

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of October 28, 2003

Present: Breen, Chignell, Kilkus, Kroot, and Thornton

7:00 p.m.

JOINT MEETING WITH THE PARKS & RECREATION COMMISSION.

Park and Recreation Commissioners Present: Ann Adams, Gene Childs, Carter Coleman, Kathleen Eagle, Mathew Swalberg; and Town Administrator, Debra Stutsman.

Town Administrator Stutsman stated that due to concerns expressed at the last Park and Recreation Commission meeting where she and Peter Breen attended, it was recommended that a joint meeting with the Council was needed. Some of the issues raised involve the leases at Isabel Cook Complex, the Red Hill Park Plan, the open space purchase adjacent to Sorich Park, the staff's participation in hiring a new director, Parks Department staffing, the use at Robson house, status of the Skateboard Park and the Recreation Master Plan.

Both the Councilmembers and Commissioners agreed that there should be improved communication. The physical distance between the Town Hall and Recreation office could be a contributing factor. An informal question and answer period followed. The Councilmembers stated that often they don't know what items are coming up until they receive the agenda. They expressed their appreciation of the good work the Recreation Staff and Commissioners have accomplished. The Commissioners stated they would like to contribute their perspectives on any parks/recreation items that come up for the Council's review, as they feel they are the appropriate resource. The Councilmembers said they would always welcome the Commissioners' viewpoints as part of the staff report.

On the skateboard park proposal, Administrator Stutsman stated that the planning staff is currently performing a 30-day review and the Commissioners will be informed when the public hearing would be scheduled. For their next project, the Council requested the Commissioners review the draft Parks and Recreation Master Plan and make recommendations at their next joint meeting on February the 10th. The Commissioners said this meeting had satisfied some of their concerns and agreed to focus and advise on the master plan.

8:00 p.m.

- CALL TO ORDER.
- PLEDGE OF ALLEGIANCE.
- ANNOUNCE ACTION TAKEN IN CLOSED SESSION, IF ANY.

There was no closed session.

- OPEN TIME FOR PUBLIC EXPRESSION.

Christopher Lee, Magnolia Avenue, said he replaced his worn steps about a year ago and used the same footprint, reused old pieces and because he didn't get a building permit, was red-tagged. He was informed that his house, built in 1900, was not compliant with the setback requirements and was asked to submit drawings and apply for a variance. He

assumed old houses, as most on his block are, should have been grandfathered in and the Development Standards in Table 4 should have made allowances for them. He requested the Council change these requirements, as they are costly and unnecessary. He would like to get his building permit but can't obtain one until he pays additional fees of \$250 for the variance application process and this would delay the project further.

Kilkus said the Council could not take action on Mr. Lee's request at this meeting and asked the Planning Director for his recommendation. Planning Director Tom Bell replied that replacement in-kind did require an administrative variance and there was no leeway or provision to waive it and that the remedy would be to change the code, which would take several months. Kroot asked staff to look into this as there are many older homes that need repair and in the past, administrative approval has always been granted.

Chignell agreed this should be looked into, but asked for a report by staff to remedy Mr. Lee's situation for the November 25th Council meeting.

Louise Mathews, Foothill Road stated the Town did make setback decisions on older homes about six years ago and she will research her notes and will report back. She said she submitted 28 pages, via facsimile to the Town Administrator, of consumer observations of the Marin Sanitary Franchise Agreement with the Town. There was a reference made to street sweeping services that indicated the fees were included in customer rates, which is in violation of Prop 218. She objects and will submit to the Howard Jarvis organization and others. She does not want the Councilmembers to pass an urgency ordinance, permitting Marin Sanitary to continue municipal refuse service whether or not Measure C passes or fails.

Chris Wong, Carlson Court, received a permit for garage and second unit two years ago but didn't build it because the rent control rates were too low. Now that the State has superseded the Town's resolution and increased the rental rates, he has decided to build. However, he was informed by MMWD that he needs another meter for \$1,700 and another \$7000 for the right to use the water. Because a sprinkler system is required in the new unit, he needs more flow and wasn't given any other options.

Kroot said he has referred Mr. Wong to MMWD's Boardmember, Jack Gibson, with this problem. He added these large fees could discourage property owners from building second units, which provide low-cost affordable housing that are now needed. He suggested sending a letter of support on behalf of Mr. Wong. Kilkus requested staff to draft a letter of support, which he would sign.

- COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, QUESTIONS AND COMMENTS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Breen stated that on October 21st he, along with Commander Randy Kirton of the San Anselmo Police Department and the neighbors on Agatha Court, met to discuss to the parking problems in their neighborhood. The residents will bring their recommendations to the Police Department and to the Council, if any action is warranted, and then approach the Drake High with their proposals.

Breen reported that he would not be present at the November 25th meeting.

Chignell said he received complaints from neighbors of Drake High, that the dumpster on Saunders Avenue is overflowing and calls to the school have not remedied the problem. He asked that a letter be sent to Principal Eber, requesting that their refuse provider empty it and have the vicinity cleaned up of scattered trash.

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1. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. DISCUSSION MAY TAKE PLACE AT THE END OF THE AGENDA. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: October 14, 2003.
- (b) Approve quarterly Treasurer's report and the revenue and expenditure report for the period ending June 30, 2003.
- (c) Approve quarterly Treasurer's report and the revenue and expenditure report for the period ending September 30, 2003.
- (d) Approve **Resolution No. 3661**, setting management compensation effective July 1, 2003.
- (e) Authorize mayor to sign response to the Marin Housing Council regarding the status of the Town's Housing Element.
- (f) Approve job specification and salary range for Child Care Instructor.
- (g) Introduction and first reading of zoning ordinance amendment to the merger of parcels ordinance, Title 10, Chapter 3, Article 27 of the San Anselmo Municipal Code. **CONTINUED TO THE MEETING OF NOVEMBER 25, 2003 PENDING PLANNING COMMISSION HEARING OF THE ITEM.**
- (h) Introduction and first reading of zoning ordinance amendment to the temporary signs ordinance, Title 10, Chapter 9, Article 3 of the San Anselmo Municipal Code. **CONTINUED TO THE MEETING OF NOVEMBER 25, 2003 PENDING PLANNING COMMISSION HEARING OF THE ITEM.**

Louise Mathews, Foothill Road, requested removal of Item 1(a).

M/S, Chignell/Breen, to approve Consent Items 1(b) through 1(h). Ayes: All.

Louise Mathews, Foothill Road, said the Minutes of October 14th did not reflect her comments accurately and had sent the Town a facsimile of the corrections.

M/s, Chignell/Breen, to approve Item 1(a) as written. Ayes: All.

2. APPROVE RESOLUTION ADOPTING RULES AND REGULATIONS FOR TOWN PARKS.

Parks Director Dean Nyberg presented the staff report and outlined the revisions the Council recommended. The Park and Recreation Commission requested to increase the time for off-leash dog use at Memorial Park from 8:00 PM to 1 hour before sunset, which he had no objection to.

Louise Mathews, Foothill Road requested this resolution be rescheduled for the public hearing when the Town will discuss adopting the Marin Animal Control Ordinance. She requested retractable leads for dogs instead of six-foot leads.

M/s, Chignell/Kroot, to approve **Resolution No. 3662**, establishing Parks rules and regulations. Ayes: All.

3. ADJOURN

The meeting was adjourned at 8:30 pm in memory of Virginia Andersen, Debra Stutsman's mother.

Minutes taken by Rose Wager, Senior Administrative Services Assistant