

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
January 15, 2008

1. CALL TO ORDER – 5:45 P.M.

Mayor Saucerman called the meeting to order at 5:45 p.m.

2. RECESS TO YOUNTVILLE HOUSING AUTHORITY ANNUAL BOARD MEETING – 5:45 P.M. (SEE SEPARATE AGENDA).

3. CLOSED SESSION - NONE

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

Mayor Saucerman convened the regular Council meeting at 6:01 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 and Lewis G. Chilton

Absent: Councilmember Steven C. Rosa was excused.

Town Staff Present:

Steve Rogers, Town Manager; Amy L. Valukevich, Town Attorney; Bob Tiernan, Planning/Building Director; Myke Praul, Public Works Director/Town Engineer; Michelle Price, Town Clerk; Richard Stranzl, Finance Director and Jennifer Carvalho, Recreation Supervisor

7. CLOSED SESSION REPORT - NONE

8. ADOPTION OF THE AGENDA

Michelle Price, Town Clerk, advised of corrections to Agenda Item 14, 9212 Report, page 5 and the Resolution.

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

Ayes: Dutton, Dunbar, Chilton and Saucerman

Noes: None

Absent: Rosa

Abstain: None

**9. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA
(Five-minute limitation per speaker)**

Donna Heine expressed concerns several months ago regarding the front steps of Town Hall and safety concerns and requested Council consider this item at a future meeting.

10. APPROVAL OF CONSENT CALENDAR

Vice Mayor Dunbar requested Agenda Item 10 D be held for discussion.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Chilton to approve Consent Calendar Items 10 A, B, C and E, was unanimously approved.

Ayes: Dutton, Dunbar, Chilton and Saucerman

Noes: None

Absent: Rosa

Abstain: None

Item D Held for Discussion

Vice Mayor Dunbar requested clarification regarding the process for the Cal-Card Program and who would be reviewing the credit card charges.

Town Manager Rogers responded that he and the Finance Director would be reviewing the charges. In addition, the Town would be participating in a State structured program and would be adopting the Policies and Procedures for use of the card which are attached to the staff report.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Chilton to approve Consent Calendar Item 10 D, was unanimously approved.

Ayes: Dunbar, Chilton, Dutton and Saucerman

Noes: None

Absent: Rosa

Abstain: None

A. *Approval of Warrants* —

- Accounts payable check numbers \$265,762.86
- Total payroll and benefits \$102,363.59
- Total payments for period \$368,126.45

Recommendation: Received and Filed.

B. *Monthly Financial and Quarterly Investment Report* – December 2007

Recommendation: Received and Filed.

C. *Second Reading and Adoption of Ordinance Number 374-08* Amending Section 6.2 of the Yountville Zoning Ordinance, Off-Street Parking and Loading regarding Duplex Parking Standards, Compact and Standard Parking Space Dimensions and Allowances, and Tandem Parking.

Recommendation: Second Reading and Adoption of Ordinance.

D. *Adopt Resolution Number 2636-08* Authorizing Town Participation in the State of California Cal-Card Program and Adopting Town Policy and Guidelines for the Cal-Card Purchasing Program.

Recommendation: Adopted Resolution.

E. *Approval of Minutes – July 23, 2007 and January 3, 2008.*

Recommendation: Approved.

11. PRESENTATION BY V MARKETPLACE

Jan Fechter, General Manager, V Marketplace (formerly Vintage 1870), gave presentation regarding recent name change and provided overview of the 5-year plan for the Marketplace.

Ms. Fechter introduced Michael Chiarello, NapaStyle Retail Flagship store and Restaurant Owner, who will be joining the retail mix of V Marketplace.

Michael Chiarello, NapaStyle Retail and new Signature Restaurant owner, provided an overview of the NapaStyle brand retail flagship store including the addition of a demonstration kitchen and signature restaurant.

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

Consider Adoption of Resolution Number 2637-08 Approving Use Permit and Design Review to convert use of existing Burgundy House Inn to wine tasting and retail commercial and amend design, site, and parking plans.

Recommendation: Adopted Resolution.

Bob Tiernan, Planning Director, presented staff report and outlined the Applicants request for amendments below:

- Hours of Operation – Request hours of operation go past dark and until 10:00 p.m. on occasion when doing special events in the backyard.

Staff recommends maintaining the hours of operation currently reflected in the resolution due to concern on impacts to the residents in Burgundy Commons.

- Wine Tasting Conditions – Proposes having wines other than Blackbird Vineyard represented and requested the number of multiple users be expanded beyond the ten producers currently allowed in the use permit.

Staff does not have a problem with the change requested.

- Condition of Approval #11 – Request the number of people attending events be increased from 50 people to a maximum of 100 people.

Staff is suggesting special events be handled and defined as private properties or events exceeding 15 persons and shall not exceed 50 persons except 3 events per year of up to 100 persons can be conducted.

- Special Events Defined – Request flexibility to have a total of 24 special events per year (rather than 2 per month) and they would determine when the events would be held as more events would occur during the summer rather than the winter months.

Staff does not have a problem with the change requested.

- Street Impact of Art Displayed – Staff is suggesting a maximum number of four display pieces when exceeding the height of the front fence to a maximum of 6 feet in height would be allowed to be displayed in the side yard and no restriction to the number of pieces when the height is less than the top of the 4' screen in the side yard. No restrictions to the number of display pieces in the rear yard.

- Outdoor Events – Request use of outdoor tents.

Staff is recommending no use of outdoor tents, unless a temporary sun screen.

If Council is interested in allowing the use of tents, consider height limit of the tent, the duration that the tent is allowed to remain up and perhaps the maximum times per year.

Staff recommendation is to reduce impacts to the adjacent residential use.

- Add Condition of Approval – Bulbout that warns people exiting the Burgundy Commons to warn them of parking spaces.

Michael Polenski, Owner of Blackbird Vineyards and Burgundy House, gave brief presentation and responded to some of the questions raised.

Public Hearing - No Public Comment

Council Comments

Councilmember Chilton commented on the following:

- Liked project first time it came up and the harmony with the north end of Town and the goal of making this a walking destination.
- Parking – Project has gone well beyond what is required and would like parking space to remain.
- Wine Tasting Condition - Okay to strike “not to exceed a total of 10”.
- Special Events – I think it is reasonable to make this on an annual basis rather than on a monthly basis and 24 events does not seem to be excessive.
- Condition of Approval #11 - Would like this condition to remain more open and if in 6 months this needs to change it should change.
- Tents - Condition should be taken out in its entirety and should read tents used for special events have to be taken down within 24 hours.
- Events - Okay with outdoor hours being until dark.

Councilmember Dutton commented on the following:

- It is pretty clear that Mr. Polenski has done an awful lot to get along with neighbors and has no qualms with the changes requested and being adhered to.
- Likes 6 month review.

Vice Mayor Dunbar commented on the following:

- Wine Tasting Condition - No problem with additional wine vendors.
- Outdoor Displays - Okay with outdoor displays as they are being screened.
- Parking Spaces - Acknowledge additional parking spaces being presented and likes the additional condition regarding the bulbout.
- Tents – Okay if tents are limited to special events.
- Conditional of Approval #11 - Additional guests should be limited to not to exceed 50 without approval by staff. Up to 100 guests is pretty significant impact to the neighbors.
- Special Events – Okay with 24 events per year versus 2 per month as long as use is being monitored.

Clarified he does not support up to 100 guests and open ended use of tents.

Mayor Saucerman commented on the following:

- Wine Tasting Conditions - No need to limit producers to 10.
- Expressed concerns regarding the hours, tenting and number of people because property is located immediately adjacent to a residential neighborhood. Understands this use will be reviewed in 6 months.
- Wine Tasting - Would walk-ins after 7:00 p.m. be required to have an appointment?

Applicant responded that this is a work in progress and would prefer not to have by appointment only and would rather have it open ended and reviewed if a problem.

- Special Events – Shares the Vice Mayors concern about 100 people causing a lot of noise and hoping that those events would be specially permitted and coordinated with Town Staff.
- Conditional of Approval #11 – Okay with 50 for the 24 events per year and 100 people with special permit.
- Special Events – Okay with 24 per year.
- Tenting – no problem with use of tent as long as limited to event and not leaving the tent up week-to-week between events.

Planning Director Tiernan recapped the discussion, as follows:

- Number of Producers – No concern with going beyond 10 producers.
- Food Service Catered - Okay as long as Napa County Environmental Management approves.
- Six month review is supported.
- Hours of Operation – Remains as currently exists in conditions.
- Tents – Tied to specific special events and the number of events would limit the number of tents throughout the year. The limit of 50 persons by 24 events with flexibility on when they occur was supported. Needs clarification on frequency.

- 100 persons 3 times per year – When this happens Council would like Applicant to come in and get permit from staff; however, need clarification on the frequency.

Tent Usage Clarified – Tents can be used only during special event and have to be taken down within 24 hours of the event and cannot go up more than 24 hours in advance of event and events are 1 day in duration.

Town Manager Rogers also added for clarification in regard to tenting that all tenting subject to conditions by the Fire Marshall and Town will need to have appropriate fire permits.

ACTION: A Motion by Councilmember Chilton, Seconded by Councilmember Dutton to adopt Resolution 2637-08 Approving Use Permit and Design Review to convert use of existing Burgundy House Inn to wine tasting and retail commercial and amend design, site, and parking plans, located at 6711 Washington Street was unanimously approved, as amended above.

Ayes: Chilton, Dutton, Dunbar and Saucerman

Noes: None

Absent: Rosa

Abstain: None

13. DESIGN REVIEW & USE PERMIT AMENDMENT – AD HOC RESTAURANT EXPANSION BURGERS AND HALF BOTTLES – 6476 WASHINGTON STREET (APN 036-090-020)

Consider Adoption of Resolution Number 2638-08 Approving Design Review and Use Permit Amendment to alter the site and parking plans and expand the existing Ad Hoc Restaurant building in order to add a separate dining room to serve casual food to be called Burgers and Half Bottles.

Recommendation: Adopted Resolution.

Bob Tiernan, Planning Director, presented staff report.

Donna Oldford, Applicant Representative, Burgers and Half Bottles, gave presentation.

Thomas Keller, Burgers and Half Bottles, commented on landscaping concerns.

Paul Kelley, Lail Design Group, provided presentation on architectural elements and explained changes to the plan from Zoning and Design Review Board comments.

Paul Bartelt, Bartelt Engineering, commented on the site plan.

Donna Oldford, Applicant Representative, requested the following:

- Consider allowing eight seats to remain in the outdoor area and allow Applicant to come back with management plan as prescribed in the conditions.
- Consider having one parking space in front of the restaurant and make that the take out space which would make a significant improvement in terms of circulation and aesthetics.

Public Hearing Opened

Donna Heine commented on the following:

- Will there be a sign for Burgers and Half Bottles.
- Appreciates Mr. Keller and what he has done for the Community, but questions his timing on coming to Council with this proposal. Money is the issue and her concern is with Mr. Keller and/or his representative's inability or desire not to discuss Ad Hoc and participate in the funding for the application for the affordable housing project, as promised. Ms. Heine further commented that the money the Town used for the affordable housing project is money the community will never get back.
- The site is crowded and she is not sure how Council will ameliorate the problems with parking and the walking path.
- Commented on something she keeps hearing in the Community and that is "Am I still in Yountville" – "Is it Kellerville, Thomasville or is it still Yountville."

Carol Fink commented she supports the project and has heard from more than one resident at the Veterans Home that they are thrilled in getting a burger joint and hope prices would be affordable for them. She hopes the project work will work.

Public Hearing Closed

Councilmember Chilton commented on the following:

- Conceptually this is very positive for Yountville and he will probably be a frequent visitor.
- ZDRB comments were overwhelmingly positive.
- Removal of Extra Parking - Does not favor eliminating the extra parking space.
- Outdoor Seating - Completely agrees with Applicant that outdoor seating is preferable and does not have an objection to the eight outside seats.
- Pedestrian Access – Real issue is whether there is an easement or not. Regardless, there is a landlocked, inaccessible development behind Ad Hoc and their needs to be some logical access and thinks it can be designed into this space.

Councilmember Dutton commented on the following:

- Parking – Does not want to give up any type of parking space.
- Outdoor Seating – Agrees with the eight outdoor seats and wants them to stay.
- Foot Traffic/Pedestrian – This is landlocked and people have to get back to the housing and referred to Ranch Market as an example. It needs to be looked at and addressed.

Vice Mayor Dunbar commented on the following:

- No problem with interior design.
- Favors outdoor access.
- Seriously concerned with what is happening in the parking lot.
- Trash Enclosure – Concerned this has been moved away from the restaurant and closer to the affordable housing.
- Pedestrian Access - Potential solution is adjusting the exit driveway on the north side adding pedestrian access right on the edge that also alleviates the blind angle to a great degree.
- Parking - Surprised that the cars would be parked in front of the Ad Hoc entrance. Does not understand the space being timed and then walking all the way around the building to pick up meal. Suggested Applicant and staff need to get together to rework the proposal so there is an appropriate parking plan that matches the appropriate seating plan.
- Thinks there is a higher traffic impact with pedestrians and vehicles then what is proposed.
- Cannot support the project as presented and hopes a better solution can be worked out.

Mayor Saucerman commented on the following:

- Concerned about the number of parking spaces and the number of seats in the restaurant.
- Parking Spaces - Does not agree with two parking spaces in front of Ad Hoc, as it presents a safety issue and suggests just one space.
- Pedestrian Access – Asks that in relationship to this project would like to see a better plan for pedestrian access both from the front to the back of the restaurant and would like to see safe pedestrian access from the street to the housing in the back.
- Outdoor Seating – It is appropriate and supports.

Public Hearing Reopened

Paul Bartelt, Bartelt Engineering, commented on the following:

- Stated he has listened to comments and is not thrilled about two parking spaces in front, but is trying to meet the 25 spaces required. He would be willing to eliminate one parking space on south and move it adjacent to the north side and remove the pergola which would allow two parking spaces on north side.

- Potentially move driveway over one foot southerly on the north side which would allow 4' walk; however, it would eliminate landscaping on the Redd Restaurant and he would have to shuffle some other utilities around for the Washington Garden Project.
- Trash Enclosure - The other option is we could potentially make the trash enclosure smaller and put a sidewalk on the southerly side of the northerly driveway.

Town Manager Rogers suggested using a striping to delineate walkway as done in other areas of Town.

ACTION: A Motion by Vice Mayor Dunbar to continue the Public Hearing to the February 5, 2008 Council Meeting failed due to a lack of a second.

Town Manager Rogers suggested Condition of Approval that might incorporate Council discussion, as follows:

Decomposed Granite – Approval with understanding those three spots would be improved consistent in an asphalt treatment to current standard.

The redesign on the opposite side of entry way from two parking spaces to one to allow for a more appropriate entry way recognizing on the north side the pergola is removed and there is two parking spaces there and then along the northerly point that they will work to develop a pedestrian pavement access treatment while trying to keep small landscape strip with vegetation that can grow up the wall. If we put all of those elements we do have the right parking count and we have identified some of the concerns council has addressed and those final revisions could come back to staff, if Council is so inclined.

Donna Oldford, Applicant Representative, commented Town Manager Rogers stated that well and they can do what was proposed if conditioned accordingly tonight.

Erik Housley, Ranch Market Too, we have issues with the walkways through on the north side. Concept is good idea and expressed concern about ADA accessibility.

Public Hearing Closed

ACTION: A Motion by Councilmember Chilton; Seconded by Councilmember Dutton to Adopt Resolution Number 2628-08 Approving Design Review and Use Permit Amendment to alter the site and parking Plans and expand the existing Ad Hoc Restaurant building in order to add a separate dining room to serve casual food, to be called Burgers and Half Bottles, located at 6476 Washington Street was unanimously approved with the following modifications:

1. Three decomposed parking spaces on south side of parking lot be changed into asphalt and marked as parking spaces.
2. Moving one parking space from south entrance of the Ad Hoc property to the north side of the building and keeping an open parking space and not a timed space
3. Fashion a pedestrian access walkway that complies with fire codes, building codes, ADA codes and every code preferably along the very north side of property adjacent to the Redd building.

Ayes: Chilton, Dutton and Saucerman

Noes: Dunbar

Absent: Rosa

Abstain: None

14. PROPOSED BALLOT INITIATIVE LIMITING REVENUE BONDS

A. Review and Discuss Report Prepared Pursuant to Elections Code 9212.

Recommendation: Accepted Report.

B. *Consider Adoption of Resolution Number 2639-08* calling and giving notice of a SPECIAL MUNICIPAL ELECTION to be held in the Town of Yountville on Tuesday, the 3rd day of June, 2008, for voting on the proposed Proposition – to limit the amount of revenue bonds without voter approval.

C. *Consider Adoption of Resolution Number 2640-08* Requesting that the Napa County Board of Supervisors establish a Central Counting Precinct and that the Napa County Clerk furnish Indices, Election Equipment, provide Election Precinct Officers, address Sample Ballots, and Canvass the Ballots of the Town of Yountville Special Municipal Election (Consolidated) to be held Tuesday, the 3rd day of June, 2008, and certify Ballots received, used, and/or spoiled for Consolidated precincts numbers 251001, 251001, (251002, 251003), 251004, and 251005.

Amy Valukevich, Town Attorney, presented report.

Steve Rogers, Town Manager, presented report.

Public Comment

Donna Heine requested status of the bid process related to the Community Center project and commented she did not support petition because of the ambiguity of wording.

Erik Housley commented he does not like red tape and this just seems like another hoop to run through and it seems to be based on Community Center project. He also expressed it seems to be easier for people to complain about the issue and he is disappointed in the lack of turn out for this item.

Council Comments

Councilmember Chilton commented on the following:

- Does not support the Council passing as an ordinance at this point because it is redundant with current law.
- Election should be called in November; however, would support it going on the ballot in June 2008 out of respect for the 20% of the people signing the petition.

Councilmember Dutton commented on the following:

- As the Town Attorney positioned the initiative, it does seem redundant to existing law.
- Does not support adopting ordinance.
- Understands what Councilmember Chilton was saying about calling a special election and added the Council 3 ½ years ago went from a March election to a consolidated November election (in part to save money) and does not support June election.
- Concerned about legalities of the initiative.
- Supports November election.

Vice Mayor Dunbar commented on the following:

- Welcomed the report and it was thorough and fact based and encouraged the public to read it for clarification.
- Accepts Report.
- Does not support enacting the initiative within 10 days.
- Does not support special election in June.
- While he agrees and feel there is validity in number of signatures, does not take this as full support of this initiative and have heard people signed the petition in support of a healthy process, but not necessarily in support of the initiative.
- Supports placing on November ballot.

ACTION: A motion by Councilmember Chilton; seconded by Vice Mayor Dunbar to continue meeting to 10:30 p.m. was unanimously approved.

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

Mayor Saucerman commented on the following:

- Staff did excellent job in explaining this and laying out the options.
- Does not think it is the best of interest of the Town, its citizens, current Council and future Councils to adopt this initiative as ordinance.
- Does not think it is fair to citizens of Yountville and the taxpayers to have to pay for a special election.
- Initiative as it stands is not in best interest of Town, its citizens, current Council and future Councils.
- Supports placing November Election.

ACTION: A motion by Vice Mayor Dunbar; seconded by Councilmember Dutton to accept the 9212 Report and provide direction to staff to included the initiative on the November ballot was unanimously approved.

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

No Action Taken on the Resolutions under Items 14 B and C.

15. IN COUNCIL MEETING WORKSHOP – TOWN WIDE PARKING

Town Manager Rogers recommended this item be continued to the February 5, 2008 meeting at 5:30 p.m.

ACTION: A Motion by Councilmember Dutton; seconded by Councilmember Chilton to continue this item to February 5, 2008 at 5:30 p.m. was unanimously approved.

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

16. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

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

Mayor Saucerman reported the District held Hearings of Necessity on five properties along Soscol and Third Street and presentations were given regarding Edgerly Island.

Mayor Saucerman also report the Napa County City Selection Committee (NCCSC) met prior to the Flood Control District meeting and selected Town of Yountville Mayor Cindy Saucerman as Chair and City of Calistoga Mayor Jack Gingles as Vice Chair.

- B. Napa County Mosquito Abatement District (Rosa)

No Report

- C. Upper Valley Waste Management Authority (Dutton)

No Meeting

- D. Napa Valley Housing Authority (Dunbar/Rosa)

No Meeting

- E. Napa County League of Governments (NCLOG) (All Council)

Mayor Saucerman reported most Council members attended NCLOG at Napa Valley Grille and received presentation by Napa Valley Community Housing which featured the Town's affordable housing projects.

- F. Other Reports and Comments

Mayor Saucerman thanked staff for new staff report format.

Councilmember Dutton attended recent Allied Council meeting and they will be holding elections for chair.

Vice Mayor Dunbar reported that he and the Town Manager will be attending the League of California Cities Conference.

Recommendation: Received and Filed.

17. STAFF REPORTS

Town Manager Rogers commented he would like to begin discussion process for establishing Council Annual Strategic Goal Planning Workshop and would like Council to consider using a facilitator.

18. FUTURE AGENDA ITEMS

- A. Title 22 Upgrade of Wastewater Treatment Plant Report
- B. Comprehensive Annual Financial Report (CAFR) for 2006/2007
- C. GASB 45 Actuarial Study Report
- D. Whistle Stop Coffee Shop Use Permit

Town Manager Rogers added that he would like to schedule an In Council Workshop regarding Townwide parking concerns.

19. ADJOURNMENT

Adjourned to the Next Regular Town Council Meeting Tuesday, February 5, 2008.

ATTEST:

/s/Michelle Price, Town Clerk

Approved by Town Council:

March 4, 2008