

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
APRIL 1, 1986

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 E. Stemper with the following Councilpersons answering roll call: Cousins, Ovitt, Russell, Thorndyke and Stemper; none being absent. Before roll call, an invocation was given by Councilman Ovitt.

1. The minutes of the regular meeting of March 18, 1986 were presented. Councilwoman Cousins raised the issue of Mr. Smiles Silva requesting a postponement in Item 3. Council agreed that he had. Motion by Councilwoman Cousins, seconded by Councilman Thorndyke and passed unanimously that said minutes be approved.

2. The claims were presented. It was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that the following claims be paid from their appropriate accounts:

DATE OF CLAIM	TOTAL PAID
Mar 21, 1986	\$318,565.02

3. Mr. Tom Martin, representing the Wine Festival Committee, appeared and reviewed the upcoming event and advised Council of certain changes in the plans and program.

Motion by Councilman Ovitt and seconded by Councilman Thorndyke to approve the concept of the Wine Festival and authorize Police patrol. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

4. Councilwoman Cousins requested that the City Manager prepare forms for future motions to be written on.

5. ORDINANCE NO. 516 N.S., AN ORDINANCE AMENDING ORDINANCE 416 N.S. of the ZONING REGULATIONS OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA (DEVELOPMENT FEES FOR SCHOOL SITES) was presented for second reading and adoption.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Ordinance No. 516 N.S. be read by title only. The Ordinance was read by title only.

Motion by Councilman Russell and seconded by Councilman Ovitt that this constitutes the second reading and adoption of Ordinance No. 516 N.S. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

RESOLUTION NO. 3088, A RESOLUTION OF THE CITY COUNCIL FINDING THE EXISTENCE OF A CONDITION OF OVERCROWDING OF PUBLIC SCHOOLS WITH THE CITY AND ESTABLISHING SCHOOL FACILITIES FEES, was presented. The Resolution will become effective on the date Ordinance No. 516 is effective, May 1, 1986.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 3088 be read by title only. Resolution No. 3088 was read by title only.

Motion by Councilman Ovitt and seconded by Councilman Russell to adopt Resolution No. 3088. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

The accompanying INDEMNIFICATION AGREEMENT between the City and Paso Robles Union School District was presented, and it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the Mayor and City Clerk be authorized to execute said Agreement.

6. A memo from the Planning Director presented the report of the ad hoc committee which met to formulate the conditions of approval for Use Permit 86001 filed by Clifford Weyrick.

Councilwoman Cousins questioned the wording of Condition 9. - "If" the dance club is to be opened to teenagers ... and proposed a Condition 10, that the Club must be opened two nights a week for teens; if not, the Use Permit will be subject to immediate review and revocation. Motion seconded by Councilman Ovitt.

Councilman Russell now recommended that the words "interior and exterior" be added to Item 9.d. of the Conditions.

Councilwoman Cousins asked that her motion on Condition 10 be read back. It was read back.

The City Attorney presented the wording for Condition 10 as follows: "This permit is conditioned on operation for teenagers at least two nights a week, and if not so opened and operated, this Use Permit is subject to immediate review and/or revocation." Motion included change "If" in Condition 9 to "When".

Councilwoman Cousins called for the question.

The motion to add Condition 10. was passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell & Stemper  
NOES: Councilman Thorndyke  
ABSENT: None

Councilman Ovitt read the conditions as set forth.

Ms. Dorian Martineau, of Krazy Kritters, expressed concern for the noise to her adjoining business which houses animals. Councilman Russell explained that the City has a noise ordinance that can be enforced.

Motion by Councilman Russell that Use Permit 86001 for Mr. Weyrick at 1329 Spring Street be granted subject to the nine Conditions as amended and the addition of Condition 10. Motion seconded by Councilman Ovitt and passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Stemper  
NOES: Councilman Thorndyke  
ABSENT: None

7. The Consent Calendar was presented. Motion by Councilman Ovitt and seconded by Councilman Russell that 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 Cousins, Ovitt, Russell, Throndyke & Stemper  
NOES: None  
ABSENT: NONE

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 presenting Subdivision Improvements - Rod Jarmin (4th & Oak Streets).  
(Recommend acceptance.)

G-3 Minutes of Traffic Safety Meeting of Jan. 15, 1986.  
(Recommend approval.)

G-4 RESOLUTION No. 3089, APPROVING APPROPRIATION OF SB325 FUND #229 FOR F.Y. 1985/1986. (GREYHOUND BUS CANOPY) (Recommend adoption.)

G-5 RESOLUTION NO. 3090, APPROVING APPROPRIATION OF BLACK GOLD FUND #246 FOR FISCAL YEAR 1985/1986 (AUTOMATED SYSTEM). (Recommend adoption.)

G-6 RESOLUTION NO. 3091, ACCEPTING CERTAIN PROPERTY FOR THE PURPOSE OF STREET WIDENING AT GOLDEN HILL ROAD AND UNION ROAD (Ted West). (Recommend adoption of Resolution and execution of Grant of Easement).

G-7 RESOLUTION NO. 3092, ACCEPTING GRANT OF EASEMENT FOR PURPOSE OF STORM SEWER LINE MAINTENANCE AND ACCESS; 4TH & MAPLE STREETS - JEFFRIES (Recommend adoption of Resolution and execution of Grant of Easement)

G-8 RESOLUTION NO. 3093, ACCEPTING CERTAIN PROPERTY FOR A PUBLIC UTILITIES EASEMENT IN CITY - (BURGER KING). (Recommend adoption of Resolution and execution of Grant of Easement.)

G-9 RESOLUTION NO. 3094, ACCEPTING CERTAIN PROPERTY FOR PUBLIC UTILITIES EASEMENT IN CITY (BURGER KING). (Recommend adoption of Resolution and execution of Grant of Easement.)

8. The minutes of the Planning Commission meeting of March 25, 1986 were reviewed by Councilman Ovitt. Mr. Tom Martin, of Hayward Lumber Company, addressed Item 3. New Business B, Parcel Map PR 85-316 for a Lot Line Adjustment. He asked that the matter be withheld since he knew nothing about the matter.

The Planning Director brought up the matter that Martin Brothers Winery cannot be served by City sewer and the Sewer Code does not provide for a waiver. The Director of Municipal Services reviewed the matter.

Discussion followed.

It was then moved by Councilman Ovitt and seconded by Councilman Thorndyke that the actions by the Planning Commission in its meeting of March 25, 1986, together with the findings and conditions as set forth therein, be approved, with the exception of Item 3. B. New Business, Parcel Map PR 85-316 - Hayward Lumber Company - Lot Line Adjustment - which is withdrawn and returned to the Planning Commission. Councilwoman Cousins voted "Yes" on the Planning Commission Minutes with the exception of a "No" vote on Item 3. E. Use Permit 86005, EIS 86004 - Martin Brothers Winery, and abstained on Item 3.G. Planned Development Amendment 80007. Motion passed by the following roll call vote:

AYES: Councilwoman Cousins (as stipulated) Councilmen Ovitt, Thorndyke and Stemper  
NOES: Councilman Russell  
ABSENT: None

9. The City Manager reviewed the Agreement for Engineering Services between the City and North Coast Engineering.

Motion by Councilman Russell and seconded by Councilman Ovitt to approve the City Manager's recommendations and authorize execution of said Agreement. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

The City Manager requested Council authorization to seek proposals from other licensed Civil Engineers.

10. It was moved by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously to authorize the City Manager to solicit Request For Proposals for engineering services.

11. The Finance Director advised the Council that the City is in the middle of a re-routing process for active municipal accounts for both water and sewer service.

12. A memo from the Finance Director recommended approval of a transfer of Lease from River Road Associates, Ltd. to Western Paper Products, a General Partnership, contingent upon approval by the City Attorney.

The City Attorney advised that he has reviewed and approved the lease transfer.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to approve the Finance Director's recommendations, and authorize the Mayor and City Clerk to sign all necessary documents.

13. The Finance Director reviewed the matter of costs associated with the Solid Waste Land Site Monitoring Program and recommended that Council approve the transfer of \$14,190.00 to Solid Waste Department budget to pay for contracted services with Staal, Gardner and Dunne, Inc.

Motion by Councilman Ovitt and seconded by Councilwoman Cousins to accept the recommendation of the Finance Director with the transfer of \$14,190.00 to come from Council's Contingency Fund. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

14. A memo from the Director of Municipal Services recommending the sale of the City's F.A.U. funds and authorize the Director to sign the necessary transfer documents.

After discussion, it was moved by Councilwoman Cousins that the Council approve the sale of F.A.U. Funds in the amount of \$365,038 @ 80 cents on the dollar, authorize the Director to sign the necessary transfer documents, and prepare plans and specifications for the Creston Road project. Motion seconded by Councilman Ovitt and passed by the following roll call vote:

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

15. The City Manager introduced the matter of the proposed purchase of the Ernst property at 7th & Riverside Streets and advised Council that the matter before them is consideration of an individual's offer to sell. The Director of Municipal Services reviewed the matter.

Mr. Gene Ernst appeared and addressed the matter.

After a lengthy discussion, the City Manager recommended that if the Council is interested in pursuing the acquisition of the Ernst Property, to refer the matter back to staff.

It was moved by Councilman Russell and seconded by Councilwoman Cousins to accept the recommendation of the City Manager and refer the matter back to staff. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke & Stemper  
NOES: None  
ABSENT: None

16. A memo from the Director of Municipal Services recommended that the City Council authorize the preparation of plans and specifications for the installation of a traffic signal at Melody and Creston Road.

After discussion, it was moved by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously to accept the recommendations of the Director.

17. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to proclaim April 30, 1986 TRI-COUNTIES SMALL BUSINESS OPPORTUNITY DAY - TRADE FAIR.

18. The minutes of the ACORN Board for its meeting of March 3, 1986 were presented wherein it was requested that the City Council meet in

study session with ACORN Board on April 9, 1986. The time was set at 7:00 p.m.

19. The Mayor asked the status of the schedule for the completion of New Golden Hill Road. The Director of Municipal Services assured the Council that the project will proceed with all haste.

20. Councilwoman Cousins stated she was serious about writing out motions. The Mayor stated that staff recommendations are usually adequate, with some modifications.

21. Motion by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously to adjourn to April 9, 1986 at 7:00 p.m. in the City Council Chambers for the purpose of a study session with ACORN Board.

Jerry Bankston, City Clerk

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