

Town of San Anselmo

Minutes of the Town Council Meeting of May 22, 1990

7:00 P.M.

Closed session regarding labor negotiations.

8:05

1. The meeting was called to order by Mayor Paul Chignell at 8:05. Councilmembers present were Paul Chignell, Gus Kanis, Ann Walsh, Maria Zarahoff and John Colteaux.

2. Open time for public expression.

No one addressed the Council.

3. Consent Agenda.

- (a) Approve Minutes: May 8, 1990.
- (b) Waive reading and adopt Ordinance No. 912 amending Chapter 2 of Title 1 of the San Anselmo Municipal Code relating to public nuisances.
- (c) Adopt Resolution No. 3115 authorizing application for state grant funds for Lansdale Station Park Playground Renovation Project.
- (d) Recognize Rulon Cook, Bev Ludwig, Tom Kelly, Charlene Locati, Neva Sleckenstein and Jean Whelan upon their retirement from San Anselmo schools.
- (e) Nominate applicants to the Planning Commission, and schedule interviews.
- (f) Adopt procedure to announce vacancies and expiration of terms, and to make appointments to Commissions, Committees and Boards.

Councilmember Zaharoff asked that item E be removed. Councilmember Colteaux was in favor of this. Councilmembers Kanis and Walsh consented.

Councilmember Zaharoff stated if the deadline for the applications for nominations to the Planning Commission was not advertised, she would be in favor of extending that deadline and readvertising the position. Councilmember Kanis expressed his belief that a deadline was not advertised. Councilmember Colteaux did not like the terminology and disapproved of the one-time notice because it does not give enough time for applications. Further, he felt that five minute interviews did not give a sufficient amount of time for some of the vacancies and would like more time to interview applicants to the more important commissions such as the Planning Commission.

Town Administrator Jean Camuglia stated the Town is attempting to streamline the policies for the commissions by preparing a chart posting upcoming vacancies.

Councilmember Walsh stated she liked the current procedures. Councilmember Kanis agreed. Councilmember Colteaux would like to have the applications before they go on the agenda. Mayor Chignell would like no time limit for the interviews.

4. Proclamation recognizing Parks and Recreation Commissioner David Griffis.

Town Administrator Camuglia expressed her sorrow over the departure of Mr. Griffis and wished him well. Mayor Paul Chignell presented him with a framed certificate of appreciation and recognition.

5. Appointments: Open Space Committee

Administrator Camuglia stated the Council had conducted three interviews for two vacancies on the Open Space Committee.

M/S Colteaux/Walsh that Elizabeth Byers and Kathleen Sanders be appointed to fill the two vacancies. Motion passed unanimously.

6. Requests for waiver of fees to hang sign and banner announcing community events:

- a. Festival of the Children
- b. Country Fair Day

Administrator Camuglia stated waivers of fees had been granted previously.

M/S Zaharoff/Walsh to waive the fees to hang signs and banners for the Festival of the Children and Country Fair Day. Motion passed unanimously.

7. Annual report from San Anselmo's representative to the Marin Commission on Aging.

Paula Neese, 44 Crooked Avenue, San Anselmo, reported the highlights of the Commission on Aging for Marin County. In August, 1990, a second edition of Choices for Living, a Housing Resource Guide for senior citizens and their families, was issued. In September with the help of the COA, the Marin Independent Journal produced a special Senior News supplement. In October, COA joined Marin County Library in sponsoring the 4th Annual Senior Information Fair which included 90 exhibitors and 1500 visitors. In November individual commissioners helped the City of Novato pass a bond issue to build a new senior center. A Commission Task Force was successful in developing a new program for seniors on everyday money management. On COA's Cable TV program "A Time for All Ages" host Ed Kramer explored such issues as county resources for Alzheimer families, the role of libraries in enriching the later years, stereotypes and myths of aging, reducing the trauma of forced moves for seniors, and senior newspapers.

Further, Neese stated in December the COA sponsored a community forum to explore the development of coordinated, intergenerational activities in Marin. Also, a rejuvenated COA Newsletter was well-received with readership increasing about 10% each month. In February Marin City announced that a new senior center would be named in honor of former COA Chair Marguerita Johnson. After a brief illness, Marguerita died on March 10, 1990. During December the COA heard reports of various senior nutrition programs in Marin including Brown Bag and Food Bank. Further COA's Home Care Task Force performed a survey of all home care agencies serving Marin residents.

Ms. Neese reported that at the annual meeting, a time capsule was made which received great coverage in The Marin Independent Journal. The outstanding San Anselmo senior citizen Mr. Segale was at the lunch that day.

Councilmember Walsh commented that Ms. Neese had done a fine job representing San Anselmo on the Commission on Aging.

8. REQUEST FROM MARIN COUNTY BOARD OF REALTORS TO AMEND THE SIGN ORDINANCE TO EXPAND THE PROVISIONS FOR OPEN HOUSE SIGNS ON SUNDAY AFTERNOONS.

Town Administrator Camuglia recommended that Council consider the request of the Marin Board of Realtors to revise San Anselmo Municipal Code Section 9-7.303 (a)(1) to allow placement of real estate open house directional signs.

She stated Bob Holmes, Director of Governmental Relations for the Marin Board of Realtors and Leslie Duncan, Realtor-Associate met on May 9. There was a similar proposal passed in the Town of Fairfax. Presently there is a fine for signs left by realtors, and it has been illegal to place directional signs to open houses since 1978. Camuglia stated that former Town Councils have upheld this ordinance in order to keep the town beautiful. There have been an increasing number of open houses in the past months and staff recommends one of three options:

1. Uphold the current temporary sign ordinance, which does not allow the placement of temporary open house directional signs.
2. Adopt the revised ordinance as recommended by the Marin Board of Realtors.

"...provided, further, that a maximum of five real estate open house directional signs of similar dimensions may be located on privately owned premises other than that advertised for sale or leased between the hours of 1:00 p.m. and 4:00 p.m. on Sundays only."

3. Adopt a temporary or provisional ordinance for a period of ninety (90) days to allow for a trial period.

Councilmember Kanis asked if a fee could be charged realtors for the privilege of using the directional signs. He stated the Town of San Anselmo needs additional revenues.

Administrator Camuglia stated while there were no legal obstacles to having a fee, the difficulty would be collecting the fee and possibly the only fee would be through business licenses. However the question would need further research.

Councilmember Colteaux asked if the listing agents presently pay a business tax in San Anselmo. Camuglia responded that she did not know.

Councilmember Walsh asked if there were penalties assessed to pick up the signs.

Bernard DelSanto, Chief of Police, responded there is a penalty of \$20.00 for the first sign retrieved and a lesser fee for signs retrieved thereafter.

Bob Homes, Marin Board of Realtors now known as the Marin Association of Realtors, 255 West End Avenue, San Rafael, expressed his appreciation to Town Administrator Camuglia for the excellent job in presenting the background. Holmes said realtors receive continuing education about various ordinances regarding directional signs, and he assumes, therefore, that the realtors comply with the local laws. Although a fine of \$20 for the first sign not picked up and \$15.00 for each additional sign is charged, he stated it was not worth the realtor's time to retrieve the signs from the Police Department and pay the fines. He asked that the Town of San Anselmo pass an amendment

similar to the one of the Town of Fairfax but limiting the number of signs. Mr. Holmes assured the Council that realtors were totally aware that placement of signs in the public right ways was illegal and further they were aware of the liabilities involved.

Mr. Holmes gave the Council a petition from Pellegrini and Morris in favor of this amendment. He explained directional signs were good marketing tools for realtors and the Town would financially benefit from increased sales of homes because of the tax revenue.

Councilmember Colteaux questioned if there were forty open houses, this would generate 200 directional signs. Further he asked if the listing agent would have to pay the business tax.

Mr. Holmes responded that five signs would be the maximum amount of directional signs needed. He explained that many towns were considering a business tax. Colteaux stated that various businesses in San Anselmo have directional signs but they do pay the business taxes.

Leslie Duncan, Frank Howard Allen, Inc., addressed the Council stating she presently has four listings in San Anselmo and there are 101 houses for sale today. She then presented pictures she had taken of various business signs. She expressed her frustrations that police were following her when she was taking down her signs. Houses in Fairfax sold 42 days quicker than those in San Anselmo. The reason the number of five signs was chosen is that one of the most difficult streets to find, Summit, needed to have five directional signs.

Mr. David Witzman, 21 Carl Avenue, San Anselmo, felt that although 200 signs might be used, only a few used on smaller streets would be visible. He felt not much impact would be created. Regarding the taxing of real estate brokers, he felt the cost of administration of such a law would be prohibitive.

Richard Marchetti, 29 Sais Avenue, voiced that real estate is very competitive, interest rates are up, supply is high and demand is down. He stated that the Fairfax houses sold in less time because they are less expensive. He dislikes the idea of having so many signs around his neighborhood on his day off, Sunday, but felt a limit of two signs per open house might be okay.

Helen Broyles, 165 Crescent, stated it might be helpful to limit the size of the signs, but reiterated the need for directional signs, and therefore supports the passage of the ordinance.

Councilmember Walsh asked what other towns such as Mill Valley do about directional signs.

Mr. Holmes responded that Mill Valley does allow the use of signs as well as the Towns of Corte Madera, Fairfax and San Rafael. Corte Madera allows signs of four square feet to be placed on both Saturdays and Sundays. Belvedere does not allow directional signs.

Councilmember Colteaux stated that realtors are putting signs out knowing that the law does not allow them, and now the Marin Board of Realtors is coming to the Council to make it legal. He questioned who would enforce this law, if passed.

Administrator Camuglia responded the enforcement of the present law is done but not a high priority basis. The signs are picked up in response to citizen complaints and

as seen by on-duty police officers. There might be a need for a higher level of enforcement, keeping the public right of way clear.

Councilmember Kanis proposed a "syntax" stating the penalties for the removal of illegal signs don't seem to work. He would like to pursue a fee as well as the quantity and size of the signs.

Councilmember Zaharoff was not in favor of redoing the sign ordinance and would like to explore other areas as Councilmember Kanis had voiced. She would like to continue to work on solutions to benefit San Anselmo.

Councilmember Colteaux felt the Board of Realtors made good points. However, he would like to see some uniformity in the laws regarding signs in the Ross Valley Area. Therefore possibly members of the Town Council and members of the Planning Commission could work together regarding the number of signs and their sizes. While he was willing to consider reasonable changes to the ordinances, he felt more work needed to be done.

Councilmember Walsh agreed there was definitely a problem and would only want to amend the ordinance on a conditional basis. She favored the fee.

Mayor Chignell would like the ordinances changed. He felt aesthetics were important but saw no reason to oppose changes. He stated a need to have more discussion as to the size and continuity, but he was not in favor of a fee.

M/S Colteaux/ Walsh to send the ordinance request back to staff with the understanding that Councilmember Kanis will serve as liaison with the various commissions and the ordinance discussion will be continued at the second meeting in June. The motion was passed unanimously.

10. INTRODUCTION OF ORDINANCE TO INCREASE THE SIZE OF THE PARKS AND RECREATION COMMISSION FROM FIVE MEMBERS TO SEVEN MEMBERS.

Administrator Camuglia presented the staff recommendations for changes to the ordinances. These changes are not controversial and, in fact, remove some of the redundant portions of the ordinance.

Councilmember Walsh supported the changes

M/S Walsh/Zarahoff to change the number of members from five to seven and include staff recommended changes.

Motion passed unanimously.

11. DISCUSSION REGARDING REPAIR OF CREEK PARK WALKWAY.

Administrator Camuglia reported that ten days ago at the request of Mayor Chignell, Marilyn Ormand, Councilmember Colteaux, John Kottage and Camuglia met with Kirk Rudy to talk about Creek Side Parkway which has been closed for two years. This project had been discussed as part of the budget, and original estimates ranged from \$5,000 to \$20,000 for the necessary repairs. Recently slats were pulled up and the underpinning was examined. Two bids have been received ranging from \$4500 to \$5000 for the repair, but an additional bid is necessary as required by the Town. Mr. Rudy expects donations amounting to \$3,000. If the Council could approve additional monies, the project could be completed by June.

Mr. Rudy reported he already has almost \$1800 in donations from the Town's merchants with an additional \$1000

possible as a contribution from the Chamber of Commerce. The work that needs to be done requires the uprights be replaced, put in Z flashing. The original wood used was not treated and this created some of the problems. Mr. Bill Lechner, a contractor, could start immediately and the work could be completed in ten days. He asked Council to pay up to \$5000 if needed for the project.

Mr. John Kottage asked that John Holm take a look at the Lechner proposal. He recommends the work go ahead. The lighting problem would be dealt with separately.

Camuglia asked Council to approve the work and provide assurances that Council would be responsible for up to a certain dollar amount.

Kottage recommended authority to go ahead and repair the trellis with the Town providing up to \$3,000. The lighting problem would be handled separately.

Councilmember Zaharoff stated she was delighted with the price and was very supportive of the project. She expressed her appreciation to the merchants who are working together on the project and urged the project get underway as quickly as possible because of possible increasing costs.

Councilmember Colteaux was in favor of the cost to the Town not exceeding \$3500 subject to bidding process being completed.

Mayor Chignell supported Colteaux and commended Mr. Kottage, Ms. Camuglia and Mr. Rudy for their fine work.

M/S, Colteaux/Walsh that funds not to exceed \$3500 be set aside subject to the bidding process and engineering report. The lighting would not be included. Motion passed unanimously.

12. APPOINTMENT OF COUNCILMEMBERS TO COMMISSIONS, COMMITTEES AND BOARDS.

M/s Kanis/Walsh that the following assignments are made for this year:

Ross Valley Fire Service Board of Directors: Chignell and Walsh.

Ross Valley School District Advisory Committee: Colteaux

Cable Television/JPA: Walsh

County Wide Planning Agency: Kanis

MCCMC/Marin Community Foundation Liaison: Walsh

ABAG Representative: Walsh

Community Development Block Grant/Upper Ross Valley: Chignell

Mt. Baldy Ad Hoc Committee: Zaharoff

League of California Cities, North Bay Division:

Kanis

Fairfax Liaison/Town and Country Club - Primary: Zaharoff; Alternate: Walsh

San Anselmo Open Space Endowment Fund Board: Zaharoff

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Sound system - Mr. Colteaux asked about the possibility of refining the sound system so that the recording of the proceedings would be clearer.

Administrator absence - Ms. Camuglia announced that she will be on vacation Friday through Tuesday, May 25-29 during which time Beth Pollard will be the acting Town Administrator.

137 Madrone - Mr. Kottage reported the house on 137 Madrone has been bulldozed. He is working on an agreement regarding 14 Spruce and the payment for clearing debris.

Ansari - Mr. Kottage talking with the attorneys and there may be an agreement.

Stop sign - Mr. Colteaux brought to the Council's attention the stop sign at the west end of Greenfield at Terrace Avenue which is obscured by a tree. Further he reported the sign has faded.

14. ADJOURNMENT.

The meeting was adjourned at 9:30.

Barbara Swenson