

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of April 27, 1993

1. **CALL TO ORDER.**

The meeting was called to order at 8:00 p.m., with Council Members Breen, Kanis, Yarish, and Zaharoff present.

Chignell announced that Council had met in closed session beginning at 7:00 p.m. regarding personnel matters, labor negotiations, and pending litigation, pursuant to Government Code Section 54956.9(a), Town of San Anselmo v. Gill, et al, and related cross action, Marin Superior Court #155116.

2. **REQUEST FROM THE CAMPAIGN FOR A HEALTHIER COMMUNITY FOR CHILDREN FOR USE OF TOWN HALL AREA AND CLOSURE OF TUNSTEAD AVENUE FROM SAN ANSELMO AVENUE TO LIBRARY PLACE FOR THE FESTIVAL OF THE CHILDREN, AND PROCLAMATION FOR THE "WEEK OF THE CHILDREN", MAY 10 THROUGH 15.**

M/s, Zaharoff/Breen, to approve the request and proclamation. Motion passed unanimously.

3. **OPEN TIME FOR PUBLIC EXPRESSION**

Helen Gregory, owner of the store Bloomworks, said she felt that merchants contribute to the Town, but that the quality of San Anselmo Avenue has declined in the past six years, which she in part attributed to what she felt was ongoing harassment and lack of empathy that the Police Department seems to have towards merchants. Chignell asked Town Administrator Bonander to meet with Ms. Gregory.

Michael Cohn, Oak Avenue, recalled that his neighborhood had proposed paying half the cost of street paving when the sewer work was done for new construction on Oak Avenue, and the work is now ready to be done. The item will be placed on the next Council agenda.

Sarah Nome, 77 Alder Avenue, objected to the Town suing San Anselmo property owners to obtain the Bald Hill easement.

Barbara Schmidt, 59 Austin Avenue, expressed concern about the traffic in her neighborhood, spoke in favor of a moratorium on Bald Hill, expressed concern about the sewer line being pursued by the Ross Valley Sanitary District, and supported an environmental impact report and specific plan for Bald Hill.

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

Robson-Harrington Board applicants - Kanis asked that the extension of time for applications be publicized.

Gas station at Hub intersection - Breen asked if the eyesore created by the fencing at the closed station could be diminished.

14 Oak Knoll - Staff was asked to check out the structures being built on this property, reportedly without a permit.

Church of Divine Man - Bonander reported that Town Attorney Roth had recovered more than \$21,000 in legal fees from the San Anselmo v. Divine Man settlement.

5. **CONSENT AGENDA:**

- (a) Approve minutes: April 13, 1993, and December 2 and 8, 1992.
- (b) Approve Resolution setting compensation for management staff.

(c) CONTINUE TO MAY 11, 1993: Report from "Community for Recreation", an organization being created to raise funds for recreation in San Anselmo; and report from Town Attorney on legal parameters for operation of bingo games by municipalities and non-profit organizations.

(d) Proclaim the week of May 1 as "Youth Week."

(e) Proclaim May 2-8 as "Victims of Pornography Week."

(a) Minutes of April 13, 1993: Sarah Nome, 77 Alder Avenue, requested different language regarding her comments and Town Administrator Bonander's response regarding the cost of legal fees under item 10. Council asked staff to review the tape and report back to Council on the language.

Nome asked that compensation increases for management staff be tabled to follow the discussion on Ross Valley Fire Services budget shortfall.

M/S, Kanis/Zaharoff, to approve the Consent Agenda, with the exception of the April 13, 1993 minutes. Motion passed unanimously.

6. SIR FRANCIS DRAKE HIGH SCHOOL STUDENTS:

(a) Request from Senior Class for funding assistance for "Safe and Sober Grad Nite."

Brian Whittenkeller, representing parents and high school seniors, thanked Council on behalf of parents and seniors for past donations. This year's event, projected to have 99% participation, is a party at the Jewish Community Center; graduates will arrive at 10 p.m. and stay until the next morning. The total cost was \$15,000, or about \$100 per student; each student pays \$40, with fundraising paying for the remainder.

Amy Craig, a Drake High School junior, noted that seniors put on a rummage sale to raise \$3,300.

Greg Smith, San Anselmo resident, said there was nothing available for kids when he graduated, and objected to Town funds being given to kids for a sober graduation party when the Town is tight for money.

Barbara Schmidt, 59 Austin, said she thought that kids should work for the funds, such as by pulling weeds.

Sarah Nome, 77 Alder Avenue, said this was a very tight money year, and no money should be spent on parties.

Zaharoff said that more than 100 students from Drake High School had pulled weeds for a total of 500 hours. As an alumni of Drake High School, she recalled the horror of reading about teen deaths from car accidents involving alcohol and/or graduation parties, and felt it was worth \$500 to save lives.

Kanis suggested that next year the funding request be for general graduation expenses rather than specifically the graduation party. He supported the youth's efforts for fundraising and the event, if it helps to keep young people alive.

Breen said it was a serious health issue, and that the event was a valuable way to prevent loss of life. Yarish said it was obvious that not enough was done for the kids in this community, and it is not time to do less. Chignell supported working with the schools on efforts such as this event.

M/S, Zaharoff/Breen, to contribute \$500 to the "Safe and Sober Graduation" event at Drake High School.

(b) Announce "Spring Fest '93 event.

Amy Craig and Kate McAllister, Sir Francis Drake High School students, announced the days' activities for the fundraising event for school sports.

7. PRESENTATION REGARDING ESTABLISHMENT OF TOWN ANNEXATION POLICY.

This item was continued to May 25, 1993.

8. DISCUSS ROSS VALLEY FIRE SERVICE 1993-94 REVENUE SHORTFALL AND BUDGET OPTIONS.

Town Administrator Bonander explained the revenue shortfall and the budget options being considered by the Ross Valley Fire Service Board of Directors.

Fairfax Town Administrator Christman noted that staff had been asked by the Ross Valley Fire Service Board of Directors to explore with the County payment for first response services being provided to unincorporated areas.

Richard Tracy, 228 Crescent Road, expressed concern that homeowners' insurance fire ratings would change as a result of loss of positions. Fire Chief Zeise responded that the loss of three positions would probably not change the ratings, but the loss of as many as six positions could affect the ratings.

Sarah Nome, 77 Alder Avenue, expressed concern that in times of fiscal crisis, it is the essential services that are threatened to be eliminated rather than what she felt were non-essential services and employee benefits.

Merle Sheldon, Town Treasurer, questioned the amount of the shortfall projected.

The issues will come back to Council for future discussion.

9. CONSIDER PROPOSAL FROM DOWNTOWN MERCHANTS FOR A SIGN AT THE HUB.

Terry Jones, owner of Shop for All Seasons, explained the sign proposal, noting that the sign box currently at the Hub intersection is used to advertise events other than ones taking place in San Anselmo.

It was the consensus of the Council that representatives of the groups who would be using the sign meet regarding a design and location for a proposal back to Council.

10. AUTHORIZE PERFORMANCE OF EMERGENCY REPAIRS FOR FAILED CULVERT, 5 OAK SPRINGS DRIVE.

Public Works Director Bush reported that a sinkhole had opened up in the street, caused by a failed culvert, adjacent to a gas line, which required immediate repair due to safety hazards.

Yarish asked that emergency repair work be rotated among several contractors, which Bush explained was currently in place.

M/s, Yarish/Kanis, that due to the emergency need for immediate repairs, that competitive bidding procedures be waived, and that the appropriation for the project from Emergency Repairs, Capital Reconstruction, not exceed \$21,495. Motion passed unanimously.

11. ADOPT ORDINANCE AMENDING REGULATIONS FOR REAL ESTATE SIGNS.

Richard Tracy, 228 Crescent Road, said that real estate signs have been located illegally in the public right-of-way.

William Hendrickson, owner of downtown property, said he was opposed to the idea of adding more signs on public right-of-way to benefit real estate industry.

M/s, Yarish/Breen, to adopt Ordinance No. 942 amending Section 9-7.303 entitled "Temporary Signs." Motion passed by the following vote:

AYES: Breen, Yarish, Chignell

NOES: Kanis, Zaharoff

M/S, Yarish/Breen, to approve Resolution No. 3226 setting the fee for revocable encroachment permits for real estate signs in the public right-of-way. Motion passed by the following vote:

AYES: Breen, Yarish, Chignell

NOES: Kanis, Zaharoff

12. ADOPT ORDINANCE AMENDING BUSINESS LICENSE PROVISIONS FOR REAL ESTATE BROKERS.

The proposed ordinance establishes the business license tax for real estate brokers whose offices are located in Town, as well as those located outside San Anselmo.

M/S, Breen/Yarish, to adopt Ordinance No. 943 amending Chapter 1 of Title 6 of the Municipal Code. Motion passed unanimously.

13. INTRODUCE ORDINANCE REGULATING LEAF BLOWERS.

Public Works Director Bush recommended an ordinance that allowed leaf blowing from Noon to 7 p.m. only, noting that no leaf blower currently on the market can meet the 50 dba level allowed in residential neighborhoods. The second part of proposed ordinance would phase in use of leaf blowers that meet a 70 dba noise level.

Stephen Halperin, van Tassel Court, Sleepy Hollow, said all cities that tried compromise measure did not work, that they simply compressed noise into a smaller period of time. He commented on the physiological harm that is experienced as a result of loud and continuous noise.

Martin Blinder, 50 Idalia Road, spoke in support of banning leaf blowers completely, objecting to the high pitched resonance, his inability to sit outside in the late afternoon due to the noise, and felt that there were alternatives available to leaf blowers.

Richard Tracy, Crescent Road, asked why people should have to put up with the noise of leaf blowers.

It was the consensus of the Council to consider an ordinance at the next meeting that would completely prohibit leaf blowers.

14. DISCUSS WHETHER TO CHANGE THE DATE OF THE MUNICIPAL ELECTION CURRENTLY SCHEDULED FOR APRIL, 1994, TO AN ELECTION DATE WITH MORE LOCAL, STATE, OR NATIONAL BALLOT MEASURES.

It was the consensus of the Council to direct staff to draft an ordinance changing the date of the election to November of odd-numbered years.

15. ORAL REPORT REGARDING PROPOSAL TO INCREASE THE PROPERTY TRANSFER TAX.

Town Administrator Bonander reported that Tiburon is interested in pursuing raising the property transfer tax. The question has been raised as to whether general law cities can legally raise the amount of the tax. It was the consensus of the Council to wait until after the issue is tested by another city.

16. ADJOURN.

The meeting was adjourned at 11:00 p.m.