

Minutes of Regular Town Council Meeting - May 13, 1975

All members present.

3. CONSENT AGENDA

M/S Blinder, Toal to pass Consent Agenda. Passed unanimously.

- a. Approved Minutes of Meeting of April 22, 1975.
- b. Approved April, 1975 Warrant Register. Resolution No. 1586.
- c. Authorized publication of the Revenue Sharing Planned Use Report for entitlement period six as drafted by the Town Administrator, and to designate June 17th at 8 P.M. as the time of the public hearing on use of revenue sharing funds.
- d. Rejected claim of Richard Byrne.
- e. Designated Charles R. Leitzell to develop disaster damage assessment and certification capabilities for the public sector and T. J. Robbins for the private sector.
- f. Adopted Resolution No. 1587 authorizing additional fees for building permits made necessary by California Administrative Code Requirements for Thermal and Sound Insulation.
- g. Adopted Resolution No. 1588 applying for 1974 State Park Bond funds.
- h. Approved final payment to Planning Consultant Albert Solnit in the amount of \$944.
- i. Proclaimed May 18-24 as National Public Works Week.
- j. Authorized award of contract for miscellaneous concrete work throughout the city for fiscal year 1975-76 to Ghilotti Brothers, Inc. in accordance with bid dated April 22, 1975.
- k. Approved change of date for Country Fair Days parade from June 7 to September 6.

4. ANNOUNCEMENTS

- a. Police Department bicycle and unclaimed property auction 9 A.M. May 17th.
- b. Applications open, Planning Commission, resignation of Lyn Fischbein.
- c. Reminder, applications open for two positions on Library Board.
- d. Budget Hearing Schedule:
  - May 20th - Fire Department
  - June 3rd - Police Department; Library
  - June 5th - Parks & Recreation, City Council, Administration & Finance, City Attorney, Non-Departmental
  - June 12th- Planning, Public Works, Municipal Shop
  - June 17th- Capital Improvements; Contingencies and Final Review

5. COUNCIL REQUESTS

Staff was requested to prepare an appropriate resolution commending Planning Commissioner Lyn Fischbein.

Councilman Anderson requested review of limitations on throw-away papers for the next agenda.

Mayor Colteaux directed staff to mail to San Anselmo businesses a copy of the Smoking Ordinance, together with the statement of clarification as to sign requirements.

Mayor Colteaux suggested that an effort be made to collect pictures and memorabilia of old-time San Anselmo to be preserved at Robson House.

6. GENERAL PLAN PROGRESS REPORT

Dan Goltz, Planning Commission Chairman, reported that the first public hearing on the General Plan was held last night. Comments were noted from a small attending audience - none unfavorable. Next public hearing is scheduled for May 19th and this hearing is being advertised in the Independent Journal in the hope of attracting a larger audience.

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7. OPEN TIME FOR PUBLIC DISCUSSION

Andy Klapak of 27 Camino de Herrera complained of drainage problems. The Town Engineer was instructed to report back.

8. POLICY REVIEW WITH CHIEF OF POLICE ON CITATIONS VS BOOKING FOR MISDEMEANORS

After the Town Attorney's review for Council of the California Penal Code Section covering procedure for releasing individuals on citations, and presentation of statistics by the Chief of Police,

M/S Blinder, Toal that a response to Supervisor Arrigoni be made indicating that the Town policy has for some months been consistent with or possibly exceeding his proposal. Passed unanimously.

9. ORDINANCE INCREASING DOG LICENSE FEES

M/S Blinder/ Anderson to introduce an Ordinance of the Town of San Anselmo increasing fees for dog licenses to \$7.50, except for spayed bitches and neutered males, for which the fee shall be \$3.75. Passed unanimously.

10. SUBMITTAL OF STORM DRAIN MASTER PLAN REPORT

M/S Toal, Anderson to accept the storm drain master plan report of Hoffman & Albritton, Engineers and Planners, and to commend them and the Town Engineer for the thoroughness of the study and the practicability of the final report in future public works budgeting. Passed unanimously.

11. DISTRIBUTION OF 1975-76 PROPOSED BUDGET

12. REVIEW OF MARIN OPEN HOUSE REQUEST FOR COUNTY USE PERMIT

After discussion, a presentation by Sheila Reichling of Marin Open House, and hearing testimony from the audience,

M/S Blinder, Anderson that the Town Council direct a letter to the Marin County Planning Commission indicating substantial San Anselmo citizen and Town Council support for drug rehabilitation programs such as those proposed by the Marin Open House and advising the support is coupled with concerns and fears of the immediate neighborhood, suggesting that the use permit, should it be issued, include conditions reflecting those concerns and providing that it be called up for review in a relatively short period of time.

Ayes: Councilmen Anderson, Blinder, Toal, Colteaux  
Noes: Councilman Capurro

13. ABATEMENT OF NUISANCE, SLIDE CONDITION, 13 OAK SPRINGS DRIVE

Prior to testimony, witnesses Peter J. Mengell, Robert C. Martin, James Fletcher, Charles R. Leitzell and Robert Golcher were duly sworn.

After hearing testimony from Robert C. Martin, Civil Engineer, representing owner of record, Peter J. Mengell; James Fletcher, attorney at law, representing Leland O'Leal, the holder of the first deed of trust on said property; and Charles R. Leitzell, Town Engineer, and Robert Golcher, Town Building Inspector,

M/S Blinder, Toal to pass Resolution No. 1589 declaring the property at 13 Oak Springs Drive to be a public nuisance and directing the owner to abate the nuisance by correcting the slide condition, commencing no later than 90 days from the date of this hearing and to be completed by no later than October 1st. Passed unanimously.

14. GARBAGE COLLECTION RATE ADJUSTMENTS

After review of the Town Administrator's report and recommendations, and discussion of alternatives, the matter was put over to the next agenda for decision, Councilmen Blinder and Anderson to meet with the Town Administrator and the Garbage Company in the meantime.

15. APPEAL BY MAYOR COLTEAUX OF PLANNING COMMISSION GRANT OF USE PERMIT FOR TAKE-OUT FOOD ESTABLISHMENT, 606 SIR FRANCIS DRAKE BLVD. (U-404)

After hearing from Larry Wasserman, representing the owner of the premises at 606 Sir Francis Drake Blvd., and discussion among Council members,

M/S Anderson, Capurro, to grant the appeal of the Planning Commission's grant of

Use Permit (U-404) for take-out food establishment at 606 Sir Francis Drake Blvd. on the grounds that there is a conflict with the Circulation Element of the proposed General Plan in that the location is now a congested traffic situation and the subject application would make the condition even more difficult, and with the Health & Safety Element in that as the parking spaces are laid out, four of the five cars would have to back out into the Hub traffic when all spaces are filled.

Ayes: Councilmen Anderson, Capurro, Toal, Colteaux  
Noes: Councilman Blinder

**16. APPEAL BY ALFRED & JOHANNA WILLMANN OF PLANNING COMMISSION DENIAL OF USE PERMIT AND VARIANCE FOR COMMERCIAL BUILDING EXPANSION, 729 SIR FRANCIS DRAKE BLVD. (U-400/VAR-600)**

After hearing from applicant and discussion of Planning Commission action, M/S Blinder, Anderson to deny the appeal for the reasons cited by the Planning Commission.

Ayes: Councilmen Anderson, Capurro, Blinder, Colteaux  
Abstain: Councilman Toal

**17. BUS DEPOT SUBSIDY REQUEST**

After reviewing staff report,

M/S Anderson, Blinder to express intent to appropriate \$125.00 per month for a period of six months to assist in keeping open the San Anselmo Bus Depot for the benefit of the public.

Ayes: Councilmen Anderson, Blinder, Toal, Colteaux  
Noes: Councilman Capurro

The Town Administrator was instructed to approach the Transit District with a request for a matching subsidy and to approach adjacent property owners and the Chamber of Commerce for cooperative effort in improving unsightly conditions surrounding the Bus Depot.

18. M/S Blinder, Toal to appoint Jan Fairchild to replace Cynthia Barrows as the Town's representative on the County Residential Review Committee. Passed unanimously.

19. M/S Blinder, Toal to appoint Ranald Cockburn as the Town's representative on the Solid Waste Management Committee to replace Holger R. Peters. Passed unanimously.

**20. RECONSIDERATION, CREEK PARK SPRING CONCERT PROPOSAL**

After reconsideration,

M/S Blinder, Toal to direct the Director of Parks & Recreation to arrange a Spring Concert at Creek Park for Sunday, May 25, with transfer of \$350 from General Reserve to Account 481-47A.

Ayes: Councilmen Anderson, Blinder, Toal, Colteaux  
Noes: Councilman Capurro

**21. STATE COMPENSATION INSURANCE FUND REQUEST SUPPORT SB839, LIMITING PRESUMPTIVE BENEFITS**

M/S Anderson, Toal to direct the Town Administrator to advise appropriate legislators of the Council's support of SB 839. Passed unanimously.

22. Set June 4th at 8 o'clock P.M. for a special meeting to interview architects for Firehouse and Town Hall projects

Adjourned at 1:45 A.M. to May 20th for Fire Department budget hearing and executive session for instructions to Town negotiating team.

Libby Hanson  
Deputy Town Clerk

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