

MINUTES OF A REGULAR MEETING OF THE SAN ANSELMO CITY COUNCIL HELD
JULY 9th 1957, City Hall at 8:00 P.M.

PRESENT COUNCILMEN - Booth, Cullen, Denning, Smith
ABSENT " " Ball.

Mayor Smith, presiding

Councilmen Booth moves to dispense with reading of minutes of meeting held June 11th 1957 if same are found to be in order. Councilman Cullen referred to matter of "reciprocal agreement discussion" which read (Councilman Cullen moves to extend for 6 months the present arrangement with contractors) and Chief Wood asked what arrangement City had- Chief Wood stated council is telling him not to collect license fee- Councilman Cullen feels it should state Chief petitioned council to tell him not to collect license fee. Councilman Cullen makes motion minutes be changed to read this. Councilman Booth stated what is in the minutes is correct and they can't be changed - Councilman Cullen asked that tape recording of minutes be heard. Mayor Smith asked clerk to run tape recording on above. After hearing tape recording City Attorney stated Councilman Booth made ammotion which was not seconded and a suggestion has been made by councilman Cullen that minutes be amended as follows: "Chief Wood asked that motion granting extension of reciprocity include an order to him not to collect the license fees." Councilman Booth is making motion and Councilman Cullen seconds same. Passed unanimously

Councilman Booth moves minutes of Special Meeting held June 21st be dispensed with if found to be in order. Councilman Cullen stated it is important that minutes specifically state in order to get true contents of action of Resolution of Intention that council passed, minutes to include the Mayor's and Councilman Cullen's desire to reduce the total fee for all licenses to a 5 or 10 dollar fee and this was completely deleted from minutes and that the City Attorney advised that we only reduce the contractors fee at this time and at the end of the calender year to reduce all license fees, as there is considerable misunderstanding amongst the merchants of city, it is very important that same be in the minutes. Councilman Booth stated that was not what was said, it was said at the adjourned meeting, council would bring up the subject of the licensing agreement for the rest of the city and not at the special meeting that council would just take up the matter of contractors. At the next adjourned meeting held in June, council would bring up the matter of the licensing the rest of the people and the special meeting was called to discuss contractors agreement only. City Attorney stated at the special meeting someone in the audience wanted to know if council would indicate there resolution to eventually reduce all licenses but on his advice council agreed not to reduce others until end of the year. Councilman Booth then withdrew her motion to approve minutes. Councilman Cullen moved approval to minutes of Special Meeting held June 21st and that same include a resume of the intention of the city council as far as reducing the rest of the business license fees. Councilman Denning seconds same. Passed on the following vote:

AYES COUNCILMEN - Cullen, Denning, Smith
NOES " Booth

Mayor Smith moves that recording tapes of the above two meetings be kept. Councilman Booth seconds same. Passed unanimously

PUBLIC HEARING - Application of Frank Fischer to rezone Lots 12-13 Oak View Tract from First to Second Residential Zone. Councilman Booth moves same be put over until August meeting. Councilman Denning seconds same. Passed unanimously

PUBLIC HEARING on application of Joe W. Kluchka, et al to rezone from First residential to second residential zone Lots 14 thru 21, Sub Lots 92-93, Map 2, Bush Tract. Planning Commission approved the rezoning of above lots. As no one present to speak against this rezoning, Councilman Booth moves to uphold the decision of the Planning Commission and approve this rezoning. Councilman Cullen stated he felt this should be put over until master plan is approved as this would constitute spot zoning. Les Busolo stated lots are deep but cannot make two lots out of same and Planning Commission felt by rezoning to R2 money would be put into same that would be advantage to the city. Councilman Booth stated this property is run down and by rezoning same it would be a benefit to the city. Councilman Denning asked if there would be plenty of parking space if duplex where put there- application stated yes. Councilman Smith seconds same. passed on following vote -

AYES CCOUNCILMAN - Booth, Denning, Smith
NO COUNCILMAN Cullen

MINUTES READ FROM PLANNING COMMISSION -

Cole Jackman appeared before Planning Commission stating he had a buyer for lots 3 thru 8, Cordone Tract asking for variance on Lot 3, permitting the frontage on Mt. View Ave to be 30 ft instead of the required 40 ft. After discussion Planning Commission passed motion that property shown on Sheet 16 of Official Map of the Town of San Anselmo as Lots 3 to 8 incl. and the adjacent portion of Lot 9 of Block 4, Cordone Tract come under subdivision ordinance and subject to compliance with the provisions of the subdivision ordinance, approval is granted on variance of 30 ft frontage on lot identified in said official unrecorded map as Lot 3 - Councilman Booth moves to approve tentative map as submitted. Councilman Denning second same. Motion and second withdrawn by Councilmen Booth and Denning. Councilman Cullen stated map presented was not a tentative map, same should show how lots will be distributed also facilities available. City Attorney recommends Mr. Jackman go to an engineer someone who is familiar with subdivision work and tell him what is necessary - any information he needs could be obtained from Mr. Oglesby, also get a survey.

OFFICIAL REPORTS

Councilman Booth reported she had talked to Harold Payton regarding complaints from Library Board on plumbing conditions. Mr. Payton advised Mrs. Booth the Sanitary District will take care of Library plumbing when necessary. Clerk to write letter of thanks to Mr. Payton.

Councilman Booth reported on program Officer McNair is conducting showing of colored movies, stating he will present another series to which everyone is welcome. Councilman Booth moves letter be sent from council to Officer McNair they are grateful for work he is doing. Councilman Cullen seconds same. Passed unanimously

Councilman Booth spoke about plaque which was found in basement of Library after flood 2 years ago, which was an acceptance by a city council in the year 1910 from James Tunstead of the site where City Hall now stands. Same has been put into condition by Torrance Gallery and Councilman Booth would like to see same hung in a prominent place in City Hall.

Councilman Booth spoke on write-up in Independent by Mr. Anderson on recent meeting of Board of Review which state only ones who attended were employees. Mayor Smith stated when an amendment is made on Civil Service Rules & Regulations the Board of Review has to hold two public hearings, and when first meeting was held council knew nothing about same. At second meeting Councilman Cullen, Denning, Smith and City Attorney met with board before they held their meeting and gave council's side of the story. After discussion on above with Mr. Anderson, Councilman Booth moves minutes show Mr. McPherson's employment was terminated on advice of City Attorney as his employment was illegal according to Civil Service Ordinance. Councilman Denning seconds same. Passed unanimously

COUNCILMAN DENNING REPORTS *

Councilman Denning moves Robert Marcucci be employed on temporary basis at \$2.00 per hour. Councilman Booth seconds same. Passed unanimously

Councilman Denning moves sub-division ordinance be put over until July 23rd. Councilman Booth seconds same. Passed unanimously. Councilman Cullen suggests all amendments to this ordinance be presented to Planning Commission for their meeting on July 15th.

Councilman Denning moves approval to the purchase of Electric Brake Locks for street and fire trucks (15) to be purchased. Councilman Booth seconds same. Passed unanimously

Councilman Denning spoke on street department man Bernard Roarty, who is a good mechanic and has proved himself very capable in handling machinery and moves to have his salary brought up to other laborer's (Russ Duranto). Councilman Cullen feels nothing should be done about this until State Personnel Board makes their salary survey. Councilman Booth feels that this man is doing a good job and can handle all equipment and she will second Councilman Denning's motion. Mayor Smith asked city attorney to give his ruling on this - Mr. Buresh stated man has been a civil service employee since February, time has not come for him to reach maximum salary and if only reason for giving him more money is because he needs same or that he warrants same due to his good work then council has no authority to raise salary. Motion failed to pass on following vote -

AYES COUNCILMEN -Booth,Denning

NOES COUNCILMAN Cullen, Smith

On the advice given by City Atty on matter of Salary for B. Roarty, Councilmen Cullen and Smith voted no.
 COUNCILMAN CULLEN REPORTS
 Council will get together to check applications for position of City Manager and will try to have recommendation for next council meeting.

Councilman Cullen reported on Sleepy Hollow Fire District meeting which he attended as Councilman Ball was away, and stated contract seemed satisfactory except for the expense of legal advice involved they felt the amount of \$200 was city's expense. Councilman Cullen then moved this expense \$200 be deleted from budget. Councilman Denning seconds same. Passed unanimously

Councilman Cullen spoke on high cost of living schedule which was made up by comptroller, approx. increase of \$725. per month or \$8700. per yr 2% increase in total payroll - this increase being automatic. (4.7% raise) Chief Wood spoke on formal protest regarding his salary stating last year he got an increase of \$10.00 and Patrolmen \$26.00 and if this practice was carried on for 10 years, Patrolmen would get \$625 per mo. and he would get only \$615. Councilman Cullen stated Chief Wood filed protest with him and he gave same to City Attorney for his opinion on same. City Attorney stated he has protest but same needs to be given further study.

Councilman Cullen moves warrants 7154 thru 7224 inclusive be approved and paid excluding warrant 7175 which was damaged. Warrant covering new law books included. Councilman Booth seconds same. Passed unanimously

CITY ATTORNEY REPORTS -

Miracle Mile case is back in courts again, nothing to report on same at this time.

City Attorney spoke on letter from General Petroleum Co., regarding service station located at Sir Francis Drake & Redhill regarding the modernization and development of above station and told council Mr. Fitzsimmons, Atty for General Petroleum was present at meeting to speak on this matter. Mr. Fitzsimmons stated they are interested in modernizing this station, the facilities now from wear and tear have deteriorated and are not up to the standard of modern stations in the neighborhood. They are aware that the master plan calls for widening of Sir Francis Drake but are asking council to delay indefinitely condemnation proceedings against the station property and grant them a permit for a new station which their company wants to build. Councilman Booth stated city could not issue a permit and then later on have to take this property for widening of street. City Attorney disagrees with General Petroleum and feels condemnation should be brought. Councilman Cullen stated this is a very important matter and full council should be present to discuss this and Mayor Smith stated same will be brought up at the August 13th meeting. If full council is not present then hold for meeting in September.

LETTER from Wallace Myers regarding property of his client, Mrs. Scagliola owner of Lot 1, Blk 8, Hawthorne Hills, who also owns Lot 2, contiguous to Lot 1, her home is located on Lot 2 and as ordinance 399 appears Mrs. Scagliola cannot build on Lot 1, and as this is discriminatory, Mr. Myers feels that ordinance should be amended or resolution adopted conceding that as to her the ordinance is discriminatory and that Lot 1 is presently a building site upon which may be constructed a dwelling house and appurtenances. Planning Commission had informed Mrs. Scagliola that she cannot construct a home upon this property. City Attorney stated he is not willing to concede ordinance is invalid, but he has looked at this same provision of the ordinance ever since he has been City Attorney and he never fully understood what it meant. City Attorney suggested to Mr. Praetzel of Myers office that rather than take this to court it would be far better to request a variance of the Planning Commission. Lee Busolo stated this matter has been before the Planning Commission twice. There is only 3,800 ft - same is an odd shape lot and the would have to build a long house on this lot, same would present a traffic hazard. After lengthy discussion by council Councilman Booth moves to refer this matter back to Planning Commission, Councilman Cullen seconds same. Passed unanimously, City Attorney suggests that some kind of a sketch be presented showing type of home to be put on this lot when same is presented to planning commission, and this provision is a carry over of every previous ordinance and City Atty feels it has lost it's meaning and should be revised. City Attorney will prepare an amendment to this.

Councilman Booth spoke on "Joe Demaestri Day" and moves that a telegram be sent from city council congratulating Joe Demaestri. Councilman Denning seconds same. Passed unanimously

BOARD OF REVIEW letter stating after two public hearings the board finds no cause for granting the amendment changing Rule V, Section 8, of Resolution No. 128. Councilman Booth moves to accept the finding of the Board of Review. Mayor Smith referred same to City Atty for further study. Councilman Booth withdraws her motion.

Councilman Booth spoke on an amendment which was drawn up at last adjourned meeting at which she was absent, amending Section 40.1 (of Sec. 40) and stated she is not in favor of reducing fee for contractors and same should be left at \$15, shocked to see this amendment was rushes through as an emergency ordinance when there was no emergency, contractors were satisfied with the reduction to \$15 and where working with other cities to meet this amount. Councilman Denning stated he had talked with Carl Brown and informed him council was not trying to interfere with work they were doing with other cities by council setting fee to \$10 did not mean council would have anything to do with going into the reciprocal agreement but if contractors came up with a fee that was agreeable to other cities San Anselmo would go along too. City Attorney stated cities will have to be uniform in amount charged. Councilman Booth stated when council met with contractors they set the fee at \$15 and then to come up with an emergency ordinance. Mayor Smith stated the ordinance is up for adoption at this meeting and Councilman Denning moves to dispense with further reading of this ordinance. Councilman Smith seconds same. Passed on following vote

AYES* COUNCILMEN Cullen, Denning, Smith
NOES COUNCILMAN Booth

Councilman Cullen moves to adopt this ordinance. Councilman Denning seconds same. Passed on following vote:

AYES COUNCILMEN Cullen, Denning, Smith
NOES COUNCILMAN Booth

Councilman Booth submits her resignation as of this moment 12:25 A.M. Mayor Smith asked Councilman Booth to think same over - will not accept her resignation.

Councilman Denning moves City Engineer advertise for bids on drainage matter at Redhill and also repair of Saunders Avenue bridge. Councilman Cullen seconds same. Bids to be opened at August 13th meeting. Passed unan

City Engineer present plat of Greyhound property - council will get together with appraiser on this matter.

City Engineer presented plat of San Anselmo Ave from Ross to Bolinas, and will file application with Division of Highways on same.

CHERNE SUB-DIV matter of connecting of street between Cherne & Laster Sub-Div. Councilman Cullen stated one of things involved was the matter of connecting these two sub-divisions and council went out and inspected same, and would like Mr. Kane to present a general plan of the development of the area, City Engineer stated plans should be submitted to council showing what is going to be done. Councilman Cullen moves approval to Tentative Map #2 and Improvement Plans subject to the following conditions:

1. City Engineer approval of the deficiencies that now exist in Woodland Park Sub 1,
2. Subject to the submission to City Engineer for an over-all general plan of the development for all the lands of Cherne & Laster

Councilman Denning seconds same. City Attorney stated also that it is understood that the final map will not be approved until the foregoing conditions have been met. Above motion passed unanimously

Chief Wood letter calling for examination for Sten-clerk and Patrolmen and asking that examination be given by California State Personnel Board and in determining final grade raw score only be acceptable as passing. Councilman Cullen moves approval to above. Councilman Denning seconds same. Passed unanimously

RESOLUTION "Calling for an examination for the position of stenographic clerk in the offices of the City Mgr, City Clerk, Police Dept, Tax Collector and City Planning Commission in the classified service of the City of San Anselmo, as provided for in Ordinance 244 of the City of San Anselmo - Councilman Denning moves resolution be accepted. Councilman Cullen seconds same. Passed unanimously

RESOLUTION "Calling examination for eligible list in the Dept of Police in the classified service of the City of San Anselmo, as provided for in ordinance No 244 of the City of San Anselmo. Councilman Denning moves resolution be accepted. Councilman Cullen seconds same. Passed unanimously

ORDINANCE NO. 423" An ordinance amending Ordinance No. 399 of the City of San Anselmo by changing the property classification of certain property from First Residential to Second Residential Zone, being Lot 1A, Block 4, Map of Cordone Tract, property of Guiseppe Coffrini, et al., Councilman Cullen moves to dispense with further reading of above ordinance. Councilman Denning seconds same. Passed unanimously Councilman Cullen moves approval to the above ordinance. Councilman Denning seconds same. Passed unanimously

ORDINANCE NO. 424" An ordinance amending Ord. No 399 of the City of San Anselmo, generally known as the zoning ordinance, by amending section 22 A.1 (c) by providing for Use Permits for certain apartments and guest houses. Councilman Denning moves to dispense with further reading of above ordinance. Councilman Cullen seconds same. Passed unan. Councilman Cullen moves adoption of above ordinance. Councilman Denning seconds same. Passed unanimously

Letter stating the term of Merrit Webster to Planning Commission has expired and asking he be reappointed. Councilman Cullen moves the re-appointment of Merrit Webster, term to expire April 18, 1961. Councilman Denning second same. Passed unan.

CITY OF LARKSPUR letter asking approval of the annexation of "Bon Air" Hill Addition to the City of Larkspur. Councilman Cullen moves approval to the Annexation, clerk to write. Councilman Denning seconds same. Passed unanimously

LETTER PETER BELUCCI: regarding signs at his place of business, Modern Shoe Store, 623 San Anselmo Avenue, asking permission for a promotion sign to remain at his business until September 1st. Also permanent sign has been installed for the past four years and he would like a permit for the same to remain. As these signs do not conform to sign ordinance Councilman Denning moves he be notified to change same to conform. Councilman Cullen seconds same. Passed unanimously

W.G. THOMPSON letter of resignation as City Treasurer effective July 15, 1957. Councilman Denning moves to accept this resignation and thank Mr. Thompson for his services as treasurer. Councilman Cullen seconds same. Passed unanimously

DIV. OF HIGHWAYS letter with Memorandum of Agreement for major city streets, 1958 fiscal year, same to be signed and executed by Mayor and City Clerk. Councilman Cullen moves approval to agreement and Mayor and City Clerk to sign same. Councilman Denning seconds same. Passed unanimously

CALIF. STATE PERSONNEL BOARD letter enclosing (3) copies of contract for authorization of a classification and salary survey for the City, asking same be signed and returned.

City Engineer suggested San Anselmo ask for sum of \$20,000 towards purchase of right of way thru San Anselmo to Fairfax - City Attorney to write letter and have clerk sign to be presented to Board of Supervis. Councilman Cullen moves approval to above. Councilman Denning seconds same. Passed unanimously.

MEETING ADJOURNED AT 2:00 A.M. until July 10th 1957 at 8:00 P.M. when council will sit as a Board of Equalization.

Anita Gannon, City Clerk

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The ADJOURNED MEETING OF THE SAN ANSELMO CITY COUNCIL HELD JULY 10th 1957, was adjourned until July 12th at 8:00 P.M. by the City Clerk due to lack of quorum.

Anita Gannon, City Clerk