

**CITY OF SELMA  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 6, 2006**

The regular meeting of the Selma City Council was called to order at 7:15 p.m. in the Council chambers. Council members answering roll call were: Avalos, Derr, Niswander, Mayor Pro Tem Lujan, and Mayor Tow.

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

**SPECIAL PRESENTATIONS:** Public Works Director Weaver introduced the department's newest street sweeper operator. Mr. Jesus Hernandez was welcomed by the Council.

Police Chief Whiteside introduced the Police Department's newest officers. Mr. Lance Pearce and Mr. Andrew Guzman were welcomed by the Council.

Police Chief Whiteside also introduced the department's newest safety dispatcher. Ms. Anita Martinez was welcomed by the Council.

**CONSENT CALENDAR:** Motion to approve the Consent Calendar was made by Council member Derr and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Derr, Niswander, Avalos, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: None

- a. Minutes of the January 17, 2006 joint City Council/Chamber of Commerce meeting approved as written.
- b. Minutes of the January 17, 2006 regular meeting approved as written.
- c. Request for allocation of funds for transportation of supplies to Hurricane Katrina victims in Venice, Louisiana approved by standard motion.

- d. RESOLUTION NO. 2006-5R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA SUPPORTING THE DEVELOPMENT OF A BICYCLE/PEDESTRIAN TRAIL ALONG THE GOLDEN STATE CORRIDOR FROM KINGSBURG TO FRESNO. Resolution adopted by standard motion.
- e. Check register dated January 30, 2006 approved by standard motion.

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE CHANGING THE ZONING OF PROPERTY IDENTIFIED AS 389-3000-01 THROUGH 07 FROM MULTIPLE-FAMILY ZONE DESIGNATION (R-2) TO PLANNED MEDICAL DEVELOPMENT (P-M-D) – PUBLIC HEARING, SECOND**

**READING AND ADOPTION:** City Manager Heusser reviewed for the Council the proposal to change the zoning on property located between Bethel Lutheran Home and their assisted living facilities from R-2 to P-M-D.

Mayor Tow opened the public hearing at 7:32 p.m. and called for testimony from all in favor of the zone change.

Mr. George Pfefferkorn, President of the Bethel Lutheran Home Board of Directors, and Ms. Marlene Vig, 1252 Evergreen stepped forward to let the Council know they are in favor of the zone change.

There being no one else to testify, either 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. 2005-13, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING TITLE XI, CHAPTER 2, SECTION 2 OF THE SELMA MUNICIPAL CODE CHANGING THE ZONING OF PROPERTY IDENTIFIED AS 389-3000-01 THROUGH 07 FROM MULTIPLE-FAMILY ZONE DESIGNATION (R-2) TO PLANNED MEDICAL DEVELOPMENT (P-M-D) was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Avalos, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE, AND ENVIRONMENTAL**

**ASSESSMENT NO. 2005-0139**: Motion to adopt RESOLUTION NO. 2006-6r, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING GENERAL PLAN AMENDMENT, ZONE CHANGE, AND ENVIRONMENTAL ASSESSMENT NO. 2005-0139 was made by Mayor Pro Tem Lujan and seconded by Council member Niswander. Motion carried with the following vote:

AYES: Lujan, Niswander, Avalos, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION CONFIRMING REPORT OF PUBLIC WORKS DIRECTOR AS TO THE COSTS**

**FOR REMOVAL OF WEEDS, RUBBISH, REFUSE, OR DIRT**: Motion to adopt RESOLUTION NO. 2006-7R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA CONFIRMING THE REPORT OF THE PUBLIC WORKS DIRECTOR AS TO THE COSTS FOR REMOVAL OF WEEDS, RUBBISH, REFUSE, OR DIRT was made by Council member Niswander and seconded by Council member Derr. Motion carried with the following vote:

AYES: Niswander, Derr, Avalos, Lujan, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE SELMA POLICE OFFICERS ASSOCIATION AND**

**DIRECTING ITS EXECUTION**: Motion to adopt RESOLUTION NO. 2006-7R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE SELMA POLICE OFFICERS ASSOCIATION 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, Avalos, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING AND ADOPTING STORM DRAIN MASTER PLAN:** At the request of staff, this item was pulled from the agenda for consideration at a later date.

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE PRE-ZONING PROPERTY LOCATED ON THE NORTHEAST CORNER OF HIGHLAND AVENUE AND NEBRASKA AVENUE FROM AE-20 (AGRICULTURE EXCLUSIVE) TO R-1-7 (SINGLE FAMILY RESIDENTIAL) – SYNERGY LAND GROUP FOR DEE NEECE ESRAELIAN – INTRODUCTION AND FIRST READING:** City Manager Heusser explained the proposed project for Council and reported that the tract map will be presented to Council at the next meeting.

Motion to introduce and waive the first reading of ORDINANCE NO. 2006-1, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA PRE-ZONING PROPERTY LOCATED ON THE NORTHEAST CORNER OF HIGHLAND AVENUE AND NEBRASKA AVENUE FROM AE-20 (AGRICULTURE EXCLUSIVE) TO R-1-7 (SINGLE FAMILY RESIDENTIAL) was made by Mayor Pro-Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Avalos, Niswander, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE PRE-ZONING PROPERTY LOCATED ON THE NORTH SIDE OF ROSE AVENUE APPROXIMATELY 1,300 FEET EAST OF COUNTRY CLUB LANE FROM AE-20 (AGRICULTURE EXCLUSIVE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL) – CALIFORNIA PLANNING & ENGINEERING FOR RONALD WEINGART – INTRODUCTION AND FIRST READING:** Motion to introduce and waive the first reading of ORDINANCE NO. 2006-2, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA PRE-ZONING PROPERTY LOCATED ON THE NORTH

SIDE OF ROSE AVENUE APPROXIMATELY 1,300 FEET EAST OF COUNTRY CLUB LANE FROM AE-20 (AGRICULTURE EXCLUSIVE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL) – CALIFORNIA PLANNING & ENGINEERING FOR RONALD WEINGART was made by Mayor Pro Tem Lujan and seconded by Council member Derr. Motion carried with the following vote:

AYES: Lujan, Derr, Avalos, Derr, Tow

NOES: None

ABSTAIN: None

ABSENT: None

**DEPARTMENTAL REPORTS:** City Manager Heusser reported on the need for a meeting with the Ad Hoc Safety Committee. After discussion the date of March 6, 2006 was chosen for the joint meeting. City Manager Heusser reported that the 5 Cities Economic Development Authority is hosting a Water Issues Forum and that they would like two Council members to attend. After discussion, Mayor Tow and Council member Avalos agreed to represent Selma at the meeting. City Manager Heusser asked Council to select a date in which to hold the annual Council/staff retreat. After discussion, the date of February 27, 2006 was selected. City Manager Heusser then suggested and it was the consensus of Council to conduct the City Manager's annual evaluation at the Council meeting of March 6, 2006. City Manager Heusser asked Council to select a date and time for another trip to the Wellington Group's Mountain House project. After discussion, it was the consensus of Council that a Thursday would be best for the trip. City Manager Heusser reported that he will get back to Council with the possible dates. City Manager Heusser also asked Council to set a date for another trip to Sacramento to meet with State legislators and officials. After discussion, it was decided that a Tuesday in March would work best. City Manager Heusser reported that he will report back to Council with possible dates.

City Attorney Hargrove reported that due to recent legislation, Council members will have to complete 2 hours of ethics training by the end of 2006. He also reported that there have been recent decisions by the court regarding Proposition 218 and that it may affect Selma. He reported that he will keep the Council informed.

**COUNCIL REPORTS:** Council member Avalos reported on receiving a complaint about the sidewalks on McCall Avenue at Orange and Floral Avenues. Public Works Director Weaver reported that he will look into the problem.

Council member Derr reported on various truck parking problems in the downtown area. He reported on a box of nails in the roadway needing pick-up. He reported that he will again be participating in the annual "One Voice" trip to Washington, D.C. He asked staff

to follow-up on the CUP conditions of approval for Valley Life Church. He also reported that the high school is in rehearsal for “The Little Shop of Horrors”.

Council member Niswander reported on attending the groundbreaking for the new skateboard park. She reported on speaking to Juan Arambula’s office about the need for increased security of personal information on absentee ballots. She also reported on truck parking problems at the Industrial Park. She asked for a timeline as to when Valley View Street and Orange Avenue will be reopened. She also asked staff to look into a program for tracking dementia and Alzheimer’s patients.

Mayor Pro Tem Lujan asked staff to look into grants for the city’s soccer fields. He also expressed concern about online predators. He asked the status of the possible sale of the Rose Avenue Arts Center in order to obtain funding to refurbish the new Arts Center on High Street. He asked staff to work with Steve Samuelian on a new contract for services and to explore the need for a vicious dog Ordinance.

Mayor Tow stated that he would like to see use begin in the new Arts Center on High Street. He also asked staff to work on obtaining weekend help to clean-up the City’s on-and-off ramps.

**ORAL COMMUNICATIONS:** Ms. Ruth Chavez, 1310 Mill Street, reported that her alley needs to be paved. It was reported that this alley is scheduled for construction within the next 5-year CDBG funding cycle.

Mr. Mike Jones, 1300 Floral Avenue, stepped to the podium to ask that Council do something to abate the nuisances caused by the old abandoned gas stations at Second Street and Highway 99. After discussion, staff was directed to contact the property owners and follow-through with action if the nuisances are not taken care of.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 9:21 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, 2006-1, 2006-2  
Resolution Nos: 2006-5R, 2006-6R, 2006-7R, 2006-8R