

Minutes of the regular meeting of the San Anselmo City Council held Novmber 18, 1969
 Present Councilmen: Reed, Ragan, Anderson, Scott, Capurro
 Mayor Capurro, presiding

M/S Councilman Reed-Ragan and unanimously passed the minutes of October 1, 7, 14, 23, 28th with the following corrections:

Minutes Oct. 14, 1969

Parking & Egress Restrictions Drake, westbound from "Hub" to El Cerrito
 Homer Rickards stated he would like to give this a try. Remove word this and add City Engineer's suggestion: "Egress on to Drake permitted but only with right turn, all arrows and signs would try to encourage traffic to use back road onto Arbor Road."

Minutes Oct. 28, 1969

Bicycle Paths: remove the words "up Shady Lane".

BUSINESS LICENSE ORDINANCE:

Wm. Davis representing Service Station group asked City Council to reconsider ordinance with gross sales, none of them opposed to business license, Stations enjoy high gross business but low net return on sale of gasoline, gross sales tax would be very high for them. Petition presented signed by 83 business people, could get more signatures if had more time.

Robert Moore, Secty. of Marin Independent Service Stations Association also spoke against gross sales and asked City Council to look at what San Rafael and Corte Madera has done, knows council has given this matter a lot of thought, not here tonight to criticise, but would like to see an equitable ordinance.

Councilman Reed stated have talked about business license ordinance for a year, hearings were held, not going to please all, if we go on number of employees, going to penalize some, if we go on gross receipts, others will be penslized, whole basis was to keep rates as low as we could.

Councilman Ragan feels this matter should be researched more, look at table more closely. Councilman Anderson stated most ordinances are revenue measures, no law can be written for any individual, all the way through we recognize bulk of taxes are paid by single family home owners, city revenue has to go up, property tax went 97%, business license 1%, thought gross receipt best.

Councilman Scott said he voted against this measure, asked City Council to notice what is happening to San Francisco, we would attract business if we cut taxes and might benefit by sales tax.

Mayor Capurro stated petition signed by 83 business people who oppose this change, asked council to think of impact this might have by passing this ordinance.

Councilman Ragan said he is not ready to pass ordinance, would be willing to give further research, thinks this can be researched further, hopes we can achieve a happy medium.

Councilman Anderson said worked on this for a year and a half, no hasty decision made, if new proposed tax looks too high, one of the reasons could be old tax was too low.

M/S Councilman Reed-Anderson refer same to Councilman Ragan to come up with his revised edition of an equitable tax. Motion failed.

M/S Councilman Ragan-Capurro on Dec. 2nd matter of business license ordinance be reviewed by City Council in it's entirety and by December 9 come up with a tax that is equitable. Passed unanimously

City Attorney stated this meeting should be for council discussion only.

APPEAL USE PERMIT U-168, A. Nannizzi

CORRECTED PAGE 324

Application was for a use permit to construct a Fotomat at 5 Redhill Avenue. Planning Commission turned down this application on grounds that it may be injurious to property and improvements in the neighborhood and city in general, together with traffic problems which would result from auto oriented business of this type.

Charles Pierce representing Mr. Nannizzi stated they are willing to put building anywhere on property that will meet traffic regulations.

Members of council and checked this property and Councilman Anderson stated sould have survey of plat plan, show full lot, also where building is going to be.

Councilman Reed stated City Council has turned down every auto-oriented business in past year. John West stated City Council should make decision tonight on general desirability of property for drive-ins, his feeling this is wrong type of business for this property and hopes City Council will uphold the decision of Planning Commission. Councilman Scott said City should buy property if they don't want to let owners use their property. Mayor Capurro don't see any other use that could be put there except this type of business.

Mr. Pierce stated maybe Design Review Board could come up with a decision that they would go for.

M/S Councilman Reed-Anderson to uphold the decision of Planning Commission and deny appeal, for reason it may be injurious to property, main reason for denial it is on a very busy thoroughfare that goes from 3 lanes to two lane and would be a traffic hazard. Motion passed on following vote:

Ayes Councilmen: Reed, Ragan, Anderson
 Noes Councilmen: Scott, Capurro

REQUEST FOR BOX FOR GARDEN CUTTINGS

C. Majesky, 51 Yolanda Drive asking permission for box at rear of his property which would be on Center Blvd., to put garden cuttings in and then haul away. Councilman Ragan feels this problem will be solved when City Council has settled garbage matter. Councilman Reed feels unlimited pickup will solve problem. M/S Councilman Ragan-Reed to deny request. Passed on following vote:
Ayes Councilmen: Reed, Ragan, Anderson, Capurro
Noes Councilman: Scott

STREET CHANGE NAME:

Request to change Kathy Court to Encina Place. City Engineer's memo recommending approval on the basis that the cost of the sign be borne by the residents, amount to be deposited with City prior to name change. M/S Councilman Anderson-Ragan approval of change with conditions as outlined above. Councilman Reed feels street names should not overlap other names in other cities. Motion passed on following vote:
Ayes Councilmen: Ragan, Anderson, Scott, Capurro
Noes Councilman: Reed

JOINT POWERS AGREEMENT, SENIOR CITIZENS 1969-70

Agreement for providing recreational program for Senior Citizens. M/S Councilman Ragan-Reed approval of same. Passed unanimously

LEGISLATURE WORKSHOP, BOARD SUPERVISORS

Councilman Reed stated he will attend.

BOARD OF REVIEW VACANCY

Term of Wm. Davis expires January 15, 1970. Mr. Davis letter stating he does not want to be re-appointed. Council to submit names to fill vacancy.

INITIATIVE RELATING TO POLLUTION CONTROL

Councilman Reed stated people are not reading petition, just signing same. Resolution No. 1281, stating City Council does not endorse these petitions, urging citizens to read them carefully, anyone who has signed same can have their signature removed by notifying County Clerks office. M/S Councilman Reed-Ragan adoption of same. Passed unanimously

PROGRESS PAYMENTS - Projects 63, 65, 68

M/S Councilman Ragan-Reed approval to following payments. Passed unanimously
Project 63 \$4,020.75
Project 65 9,160.92
Project 68 37,254.11

M/S Councilman Ragan-Reed approval to project 63 being a completed project as of Nov. 18, 1969. Passed unanimously

SALARY ADJUSTMENT - ^{Asst} FIRE CHIEF

City Administrator's memo stating Asst. Chief's salary should be same as Police Captain, this was approved at budget session. M/S Councilman Ragan-Reed approval to 2 1/2% increase, to R80, effective Oct. 16, 1969. Unanimously passed. This was intention of City Council at time budget was passed.

PURCHASE VEHICLE, FIRE CHIEF

Memo from City Administrator on same, budgeted \$1,623.00, asking council to approve having the 383 cu. in. installed at an additional cost of \$57.97, this is the same engine as in police cars. Request for an additional amount of \$245.00 be appropriated for this purchase. M/S Councilman Scott-Ragan approval to above and transfer \$245.00 from general reserve. Passed unanimously

BIDS, SIDEWALK REPAIR, REPLACE, CONSTRUCTION

Memo from Director of Public Works, two bids were received for this work, Ghilotti Bros. were low bidder, asking Council to approve bid of Ghilotti M/S Councilman Reed-Ragan award bid for sidewalk repair, replace, construction to Ghilotti Bros. as outlined in letter by City Engineer to Ghilotti Bros., dated 10/29/69. Passed unanimously

CITY ENGINEER'S REPORT ON MEETING WITH FAIRFAX

Memo regarding status of application for route change, FAS Designation, Sir Francis Drake Blvd. to Center Blvd. City Engineer reported he attended meeting with Fairfax City Council along with Councilmen Anderson and Reed to present San Anselmo's proposal. The Fairfax Council voted to table same until further information was obtained from County concerning the Balanced Transportation Study. City Engineer stated he will continue on this and report back.

REQUEST BY MAGGIORA & GHILOTTI

Request to use City lot at Forest & Center to store materials, also some fill material. City Engineer stated he has no objections as long as area is cleaned after work is completed, the lot will have to be regraded after fill material is removed. City Attorney stated city will have to be protected.

M/S Councilman Ragan-Scott grant permission to use lot on following conditions:

1. Lot be placed in same condition as now
2. If fill material is placed on lot, same to be regraded when fill is removed
3. City be protected by way of being made co-insured

Motion passed unanimously

ORDINANCES:

1. Undergrounding utilities. First reading
2. Reports of residential building records. First Reading
M/S Councilman Ragan-Reed on Sec. 10-5.04. Fee for issuance of report, fee set at \$25.00. Motion passed on following vote:
Ayes Councilmen: Reed, Ragan, Anderson, Capurro
Abstaining Councilman: Scott
3. Chimneys as architectural features.
M/S. Councilman Ragan-Reed to refer this ordinance back to Planning Commission suggesting not less than 6' from property line. Passed unanimously
4. Prohibiting Nudity on Public Property. First reading

RESOLUTION No. 1280 Claims and Demands for the month of October. M/S Councilman Ragan-Scott adoption of same. Passed unanimously

Councilman Reed asked engineer about bridge railing, east side Drake, Corte Madera Creek. City Engineer stated they will sand blast same.

Councilman Reed asked that copies of resolution relating to pollution control be sent to Planning & Conservation League, Marin Conservation, Board of Supervisors, all Marin Cities, also put at Library Bulletin board and City Hall Bulletin board.

Councilman Anderson spoke on Trost property on Forest Avenue. M/S Councilman Reed-Ragan that Mr. Trost be cited to appear at next council meeting, Nov. 25.

Meeting adjourned 11:50 p.m. until November 20th.

Anita Gannon, City Clerk