

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
AUGUST 16, 2011**

Mayor Cardenas called the meeting to order at 7:02 p.m.

Councilmembers Present: Cardenas, Aguayo, Darling, Parra & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, Community Development Director Deaver, Finance Director Wong, City Attorney Wolfe, Public Works Director Weisser, Acting Police Chief Snow, Acting Fire Chief Lopez, Planning Consultant O'Neal

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Councilmember Darling. Roll call was taken.

PUBLIC PRESENTATIONS

Fowler resident Murray McManus asked about installing a speed bump due to speeding traffic on Maple Avenue. He also spoke about an ongoing problem with pigeons being kept in his neighborhood.

COMMUNICATIONS

City Manager Elias received a call regarding the upcoming Tour de Fresno bike ride that will be coming through Fowler for a refreshment stop on September 17, 2011.

PUBLIC HEARING:

CONSIDER AND APPROVE EXPENDITURE PLAN FOR THE 2011/2012 COPS GRANT ALLOCATION

Acting Chief Snow recommended that the COPS Grant allocation for Fiscal Year 2011-12 of approximately \$100,000 would be used to pay the salary and benefits for two current full-time police officer positions.

Mayor Cardenas opened the duly noticed public hearing on the matter at 7:13 p.m. There were no public comments and the hearing was closed at 7:13 p.m.

Councilmember Parra made a motion, seconded by Councilmember Darling, to approve Chief Snow's recommended expenditure plan for the 2011-12 COPS Grant allocation. The motion carried by unanimous voice vote.

The Mayor moved to the discussion on R.V. parking listed under staff reports on the agenda.

STAFF REPORTS:

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

◆ Discussion: Recreational Vehicle (R.V.) Parking

City Manager Elias said that Fowler resident Victor Grisso, who spoke at a prior meeting, had asked the City to revisit its R.V. parking regulations, to allow them to be parked in a driveway if there is no ability to park in a side or rear yard. The Planning Commission and Council spent approximately two years discussing R.V. parking regulations as part of the Zoning Ordinance update in 2009.

Planning Consultant O'Neal gave background information on alternatives discussed in 2008 by a Planning Commission subcommittee, that would allow R.V. parking on a concrete paved driveway if the Building Official found that adequate space is not available in a side or rear yard. The Planning Commission ultimately did not approve this alternative.

Victor and Lori Grisso spoke to the matter, saying that the City's regulations should be revised with the provisions of the subcommittee alternative. Mr. Grisso said that he does not have space to park his R.V. in a rear or side yard, and it does not create an obstruction being parked in his driveway. He said that regulations could be adopted to require that an R.V. parked in a driveway must be kept clean, with no debris or weeds growing under it.

Planning Commissioner Craig Mellon noted that in 2008 there was an in-depth discussion by the Commission on the subject, particularly concerning safety issues. He witnessed an incident in his own neighborhood where a child was nearly hit by a car due to an R.V. being parked in a driveway that obstructed the view of traffic. He asked that regulations be kept as they are.

Murray McManus stated that he didn't want to see R.V.'s being parked in driveways as they take away from the beauty of the neighborhood and obstruct the view.

The Council discussed the matter. It was stated that because the matter had been thoroughly reviewed and studied before being adopted in the Zoning Ordinance update, the regulations should remain as they are.

REVIEW OF PROPOSED COMPREHENSIVE UPDATE TO THE CITY'S ANIMAL REGULATIONS

City Manager Elias explained the draft ordinance update to the City's animal regulations, noting that the current regulations are over 30 years old. The update addresses changes in the law, and will streamline and enhance animal control procedures for the safety, health, and welfare of the community. The update provides for mandatory spaying and neutering of dogs, restrictions on breeding dogs and cats, and penalties to owners who allow their animals to be at-large.

It was suggested that the community receive adequate notice of the proposed update, to solicit their input. Staff will place the information in the utility bills, and post a summary of the ordinance on the City's website and bulletin board.

COMMUNICATIONS

City Manager Elias stated that interviews for the police chief position will take place at the La Quinta Hotel the following day.

CITY MANAGER'S REPORT

◆ Discussion: Veterans Monument Park

City Manager Elias inquired about having a dedication ceremony for the Veterans Monument Park on Veteran's Day 2011. The Council discussed ideas for the program, including inviting dignitaries from each branch of the military and arranging for a military fly-over. The Fowler Chamber and American Legion will be contacted to assist with planning.

PUBLIC WORKS DIRECTOR'S REPORT

◆ Approve Award of Bid - Fowler Pavement Maintenance Project 2011

Public Works Director Weisser explained that the Fowler Pavement Maintenance Project 2011 was recently re-bid with less expensive options, due to the exorbitant cost of the cape seal from the first bid opening. Only one bid was received, from American Paving Company, with costs for various alternatives. Option 2 included awarding the base bid and Alternative A, which calls for a Type III slurry seal instead of cape seal for road improvements, and removing the planters on Merced Street.

Councilmember Darling made a motion, seconded by Councilmember Parra, to approve the award of bid - Option 2 - Fowler Pavement Maintenance Project 2011, to American Paving Company in the amount of \$162,815.70. The motion carried by unanimous voice vote.

Public Works Director Weisser reported on department activities, including assisting Cornerstone Theater Group in setting up for a community play in Panzak Park.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

Acting Chief Snow gave a report on a recent warrant sweep that was conducted, resulting in 6 felony and 10 misdemeanor warrants being served.

FIRE DEPARTMENT REPORT

Acting Fire Chief Lopez gave the June 2011 statistical report, and mentioned upcoming training scheduled for the firefighters.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported on a court case that confirmed that claims for tax refunds from cities can be filed on a class action basis.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - August 16, 2011; B) Approve Minutes of the Fowler City Council Meeting - August 2, 2011; C) Approve and accept the Tashjian Towers Parcel Map No. 05-01 offsite & S.D. Improvements and authorize Giersch & Associates, Inc., to record the Notice of Completion; D) Adoption of Resolution No. 2222, "A Resolution of the City Council of the City of Fowler of Authorization to Contract"; and E) Adoption of Resolution No. 2223, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California in the Matter of: Approving the Department of Forestry and Fire Protection Agreement #7FG11060." Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to approve the Consent Calendar. The motion carried by unanimous voice vote.

COMMITTEE REPORTS

Mayor Cardenas attended an S.K.F. conference. Councilmember Darling attended an event held at the Rose of Sharon Church, where local resident Barbara Peters was honored. Councilmember Parra reported on a recent SSJV League division meeting in Delano, where the topic of high speed rail was discussed.

ADJOURNMENT

Having no further business, Councilmember Simonian made a motion to adjourn, seconded by Mayor Pro-Tem Aguayo. The motion carried and the meeting adjourned at 9:17 p.m.