

**CITY OF SELMA
REGULAR CITY COUNCIL MEETING
DECEMBER 5, 2005**

The regular meeting of the Selma City Council was called to order at 7:02 p.m. in the Council chambers. Council members answering roll call were: Derr, Niswander, and Mayor Tow. Mayor Pro Tem Lujan arrived at 7:07 p.m. Council member Avalos was absent.

Also present were Acting City Manager/Finance Director Bier, City Attorney Hargrove, Police Chief Whiteside, Fire Chief Kestly, Public Works Director Weaver, Recreation & Community Services Director Kirchner, Administrative Services Manager Hull, the press, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

PRESENTATION TO FORMER POLICE OFFICER CONNIE MOLLEY: Police Chief Whiteside presented former Police Officer Connie Molley with a retirement badge. She was thanked for her years of service to the Selma community and wished well in the future.

PRESENTATION OF UPDATE BY CALIFORNIA WATER SERVICE: Mr. Scott Bailey, Manager of Selma's California Water Service branch, stepped forward and presented an update on the current status of on-going projects in Selma. After various questions he was thanked for the update.

CONSENT CALENDAR: Motion to approve the Consent Calendar was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

- a. Minutes of the November 21, 2005 workshop/pre-council meeting approved as written.
- b. Minutes of the November 21, 2005 regular meeting approved as written.
- c. Check register dated November 30, 2005 approved by standard motion.

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE ADDING CHAPTER 21 TO TITLE V OF THE SELMA MUNICIPAL CODE REGARDING THE DISPLAY OF PRODUCTS CONTAINING PSEUDOEPHEDRINE – PUBLIC HEARING, SECOND READING AND ADOPTION: Mayor Tow opened the public hearing at 7:36 p.m. There being no one to speak for or against the proposal the public hearing was closed at 7:37 p.m.

Motion to waive the second reading and adopt ORDINANCE NO. 2005-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA ADDING CHAPTER 21 TO TITLE V OF THE SELMA MUNICIPAL CODE REGARDING THE DISPLAY OF PRODUCTS CONTAINING PSEUDOEPHEDRINE was made by Council member Derr and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Derr, Lujan, Niswander, Tow
NOES: None
ABSTAIN: None
ABSENT: Avalos

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE I AND TITLE II OF THE SELMA MUNICIPAL CODE REGARDING COMPENSATION FOR MEMBERS OF THE CITY COUNCIL, REDEVELOPMENT AGENCY AND CERTAIN COMMISSIONS – PUBLIC HEARING, SECOND READING AND ADOPTION: Mayor Tow opened the public hearing at 7:37 p.m. There being no one to speak for or against the proposal the public hearing was closed at 7:38 p.m.

Motion to waive the second reading and adopt ORDINANCE NO. 2005-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING CERTAIN SECTIONS OF TITLE I AND TITLE II OF THE SELMA MUNICIPAL CODE REGARDING COMPENSATION FOR MEMBERS OF THE CITY COUNCIL, REDEVELOPMENT AGENCY AND CERTAIN COMMISSIONS was made by Mayor Pro Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Niswander, Tow
NOES: None
ABSTAIN: None
ABSENT: Avalos

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION EITHER AFFIRMING OR REVISING THE PLANNING COMMISSION CONDITION TO LIMIT ACCESS TO PROPERTY ON THE WEST SIDE OF HIGHLAND AVENUE (SH 43) APPROXIMATELY 360 FEET SOUTH OF STILLMAN STREET – NELSON:

Acting City Manager Bier reviewed for the Council the appeal of a Planning Commission condition of approval limiting access to and from property on the west side of Highland Avenue (SH 43) approximately 360 feet south of Stillman street to only one ingress/egress.

Council members then asked various questions including fire access and traffic flow.

Mr. Ryan Nelson, representing Nelson Properties, stepped forward to let Council know that two ingresses/egresses are needed in order to allow both delivery trucks and customers to access the facility.

City Attorney Hargrove then clarified the matter stating that the decision is not an approval of the site plan for the facility, it is just a change in Council's policy for this property only regarding access to and from Highland Avenue. He stated that the matter of the site plan will still have to go to the Planning Commission but they will now have the ability to approve a plan with more than one ingress/egress.

After discussion, motion to adopt RESOLUTION NO. 2005-76R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA REVISING THE PLANNING COMMISSION'S DECISION LIMITING ACCESS TO SAID PROPERTY AND THEREBY APPROVING THE REQUESTED TWO ACCESS APPROACHES AS PROPOSED BY SELMA HIGHLAND, LLC ON THE WEST SIDE OF HIGHLAND AVENUE (SH43), APPROXIMATELY 360 FEET SOUTH OF STILLMAN STREET was made by Mayor Pro Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AMENDING THE LIST OF STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE CHANGING THE YIELD SIGNS ON NORTH AT ARRANTS; GRANT AT NORTH; AND HIGH AT LOGAN INTO STOP SIGNS: Motion to adopt

RESOLUTION NO. 2005- 77R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE LIST OF STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE CHANGING THE YIELD SIGNS ON NORTH

AT ARRANTS; GRANT AT NORTH; AND HIGH AT LOGAN INTO STOP SIGNS was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AMENDING THE LIST OF STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE ADDING TWO STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE ADDING TWO STOP SIGNS ON NEBRASKA AVENUE AT DOCKERY AVENUE, CREATING A FOUR-WAY STOP INTERSECTION:

Motion to adopt RESOLUTION NO. 2005-78R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE LIST OF STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE ADDING TWO STOP INTERSECTIONS PURSUANT TO THE SELMA MUNICIPAL CODE ADDING TWO STOP SIGNS ON NEBRASKA AVENUE AT DOCKERY AVENUE, CREATING A FOUR-WAY STOP INTERSECTION was made by Council member Niswander and seconded by Mayor Pro Tem Lujan. Motion carried with the following vote:

AYES: Niswander, Lujan, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

DEPARTMENTAL REPORTS: Finance Director Bier asked for a determination from the full Council as to the release of payments prior to approval by Council. She stated that problems could arise if payments are held up waiting for the next Council meeting for release. Discussion then occurred between the Council members, and City Attorney Hargrove stated that in most organizations and government agencies the Finance Director is responsible for the release of checks and that there is always legal recourse if a payment is made in error. After further discussion, it was the consensus of Council that the procedure return to the Finance Department's previous practice of not having to wait for Council approval to release checks.

COUNCIL REPORTS: Council member Niswander reported that the annual Employee Awards Dinner had been excellent. She also reported on attending the Kiwanis Sr. Citizen's breakfast and thanked the fire department for their help with a Sr. Citizen's smoke detector.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Melanie A. Carter, CMC
City Clerk

Don Tow
Mayor of the City of Selma

Ordinance No: 2005-11, 2005-12
Resolution No: 2005-76R, 2005-77R, 2005-78R