

**CITY COUNCIL  
CITY OF SONORA  
FEBRUARY 2, 2015**

A Regular Meeting of the City Council of the City of Sonora was held this date in the Council Chambers at City Hall, 94 North Washington Street, at 5:00 p.m. The following members were present: Mayor Ronald Stearn, Mayor Pro-Tem Connie Williams, Councilmembers: Bill Canning, George Segarini and Jim Garaventa; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Engineer Gerard Fuccillo, Attorney Byron Smith, Community Development Director Rachelle Kellogg, Interim Finance Director Bijan Sadeghian, Police Chief Mark Stinson and Acting Fire Chief Grant Miller. Absent: None.

**PRESENTATIONS/PROCLAMATIONS/COMMENDATIONS**

None.

**CONSENT CALENDAR**

Motion by Councilmember Canning, second by Councilmember Garaventa, and unanimously carried that the Consent Calendar be approved as follows:

1. Approval of Minutes for the Closed and Regular Council Meetings of January 20, 2015;
2. Approval of invoices for previously budgeted expenses to be paid on February 3, 2015, in the amount of \$115,529.11; and
3. Approval of disbursements in the amount of \$142,245.34 on January 23, 2015, for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, and miscellaneous voluntary employee deductions.

**CITY CLERK'S REPORT ON POSTING OF AGENDA**

City Clerk Cassinetto advised Council that at 11:52 a.m. on the 29<sup>th</sup> day of January, 2015, the Agenda for the City of Sonora Council Meeting scheduled for this date was posted outside City Hall for public view.

**PUBLIC APPEARANCES**

None.

**PUBLIC APPEARANCES (Non-Agenda)**

Elena Linehan introduced herself as the Council-appointed Main Street Manager back in 1986 hired to run the Sonora Revitalization Plan. She noted that there were 27 downtown business vacancies on Washington Street upon her arrival, and when she finished the Plan four years later, there were two vacancies. She stated that she will address the Council as it considers the Agenda's New Business items on the matters that relate to the Vision Sonora Project.

**PUBLIC HEARINGS**

None.

## UNFINISHED BUSINESS

### Use Allowed By Right - Code Amendment - Ordinance No. 822.

The Council considered waiving the second reading and adopting Ordinance No. 822 which amends Section 17.20.020 of the Sonora Municipal Code to allow a Roominghouse or Boardinghouse as a use allowed by right in a Multifamily Residential Zone; amends Section 17.22.020 to allow Bed and Breakfasts as a use allowed by right in a Tourist and Administrative Zone; amends Section 17.24.020 to allow Bed and Breakfasts as a use allowed by right in a Commercial Zone, and amends 17.04.180 defining "Roominghouse or Boardinghouse".

Community Development Director Kellogg recommended approval and noted that approving this action will also meet one of the goals in the Housing Element.

**MOTION by Councilmember Segarini, seconded by Councilmember Garaventa, and unanimously carried that the second reading be waived, and Ordinance No. 822 be approved and adopted as presented.**

### Rezoning of Assessor's Parcel #001-052-46 - Ordinance No.

**823.** The Council considered waiving the second reading and adopting Ordinance No. 823 which rezones AP#001-052-46, the property located at 90 Columbia Way, from R-1, Single-Family Residential and R-2, Limited Multifamily Residential, to R-3, Multifamily Residential. Said property is designated as Historic Mixed Use (HMU) in the City of Sonora General Plan.

Community Development Director Kellogg recommended approval and noted that the action will rezone the former Curtin mansion property, and that it is consistent with surrounding zoning districts.

**MOTION by Councilmember Garaventa, seconded by Mayor Pro-Tem Williams, and unanimously carried that the second reading be waived and Ordinance No. 823 rezoning said property be approved and adopted as presented.**

### Transient Residential Use - Code Amendment - Ordinance No.

**824.** The Council considered waiving the second reading and adopting Ordinance No. 824 which adds Chapter 17.64 to the Sonora Municipal Code establishing regulation of transient residential use related to vacation rental of residential facilities; and amending Chapter 17.04, Definitions, to define terms related to transient residential use; and amending Sections 17.12.020, 17.14.020, 17.16.020, 17.18.020, 17.20.020, 17.22.020 and 17.24.020, to establish transient residential use as a use allowed by right; and amending Section 17.60.040 to allow for Use Permits for transient residential use in specific zones.

Mayor Pro-Tem Williams asked for clarification on items talked about at the first introduction at the last Council Meeting regarding the business license fee, inclusion of environmental health review into the permitting process for food service, insurance requirement, checks for code violations, and asked if recreational vehicles and mobile homes are allowed for use. Kellogg addressed the issues noting the required fee amounts, environmental health checks, if applicable, have been added to the application, applicants must sign an indemnification agreement, code violations are complaint driven, and mobile units are not allowed for occupancy in the City.

Williams requested that the Council consider addition of wording to Chapter 17.64, Section 17.64.010(g) to provide for a maximum of two motor vehicles to park on the street "if no onsite parking is available" at the transient use parcel to the people who are renting their home. Kellogg noted that the Ordinance does require that on-site parking be utilized first, that only a maximum of two parking spaces on the street is allowed, which parking is subject to availability, and that the spaces are public and cannot be designated solely for parking by the B&B. Williams felt that the insertion language would clearly convey the requirements for parking.

Attorney Smith noted that any substantive change would have to come back for adoption; if only a clarification or technical change, it could be approved. Kellogg reported that there was discussion at the Planning Commission Meeting with the intent that on-site parking would be used first, therefore, the addition would not be considered a substantive change.

Williams had concerns that the permit and business license fees be fair to both air B&Bs and regular B&Bs. Council and Staff discussed the fees. Councilmember Segarini felt that the additional wording for the parking requirement was not substantive, but that any fee change would constitute a substantive change. Councilmember Garaventa agreed that language be added to clarify the street parking.

Councilmember Segarini suggested addition of wording to Chapter 17.64, Section 17.64.010(h) in the place of the wording insertion to (g), "each designated on-site parking space at a transient use parcel shall be used first for use by overnight occupancy of that parcel."

Attorney Smith reiterated that inclusion of the parking language would not be a substantive change, and the Ordinance could be adopted as modified.

**MOTION by Mayor Pro-Tem Williams, second by Councilmember Garaventa that the second reading of Ordinance No. 824 be waived and said Ordinance be adopted with the insertion into Chapter 17.64, Section 17.64.010(g) to state "A maximum of two motor vehicles shall be allowed to park on the street, if no**

motor vehicles shall be allowed to park on the street, if no onsite parking is available, at the transient use parcel by the responsible tenant or any other occupant subject to availability and parking regulations".

Segarini had concern that if there were three bedrooms and only two parking spaces available, they would not be able to use the third room for a rental. Kellogg also noted that if there was only one space, then based upon the Motion as stated, they would be limited to only one space and not have the ability to use the other space. **MOTION passed 4 to 1 as follows: Ayes: Stearn, Williams, Canning, Garaventa; No: Segarini.**

### NEW BUSINESS

**Solicitation of Statements of Qualifications (SOQ) and Request for Proposals (RFPs) for Stewart Street Public Restroom Facility.** The Council considered approval of SOQs and RFPs for architectural services related to the Stewart Street Public Restroom Facility (former Senior Lounge) at 201 S. Stewart Street. Administrator Miller reviewed the project, reporting that the design would include an ADA bathroom, or bathrooms, in a City-owned building to provide for an additional public restroom in the downtown area. Miller noted that said Project was designated as high priority when public input was solicited for the Vision Sonora plan review. Administrator Miller suggested the use of Economic Development money that may be available to fund the services.

Elena Linehan, former City Farmer's Market promoter and organizer as well as Main Street Manager for the City in 1986, appeared in opposition to the requested action. Linehan urged that the Council vote "no", stating that the action is premature as the City has not done its due diligence; she asked that it be sent back to the Vision Sonora Committee to allow review by said Committee's Parking and Traffic Committee and to get more input from safety officers, engineering and public works. Shirley Sarno, co-owner of the Gunn House Hotel, and Executive Director of the Sonora Chamber of Commerce spoke in favor of the restroom facility project on behalf of the Sonora Chamber and herself. Councilmember Segarini stated that this project was one of the most unanimous agreements in the public review process.

**MOTION by Councilmember Segarini, second by Mayor Pro-Tem Williams, and unanimously carried that Staff be authorized to solicit Statements of Qualifications and Requests for Proposals for architectural services for the design and the preparation of plans, specifications and bid documents for the construction of a public restroom at the former Senior Lounge at 201 S. Stewart Street.**

**Review of Possible Closure of Linoberg Street.** The

Streets. Administrator Miller reported that the matter comes as a part of the Vision Sonora Plan, and noted that it is not an action tonight to close the Street, but rather if Council wants that project considered, then Staff needs direction to do an analysis and review, and then it would report back to the Council for any action at that time. The Vision Sonora Committee has recommended that the City initiate the process for the street closure.

Elena Linehan appeared in opposition to any partial or full closure of Linoberg Street stating that it is essential for traffic flow. Linehan noted that the Vision Sonora Plan includes the closure of Theall Street, and if such closure is effected and Linoberg is also closed, there will be 1100 feet of Washington Street left without cross street access. She suggested that any closures to Linoberg Street and Theall Street be considered as one project.

Sharon Marovich, representing the Tuolumne Heritage Committee, stated that it supports the various aspects of the Vision Sonora Plan where the vision of old Sonora shines through. She reported that the Committee can support closure from S. Washington Street to S. Stewart Street, but it does not see the need to close the western portion from S. Washington to Green Street. In addition, the Heritage Committee is concerned about maintenance costs that will be implemented through the Vision Sonora Plan and suggests that costs incurred in Vision Sonora be seriously considered.

Mayor Stearn requested that a traffic study be done. Administrator Miller noted that Staff analysis and review would include a traffic study.

Jim Davis, Sonora resident and business owner, appeared in opposition to any closure of Linoberg Street, full or partial. He stated that the streets were put in place for a reason, and the necessity to preserve the width of all roads and to keep all the streets open are vital to traffic flow.

Councilmember Canning noted that authorization only allows for the study to be done; it does not authorize closure. Councilmember Garaventa concurred. **MOTION by Councilmember Canning, second by Councilmember Garaventa, and unanimously carried that Staff be authorized to evaluate the possible closure of Linoberg Street between Stewart and Green Street.**

**Presentation of Stockton Street - West Gateway Corridor Project.** Administrator Miller introduced the matter noting that the first phase of the Vision Sonora Plan includes the Stockton Street - West Gateway Corridor Project, the third of three Projects within Phase I; elements include landscaping, parking, sidewalks, and intersection and multi-use trail improvements to enhance pedestrian linkage between downtown Sonora and the Mother Lode Fairgrounds. The purpose of said

presentation is to make the Council and public familiar with the Project.

Community Development Director Kellogg presented the ADA compliant Project, which for this portion, begins at the west end of Stockton Street at Ponderosa Drive and ends at Green Street in the east. Kellogg emphasized that it is only a conceptual plan, that it is an expensive plan, and that there is no funding available at this time. Kellogg noted that the consultant, Kimley Horn, was told to retain the parking along Stockton Road for the businesses and for residents; no parking is proposed to be removed. In regard to business ingress and egress, the idea is to work with the businesses. Everything proposed is subject to CalTrans rights-of-way and approval. Kellogg reviewed the proposed landscaping, sidewalks, crosswalks, multi-purpose trail improvements and parking.

Engineer Fuccillo reported that he walked the proposed enhancement area and noted a number of problems. He noted that a number of businesses will be affected by the 15 feet of combined proposed trail width and landscape width, as well as causing traffic stacking problems. In addition, approximately 13 parking spaces will be lost if the trail is put in as it is conceptualized. Fuccillo suggested that a sidewalk be done instead of a trail which would be much simpler and would take up less space; the sidewalk could be constructed from Green Street and possibly cantilever over the creek with a nice railing, and it might be possible to construct it all the way to Southgate Drive. He noted the trail concept plan shows that the body shop business will have a trail going by it preventing access. He also noted that the planted areas on the street will narrow down lanes, and that the existing turn in and turn out lanes between Solinsky Street and Bradford Street provide an extra lane which allows for needed traffic flow for the businesses in that area. Elimination of a stacking lane between Green Street and the Savemart store will result in traffic stacking further back and safety hazards will occur with trucks and busses because of the lack of lane space for turns which will force these vehicles into the opposing lane. Fuccillo strongly urged that a thorough traffic review be done on the very first implementation plan from Stockton to Church Streets, and do a traffic impact study on all the elements in combination.

Councilmember Canning restated that this is just a concept plan, and in working on the next phase, the City will find out what works and what will not work.

Jim Davis, owner of his 50-year auto body business on Stockton Street, spoke in opposition to the Plan, and stated that the City is trying to spend money that it does not have. He stated that he could see improving the existing sidewalk and reinstatement of a crosswalk Bertelli's; that most of the pedestrian traffic is on the north side of Stockton, and pedestrian traffic occurs on the south side only when large

events are held at the Fairgrounds. Davis stated numerous reasons to not do the Project, including the taking of parking and roadway space which would occur as a result from installation of proposed landscaping and the multi-purpose trail; he stated that traffic flow will be adversely impaired, there will be great expense for the amount of maintenance that will be required, and there would be water issues especially in light of the current drought. Davis said that the other business owners along Stockton Street are against the Project, but do not want to attend the meeting and come against the Council.

Eric McCoy, owner of McCoy Tire, spoke in opposition to the Project and agreed with Davis' comments. He was concerned about the expense for the City, and that it may not be able to perform the amount of maintenance that would be needed. He commented that the street referred to in the Project as Jackson Street, is actually named Solinsky Street.

Elena Linehan, spoke in opposition, noting her concern that the Project will be very expensive; she sees it as pushing people away from downtown resulting in the loss of shoppers and merchants. She does not believe the Project will help vitalize the City, and make the business district thrive; business revitalization could be done with much less money, and not be such a burden on taxpayers. She also felt that the proposed turning radius at Stockton and Washington Streets will make it impossible for trucks and busses to not drive into on-coming traffic. Linehan urged the Council to proceed with caution.

Jeff Kerns, owner of Yosemite Title, concurred with Davis, McCoy and Linehan, and stated that the Project seems like the City is trying to congest the traffic by closing streets and taking lanes away, and the Project is going the wrong direction.

A woman from the public stated that she is in favor of a traffic study being done because Stockton Street is so ugly, and she thinks it could look a lot prettier.

Administrator Miller reiterated that this matter was brought forth for presentation purposes only, and no action needs to be taken. Councilmember Segarini thanked the public for its comments as it is helpful to have the public input. Mayor Pro-Tem Williams thanked the public for its input so the concerns can be taken into consideration as the City goes forth with this Project.

#### WRITTEN STAFF REPORTS

None.

#### COMMUNICATIONS

None.

