Fiddaman** thanked the staff for preparing the Council report in a timely manner. He stated that there are not many historical building owners in the City that are eligible for this program. He stated that the Mills Act is designed to be an incentive to save old properties such as the Palmer House.

**It was MOVED by Mayor Gingles and SECONDED by Vice Mayor Dunsford to adopt Resolution No. 2010-105 regarding a request by Bob Fiddaman and Susan Hoffman to enter into a Mills Act Historic Property Preservation Agreement for preservation of the historic Palmer House located at 1300 Cedar Street. The motion was carried by the following vote:**

**AYES: Mayor Gingles, Vice Mayor Dunsford, Councilmember Garcia and Councilmember Slusser**

**NOES: Councilmember Kraus**

**ABSTAIN/ABSENT: None**

## **GENERAL GOVERNMENT**

### **8. Update of Fiscal Year 2010-11 Transient Occupancy Tax revenue receipts.**

**Administrative Services Director Mushallo** introduced this item. He stated that in comparison to May 2009, the transient occupancy tax was up by 7% (\$20,800) in May 2010; in comparison to June 2009, it was up by 12% (\$35,500) in June 2010. He stated that hotel occupancy and revenue was down during the first half of 2009/10; during the second half of Fiscal Year 2009/10 hotel occupancy was up, but not as much as overall revenues.

**Chris Canning, Chamber of Commerce Executive Director**, stated that the recent increase in transient occupancy tax revenues validates the City's investment in tourism.

## **CITY MANAGER REPORTS**

**Interim City Manager Norton** reported on the following:

- Openings on the City's boards and commissions; deadline for applications is November 19<sup>th</sup>;
- Napa County is looking for representatives from the City to the Local Food Advisory Council.

## **CITY COUNCIL ADJOURNMENT**

**Mayor Gingles** adjourned the meeting at 8:25 PM to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, November 16, 2010, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

**Respectfully submitted:**

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**Prepared by: Susan Sneddon, City Clerk**

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**Approved by: Jack Gingles, Mayor**