

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

COMPLAINTS
RECEIVED RE PUTRID
ODORS EMITTING
FROM THE ALLIED
GRAPE GROWERS
PROPERTY ON
TURNER ROAD

Mr. Mike Rishwain, 1038 Miwok Drive, Lodi, addressed the Council complaining about a nuisance that is being created at 1 West Turner Road, Lodi. Waste from the winery is creating bacteria, resulting in a very offensive odor. According to Mr. Rishwain, this odor affects a large portion of Lodi. Mr. Rishwain indicated that this situation is causing a second problem in that there are an inordinate number of flies present in the area.

Mr. Rishwain further stated that the problem has gone on for the last four years and that the winery does have some choices in this matter, such as dumping the waste material into city lines.

Mr. Rishwain explained "nuisance" and "public nuisance" as defined by State statute and asked that the City Council direct the City Attorney to file suit to abate this nuisance.

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Council Member Pinkerton stated that it was his recollection that at the time the Mokelumne Subdivision was before the Council for approval he expressed his concerns regarding various incompatible factors in the subject area. Council Member Pinkerton asked that the City Clerk check the minutes to see if his statement had been entered into the official record.

Mr. Howard Arnaiz, the developer of Mokelumne Village Subdivision addressed the Council regarding the matter, giving a history of the situation. Mr. Arnaiz acknowledged that he did recall Council Member Pinkerton expressing his concerns at the time of the subdivision approval.

Mr. John Stroh, 1022 Miwok Drive, Lodi, also addressed the Council indicating that "they" are not against the winery, but explained that the odor was not a typical "Lodi grape season smell", but a very offensive odor.

A lengthy discussion followed with questions being directed to Staff and to those persons who had given testimony.

Following a suggestion by Public Works Director Ronsko, Staff was directed to prepare a report addressing the various questions that were posed concerning this complaint. Council requested that if possible this report be completed so that it can be presented at the November 7, 1984 regular Council meeting.