

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
AUGUST 5, 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 Nick Russell with the following Councilmembers answering roll call: Cousins, Ovitt, Stemper, Dolan and Russell; none being absent. Following roll call, an invocation was given by Reverend Charles Culbreath.

1. The minutes of the regular meeting of July 15, 1986, the adjourned meeting of July 16, 1986 and the special meeting of July 21, 1986 were presented, and upon motion by Councilmember Ovitt, seconded by Councilmember Cousins and passed unanimously, said minutes were approved.

2. The claims were presented. Motion by Councilmember Ovitt, seconded by Councilmember Stemper and passed unanimously that the following claims be paid from their appropriate accounts:

DATE OF CLAIM	TOTAL PAID
July 08, 1986	\$ 421,513.26
July 18, 1986	741,041.32

3. The Mayor announced that it was the time and place scheduled for public hearing of General Plan Amendment 86-02(C), Rezone 85016 and EIS 86008 on application filed by Ken Clouston pertaining to 40 acres on the northeast corner of Creston and Meadowlark Roads.

Councilmember Stemper stepped down.

Assistant Planner, Andy Radler, reviewed the matter, after which the Mayor opened the public hearing to the floor.

Mr. Ed King, of Associated Professions, appeared as representative for Mr. Clouston and reviewed the project.

Ms. Jan Johnson appeared in protest to the project pointing out the current vacancy factor within the City at this time.

There being no further comments, oral or written, it was moved by Councilmember Dolan, seconded by Councilmember Ovitt to close the public hearing. Motion carried with 3 votes in favor and Councilwoman Cousins and Councilman Stemper abstaining.

After a lengthy discussion, it was moved by Councilmember Dolan and seconded by Mayor Russell, (Councilmember Cousins stated a conflict of interest in regard to this project and abstained from any further action) to postpone the approval of the General Plan and Rezone until staff can prepare the second amendment to the Land Use Element in September, 1986, and with resolution to the development of Creston Road in front of Parcels 8, 9 and 10 be included in the staff

NOTICE OF ADJOURNMENT

YOU ARE HEREBY NOTIFIED that the meeting of the  
City Council of the City of El Paso de Robles, California,  
held on August 5, 1986 at 7:30 p.m. in the  
Council Chambers, City Hall, 1030 Spring Street, Paso  
Robles, California 93446, has been adjourned to  
August 13, 1986 at 5:30 p.m. in the Council  
Chambers, City Hall, 1030 Spring Street, Paso Robles,  
California 93446.

DATE: August 6, 1986

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY:

*Darryl Hicken*  
DEPUTY CITY CLERK

recommendation at that time, and that the following conditions be incorporated:

1. Approval of the Tract Map or subdivision is subject to the availability of sewer service. Availability of sewer service for each lot to be determined on a first come, first serve basis at the time of application for building permit for each lot.
2. The resolution of the alignment of Meadowlark Road and Alamo Creek Drive before approval of Tract Map and development in the area; and
3. The resolution of the Planning Department's recommendation for midpoint access by the Fire Department.

Also, that the Council finds that EIS 86008 will not have a significant effect on the environment and grant a negative declaration; approve the Amendment to the General Plan to establish a low density residential designation on the site; and approve staff recommendations for Rezone 85016.

After further discussion, Councilmembers Dolan and Russel withdrew the portion of the above motion referring to the postponement of the matter until the September 2, 1986 meeting.

Motion passed by the following roll call vote:

AYES: Dolan, Ovitt and Russell  
NOES: None  
ABSENT: None  
ABSTAINED: Cousins and Stemper

It was then moved by Councilmember Ovitt, seconded by Councilmember Dolan that Resolution No 3141, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING AMENDMENT NO. 86-02(C) TO THE LAND USE ELEMENT OF THE GENERAL PLAN WHICH PROVIDES FOR THE REDESIGNATION OF APPROXIMATELY 40 ACRES OF LAND GENERALLY LOCATED ON THE NORTHEAST CORNER OF CRESTON AND MEADOWLARK ROADS FROM RURAL RESIDENTIAL TO LOW DENSITY (RESIDENTIAL), be read by title only. Motion carried with 3 votes in favor and Councilwoman Cousins and Councilman Stemper abstaining. Resolution No. 3141 was read by title only.

Motion by Councilmember Dolan, seconded by Councilmember Ovitt to adopt Resolution No. 3141. Motion carried by the following roll call vote:

AYES: Ovitt, Dolan and Russell  
NOES: None  
ABSENT: None  
ABSTAINED: Cousins and Stemper

An ORDINANCE AMENDING ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES (40 ACRES ON THE NORTHEAST CORNER OF CRESTON AND MEADOWLARK ROADS) was introduced for first reading.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan that said Ordinance be read by title only including the conditions set forth in Resolution No. 3141. The motion carried with 3 votes in favor and Councilwoman Cousins and Councilman Stemper abstaining. The Ordinance was read by title only.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan that this constitute the first reading of said Ordinance. Motion carried with 3 votes in favor and Councilwoman Cousins and Councilman Stemper abstaining.

Councilmember Stemper resumed his seat.

4. The Mayor announced that it was the time and place scheduled for the continued public hearing from the Council meeting of July 15, 1986 of Rezone 85015 and EIS 85015 filed by Roger Snellenberger. The City Manager reviewed the matter, after which Mr. Dennis Bethel, representing Mr. Snellenberger, explained the project, stressing that the density of the project would actually be decreased rather than increased and that adequate parking was planned. In answer to a question posed by Councilmember Cousins, Mr. Bethel explained that plans for recreation and playgrounds were to be included.

Mr. Jim Chase appeared and stated that he was opposed to the high density of the project.

Ms. Jan Johnson appeared and stated that she was opposed to the project stressing the present vacancy factor in the City for rentals.

It was then moved by Councilmember Stemper, seconded by Councilmember Ovitt and passed unanimously to close the public hearing.

After discussion, it was moved by Councilmember Ovitt and seconded by Councilmember Stemper that a Negative Declaration be approved on EIS 85015 and that Rezone 85015 be granted on the condition that approval of the Tract Map or subdivision is subject to the availability of sewer service. Availability of sewer service for each lot to be determined on a first come, first serve basis at the time of application for building permit for each lot, and on condition that open space and the park area is set forth in Tentative Tract Map 1377. Motion passed by the following roll call vote:

AYES: Cousins, Ovitt, Stemper, Dolan and Russell  
NOES: None  
ABSENT: None

Motion by Councilmember Stemper, seconded by Councilmember Ovitt and passed unanimously that ORDINANCE AMENDING ZONING MAP ESTABLISHED BY

REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES (30.8 ACRES ON THE WEST SIDE OF VINE STREET AT 36TH STREET), be read by title only, including conditions pertaining to sewer service and open space as follows:

1. Availability of sewer service for each lot to be determined on a first come, first serve basis at the time of application for building permit for each lot, and

2. On condition that open space and the park area is set forth in Tentative Tract Map 1377.

The Ordinance was read by title only.

Motion by Councilmember Stemper and seconded by Councilmember Ovitt that this constitute the first reading of said Ordinance. Motion passed by the following roll call vote:

AYES: Cousins, Ovitt, Dolan, Stemper and Russell  
NOES: None  
ABSENT: None

5. The Mayor called for a recess at 9:00 p.m. and called the meeting back to order at 9:15 p.m.

6. The Mayor announced that it was the time and place scheduled for a public hearing of an appeal by Ron Yans to the Planning Commission's denial of his application to split Lot 76 of Orchard Bungalow Subdivision. Assistant Planner Radler reviewed the matter, after which the Mayor opened the public hearing.

Mr. Mike Szatlocky, of Central Coast Engineers, as representative for Mr. Yans explained the project and answered questions posed by Council and staff.

Mr. Allan Gallatin, representing El Dorado Homeowner's Association, addressed the matter, reading from a memo to the Council setting forth arguments against the proposed lot split.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously to close the public hearing.

Councilmember Cousins stated that she agreed with Mr. Allan Gallatin in opposition to the lot split.

After discussion, Mr. Szatlocky requested a continuance of the matter based upon the issues brought up in this meeting.

Motion by Councilmember Stemper and seconded by Councilmember Ovitt to accept the comments of the representative for Ron Yans, Mike Szatlocky, and continue the public hearing to the meeting of August 19, 1986 for further study as to the feasibility of building on the property if the lot is split in relation to driveway access, slope to

the driveway, C.C. & R. restrictions, setback requirements to Parcel B, and building footprint layout for that parcel.

Motion carried by the following roll call vote:

AYES: Ovitt, Dolan, Stemper and Russell  
NOES: Cousins  
ABSENT: None

7. The Mayor announced that it was the time and place scheduled pursuant to Resolution No. 3140 for public hearing for Housing Community Development - Economic Development Program Formulation and the City Manager stated that the grant application was going to be held over to a later date; however, the hearing could be opened and closed at this time.

Mayor Russell opened the public hearing, and upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously, the hearing was closed.

8. The City Manager advised that this meeting shall be adjourned for the purpose of the Council sitting as the Redevelopment Agency to adopt several resolutions. It was decided that the meeting would be adjourned to August 13, at 5:30 p.m. for said purpose.

9. The Consent Calendar was presented. Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously 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, with the exception of Items G-3-b and G-3-c, which items were pulled for discussion. Those items on the Consent Calendar are as follows:

G-1 DEPARTMENTAL REPORTS:

a. Finance Department report of utility terminations.  
(Recommend report be received and filed.)

G-2 Request from North San Luis Obispo County Apple Growers for use of City Park on October 4 from 10:00 a.m. to 4:00 p.m. for festivities relating to apples and apple products. (Recommend request be approved and referred to Director of Parks and Recreation for coordination.)

G-3 COMMISSION/COMMITTEE/BOARD MINUTES:

a. Senior Citizens Advisory Board on July 14, 1986.

(Recommend minutes be received and filed.)

G-4 Treasurer's list of Special Assessments for Fiscal Year 1986/87 County Tax Roll. (Recommend list of Special Assessments be adopted and approved for recordation on 1986/87 County Tax Roll.)

G-5 Memo from City Engineer presenting Subdivision Improvements for Tract 1184 (J.W. Kleinhammer, Inc.) for acceptance. (Recommend Council accept the subdivision improvements for operation and maintenance.)

Item G-3-b, Minutes of the Parks and Recreation Advisory Committee meeting of July 21, 1986. (Recommend minutes be received and filed.), was reviewed by Councilmember Russell who brought special attention to the presentation made by Recreation Systems Inc. for the park site on Nickerson Drive.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Item G-3-b be approved.

Item G-3-c, Minutes of the Airport Advisory Committee meeting of July 24, 1986. (Recommend minutes be received and filed.), were reviewed by members of the Council who raised questions regarding Item 1 regarding Nunno Corporation's proposal to sublease space for a fixed-base operation and the overall fuel situation at the Airport.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously that Item G-3-c be approved with the exception of Item 1 which is to be sent back to staff for further review and recommendation to Council.

9. The minutes of the Planning Commission meeting of July 22, 1986 were reviewed by Councilmember Ovitt. Mayor Russell advised that Commissioner Eric Woosley should be removed from the committee appointed by the Council to study the downtown parking situation since the number of members on the committee constitutes a violation of the Brown Act.

After discussion, it was moved by Councilmember Ovitt and seconded by Councilmember Dolan to approve the minutes of meeting of July 22, 1986, together with the findings and conditions as set forth therein, with the exception of Item 8. Unscheduled Public Appearances - Mr. Clifford Weyrick's appeal to the Architectural Review Committee's recommendation of July 17, 1986 to redesign the front elevation and to deny a neon sign for the Club Montage. The Council directed that the matter be sent back to staff for further review and recommendation regarding the neon sign. Motion passed by a four (4) to one (1) vote; Councilmember Stemper dissenting.

10. A memo from the City Manager introduced an Ordinance re-establishing the Planning Commission for Council's consideration, which would change Commissioner qualifications and length of term.

Mayor Russell reviewed the matter and advised that the committee had considered all applications and recommended that Nick Gilman be reappointed to a two (2) year term and that Tim Roberts be appointed to the vacancy for a two (2) year term. The Mayor opened discussion to the Council.

Councilmember Cousins stated that she believed Tim Roberts, a member of Associated Professions, Inc., an engineering firm, would have a conflict of interest in the position of Commissioner. She asked that Nick Gilman, Dr. B. R. Bryant and Laird Doctor be considered. Councilmember Dolan added Rick Minton to those to be considered.

Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Nick Gilman be reappointed to a two (2) year term expiring on June 30, 1988, and that Dr. Bob Bryant be appointed to the vacancy for a two (2) year term expiring on June 30, 1988. Motion passed by the following roll call vote:

AYES: Cousins, Ovitt and Russell  
NOES: Stemper and Dolan  
ABSENT: None

The Mayor announced that Nick Gilman and Dr. Bob Bryant were appointed Planning Commissioners for the terms set forth above.

11. AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING MUNICIPAL CODE BY REPLACING CHAPTER 2.20 ENTITLED PLANNING COMMISSION, was introduced for first reading.

Discussion followed wherein it was determined that the language of Section 2.20.020 MEMBERSHIP AND QUALIFICATIONS, shall include reference to "either qualified electors or vested interest" of the City.

Motion by Councilmember Ovitt seconded by Councilmember Dolan and passed unanimously that said Ordinance be read by title only. The Ordinance was read by title only.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that this constitute the first reading of the above-entitled Ordinance.

12. The City Manager requested that the Council consider the appointment of a Council sub-committee for purposes of consultant selection and to assist staff in making determinations.

Mayor Russell appointed Councilmember Cousins and Dolan to said standing sub-committee to consider various actions to be instituted by staff.

13. The City Manager presented a memorandum from the Director of Parks and Recreation regarding the condition of the 1964 Dodge Dump Truck which set forth three (3) alternatives available for repairing the truck, and recommended that Council consider choosing Option (3) to install a chip storage box on the existing high ranger for a cost of \$5,500.00 to be expended from the Council's unbudgeted reserves.

Motion by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to approve the recommendations of the Director of



Parks and Recreation authorizing an expenditure not to exceed \$5,500 from said fund for the installation of a chip storage box on the high ranger.

14. A memorandum from the Airport Manager recommended the Council authorize the purchase of liability coverage for the Airshow from Shannon & Luchs, Washington., D.C. in the amount of \$2,200.00.

Motion by Councilmember Ovitt, seconded by Councilmember Cousins and passed unanimously to approve said purchase.

15. The Fire Chief reported on the recent arson fires and requested the Council contribute \$1,000.00 towards a reward.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to approve the Fire Chief's request and authorize \$1,000.00 to be expended from the Council's contingency fund towards the reward upon the arrest and conviction of the arsonist.

16. The Mayor announced that he has made the following appointments of Councilmembers to advisory committees:

Harry Ovitt	Parks and Recreation Advisory
Kevin Dolan	Traffic Safety Commission
Betty Cousins	Airport Advisory
Harry Ovitt	San Luis Obispo Area Coordinating Council
Gary Stemper	LAFCO
Betty Cousins & Kevin Dolan	Standing Sub-committee

17. The Council considered adopting an ordinance banning smoking in the Council Chambers with designated smoking areas throughout City buildings. Staff was directed to review the matter and return to Council with recommendations.

18. It was moved by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to set the following matters for public hearing at the Council meeting of August 19, 1986:

7:30 p.m.	Jack Munari - Appeal to Architectural Review Committee decision regarding requirements for the metal roof structure over the building at 1600 Country Club Drive
7:45 p.m.	Clifford Weyrick - Appeal of Planning Commission decision to approve a wall

mounted neon sign at "Club Montage" at  
1329 Spring Street.

19. There being no further business, it was moved by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to adjourn to August 13, 1986 at 5:30 p.m. in the City Council Chambers to take action regarding the Redevelopment Agency.

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.