

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of August 27, 2015
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

Mayor Holly Sierra called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Council Members Dan Baumann, John Connolly, Leo Elovitz, Vice Mayor Ed Andrisek, and Mayor Holly Sierra

Staff: City Manager Marc Bierdzinski, City Attorney Steve McEwen, Finance Director Carolyn Galloway-Cooper, Public Works Director Rose Hess, Station Commander Lt. Shawn O'Grady, and City Clerk Linda Reid

REORDERING OF AGENDA

None

PUBLIC COMMENTS

Shelby Sim, Executive Director of Visit Santa Ynez Valley, thanked the Council and the Buellton Chamber and Visitors Bureau for their support and he invited all Council Members to the Networking Reception on September 3 from 5:00 to 7:00 p.m. at Fess Parker Winery on Foxen Canyon Road.

CONSENT CALENDAR

- 1. Minutes of August 13, 2015 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2015-16**
- 3. Revenue and Expenditure Reports through July 31, 2015**

MOTION:

Motion by Vice Mayor Andrisek, seconded by Council Member Elovitz, approving Consent Calendar Items 1 through 3 as listed.

VOTE:

Motion passed by a roll call vote of 5-0.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

PRESENTATIONS

None

PUBLIC HEARINGS

- 4. Resolution No. 15-20 – “A Resolution of the City Council of the City of Buellton, California, Denying the Appeal of Brian Kuykendall, 431 Dogwood Drive and Making a Determination that a Short-Term Vacation Rental Use is Not a Permitted or Conditional Use in the Single Family Zoning District”**

CONFLICT OF INTEREST:

Council Member Connolly announced that he had a conflict of interest with regard to Item No. 4 due to the proximity of his residence and left the dais at 6:03 p.m.

RECOMMENDATION:

That the City Council approve Resolution No. 15-20.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

SPEAKERS/DISCUSSION:

Correspondence was received from Brian Kuykendall on August 24, requesting his options if he is unable to attend the Council meeting. City Manager Bierdzinski responded on August 25, that he must submit a letter to the Mayor requesting a continuance of the Public Hearing.

Correspondence was received from a concerned neighbor regarding this item which was distributed to the Council and made part of the record.

Mayor Sierra opened the Public Hearing at 6:15 p.m.

Brian Kuykendall, Buellton, discussed his appeal to keep his short-term vacation rental at 431 Dogwood Drive.

City Manager Bierdzinski addressed Mr. Kuykendall's comments regarding short term rentals in residential zones and their being prohibited by the City's Municipal Code.

The following residents spoke in opposition to short-term vacation rentals in residential zones:

James Kinneavy, Buellton
Steven Craig, Buellton
Kirk Pieper, Buellton
Lisa Goto, Buellton

The following residents spoke in support of short-term vacation rentals in residential zones:

Kevin Sterken, Buellton
Courtenay Marvin, Buellton
Melissa Kuykendall, Buellton

Melissa Kuykendall, Buellton, provided a rebuttal to the comments made regarding the appeal.

The City Council discussed the following issues:

- Short-term rentals being allowed in certain commercial zones rather than residential zones
- The City's Municipal Code does not allow short-term rentals in residential zones
- Revisiting the issue of short-term rentals in the future
- Noise and parking impacts associated with short-term rentals

MOTION:

Motion by Council Member Baumann, seconded by Council Member Elovitz, approving Resolution No. 15-20 – "A Resolution of the City Council of the City of Buellton, California, Denying the Appeal of Brian Kuykendall, 431 Dogwood Drive and Making a Determination that a Short-Term Vacation Rental Use is Not a Permitted or Conditional Use in the Single Family Zoning District"

VOTE:

Motion passed by a roll call vote of 4-0.
Council Member Baumann - Yes
Council Member Connolly - Abstain
Council Member Elovitz - Yes
Vice Mayor Andrisek - Yes
Mayor Sierra – Yes

Council Member Connolly returned to the dais at 7:05 p.m.

COUNCIL MEMBER COMMENTS/ITEMS

Council Member Elovitz requested that staff provide Council with an update regarding nuisance noise complaints at River View Park.

Vice Mayor Andrisek requested that the digital speed limit sign on Highway 246 be repaired or removed.

Council Member Baumann announced that the cleanup on the southern portion of the Avenue of Flags has been working out well.

Mayor Sierra stated that the new drought tolerant landscaping at City Hall looks great.

Mayor Sierra complimented Public Works Director Rose Hess on the Green Team meetings.

Mayor Sierra requested that staff agendize discussion of employee use of City vehicles.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Vice Mayor Andrisek announced that he attended board meetings for Santa Barbara County Association of Governments (SBCAG) and Air Pollution Control District (APCD) and provided oral reports regarding the meetings.

BUSINESS ITEMS

5. Temporary Use Permit for Amplified Music at Figueroa Mountain Brewing Company

RECOMMENDATION:

That the City Council consider approval of a Temporary Use Permit to allow the use of amplified sound by Figueroa Mountain Brewing Company on Saturday, September 12, 2015, from 12 noon to 6:00 p.m.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

DISCUSSION:

The City Council discussed the following issues:

- Number of events that Figueroa Mountain holds each year
- Allowing the City Manager to approve amplified music at Figueroa Mountain Brewery subject to the standard noise mitigation measures

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Elovitz, seconded by Vice Mayor Andrisek, approving a Temporary Use Permit to allow the use of amplified sound by Figueroa Mountain Brewing Company on Saturday, September 12, 2015, from 12 noon to 6:00 p.m.

VOTE:

Motion passed by a voice vote of 5-0.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

6. Financial Report for the Fourth Quarter Ending June 30, 2015**RECOMMENDATION:**

That the City Council receive and file the Fourth Quarter financial report.

STAFF REPORT:

Finance Director Galloway-Cooper presented the staff report. The City Council received and filed the report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

7. Resolution No. 15-22 – “A Resolution of the City Council of the City of Buellton, California, Approving a Budget Adjustment to Fund the Gazebo/Playground Structure at The Village Park”**RECOMMENDATION:**

That the City Council consider adoption of Resolution No. 15-22.

STAFF REPORT:

Public Works Director Hess presented the staff report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

DISCUSSION:

The City Council discussed the following issues:

- Timing of the installation of the gazebo/playground equipment at the Park
- Allocating \$5,000 to \$10,000 for the gazebo/playground at this time and revisiting full funding for the gazebo/playground at mid-year
- Adding conduit to the Park site for future utilities

MOTION:

Motion by Council Member Connolly, seconded by Vice Mayor Andrisek, adopting Resolution No. 15-22 – “A Resolution of the City Council of the City of Buellton, California, Approving a Budget Adjustment to Fund the Gazebo/Playground Structure at The Village Park”

VOTE:

Motion passed by a roll call vote of 5-0.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra - Yes

8. Resolution No. 15-21 - “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees”

RECOMMENDATION:

That the City Council consider adoption of Resolution No. 15-21.

STAFF REPORT:

Human Resources Director Reid presented the staff report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

DISCUSSION:

The City Council discussed the following issues:

- Incentive pay and budgeting
- Performance Improvement Plan
- Employee retention for two years after completion of degree with a pro rata payback during the two year period if employee chooses to leave

MOTION:

Motion by Council Member Elovitz, seconded by Council Member Baumann approving Resolution No. 15-21 – “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees with an additional requirement of employee retention for two years after completion of degree with pro rata payback during the two year period”

VOTE:

Motion passed by a roll call vote of 4-1, with Council Member Andrisek voting no.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - No

Mayor Sierra – Yes

CITY MANAGER'S REPORT

City Manager Bierdzinski provided an informational report to the City Council.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 8:40 p.m. The next regular meeting of the City Council will be held on Thursday, September 10, 2015 at 6:00 p.m.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk