

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON SEPTEMBER 5, 2013

On the 5<sup>th</sup> day of September 2013, 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: Robert Bicego, Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – None.

Consent Calendar: Mayor Simmen 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 of Minutes of the meeting held August 15, 2013.
- b. Approval of Warrants issued from August 16, 2013 through September 5, 2013.

Following Council discussion, Councilmember McNeil moved to approve the items on the consent calendar as submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Approve Historic District Permit No. 4181 granting a variance to the setback requirements in the C-2 Zone, which requires a ten (10-foot rear setback). Applicant Gary Nelson.

Council Member Foster announced his recusal stating that he has a conflict of interest by reason of his employment relationship with the applicant's contractor Steve Young and therefore recused himself and left the Council Chamber.

City Manager Baker reported to the Council that Mr. Nelson is proposing to build a "Carriage House" garage - storage unit in the rear of the property to display antique cars and gasoline memorabilia. The proposed "Carriage House" will also provide a venue to display these items as well as to insure the safekeeping of these valuable items.

Steve Young address the Council on behalf of the Applicant Gary Nelson. Mr. Young gave a brief presentation of the proposed project utilizing a diorama of the proposed carriage house and its placement on the lot.

Mr. Nelson stated that the proposed carriage house has been specifically designed to look historical and blend in with the current surrounding buildings. "This will be the first step in our effort to beautify the back area of the Franco American Hotel, and just might inspire others to do the same." Mr. Nelson further stated that the construction of the Carriage House would also enable them to add a courtyard to the back area, which could be opened the public to view and enjoy their many collectibles that will be displayed in the courtyard and Carriage House.

Following Council discussion, Councilmember Mercier moved to approve Historic District Permit No. 4181 granting a variance to the rear setback requirements.

Councilmember McNeil seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried. Councilmember Foster returned to his seat at the Council table.

Direction to Staff: Use of Stewart Trust Funds for Improvements to rear section of Buildings on Miner Street – Councilmember Foster.

Councilmember Foster stated that he requested that this item be placed on the agenda to discuss whether the Stewart Trust Funds could be used to improve the rear of the buildings on Miner Street.

City Manager Baker reported that the bequest of Phyllis Stewart provided that the “gift” be used within two years towards the purchase of real property for the development of a new fire station which would enable Miner Street to be a one way road. In the event that such a plan is not feasible within the allotted time frame, it shall be used for the beautification of Miner Street.

Following Council discussion, it was the consensus of Council to direct staff to review options that meet the intent of the bequest, and if it is determined that funds may be used for the rear of Miner Street properties, priority shall be given to Miner Street Projects, and that sufficient funds to cover reimbursements for anticipated projects should be preserved prior to entertaining the idea of using funds for projects improving the rear of the buildings.

Direction was also given to staff to review the possibility of setting up a separate funding source similar to the Stewart Trust Grant program to enable property owners to make limited improvements to the rear of the buildings.

Approval of:

- a) Budget Revision for Closing FY 2012-2013.
- b) Treasurer’s Report to Council and Budget of Revenue and Expenditures with Actuals for the month of June 2013.
- c) Treasurer’s Quarterly Report – 2<sup>nd</sup> Quarter 2013.

Following Council discussion, Councilmember Bicego moved to approve the Budget Revision for Closing FY 2012-2013, and the Treasurer’s Reports as submitted.

Councilmember Mercier seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Approval of all Warrants payable to Siskiyou County Economic Development Council from August 16, 2013 through September 5, 2013.

Council Member Mercier announced his recusal stating that he has a conflict of interest with the warrants listed by reason of his employment relationship with Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Councilmember McNeil moved to approve the warrants payable to Siskiyou County Economic Development Council as submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, and Simmen. Mayor Simmen thereupon declared the motion carried. Council Member Mercier returned to his seat at the Council table.

**CLOSED SESSION:**

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)

Agency negotiators: Steven Baker

Employee Organizations: Yreka Police Officer's Association.

2. Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: Assessor Parcel No. 013-110-130 & 140

Third Party Negotiator: Larry Jellison

City Negotiators: City Manager

Under Negotiation: Possible lease/purchase including price, terms of payment.

3. Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

4. Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott, et al. - Siskiyou County Superior Court Case No.11-1001.

**RETURN TO OPEN SESSION:** Upon return to open session, City Manager Baker reported that as to items # 1 & 2, the Council gave direction to its negotiators, and no further reportable action was taken in closed session.

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

Attest:

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Robert Bicego, Mayor Pro-Tempore  
Minutes approved by Council  
Motion October 3, 2013

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Elizabeth E. Casson, City Clerk