

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
OCTOBER 1, 1985

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 Councilpersons answering roll call: Cousins, Ovitt, Russell and Stemper; Councilman Thorndyke being absent. Before roll call, Father Carl Hansen gave a brief invocation.

1. The minutes of the regular meeting of September 17, 1985 were presented and upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, said minutes were approved.

2. Mrs. Dolly Bader, Chairperson for the National Business Womens' Week, and Mrs. Mary Hofrieter, President of the Business and Professional Womens' Organization, appeared and presented Council with a proclamation proclaiming NATIONAL BUSINESS WOMENS' WEEK - OCTOBER 20 THROUGH 26, 1985.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt the above Proclamation.

3. Several members of the local 4-H Club appeared to present the Council with a proclamation proclaiming 4-H CLUB WEEK IN THE CITY OF PASO ROBLES - OCTOBER 6 TO 12, 1985, and cookies the Club members had made. The Mayor commended the members for their good work.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt the above Proclamation.

4. The Mayor announced that it was the time and place scheduled for public hearing on changes to the Zoning Ordinance, Hillside Development and Rezone 85007 and opened the hearing to the floor.

There were no comments received from the floor. Discussion then followed regarding the proposed changes to the Parking Ordinance.

It was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to continue the public hearing to November 5, 1985 at 7:30 p.m. An Ordinance Amending Ordinance 405, N.S., Chapter 21 of the Zoning Regulations of the City of El Paso de Robles (Parking) will be brought to the Council at that time for consideration of first reading.

5. The Consent Calendar was presented. Motion by Councilman Russell and seconded by Councilman Ovitt 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. Motion passed by the following roll call vote:

AYES: Councilpersons Cousin, Ovitt, Russell and Stemper
NOES: None
ABSENT: Councilman Thorndyke
Those items on the Consent Calendar are as follows:

G-1 DEPARTMENTAL REPORTS:

a. Finance Dept Report of Utility Terminations.
(Recommend Report be received and filed.)

G-2 Memo from Director of Municipal Services recommending that Final Map for Tract 1185 - Cowden/Cedarwood, be approved and that the City Council authorize the Mayor and City Clerk to sign the Subdivision Agreement and map, subject to the City Attorney's approval. (Recommend acceptance of Director's recommendations.)

G-3 Memo from the City Engineer recommending Final Parcel Map PR 85-182 - Williams Bros. Market - be approved and that the City Council authorize the City Clerk to sign said map. (Recommend acceptance of Engineer's recommendations.)

G-4 Memo from Director of Municipal Services recommending that Final Map for Tract 1184 - Kleinhammer - be approved and that City Council authorize City Clerk to sign said map. (Recommend acceptance of Director's recommendations.)

G-5 Memo from Director of Municipal Services recommending that the Final Map for Tract 1282 - Wally Dunn - (WEDCO) - Olive Street - be approved and that the City Council authorize the City Clerk to sign said map. (Recommend acceptance of Director's recommendations.)

6. The minutes of the regular meeting of the Planning Commission in its meeting of September 24, 1985 were reviewed by Mayor Stemper. During discussion, the Planning Director referred to Item B. Street Abandonment 85001, and advised that he has received a request from the Paso Robles School District that the wording in Condition 1. of Item B. be changed as follows: The word "purchasing" be replaced by the words "obtaining title" to Lot 39 of Tract 1167. Also, that Item F. EIS 85007, Rezone .22 Acres from Open Space to R-1 (Paso Robles Golf & Country Club) have Condition No. 17. added to it as follows:

"17. That the subdivision be subject to the Covenants, Conditions and Restrictions of the Paso Robles Golf and Country Club."

Motion by Councilman Ovitt and seconded by Councilman Russell that the actions of the Planning Commission in its meeting of September 24, 1985, together with the findings and conditions as set forth therein, and with the amendments to Items B. and F. and set forth above, be approved. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt and Russell

NOES: None
ABSENT: Councilman Thorndyke
ABSTAINED: Councilman Stemper.

Mayor Stemper abstained from the above vote due to conflict of interests.

7. The Acting City Manager, John Nelson, reviewed the matter of a request for extension of Development Agreement by Zurn Industries which had been continued from the meeting of September 17, 1985. Mr. Al Camp, representative of Zurn Industries, and Attorney Jack Gelber, appeared to explain the need for an extension of commencement of construction of building and improvements on Lots 6 and 7. The Council agreed to provide Zurn Industries with a description of the required improvements.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to authorize the extension of said Agreement providing for the construction of buildings and for off-site improvements - curb and gutters, sidewalks, street widening, and paving to make a smooth transition - adjacent to Lots 6 and 7 on Commerce Way and Scott Street, by November 1986. The off-site construction of improvements must commence by January 1, 1987. The Mayor and City Clerk are authorized to sign said Agreement.

8. The Acting City Manager read a memo from City Treasurer, Sidney Godsey, notifying the Council of her intention to retire from the position of Administrative Assistant effective January 1, 1986.

9. The Airport Operations Superintendent, Roger Oxborrow, gave a report on Airport Day which was held on September 29, 1985.

10. A memorandum from the Finance Director presented the following Resolutions for the Council's consideration which provides for the appropriations required from the recently adopted Employee M.O.U.s:

NO. 3050, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE GENERAL FUND #10 FOR FISCAL YEAR 1985/1986;

NO. 3051, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE WATER ENTERPRISE FUND #551 FOR FISCAL YEAR 1985/1986;

NO. 3052, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE AIRPORT ENTERPRISE FUND #552 FOR FISCAL YEAR 1985/1986;

NO. 3053, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE WASTEWATER ENTERPRISE FUND #553 FOR FISCAL YEAR 1985/1986.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution Nos. 3050, 3051 and 3052 be read by title only.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 3053 be read by title only.

Resolution Nos. 3050, 3051, 3052 and 3053 were read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution Nos. 3050, 3051, 3052 and 3053 be adopted.

11. A memo from the Finance Director set forth the recommendations of the ad hoc Business License/Public Safety Committee who had reviewed the request from John Neel for a business license to sell food products from a mobile vehicle. The Committee recommended that the Council give written permission to Mr. Neel to sell ices and hot dogs from Neel's Tropical Ice Capades Mobil Food Unit No. G48456 with the limitations as stated in the Committee's report and after Mr. Neel signs the standard form which indemnifies the City from any and all legal action.

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously to accept the recommendations of the ad hoc committee and grant said written permission to Mr. Neel subject to the restrictions as presented.

12. A memo from the Fire Chief presented an ORDINANCE ADDING CHAPTER 9.03 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES RELATING TO THE CLEANUP OF HAZARDOUS MATERIALS, for Council's consideration for first reading. After discussion, it was agreed that the first sentence in Paragraph (a) be changed to read: "The City of Paso Robles is authorized to cleanup or abate the effects of any hazardous material deposited upon or into property or facilities within the City limits;".

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Ordinance No. 507 N.S. be read by title only. Ordinance No. 507 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. 507 N.S. as amended above.

13. A memo from the Director of Municipal Services recommended that the final map for Tract 1167/Mayer - Niblick Road - be approved, subject to the City Attorney's approval and receipt of approved Performance and Payment bonds, and that the City Council authorize the Mayor and City Clerk to sign the Subdivision Agreement and map.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to approve the Director's recommendations.

14. The Planning Director gave a brief update on the steps being taken to overcome the odor problem at Paso Robles Meat Company. The Council directed that he continue to give them monthly updates.

15. A memo from the Chief of Police recommended that an ORDINANCE AMENDING ORDINANCE 197 N.S. SECTION 131; FEBRUARY 21, 1956 (SUB-SECTION C OF SECTION 12.32.150) OF THE PASO ROBLES MUNICIPAL CODE (REMOVAL OF VEHICLES) be considered for first reading.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously-that Ordinance No. 508 N.S. be read by title only.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that this constitutes the first reading of Ordinance No. 508 N.S.

16. A memo from the Chief of Police presented Resolution No. 3054, A RESOLUTION TO ESTABLISH FINES AND PENALTIES IN COMPLIANCE WITH MUNICIPAL CODE SECTION 12.38.060, which provides for a penalty of \$10.00 for all parking violations except handicapped.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 3054 be read by title only. Resolution No. 3054 was read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 3054 be adopted.

17. A letter from Mr. Eugene Chiado requesting the City provide water service to a 25 acre parcel of land he owns between Mustang Springs Road and Nacimiento Lake Drive was read by the Mayor. The Mayor explained that the City's policy did not allow such service at this time. Mr. Chiado appeared and addressed the matter.

18. Councilman Russell brought up the matter of a parcel of land owned by Jim McAdams that had been considered for City Park property located between Winifred Pifer and the High School. The tentative map for the property expires on October 1, 1985.

Motion by Councilman Russell to direct staff to notify Jim McAdams that the City grants a six (6) month extension on the tentative map until such time as negotiations are completed regarding the property.

Motion died for lack of a second.

The Planning Director stated that the matter was going before the Planning Commission again for consideration of an extension.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to instruct the Planning Commission to look favorably on the application for a six (6) months extension on the tentative map

for subdivision of Tract 1042 for the purpose of negotiations and that fees be waived and that no new conditions be added.

19. The Mayor discussed a letter received from William and Mildred Oliver concerning the renaming of Golden Hill Road and asked the Olivers, who were in the audience, if they wanted to speak to the matter. They did not. The Mayor stated the letter has been received and will be considered.

20. There being no further business, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to October 3, 1985 at 7:30 p.m. for the purpose of a Joint City Council - Planning Commission meeting to discuss Commercial Land Use Policy.

Deputy City Clerk, Dawn Hudson

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