

Fairfax Town Council Minutes
Regular Meeting
Fairfax Women's Club
Wednesday, December 3, 2008

Call to Order/Roll Call:

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

STAFF MEMBERS PRESENT: Jim Karpiak, Town Attorney
Kathy Wilkie, Public Works Director
Mark Lockaby, Building Official
Judy Anderson, Town Clerk
Joanne O'Hehir, Minutes Clerk

Mayor Maggiore called the meeting to order at 7.33pm.

Approval of Agenda and Affidavit of Posting

M/S, Tremaine/Weinsoff, to approve the agenda and the affidavit of posting with the item involving the Brownies to be heard before open time.

AYES: All

Brownie Scouts call to action to fight Climate Change in response to ICLEI request

Mayor Maggiore introduced the Brownies - Lena, Gigi, Minna, Tilly and KK, in addition to two mothers, who take part in "Cool the Earth" project. The group requested the support of the Council and audience to reduce carbon footprints by updating lights to compact fluorescent bulbs; using cold water to wash clothes; "Power Down" by turning off home electronics that use electricity even when they are turned off; to reduce junk mail, and to use reusable bottles.

Announcements

Mayor Maggiore announced that information was received and direction given regarding a possible litigation matter at the Closed Session. She also announced that Council had agreed to join an Amicus Brief in opposition to the passage of Proposition 8 on the November 4th ballot.

Open Time For Public Expression

Jory Prum, Wreden Avenue, reported that daily, weekly and monthly bus passes would be available early in 2009. He extended congratulations to the council for opening Creek Road Bridge and asked when the footbridge behind Town Hall would be open. He also expressed concern about the danger to pedestrians caused by motorists not stopping at crosswalks, particularly on Sir Francis Drake.

In response, Public Works Director Wilkie stated that the pedestrian bridge was on the list of

FEMA projects and that it was currently slated for complete in early July 2009.

Mayor Maggiore reported that she and the Town Manager were looking into a lighted cleat in front of the video store on Sir Francis Drake Blvd, and Chief Hughes said that they were considering a pedestrian sting.

Peter Verdone, Spruce Avenue, said that two street lights shine brightly into his home, which he would like the town to turn off, and that he had hoped the street section Tamal between Spruce and Sequoia would have been repaved by now, since it is in a state of disrepair.

Public Works Director Wilkie requested Mr. Verdone to contact her department with the light pole numbers and that he could for shields to be installed because total removal could be a safety issue. Ms. Wilkie said that she could then determine where the section of roadway was on the list of streets to be paved.

Rose Taber, Hillside Avenue, made an appeal for contributions to the Rainbow Kids, a local charity that will help poor families this Christmas. She said that all donations are used for the kids and none will be used for administrative costs. Ms. Taber also expressed criticism of Mayor Maggiore's performance as Mayor during the previous year.

Amy Cooper, Sebastopol, a friend of the Mayor's, stated that she was helping Ms. Maggiore to organize her Council papers and that she was very impressed by the amount of paperwork that the Council members had to read to perform their duties.

Pam Meigs, Planning Commission Chair, and Mimi Newton, Open Space Committee Chair, presented Mayor Maggiore with a redwood sapling for her hard work and commitment to the Town.

Mayor's State of the Town Address - Maggiore

Mayor Maggiore read a list of Town accomplishments in 2008 and acknowledged the Council and the Town for the accomplishments.

Reorganization of Town Council; Election of Mayor and Vice Mayor

M/S, Tremaine/Brandborg, Motion to appoint Councilmember Weinsoff as Mayor.

AYES: All

M/S, Weinsoff/Bragman, Motion to appoint Councilmember Tremaine as Vice Mayor.

AYES: All

Presentation to outgoing Mayor Maggiore

Newly appointed Mayor Weinsoff presented a gavel plaque with a quote from J. F. Kennedy to outgoing Mayor Maggiore.

Mayor Weinsoff discussed items that might be presented to the Council in 2009, before announcing a 15 minute break at 9.25pm.

Interview and appointment of candidate(s) to serve on the Fairfax Open Space Committee to complete an unexpired term to June 30, 2012 – Town Clerk

Town Clerk Anderson presented the staff report.

The Councilmembers interviewed candidate Michael Ardito, who stated that he valued open space in the community and service to the community.

M/s Brandborg/Tremaine, Motion to appoint Michael Ardito to the Open Space Committee to complete an unexpired term to June 30, 2012.

AYES: All

Consent Calendar

Approval of Town Council Minutes of August 6 and November 5, 2008

Adoption of Resolution No. 2589, A Resolution of the Town Council of the Town of Fairfax

Accepting Notice of Completion for the Center Blvd. Improvement Project – Public Works

Adoption of Resolution No. 2595, A Resolution of the Town Council of the Town of Fairfax

Accepting Notice of Completion for a portion of the Pastori Overlay Project – Public Works

Adoption of Resolution No. 2596, A Resolution of the Town Council of the Town of Fairfax, reciting the fact of the General Election held on November 4, 2008, declaring the result and such other matters as provided by law – Town Clerk

Update on code compliance issues and possible abatement concerning vacant commercial building (formerly the New Albion Bookstore) – Building

M/S, Tremaine/Maggiore, Motion to approve the Consent Calendar with two dissenting votes on the adoption of Resolution 2589 regarding Center Blvd. by Bragman and Brandborg, and with the removal of the item regarding New Albion Bookstore for discussion.

AYES: All (with “No” votes cast by Bragman and Brandborg on Resolution No. 2589)

Update on code compliance issues and possible abatement concerning vacant commercial building (formerly the New Albion Bookstore) – Building

Building Official Lockaby presented the staff report and requested that the matter be continued to the February meeting, to which the Council Members agreed.

Demonstration and request for approval of the purchase of electric bicycles – Police Chief

The Police Chief presented the staff report, when he described the electric bicycle and noted that it is a green vehicle that would be appreciated by the community.

Company spokesperson Rob Fruehtenicht answered questions from the Council regarding the

electric bicycles, which he noted would require the operator to possess a driver's license and wear a helmet.

Officer Rodriguez demonstrated the vehicle.

Mayor Weinsoff opened the discussion to the audience but no speakers came forward.

M/S, Maggiore/Tremaine, Motion to authorize the purchase of electric bicycles for the Police Department as requested.

Ayes: All

Adoption of Resolution No. 2697, A Resolution of the Town Council of the Town of Fairfax adopting guidelines for the placement of surface-mounted utility facilities in the public right-of-way - Public Works

Town Attorney Karpiak presented the staff report and acknowledged receipt of a request by AT&T for a continuance, which he discussed.

Councilmember Bragman stated that the staff report did not include the legislative history of this item going back a year and that the January '08 memo from the Town Attorney was not included in the packet. He asked that the matter be continued to include the missing information and to address the noise issues around the proposed installations and asked that staff contact the City of Mill Valley to find out about their experience with the program.

The hearing was opened to the public and closed when no-one wished to speak.

M/S, Brandborg/Tremaine, Motion to continue the item to January of 2009.

AYES: All

Annual Town Council Committee assignments

There was a consensus of the Council to eliminate the defunct "Creek Issues/Flood Mitigation Committee" assignment from the list and to assign the Citizens' Disaster Council and the League of California Cities Representative position to newly elected Mayor Weinsoff. All other assignments were to remain the same.

Request to reschedule the regular January Town Council meeting for Wednesday, January 14, 2009 – Town Clerk

Town Clerk Anderson stated that it would be convenient to change the date of the next Town Council Meeting due to the Holidays.

M/S, Tremaine/Brandborg, Motion to reschedule the regular January Town Council meeting for Wednesday, January 14, 2009.

AYES: All

Reports from Town Officials

Councilmember Bragman asked for an item on the January agenda listing all of the Public Works projects planned for the Town as well as a wish list in anticipation of Federal bail-out money being made available, which Public Works Director Wilkie will provide.

Council Reports and Comments None.

M/s Bragman/Tremaine, Motion to adjourn the meeting at 9.10pm.

Ayes: All

Respectfully submitted by Joanne O'Hehir