

Minutes of Regular Town Council Meeting March 9, 1976

1. Call to Order and Flag Salute

All members present

2. COUNCIL CONVENEED AS CANVASSING BOARD

M/S Anderson Blinder to adopt Resolution No. 1649 declaring the canvass of returns and results of General Municipal Election held March 2, 1976. Passed unanimously.

3. ADMINISTERING OATHS OF OFFICE

The Chief of Police administered the oath of office to Caroline Foster, the Town Clerk, who in turn administered the oath to M. G. Sheldon, Town Treasurer and the two new Town Councilmen, James F. Reed and A. C. Signorelli.

Mayor Colteaux expressed appreciation, on behalf of himself and the Town, to retiring Councilmen Blinder and Anderson for their service on the Council.

4. SEATING OF NEW COUNCILMEN AND ELECTION OF MAYOR AND VICE-MAYOR

Councilmen Signorelli and Reed were seated and the Council proceeded to the election of a Mayor. M/S Reed, Toal to nominate Councilman Capurro as Mayor. Nomination was closed by M/S Toal, Reed. Passed unanimously with Councilman Capurro abstaining.

The Mayor was seated and conducted election of Vice-Mayor. M/S Colteaux, Signorelli to nominate Pieter Toal as Vice-Mayor. Nomination was closed by M/S Colteaux, Reed. Passed unanimously with Councilman Toal abstaining.

5. CONSENT AGENDA

M/S Toal, Reed to pass Consent Agenda.

a. Approved minutes of February 10, 1976 subject to correction in Item No. 5 that Mr. Segale called attention to the destruction of lattice work in Creek Park - not Mr. Signorelli.

b. Adopted Resolution No. 1648 approving February, 1976 warrant register.

c. Confirmed schedule for hearings on 1976-77 budget with the addition of a public hearing on the overall budget at the May 25th regular meeting.

d. Adopted Resolution No. 1649 approving Federal Aid-Urban road and street program.

e. Waived business license fee, John Haviland.

f. Approved drainage easement to serve A/P's 5-254-04 and 5-254-05 across Town-owned A/P 5-254-08 as shown on A/P Map 5-25, on the basis that this will not be detrimental to the public and will improve drainage conditions in this area.

Passed unanimously.

6. ANNOUNCEMENTS

Councilman Signorelli suggested that Council meet with the Planning Commission in a workshop session related in particular to implementation of the General Plan. Staff to arrange within 30 days.

7. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS; COMMENTS AND DIRECTIONS TO STAFF

Councilman Colteaux questioned the City Engineer on the landscape planting on the Miracle Mile proceeding without Council having first approved a landscape plan. Staff to submit plan for approval.

Councilman Colteaux presented a petition from residents of Fern Lane and Merced Avenue complaining of unattractive machinery located at 14 Fern Lane. Staff to investigate. In the same connection, Councilman Colteaux requested staff to investigate a complaint as to apparently abandoned automobiles on property on Laurel Avenue.

Councilman Toal complimented the Administrator on his letter to the Board of Supervisors concerning the Dutch Elm disease situation, and questioned status. The Administrator advised that the matter will be on the Board of Supervisors agenda on March 23rd.

8. APPOINTMENTS

a. Design Review Committee - balance of term of A. C. Signorelli

Councilman Toal nominated David Strassman and Councilman Signorelli nominated William

EEB277

Kapranos for the balance of term to 9-15-78. After a roll call vote with Councilmen Colteaux, Toal and Capurro voting for David Strassman and Councilmen Reed and Signorelli voting for William Kapranos, on motion of Councilmen Reed, David Strassman was by a unanimous vote appointed to the Design Review Committee.

The Town attorney was directed to research the question as to whether the Design Review Committee could be increased to seven members with a floating quorum of three members.

b. Library Board - balance of term of Jacquelyn Mollenkopf to 6-30-77

Announcement was made that applications are open.

c. Bicentennial Committee Chairman/Representative to County Commission

An application to serve as chairman of San Anselmo's committee was received from Jeanne Renaud. It was suggested that Ms. Renaud be invited to attend the next Council meeting for the purpose of discussing the aims and purposes of San Anselmo's participation.

9. Open Time for Public Discussion

None

10. WADE THOMAS SCHOOL - ROOM 3 REQUESTING APPROVAL OF CHANGE OF DESIGN PLANS FOR PAINTING FIRE HYDRANTS

M/S Signorelli, Reed to approve the three submitted designs for painting fire hydrants in a Bicentennial theme. Passed unanimously.

11. BID AWARD: FIRE PUMPER TRUCK CONSTRUCTION

M/S Toal, Colteaux to award bid for fire pumper truck construction to P. E. Van Pelt, Inc. in a sum not to exceed \$42,922.58, including sales tax. Passed unanimously.

12. PARK & RECREATION DIRECTOR PRESENTING ALTERNATIVES FOR REPLACEMENT OF LATTICE, CREEK PARK

After presentation by the Director of Parks & Recreation of three alternatives to replace and/or reinforce the lattice work designed to prevent vandalism and suggestions by Dan Goltz, the park architect, it was the consensus of Council that final approval of any alternative should be made by the Design Review Committee,

M/S Colteaux, Toal to transfer from the Contingency Reserve a sum not to exceed \$600 to Account 481-23 for a replacement of the lattice arbor in Creek Park - design to be approved by the Design Review Committee. Passed unanimously.

13. ISABEL COOK SCHOOL PROPERTY ACQUISITION

Council was advised that the San Anselmo School District had tentatively rejected the Town negotiating committee's approach to a rental offset for space to be occupied by the District. Council discussion developed suggestions by Councilman Toal that the question of acquisition by the Town should be placed on a ballot for the voters to decide and by Councilman Reed that a Town meeting should be held to solicit citizen opinion.

A motion with no second was made by Councilman Toal to authorize the negotiating committee to submit the offer one more time, and if that doesn't work, the Council hold a joint meeting with the School Board.

M/S Toal, Colteaux to make a firm offer to purchase the Isabel Cook School site at \$413,000 over ten years, plus 6% interest, less the rental factor. No vote was taken on this motion, and

M/S Colteaux, Reed to confer upon the negotiating team the authority to continue negotiations with the San Anselmo School District Board negotiating team with the understanding that the recommendations of the Administrator as set forth in his memorandum of March 2nd will be the approximate parameters of any ultimate authority the negotiating team might be given to make a firm offer. Passed unanimously.

Councilman Colteaux suggested that the budget hearing on capital improvements be held at Isabel Cook School, and include a tour of the facilities.

14. ORDINANCE REZONING TO PPD ON INTERIM BASIS VACANT PARCELS IN CONSERVATION ZONE

M/S Toal, Colteaux to waive reading of Ordinance. Passed unanimously with Councilman Reed abstaining.

Carl Baumsteiger complained of the inclusion of lots that were already of record.

M/S Toal, Colteaux to introduce an Ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from R-1 to PPD/R-1 or R-1/B-20 to PPD/R-1/B-20, respectively of the therein listed parcels of real property in the Conservation zone.

Ayes: Councilmen Colteaux, Toal, Mayor Capurro

Noes: Councilman Signorelli

Abstain: Councilman Reed

15. ORDINANCE BANNING SALE OF FLUOROCARBON AEROSOL SPRAYS AS OF 3-1-77

M/S Toal, Colteaux to adopt Ordinance No. 703 adding Chapter 8 of Title 5 of the San Anselmo Municipal Code banning the sale or offer to sell of aerosol sprays.

Ayes: Councilmen Reed, Colteaux, Toal, Mayor Capurro

Abstain: Councilman Signorelli

M/S Reed, Toal that the administrator be directed 60 days prior to March 1, 1977, the effective date of this ordinance, to report to the Council current scientific information on this subject. Passed unanimously.

16. PUBLIC HEARING: Ordinance regulating removal or destruction of Heritage and other mature trees:

Public hearing was opened and continued to meeting of March 23rd.

17. PUBLIC HEARING: (Cont): ABANDONMENT OF PORTION OF CITY HALL AVE.

The Town Attorney reported that he was awaiting further information from the title company, and expected to have a complete report for the next meeting.

M/S Toal, Reed to put over to March 23rd. Passed unanimously.

18. (Cont) PUBLIC WORKS DIRECTOR RECOMMENDING REFUSE ACCEPT DRAINAGE EASEMENT FROM WALTER FIRESTONE, 37 OAK SPRINGS DR.

Over to March 23 meeting.

19. PUBLIC HEARING: PARCEL SPLIT, 168 HILLDALE DR. (SS-191)

After hearing from applicant, Mrs. Susser, and her architect, David Gately, and Council discussion

M/S Colteaux, Reed that the tentative map be referred back to the Planning Commission with the recommendation that parcel 1 be redrawn so that a variance from the slope policy will not be required; that the Council finds that an exception for minimum street frontage as found is justifiable under the terms of the ordinance because of the unique shape, size and location of the parcel; that the Planning Commission findings in allowing a common driveway are approved; and that a condition be attached to the tentative map that the final map may not be recorded until a water meter has been obtained from the Marin Municipal Water District. Passed unanimously.

20. PUBLIC HEARING: ABATEMENT OF NUISANCE, HEDGE AT 35 ENTRATA AVE.

Witnesses Charles R. Leitzell, Nancy Roscoe, James Elliott and Myrtle Elliott were duly sworn. Mr. Leitzell testified that the hedge interferes with sunlight in neighbors rear yard. James and Myrtle Elliott of 62 Lincoln Ave. testified that the hedge and a redwood fence also exceeding the 6' maximum height interfered with sunlight in their rear yard. Nancy Roscoe testified that the hedge did have an excess height necessary due to the slope for her enjoyment of privacy, and reiterated that no notice had been given on the fence height and, therefore, was not a subject of this hearing. After Council discussion,

M/S Colteaux, Reed that the hearing on this public nuisance be continued pending an application for a variance in regard to the hedge and the fence to be made within 10 days, that no further action be taken so long as such application for a variance is pending and if the variance is granted, and finally the matter be recalendered for Council hearing if the variance is denied and the hedge and fence are not brought within the law. Motion passed on a 4 - 1 vote with Councilman Toal voting No.

EEB277

21. CONTRACT W/COUNTY OF MARIN FOR MAINTENANCE AND REPAIR OF TOWN VEHICLES & EQUIPMENT

M/S Toal, Colteaux to approve and authorize the Mayor to sign a Vehicle and Equipment Services Contract with the County of Marin. Passed unanimously.

22. TRANSIT MATTERS

- a. CONSIDER ENDORSEMENT OF AB 2723 ADDING AT-LARGE MARIN COUNTY MEMBER TO GGBHTD

M/S Reed, Toal to endorse AB 2723. Passed unanimously.

- b. TOWN OF FAIRFAX REQUEST TO JOIN IN REQUESTING GGBHTD APPEAL ARBITRATOR'S DECISION ON BUS DRIVER DISMISSAL

M/S Toal, Reed to table the matter. Passed unanimously.

23. ORAL REPORT - SLEEPY HOLLOW FIRE PROTECTION NEGOTIATIONS

Councilman Colteaux reported on the status of negotiations. Various approaches were discussed to resolution of the items believed previously settled but apparently again in dispute.

M/S Signorelli, Reed to authorize Councilman Colteaux to continue negotiations with the Sleepy Hollow Fire Protection District. Passed unanimously.

24. (Added Item) ACCUMULATION OF COMBUSTIBLE AND OBNOXIOUS WASTE AND DEBRIS AT 649 SAN ANSELMO AVENUE

M/S Reed, Toal to determine that in view of the unusually dry season, the provisions of the San Anselmo Municipal Code section 3-3.610 as to the removal of fire menace materials shall be effective as of the ninth day of March this year. Passed unanimously.

Adjourned at 1:05 A.M. to March 23, 1976.

Libby Hanson
Deputy Town Clerk