

**CERES CITY COUNCIL
REGULAR MEETING MINUTES
May 23, 2005**

The regular meeting was called to order at 7:00 p.m. by Mayor Moore with the following in attendance

PRESENT: Vice Mayor Mantarro-Moore, Council Members Cannella, Phipps and Vierra.

ALSO PRESENT: City Manager Tim Kerr, City Attorney Mike Lyons, Director of Management Services Bonnie White Silveria, Director of Planning and Community Services Randy Hatch, Director of Public Works Joe Hollstein, Director of Parks, Recreation and Facilities Doug Lemcke, Director of Municipal Utilities Steve Wilson, Director of Public Safety Art de Werk, Director of Finance Sheila Cumberland and City Clerk Brenda Scudder Herbert.

INVOCATION was given by Pastor Brent Mitchell, Harvest Presbyterian Church.

PLEDGE OF ALLEGIANCE to the flag led by Mayor Moore.

PERSENTATIONS

- A. Proclamation proclaiming May 2005 as Older Americans Month in the City of Ceres.

CITIZEN COMMUNICATION – None

APPROVAL OF THE AGENDA AS POSTED OR AMENDED AND CERTIFICATION OF POSTING M/S Phipps/Mantarro-Moore. Vote 5/0.

CONSENT CALENDAR – M/S Cannella/Phipps to approve 1 – 5, 8, 10 – 13. Vote 5/0.

1. General Correspondence – Information Only

- a. Department of Public Works monthly report for April 2005.
- b. Municipal Utilities Department Monthly report for April 2005.
- c. Parks, Recreation and Facilities monthly report for March and April 2005.
- d. Update on Fiscal Year 2005-2006 Proposed Budget.

2. Register of Audited Demands dated May 6th and May 12, 2005.

3. Resolution No. 2005-92 rejecting the claim for damages of Luis Alberto Gutierrez.

4. Set Public Hearing date of June 13, 2005 to consider a Rezone/Planned Community Master Plan approval to subdivide a total of +/- 1.18 acres into 7 residential lots, one of which will contain a duplex at the northeast corner of Blaker Road and Kinser Road. (Application No. 04-49 RZ/PCMP, Darrell Ledbetter, applicant).

5. **Resolution No. 2005-93** authorizing submittal of an application to the California Integrated Waste Management Board for Used Oil Recycling Block Grants.
6. **Resolution No. 2005-94** approving a lot line adjustment for Nancy Taylor – 1604 Evans Road, 1806 and 1814 Herndon Road.
7. **Resolution No. 2005-95** granting preliminary approval of the Engineer's Report for setting fees for the formation of a city-wide Park Maintenance District and **Resolution No. 2005-96** setting July 11, 2005 as the date for a Protest Hearing. **PULLED**

A letter was received from Mr. Jim Phipps regarding this Item. M/S Cannella/Mantarro-Moore to approve Resolution No's 2005-95-96. Vote 5/0.

8. **Resolution No. 2005-97** granting preliminary approval of the Engineer's Report for setting fees in the 1987 Landscaping and Lighting District for Fiscal Year 2005-2006 and **Resolution No. 2005-98** setting July 11, 2005 as the date for a Protest Hearing.
9. **Resolution No. 2005-99** accepting the subdivision improvements for Davante Villas on River Road Subdivision as complete, accepting the dedications and authorizing filing of the Notice of Completion.
10. City Council authorization to fill vacant Fire Secretary position.
11. City Council authorization to fill vacant Assistant Planner position.
12. Consideration of credit card review policies. **PULLED**

M/S Cannella/Vierra to have Mayor review City Managers credit card statements. Vote 5/0.

PUBLIC HEARING

13. **Ordinance No. 2005-945 (Introduction and First Reading)** to consider the modification of the Ceres Zoning Ordinance regarding Temporary Use Permits. (04-27 ZOTA, City of Ceres, applicant).

Randy Hatch gave report on this Item.

Mayor Moore opened the Public Hearing.
Mayor Moore closed the Public Hearing.

M/S Mantarro-Moore/Phipps to have Ordinance No. 2005-945 read by Number and Title only. Vote 5/0. M/S Mantarro-Moore/Phipps to approve Ordinance No. 2005-945 for Introduction and First Reading. Vote 5/0.

14. Resolution No. 2005-100 to consider the appeal of the Planning Commission's denial of a variance request to allow the installation of a 10' x 10', double-faced, illuminated freestanding 18' high sign with four line LED message center at the entrance to the Modesto Adventist Academy (Academy Place and Central Avenue). (Application No. 05-01 VAR, Modesto Adventist Academy, applicant).

Nancy Brown gave report on this Item.

Mayor Moore opened the Public Hearing.

Brent Baldwin, Principal at Modesto Adventist Academy spoke on behalf of the project.

David Gee and Dan Baviar the sign designers answered questions regarding the sign.

Matt Trustmeyer made comments regarding sign.

Mayor Moore closed the Public Hearing.

M/S Vierra/Phipps to approve this Item with conditions of No Flashing Lights, No Animation and to have a review in by the Planning Commission in 3 months. Vote 4/1. (Cannella No.)

NEW BUSINESS

15. Consideration of complaint of Rhonda Bellomy regarding condition of fence and landscaping on car sales lot property on Mitchell Road which abuts the rear of her residential property.

Mike Lyons gave report on this Item. No action was required of the Council.

16. Council direction regarding gift of old redwood tree at the corner of Lawrence Street and 9th Street by the estate of Beatrice Marks.

It was the concurrence of the Council to not accept the redwood tree from Mrs. Marks estate.

REPORTS

Mayor, Vice Mayor and Council Member and staff gave report on various City related activities and meetings.

ADJOURNMENT Mayor Moore adjourned the meeting at 8:40 p.m.

DeLinda Moore, Mayor

ATTEST:

Brenda Scudder Herbert, City Clerk