

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MARCH 20, 2012**

Mayor Cardenas called the meeting to order at 7:00 p.m.

Councilmembers Present: Cardenas, Darling, Parra & Simonian

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

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Minister Brian Mays. Roll call was taken.

PUBLIC PRESENTATIONS

Fowler resident Brian Mays spoke of the importance of having accessible sidewalks in all areas of town.

Newly appointed Fresno County Clerk/Registrar of Voters Brandi Orth introduced herself to the Council and explained the "Top Two Primary" voting process.

Resident Murray McManus commented on the proposed Motel 6 project, and asked that the City pursue companies that are interested in building a new grocery store or pharmacy for the citizens.

PRESENTATION TO HONOR RICO AGUAYO

Mayor Cardenas presented a plaque honoring former Mayor Pro-Tem Rico Aguayo, to Mr. Aguayo's mother Evelyn, commending him for over 16 years of service on the Recreation and Planning Commissions, and City Council. Mr. Aguayo recently resigned from the Council to pursue opportunities out of State.

COMMUNICATIONS

City Manager Elias mentioned an upcoming Economic Development Workshop in Selma on April 23, 2012.

STAFF REPORTS:

ADOPTION OF RESOLUTION NO. 2244 - DENYING SITE PLAN REVIEW APPLICATION NO. 11-03 (FOWLER DEVELOPMENT, LLC - MOTEL 6)

City Attorney Wolfe explained that Resolution No. 2244 was placed on the agenda as

directed by the Council at the prior meeting. It reverses the Planning Commission's approval of, and upholds the appeal of, the site plan review for a Motel 6 project at 210 S. 10th Street. The findings stated in Resolution No. 2244 included that the site plan does not conform with provisions of the City's Form Based Code and does not fully mitigate potential impacts to the residential neighborhood to the east - such as traffic, parking, and adverse aesthetic impacts due to the size and placement of the structure. Also, evidence of impacts from additional crime, that were presented at the March 6, 2012 public hearing, would increase the demand for City services without adequate funds to cover the services. Any subsequent site plan submitted must provide for adequate parking, address traffic, crime, aesthetics, and trash issues to reduce potentially adverse impacts.

Local business owner Bobby Williams stated that he is not in favor of the Motel 6 project because it may require abandonment of Fowler Avenue, a street that provides access to his business.

The Council discussed the findings set forth Resolution No. 2244. It was suggested that the language "81 room" on page 3 be removed. Councilmember Simonian made a motion to adopt Resolution No. 2244, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California - Reversing the Decision of the Planning Commission and Denying Site Plan Review Application No. 11-03 (Fowler Development, LLC - Motel 6)" with the change suggested. The motion was seconded by Mayor Pro-Tem Parra, and carried on a 4-0-0 roll call vote.

DIRECTION ON PROPOSED CHANGE TO THE FOWLER/MARDEROSIAN PYLON SIGN TO ADD AN ELECTRONIC MESSAGE BOARD

City Manager Elias explained that in 2006 the Fowler Redevelopment Agency (RDA) worked with the Marderosian Family Trust to develop the area near 10th Street and Highway 99, entering into an agreement to install a 107 foot pylon sign with advertising spaces to be leased to nearby businesses. The RDA purchased an interest in the sign to ensure that the City's name and logo remain on the sign, to have regulatory authority over sign placement and content, and to ensure that it is maintained to a high standard. The agreement does not allow alterations without the City's (as Successor Agency to the RDA) consent. Mr. Marderosian has requested approval to replace six advertising panels on the lower portion of the sign with an electronic message board to use for advertising community events and business in general outside of the sign's zone of benefit area.

The Council discussed the matter, noting that an electronic sign would call for extensive regulations and monitoring, and would not comply with the requirement that it advertise only the nearby businesses within the designated zone of benefit. The consensus was to not allow modifications to the existing sign.

CITY MANAGER'S REPORT

City Manager Elias said that staff met earlier in the day with the Motel 6 development group, who will be resubmitting a new site plan for the project.

PUBLIC WORKS DIRECTOR'S REPORT

— Approve Proposal for Demolition of Former Honda's Mechanic Shop - 220 E. Main Street

Public Works Director Weisser asked that the Council approve a proposal for demolition of the former Honda's Garage building located on property now owned by the City. Mr. Weisser received several estimates, with the lowest being \$18,595.00 from Kroeker, Inc. City Manager Elias noted that this would help the City's ISO fire rating, as it will show progress towards plans to build a new fire station on the site.

Councilmember Darling made a motion to accept the proposal from Kroeker, Inc. to demolish the building, with the addition that when a new fire station is built, a plaque to honor longtime Honda's mechanic, Harry Honda, be placed on the site. The motion was seconded by Mayor Pro-Tem Parra, and carried by unanimous voice vote.

Mr. Weisser also reported that staff installed "No Truck Parking" signs along 10th Street, and a new criminal booking bench in the Police Department.

FINANCE DIRECTOR'S REPORT

Finance Director Wong gave a financial summary for the fiscal year through February 2012, noting that General Fund revenues have been coming in higher than budgeted. He reported on a Successor Agency training session he attended.

POLICE DEPARTMENT REPORT

Chief Brand reported on Police Department activities for February, and mentioned that as a result of a recent surveillance detail, a suspect has been arrested for a series of burglaries at a local business.

FIRE DEPARTMENT REPORT

Fire Chief Lopez gave a report of emergency calls for February, which totaled 49. He has received new fire prevention pamphlets to distribute to the public.

CITY ATTORNEY'S REPORT

— Consider and Approve Second Amendment to City Manager Supplemental Agreement

City Attorney Wolfe stated that the Second Amendment to the City Manager

Supplemental Agreement extends the contract to June 30, 2017, and adds language pursuant to changes in state law arising from the City of Bell scandal.

Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Parra, to approve the Second Amendment to the City Manager Supplemental Agreement. The motion carried on a 3-1-0 roll call vote: Ayes: Cardenas, Parra, and Simonian. Noes: Darling. Absent/Abstain: none.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - March 20, 2012; and B) Approve Minutes of the Fowler City Council Regular and Special Meetings - March 6, 2012. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Darling, to approve the Consent Calendar. The motion carried by unanimous voice vote.

COMMITTEE REPORTS

Mayor Cardenas attended a Consolidated Mosquito Abatement District meeting. Mayor Pro-Tem Parra attended an EDC Real Estate Forecast event, noting that the local housing market is showing signs of recovery from the recession. Councilmember Simonian spoke of building a new police station on the property where the old Fowler Hospital building is located.

ADJOURNMENT

Having no further business, Mayor Pro-Tem Parra made a motion to adjourn, seconded by Councilmember Simonian. The motion carried and the meeting adjourned at 9:04 p. m.