

**CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
DECEMBER 19, 2005**

The regular meeting of the Selma City Council was called to order at 7:21 p.m. in the Council chambers. Council members answering roll call were Derr, Niswander, Mayor Pro Tem Lujan, and Mayor Tow. Council member Avalos had received a telephone call and left during the workshop/pre-Council meeting.

Also present were City Manager Heusser, City Attorney Costanzo, Police Chief Whiteside, Fire Chief Kestly, Public Works Director Weaver, Recreation and Community Services Director Kirchner, Finance Director Bier, Administrative Services Director 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.

**INTRODUCTION OF NEW FIRE DEPARTMENT AND HOUSING VISTA'S:** Fire Division Chief Kain introduced the department's new VISTA volunteer in charge of fire education. Ms. Destiny Mercado was welcomed by the Council.

City Manager Heusser reported that the introduction of the new housing VISTA will take place at a future Council meeting

Fire Chief Kestly then introduced the fire department's new Fire Inspector. Mr. Sid Chacon was welcomed by the Council.

**CONSENT CALENDAR:** Mayor Tow asked that agenda item 1.c. be pulled for separate consideration. Motion to approve the remainder of the Consent Calendar was made by Council member Niswander and seconded by Council member Derr. Motion carried with the following vote:

AYES: Niswander, Derr, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

- a. Minutes of the December 5, 2005 regular meeting approved as written.
- b. RESOLUTION NO. 2005-79R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA CERTIFYING THE AVAILABILITY OF CITY MATCH FUNDS FOR THE UPRR BIKE PATH FROM NORTH STREET TO THIRD STREET. Resolution adopted by standard motion.

- c. Pulled for separate consideration.
- d. Check register dated December 14, 2005 approved by standard motion.

**AGENDA ITEM 1.c. - CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AUTHORIZING CITY STAFF TO PREPARE AND SUBMIT A BICYCLE TRANSPORTATION ACCOUNT (BTA) FUNDING APPLICATION FOR THE SELMA BRANCH CANAL ALIGNMENT CLASS 1 BIKE PATH FROM FLORAL AVENUE TO LINCOLN MIDDLE SCHOOL:**

After various questions, Mayor Tow moved and Council member Niswander seconded the motion to adopt RESOLUTION NO. 2005-80R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING CITY STAFF TO PREPARE AND SUBMIT A BICYCLE TRANSPORTATION ACCOUNT (BTA) FUNDING APPLICATION FOR THE SELMA BRANCH CANAL ALIGNMENT CLASS 1 BIKE PATH FROM FLORAL AVENUE TO LINCOLN MIDDLE SCHOOL. Motion carried with the following vote:

AYES: Tow, Niswander, Derr, Lujan

NOES: None

ABSTAIN: None

ABSENT: Avalos

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING AN AMENDED FINAL MAP FOR TRACT NO. 5296, VILLA CORVINO X, LARRY AND PATRICIA RAVEN, AND APPOINTING ENGINEER:**

After discussion, motion to adopt RESOLUTION NO. 2005-81R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AN AMENDED FINAL MAP FOR TRACT NO. 5296, VILLA CORVINO X, LARRY AND PATRICIA RAVEN, AND APPOINTING ENGINEER 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 APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 3716 AND DIRECTING ITS EXECUTION:**

Motion to adopt RESOLUTION NO. 2005-82R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 3716 AND DIRECTING ITS EXECUTION 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 ORDINANCE AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE REZONING PROPERTY LOCATED BETWEEN THE BETHEL LUTHERAN HOME INDEPENDENT-LIVING AND ASSISTED-LIVING FACILITIES FROM R-2 (MULTIPLE FAMILY ZONE) TO P-M-D (PLANNED MEDICAL DEVELOPMENT) ZONE – INTRODUCTION AND FIRST READING:**

City Manager Heusser reviewed for the Council the proposal to re-zone the property located between the Bethel Lutheran Home's Independent-Living and Assisted-Living facilities from Multiple Family Zone to Planned Medical Zone.

Ms. Marlene Vig, Mr. George Pfefferkorn, and Mr. Louis Carbajal, representing the Bethel Lutheran Home, all spoke in favor of the zone change.

Motion to introduce and waive the first reading of ORDINANCE NO. 2005-13, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE REZONING PROPERTY LOCATED BETWEEN THE BETHEL LUTHERAN HOME INDEPENDENT-LIVING AND ASSISTED-LIVING FACILITIES FROM R-2 (MULTIPLE FAMILY ZONE) TO P-M-D (PLANNED MEDICAL DEVELOPMENT) ZONE 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

Council member Niswander then asked if the public hearing, second reading and adoption could be set for the February 6, 2006 Council meeting since she will not be present at the January 17, 2006 meeting. Consensus was given by Council to hold the public hearing for this item at the first Council meeting in February.

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE DELETING THE PRECISE PLAN ZONE DESIGNATION FROM PROPERTY LOCATED AT THE NORTHWEST CORNER OF HIGHLAND AND ROSE**

**AVENUES**: Motion to introduce and waive the first reading of ORDINANCE NO. 2005-14, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE DELETING THE PRECISE PLAN ZONE DESIGNATION FROM PROPERTY LOCATED AT THE NORTHWEST CORNER OF HIGHLAND AND ROSE AVENUES – NELSON, was made by Council member Derr and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Derr, Niswander, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: Avalos

**CONSIDERATION AND NECESSARY ACTION ON REQUEST TO PURCHASE TWO NEW AMBULANCES AND AUTHORIZE CITY MANAGER TO ENTER INTO LEASE-PURCHASE AGREEMENT**

Motion to approve the purchase of two new ambulances and authorizing the City Manager to enter into lease-purchase agreement 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

**DISCUSSION AND REQUEST FOR DIRECTION REGARDING PROPOSED ALL-WEATHER TRACK:** With the consensus of Council this item was moved to this point on the agenda.

City Manager Heusser reported that this matter had been brought to Council's attention at a previous meeting and has been placed on this agenda for discussion and direction. He reported that the Selma High School Sports Booster Club is proposing to install an all-weather track at Staley Stadium and is soliciting a donation from the City.

Discussion then occurred and it was the consensus of Council to wait and consider this matter again at budget time. They also directed staff to work with Mr. Bill Alves to pursue a grant for the track and approved the use of the Community Enhancement Corporation's 501(c)3 non-profit designation if needed.

**CONSIDERATION AND NECESSARY ACTION ON REQUEST FOR DIRECTION REGARDING STORM WATER RETENTION BASIN LOCATED ON ORANGE AVENUE BETWEEN NELSON BOULEVARD AND JACKSON STREET:** Public Works Director Weaver reviewed for the Council the current status of the storm water retention basin located on Orange Avenue across from Lincoln Middle School. He reported that the Public Works crew does maintain as much as they can but the slope of the sides is prohibitive.

After discussion, it was the consensus of Council to continue to maintain the basin as much as possible and landscape the frontage in order to hide the pond from view. Staff was also directed to contact the adjacent property owners about throwing debris over their back fences.

**DISCUSSION AND NECESSARY ACTION ON REQUEST FOR DIRECTION REGARDING THE MAINTENANCE OF THE ON/OFF RAMPS AT FLORAL/HIGHLAND AND SECOND STREET:** City Manager Heusser reported that even though there has been repeated meetings with Caltrans the maintenance of the on/off ramps through Selma has not been resolved. He also reported that Caltrans will soon begin a Highway 99 reconstruction project and that the areas in question may be torn up for some time.

After discussion, it was the consensus of Council that staff take pictures of the areas needing attention and set up another meeting with Caltrans.

**DISCUSSION AND REQUEST FOR DIRECTION REGARDING THE USE OF FRESNO COUNTY JAIL INMATES TO WORK WITH THE PUBLIC WORKS DEPARTMENT:** City Manager Heusser reviewed for the Council a letter received from the City of Fowler outlining the reasons why they would not recommend the use of Fresno County inmates.

After discussion, it was the consensus of Council to not use inmates in the Public Works Department at this time. Staff was directed to look at hiring help on a part time basis and also through increased court referrals.

**DEPARTMENTAL REPORTS:** City Manager Heusser reminded the Council of the Highway 99 construction/expansion project groundbreaking at 11:00 a.m. on December 22, 2005 at Pioneer Village. He also reported that the first Council meeting in January has traditionally been cancelled due to the holidays. He reported on two recent fires and wished everyone a very Merry Christmas and a Happy New Year.

**COUNCIL REPORTS:** Council member Niswander thanked everyone, on behalf of Selma Cares, for making this years' food and toy distribution a success. She reported that approximately 525 boxes of food was distributed.

Council member Derr also thanked the citizens of Selma for their generosity.

Mayor Pro Tem Lujan reported that Valley Life Church had distributed over 3,000 toys.

Mayor Tow thanked staff for addressing some of Council's concerns during this meeting.

**ORAL COMMUNICATIONS:** Mr. James Pace, representing the Wellington Corporation, stepped forward to wish everyone a happy holiday season.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Melanie A. Carter, CMC  
City Clerk

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Don Tow  
Mayor of the City of Selma

Ordinance Nos: 2005-13, 2005-14  
Resolution Nos: 2005-79R, 2005-80R, 2005-81R, 2005-82R