

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 5, 2017

On the 5th. day of October 2017, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Deborah Baird, Robert Bicego, Duane Kegg, and Norman Shaskey Absent - Joan Smith Freeman.

Mayor Pro-tempore Baird announced that the closed session has been pulled from the agenda.

Mayor Pro-tempore Baird presented a proclamation proclaiming October 7, 2017 as “Think Pink Day” – and October as Breast Cancer Awareness Month, to Elizabeth Langford from Fairchild Medical Center.

Consent Calendar: Mayor Pro-tempore Baird announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval/ratification of payments issued from September 22 through October 5, 2017.
- b. Approval of Minutes of the meeting held September 21, 2017.
- c. Adopt Resolution #2017-35 extending the suspension of Section 13.76.010 of the Yreka Municipal Code, allowing installation of Banners on Fairlane Road.
- d. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Councilmember Shaskey requested that item 1b be removed for discussion.

Following Council discussion, Councilmember Kegg moved to approve items a, c & d on the consent calendar as submitted.

Councilmember Shaskey seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Kegg, and Shaskey.

Mayor Pro-tempore Baird thereupon declared the motion carried.

Approval of Minutes of the meeting held September 21, 2017.

Councilmember Shaskey stated that the reason he asked for the minutes to be pulled was to point out that there was an error on the agenda, which listed the date of minutes to be approved as September 7, instead of September 21, 2017.

Following Council discussion, Councilmember Shaskey moved to approve the minutes of the meeting held September 21, 2017 as submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Kegg, and Shaskey.

Mayor Pro-tempore Baird thereupon declared the motion carried.

Adopt Resolution # 2017-36 approving street closure associated with special event being held by Gary Nelson known as the “Family Fun Carnival” to be held on October 21, 2017.

City Manager Steve Baker reported Gary Nelson, owner of the property known as the “Franco American Hotel” located on W. Miner Street, has submitted a request for closure of a small portion of Third Street from the intersection with Miner Street to the intersection of North Street for a special event known as the “Family Fun Carnival”.

Gary Nelson addressed the Council and audience to answer any questions regarding the event.

Following Council discussion, Councilmember Kegg moved to adopt Resolution No. 2017-36 as submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Kegg, and Shaskey.

Mayor Pro-tempore Baird thereupon declared the motion carried.

Acceptance of Treasurer’s Report and Budget to actuals for the months of June and July 2017.

Following Council discussion, Councilmember Shaskey moved to accept the Treasurer’s Reports and submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Kegg, and Shaskey.

Mayor Pro-tempore Baird thereupon declared the motion carried.

Introduction – Ordinance enacting Chapter 9.60 entitled “Alcoholic Beverages – Drinking and Open Containers in Public” and finding the adoption of this Ordinance to be exempt from CEQA.

City Manager Baker reported the City has varying regulations regarding alcoholic beverages within the city. For example, alcohol is generally prohibited in City parks, except Greenhorn Park or when a special event includes permission to consume or sell as part of its approval. The City requires state permits and insurance when alcohol is sold at events in the Community Center. Generally, the City does not have a prohibition against consuming alcohol on streets and sidewalks except where the person is also violating another state law, for example, public drunkenness. Most cities in California have an “open container” law as provided for in Section 25620 of the Business and Professions Code. Yreka has not adopted such an ordinance.

This agenda item is the introduction of such an ordinance. The ordinance would prohibit consumption of alcohol or possession of an open container on public property including parks, sidewalk, streets or other city property, with exceptions. The proposed ordinance would keep in place the current policy of allowing alcoholic beverages in Greenhorn Park. The ordinance would also allow permits such as allowing alcoholic beverages to be consumed at certain events in the parks (e.g. the Scott Valley Bank Concert series in Miner Street Park) (the Humbug Hurry-up in Greenhorn Park). The ordinance would also not apply to events in the Community Center or Downtown Plaza with a valid lease or rental agreement.

Following the reading of the title of the ordinance and Council discussion, Councilmember Shaskey moved to direct City staff to amend paragraph 9.60.020 Penalty to decrease the penalty for the first offense to fifty dollars. And to direct the Police Department to ensure that the actual ticket for the violation include the amounts for the second and third offenses, to deter future violations, and that this amended Ordinance be brought back to Council for consideration at its meeting to be held November 16, 2017.

Councilmember Kegg seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Kegg, and Shaskey.

Mayor Pro-tempore Baird thereupon declared the motion carried.

ADJOURNMENT There being no further business before the Council the meeting was adjourned.

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion October 19, 2017

Elizabeth E. Casson, City Clerk