

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
JUNE 16, 2015**

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

Councilmembers Present: Cardenas Parra, Hammer, Monis & Simonian

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

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

PUBLIC PRESENTATIONS

Fowler resident Arpie Dick asked if the City would consider having an annual curbside clean-up day as some cities have. City Manager Elias said that Fowler citizens receive two vouchers each year from Waste Management for free disposal of bulky items.

PUBLIC HEARING:

**CONSIDER APPEAL OF THE PLANNING COMMISSION'S DENIAL OF
CONDITIONAL USE PERMIT NO. 15-01**

Planning Consultant O'Neal explained that applicants Rafael Miramontes and John Kahaian applied for a C.U.P. to allow alcohol sales at an existing bar located at 206 N. 8th Street. The C.U.P. was recently denied by the Planning Commission based on high levels of police calls for service, noise, and loitering associated with previous bars at the project site. Chief Brand provided a written summary of Mr. Miramontes history of nightclub ownership. The letter stated that, based on prior violations and other business problems listed, approval of the C.U.P. is not in the best interest of public safety in the City. The letter also outlined several recommendations, such as security measures, should the Council decide to approve the C.U.P.

Applicant John Kahaian spoke in favor of the C.U.P., stating that the alcoholic beverage license is for serving beer and wine and not distilled liquor, which the Planning Commission may not have understood. Rafael Miramontes spoke of operating arrangements for the bar and security measures that will be taken. He explained the reasons for some of the issues that occurred at other bars and nightclubs he has operated in the past.

The Mayor opened the duly noticed public hearing on the matter at 7:39 p.m. With no comments from the public, the hearing was closed at 7:39 p.m.

The Council discussed the matter and asked questions of the applicants. The proposed conditions of approval were discussed. It was recommended to add surveillance equipment for the inside of the building in addition to the outside.

Councilmember Hammer made a motion to approve Resolution (No. 2359) “A Resolution of the City Council of the City of Fowler Reversing the Planning Commission’s Denial and approving C.U.P. No. 15-01,” with the changes recommended, and subject to the Police Chief meeting with the applicant to confirm that conditions of approval are in place. The motion was seconded by Councilmember Simonian and carried by a 4-1-0 roll call vote: Ayes: Cardenas, Hammer, Monis, & Simonian. Noes: Parra. Abstain/absent: None.

COMMUNICATIONS

City Manager Elias mentioned the upcoming joint meeting of the Fresno County Board of Supervisors and the 15 local cities to discuss items of mutual interest. He also said that a conference call has been scheduled with Bank of America representatives to discuss the closure of the Fowler Branch in October.

STAFF REPORTS:

DESIGNATE VOTING DELEGATE/ALTERNATE(S) FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

City Manager Elias said that a voting delegate and alternates need to be selected for the annual business meeting at the League of California Cities Annual Conference, September 30th - October 2, 2015 in San Jose. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to designate Councilmember Leonard Hammer as the voting delegate, Councilmember Jim Simonian as the alternate, and Mayor Pro-Tem Dan Parra as the second alternate. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/absent: None.

CITY MANAGER’S REPORT

City Manager Elias said that the Governor approved the State’s \$117 billion budget. He reported that he has received numerous complaints from residents that received citations due to the City’s recently implemented watering restrictions.

PUBLIC WORKS DIRECTOR’S REPORT

Public Works Director Weisser reported on current activities: tree trimming, cleaning and weed clearing along Golden State Boulevard, and changing out old water meters for new.

FINANCE DIRECTOR’S REPORT

No report was given.

POLICE DEPARTMENT REPORT

Chief Brand circulated a statistical report for May 2015. A new full-time officer, Nathan Moon, has been hired.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe briefly commented on the topics to be discussed at the upcoming joint meeting with the Fresno County Board of Supervisors.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - June 16, 2015; B) Approve Minutes of the Fowler City Council Meeting - June 2, 2015; C) Adoption of Resolution No. 2322, "A Resolution of the City Council of the City of Fowler Supporting the Renewal of Fresno County RMDZ as a Recycling Market Development Zone"; D) Adoption Resolution No. 2323, "A Resolution of the City Council of the City of Fowler Adopting a Paid Sick Leave Policy Pursuant to AB 1522 for Part-time, Hourly and Temporary Employees, Establishing the Accrual Method and the Minimum Paid Sick Leave Usage Increment"; E) Approve Common Use Agreement between the Fresno Irrigation District, the Selma-Kingsburg-Fowler County Sanitation District ("SKF"), and the City of Fowler; F) Adoption of Resolution No. 2324, "A Resolution of the City Council of the City of Fowler Granting the City Manager Budgetary Authority to Continue City Operations Pending Budget Adoption for Fiscal Year 2015/2016"; and G) Approve Agreement for the Collection of Special Assessments between Fresno County and the City of Fowler (Landscaping and Storm Drainage Facilities Maintenance District No. 1).

Councilmember Simonian made a motion, seconded by Councilmember Monis, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/Absent: None.

COMMITTEE REPORTS

Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to confirm Mayor Cardenas' re-appointment of Joe Alvarez and Jim Martin to a new term on the Recreation Commission. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/Absent: None.

Mayor Cardenas attended a Consolidated Mosquito Abatement District meeting where they discussed the budget.

Councilmember Monis and Councilmember Hammer attended a kick-off event for a children's summer lunch program at the Fowler Library.

ADJOURNMENT

Having no further business, Councilmember Simonian made a motion, seconded by Councilmember Hammer, to adjourn. The motion carried and the meeting adjourned at 8:25 p. m.