

Sebastopol City Council Meeting – May 21, 2013 – Synopsis and Commentary

All Council Members were present.

Mayor Kyes announced there was nothing to report from the closed session. It appears it deals with labor negotiations.

Proclamations:

May was proclaimed to be [National Lyme Disease awareness Month](#). Mayor Kyes stated there were six cases of it in 2010 in Sonoma County. While uncommon, it is a serious disease. Unfortunately, when someone speaks about it at every single opportunity during public comment, it rather degrades the impact of the message. In a wonderful piece of Sebastopolian irony, the person who lambastes us with tick terror at every meeting wasn't there to accept the proclamation.

Consent Calendar

The Mandatory Solar Photovoltaic ordinance was approved 5:0 but **Council Member Gurney** pulled the **M Zone** item that, at the May 14th meeting, seemed to be a done deal. It would have allowed some office space to be leased at the Barlow project. The developers must have thought it was a done deal too because they didn't even attend this meeting. Well, someone jerked back on the Council's reins and they charged off in the opposite direction. They all now thought it too vague and sent it back to staff for a redraft. This is just the type of **Jekyll and Hyde** governance that earns us our reputation in the County.

Kyes:

Mayor Kyes stated that he thought the intention had been to let the old Arts building become offices since it's not suited for anything else. He would allow offices elsewhere in "M" if limited by square feet to avoid an office complex.

Jacob:

Council Member Jacob now thinks the Council was being driven by development and wants it

to go to the Planning Commission. He's worried that "big business" will "take advantage" if permitted. Jacob also spoke about rumors of a hotel.

Gurney:

Council Member Gurney also wants the M Zone item to go to the Planning Commission and thinks the Council is in a "reactive mode." She's also worried about the "coolness factor" at Barlow.

Slayter:

Council Member Slayter thought there *was* a demand for one- or two-person offices. He too would like to send the M Zone item to the Planning Commission with clearer instructions on what to do.

Eder:

Council Member Eder said he was okay with offices upstairs anywhere in the M District. He wants Barlow to look more like projects in [Omaha](#) (Population 416,855) and [Toronto](#) (Population 2,791,140).

He also has concerns about "flashing neon signs," insurance companies, tax preparers, and psychotherapists leasing offices there. (Although it does seem as if one of those professions might calm his fears about the others.)

The M Zone item will be back—probably on June 4th.

Discussion and Action Items

The Sewer Lateral Ordinance, as submitted by Staff, also went down the drain. This was all initiated by a questionable lawsuit after a sewage spill several years ago. The ordinance would make the homeowner responsible for the sewer lateral from the property line to the main. In addition, if there was a blockage of the lateral on the homeowner's property, the company clearing it would have to do an inspection of the entire lateral and advise the City if it was damaged.

All the Council Members found something not to like about it as proposed.

Kyes:

Mayor Kyes felt that the City should take care of the laterals.

Jacob:

Council Member Jacob felt the sewer ordinance was regressive and the City should pick up that tab. He stated it was an additional burden closely following the Solar Ordinance (which is, evidently, *not* regressive). Jacob wants a “Community Centered Solution” and is concerned about “that one person” who can't afford it.

Eder:

Council Member Eder wants to remove the sale inspection requirement in the sewer ordinance and stated that the City only has to *consider* this ordinance and is not *required* to act on it. (Even though the City *may* be responsible for leakage on private property, it may want to give Council Member Eder's solution a closer look.)

Slayter:

Council Member Slayter didn't like the idea of an inspection when the property sold and wondered how it would be reported.

Gurney:

Council Member Gurney wanted to just go ahead with the sewer ordinance since this was the fourth hearing. (Better than doing nothing like the earlier mentioned M Zone ordinance.) Gurney wants to remove the inspection at sale requirement.

So it is also went back to Staff with instructions that will probably make it less of a burden to homeowners. It will be back!

The General Plan Update Process

The General Plan Update process was introduced by Council Member Eder. This was more of a call to get things moving for a General Plan and get an idea of the costs and time involved. As stated by Mayor Kyes, there is not enough money on hand to do this, so the City is going to start putting money aside because, in about two years, the situation may be worse.

Revising the Design Review Guidelines

Revising the design review guidelines was the last item. It was decided the process will start with a subcommittee of Eder and Slayter. All Council members agreed, as did everyone in the room, that the guidelines were not clear enough and needed to be “tightened up.”

Even though most of the Council members seemed to address only small groups of their supporters who were present, there was at least some lip service given to making it an open and transparent processes—the very thing SebastopolCitizens.org is trying to do with our whole governmental process.

Elapsed Time=4.5 hours

John Necker