

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 16, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, August 16, 1967, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Administrative Assistant Peterson, City Attorney Mullen and Planning Director Schroeder.

MINUTES Minutes of August 9, 1967 were approved as written and mailed on motion of Councilman Brown, Culbertson second.

PUBLIC HEARINGS

APPEAL - Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the appeal of Mrs. Ruth Marion from the decision of the City Planning Commission in denying her request for a rezoning of Lots 54, 55 and the east 59.5 feet of Lot 56, Knoll Subdivision, located at the southwest corner of Hutchins Street and Rimby Avenue from the R-3 Limited Multiple Family Residential District to the C-2 General Commercial District. City Manager Graves read the memorandum from the Planning Director stating that the present non-conforming use in this area was established at the time the property was in the County. The property was annexed in 1948 and in 1956 a request to rezone to C-2 was denied and in 1957 a request to rezone to C-1 Neighborhood Commercial was denied as it was felt it would constitute spot zoning and would be detrimental to adjoining residential property. Mrs. Ruth Marion, 1325 South Hutchins Street, spoke in behalf of her appeal, stating there was a vacant lot fronting on Hutchins next to her place which was not suitable for residential use, with C-2 zoning the property would be improved, and when she bought her property she had been told it was zoned C-P. Since there were no other persons in the audience who wished to speak on this matter and no communications had been received, the public portion of the hearing was closed. After Council consideration, it was moved by Councilman Culbertson that the appeal of Mrs. Marion be denied. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

VACATE 2-FT. EASEMENT IN LOT 117, LAKEWOOD UNIT #3 Notice thereof having been published and posted in accordance with law, the Mayor called for public hearing on the proposed abandonment of a 2' x 20' easement in Lot 117, Lakewood Subdivision Unit No. 3. There was no one in the audience who wished to speak concerning this abandonment so the public portion of the hearing was closed. City Manager Graves read the recommendation of the Planning Commission that this easement be abandoned as being unnecessary for public use. On motion of Councilman Hunnell, Walton second, the City Council adopted its Order vacating the 2' easement in Lot 117, Lakewood Subdivision Unit No. 3.

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REZONING TO C-2
ADDED 50' ON
W/S OF CHEROKEE
BTW KETTLEMAN
AND POPLAR

ORD. NO. 849
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for hearing on the proposal to rezone from R-4 Multiple Family Institutional Residence District to the C-2 General Commercial District an additional 50 feet on the west side of Cherokee Lane between Kettleman Lane and Poplar Street. Planning Director Schroeder explained that Lodi Union Academy had requested the additional zoning so as to have 200 feet of commercial zoning along Cherokee Lane; they had also asked for 200 feet of C-2 zoning along the south side of their property fronting on Kettleman Lane from Cherokee Lane to Central Avenue. The Planning Commission had rejected the request for rezoning along Kettleman Lane and the Council has received an appeal thereon from the Academy. Councilman Brown, Walton second, moved the introduction of Ordinance No. 849 rezoning an additional 50 feet on the west side of Cherokee Lane between Kettleman and Poplar, being the west 50 feet of the east 280 feet of Lots 10, 11, 12 and 13, Lodi Barnhart Tract, to C-2. Councilman Culbertson suggested that perhaps decision on the Cherokee Lane rezoning should be held up until the appeal was heard. The motion to introduce Ordinance No. 849 passed by the following vote:

Ayes: Councilmen - BROWN, HUNNELL and KIRSTEN

Noes: Councilmen - CULBERTSON and WALTON

APPEAL -
LODI UNION
ACADEMY

On motion of Councilman Walton, Brown second, the appeal of Lodi Union Academy from the decision of the Planning Commission in denying their request to rezone to C-2 the north side of Kettleman Lane from Cherokee Lane to Central Avenue was set for public hearing on September 3, 1967.

COMMUNICATIONS

PC COMMENDS
W. G. HOLZ

A resolution was presented from the Planning Commission commending the service of William G. Holz to the Planning Commission and the citizens of Lodi from 1960 to 1967.

CVD, LCC

A notice was read from the City of Oakdale that prior to the Central Valley Division, League of California Cities, quarterly meeting in Oakdale on September 28, a tour will be made of the Hershey Chocolate Plant in the Oakdale area. Reservations for the tour should be made prior to September 1.

ABC LICENSE

Notice of Application for Alcoholic Beverage License, Adding Partners, being Helen S. & Neal Miura, for Sell-Rite Market #1 at 204 West Lodi Avenue, and Sell-Rite Market #2, 1320 West Lockeford Street.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$307,122.57 were approved on motion of Councilman Hunnell, Walton second.

STATE
LIBRARY
SERVICES

RES. NO. 3077

The Council, at its meeting of June 21, had approved entering into an agreement with the State Library for ordering, cataloging and processing books for the Lodi Public Library. A resolution is required authorizing its execution on behalf of the City. On motion of Councilman Walton, Culbertson second, the City Council adopted Resolution No. 3077 authorizing the Mayor to execute said agreement for State Library services.

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<p>SJ COUNTY SAFETY COUNCIL AGREEMENT</p> <p>RES. NO. 3078</p>	<p>The usual agreement has been received from the San Joaquin County Safety Council for services during 1967-68 fiscal year for which the City will be contributing \$1400. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 3078 approving the agreement and authorizing the Mayor to sign same.</p>
<p>GAS TAX (ENG.) FUNDS 1967-68</p> <p>RES. NO. 3079</p>	<p>The 1967-68 Gas Tax Budget for Engineering Funds in the amount of \$6000 was presented for Council approval. On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 3079 approving said budget and authorizing the Director of Public Works to sign same and submit it to the State Department of Public Works.</p>
<p>1967-68 GAS TAX (CONST. & MAINT.) BUDGET</p> <p>RES. NO. 3080</p>	<p>The City Manager then presented the 1967-68 Gas Tax Budget for maintenance and construction totalling \$118,800. On motion of Councilman Hunnell, Brown second, the City Council adopted Resolution No. 3080 approving the budget and authorizing its signing by the Director of Public Works for submission to the State Department of Public Works.</p>
<p>SPECS - MOTORS & PUMPS FOR BASIN B-1</p>	<p>Specifications for four pumps and motors to be used at B-1 Retention Basin were approved and calling for bids authorized on motion of Councilman Hunnell, Culbertson second.</p>
<p>PLANS & SPECS - VINE ST.</p>	<p>Mr. Graves presented plans and specifications for the reconstruction of Vine Street from approximately 100 feet east of Crescent Avenue to Hutchins Street. On motion of Councilman Culbertson, Walton second, the City Council approved the plans and specifications and authorized advertising for bids thereon.</p>
<p>PLANS & SPECS HAM-LODI AVE INTERSECTION</p>	<p>Plans and specifications for the construction of curb, gutter, sidewalk and paving at the intersection of Ham Lane and Lodi Avenue were presented. The northeast corner is not included in this improvement. On motion of Councilman Walton, Hunnell second, the City Council approved the plans and specifications and authorized calling for bids thereon. The Council asked for a report on the amount of property the City will need to acquire for the improvement of the northeast corner.</p>
<p>CROSSWALK ON FAIRMONT AT WINDSOR DR.</p> <p>RES. NO. 3081</p>	<p>Mr. Graves stated the Public Works Department recommended that the Council approve the request of Lodi Memorial Hospital to place a crosswalk across Fairmont Avenue on the south side of Windsor Drive for the safety of persons crossing from the Fairmont Rehabilitation Hospital to Memorial Hospital. The Department feels that the crossing would also serve residents east of Fairmont Avenue who are within walking distance of the hospital. On motion of Councilman Walton, Brown second, the City Council adopted Resolution No. 3081 establishing a pedestrian crosswalk across Fairmont Avenue at the south side of Windsor Drive.</p>
<p>CIVIC CENTER MALL FOUNTAIN</p>	<p>The City Manager reported that it will be necessary for the City to hire an architect for the Civic Center Fountain. Originally, Mr. Putnam had quoted \$1500 for his services and that of an architect which he said he would be able to get for \$500. However, an offer has been received from Wing Lee, an architect from Sacramento, to do the working drawings only for \$600. This would not include specifications, bid</p>

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documents, copies of the plans, etc. Mr. Graves said a second proposal had been received from Mr. Lee and also a proposal from Arlie Preszler, each agreeing to do the job for 10% of the contract cost plus \$1100 for Mr. Putnam. Both Councilmen Walton and Hunnell questioned the amount of work that would be done by Mr. Putnam and felt there should be more in writing from him. On motion of Councilman Walton, Hunnell second, the hiring of an architect for the Civic Center Fountain was continued to the meeting of September 6.

1967-68 TAX RATE Councilman Walton moved the adoption of Resolution No. 3082 fixing the tax rate for fiscal 1967-68 as follows:

General Fund	\$0.98
Pension Fund20
Storm Drainage Fund20
Library Fund20
Total Tax Rate	<u>\$1.58</u>

The motion was seconded by Councilman Brown and carried by unanimous vote.

LOADING ZONES
SALEM
EVANGELICAL
CHURCH

RES. NO. 3083

The City Manager reported that the Salem Evangelical Church, whose property is located at the northwest corner of Elm and Central, had submitted a request for a 56-foot loading zone on Elm Street adjacent to their property and abandonment of a 21-foot zone on Elm near Central Avenue. The Public Works Department, after reviewing the request, recommends that the loading zone be 42 feet and that it be placed approximately 100 feet from the intersection rather than 87 feet as originally requested. The Department also recommended that the Church's loading zone on Central Avenue be reduced from 50 feet to 42 feet. Sketches of both proposals were submitted to the Council. Mr. Graves stated that the Church had approved the recommendation of the Public Works Department. On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 3083 establishing passenger loading zones as recommended by the Public Works Department and abandoning the 21-foot zone near the intersection.

BRICK WALL
FOR CIVIC
CENTER MALL

Since the City Council had not cared for the use of the granite block along the Civic Center Mall, the Contractor had obtained an estimate of \$1,293.60 to construct an 8-inch brick wall 9 inches high along the Mall. Mr. Graves said another 10 feet of wall should be added to this estimate. Councilman Brown moved that the brick wall as proposed be installed for the sum of \$1,293.60 plus the amount needed for an additional 10 feet. The motion was seconded by Councilman Walton and carried by unanimous vote.

CITY PARTICI-
PATION IN
SPECIFIC PLAN
FOR LOWER
SACRAMENTO RD

RES. NO. 3076

In reference to City participation in the Specific Plan for Lower Sacramento Road as discussed at the meeting of August 2, the City Manager presented Resolution No. 3076, including a drawing designated Exhibit "A," showing the extent of the City's participation at the access points because of the amount of land being required on account of the bulb design. Councilman Culbertson moved the adoption of Resolution No. 3076 determining that the City will be responsible for the construction of the expressway and the adjacent developer will be responsible for the frontage road construction, that additional participation by the

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City at access points shall be the cost of improvements listed on Exhibit "A," as determined by the Public Works Director, and that the street lighting on the frontage road shall be provided by the adjacent developer and lighting of the expressway and landscaping of the meridians shall be the responsibility of the City. The motion was seconded by Councilman Walton and carried, with Mayor Kirsten abstaining.

IMPROVEMENT OF HAM SOUTH OF LODI AVE. Mr. Graves reported that the temporary improvement of Ham Lane south of Lodi Avenue should be completed some time in September after the contractor has completed installation of the storm drain, backfilling and compaction. The City will then do some additional grading and compacting.

SPECS - STREET MATERIALS Specifications for street materials for the 1967-68 fiscal year were presented for Council consideration. On motion of Councilman Brown, Culbertson second, the specifications were approved and calling for bids authorized.

SPECS - SUBDIVISION PAVING 1967 Mr. Graves presented the plans and specifications for the Subdivision Paving 1967. On motion of Councilman Walton, Hunnell second, the City Council approved the plans and specifications and authorized calling for bids on Subdivision Paving 1967.

PSB CHANGE ORDER NO. 18 The City Manager presented Public Safety Building Change Order No. 18 in the amount of \$330 to cover change in equipment so that the person at the communications center will be able to open the fire house doors. Councilman Walton moved that Change Order No. 18 be approved. The motion was seconded by Councilman Brown and carried.

STATE BLDG REGULATIONS The State Department of Housing and Community Development is requesting that a notice be sent to the department, as prepared by them, stating that the City building standards are equal to or greater than certain sections of the Health and Safety Code. The City had sent the State a resolution to that effect some months ago, but the State wishes that their standard form be used. Councilman Walton moved that the State Department of Housing and Community Development be notified that the City Building Code supersedes State building regulations. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

CITY & COUNTY GOVERNMENTS WEEK City Manager Graves stated that a letter had been received from Governor Reagan with the information that October 8 to 13 had been designated as days for appreciation of city and county governments and requesting that the City of Lodi participate. Mr. Graves suggested that the City participate by dedicating the Public Safety Building on October 13. No action was taken.

LODI LAKE PARK CLOSING The Council discussed the problem of having people entering Lodi Lake Park after closing hours and enforcing the law to keep them out. It was suggested that some dusk to dawn lights could be used. Mr. Graves said he would get a report on the problem.

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ORDINANCES

SPECIFIC PLAN
FOR LOWER
SACTO ROAD

ORD. NO. 847
ADOPTED

ORDINANCE NO. 847, entitled "AN ORDINANCE ADOPTING A SPECIFIC PLAN FOR LOWER SACRAMENTO ROAD FROM WEST LODI AVENUE TO WEST TURNER ROAD," having been introduced at the regular meeting of August 2, 1967 was brought up for passage on motion of Councilman Walton, Culbertson 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

BLDG SETBACK
LINE ON LOWER
SACTO ROAD N
OF TURNER

ORD. NO. 848
ADOPTED

ORDINANCE NO. 847, entitled "AN ORDINANCE ESTABLISHING A BUILDING SETBACK LINE ON THE EAST SIDE OF LOWER SACRAMENTO ROAD FROM TURNER ROAD TO A POINT 934.7 FEET NORTH OF THE NORTH LINE OF SAID TURNER ROAD," having been introduced at the regular meeting of August 2, 1967 was brought up for passage on motion of Councilman Brown, Walton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

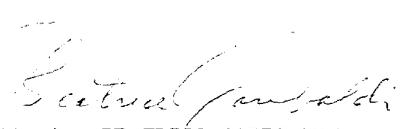
Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business, the Council adjourned at 10 p.m. on motion of Councilman Walton.


Attest: BEATRICE GARIBALDI
City Clerk