

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 3, 1968

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, April 3, 1968, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON (8:01 p.m.)
HUNNELL, WALTON and
KIRSTEN (Mayor)

Absent: Councilmen - None

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 Hunnell, Brown second, the Minutes of March 20, 1968 were approved as written and mailed.

PUBLIC HEARINGS

APPEAL -
DAVID C. PAUL
(CONTD.)

ORD. NO. 860
INTRODUCED

Public hearing on the appeal of David C. Paul from the decision of the City Planning Commission in denying his request for a change in zoning from the R-3, Limited Multiple-Family Residential zone to the R-4, Multiple-Family Institutional zone for a 25,000 square-foot area consisting of three parcels located at 704 and 708 North Church Street and 117 Forrest Avenue having been continued from the meeting of March 20, 1968, Mayor Kirsten asked for a report from the City Manager. City Manager Graves presented a sketch showing all of the sewer lines in the City indicating the capacity the various lines had reached. He explained that the lines in the area of the proposed rezoning have already reached capacity. He also explained that the Planning Commission is presently making a study of the density for R-3 and R-4 zones and is contemplating recommending an intermediate zone. He stated that if the property is rezoned to R-4 the legal number of units that could be built upon this property would be 43, 31 more units than is presently allowed, and this **could seriously** add to the sewage problem and also create traffic problems. The City Manager recommended the appeal be denied at this time with the understanding that a study would be made to determine the proper density for this area.

Mr. David Paul, 708 North Church Street spoke in favor of the rezoning, and questioned the Council as to what the City plans to do to relieve the sewer problem in the area. There being no others in the audience who wished to speak on the matter, the public portion of the hearing was closed.

Councilman Culbertson felt it would be unfair to the citizens to expect them to delay developing their property while a study is being made as such a study may take many months. After discussion of the inadequate sewer lines and the possible traffic problem, Councilman Walton

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stated he felt the area proposed for rezoning was an ideal area for high density development and suggested the Council be more liberal in rezoning areas of this type. Councilman Walton moved the introduction of Ordinance No. 860 rezoning three parcels located at 704 and 708 North Church Street and 117 Forrest Avenue to R-4. Mayor Kirsten felt the property should not be rezoned at this time. The motion was seconded by Councilman Brown and carried by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,
and WALTON

Noes: Councilmen - KIRSTEN

APPEAL -
BURTON'S
SHOES

A letter had been received from Jack Carter on behalf of Burton's Shoes requesting a continuance of the public hearing set for this meeting to consider the appeal from the decision of the Planning Commission in denying a request for a variance to increase the permitted sign area square footage at 17 West Pine Street from 100 square feet to 124 square feet. On motion of Councilman Walton, Brown second, the public hearing was continued to the meeting of April 16, 1968.

M. O. RAY, JR.
RE HOUSE ON
WELLSWOOD

Mr. Maurice O. Ray, Jr., 1201 Edgewood Drive, reported to the Council that he will accept the Council's offer of \$2300 and will move the house at 939 Wellswood Avenue by May 25, 1968.

PLANNING COMMISSION

CRITERIA FOR
SPHERES OF
INFLUENCE

The City Manager explained that the "Criteria For Spheres of Influence" received from the Planning Commission which was presented to the Council prior to the meeting was for their information and could be discussed at a future date. Councilman Culbertson suggested the matter be discussed at the meeting of April 16.

TENT. MAP
McDANIEL IND.
PARK

Mr. Graves reported that the Planning Commission at its meeting of March 25, 1968 continued its consideration of the Tentative Map of McDaniel Industrial Park until its regular meeting of April 22, 1968.

COMMUNICATIONS

CITIES & CO.
S. J. CO. APA

A letter was read from the County Counsel advising that in response to the request of Carmen Perino, Chairman, San Joaquin County Area-Wide Planning and Review Agency, the County Counsel has concluded that the Cities and County of San Joaquin Advisory Planning Association has been legally established.

REQUEST -
DENNY'S
RESTAURANT

Denny's Restaurant had resubmitted a sign variance request for a sign with 397 square feet which is 139 square feet over the ordinance limit of 258 square feet. Since the original appeal was denied, the City Attorney suggested the matter be set for public hearing and referred to the Planning Commission for a report at the hearing. On motion of Councilman Hunnell, Walton second, the matter was set for public hearing on April 16. The Council also

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requested a report from the Planning Commission on this matter.

Councilman Culbertson expressed that he felt the present policy regarding the sign ordinance was wrong and would like the Council to consider the size of the structure of free-standing signs rather than computing the readable sign area on both sides of the sign. Councilman Culbertson moved that the policy in regard to the sign ordinance of computing sign area be referred to the Planning Commission for study and report back to the City Council. The motion was seconded by Councilman Brown and carried.

REPORTS OF CITY MANAGER

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| CLAIMS | Claims in the amount of \$167,079.61 were approved on motion of Councilman Walton, Hunnell second. |
| S. P. CO.
REQUEST
RE CITY
PROPERTY | The Southern Pacific Company has experienced a problem with the Mokelumne River encroaching into the railroad bridge structure and have requested that they be granted permission to redirect the river to the south by cutting off a piece of land (.7 acres) that belongs to the City. The City property involved is approximately 2.5 acres on the south bank of the Mokelumne River just east of the railroad tracks. The City has used this property for dumping street sweepings and broken concrete and there is at present no specific use planned for the area. Mr. N. B. Eddlestone, Assistant Superintendent of the Southern Pacific Company, spoke in behalf of the Company's request. After discussion, the City Council on motion of Councilman Brown, Walton second, directed the City Manager and the City Attorney to review the matter and report back to the Council. |
| P. G. & E.
EASEMENT
AGREEMENT

RES. NO. 3175 | The City Manager presented an agreement with Pacific Gas and Electric Company for the City's sewer outfall line for Council approval. The agreement is entitled "Consent to Common Use" and is for a 20-foot easement across the Pacific Gas and Electric Company's easement adjacent to the Western Pacific right of way. The City Manager recommended the Mayor be authorized to sign the agreement. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 3175 authorizing the mayor to execute the agreement on behalf of the City. |
| AGREEMENT -
CHEROKEE-
KETTLEMAN
TRAFFIC
SIGNALS | The City Manager reported that the Division of Highways had received bids on the traffic signal modernization at the intersection of Kettleman and Cherokee Lane and the City's share would be \$8400. The Council in August 1967, authorized an agreement whereby the City would participate with the State in the project and the estimated cost at that time was \$7500. The City Manager recommended that the Council authorize the additional expenditure. On motion of Councilman Culbertson, Hunnell second, the City Council authorized the additional expenditure for this project. |
| CROSSWALKS -
MILLS & TOKAY | In answer to City Council inquiry at the March 20, 1968 meeting, the City Manager reported that the crosswalks at Mills Avenue and Tokay Street in the vicinity of Vinewood |

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School had previously been approved but due to the street work in that area had not been painted. They have recently been painted.

BUSINESS
LICENSE RE
CARNIVALS

ORD. NO. 861
INTRODUCED

The City Manager explained to the Council that the City Code provides that a flat rate of \$100 per day as a license fee be charged for carnivals. There is no other provision in the Code for kiddie and adult rides which are not operated in conjunction with a carnival. The Finance Director had recommended that Ordinance No. 375 be amended to provide for such rides charging a rate of \$5.00 per month for each kiddie ride and \$10.00 per month for each adult ride as a prevailing fee for a license tax. On motion of Councilman Walton, Brown second, the City Council introduced Ordinance No. 861 amending Sec. 5 of Ordinance No. 375 (City Code Section 12-6) to provide for a license tax at a rate of \$5.00 per month for each kiddie ride and \$10.00 per month for each adult ride which are not operated in conjunction with a carnival.

PLANS & SPECS-
BASIN A-1
BASEBALL
FACILITIES

Plans and specifications for baseball facilities at Basin A-1 were approved and calling for bids authorized on motion of Councilman Culbertson, Walton second.

ADDITIONAL
COMMUNUTOR
WHITE SLOUGH

The City Manager and the Public Works Director recommended the City Council approve the installation of an additional comminutor at the White Slough Water Pollution Control Plant. The City's sanitary engineer, M. Carleton Yoder, recommended the installation and estimated the cost to be \$15,600. Installation of the equipment at this time would be advantageous in that the installation would be considerably less expensive at this point and installation during the present construction would take advantage of the fact that there is no flow to the plant and the equipment can be installed and checked out with and at the same time as the other equipment. After discussion, the City Council, on motion of Councilman Walton, Brown second, approved the expenditure of approximately \$15,600 for an additional comminutor for the White Slough Treatment Plant.

SANITARY OUT-
FALL LINE

The City Manager presented a report from the Public Works Department entitled "Report of Completion For Construction of Sanitary Outfall Pipeline No. 2 From Existing Treatment Plant Area to White Slough Water Pollution Control Plant" which had been prepared by the Public Works Department. The City Council commended the Public Works Department on the report.

TRAFFIC
STUDY -
OAK & PACIFIC

Mr. Graves reported that Mr. Ezra Ehrhardt, Transportation Supervisor of the Lodi Unified School District, has requested a stop sign on Oak Street at Pacific Avenue. The City Manager stated the Public Works Department has indicated a stop sign is not warranted at this intersection and Mr. Ehrhardt has been advised.

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ORDINANCES

POPLAR ST.
SPECIFIC PLAN

ORD. NO. 859
ADOPTED

ORDINANCE NO. 859, entitled "AN ORDINANCE ADOPTING A SPECIFIC PLAN FOR POPLAR STREET FROM CENTRAL AVENUE TO CHEROKEE LANE," having been introduced at the meeting of March 20, 1968, was brought up for passage on motion of Councilman Brown, Kirsten 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, WALTON and
KIRSTEN

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business, at 10 p. m. the meeting was adjourned to 8:00 p. m. Tuesday, April 16, 1968.


Attest: BESSIE L. BENNETT
City Clerk