

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
April 4, 2006

1. CALL TO ORDER

Vice Mayor Saucerman called the regular Town Council to order at 5:30 p.m.

2. CLOSED SESSION

Pursuant to Government Code Section 54957.6: Conference with Labor Negotiator:
Agency negotiator: Kevin R. Plett, Town Manager
Employee organization: Yountville Employees Association and Non-Represented
Management Employees

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

4. ROLL CALL

Council Members Present:

Council Member Bill Dutton
Council Member John F. Dunbar
Council Member Steven R. Rosa
Vice Mayor Cynthia Saucerman

Staff Members Present:

Kevin Plett, Town Manager
Amy Lyman, Town Attorney
Lisa Harper, Town Clerk
Bob Tiernan, Planning Director
Myke Praul, Public Works Director/Town Engineer
Kenneth Leary, Community Services Director

Council Members absent:

None

5. PLEDGE OF ALLEGIANCE

Council Member Dutton led the Pledge of Allegiance.

6. ADOPTION OF THE AGENDA

Town Manager Plett requested Agenda Item 13; the NCTPA and NCLOG Merger Proposal, be removed from the agenda at the request of staff and NCLOG Co-Chair.

ACTION: It was M/S (Rosa/Dutton) to adopt agenda, as amended. Vote: 4-0.

7. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA

Tom Chirmang, Chamber of Commerce President, announced that Executive Director Vicky Baxter had resigned effective April 15, 2006 and thanked her for her work at the Chamber.

8. APPROVAL OF CONSENT CALENDAR

Council Member Dunbar recused himself from voting on Item 5 due to his residence being within 500 feet of the property.

Vice Mayor Saucerman thanked the Town Clerk for her work on the Council minutes and staff for their work on completing the Town Council Protocols.

ACTION: It was M/S/C (Dutton/Rosa) to adopt Consent Calendar Items 1 through 6. Vote: 4-0 (Dunbar recused on Item 5).

1. *Approval of Warrants* —

- Accounts payable check numbers 028414 – 028460 \$90,442.79
- Total payroll and benefits 3/28/06 \$69,287.93
- Total payments for period \$159,730.72

Action: Received and Filed.

2. *Approval of Minutes:* March 28, 2006

Action: Approved.

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3. **Resolution Number 2451-06** Terminating the Continued Existence of a Local Emergency – December 31, 2005 Flood
Action: Adopted Resolution.
4. **Resolution Number 2452-06** Adopting Town Council Protocols
Action: Adopted Resolution.
5. **Resolution Number 2453-06** Approving Stags View Lane Reimbursement Agreement Number 2006-153 with John Holman, and Authorizing the Release of Funds Deposited by the Washington Park Developer for Recovery of Off-Site Construction Cost
Action: Adopted Resolution.
6. **Resolution Number 2454-06** Adopting an IRS 125 Plan Document and Establishing the Town as Administrator of the 125 Flexible Spending Plan
Action: Adopted Resolution.

9. PRESENTATIONS

1. **Resolution Number 2455-06** Supporting a Constitutional Amendment to Ensure State Sales Taxes on Gasoline Goes to Fund Transportation Improvements
Action: Received Presentation by Amy O’Gorman, League of California Cities and adopted Resolution.

Amy O’Gorman, League of California Cities representative, asked for approval of Resolution Number 2455-06 in support of a constitutional amendment for the November 2006 ballot; the Transportation Protection Funding Act of 2006. She noted Proposition 42 was approved in March 2002, provides that all sales tax revenues be used for transportation, noted there is a loophole that allows the transfer of funds to the general fund at any time, that for the last two years over \$2.5 million had been transferred for non-transportation purposes which represented about \$20,000 for Yountville’s local road maintenance.

Ms. O’Gorman discussed statistics relating to highway congestion, time and fuel waste, air quality, noted that \$325,000 was identified as a funding gap, discussed terms of the amendment, and said if passed, \$6 million would be dedicated for Napa County, with an additional \$2.5 million annually on a countywide basis.

ACTION: It was M/S/C (Rosa/Dutton) to adopt Resolution Number 2455-06 Supporting a Constitutional Amendment to Ensure State Sales Taxes on Gasoline Goes to Fund Transportation Improvements. Vote: 4-0.

2. **Proclamation** Declaring the Week of May 15-20, 2006 as Restless Legs Syndrome Week.
Action: Approved Proclamation.

Vice Mayor Saucerman read the proclamation declaring the week of May 15-20, 2006 as Restless Legs Syndrome Week and Howard Kahn of the RLS Foundation briefly spoke on RLS, received the proclamation and thanked the Town Council.

10. PUBLIC HEARING - BEARD PLAZA WINE STORE SALES AND TASTING USE PERMIT AND SIGN REVIEW – 6540 WASHINGTON STREET (APN 036-061-018)

1. **Resolution Number 2456-06** approving Use Permit 06-UP-04 to establish a use within an existing commercial building for the retail sale of wine and related merchandise, wine tasting, and associated office; and Sign Review 06-SR-02 for identification signs which conform to the approved Beard Plaza sign program.
Action: Adopted Resolution.

Vice Mayor Saucerman excused herself from the Council Chambers and from participation in the public hearing due to conflict of interest relating to her residence being within 500 feet of the project. Council Member Dutton chaired the hearing.

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Stephen Henderson, Assistant Planner gave the staff report, described the project site, location, the previously occupied Ras Art Gallery retail sales business, discussed the operation proposing to have one on-site employee, with hours of 9:30 a.m. to 7:30 p.m. daily and wine tasting after hours by appointment only. He discussed proposed signage which conforms to the Beard Plaza Sign Program, noted conformance with RSC Zone District in that the business would be resident and visitor serving, discussed conformance with all parking requirements, and felt the applicant's proposal met the use permit standards and recommended approval of the use permit and sign review application.

Charles Hendricks, applicant, described his desire to showcase his wines and attract residents and visitors to his retail sales business, felt the business would not be loud or offensive, would attract visitors to stay in Yountville with the ability to walk through Town, noted he proposed to only sell retail wine now, was working on amending his wholesaler ABC license and would comply with all requirements if they held a special event.

Council Members had the following comments and questions:

- Discussion of the definition of conditions 9 and 10 relating to consumption of wine outside the building and business association with food service;
- Time restriction to 10:00 p.m. for after-hours special events
- Confirmation that wine sales would include approximately 20 brands of wine or less;
- Confirmation that delivery trucks would not cause congestion or parking problems;
- Confirmation there would be no noise impacts

Council Member Dutton opened the public hearing.

David Goldman, St. Helena, supported the application, said he had known Mr. Hendricks as a local business operator for some time and felt the activity would bring business and support to the Town.

Council Member Dutton closed the public hearing.

Council Members briefly discussed the various uses and intent of the RSC Zone District, acknowledged that trends in town did not support a resident-only serving district, and supported approval.

ACTION: It was M/S/C (Dunbar/Rosa) to adopt Resolution Number 2456-06 approving Use Permit 06-UP-04 to establish a use within an existing commercial building for the retail sale of wine and related merchandise, wine tasting, and associated office; and Sign Review 06-SR-02 for identification signs which conform to the approved Beard Plaza sign program. Vote: 3-0-1 (Saucerman recused)

11. PUBLIC HEARING - ANTIQUE FAIR WINE TASTING AND SALES USE PERMIT AMENDMENT AND SIGN REVIEW – 6512 WASHINGTON STREET (APN 036-222-006)

1. **Resolution Number 2457-06** approving Use Permit 06-UP-05 to add wine tasting and retail wine sales to the front portion of an existing antique store, and Sign Review 06-SR-01 for adding identification and use related signs to the existing front awning and front window.

Action: Adopted Resolution.

NOTED PRESENT

Vice Mayor Saucerman returned to participate in the meeting and was noted present at 5:44 p.m.

Assistant Planner Stephen Henderson gave the staff report, discussed the applicant's request to establish a dual use wine sales/wine tasting within the existing Antique Fair business and identification signage, described the project location and surrounding uses, noted the request would require one additional staff person, hours would remain the same as 10:00 a.m. to 6:00 p.m. , discussed signage dimensions and locations, noted the business had operated with one off-street parking space and that most parking is available along the public street and in the Community Hall parking lot, said the proposed addition of wine and retail sales is not anticipated to increase parking demand, and that staff recommends adoption of the resolution approving the use permit and sign review.

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Vice Mayor Saucerman, Council Members Dunbar and Dutton disclosed having met with and discussed the project with the applicant, and noted information received did not differ from what was proposed and also would not influence their decision on the matter.

Council Members confirmed food would not be prepared and/or served on a regular basis other than occasionally with wine pairings.

The public hearing was opened.

Doug Hill, owner, thanked Town planning staff, introduced his family, presented a brief history of the business opportunity and work with the store owner, George Rothwell. Mr. Rothwell spoke and said he felt the business would continue to improve as a dual use. A slideshow of pictures was presented and Mr. Hill described examples of their antiques and the area where the showcase of wine would be located within the building.

Ryan Hill, supported his family's request, discussed growing up in Yountville and the need for community and recreation participation.

Council Members had the following comments:

- Supported the request and felt the dual use was a creative integration;
- Supported the local family operation and felt the request more personalized the existing retail business;
- Confirmed that the restroom remodel would be completed to meet ADA requirements and requested that a wine club for local residents would be established;
- Noted receipt of support letters from Arik Housely, Ronda Vosti, Jan Lee Fechter, Larry Reyes and Phillippe Jeanty.

ACTION: It was M/S/C (Rosa/Dunbar) to adopt Resolution Number 2457-06 approving Use Permit 06-UP-05 to add wine tasting and retail wine sales to the front portion of an existing antique store, and Sign Review 06-SR-01 for adding identification and use related signs to the existing front awning and front window. Vote: 4-0.

12. CONCEPT REVIEW – GHIRARDI PLACE – 1904 FINNELL ROAD (APN 036-341-022)

1. Presentation and update of a project development consisting of a residential subdivision with four duplexes and three single-family dwellings.

Action: Received applicant's presentation and provided comments.

Vice Mayor Saucerman and Council Member Dunbar disclosed having met with and discussed the project with the applicant, and noted information received did not differ from what was proposed and also would not influence their decision on the matter.

Planning Director Bob Tiernan gave the staff report, described the parcel, said it was subject to the creek overlay setback, noted the conceptual plan proposes to subdivide the parcel into seven lots and construct three single-family dwelling units at the rear portion of the site and four duplex units at the front portion, for a total of 11 units. He said the original plan was similar and heard before the Council, and differences included reduction in size of the single family and duplex units, there had been a list of exception which included FAR, height exceptions, front yard exceptions, and he described each. Mr. Tiernan described the applicant's work to reconfigure the plan which reduced lot size, unit square footage, FAR, and discussed key general conditions for zoning and design ordinance requirements which were contained in the staff report relating to affordable housing, parking, driveways, open space, view corridor, trees, setbacks, and building height.

Council Members had the following questions and comments:

- The encouragement to place garages in the rear and the project's concealment from Finnell;
- Open space concealment and the use of trees, foliage, and landscaping to screen the creek;
- Building height exceptions and affected units;
- The applicant's letter and the FAR density bonus

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- Calculations relating to exclusion of the common access driveway and lot sizes;
- The garage exception
- The ownership area of the homes and lot areas;
- Front yard setback calculations and reduction of the duplex units;

Jason Janes, applicant, said the height exception was a design error and would be removed, said they would not place fencing in the rear of the development and said there were ways to provide native vegetation and screening consistent with the Department of Fish and Game, said most open usable space was shifted to the back yards, said the joint access driveway was excluded from the lot area for FAR purposes but it still counted as the lot sizes, said they worked hard to remove all exceptions.

Mr. Janes noted one public comment was received from Maxine Bardessono, who expressed concern of massing toward Finnell, and he said the project was moved northward an additional five feet and felt two parking spaces along Finnell could be screened with landscaping or deleted. He hoped that the design ordinance took into consideration the intent of the design features of a project, exemptions and FAR, and felt the project's mass was not that large.

Everett Gooch, said he was Maxine Bardessono's neighbor, felt the applicant was making a sincere attempt to address the many initial exceptions, that moving it off the street was positive, felt the Council could agreed that the two parking spaces along Finnell could be properly screened with landscaping or removed, and questioned the type of screening between the property and the church.

Council Members provided the following comments on the Concept Plan:

- Support of the project's high quality and similarity to previously developed projects by applicant;
- Majority of support for consideration of granting FAR exception, given the configuration of the property and design, the garage exemption, and building heights;
- Concern with the 2,000 square foot massing over the FAR regardless of the project having a private driveway;
- Concern that a precedent would be set if granting FAR exemption;
- Support for the interpretation of the intent of the ordinance;
- Support for landscaped screening or trellises covering the two parking spaces, or their relocation within the development;
- Discussion and non-support for removal of the two parking spaces along Finnell;
- Acknowledgement of general neighborhood support;
- Acknowledgement that policy issues have been addressed such as creekside overlay, parking, driveway, open space requirements, tree preservation, setbacks from the center line of the common access driveway;
- Resolution on the type of separation between the Adventist property and the development.

13. NCTPA AND NCLOG MERGER PROPOSAL

Action: Removed from agenda.

14. FUTURE AGENDA ITEMS

April 18, 2006:

1. Farmer's Market Special Event Use Permit
2. Resolution Amending Park Use Guidelines and Fees
3. Presentation on Total Maximum Daily Load (TMDL) on the Napa River

Town Manager Plett reported on future agenda items, stating the Farmer's Market application should be brought forward in late April/early May, said Community Services Director Leary would be bringing forward an amendment to park use guidelines and fees, a presentation would be made on the Total Maximum Daily Load on the Napa River, and a resolution of support for a Library Bond Measure for the June 2006 election.

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15. COUNCIL REPORTS AND COMMENTS

1. Report of Council Member Meeting Attendance:

- a) Napa County City Selection Committee-(4/4 Saucerman/Dutton)
- b) NCFC&WCD Meeting (4/4 Saucerman/Dutton)
- c) Other Reports and Comments

Action: Received and filed.

Dunbar:

- Acknowledged Little League's Opening Day and first pitch by Vice Mayor Saucerman.

Dutton:

- Thanked and noted success of the Pancake Breakfast held prior to the Little League's Opening Day event;
- Reported a breakfast would be held the morning of the Easter Egg Hunt on April 14, 2006;
- Recognized Kaneshiro Field's great condition and thanked the coaches for their work on irrigation, drainage, maintenance and dirt work.

Saucerman:

- Enjoyed being invited to throw the first pitch at Opening Day and noted the success of the Pancake Breakfast;
- Attended the City Selection Committee meeting April 4 wherein Kevin Block and Cindy Coffey were appointed as representative and alternate to LAFCO as a result of the vacancy left by Lori Luporini;
- Attended the NCFC/WCD meeting on April 4; DVD and presentation of lobbying efforts for federal funds was given;
- Thanked staff and local restaurants for their participation in Mayor Carlson's Farewell Reception;
- Recognized the Veterans Home Newsletter coverage of the Farewell Reception and other valuable information;
- Announced a 122nd year Anniversary celebration of the Veterans Home and 60th Anniversary of the Veterans Affairs Office would be held at the Lincoln Theater at 2:00 p.m. on Thursday; April 6, 2006;
- Announced the printing and distribution to residents of the Town's Newsletter.

16. STAFF REPORTS

- 1. Update on Community Swimming Pool Project;
- 2. Update on the Washington / Yount Street Intersection Improvement Project

Town Manager Kevin Plett provided an update on the Community Swimming Pool project and the Washington/Yount Street Intersection Improvement project, noted inclement weather continued to affect both projects, said plans were being finalized for the pool project, said the project was still under budget and hoped to have it completed by Memorial Day.

Council Member Dunbar requested repair to potholes at the Washington/Yount improvement project intersection as a result of heavy rains.

Town Manager Plett reported staff had met with Napa City/County Library representatives on April 3, noted their consultants were preparing a long-range plan, discussed findings and recommendations of the plan, discussed requirements proposed by library officials for the Community Center and discussion of the Veterans Home library and re-arrangement of rooms to be used for multi-purpose areas.

Community Services Director Ken Leary reported the following:

- Easter Breakfast at Community Hall – April 15, 7:00 a.m. to 9:30 a.m.;
- Annual Easter Egg Hunt – Yountville Park – April 15, 10:00 a.m.;
- Mother of the Year Contest and Award - May 13, 2006 – 1:30 p.m.;
- Flea Market – Community Hall parking lot – May 13 - 9:00 a.m.;
- Yountville Clean-Up Day – May 20, 2006.

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17. ADJOURNMENT

Council adjourned the meeting to the Budget Priority Study Session on April 7, 2006; and thereafter adjourned to the next regular Council Meeting to be held April 18, 2006.

ACTION: It was M/S/C (Saucerman/Dutton) to adjourn the meeting at 8:15 p.m. to the Budget Priority Study Session on April 7, 2006 at 9:00 a.m., and thereafter, to the regular Council meeting on April 18, 2006. Vote: 4-0.

ATTEST:

/s/ Lisa Harper, CMC, Town Clerk

Approved by Town Council:

April 18, 2006
Date