

Fairfax Town Council Minutes
Regular Meeting
Fairfax Women's Club
Wednesday, April 1, 2009

The regular meeting was preceded by a closed session meeting regarding labor negotiations and pending litigation.

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Larry Bragman
Susan Brandborg
Mary Ann Maggiore
Lew Tremaine
David Weinsoff

STAFF MEMBERS PRESENT: Michael Rock, Town Manager
Jim Karpiak, Town Attorney
Judy Anderson, Town Clerk
Joanne O'Hehir, Minutes Clerk

Mayor Weinsoff called the meeting to order at 7.30 pm.

Mayor Weinsoff stated that the meeting would be adjourned in memory of Gerald "Cook" Segale.

Approval of Agenda and Affidavit of Posting

M/S, Tremaine/Bragman, Motion to approve the agenda and the affidavit of posting.

AYES: Brandborg, Weinsoff, Bragman, Tremaine, Maggiore

NOES: None

Announcement of Closed Session Action

Mayor Weinsoff announced that information was received from the Town Manager and Legal Counsel on labor negotiations and pending litigation and that direction had been given.

Announcements

Mayor Weinsoff stated that announcements were posted on the Town's Website.

Mayor Weinsoff announced that the Fairfax Film Festival would be held over the forthcoming weekend, which would include the entry "Dancing with Gaia" directed by Fairfax resident, Jo Carson.

Open Time for Public Expression

Yvette Wakefield, Wakefield Court, complained about loud music that emanated from certain businesses, including Ghirinighelli's Pizza, on to the streets and that she had a disability that made it sound like noise to her. She considered it to be noise pollution that should be turned down, and she quoted from a book entitled, Music Ophelia, about the bombardment of music and its negative consequences including causing deafness. Ms. Wakefield was directed by Mayor Weinsoff to contact Town Manager Rock to investigate the problem in relation to the Town's noise ordinance.

Patrick Troupe discussed a Good Festival and Village of the Future planned for August 8 & 9 and about a fund raising banquet to be held to raise money for the event. Mr. Troupe also spoke about small gatherings that were planned before then in Bolinas Park, and he stated that he would be tabling in front of Good Earth to raise money for the Good Festival.

David Johansen, 126 Ridge Rd, stated that drivers were ignoring road clearance regulations. He provided an example of a recent fire that occurred at 457 Scenic Avenue when emergency vehicles took nine minutes to reach the address because the required 12-foot clearance had not been obeyed. He urged the town to enforce the 12-foot clearance rules after he expressed his concern about the possibility of fires in hills.

Town Manager Rock discussed a plan that was already in place with the Fire Department and the Police Department to mark certain streets for the 12-foot clearance which the Town intended to enforce.

Introduction of Jim Moore, new Planning and Building Services Director

Mayor Weinsoff introduced Jim Moore and invited the public to join in a small reception with cake during the break.

Consent Calendar

Approval of Town Council minutes of March 4, 2009

Accept and File Monthly Finance Report for January and February 2009

Adoption of Resolution No. 09-22, approving the Seventh Annual Fairfax Car Show scheduled for September 13, 2009, and authorizing closure of the Parkade and a portion of Broadway

Adoption of Resolution No. 09-23, A Resolution of the Town Council of the Town of Fairfax Authorizing and Approving the Borrowing of Funds for Fiscal year 2009-2010; the Issuance and Sale of a 2009-2010 Tax and Revenue Anticipation Note Therefore and Participation in the California Communities Cash Flow Financing Program - Finance

Adoption of Resolution No. 09-24, adopting a Records Retention Schedule for the Town of Fairfax

Proclamation in recognition of the Fairfax Police Dispatchers and declaring April 12 -18, 2009, as National Public Safety Telecommunicator's Week in Fairfax - Police Chief

Proclamation honoring Arlen Philpott and acknowledging his contributions to the community

Proclamation declaring the week of April 12 – 18 as National Library Week – Town Clerk Adoption of Resolution No. 09-26, A Resolution of the Town Council of the Town of Fairfax, A Resolution of the Town Council of the Town of Fairfax Commending the Marin County Board of Supervisors for its Support of the Marin Energy Authority – Bragman/Tremaine

In response to Councilmember Brandborg's query regarding item 3 on the ability to authorize tax and revenue anticipation notes up to \$1,500,000, Finance Director Ireland-Ashley stated that the town had never borrowed more than \$1,000,000.

Councilmember Tremaine wished to commend the Board of Supervisors and Hal Brown's leadership in supporting the Marin Energy Authority.

M/S, Brandborg/Tremaine, Motion to approve the Consent Agenda with the removal of the item regarding the adoption of a resolution regarding the President's policy towards Colombia to be heard at the end of the regular agenda.

AYES: Brandborg, Weinsoff, Bragman, Tremaine, Maggiore
NOES: None

Report on Status of General Plan and Specific Plan

Acting Planning Director Kennings provided an update of the General Plan.

Mayor Weinsoff stated that he had met with Supervisor Hal Brown, who had suggested that a contribution from the County could be found for the Specific Plan.

Councilmember Tremaine stated that he would be attending an Affordable Housing Meeting in May.

Discuss and Review the Draft Town Center Element of the General Plan

Acting Planning Director Kennings led a discussion of the draft Town Center Element. He noted that an earlier version of the Element had been reviewed by the Council in 2005, but that no action had been taken at that time.

Discussion took place on the possible closure of Bolinas Avenue or making it one-way, as well as the possibility of daylighting the creek, two of the most controversial aspects of the draft element, both of which had been reviewed and modified by the Planning Commission and the General Plan Advisory Committee. It was noted that some aspects of the Town Center Element would be included in the Circulation Element.

Council members discussed traffic circulation concerns if Bolinas Avenue were closed, and Councilmember Bragman suggested that the Farmers Market should be encouraged to open if test periods were carried out.

Acting Planning Director Kennings discussed bus stops in relation to the Town Center Element, and he led a discussion on additional parking after Councilmember Maggiore expressed concern that downtown parking spaces would be lost.

Mayor Weinsoff opened the discussion to the public.

Bruce Ackerman, Chair of the General Plan Advisory Committee (GPAC), discussed traffic issues and routes in relation to the Circulation Element. Mr. Ackerman discussed the closing of Bolinas Road and he stated that Bolinas would become more inviting if the plans for its upgrade were carried out.

Dave Johansen, 126 Ridge Rd, discussed the reasons he did not believe that pedestrianizing Bolinas Road would work.

John Reed, 36 Scenic Ave, Vice-Chair of GPAC, discussed parking issues and stated that he believed sufficient parking existed.

Mr. Reed addressed daylighting and noted that grants were available for the rejuvenation of fish habitats.

Councilmember Brandborg expressed her concern about pedestrianizing Bolinas Road and stated that Sir Francis Drake Blvd should also be considered for road improvements.

Councilmember Tremaine discussed street lighting on Sir Francis Drake Blvd, which he stated was inadequate.

Mayor Weinsoff adjourned the meeting for a break between 8.55pm to 9.10pm.

Discussion and Approval of Marin Farmers Market proposal for the 2009 Fairfax Farmers Market

Town Manager Rock presented the staff report and led a discussion of the proposal for the 2009 market. He noted that most of the conditions were the same as last year's conditions.

Councilmember Bragman noted that the Market had agreed to comply with the new plastic bag ordinance and commended them for doing so.

Councilmember Brandborg asked that a sign be posted asking patrons not to park in the residential neighborhoods and for the use of non-amplified music.

A brief discussion on parking took place, and Councilmember Bragman suggested that the Farmers Market should be asked if there would be interest in opening during off-peak periods on Bolinas Avenue.

Mayor Weinsoff opened the discussion to the public.

Amelia Spilger, Market Manager, stated that they would like to continue to have amplified music but would control the volume and the locations to minimize its impact. She stated that she was happy to put out the "no parking" signs and to comply with the plastic bag ordinance. She appreciated the efforts of Sustainable Fairfax with the plastic bag issue as well as their provision of bike racks. Ms. Spilger stated that she would investigate the possibility of a Farmers Market opening on Bolinas Road.

Mayor Weinsoff led a discussion on the provision of an information table or booth at the Farmers Market to provide information about the Town, which could be staffed by outgoing council members and staff. Consensus was reached that a table would be provided but only until the opening of filing for candidates for the November election.

Discussion of the oversight of various Town Council Committees –Tremaine/Town Manager

Town Manager Rock presented the staff report and he noted that the item was placed on the agenda at the request of Vice Mayor Tremaine. Town Manager Rock stated that the Planning Commission, the Design Review Board and the Parks and Recreation Commission were the only committees included in the Town Code and that he wanted to address the need for better training and awareness of the charge of each group, the requirements of each position and how the money was handled. He further stated that he planned to present guidelines for the commissions, boards and committees at the next Council meeting and he recommended that each group should report to the Council on their activities at least once a year.

There was a discussion of how the groups currently functioned, the value of the volunteers who served and the wish to avoid making their service unduly cumbersome, and the need for better management of the funds involved. There was general consensus by Council Members that guidelines should be drawn up.

Mayor Weinsoff opened the discussion to the public.

John Reed, Chair of Volunteer Board and Friends of the Fairfax Volunteers, discussed the two groups. He noted that people who volunteered on committees did not do so through self-interest. He stated that he supported plans to draw up guidelines which would aid communication with staff.

Adoption of Resolution No. 09-27, A Resolution of the Town Council of the Town of Fairfax adopting Mission, Vision and Core Values for the Town -Town Manager

This item was continued to the May 6, 2009 Town Council meeting in order to provide a hard copy of the final draft of the draft Mission, Vision and Core Values statement to the Council.

Adoption of Resolution No. 09-25, A Resolution of the Town Council of the Town of Fairfax Urging President Obama to chart a New Course for Columbia (Taken off Consent Calendar)

Mayor Weinsoff stated that it was his practice to abstain from such resolutions. More than 80% of Fairfax residents voted for the President and he questioned whether it was appropriate for the Council to support an initiative before sufficient time had elapsed in which to allow the President to undertake campaign promises. Mayor Weinsoff believed the Resolution would be more appropriate for discussion at a later date if the Government did not live up to its promises.

Councilmember Bragman stated that a National Day of Mobilization would be held in April and that he had timed the discussion to coincide with that date. Councilmember Bragman noted that President Obama made promising statements about Columbia and that it was important to publicize the community.

Councilmember Maggiore stated that Fairfax had agreed that the community would be adopted as a sister city and that this would fulfill an obligation to them by showing allegiance to a noble cause.

Councilmember Brandborg stated that she supported the Resolution in concept but did not feel it was appropriate for an agenda.

Mayor Weinssoff opened the discussion to the public and no speakers came forward.

M/S, Tremaine/Maggiore, Motion to adopt Resolution No. 09-25, A Resolution of the Town Council of the town of Fairfax Urging President Obama to chart a New Course for Columbia.

AYES: Tremaine, Maggiore, Bragman
ABSTAIN: Brandborg
NO: Weinssoff

Reports from Town Officials

Town Manager Rock discussed correspondence he had received from the City of San Rafael regarding the creation of a committee to implement county-wide green building standards that towns could adopt in an ordinance. Town Manager Rock noted that Fairfax was currently working on its own ordinance.

There was general consensus that Fairfax should continue to move forward with its own ordinance.

On motion duly made and carried, the meeting was adjourned at 10.15pm in memory of Cooke Segale, member of the Fairfax Historical Society and father-in-law of Ross Valley Battalion Chief, Joe Langlois.

Respectfully submitted,

Joanne O'Hehir