

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 23, 1968

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, October 23, 1968, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFFER and HUNNELL (Mayor)
Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen (8:06 p.m.) and Planning Director Schroeder.

PLEDGE Mayor Hunnell led the Pledge of Allegiance to the Flag.

MINUTES On motion of Councilman Brown, Kirsten second, the minutes of October 2, 1968 were approved as written and mailed after correcting the first paragraph on page 5 by adding "Finance Director - \$1215" to the end of the first sentence.

PUBLIC HEARINGS

REZONE NW
COR W. TOKAY
& S. HUTCHINS
ORD. NO. 867
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for public hearing on the proposal to rezone two vacant parcels at the northwest corner of West Tokay and South Hutchins Street from the R-2, Single-Family Residential District to the R-GA, Residential Garden Apartment District. Mr. Ted Schneider, 1 North Sunset Drive, spoke in favor of the proposed rezoning. There was no one else in the audience who wished to speak in favor of or against the proposal and the public portion of the hearing was closed. Councilman Brown questioned if the proposed project would be one or two stories. Mr. Schneider stated tentative plans are for one-story apartments. Councilman Kirsten then moved the introduction of Ordinance No. 867 rezoning two parcels at the northwest corner of West Tokay Street and South Hutchins Street to the R-GA, Residential Garden Apartment District. The motion was seconded by Councilman Schaffer and carried by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten,
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

REZONE W. ELM
BTW N. PLEASANT
& N. LEE
ORD. NO. 868
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to rezone all parcels on the north and south sides of West Elm Street between North Pleasant Avenue and North Lee Avenue from the R-4, Multiple-Family Residential District to the C-P, Commercial-Professional District. Mr. Don Kundert, 1028 Edgewood Drive, spoke in favor of the proposed rezoning. There being no others in the audience who wished to speak on the matter, the public portion of the hearing was closed. Councilman Culbertson then moved the introduction of Ordinance No. 868 rezoning all parcels on the north and south sides of West Elm Street between North Pleasant Avenue and North Lee Avenue to the C-P, Commercial-Professional District. The motion was seconded by Councilman Schaffer and carried by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten, Schaffer
and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

PLANNING COMMISSION

The City Manager gave the following reports of the City Planning Commission meetings of October 7 and 21, 1968:

A petition was presented containing signatures of residents in the 200 and 300 block of West Lodi Street requesting the elimination of diagonal parking and installation of parallel parking in this area. On motion of Councilman Kirssten, Gilbertson second, the matter was set for public hearing on November 20, 1968.

DIAGONAL TO
PARALLEL
PARKING -
W. LODUST

COMMUNICATIONS

4. Determined that a unique zoning situation existed which was outside of the applicant's control and approved the request of Mr. Harold Kayl for variances to reduce the required 5-foot rear yard to 1 1/2 feet and to eliminate the required screening fence along the rear property line at 335 North Main Street in an area zoned M-Industrial.

3. Determined that a zoning hardship existed and approved the request of Mr. Manuel E. Rocha, Jr. for a variance to erect a 4-foot by 6-foot, flush-mounted sign at 618 West Lodi Avenue.

2. Continue the request of Mr. Thomas Hom and Associates for a use permit to construct Phase III of the Westgate Shopping Center at the southwest corner of Lower Sacramento Road and West Lodi Avenue.

1. Recommended the San Joaquin County Planning Commission approve the request of Mr. Leon Croce by Pacific Neon for a variance to increase the maximum sign height and reduce the required front yard and for a permit to erect a pole sign at the site of an existing restaurant on the east side of South Cherokee Lane in an area zoned I-PA.

INTEREST

Other actions of the City Planning Commission of interest to the City Council were reported as follows:

The Planning Commission also recommended the City Council consider a change in zoning from the R-4, Multiple-Family Residential Residential District to the R-MD, Medium Density Multiple-Family Residential District for a parcel located at 510 Murray Street. On motion of Councilman Kirssten, Schaffer second, the matter was set for public hearing on November 6, 1968.

REZONE
610 MURRAY

The City Planning Commission recommended approval of the request of Mr. Earl Drege for a change in zoning from the R-4, Multiple-Family Residential Industrial District to the M, Industrial District for parcels located at 815 - 419 South Stockton Street. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on November 5, 1968.

E. DREGE
REZONING
REQUEST

The City Planning Commission recommended the approval of the request of Mr. Bill Canapa for a change in zoning from the R-3, Professional District for six vacant parcels located at 1000-1106 South Farmington Avenue. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on November 6, 1968.

B. CANAPA
REZONING
REQUEST

The Planning Commission recommended the City Council consider certain zone changes for the section of Lodi designated Areas 6 and 7 by the Planning Commission and which descriptions are on file in the Office of the City Planning Director. Councilman Gilbertson moved the matter be set for public hearing on December 4, 1968. The matter was seconded by Councilman Kirssten and carried by unanimous vote.

REZONE
AREAS 6 & 7

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LETTER -
RE PROP AT
COR LODI AVE
& L. SACTO RD.

A letter was read from the law firm of Michael and Dilbeck representing Robert Batch, owner of property at the intersection of Lodi Avenue and Lower Sacramento Road. The purpose of the letter was to determine the City's plans for storm drains in the area. The matter was referred to the City Manager for study and report at the meeting of November 20, 1968.

CLAIM FOR
INJURIES

A "Claim for Personal Injuries" was received from Terrence D. Antrim and Jeffery Brian Antrim, a minor, in the amount of \$15,000. Claimant claims he sustained injuries while playing in the vicinity of the Lodi Lake Park. On motion of Councilman Brown, Kirsten second, the Council denied the claim of Terrence D. Antrim and Jeffery Brian Antrim, a minor, and referred it to the City's Agent of Record, Max Elson.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$346,574.62 were approved on motion of Councilman Kirsten, Brown second.

AWARD - CAR
FIRE DEPT.

Bids received on a standard automobile for the Fire Department were as follows:

RES. NO. 3222

Loewen Auto Company	\$2,200.00
Mitchell & Koenig	2,333.85

City Manager Graves recommended the award be made to the low bidder. On motion of Councilman Kirsten, Schaffer second, the City Council adopted Resolution No. 3222 awarding the contract for the furnishing of one standard automobile to the low bidder, Loewen Auto Company, for the amount of the bid.

AWARD - CAR
POLICE DEPT.

Bids were received on a standard automobile for the Police Department as follows:

RES. NO. 3223

Loewen Auto Company	\$2,393.17
Mitchell-Koenig	2,520.98
Green Ford Sales	2,600.97

The City Manager recommended the award be made to the low bidder. On motion of Councilman Schaffer, Kirsten second, the City Council adopted Resolution No. 3223 awarding the contract for the furnishing of one standard automobile to the low bidder, Loewen Auto Company, for the amount of the bid.

AWARD - 1/2 TON
TRUCK - PARKS

Bids received on a one-half ton pickup truck for the Parks Department were received as follows:

RES. NO. 3224

Loewen Auto Company	\$2,139.64
Green Ford Sales	2,292.84

The City Manager recommended award be made to the low bidder. On motion of Councilman Schaffer, Culbertson second, the City Council adopted Resolution No. 3224 awarding the contract for the furnishing of one one-half ton pickup truck to the low bidder, Loewen Auto Company, for the amount of the bid.

SPECS - WIRE

Specifications for one year's supply of aluminum cable for the Utilities Department were approved and calling for bids authorized on motion of Councilman Brown, Kirsten second.

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TIME EXTENSION -
ROYAL CREST,
UNIT NO. 1

The City Manager stated that the Public Works Department had received a request from the Mennonite Brethren Church to extend their agreement for one year for the development of off-site improvements of Lot 52 of Royal Crest Subdivision, Unit No. 1. The Public Works Director had recommended approval of the request. On motion of Councilman Schaffer, Kirsten second, the Council approved the requested time extension of the Mennonite Brethren Church.

VACATE EASEMENT
LIVE OAK COLONY

The Public Works Department recommended that the City Council abandon the 15-foot easement running north and south in the western portion of Live Oak Colony No. 3 as requested by Mr. James L. Gerard, Agent for Estate of Gotlieb Bischel. This easement was dedicated to the City several years ago but had never been used. The Public Works Department determined there is no present or prospective use for this easement. On motion of Councilman Schaffer, Culbertson second, the City Council adopted its Order vacating an easement being a 15-foot strip of land running north and south in the western portion of Live Oak Colony No. 3.

LIBRARY
SALARIES

The City Manager reported that on October 14, 1968 the Library Board approved salary increases as follows: 2 1/2% increase for Library Assistant and Library Clerk; 5% increase for Librarian I and Librarian II; 7 1/2% increase for Janitor and 10% increase for City Librarian. Councilman Brown moved the recommendations of the Library Board be approved. The motion was seconded by Councilman Culbertson. Under the question, Councilman Schaffer questioned the recommended 10% increase for the City Librarian. Councilman Kirsten questioned the recommended increase for the City Librarian and the 7 1/2% increase for the class of Janitor. He stated he would like to hear from the Library Board regarding their recommendations. After further discussion, Councilman Brown withdrew his motion and Councilman Culbertson withdrew the second. Councilman Culbertson then moved the discussion of the Library salary increases be continued to the meeting of November 6, 1968 so that a representative of the Library Board could be present to discuss the recommended salary increases. The motion was seconded by Councilman Brown and carried unanimously.

NCPA AGREEMENT
AMENDED

RES. NO. 3225

City Manager Graves explained that a recent change in the Government Code requires that under joint exercise of powers agreement the offices of Secretary and Treasurer must be separated. The present NCPA agreement provides that one officer should be a Secretary-Treasurer. Mr. Graves recommended that the Council take action to amend the agreement so that it will meet the new requirements of the law. On motion of Councilman Kirsten, Schaffer second, the City Council adopted Resolution No. 3225 amending the Northern California Power Agency agreement thereby providing for the separate offices of Secretary and Treasurer.

NCPA
REPORT

Councilman Kirsten reported on the recent meetings of NCPA with Secretary of the Interior Stewart Udall, Geothermal and Pacific Gas and Electric Company.

BUSINESS
LICENSE

City Manager Graves explained that an organization known as Emanom Youth has recently come to Lodi and asked for a permit to carry on their work. Emanom Youth is a profit-making organization which sells candy door-to-door through young men. The present Business License Ordinance has a provision for a fee of \$10 per day for peddlers and solicitors and the representative for Emanom Youth felt this was an exorbitant fee for each salesman to pay. Two methods suggested which might help the group were: Reduce the fee for peddlers to a figure which would be more reasonable; or, exempt persons under 18 years of age

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from the requirements of the ordinance. The Council concluded that exempting persons under 18 years of age would not solve the problem because some of the youths employed by Emanom are over 13 years of age. It was the general consensus of the Council that the peddler's fee should not be reduced and the ordinance should remain as it presently is. Councilman Culbertson moved that the Business License Ordinance remain as it is at present. The motion was seconded by Councilman Schaffer and carried. Councilman Culbertson then moved that the Emanom Youth group be considered as an educational organization and be exempted from the payment of a license tax under Section 12-12 of the Lodi City Code. The motion was seconded by Councilman Kirsten. Under the question, Councilman Schaffer and Mayor Hunnell felt they would like more information on the organization before classifying it as "educational." The motion failed to carry by the following vote:

Ayes: Councilmen - Culbertson and Kirsten
 Noes: Councilmen - Brown, Schaffer and Hunnell

MALL PLAQUE

The City Manager presented a drawing of the dedication plaque designed for the Mall and stated he had requested the architect to secure bids for the project.

DEVELOPMENT
 LODI AVE. BTWN
 CHURCH & SCHOOL

The City Manager read a memorandum from the Director of Public Works outlining plans for the Long Drug Company-Wells Fargo Development on Lodi Avenue between Church and School Streets. On motion of Councilman Culbertson, Kirsten second, the Council approved the plans for the development as recommended by the Director of Public Works.

LEGISLATION

PROPOSITION 9

Mayor Hunnell felt the Council should take a stand on certain propositions which will be on the November 5, 1968 ballot. He recommended the City Council oppose Proposition 9 which attempts to guarantee tax relief. The Mayor stated the bill will not give tax relief but will result in a massive tax shift. It was the consensus of the Council that an effort should be made to defeat Proposition 9 and on motion of Councilman Schaffer, Kirsten second, the Council unanimously voted to go on record as opposed to Proposition 9.

PROPOSITION 7

Mayor Hunnell then discussed Proposition 7 which would authorize Legislature to permit use of State Funds for local purposes. Councilman Kirsten moved the Council go on record as endorsing Proposition 7. The motion was seconded by Council Schaffer and carried by unanimous vote.

HUNNELL -
 REQUEST ELEC.
 SYSTEM REPORT

Mayor Hunnell requested the City Manager to prepare by the end of November a report on the City's electrical system.

COUNCIL
 STUDY
 SUBJECTS

Mayor Hunnell stated that several weeks ago he had requested members of the Council to present him with suggested subjects for discussion. Of those subjects suggested to him, he recommended the following six for study by the Council beginning January, 1969:

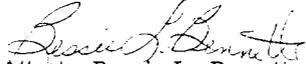
1. Capital Outlay Program
2. Electrical system review
3. Water system review
4. Training program for all departments
5. Sidewalk improvement program
6. Low-rent housing

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It was agreed by the Council that the study of the Capital Outlay Program should be given top priority.

ADJOURNMENT

There being no further business, the City Council adjourned at 10:40 p.m.


Attest: Bessie L. Bennett
City Clerk