

Tulelake City Council
Regular Meeting Minutes

June 19, 2018

Mayor Ebinger called to order at 5:37 PM. Mayor Pro Tem Marcillac, Council Members Fensler and Nicholson were present. Council Member Velador and City Clerk, Iva Rogers were absent. Also present was City Treasurer, Leslie Boyd; Chief of Police, Tony Ross; Director of Public Works, Brett Nystrom; Will Sargent, Finance Director; City Hall Administrator, Jenny Coelho and City Administrative Clerk, Heidi Cureton.

APPROVAL OF THE JUNE 5, 2018 REGULAR MEETING MINUTES

Mayor Pro Tem Marcillac made a motion to approve the regular meeting minutes of June 5, 2018. Council Member Fensler seconded. Motion carried. (Motion 18-99)

APPROVAL OF THE BILLS

Mayor Pro Tem Marcillac made a motion to approve paying the bills. Council Member Fensler seconded. Motion carried. (Motion 18-100)

PRESENTATION BY SISKIYOU COMMUNITY SERVICES COUNCIL REGARDING INFORMATION ABOUT A REFERRAL SYSTEM THAT WILL ALLOW SISKIYOU COUNTY RESIDENTS TO ACCESS COMMUNITY SERVICES VIA PHONE, TEXT OR ONLINE

City Administrative Clerk, Heidi Cureton, said that Siskiyou Community Services Council called and cancelled late this afternoon and would like to reschedule their presentation for another regular City Council meeting. Mayor Ebinger moved to table this agenda item. Mayor Pro Tem seconded. Motion carried. (Motion 18-101)

APPROVAL TO HAVE SINGLE CHIP SEAL AND FOG SEAL DONE TO G STREET FROM MAIN TO PARK STREET, ALL OF PARK STREET, AND BACK TO E STREET BY RHOADES CONSTRUCTION FOR \$29,000.00

Director of Public Works, Brett Nystrom, explained to the Council about the need to have G and Park Streets chip and fog sealed. He presented a quote from Rhoades Construction of \$29,000 to have this work performed, starting in July. The funding to pay for this would come from the TDA account from the LTC funds. Mayor Ebinger moved to accept the quote from Rhoades Construction of \$29,000 and Mayor Pro Tem Marcillac seconded. Motion carried. (Motion 18-102)

APPROVAL OF APPLICATION FOR PAYMENT NO. 4: FINAL \$156,275.00, AND APPLICATION FOR PAYMENT NO. 5: RETENTION \$22,591.25, TO M. PETERS, INC. FOR WELL #1 AND WELL #3 IMPROVEMENTS

Director of Public Works, Brett Nystrom, presented the final Pay Applications #4 and #5 for M. Peters Inc. for Well #1 and Well #3. The work has all been completed and SHN Engineers & Consulting have signed off on this project. Mayor Ebinger made a motion to accept and to pay Applications #4 & #5 from M. Peters, Inc. Mayor Pro Tem Marcillac seconded. Motion carried. (Motion 18-103)

APPROVE THE 2016/2017 FINAL AUDIT

Finance Director, Will Sargent, presented the 2016-2017 final audit to the Council. The audit only had one recommendation as to continue to have financial oversight from a CPA and that was due to the change in Finance Directors during the 2016-2017 fiscal year. The City is financially in good standing with the net position being higher than the prior fiscal year and total assets greater than \$10 million but does not have much surplus financially for improvements from the general fund and will still have to operate conservatively. Mayor Ebinger moved to accept the 2016-2017 final audit. Council Member Nicholson seconded. Motion carried. (Motion 18-104)

APPROVAL OR DENIAL OF DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL APPLICATION FOR APPLICANT LOCATED AT 398 MAIN STREET

Finance Director, Will Sargent, quoted from the second page of the ABC application that it is asking the Council whether they believe it is a necessity or convenience to grant another off-sale liquor license. Only two licenses are allowed by ABC within the Tulelake census tract (Tulelake jurisdiction) but there are currently four off-sale liquor licenses. Mayor Ebinger stated that another off-sale liquor license would hurt the current businesses that are in Tulelake. Council Member Nicholson suggested to vote and change back to two off-sale liquor licenses as recommended by ABC. Council Member Fensler stated that he believes in free trade and that we should not be able to dictate who can sell alcohol

within the City, however the business owner can operate a retail store or business and then reapply for an off-sale liquor license at a later date. Council Member Nicholson stated that convenience can be interpreted in many ways. The public present stated that they were against another liquor store coming to Tulelake but would not be opposed to having another type of business that is needed and not currently provided in Tulelake instead. Mayor Ebinger made a motion to deny the license stating the public would not be served by necessity or convenience with the presence of another liquor store. Mayor Pro Tem Marcillac seconded. Council Member Nicholson voted Nay. Motion carried. (Motion 18-105)

APPROVAL OF STATE MANDATED RAISE FOR CITY COUNCILMEMBERS TO A MINIMUM OF \$300.00 PER MONTH

City Hall Administrator, Jenny Coelho, presented to the Council California Code 36516 that states the population size of a City determines what Council Members monthly stipend rates are suggested. Tulelake fits into the category of "up to and including \$300 per month", however the Council may vote to have a lower or higher stipend. Mayor Ebinger made a motion for the Council's monthly stipend to remain at \$250. Mayor Pro Tem Marcillac seconded. Motion carried. (Motion 18-106)

REVIEW FOR COMPLIANCE OF THE CURRENT ACTIVE CITY LEASES

Council Member Nicholson had previously asked City staff to present a review of the City leases to see who is complying as their lease states. City Hall Administrator said all but two of the City leases are compliant. Council Member Nicholson moved to have the leases who are not in compliance be notified of their delinquency to have them corrected. Mayor Ebinger seconded. Motion carried. (Motion 18-107)

REQUEST APPROVAL TO HIRE ATTORNEY MICHAEL DACQUISTO TO REVIEW AND POSSIBLY TAKE ACTION ON DELINQUENT LOANS

After a lengthy discussion from the public and the Chief of Police, Tony Ross, Mayor Ebinger made a motion to have the Tulelake Loan Committee send written communication to the parties who are delinquent giving them until August 1st to either cure the delinquency or possibly re-negotiate their existing loan. If an agreement has not been reached by the Tulelake Loan Committee and the parties of the delinquent loans, then legal action can be taken by attorney Michael Dacquist. Mayor Pro Tem Marcillac seconded. Motion carried. (Motion 18-108)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S) FOR THE POSSIBLE TRANSFER OF THE TULELAKE AIRPORT. GOVT C 54956.8

AGENCY NEGOTIATORS: WILL SARGENT, MICHAEL COLANTUONO

PROPERTY: TULELAKE AIRPORT

NEGOTIATING PARTIES: MODOC TRIBE OF OKLAHOMA

UNDER NEGOTIATION: TERMS AND PRICE

Mayor Ebinger announced the negotiators of himself, attorney Michael Colantuono, Finance Director, Will Sargent and Council Member Fensler as an alternate.

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

The Tulelake City Council went into closed session at 6:58 PM.

ANNOUNCEMENT OF CLOSED SESSION

The Tulelake City Council returned to open session at 7:32PM. No action was taken.

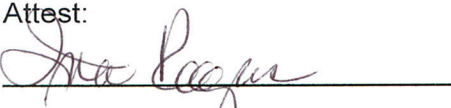
ADJOURNMENT

A motion was made by Mayor Ebinger to adjourn. It was seconded by Council Member Nicholson. Motion carried. Council was adjourned at 7:58 PM. Motion carried. (Motion 18-109)



Mayor Hank Ebinger

Attest:



Iva Rogers, City Clerk