

Jackson City Council  
Minutes  
Regular Meeting of October 11, 2011

Wayne Garibaldi  
Patrick Crew  
Keith Sweet, Vice-Mayor  
Connie Gonsalves, Mayor

Michael Daly, City Manager  
Marc Crain, New Fire Chief  
Scott Morrison, Police Chief  
Susan Peters, City Planner  
Gisele Cangelosi, City Clerk

**COUNCIL MEMBERS ABSENT:**

Marilyn Lewis

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Mayor Gonsalves called the meeting to order at 7:00 p.m.

Mayor Gonsalves called for a moment of silence in honor of Bud Lewis.

**1. CEREMONIAL. Proclamation honoring Martha Perez for her award from the Amador County Chamber of Commerce as Businessperson of the Year.**

Mayor Gonsalves presented Martha Perez a proclamation for her award from the Amador County Chamber of Commerce as Businessperson of the Year.

**2. APPROVAL OF AGENDA.**

**Moved by Councilmember Crew and seconded by Councilmember Garibaldi, and unanimously carried to approve the City Council Agenda dated October 11, 2011 as presented.**

**3. PUBLIC MATTERS NOT ON THE AGENDA.**

None.

**4. CONSENT CALENDAR.**

- a. Approval of Minutes of September 12, 2011 and September 26, 2011 meetings.
- b. Approval of Expenditure Report for the period of October in the amount of \$238,170.57.
- c. Approval of Salary related items for September the amount of \$265,917.51.
- d. Accept August 2011 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for September 2011.
- f. Receive Jackson Fire Department Monthly Report for September 2011.
- g. Receive Building Department Monthly Report for September 2011.
- h. Adopt Resolution for Boundary Line Adjustment, Sutter Community Bank, APNs 020-500-037 and 020-500-038 (Gold Country Center off French Bar Road)\
- i. Adopt Resolution for Boundary Line Adjustment, Tom & Melissa Shirley, APN 020-244-005 (311 Water Street) and City of Jackson, 020-244-007 (12 McDowell Street).
- j. Adopt Resolution Granting Public Utility Easement to PG&E.
- k. Adopt Resolution Authorizing Application for River Parkway Grant.

**Moved by Councilmember Crew, seconded by Councilmember Garibaldi, and unanimously carried to approve as presented except for:**

- 1. Mayor Gonsalves abstains from the Approval of Minutes of September 12, 2011.**
- 2. Vice-Mayor Sweet abstained on the approval of Check 235014 in the amount of \$533.97.**

#### **5. ADMINISTRATIVE REPORTS.**

Fire Chief Crain reported the reported the Jackson Fire Department responded to 112 calls last month, 75 medical calls, 15 public assists, 9 fire related, 0 hazardous materials, 11 traffic accidents and 20 of the calls or 18 percent were outside of the city limits for automatic aid to the AFD.

Police Chief Morrison reported on the following:

1. The Department responded to 613 calls for service last month.

City Manager Daly reported on the following:

1. The Jackson Revitalization Committee meeting will be held Thursday, October 13.
2. The Design Review Committee held its first meeting to review – Café De Coco, 140 Main Street.
3. A dedication of the new Kennedy Mine New Archive Building will be held October 22 from 3 p.m. to 6 p.m.

#### **6. COUNCIL REPORTS.**

Councilmember Crew reported on the following:

1. Attended the Air Quality Control Board meeting.
2. Attended the Sutter creek Wastewater master Plan and ARSA master Plan ad-hoc committee meeting
3. Attended the Amador Water Agency Outreach meeting.
4. Attended the Jackson Business and Community Association board meeting.
5. Jackson Business and Community Association Fall Mixer Monday, October 17 at José's 5:30 pm to 7:00 pm.

Councilmember Garibaldi he would be attending meetings for the Amador County Recreation Agency and Jackson Revitalization Committee meetings this week.

#### **DISCUSSION CALENDAR.**

##### **7. Request from Vice Mayor Sweet to Support Appeal of McDonalds Restaurant Design in Martell.**

Vice-Mayor Sweet reported last month the Amador County Planning commission, on a 3-2 vote, removed the design guidelines that were imposed on McDonald's in 1992 during the original construction of the restaurant. This action was taken only days after the commission voted unanimously to forward a comprehensive set of design review standards for the Board of Supervisors to consider and approve. A group of concerned citizens appealed this decision to the Board of Supervisors. This appeal will be heard on October 25<sup>th</sup> at the Board Chambers at approximately 10:30 a.m. The City of Sutter Creek and City of Plymouth have sent the Board a letter asking that they overturn the Planning commission decision for the reasons stated in their letter. He requested the Jackson City Council take action that supports the Sutter Creek City Council response and forward

this action to the Board for their consideration. The City Council was provided letters of support from several supporting documents created by the citizen's appeal group.

He requested the City Council pass a motion supporting the letter sent to the Board of Supervisors requesting that they support the appeal of the Planning Commission's decision to remove the design guidelines for the McDonald's restaurant in Martell.

John Plasse, Amador County District 1 Supervisor, felt those guidelines are a good idea in a historic district but was not sure it should be implemented in a county-wide one-size-fits-all. He felt it would be treading on delicate ground for any entity to comment on another entity's decisions. He inquired who the appellants in the appeal of the Planning Commission's decision to remove the design guidelines for the McDonald's restaurant in Martell

Vice-Mayor Sweet named himself and a number of Amador County citizens. He stated for the record if this request makes the City Council uncomfortable, he would withdraw his request.

After considerable discussion among the City Council and staff was directed to draft a letter the following motion was made:

**Moved by Councilmember Garibaldi, seconded by Councilmember Crew, and carried by a 4 to 1 vote (Vice-Chairman abstained) to direct staff to draft a letter to the Amador Board of Supervisors regarding the McDonalds Design Appeal stating the following position:**

**"The Jackson City Council encourages all legislative bodies to follow their own design guidelines that preserve the historic character of the community for the benefit of local business and requested that this letter be included with the comments for this appeal."**

## **8. Wastewater Updates.**

### **a. Tentative Time Schedule Order for Jackson Wastewater Treatment Plant.**

City Manager Daly provided a brief recap of the Tentative Time Schedule Order for Jackson Wastewater Treatment Plant. He reported tonight's action on this item was is that the City Council review the provided report and accept a presentation from staff regarding the provided tentative Time Schedule Order issued by the Central Valley Regional Water Quality Control Board for the Jackson Wastewater Treatment Plant.

On September 29, 2011, the City received the tentative Time Schedule Order detailing all of the treatment issues, description of the MMPs, other regulatory requirements. The tentative Time Schedule Order includes a detailed list of the facilities and tasks that are designed to rectify the violations that have occurred. It also includes a schedule by which dates the tasks must be completed during the period covered by the Order. The current costs estimated for completion of the projects proposed to address the violations totals \$464,000. The TSO provides the City until March 2015 to complete the improvements included within the Order and the delineation of these costs is itemized in the provided letter sent by the City requesting the specific projects that are included within the Order to address the points in the treatment process where the violations are occurring. The current fiscal year estimate for the costs associated with these projects is \$84,000 with the remainder split among the following years.

Harold Wellborn, Stantec, was present to answer questions of the City Council and provide further detail regarding the proposed projects, the nature of the violations and the Time Scheduled Order process.

Mayor Gonsalves opened the public discussion. Shirley Danjowski, Thornton Consolo, Jack Georgette and Judy Jebian provided public comment: Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

City Manager Daly reported this was an information item and no action was required at this time.

**b. Additional Costs Associated with Filter Improvement Project.**

City Manager Daly reported at the August 22, 2011, City Council meeting, staff was authorized to proceed with a filter improvement project designed to eliminate violations of the turbidity limits in the City's NPDES permit. In the original authorization, it was noted that "ERS will inspect the under drain and replace filter media (sand) and any other worn out components. During the inspection of the first filter cell by ERS, some problems were encountered with the under-drain cores thus ERS will install 32 new cores to cover all four sand filters cells. The updated proposal from ERS Industries, Inc. to further service the City of Jackson Wastewater Treatment Plant's Zimpro Sand Filters for the amount of \$44,425.87. The total of the project authorization necessary to complete the work is \$112,764.34.

Eric Neuschmid, Sr. Wastewater Plant Operator, was present to answer question of the City Council. He reported the original sand filters were put in place in 1985 and are in very bad shape and once completed they will be new filters.

**Moved by Councilmember Crew, seconded by Councilmember Garibaldi, and unanimously carried to approve updated proposal from ERS Industries, Inc. to further service the City of Jackson Wastewater Treatment Plant's Zimpro Sand Filters for the amount of \$44,425.87. The total of the project authorization necessary to complete the work is \$112,764.34.**

**c. Engineering Services for Wastewater Compliance Projects.**

City Manager Daly reported the provided cover letters and scope of work documents from Stantec summarized the tasks and activities they have provided consulting assistance to the city in 2011, as well as the upcoming work associated with the preliminary design of the wastewater facility improvements. Stantec has continued to perform important roles in the development of the information related to the change of discharge project, as well as assisting the City as it negotiates through the other wastewater difficulties that have resulted from the City's aging treatment facility and its inability to comply with the water quality requirements. These efforts are required in order to continue moving towards the solutions necessary to meet the terms of the City's NPDES discharge permit, including both the water quality compliance projects and the larger project required to reduce the amount of effluent discharged into Jackson Creek.

Councilmember Garibaldi inquired if the engineering services for the Wastewater Compliance Projects were open to competitive bidding. City Manager Daly stated that was an option; however there were pros and cons in going out to bid. Stantec has the historical information necessary to proceed and to go with another firm at this time would delay the Wastewater Compliance Projects.

Vice-Mayor Sweet concurred it would be inappropriate to hire another firm since Stantec has historical information.

Mayor Gonsalves opened the public discussion. Judy Jebian provided public comment: Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

**Moved by Councilmember Crew, seconded by Vice-Mayor Sweet, and unanimously carried to authorize the City Manager to enter into the next phase of wastewater engineering work with Stantec to assist the City in meeting its wastewater permit requirements.**

**9. Announce Upcoming Planning Commission Vacancy.**

City Manager Daly reported the City Clerk was recently informed by Planning Commissioner Darek Selman that he would be relocating his residence outside the city limits of Jackson and will no longer be eligible to serve on the Commission. The term of Mr. Selman's seat is scheduled to expire on June 30, 2012. It is recommended the City accept applications for this seat until Wednesday, November 2, 2011, in order to allow time for the City Council appointment at its first meeting in November.

**10. CLOSED SESSION.**

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (One case)

Vice-Mayor Sweet reconvened to Open Session at 8: 44 p.m. and announced there was no reportable action taken.

**2. ADJOURNMENT.**

Adjourn: 8: 45 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: October 24, 2011