

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, MAY 21, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p. m. on Wednesday, May 21, 1969 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,  
SCHAFFER and KIRSTEN (Mayor)  
Also present: City Manager Graves, Assistant City Manager  
Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Brown, Schaffer second, the Minutes of May 7, 1969 were approved as written, corrected by the City Clerk and mailed.

PUBLIC HEARINGS

REZONE The hearing on the proposal to rezone the Lone Oak Subdivision  
LONE OAK from the R-1, Single-Family Residential District to the P-D,  
SUBDIVISION Planned Development District having been continued from the  
meeting of April 16, 1969, Mayor Kirsten called for continuation  
of the hearing.

Planning Director Schroeder introduced the matter and pointed out that still unresolved is the problem of utilities to serve the area.

Mr. Robert Houston, 824 Mariposa Way, developer of the proposed subdivision, spoke in favor of the rezoning. He also stated that since development east of Cherokee Lane is dependent upon availability of utilities, he would like priorities established so that subdividers would know which property could be developed and which could not. The following persons spoke against the proposal:

Mrs. Ruth Wright, 429 Valley Avenue  
Mr. Joseph Bacarro, 838 Cortez Way

There being no others in the audience who wished to speak on the matter, the public portion of the hearing was closed.

Councilman Hunnell felt the Council should not rezone the property until after the matter of utilities for the proposed subdivision had been resolved. A study is presently being made concerning storm drainage for the subdivision. Mayor Kirsten asked if delaying action on the rezoning would have an adverse effect upon the proposed subdivision. Mr. Houston agreed that the rezoning of the property could be delayed until the matter of utilities for the area had been resolved by the Council. After further discussion, Councilman Culbertson moved the matter be continued until the report on storm drainage for the subdivision has been received and the public hearing be continued to the meeting of July 16, 1969. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

Councilman Hunnell then pointed out that there are approximately 200 acres in the area of the Lone Oak Subdivision to be developed which are also dependent upon the City's Storm drainage. He

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requested that the Council, at the time it considers utilities for the Lone Oak Subdivision, also establish a policy for this entire area east of ~~Knoll~~<sup>Sherrise</sup> Lane concerning installation of storm drain lines with respect to the responsibility of the City and the subdivider.

APPEAL -  
COURTESY  
MOTORS

Mayor Kirsten reported that Mr. John Ferraiolo of Courtesy Motors had requested continuation of the public hearing scheduled for this time to consider his appeal from the decision of the City Planning Commission in denying his request for a change in zoning for Lot 55, Knoll Subdivision. On motion of Councilman Hunnell, Schaffer second, the public hearing was continued to the meeting of June 4, 1969.

APPEAL-  
GENSLER-LEE  
DIAMONDS

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the appeal of Federal Sign and Signal Corporation on behalf of Gensler-Lee Diamonds from the City Planning Commission's decision in denying their request for a variance to permit the increase of the existing sign area from 77 to 81 square feet where a maximum of 30 square feet is permitted at 123 South School Street. Planning Director Schroeder introduced the matter showing a drawing of the proposed sign.

Mr. Richard Fair of Federal Sign and Signal Corporation and Mr. Andrew Jischke of Gensler Lee, 995 Market Street, San Francisco, spoke in favor of the request. There being no others in the audience wishing to speak in favor of or against the proposal, the public portion of the hearing was closed. After discussion, Councilman Schaffer moved the appeal be denied. The motion was seconded by Mayor Kirsten and carried by the following vote:

Ayes: Councilmen - CULBERTSON, HUNNELL,  
SCHAFFER and KIRSTEN

Noes: Councilmen - BROWN

APPEAL -  
LODI MEMORIAL  
HOSPITAL

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the appeal of Lodi Memorial Hospital Association from the decision of the City Planning Commission in denying its request for variances (1) to permit the erection of a 6-foot high, chain-link fence in a street side yard area where a maximum height of 42 inches is permitted and (2) to permit off-street parking in a street side yard area on the east side of South Ham Lane, south of West Vine Street. Planning Director Schroeder introduced the matter, showing a drawing of the hospital proposal.

The City Clerk read a letter from Principal Ralph M. Wetmore of the Lodi Senior Elementary School endorsing the request of the Hospital. Speaking in favor of the requested variances were Attorney Robert Rinn and Mrs. Mabel Richey. There being no others in the audience wishing to speak on the matter, the public portion of the hearing was closed. After discussion of the matter, the Council agreed that a hardship did exist and on motion of Councilman Schaffer, Brown second, the Council unanimously approved the variances requested by the Lodi Memorial Hospital Association.

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ANNEX  
BISCHEL  
ADDITION  
  
RES. NO. 3270

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposed annexation of the Bischel Addition. There were no protests, written or oral. On motion of Councilman Culbertson, Schaffer second, the Council adopted Resolution No. 3270 annexing the Bischel Addition to the City of Lodi by unanimous vote.

REZONE NW  
COR OF S. HAM  
& W. KETTLEMAN  
  
ORD. NO. 899  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal to rezone two parcels located at the northwest corner of South Ham Lane and West Kettleman Lane from the C-2, General Commercial District to the C-1, Neighborhood Commercial District. There being no one in the audience wishing to speak on the matter, the public portion of the hearing was closed. On motion of Councilman Schaffer, ~~Culbertson second~~, the Council introduced Ordinance No. 899 rezoning two parcels at the northwest corner of South Ham Lane and West Kettleman Lane to be in the C-1, Neighborhood Commercial District. The motion was seconded by Councilman Culbertson and carried by unaimous vote.

#### PLANNING COMMISSION

AMENDMENTS  
TO SIGN ORD.

At its meeting of May 12, 1969, the City Planning Commission recommended a number of amendments to the Sign Ordinance. The Council were provided with copies of the recommended changes. On motion of Councilman Hunnell, Brown second, the Council set the recommended amendments to the Sign Ordinance for public hearing on June 4, 1969.

OTHER ACTIONS

Other actions of the City Planning Commission at its meeting of May 12, 1969 were as follows:

1. Elected Commissioner Avery T. Gassin Chairman and Commissioner W. A. Colburn Vice Chairman.
2. Recommended to the San Joaquin County Planning Commission that the Tentative Map of Country Club Vista be approved with conditions.
3. Recommended to the San Joaquin County Planning Commission that the request of Meyer and Baumbach, Consulting Engineers, for a use permit to erect an automobile service station at the northeast corner of Lower Sacramento Road and West Kettleman Lane in an area zoned I-PA, be approved with conditions.

#### COMMUNICATIONS

LEGISLATION  
  
RES. NO. 3271

A letter was read from the Town of Emeryville requesting the Council to adopt a resolution opposing legislation which would directly or indirectly encroach upon home rule.

After discussion, Councilman Culbertson moved adoption of Resolution No. 3271 opposing all State legislation which would directly or indirectly encroach upon home rule. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

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ABC LICENSE                    A notice of application for alcoholic beverage license was read as follows: Original application, Dennis D. Herr, D & H Distributors, 119 North Sacramento Street, beer and wine importers, beer and wine wholesalers and off-sale beer and wine.

REPORTS OF THE CITY MANAGER

CLAIMS                            Claims in the amount of \$655,502.83 were approved on motion of Councilman Hunnell, Schaffer second.

STATUS  
REPORT -  
BASIN A-2                        City Manager Glaves asked the Public Works Director to report on the status of Basin A-2. Public Works Director Jones presented preliminary drawings of the proposed basin. He stated he had met with the property owner and informed him the City was interested in purchasing the property. He reported he had also met with representatives of the Division of Highways to determine the freeway routes in the area. He explained that the proposed basin would have a capacity of 50 acre feet of storage for storm waters and would provide recreational facilities as well as a site for a future fire station. The Council had no objections to the preliminary plans as presented.

ASSEMBLY  
BILL 1356                        The City Manager reported on Assembly Bill 1356, which would place fire fighters in cities under the Employer-Employee Relations Act. This bill was discussed at the meeting of May 7 and the Council at that time requested the City Manager to report further on it at this meeting. Mr. Glaves stated that after having discussed the bill with Mr. Ralph Andersen of the League of California Cities he would recommend the Council take no action on it. No action was taken.

STREET TREE  
POLICY                            City Manager Glaves presented each of the Councilmen with a copy of the Street Tree Policy which the Council adopted at a previous meeting. The City Manager reported he had checked the Street Tree Policy requested by Councilman Culbertson and recommended it remain as adopted by the Council. The Council agreed with the City Manager's recommendation.

AWARD -  
2-TON TRUCK                      Bids were received for a two-ton truck as follows:

	Geweke Ford	\$3,910.71
RES. NO. 3272	Loewen Auto Co.	4,170.00
	Tokay Motors	4,461.25

The City Manager recommended the low bid be accepted. He also recommended that there be no trade-in on this truck.

Councilman Hunnell moved the adoption of Resolution No. 3272 awarding the bid for the purchase of the 2-ton truck to Geweke Ford with no trade in. The motion was seconded by Councilman Culbertson and carried.

AWARD -  
CRANE                              The City Manager then presented bids for a truck-mounted crane as follows:

	Utility Body Company	\$6,190.20
RES. NO. 3273	Loggers and Contr.	6,248.55
	Edward R. Bacon Co.	7,098.00

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On motion of Councilman Culbertson, Schaffer second, the Council adopted Resolution No. 3273 awarding the bid for the truck-mounted crane to Utility Body Company for the amount of the bid.

MINOR SUBD.  
M-69-2  
APPROVED

City Manager Graves presented a Subdivision Improvement Agreement, Electrical Utility Agreement and a Storm Drainage Agreement for a Minor Subdivision (M-69-2) which is being developed by Lodi Development Corporation. He reported that the developer had met all requirements imposed upon the subdivision by the City Planning Commission at the time the tentative map was approved. He requested Council approval of the Subdivision. On motion of Councilman Culbertson, Brown second, the Council approved the Minor Subdivision and authorized the Mayor to execute the Subdivision Agreement as well as the Electrical Utility Agreement. Councilman Culbertson then moved the City Manager be authorized to execute the Storm Drainage Agreement on behalf of the City. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

HAM LANE

At the meeting of May 7 the City Council requested the City Manager to verify the priority of the completion of Ham Lane from Lodi Avenue to Sylvia Drive. The Manager reported the project is included in the 1969-70 Capital Improvement Program.

#### ORDINANCES

CHEROKEE  
LANE SPEED  
LIMIT

ORD. NO. 898  
ADOPTED

ORDINANCE NO. 898, entitled, "AN ORDINANCE AMENDING SECTION 14-21.1 OF THE CODE OF THE CITY OF LODI ENTITLED, [DECREASING STATE SPEED LIMIT ON CERTAIN STREETS,] AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND THEREBY ESTABLISHING THE SPEED LIMIT ON CHEROKEE LANE," having been introduced at the meeting of May 7, 1969, was brought up for passage on motion of Councilman Brown, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,  
SCHAFFER and KIRSTEN

Noes: Councilmen - None

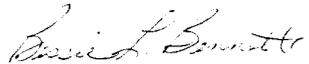
Absent: Councilmen - None

EXECUTIVE  
SESSION

At approximately 10:35 p.m. the City Council adjourned to executive session for approximately ten minutes.

#### ADJOURNMENT

At approximately 10:45 p.m. the Council reconvened and the Mayor adjourned the meeting to 8:00 p.m., May 28, 1969.

  
ATTEST: BESSIE L. BENNETT  
City Clerk