

Minutes of Regular City Council Meeting April 27, 1976

1. Call to Order and Flag Salute.

Mayor Capurro convened the meeting with Councilmen Reed, Colteaux, Signorelli and Toal present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Royce Brier, Jr. of 108 Tamalpais protested the use of jack hammers in his neighborhood at the hour of 8 A.M. The Town Engineer explained that this was a necessary operation in the patching project on Raymond Ave. and the schedule permitted the patching crew to finish each day in time to open the street for afternoon commute traffic. It is anticipated that the project will be completed with one more day's work. However, if it isn't the schedule will be revised for a later time use of the jack hammers, as of April 29.

3. APPOINTMENTS

a. Library Board - applications open for balance of term to 6-30-77.

Applications to be solicited.

b. Chairman for U.N. Day 10-24-76.

The Town Administrator was requested to contact Robin Skewes-Cox to determine his interest in this appointment.

c. (Added) Chairman, San Anselmo Bicentennial Citizens Committee

M/S Signorelli, Reed to appoint Jeanne Renaud Chairman of the San Anselmo Bicentennial Citizens Committee. Passed unanimously.

4. RECONSIDERATION OF DENIAL OF CLAIM OF KENNETH CUMMINGS FOR REIMBURSEMENT FOR LOSS OF TOOLS

After hearing from Frank O'Connell of Marin Association of Public Employees and being apprised by staff that it was the general custom for auto mechanics to provide their own tools and it was a necessary requisite to the position,

M/S Signorelli, Reed to reconsider the previous denial of claim of Kenneth Cummings for reimbursement for loss of tools. Passed unanimously.

M/S Toal, Signorelli to approve payment of \$1,107 to Kenneth A. Cummings on his personal property claim dated March 1, 1976. Passed unanimously.

6. MARIN MUSEUM OF NATURAL SCIENCE PROPOSAL FOR WILDLIFE REHABILITATION FACILITY AT SORICH PARK

Bruce Blake, Executive Director of the Museum orally presented a conceptual plan to create a wildlife rehabilitation facility in Sorich Park. Council noted that approval of this concept has been recommended by the Parks & Recreation and Planning Commissions, subject to detailed planning.

M/S Toal, Colteaux to approve the concept subject to detailed planning and review by the Planning and Park & Recreation Commission to include designating a specific parcel not to exceed five acres in Sorich Park as a site for a wildlife rehabilitation center. Passed unanimously.

7. CONSIDERATION OF ELIMINATION OF RESERVED AREA FOR COMMUTER FEE PARKING, CREEK PARK PARKING LOT

After Council discussion,

M/S Reed, Signorelli to rescind Resolution No. 1641 - A Resolution Amending Resolution No. 1594 Providing for All Day Parking in a Portion of the Creek Park/Parking Area. Passed unanimously.

8. CONSIDERATION OF REVISION OF SIZE AND WORDING, SIGNS REQUIRED UNDER SMOKING ORDINANCE

Council took note of the fact that the ordinance as now worded has been extremely difficult for staff to enforce and also of San Anselmo merchants' strong opposition to the provisions, particularly related to signing and area designations. Patricia Weir, owner of Wild & Woolly, expressed such sentiment on behalf of merchants. The concensus of Council was that the merchants should be consulted on suggestions as to revisions.

EEB277

Motion was made by Councilman Toal, which failed for lack of a second, to request the Town Administrator to prepare a draft of a revision of the smoking ordinance eliminating Subsections (b) 4-15.02 and (iii) 4-15.03 and to reword the signing provisions of the ordinance in cooperation with the merchants.

Thereafter, M/S Colteaux, Capurro to refer revisions of the smoking ordinance to staff for suggestions in light of Council discussion. Motion passed on a 4-1 roll call vote with Councilman Toal voting No.

Councilman Toal's no vote was based on his opinion that this motion did not give specific direction.

10. PROPOSED IMPOUNDMENT FEE, ILLEGAL REAL ESTATE SIGNS

A representative of the Marin County Real Estate Board requested opportunity for local real estate agents to work with the Planning Director on a possible compromise.

M/S Reed, Signorelli to put over for 30 days in order to give the Real Estate Board and Town staff an opportunity to work together on a solution of the problem. Passed unanimously.

9. POLICY GOVERNING OUTDOOR DISPLAY OF MERCHANDISE.

After Council discussion,

M/S Reed, Toal to instruct staff to prepare a revision to the appropriate ordinance creating an administrative use permit for outdoor display of merchandise when displayed without price tag and generally for aesthetic purposes. Passed unanimously.

(ADDED ITEM) COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Councilman Colteaux requested an item on the next agenda re elimination of bicycle racks on San Anselmo Avenue.

11. PARK USE RULES AND REGULATIONS

a. Ordinance Simplification

M/S Reed, Colteaux to adopt Ordinance No. 705 Amending Title II of the San Anselmo Municipal Code covering Parks and Recreation. Passed unanimously.

b. Consideration of resolution adopting rules and regulations for parks and playgrounds.

After Council discussion which developed suggested changes in the submitted draft,

M/S Colteaux, Toal to adopt Resolution No. 1651 adopting rules and regulations for public parks and playgrounds incorporating Council's suggested changes. Passed unanimously.

12. SECOND UNIT ORDINANCE

A special workshop meeting with the Planning Commission was set for Tuesday, May 4th at 8 P.M., as requested by the Planning Commission.

13. ORDINANCE CONTROLLING REMOVAL OR DESTRUCTION OF TREES

After reviewing a draft ordinance prepared by staff to incorporate previous Council suggested revisions during which Council suggested further changes,

M/S Colteaux, Toal to waive reading of ordinance. Passed unanimously.

M/S Colteaux, Reed to introduce an ordinance repealing Chapter 13 of Title 4 of the San Anselmo Municipal Code and enacting a new Chapter 13 of Title 4 of the San Anselmo Municipal Code providing for control of tree work within the Town of San Anselmo as embodied in staff's submitted draft with the suggested changes, subject to recommendations by the Town Attorney at next meeting. Passed unanimously.

14. PLANNING COMMISSION RESPONSE TO COUNCIL REFERRAL ON DEFINITION OF HOME OCCUPATIONS IN REFERENCE TO HOBBIES.

No action taken.

15. DESIGN REVIEW COMMITTEE REQUESTING RETURN TO SEVEN-PERSON COMMITTEE WITH QUORUM OF THREE

After discussion developing a majority expression of opposition to returning Design Review to a seven-person committee, no action taken.

16. ISABEL COOK SCHOOL PROPERTY ACQUISITION - JOINT PUBLIC HEARING

The Town Administrator was requested to contact the School District towards setting a date for a joint public hearing on a mutually convenient date other than May 19th.

17. STATUS REPORT SLEEPY HOLLOW FIRE PROTECTION DISTRICT CONTRACT NEGOTIATIONS

Councilman Signorelli reported that he has been negotiating with Jay Ingels, one of the SHFPD Commissioners, and believes that the principles are agreed and it is now a matter of semantics. However, Mr. Ingels has expressed displeasure with sequence and wording of a fourth draft of an agreement (April 26, 1976 draft) which Councilman Signorelli had presented. Councilman Signorelli was authorized to continue negotiations on the basis of Council approval of the content of the April 26th draft, not including Alternate 1 under Section 8(d), with concessions as to rearrangement and/or wording change so long as the over-all intent of the drafted agreement remains.

18. CORTE MADERA TOWN COUNCIL REQUESTING CONCURRENCE IN REDUCED PARTICIPATION BY CORTE MADERA IN FLOOD CONTROL ZONE 9

Over to next meeting.

19. TOWN OF FAIRFAX SUGGESTING EXPANDED MUTUAL AID FIRE SERVICE, UPPER ROSS VALLEY

No action taken

20. CONSENT AGENDA

M/S Signorelli, Toal to approve consent agenda.

- a. Approved minutes of meetings of April 13 and April 20.
- b. Approved Warrant Register summary, April 1 to April 15, 1976.

Ayes: Councilmen Colteaux, Signorelli, Toal, Mayor Colteaux

Noes: Councilman Reed

ADJOURNED at 12:06 A.M. to Workshop Meeting with Planning Commission May 4, 1976.

EEB277