

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
September 16, 2008

1. CALL TO ORDER – 5:00 P.M.

Mayor Saucerman called the meeting to order at 5:00 pm

2. CLOSED SESSION

- A. Conference With Legal Counsel - Existing Litigation Pursuant to Subdivision 54956.9
Name of Case: Town of Yountville and Yountville Town Council v. John Tuteur and Renate Halliday – Superior Court Case No. 26-43730
 - B. Public Employment – Pursuant to Subdivision 54957.6
Title: Finance Director
 - C. Public Employee Performance Evaluation – Pursuant to Subdivision 54957.6
Title: Town Manager
-

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

Mayor Saucerman convened the regular Council meeting at 6:02 p.m.

4. PLEDGE OF ALLEGIANCE

The pledge of allegiance was held.

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:

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

6. CLOSED SESSION REPORT

Amy Valukevich, Town Attorney, stated there is no reportable action.

7. ADOPTION OF THE AGENDA

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to adopt the agenda was unanimously approved.

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

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

Marjorie Moehler personally thanked Town Manager, Steve Rogers, Public Works Director, Myke Praul and Town Staff for their efforts to quickly take care of the hazardous sidewalk on Finnell (Rossi Property).

9. APPROVAL OF CONSENT CALENDAR

ACTION: A Motion by Councilmember Dutton; Seconded by Councilmember Rosa to adopt the Consent Calendar was unanimously approved.

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

A. *Approval of Warrants*

- Accounts payable check numbers \$229,696.65
- Total payroll and benefits \$125,952.49
- Total payments for period \$355,649.04

Recommendation: Received and Filed.

B. *Biennial 2008 Conflict of Interest Code Review for the Town of Yountville*

Notification to the Town Council that the Town's Conflict of Interest Code will be amended to reflect non-substantive changes.

Recommendation: Received and Filed.

10. PRESENTATIONS – NONE

11. PUBLIC HEARINGS – NONE

12. CONCEPT PLAN REVIEW – SORRENTO PROJECT – 6488 WASHINGTON STREET (APN 036-082-027)

Presentation of a proposed mixed use development consisting of a new building that includes approximately 3121 sq ft of first floor commercial space divided into three tenant spaces with an exterior rear courtyard and approximately 1890 sq ft of second floor space divided into three residential apartments. Proposed commercial uses include a wine shop with wine tasting and a coffee shop. A 15 space parking lot is located at the rear of the parcel.

Recommendation: Received applicant's presentation and provided comments.

Vice Mayor Dunbar disclosed he met with the Applicant regarding the proposed project prior to this meeting.

Councilmember Chilton disclosed that he has a leasehold adjacent or practically adjacent to the subject property and has reviewed the regulations regarding potential conflicts and one does not exist; however, because the Applicant has specifically proposed a coffee shop which would be a direct competitor with his business, he will recuse himself from the item and left Council Chambers.

Councilmember Dutton disclosed he met with the Applicant and Stephen Henderson regarding the proposed project prior to this meeting.

Mayor Saucerman disclosed she met with the Applicant and Stephen Henderson regarding the proposed project prior to this meeting.

Bob Tiernan, Planning Director, presented staff report.

Stephen Henderson, Project Applicant, provided overview of the project.

Marjorie Moehler commented on the following:

- Respect property rights and rights of property owner to develop property; however, commented that Yountville does not need another wine tasting room.
- Yountville needs more businesses that serve local needs and stated Yountville has the fewest local serving business compared to neighboring cities.
- Yountville does not need another coffee place.
- Residential units should also be required to be affordable units.
- Running out of space in Yountville and must carefully evaluate the impact of new development.

Planning Director Tiernan read into the record an email he received from Douglas Haigh indicating that he reviewed the Concept Plan for the project and is generally in support of the building plan and proposed uses. Mr. Haigh also likes staff suggestion to include access to the rear patio courtyard for coffee shop tenant.

Council Comments

Councilmember Dutton commented on the following:

- Agrees with Planning Director Tiernan on the point that it is pretty hard to imagine the rear courtyard will be open to public the way it is located.
- Would support the walkway along the southern edge of the property line.
- FAR has always been an issue and this area is certainly exceeding it.
- Business Type – In the concept stages and not sure of the type of business, but it has to make it from a bottom line standpoint. A local-serving business is nice, but cost of doing business in Yountville is some times not feasible.
- Housing - Nice to see it.
- Parking - Curbing to delineate parking areas would be nice.
- Handicap Parking – Use the “no parking area” to make the proposed handicap parking more accessible.

Councilmember Rosa commented on the following:

- Shares a lot of the same concerns expressed by Councilmember Dutton.
- Rear Courtyard is problematic and the only people using are customers and after hours the residents.
- Likes the overall look of the building.
- Businesses – Currently Concept Plan.
- Parking – Is problematic and unaware that the Applicant was going to be using a shared driveway for the two properties and not sure what is coming in on the north side of the property.
- Requested clarification on the size of the driveway and whether or not there is an access agreement in place.
- Rental Units – Fine with rental units.
- FAR – Overall FAR with the tasting room and courtyard, it seems more private then public and if the area is opened up to the public after dark, there might be security issues.

Stephen Henderson, Applicant Representative, indicated there was a Lot Line Adjustment (LLA) and Deferred Improvement Agreement that was recorded and the Town required there be a shared driveway between the two properties. The driveway will be 24 feet.

Vice Mayor Dunbar commented on the following:

- Echo Councilmember Rosa’s comments regarding overall style of buildings as proposed and thinks they are attractive and nice addition to streetscape.
- Support staff recommendation regarding southern portion of Space B and C and recommend those areas be set back to add an element of interest.
- Would require better access to Space B.
- If no walkway is provided, would require the entire courtyard area in the FAR calculations.
- First thought was to flip courtyard with Space C to make space more inviting.

- Concerned about rear access by the way the parking is set up specifically with space number 8 and sees it as a potential hazard.
- Concerned about Special Event use or evening use in the courtyard which could result in noise and lighting impacts.
- Refuse Area – Concerned that the area is located up against residents to the east and would be interested in hearing from the residents.
- Tree Removal in Space 4 – No problem with tree removal understanding it is not a Heritage Oak.
- Use of Space – any change from the proposal from a coffee shop would be back for change of use and considers coffee shop very local serving
- Can't force any retail to go into space and force it to succeed, the market will drive the need.
- Tasting Rooms in Town is encouraging not only local use, but keeping visitors in Town and helping to keep business in Yountville.
- Supports general appearance of buildings and likes the faux balconies
- Size of apartments will dictate affordability.
- Concern about delivery access during business hours (but not before or after bus hours) and does not want to see delivery trucks using temporary parking.
- FAR – If Applicant moves forward with use as restricted in proposal, he will have a real problem with FAR.

Mayor Saucerman commented on the following:

- Concurs with many of the comments made by Council.
- Likes architectural design and varying elements that distinguish the buildings.
- Likes staff suggestion for the south building to be set back a bit.
- Likes courtyard in front of proposed coffee shop and it is a nice public accessible space.
- Shares same concerns as other council with rear courtyard and would have to include in the FAR if there is not more visible public access.
- Concerned about residents and those having strictly access through the rear courtyard. There should be a safe public access from the front to the back of the building for both tenants and visitors.
- Apartments are small, but will add to rental stock - excited to have them.
- Concerns would be with conditions of the use permit, but that is not part of discussion tonight.
- In summary, concerned with FAR and inclusion of FAR in the rear courtyard and access to rear of the building.

Bill Bylund, Architect, commented he went through several iterations with access to the courtyard and looked at the option of an alley between the two buildings. Having an alley there would be narrow (35 feet long) and a very dismal space, but would give some access.

13. GENERAL PLAN UPDATE – WORK PROGRAM DISCUSSION

Initial discussion to define the scope of work and work program for the comprehensive update to the General Plan.

Recommendation: Received staff report and discussed options for update scope.

Councilmember Chilton returned to the Council Chamber for the remainder of the Council Meeting.

Bob Tiernan, Planning Director, presented staff report

Public Comment

Tim Bringman commented on the following:

- Agreed with Councilmember Chilton's comment about not being able to dictate what a business is going to do in the Town of Yountville, but you can encourage some and discourage others.
- Acknowledge comment by Vice Mayor Dunbar regarding greenhouse gases and protecting the environment and stated if the Town had more local serving businesses, he would not have to drive to St. Helena or Napa. Having a self contained Town would be a much better solution.
- Encourage more people to drive their cars less in Town because Yountville is a walking Town.
- Commented on a conversation with the state housing executive and the state housing executive is expecting small towns like Yountville to annex lands and Mr. Bringman encouraged the Council to plan on annexing land.

Mayor Saucerman commented this is a huge undertaking for a Town the size of Yountville. It is not in the Town's budget and it will have a significant fiscal impact; however, it is mandatory.

We have the resources to proceed with the General Plan update and she is interested in how the rest of the Council feels about the General Plan process and the suggested questions that follow the process. Questions from the staff report include the following:

1. *Shall the scope of work include implementation documents that revise the Development Code? (This will be unavoidable to some extent and the necessity to do so is clear from the uncompleted ZODO consolidation effort).*
2. *Shall the plan be performance-based or policy-based (prescriptive) or a hybrid? How is success or compliance measured?*
3. *How many members shall serve on the GPSC? What should its composition be; shall a ZDRB member and/or Town Council member serve? What role shall the ZDRB play?*
4. *Should a Technical Advisory Committee be used? The TAC is usually department heads, consultants, and agency representatives responsible for the built environment.*
5. *Should consultant selection include added emphasis for those firms with specific areas of expertise and experience such as small-towns, built out communities, urban design, tourism, public participation, or other specialties?*

Councilmember Chilton commented on the following:

- Agree the General Plan update is a necessary thing acknowledging the last update was in 1992.
- The current General Plan does not reflect the reality nor does it address the challenges the Town is going to face in the future because the Town does not have much more space for development.
- Already have seen the infill projects and they will become much more challenging and difficult to deal with in the future.
- Probably harder to anticipate future regulations and encourages a community discussion on how to address various issues (i.e. FAR).
- Specific issues to address in tighter timeframe include tasting rooms in Yountville and review of existing regulations in Old Town.

Councilmember Rosa commented in response to the five questions in the staff report and referenced in italics above:

- Question 1 – Yes. Needs to go forward.
- Question 2 - Hybrid
- Question 3 - Members to serve remains to be seen and need to define stakeholders and who should be on committee (i.e. should it be volunteers from each part of Town and yes ZDRB should play a large role).
- Question 4 – Yes
- Question 5 - Yes
- Supports Town Manager Rogers and Planning Director Tiernan to determine the number of people on the General Plan Steering Committee and bring it back to Council for consideration.
- Supports moving forward with the General Plan Update.

Councilmember Chilton commented on the five questions referenced above in italics and agrees with Councilmember Rosa on everything in particular Question 3. regarding ZDRB because it is mandated to be responsible for Design Review and to advise Council on policy changes.

Councilmember Dutton stated he completely agrees with the above Councilmember's comments and added the following:

- Comment on Question 3 – When selecting people make sure people are willing to serve because it takes a real commitment for people to make it for two years.
- County Issues Impacting Town – Wanted to mention Wine Tasting Rooms because the County does make it difficult for tasting rooms and wants that type of use put back into the Cities and Town.

Vice Mayor Dunbar commented on the following:

- Start with same list that Councilmember Chilton referred to with the bullet points from 1997 as referenced in the staff report and he is struck by how many the Council has addressed or has tried to address. The bullet points addressed include the Community Center, Youth Serving Facilities, Sheriff Facilities, Veterans Pool, making the Community Hall site and Library more usable and was impressed by the direct progress this Council and previous Town Council's have made.
- Sustainability or Energy Efficiency is critical element
- Water Use.
- Lighting (doesn't think needs to direct as specific element but within our current element)
- Parking – Parking calculations are high priority (standard vs. high business uses and we do not have an answer right now)

Response to five specific staff report questions:

- Question 1 - Agree with trying to get to a conclusion with the Zoning & Design Review Ordinances.
- Question 2 - Hybrid (at least on a policy basis to measure success)
- Question 3 - Avoid getting too large of a Steering Committee and for members to consider representatives from the Council, ZDRB, Transportation Advisory Committee, Community Hall Committee, Possibly a Parks and Recreation Committee, Arts, representative from the Veterans Home, Business Community (i.e. business owner or member of chamber) or one or more At-Large Member to represent the residents.
- Question 4 - General Plan TAC – Suggested a wait and see approach – not sure we have to formalize another committee until we do more of an evaluation on where the Town is heading.
- Question 5 - Yes to specific experience.

Mayor Saucerman commented on the following:

- Agrees with the comments that have been made by the Council.
- Was also drawn to the Community Facility done in 1997 and the ten bullet points and of those ten bullet points have addressed virtually all 10 either by this Council or previous Councils.
- Good opportunity for the community to get together to work on a plan for the best interest of the entire community.
- Happy to see certain elements included such as flood management, historic preservation given the nature of historic old town which makes up the orange on our Town map, tourism, public facilities and services, economic development, parking (standards need to be changed), and FAR standards may need to be more flexible.

Response to five specific staff report questions:

- Question 1 - Yes to update
- Question 2 - Hybrid (policy and performance based)

- Question 3 - Need good cross section of community (Veterans Home, Business, Staff, and legal background)
- Question 4 - Incorporate Technical Advisory Committee into plan, as needed.
- Question 5 - Yes

Staff was provided sufficient direction to kick of the general plan update process.

14. SPECIAL EVENT INFORMATIONAL REPORT

Informational report regarding potential amendments to Municipal Code Section 8.24 Special Events including, but not limited to, sound amplification, film permits, block parties, temporary banner guidelines, applications and potential fees.

Recommendation: Received staff report and provided direction to staff.

Kenneth Leary, Community Services Director, presented staff report.

Council consensus regarding overall approach, cost recovery and security deposits and thanked Director Leary for a thorough report.

15. EMPLOYEE CLASSIFICATION PLAN, POSITION DESCRIPTIONS AND POSITION RECLASSIFICATIONS

A. *Consider Adoption of Resolution Number 2719-08* Approving and implementing Employee Classification Plan.

Recommendation: Adopted Resolution.

Steve Rogers, Town Manager, presented report.

Public Comment – None

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Rosa to adopt Resolution Number 2719-08 Approving and implementing Employee Classification Plan was unanimously approved.

Ayes: Dunbar, Rosa, Dutton, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

B. *Consider Adoption of Resolution Number 2720-08*

- Approving reclassification of the Administrative Services Supervisor position including new position description and salary range;
- Approving reclassification of the Office Assistant III position to an Administrative Account Clerk including new salary range; and
- Approving new position description for Finance Director and establishing salary range.

Recommendation: Adopted Resolution.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Council Member Dutton to Adopt Resolution Number 2720-08 Approving reclassification of the Administrative Services Supervisor position including new position description and salary range; approving reclassification of the Office Assistant III position to an Administrative Account Clerk including new salary range; and approving new position description for Finance Director, as amended to reflect that the salary range of the Finance Director is not being adopted and under experience and education delete “preferred”.

Ayes: Dunbar, Dutton, Rosa, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

16. STAFF INFORMATIONAL REPORTS

A. Community Services Department Monthly Program Update

Ken Leary, Community Services Director, presented update.

17. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

Agendas and Minutes related to Council Member Meeting Attendance are maintained separately by the various meeting bodies.

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

Mayor Saucerman reported on the action taken at the recent District meeting.

B. Upper Valley Waste Management Authority (Dutton)

Councilmember Dutton reported on action taken at the recent Authority meeting.

C. Napa County Mosquito Abatement District (Rosa)

Councilmember Rosa reported on action taken at the recent District meeting.

D. Other Reports and Comments

Councilmembers Chilton and Dutton attended the Allied Council meeting where concerns were raised about the sidewalk lines do not matching at California Drive and Solano Avenue and indicated staff is aware and will address the issue.

Vice Mayor Dunbar commented on the following:

- Reminded people about the upcoming Yountville Days

- He and Town Manager Rogers will be attending the League of California Cities Annual Meeting in Long Beach.
- Mayor Saucerman commented Creek Clean-up Day is Saturday, September 20, 2008 at the Ecological Center on Yountville Cross Roads.

Recommendation: Received and Filed.

18. FUTURE AGENDA ITEMS

- A. Community Center and Library Project Monthly Status Report
- B. Hydrology Study Report
- C. Professional Services Contract for Housing Element
- D. Potential Appointments to the Transportation Advisory Committee and the Zoning and Design Review Board

19. ADJOURNMENT

Adjourned to the Regular Town Council Meeting, Tuesday, October 7, 2008.

ATTEST:

/s/Michelle Price, Town Clerk

Approved by Town Council:

November 4, 2008