

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
May 6, 2008

1. CALL TO ORDER – 5:30 P.M.

2. ZONING & DESIGN REVIEW BOARD INTERVIEW – 5:30 P.M.

The Town Council interviewed John Stitt for a position on the Zoning & Design Review Board.

Councilmember Chilton arrived at 5:35 p.m.

3. CLOSED SESSION – NONE

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

Mayor Saucerman convened the regular Council meeting at 6:00 p.m.

5. PLEDGE OF ALLEGIANCE

The pledge of allegiance was held.

6. 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; Malcolm A. Mackenzie, Town Attorney; Bob Tiernan, Planning/Building Director; Myke Praul, Public Works Director/Town Engineer; Michelle Price, Town Clerk; Richard Stranzl, Finance Director and Kenneth Leary, Community Services Director

7. ADOPTION OF THE AGENDA

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

Ayes: Rosa, Dutton, Chilton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

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

Renate Halliday commented she delivered 56 pages with approximately 500 signatures to the Town Clerk for the second ballot initiative request which limits the Town of Yountville's lease financing capabilities.

9. APPROVAL OF CONSENT CALENDAR

Councilmember Dutton requested Item 9C be pulled for a separate vote of the minutes, as he was not present for the April 15, 2008 Council meeting.

Councilmember Chilton commented he was not present for part of the April 15, 2008 Council meeting and would be abstaining from approval of the minutes.

Mayor Saucerman requested clarification on the April 15, 2008 set of minutes on page 5, the third bullet. Following review by the Town Clerk, the minutes will remain as presented for approval.

Items 9 A and 9 B

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Rosa to approve Consent Calendar Items 9 A and 9 B was unanimously approved.

Ayes: Dunbar, Rosa, Dutton, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

Items 9 C – April 1, 2008 Minutes

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Dutton to approve the Consent Calendar Item 9 C – April 1, 2008 minutes was unanimously approved.

Ayes: Dunbar, Dutton, Rosa, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

Items 9 C – April 15, 2008 Minutes

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Rosa to approve Consent Calendar Item 9 C – April 15, 2008 minutes, as presented following review by Town Clerk, was approved.

Ayes: Dunbar, Rosa and Saucerman

Noes: None

Absent: None

Abstain: Dutton and Chilton

A. *Approval of Warrants*

- Accounts payable check numbers \$298,119.75
- Total payroll and benefits \$ 70,806.21
- Total payments for period \$377,925.96

Recommendation: Received and Filed.

B. *Tot Lot Improvement Project (PK-14) (Toyon Terrace)*

- ***Adopt Resolution Number 2666-08*** Authorizing the filing of a Notice of Completion and accepting the work performed by Kevin O’Keefe Company in the amount of \$7,695;
- ***Adopt Resolution Number 2667-08*** Authorizing the filing of a Notice Completion and accepting the work performed by Robertson Industries in the amount of \$29,925; and
- ***Adopt Resolution Number 2668-08*** Authorizing the filing of a Notice of Completion and accepting the work performed by Ameca General Engineering in the amount of \$32,693.

Recommendation: Adopted Resolutions.

C. *Approval of Minutes* – April 1 and 15, 2008.

Recommendation: Approved as presented with abstentions noted above.

10. PRESENTATIONS

A. Hotel Luca Project Introduction by David Fink, Mirabel Hotel & Restaurant Group

Bruce Peters, Representative for Hotel Luca, introduced David Fink who provided project overview.

B. Comprehensive Annual Financial Report (CAFR) by Terry Krieg, CPA – Town Auditor

Richard Stranzl, Finance Director, presented brief overview and introduced Terry Krieg, Town Auditor.

Terry Krieg, CPA and Town Auditor, presented the Comprehensive Annual Financial Report (CAFR).

11. TOWN CENTER MASTER PLAN (COMMUNITY CENTER) PROJECT (CF-04)

- A. *Consider Adoption of Resolution Number 2669-08* Approving Letter Amendment 1 to Professional Services Agreement Number 2007-188 with Siegel & Strain to provide construction oversight services in an amount not to exceed \$315,000.
- B. *Consider Adoption of Resolution Number 2670-08* Approving Professional Services Agreement with Pound Management to provide construction management services in an amount not to exceed \$450,000.

Recommendation: Adopted Resolutions.

Myke Praul, Public Works Director, presented staff report.

Mr. Leslie Alspaugh, Pound Management, provided overview of his firm.

Public Comment Held

Donna Heine commented on the following:

- Expressed concern about landscaping costs and hopes Council will not sign the resolutions until after the bids have come in so we know what changes are going to be needed.
- Commented, on behalf of others, that there is perception that the Council is not necessarily listening to the public's concern.
- Requested the May 20, 2008 Council meeting be held at Community Hall to allow for a large turnout.

Council Comments

Councilmember Chilton commented he does not want to approve these contracts tonight.

ACTION: A Motion by Councilmember Chilton; seconded by Councilmember Dutton to delay approval of the contracts to the May 20, 2008 Council Meeting failed on the following vote.

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

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Rosa to Adopt Resolution Number 2669-08 Approving Letter Amendment 1 to Professional Services Agreement Number 2007-188 with Siegel & Strain to provide construction oversight services in an amount not to exceed \$315,000 and to Adopt of Resolution Number 2670-08 Approving Professional Services Agreement with Pound Management to provide construction management services in an amount not to exceed \$450,000 was approved.

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

12. IN-COUNCIL MEETING WORKSHOP – WINE TASTING ROOMS

Recommendation: Received Staff Report and Provided Direction to Staff.

Steve Rogers, Town Manager, introduced the item.

Bob Tiernan, Planning Director, presented staff report.

Councilmember Chilton asked the Town Attorney what legal options are available to the Town Council in setting a standard for wine tasting rooms including people who already have a use permit approved.

Malcolm Mackenzie, Town Attorney, recognizing Town Attorney Valukevich has not had an opportunity to comment, commented that a current use permit can only be changed if a new use is sought or a use is in violation.

Vice Mayor Dunbar commented Council needs to take into consideration hours and special events and all other variables (i.e. residential, noise, lighting, parking, size of the property) and just because there are different hours, food service and special events established for each business does not mean it is inappropriate. Vice Mayor Dunbar further commented he does not want to get into a cookie cutter of the minimal allowable details for wine tasting rooms that do not apply in one area versus another.

Councilmember Chilton agrees with the Vice Mayor and one of the concerns he has is the tendency of local government bodies trying to engineer what the private market wants and needs are. Councilmember Chilton also commented on the complexity of defining what a tasting room is and that the Ag Preserve gave existing property owners and businesses a monopoly in certain areas (i.e. serving food at a winery). Councilmember Chilton further commented he thinks the issue is complex and involving local businesses is important. He also supports this topic going to ZDRB.

Mayor Saucerman commented on the following:

- Clearly we already have some guidelines in place such as residential scaled commercial which is not conducive to more tasting rooms; however, old town commercial and primary commercial are and these areas can be used as a starting point.
- Supports some of the questions raised tonight being brought before the ZDRB for consideration.

- Inconsistencies cropping up are the hours and the nature of the business itself whether it includes tasting rooms that stand alone or tasting rooms and other retail.
- Tasting rooms may be coming forward and asking for exceptions and right now we are being asked to determine whether or not we are going to establish those guidelines and limit those exceptions.
- Does not think it is necessary to have hours that go beyond 10:00 p.m. for special events, retail, or for tasting unless you are a restaurant or bar.

Vice Mayor Dunbar also brought up ZDRB member Janes' comment on space calculation of the FAR if there is indoor and outdoor consumption whether it be retail use and/or wine consumption.

Councilmember Chilton agrees with 10:00 p.m. time limit and thinks it makes sense to consider having open tasting room hours.

Public Comment

Monica and Gloria representatives from Washington Square suggested Council consider activities for locals other than retail such as book signings for locals.

Mr. Hill commented the Council is taking the right approach and Councilmember Chilton brought up valid points about not micro-managing businesses.

Roy Eisiminger, Co-owner of Jessup Cellars, commented he appreciates Council looking into this topic and including those of us in the business to help flesh this topic out and he wants to be good neighbors to Yountville.

Stephen Henderson commented on the following:

- Limiting the number of tasting rooms is a daunting task and Council should look at the Town as an aggregate and look at the zoning districts already in place.
- Likes Councilmember Chilton's comments about keeping it simple.
- Use permit process will look at each site individually.
- Biggest impact is on the residential areas and establishing hours could help.
- Limiting the number of tasting rooms and the cumulative impact whether it is now or later is a big question and should be separated out.
- General Plan update is going to be looked at and the topic of limiting the number of wine tasting rooms would be a good idea for discussion at that time in a workshop format.

Luke Russ commented he works for a gentleman who runs a winery and has been making wine since 1993 and their interest is to open an office to share their life in wine with the Town of Yountville and to allow some outreach to the public with appointment only.

Gloria Property Manager for Washington Square commented she works with landlord operations and has had numerous requests for wine tastings so limiting hours is difficult for landlords to get spaces rented.

Ryan Hill commented on the following:

- There is a need for a workshop as there are a lot of faces that are not here at tonight's meeting.
- Domain Chandon tried to keep hours until 1:30 a.m. and there seemed to be fights occurring.
- Concerned about who is going to enforce closing at 10:00 p.m.
- Thinks it is up to winery server to monitor sobriety and when to cut someone off.

Mayor Saucerman summarized and indicated there have been a lot of good comments made and likes the idea of a workshop including business (i.e. restaurant, retail or a tasting room) and thinks the Town has managed very well to date.

Councilmember Rosa supported Mayor Saucerman's comments.

Town Manager Rogers summarized saying the focus is to lay out a framework because to rely solely on our current ordinances does not provide enough structure. Staff will be able to put together a public workshop using the dialogue provided for the three different styles discussed and come up with guidelines. Town Manager Rogers commented it is very important to remember within the general framework that site location will ultimately have a lot to do with the decisions because not every site will support some of the activities. Town Manager Rogers further commented he hopes to have ideas back to Council by the end of summer.

13. CONSIDER APPOINTMENT TO THE ZONING AND DESIGN REVIEW BOARD TO FILL ONE UNEXPIRED POSITION WITH TERM OF OFFICE EXPIRING JUNE 19, 2009.

Michelle Price, Town Clerk, presented staff report.

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Chilton; to appoint John Stitt to the Zoning & Design Review Board with the term of office expiring June 19, 2009 was unanimously approved.

Ayes: Dunbar, Chilton, Rosa, Dutton and Saucerman

Noes: None

Absent: None

Abstain: None

14. 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 recent actions taken by the District.

- B. Napa County Transportation & Planning Agency (NCTPA) (Saucerman/Rosa & Chilton)

Councilmember Rosa reported on recent actions taken by the Agency.

- C. Upper Valley Waste Management Authority (Dutton)

Councilmember Dutton reported on recent actions taken by the Authority.

- D. Napa River Watershed Information Center (WICC) (Rosa)

Councilmember Rosa reported on recent actions taken by WICC.

- E. League of California Cities – Legislative Action Days (Dunbar)

Vice Mayor Dunbar reported he and Town Manager Rogers attended Legislative Action Days and heard reports on the status of the State budget. In addition, they met with, State representatives Senator Pat Wiggins and Assemblywoman Noreen Evans.

- F. League of California Cities – North Bay Division Meeting

Vice Mayor Dunbar reported Yountville hosted the North Bay Division at Napa Valley Grille and League of California Cities President Jim Madaffer and San Diego City Councilmember, was the guest speaker and focused the discussions on the propositions on the June ballot and encouraged people to educate themselves on Propositions 98 and 99.

- G. Other Reports and Comments

Councilmember Dutton reminded everyone about the Annual Townwide Clean Up May 17, 2008.

Councilmember Chilton congratulated his wife on becoming a United States Citizen today.

Mayor Saucerman commented the Napa Valley Housing Authority is still accepting application to purchase the Yountville affordable housing unit and the application period closes May 23, 2008.

Recommendation: Received and Filed.

15. STAFF INFORMATIONAL REPORTS

A. Discussion Regarding Establishing Second Date for Council Budget Study Session

Council Budget Study Session was scheduled for Wednesday, May 28, 2008 from noon to 4:00 p.m.

Mayor Saucerman commented on letters to the Yountville Sun regarding what it would take to underground utilities throughout the Town. Staff is aware and the Mayor suggested perhaps Council look into the costs and what it would take to underground utilities throughout Town.

Town Manager Rogers commented with Council concurrence staff would put together a status report regarding what is currently planned, what is left to underground, rough cost estimate and possibly some ideas on how to accelerate the program.

Town Manager Rogers commented on the following:

- The Town, will be working with the Mosquito Abatement District to conduct a low-level fog at Veterans Park and other necessary areas around Town.
- Staff will be meeting with Department of Fish and Game to begin process for submitting application for comprehensive watershed maintenance agreement.

Bob Tiernan, Planning Director, gave a brief report on the following projects:

- Birdsong Inn
- Girard Place
- Burgundy House
- Yountville inn –
- Hoop houses across from Keller property
- Napa Style
- Buchan

Kenneth Leary, Community Services Director, provided community service program update.

16. FUTURE AGENDA ITEMS

- A. Town Council Budget Study Session May 21, 2008
- B. Town Center Master Plan (Community Center) Project Bids – Review Bids, Select Alternates and Award Bid
- C. Notices of Completion for Various Construction Projects
- D. Red Restaurant Remodel Design and Sign Review

17. ADJOURNMENT

Adjourned to the next Regular Town Council Meeting, Tuesday, May 20, 2008.

ATTEST:

Michelle Price, Town Clerk

Approved by Town Council:

September 2, 2008