

Minutes of the San Anselmo City Council meeting of October 24, 1972. All members were present.

OPEN TIME FOR PUBLIC DISCUSSION

Mr. Trehwella, representing the San Anselmo Chamber of Commerce, stated that there were a number of business men who would like to have the City Council hold a Public Hearing for the purpose of airing complaints about portions of the sign ordinance. He further stated that the business community was aware there had been Council meetings held on this subject but some of them did not realize the impact that would be made as a result of the ordinance. Mayor Perry stated that action has been taken against a number of people on the enforcement of the ordinance and now the Council is hearing from those who are not going along with it. Councilman Anderson stated that the "die-hards" want to be given special consideration. Councilman Stewart stated that he did not want to change the ordinance but would be willing to hear the complaints. Councilman Capurro said the business community is a definite part of San Anselmo and possibly the City Council should give them a chance to be heard. It was finally decided that Mr. Leitzell and Mr. Dan Thomas would attend the next Chamber of Commerce meeting and try to present the ordinance as a public relations matter for the City. Mr. Kaepfel suggested that if this subject does come before the City Council, the business representatives should write out what they object to, show any changes, and give the information to the City Council well before the time of the City Council meeting.

Mr. Sullivan, who lives on Melville Avenue, complained about the traffic near his home-stating that children play at the top of the hill and he is afraid someone might get hurt. He requested a "slow, children at play" sign indicating that children are playing in the area. Mr. Leitzell reported the city does not install this type of sign because it indicates that children are allowed to play in the street. His experience has been that "slow" signs mean nothing because the neighbors do not need such caution since they know the streets in their area, and outsiders don't pay attention to the signs when they are used indiscriminately. Mayor Perry suggested that Mr. Sullivan contact the Chief of Police and he can contact the Streets & Traffic Committee.

BUSINESS

a. APPEAL FROM DESIGN REVIEW COMMITTEE DENIAL OF VARIANCE NO. SR 69, SIGNS AT SERVICE STATION, 400 RED HILL AVENUE (T. Herbst)

Mr. John Curley represented Mr. Jerry Herbst of Las Vegas, Nevada and stated their station does not sell services - only price - and they are entitled to get their investment back.

M/S Stewart, Capurro that the appeal of Jerry Herbst, applicant and owner of the Terrible Herbst Service Station, 400 Red Hill Avenue, to keep an existing free-standing sign be denied on the grounds that provision has been made in the Municipal Code to allow price signs on the primary face of the building and that keeping of this sign would provide the applicant with an unfair advantage over others in the same business in San Anselmo, and further, that there is no unusual circumstance relating to the land or use which would justify the granting of a variance. It should be noted that the applicant shall be given thirty days in which to comply with the ordinance by submitting a new design to Design Review for approval.

Ayes: Councilmen Anderson, Capurro, Stewart, Perry
Abstain: Councilman Blinder

b. APPEAL FROM PLANNING COMMISSION'S DENIAL OF VARIANCE 510, 437 LAUREL AVENUE (Janis Construction Co.)

Mr. Wallace represented Janice Construction Co. M/S Blinder, Stewart that the appeal be denied and the applicant be required to extend the present parking area by the required car length set-back from the street as specified by the ordinance and that the approach may go between the existing trees.

Ayes: Councilmen Capurro, Stewart, Perry, Blinder
Noes: Councilman Anderson

c. REQUEST FOR DIRECTIONAL SIGN, ST. ANSELM'S CHURCH

M/S Stewart, Blinder to approve erection of a directional sign to be placed on an extension of the "Bus Stop" sign pole on the right side of Sir Francis Drake Blvd. southbound just below Ross Avenue. The cost of the sign is to be borne by the applicant. Sign to read: "St. Anselm's Catholic Church next right turn -- one block". Passed unanimously.

d. HEARING OF COSTS AND RESOLUTION CONFIRMING REPORT OF COST AND ASSESSMENT FOR STREET WORK (Res. No. 1422)

M/S Anderson, Blinder to adopt a resolution confirming the report of cost and assessments for the improvements on San Francisco Blvd. and directing the Superintendent of Streets to record a lien against abutting properties where the assessment is not paid within five days of the hearing. Passed unanimously.

e. DISCUSSION OF ILLEGAL USE POLICY

Item put over until the next City Council meeting.

f. RECOMMENDATION OF PLANNING COMMISSION FOR AMENDMENT OF ORDINANCE 637

M/S Blinder, Anderson that the amendment to Ordinance 637, Page 2, Section "d" as specified in the Planning Director's memo dated October 19, 1972 be adopted, adding the word "residential" after the word "those" at the beginning of the paragraph. Passed unanimously.

Mr. Leitzel proposed the following changes for Ordinance 637: Delete from Section 10-3.2704: "Sufficient materials should be supplied to the Planning Commission by the applicant in order to fully inform the Planning Commission of the intended use or rezoning and probable impact for the contemplated zoning proposals and general plan proposals." The following should be added at the end of the same paragraph: "The applicant shall submit, with the application any information which he feels would assist the Commission in making the findings required under this section". M/S Blinder, Anderson to direct the City Attorney to prepare an amendment to Section 10-3.2704 of the Municipal Code in accordance with the recommendations of the Planning Director in his Council Action Memo dated October 20, 1972. Passed unanimously.

g. DISCUSSION OF THE WATSON INITIATIVE (Prop. 14) (Dr. Blinder)

Councilman Blinder outlined the problems concerning the Watson Amendment and at the conclusion of his remarks made a motion that the City Council support the amendment. The motion died for the lack of a second.

Councilman Anderson read Resolution which was sent by Mayor Ray D. Prueter, President of the League of California Cities, and then moved that the San Anselmo City Council go on record as opposing the passage of the Watson amendment (Proposition 14) and urging its defeat in November. The motion was seconded by Councilman Stewart and passed by the following vote:

Ayes: Councilmen Anderson, Blinder, Stewart, Perry

Abstain: Councilman Capurro

(S.A. Resolution No. 1423)

h. DISCUSSION OF FEDERAL REVENUE SHARING (Mr. Anderson)

Mr. Kaepfel stated he has had no information on this matter but as soon as he receives material it will be forwarded to the City Council.

i. APPOINTMENT OF PARKS & RECREATION CLERK-TYPIST

M/S Stewart, Blinder to promulgate the eligible list of successful candidates passing the examination for the position of Clerk Typist. Passed unanimously.

M/S Stewart, Blinder to appoint Mrs. Margaret Carroll as Clerk-Typist, Range 22, Step A, effective October 24, 1972 @ \$533.00. Passed unanimously.

j. ACCEPTANCE OF DEED AND IMPROVEMENTS, PORTION OF CAMINO de HERRERA

M/S Anderson, Blinder to pass Resolution No. 1421 to accept a deed from George C. Davison and Lois J. Davison for an easement for street purposes fronting 164 Camino de Herrera. Passed unanimously.

k. RECOMMENDATION OF PLANNING COMMISSION, FEES FOR DESIGN REVIEW AND SIGN REVIEW

M/S Anderson, Blinder to direct the City Attorney to amend the Design Review ordinance to provide for the payment of an application fee for Design Review by a separate resolution, and to direct the City Attorney to prepare such a Resolution for a \$25.00 fee.

Ayes: Councilmen Anderson, Blinder, Perry

Noes: Councilmen Capurro, Stewart

l. DISCUSSION OF PARKING SPACE REQUIREMENTS, MUNICIPAL CODE SECTION 10-3.1803 (Mr. Anderson)

The Council felt that Sec. 10-3.1803 is too loose and this Section was brought up for the hope of better wording. It was decided to refer this matter to the Planning Commission with Councilman Anderson's comments and recommendations.

m. FIRE LINE EXTENSION AGREEMENTS

M/S Anderson, Stewart to authorize the Mayor to sign agreements with the Marin Municipal Water District for extension of fire lines on the Alameda, Saunders Ave. and Yolanda Drive. Passed unanimously.

n. AMENDMENT OF CODE RELATING TO SEPTIC TANKS

This item will be presented at the next City Council meeting to include a study of the County ordinance.

o. SB 340 CITY SELECTION COMMITTEE - No action taken.

p. ATTENDANCE AT ABAG GENERAL ASSEMBLY (11/10/72)

Mayor Perry and Councilman Stewart are the representatives. Since Mayor Perry cannot attend this Assembly, Mr. Kaepfel agreed to go in his place with Councilman Stewart.

q. PARTIAL PAYMENT ON R-H PARK CHILDREN'S PLAY AREA CONTRACT

M/S Stewart, Blinder approve partial payment to Paul E. Selinger for work completed on the Robson Park Children's Play Area in the amount of \$1,145.56 less 10% retention,

for a net progress payment of \$1,031.00. Passed unanimously.

r. SELECTION OF ARCHITECT FOR LIBRARY REMODELING

M/S Stewart, Blinder to approve the proposal of Architect Morris Neil Finisy, AIA, of the firm of Phillips & Finisy, Architects, to design the remodeling of the San Anselmo Library in an amount not to exceed \$835.00. Passed unanimously. Mr. Finisy, the Building Inspector, and the Librarian will check the work during construction. Passed unanimously.

s. SETTING OF EXECUTIVE SESSION FOR SELECTION OF CITY ATTORNEY

Executive Session was set for November 8, 1972 at 8:00 P.M.

t. ORDINANCES:

1. Establishing and appropriating funds for advertising and publicity and designating the Chamber of Commerce to administer and expend the funds (2nd. Reading)

Mr. Kaepfel read the ordinance by title only.

M/S Capurro, Blinder to waive further reading. Passed unanimously.

M/S Capurro, Blinder to pass Ordinance (No. 638). Passed unanimously.

2. Amending the Municipal Code relating to procedure for collection of delinquent garbage service payments (2nd. reading).

M/S Blinder, Anderson to waive further reading. Passed unanimously.

M/S Blinder, Anderson to pass Ordinance (No. 639). Passed unanimously.

u. CONSENT AGENDA - Minutes of October 10, 1972.

M/S Blinder, Stewart to approve the minutes of October 10, 1972, with the following corrections:

Under OPEN TIME FOR PUBLIC DISCUSSION, 1st. sentence- eliminate the word "again".

Under Item "C"-A "no" vote was recorded for Councilmen Anderson and Blinder,

The record should show that Councilman Blinder abstained. Passed unanimously.

Meeting adjourned at 10:30 P.M.

Helen Ragan, City Clerk