

**TOWN OF YOUNTVILLE**  
**MINUTES OF REGULAR COUNCIL MEETING**  
*September 18, 2007*

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**1. CALL TO ORDER - 5:30 P.M.**

Mayor Saucerman called the meeting to order at 5:30 p.m.

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**2. CLOSED SESSION –**

A. Conference with Legal – Existing Litigation (Pursuant to Government Code Section 54956.9(a)):

Name of Case: Linda Pedroni and George Louie (Napa Superior Court Case Number 26-36225)

B. Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(a)):

Name of Case: Town of Yountville v. Timothy Bringman (Napa Superior Court Case Number 26-38104)

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**3. CONVENE REGULAR COUNCIL MEETING – 6:00 P.M.**

Mayor Saucerman called the meeting to order at 6:02 p.m.

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**4. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was held.

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**5. ROLL CALL**

**Mayor and Town Councilmembers Present:**

Mayor Cynthia L. Saucerman, Vice Mayor John F. Dunbar and Councilmembers William “Bill” Dutton, Steven C. Rosa and Lewis G. Chilton

**Town Staff Present:**

Bob Tiernan, Interim Town Manager/Planning Director; Amy L. Valukevich, Town Attorney; Michelle Price, Town Clerk; Myke Praul, Public Works Director/Town Engineer, and Kenneth Leary, Community Services Director

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**6. CLOSED SESSION REPORT**

Amy Valukevich, Town Attorney, stated the Council met in Closed Session and there is no reportable action.

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**7. ADOPTION OF THE AGENDA**

Staff requested Item 15 be moved to follow Item 18.

**ACTION: A Motion by Councilmember Rosa, Seconded by Councilmember Chilton to adopt the agenda as amended was unanimously approved.**

**Ayes: Rosa, Chilton, Dutton, Dunbar and Saucerman**  
**Noes: None**  
**Absent: None**  
**Abstain: None**

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**8. Public Comment on Matters Not Listed on the Agenda  
(Five-minute limitation per speaker)**

No Public Comment.

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**9. APPROVAL OF CONSENT CALENDAR**

**ACTION: A Motion by Councilmember Dutton; Seconded by Vice Mayor Dunbar to approve Consent Calendar Items 9 A, B, C, E and F was unanimously approved.**

**Ayes: Dutton, Dunbar, Rosa, Chilton and Saucerman**  
**Noes: None**  
**Absent: None**  
**Abstain: None**

**ACTION: A Motion by Councilmember Dutton; Seconded by Vice Mayor Dunbar to approve Consent Calendar Item 9 D was approved.**

**Ayes: Dutton, Dunbar, Chilton and Saucerman**  
**Noes: None**  
**Absent: None**  
**Abstain: Rosa**

**A. *Approval of Warrants* —**

- |                                  |                     |
|----------------------------------|---------------------|
| • Accounts payable check numbers | \$191,482.04        |
| • Total payroll and benefits     | <u>\$ 93,949.67</u> |
| • Total payments for period      | \$285,431.71        |

**Recommendation: Received and Filed.**

**B. *Monthly Financial Report* – August 2007**

**Recommendation: Received and Filed.**

C. **Adopt Resolution Number 2612-07** Approving Budget Adjustment Number 2007-08-A06 pertaining to carry-forward appropriations for Capital Improvement Program Projects SP-22 (Affordable Housing) and WW-08 (Plant Equipment Replacement), and for recently authorized Financial Services for Capital Improvement Project CF-04 (Town Center Project).

Recommendation: Adopted Resolution.

D. **Adopt Resolution Number 2613-07** Denying Appeal of a Zoning and Design Review Board Decision filed by Jim Brockman pertaining to the Ad Hoc Restaurant Permanent Sign Review Condition of Approval, located at 6476 Washington Street, APN 036-090-020. **(Public Hearing Closed)**

Recommendation: Adopted Resolution.

E. **Adopt Resolution Number 2614-07** Awarding the Bid and Approving Construction Contract with D & D Pipelines, Inc. for the Mulberry Street Sewer Main Extension (WW-35) in the amount of \$45,300.

Recommendation: Adopted Resolution.

F. **Approval of Minutes** – February 20, 2007.

Recommendation: Approved.

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## 10. PRESENTATION

A. Presentation by Napa County Transportation & Planning Agency (NCTPA) regarding the Countywide Strategic Transportation Plan Update (Napa's Transportation Future).

Eliot Hurwitz, NCTPA, Program Manager, provided update.

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## 11. PUBLIC HEARING – MASTER DEVELOPMENT PLAN AMENDMENT – BOUCHON RESTAURANT & BAKERY – 6528 AND 6534 WASHINGTON STREET (APN 036-061-021)

**Consider Adoption of Resolution Number 2615-07** Approving a Master Development Plan Amendment including Use Permit and Design Review to modify previously approved improvements including a restaurant kitchen addition and to modify use for the Bouchon Restaurant and Bakery.

Recommendation: Adopted Resolution.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report.

Public Hearing Held – No Public Comment

### *Council Comments*

Mayor Saucerman commented she received an email from a local citizen and neighboring property regarding parking and noted it is important to keep parking issues in mind especially if we need to adjust seating.

Councilmember Chilton commented on the following:

- Nice to see concerns raised by ZDRB were addressed.
- Thinks it is an enhancement to extend courtyard.
- Current asphalt is not attractive and not useful.
- Mayor raised concern about parking and that is one issue that continues to hang out there and we hope employer instructs employees where to park.
- Would like to see Applicant bring back something more tangible that will instruct employees (i.e. new employee packet outlining appropriate parking areas).
- Thinks most of the changes are an improvement.

Councilmember Rosa commented on the following:

- Agrees with Council comments on parking issues.
- Applicant has resolved health and safety concerns.
- Applicant has tried mitigating noise concerns with the prefab units.
- Lowering the parapet wall is good and lowering it a little more would be good.
- Increasing courtyard and enhancing the look is good.
- Overall likes the proposed project.

Councilmember Dutton commented on the following:

- Agrees all of the improvements that have been done are for the better.
- Clarified with staff that there will not be a reduction in parking spaces because we have already established 12 parking spaces.
- Outdoor seating – Should see appropriate reduction.
- Parking – Agrees with concerns about parking and noted overall parking situation should be reviewed on a Town wide basis.

Vice Mayor Dunbar commented on the following:

- Concerned about adjustment of lot line fencing and would like staff to monitor closely.
- Concerned about decomposed granite extension and if people in line will now be standing in the public right-of-way. Requested staff to confirm compliance with the measurements.
- Reduction in noise is a positive.
- Appreciates Councilmember Dutton bringing up the issue of parking spaces and recognizing the Applicant is still in compliance and also noted employees being instructed to park in appropriate locations.
- Make sure air conditioning units are behind the lattice, make sure living green screen is at appropriate height to block units and also adequate gate space between bakery and prefab units.
- Overall internal improvement.
- Concerned about what impacts public on the east and west side.
- Can support moving forward with proposal.
- Will need to address the use of the courtyard in the future.

Mayor Saucerman commented on the following:

- Agrees with improvements on design.
- Concerned about extending decomposed granite out to the right of way.
- Likes not closing area off with planters due to high traffic area.
- Pleased the Applicant addressed ZDRB comments before coming to Council.
- Sure we will see you back when you decide to utilize the courtyard area.
- Supports the changes to the plan.

Councilmember Chilton requested clarification on a condition of approval on page 8 regarding the 35 exterior seats that are approved and shall be reevaluated before installation and suggested reevaluation be done by Council.

Interim Town Manager/Planning Director Tiernan responded the intent is for Council reevaluation and he will amend the condition of approval to reflect that.

Vice Mayor Dunbar would support no negative impact on the parking; so if that means an additional space offsite because we are losing one on-site he would support that and would support Councilmember Chilton's comments regarding Council review of seating capacity for the courtyard.

**MOTION: A Motion by Councilmember Chilton; Seconded by Vice Mayor Dunbar to Adopt Resolution Number 2615-07 Approving a Master Development Plan Amendment, including Use Permit and Design Review, to modify previously approved improvements, including a restaurant kitchen addition, and to modify use for the Bouchon Restaurant and Bakery, located at 6528 & 6534 Washington Street, APN 036-061-021, as amended adding one additional off-site parking space and to state seating for outdoor café must be reevaluated by Council was unanimously approved.**

**Ayes: Chilton, Dunbar, Rosa, Dutton and Saucerman**  
**Noes: None**  
**Absent: None**  
**Abstain: None**

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**12. PUBLIC HEARING – DESIGN REVIEW AND USE PERMIT – BURGUNDY HOUSE INN – 6711 WASHINGTON STREET (APN 036-440-001)**

*Consider Adoption of Resolution Number 2616-07 Approving Design Review and Use Permit to renovate existing Burgundy House Inn Building and to convert use to wine tasting and retail commercial.*

Recommendation: Adopted Resolution.

Bob Tiernan, Interim Town Manager/Planning Director, presented staff report and advised of new information provided to Council prior to meeting, as follows:

- Letter was submitted by Eric Kreeger, Structural Engineer, who evaluated the prospect of removing the chimney on the inside, but retaining it on the roof. However, noted structural difficulties in retaining the chimney and advised the chimney should be removed in its entirety for safety of the structure and life safety of occupants.
- Also distributed this evening was an explanation of some changes to the Conditions of Approval including conditions number 7, 8 and 9 having to do with compliance to the State ABC and pulling licenses.
- Multiple wineries have wine available through the facility with a limit of 10 wineries.
- Clarified no table service to the exterior seating.
- Clarified no food preparation on the premises.
- Merchandise being offered in addition to antiques includes art and other home furnishings.

Michael Polenski, Owner of Blackbird Vineyard on Oak Knoll/Big Ranch Road, and new owner of Burgundy House gave overview of his project.

Douglas Thornley, Baum/Thornley Architects, Architect for the project provided brief report.

*Public Hearing Opened*

Barbara Dulinsky commented on the following:

- She has a picture of building taken from the 1920s.
- Concerned about the ability of two employees to take care of two floors of antiques and wine pouring.
- Concerned about employee and visitor parking.
- Questioned whether or not the no parking sign in front of the door will be repainted because people park there when checking in and it causes a traffic problem.
- Concerned about employees leaving after event ending at 10:00 p.m. or 10:30 p.m. and returning to their cars which will likely be parked on her street.

*Public Hearing Closed*

*Council Comments*

Councilmember Chilton commented on the following:

- Requested clarification from Applicant regarding parking.
- Confirmed tastings by appointment and retail hours are between 9:00 a.m. and 6:00 p.m.
- Project encourages foot traffic to the north part of Town.

- Sculpture aspect of business is an enhancement to Yountville and agrees with Condition of Approval 15 which discusses additional uses being approved by the Planning Department.
- Chimney – No strong opinions either way.
- Overall supports approving tonight.

Councilmember Rosa commented on the following:

- Chimney – If it is a hazard it should come down.
- Likes that the building is being seismic retrofitted.
- Parking – Concerned about employees parking on side streets and agreed parking is a problem all over Town and it needs to be addressed.
- Operating Business – Likes the idea of generating foot traffic at the north end of the Town.
- Supports art displayed in backyard, but not in the front or side yards.

Councilmember Dutton commented on the following:

- Concurs with pretty much everything that has been said.
- Chimney – No problem with it coming down.
- Business Plan – Understands the Plan being a lesser impact type of business; however, if Applicant has to go with more wineries it would increase inventory on-site and hopefully the building in back could accommodate that. This would also generate additional uses.
- Backyard is a good area for displaying sculpture, but displaying in front porch area might be a problem.
- Parking - Low intensity for this project and understands Ms. Dulinsky's comments about parking. Agreed parking is a Town wide issue that should be discussed separately.
- Supports the project and applauds Applicant efforts to keep building the way it is.

Vice Mayor Dunbar commented on the following:

- Fully support the change of use generally speaking.
- Applauds and appreciates what will be a very costly effort to maintain the historic and seismic integrity of the building.
- Chimney – Based on the historic review the chimney is not original and he has no problem with removal.
- Roof - The proposed change is an improvement to the originality of the look and a metal roof is more historic than shingles.
- Building Restoration and Renovation Elements – Can fully support and he has no problem with double doors for practicality.
- Parking - Comfortable with parking with the use of the strip of parking spaces across the street which are appropriate to supplement the on-site parking and believes flow of traffic is going to be very limited and less so than the Inn. He would support refreshing any restrictions of curbside parking in front used for drop off and suggested working with staff to satisfy concerns raised.

- Existing Front Walkway – Wants bricks maintained as undamaged.
- Condition of Approval Number 14 – No exterior display of retail merchandise.
- Additional Uses – Concerned about extended hours up to 10:00 p.m. due to adjacent residential properties.
- Condition of Approval Number 11 – No food preparation on premises. Wording might need to be clarified due to wanting food pairing with wines.
- Special Events – Review the specific number of special events.

Mayor Saucerman commented on the following:

- Shares very similar concerns as expressed by the Vice Mayor.
- Concerned with extended hours as Councilmember Chilton alluded to for “By Appointment Only” and indicated a lot of wineries allow appointments by simply walking through the door.
- Clarified Jessup retail tastings are until 6:00 p.m. and believes there is a condition extending until 8:00 p.m. and suggested clarifying tasting time with other tasting rooms in Town and prefers cutting off tasting at 6:00 p.m.
- No food preparation on premises.
- Conflict – no exterior display of merchandise – should not be worked into use permit and you will have to come back separately.
- Structural Elements Chimney - no concerns and Applicant is doing a spectacular job with restoration.
- Limiting Number of Events – Concerned about limiting the number of events

**ACTION: A Motion by Councilmember Chilton; Seconded by Councilmember Dutton to Adopt Resolution Number 2616-07 Approving Design Review to renovate existing Burgundy House Inn Building including removal of the chimney located at 6711 Washington Street, APN 036-440-001 with the exception of the use permit, parking landscaping, lighting and signage which will be renoticed for a future public hearing was unanimously approved.**

**Ayes: Chilton, Dutton, Rosa, Dunbar and Saucerman**

**Noes: None**

**Absent: None**

**Abstain: None**

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**13. PUBLIC HEARING – PROPOSED AMENDMENT TO MUNICIPAL CODE CHAPTER 3.40 – DEVELOPMENT IMPACT FEES; SECTION 3.40.070 WATER CONNECTION FEES**

Consider amending Water Connection Fees based on the number and size of connection(s) to the Town Water System.

Recommendation: Received report and directed staff regarding revision of the Ordinance and preparation of an amendment for introduction and first reading.

Amy Valukevich, Town Attorney, presented staff report.

Myke Praul, Public Works Director/Town Engineer, discussed potential for conversion.

Following Council discussion, staff will contact Bartle Wells Associates, the firm that prepared the Development Impact Fee Final Study, for clarification regarding water connection fees for fire suppression services.

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**14. CONSIDER APPOINTMENTS TO THE COMMUNITY HALL COMMISSION TO FILL THREE POSITIONS WITH NEW TERMS OF OFFICE EXPIRING JUNE 25, 2010.**

Michelle Price, Town Clerk, presented staff report.

**ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Rosa to reappoint incumbents George Crane, Susan Cole and Virginia Crowe to the Community Hall Commission with new terms of office expiring September 25, 2010 and thanked them for ongoing service, was unanimously approved.**

**Ayes: Dunbar, Rosa, Dutton, Chilton and Saucerman**

**Noes: None**

**Absent: None**

**Abstain: None**

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**15. RECESS TO YOUNTVILLE HOUSING AUTHORITY BOARD MEETING (SEE SEPARATE AGENDA).**

**See Yountville Housing Authority Board Meeting Minutes.**

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**16. COUNCIL REPORTS AND COMMENTS**

Report of Council Member Meeting Attendance:

A. Napa County Flood Control and Water Conservation District  
(Saucerman/Dunbar)

Mayor Saucerman reported the District discussed a variety of things including long-range budget forecasts for the entire Flood Control Project going out to 2020. Between 1998 and 2006 the Town has drawn 2.3% of Measure A funds and just this last year 2.47% of Measure A funds noting the County and City of Napa draw the largest percentage.

B. Napa County Mosquito Abatement District (Rosa)

Councilmember Rosa reported the District received an updated State map of California with all the reported cases of West Nile Virus and as of September 12, 2007 there have been 10 human deaths attributed to the virus. Napa County has had no activity this year.

C. Napa Valley Housing Authority (Dunbar/Rosa)

Vice Mayor Dunbar reported the Authority accepted the completion of the well drilling and water distribution at the Mondavi Center which came in \$5,000 under budget. The Authority also approved sale of a travel trailer that was used to haul Yurts and will offer it to County Office of Emergency Services.

D. Upper Valley Waste Management Agency (Dutton/Chilton)

Councilmember Dutton reported the Agency discussed building a construction and demolition waste recycling pad at Clover Flats and after discussion of pros and cons will put out information in the October billing about cost and associated impacts.

E. Other Reports and Comments

Councilmember Dutton reported regarding the following:

- Attended the Allied Council meeting where Secretary Johnson was in attendance and answered questions regarding the audit results and the potential to receive additional funding.
- Recognize the Town's Finance Department for the good job they do with the Budget in light of recent issues in the Napa Valley Register regarding the City of Napa budget.
- Announced the Destination Disneyland Dinner at Community Hall at 6:00 p.m.

Councilmember Chilton thanked everyone involved in the Coastal Clean-up Day at Hopper Creek here in Yountville, as it was the first time the Town participated in this type of clean up.

Vice Mayor Dunbar reminded everyone of Yountville Days being held October 7, 2007.

Mayor Saucerman reported regarding the following:

- Announced MIA/POW Program recognizing those folks at the Veterans Home on Friday at 11:00 a.m.
- The Arts Council of Napa Valley is holding a Town Hall meeting to create a cultural plan for Napa County on September 20, 2007 at 5:30 p.m. at the Community Hall in Yountville.

Recommendation: Received and Filed.

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**17. STAFF REPORTS**

Bob Tiernan, Interim Town Manager/Planning Director, recognized new employee Stacey Nunley, Office Assistant III, in the Community Services Department and thanked Sue Cole for filling in during the recruitment process.

Michelle Price, Town Clerk, reminded Council of the following:

- Napa County League of Governments (NCLOG) meeting on October 11, 2007.
- Association of Bay Area Governments (ABAG) Fall General Assembly October 26, 2007 in Oakland.
- 2007 Legislative Briefing Schedule.

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**18. FUTURE AGENDA ITEMS**

October 2, 2007

A. Festival of Lights Special Event Permits

October 16, 2007

B. County Assessor Report Regarding 2007 Assessed Property Values

C. Presentation Regarding Building and Fire Code Amendments

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**19. ADJOURNMENT**

Adjourned to the Next Regular Town Council Meeting October 2, 2007.

ATTEST:

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Michelle Price, Town Clerk

Approved by Town Council:

February 19, 2008