

# City of El Paso de Robles

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
MARCH 6, 1984

The City Council of the City of El Paso de Robles, meeting in regular session on the above date, was called to order by Mayor Gary Stemper at 7:30 p.m. in the City Council Chambers with the following Councilmen answering roll call: Monroe, Ovitt, Russell, Thorndyke and Stemper; none being absent. Following roll call, there was a brief invocation given by Pastor Warren Nielsen.

1. The minutes of the regular meeting of February 21, 1984 were presented, and upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, said minutes were approved.
2. It was moved by Councilman Monroe and seconded by Councilman Russell that the following claims be paid from their respective accounts:

DATE OF CLAIM	TOTAL PAID
Feb. 10, 1984	\$ 452,967.04
Feb. 24, 1984	673,068.90

Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper  
NOES: None  
ABSENT: None

3. Members of the Chumash Council of Camp Fire, Inc. and their leader appeared and, the Mayor proclaimed March 11 to March 18, 1984 to be CAMP FIRE BIRTHDAY WEEK in the City of Paso Robles.
4. Upon motion by Councilman Russell, seconded by Councilman Monroe and passed unanimously the meeting was adjourned to a closed session to discuss a personnel matter. At the closed session, the City Manager presented his recommendation to the Council for the Fire Chief position with no official action taken. Upon motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously, the closed session was adjourned to the regular meeting.

The Mayor called the meeting back to order and presented the matter of the replacement of the Fire Chief position, due to the retirement of Chief John Steaffens. The City Manager stated to the Council that after review of both the written examinations and oral interview evaluations submitted for the position, it is his opinion that Bob Adams is the most qualified applicant for the position, and recommended to the Council that Bob Adams be placed into the position of Fire Chief for the City of Paso Robles.

Motion by Councilman Russell to accept the recommendations of the City Manager and promote Bob Adams to the position of Fire Chief; the motion was seconded by Councilman Ovitt and passed unanimously by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper  
NOES: None

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ABSENT: None

5. The Mayor announced that it is the time and place scheduled to hear the appeal of the Planning Commission decision regarding Use Permit No. 84005/Louis Nunno, and opened the public hearing to the floor.

Louis Nunno appeared to address the matter, stating that he intended to apply for correct zoning and was bringing everything up to City code. He stated that he wanted to proceed with the appeal even though Martin Wolff, his attorney, had requested a delay. After a lengthy discussion, wherein the City Attorney, Mike Woodard and Dale Gustin addressed the matter, it was moved by Councilman Monroe, seconded by Councilman Russell and passed unanimously to close the public hearing.

After further discussion, Councilman Monroe moved to deny the appeal. The motion died for lack of a second.

After further discussion, it was moved by Councilman Thorndyke and seconded by Councilman Russell to approve the Planning Commission decision in its meeting of February 14, 1984 on Use Permit Application No. 84005/Louis Nunno subject to the ten (10) conditions set forth. Motion carried by the following roll call vote:

AYES: Councilmen Russell, Thorndyke and Stemper

NOES: Councilmen Monroe and Ovitt

ABSENT: None

6. The Mayor announced that it is the time and place scheduled to hear an appeal on the Planning Commission decision regarding Parcel Map 83-235/Vern Dillon by John Arsenio, and opened the public hearing to the floor. John Arsenio appeared to support his appeal, stating he had concern for safety features in the project. Vern Dillon appeared and stated he had no problem meeting the standards set forth.

There being no further comments, either oral or written, the hearing was closed upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously.

Motion by Councilman Russell and seconded by Councilman Thorndyke to deny the appeal of John Arsenio and grant said lot split subject to the four environmental conditions and the two Planning Commission conditions. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

7. The Mayor announced that it is the time and place scheduled for public hearing regarding the rezone of property at Northeast corner of Sherwood and Creston Road, and opened the hearing to the floor. There being no comments either oral or written, upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, the hearing was closed.

Ordinance No. 483 N.S., AN ORDINANCE AMENDING ORDINANCE NO. 405 N.S. OF THE ZONING

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REGULATIONS OF THE CITY OF EL PASO DE ROBLES, STATE OF CALIFORNIA, relating to the above property, was presented for first reading. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Ordinance No. 483 N.S. be read by title only. Ordinance No. 483 N.S. was read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously, that this constitute the first reading of Ordinance No. 483 N.S.

8. An appeal to the Planning Commission decision in its meeting of February 28, 1984 regarding E.I.S. 84004/Arciero & Sons was presented, and upon motion by Councilman Ovitt, seconded by Councilman Ovitt and passed unanimously the matter was set for public hearing in the Council meeting of March 20, 1984 at 7:30 p.m.

9. It was moved by Councilman Russell and seconded by Councilman Thorndyke and passed unanimously that the items on the Consent Calendar be approved, together with the recommendations as set forth therein, said motion waiving reading of all resolutions and ordinances in full. The items on the Consent Calendar are as follows:

G-1 Quarterly Report of San Luis Obispo County Air Pollution Control District. (Recommend report be received and filed with copies to Planning and Engineering Departments.)

G-2 Memo from Finance Director presenting audit of special gas tax funds. (Recommend report be received and filed.)

G-3 DEPARTMENTAL REPORTS:

a. Utilities turned over to collection - Memo from Finance Director.

b. Department of Municipal Services Monthly Report for January 1984.

(Recommend reports be received and filed.)

10. The minutes of the regular meeting of the Planning Commission in its meeting of February 28, 1984 were reviewed by Councilman Monroe. After discussion, it was moved by Councilman Monroe and seconded by Councilman Ovitt that the actions of the Planning Commission in its meeting of February 28, 1984, together with the findings and conditions as set forth therein, be approved as amended above. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

11. The minutes of the Airport Advisory Committee meeting of February 23, 1984 were presented. After discussion of Item 3. (Jones lease) and Item 6. (individual underground fuel storage tank installation) it was moved by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, that a letter be sent to the Airport Advisory Committee and the Airport Manager stating that the policy be to discourage any fuel storage tanks on an individual basis and that any request to do so, should go through the Use Permit process. And in reference to Item 3., to not approve any committee at this time; until there is a termination of lease, there will

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be no negotiations.

The Airport Advisory Committee minutes of February 23, 1984 are received and filed.

12. A memo from the City Manager recommends that the Council not accept a proposal received by Mr. and Mrs. Paul Esmond regarding an additional water tank on Merryhill based upon a study by the Municipal Services Department as to the feasibility and benefits of such a tank location.

Mr. Paul Esmond appeared to address the matter and stated that he is willing to hold his offer in abeyance until such time he can discuss the matter with the City Manager.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to deny the above request without prejudice, thus making it possible for Mr. Esmond to bring the matter back to Council at a future date.

13. Resolution No. 2899, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, ESTABLISHING POLICY FOR WATER SERVICE REQUESTED OUTSIDE CITY LIMITS, is introduced for Council's consideration.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2899 be read by title only. Resolution No. 2899 was read by title only. Motion by Councilman Russell and seconded by Councilman Thorndyke to adopt Resolution No. 2899. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

14. The City Manager presented a revision to the City's dog ordinance, Ordinance No. 489 N.S., AN ORDINANCE ADDING SECTION 8.08.055 TO THE CITY OF EL PASO DE ROBLES MUNICIPAL CODE, for the Council's consideration. After adding to the Ordinance "City Permit by the Parks and Recreation Department" instead of "Use" Permit, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Ordinance No. 489 N.S. be read by title only. Ordinance No. 489 N.S. was read by title only. Motion by Councilman Ovitt and seconded by Councilman Russell that this constitute the first reading of Ordinance No. 489 N.S. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

15. A memo from the Director of Municipal Services recommended that funds be allocated to replace the leaking unleaded gas tank; estimated cost to be approximately \$5,000.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that the Director be approved to proceed with this project. The money is to come out of the existing budget.

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16. A memo from the City Manager recommended that the Council authorize the abolishment of the Police Juvenile Officer position. The Juvenile Officer is to become a detective. This would result in no new employees hired nor any employees terminated, and compensation would remain the same.

Motion by Councilman Ovitt, seconded by Councilmen Thorndyke and passed unanimously to approve the City Manager's recommendation.

17. A memo from the Airport Manager recommended that the appraisal made by Schenberger - Taylor & Associates, Inc., dated January 5, 1984, be approved as the official land values at the Municipal Airport.

Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously that the above appraisal be approved.

18. A memo from the Airport Manager informed the Council that the Automated Flight Service Station Facility has been awarded to Daugherty Field, Long Beach, California.

19. A memo from the Finance Director recommended that Council accept the audits for SB 325 as set forth therein. The Director requested that a committee be appointed to look into what would be needed to increase the Senior Taxi Card fees. The Mayor appointed Councilmen Ovitt and Monroe.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to accept the above audits.

20. A memo from the Director of Municipal Services presented a request for outside water service from Mr. Rick Walker, and recommended that the request be granted providing that all requirements set forth are met. The subject property is located on the west side above the City's Merryhill water tank.

Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously that the Director's recommendations be approved for the issuance of a Will Serve letter to Mr. Rick Walker.

21. A memo from the Director of Municipal Services recommended that the Council approve Change Order No. 1 and authorize City Engineer to execute same; and authorize the payment of final Progress Payment No. 3 to Lee Wilson Electric Company in the amount of \$3,565.19; and that the City Clerk and the Director of Municipal Services be authorized to execute the attached Notice of Completion and that the 10% retention remaining on the contract price (\$5,274.63) be returned to Lee Wilson Electric Company 35 days after Notice of Completion is executed, for work completed on the Traffic Signal installation, 13th Street and Paso Robles Streets.

Motion by Councilman Ovitt and seconded by Councilman Russell to approve the recommendations of the Director. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell and Stemper

NOES: Councilman Thorndyke

ABSENT: None

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22. A memo from the Planning Director recommended that the Council set for public hearing the rezone for General Plan Amendment - Glen Gaultney, and the Director requested that the prezone of Annexation 56/Don Franklin also be set for hearing.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the following hearings be set in the meeting of March 20, 1984:

8:00 p.m. Rezone 83007/Glenn Gaultney

8:15 p.m. Prezone Annexation 56/Franklin

23. A memo from the Police Chief request the Council approve the destruction of certain police records of which the City Attorney had given his approval. He requested that the list set forth be amended by adding "and prior" to "Sealed court orders - juvenile cases, 1978".

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that the above request be approved as amended.

24. The Paso Robles Police Department Annual Report for 1983 was received and filed.

25. A memo from the Police Chief recommended that surplus weapons be sold at auction with the proceeds to be used for the purchase of new up-to-date weapons for use by the Paso Robles Police Department.

Motion by Councilman Ovitt, seconded by councilman Monroe and passed unanimously to accept the Police Chief's recommendation.

26. The Agreement between the City of Paso Robles and Becker & Bell for negotiations and consultant services in Employer-employee relations was presented.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to authorize the Mayor and City Clerk to execute the Agreement, subject to the City Attorney's approval.

27. Mr. Lou Botsford, manager of Penny's, appeared to request that four parking places be blocked off between the hours of 9:00 a.m. and 12:30 p.m. on March 10, 1984, on Park Street, for use of local bands.

Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously to approve the above request.

28. Mr. Ray Lochhead appeared to protest a Notice of Termination relating to the Fred Jones lease at the Airport. After discussion, the Council suggested that Mr. Lochhead meet with the City Manager to resolve the matter.

29. There being no further business, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn.

City Clerk, John R. McCarthy

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.