

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 4, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, October 4, 1967, in the City Hall Council Chambers.

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

Absent: Councilmen - None

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

MINUTES The Minutes of September 20, 1967, were approved as written and mailed on motion of Councilman Walton, Hunnell second.

PUBLIC HEARINGS

REZONING
510 MURRAY ST
TO R-4

ORD. NO. 851
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the proposal to rezone property at 510 Murray Street from the C-1 Neighborhood Commercial zone to the R-4 Multiple Family Institutional Residential zone. Planning Director Schroeder pointed out the location of the property on a map of the area and stated that the owner wished to erect an apartment building thereon. More units are allowed in R-4 zones than in C-1 zones. There were no persons present who wished to speak on the proposal and no communications thereon, so the public portion of the hearing was closed. Councilman Culbertson expressed concern because the property across the street from the proposed zoning was zoned C-1. He questioned the wisdom of rezoning one parcel and stated that perhaps the whole area should be reconsidered. In Councilman Walton's view, the apartments would act as a buffer between the residential and commercial areas. After further discussion, Councilman Brown moved the introduction of Ordinance No. 851 rezoning the property at 510 Murray Street to R-4. The motion was seconded by Councilman Walton and carried by the following vote:

Ayes: Councilmen Brown, Hunnell, Walton and Kirsten

Noes: Councilman Culbertson

CORINTH AVE.
STREET LIGHTS

Notice thereof having been published and posted in accordance with law, the Mayor called for hearing on the proposed formation of the Corinth Avenue Street Lighting District. City Manager Graves explained that under the 1911 Improvement Act, proceedings had been initiated by the property owners who had presented a petition for the lights signed by owners of more than 60% of the front footage in the proposed district. Prior to this hearing, a petition against formation of the district had been received by the City Clerk signed by owners of 55% of the front footage.

The following persons spoke in favor of the district:

Walter Hoff, 111 South Corinth Avenue
Bill Owen, 141 South Corinth Avenue

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The following persons spoke against the district:

Carl Gibson, 4 North Corinth Avenue
 Bill Maxwell, 31 South Corinth Avenue
 Dale Edens, 74 North Corinth Avenue
 Mrs. Beverly Foge, 2 South Corinth Avenue
 Don Olmstead, 32 South Corinth Avenue
 Mr. William Wheeler, 42 South Corinth Avenue
 Mrs. M. Best, 21 South Corinth Avenue
 John Engel, 1701 West Pine Street

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

During the Council discussion, it was brought out that if the Council turned down the petition for lights, a year would have to elapse before a new petition could be submitted. Assistant City Attorney Sullivan said the Council could overrule the protest petition by a four-fifths vote. Councilman Culbertson suggested that the hearing be delayed for a few weeks and that meanwhile the property owners could conduct a survey to determine how many wanted the lights. Some of the property owners present had said they favored lights but had signed the petition against the lights because they had received information which was misleading and they wanted to be sure of the facts. Mr. Sullivan said a continuation of the hearing was permissible. Councilman Culbertson moved that the hearing on formation of the Corinth Avenue Street Lighting District be continued to the meeting of November 1. The motion was seconded by Councilman Brown and carried. Mayor Kirsten informed the property owners present that they should give the Council a clear indication of what they wanted by November 1. Mr. Hoff, who is in favor of the lights, volunteered to contact property owners, along with someone against the lights, and present the facts regarding formation of the district and costs. Mr. Graves said he would furnish the information needed.

AMEND ZONING
 ORD. RE PERMITTED
 USES & USE
 PERMITS

ORD. NO. 852
 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the proposal to amend the Zoning Ordinance (Chapter 27 of the City Code) by modifying the permitted uses and uses requiring use permits in the various zoning districts. There being no one present who wished to speak either for or against the proposed amendment, the public portion of the hearing was closed. Planning Director Schroeder explained the amendment would clarify and spell out the policies of the Planning Commission in regard to permitted uses and use permits. After discussion, it was moved by Councilman Culbertson that the Council introduce Ordinance No. 852 amending Chapter 27 of the City Code in regard to permitted uses and uses requiring a use permit, as recommended by the Planning Commission. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

PLANNING COMMISSION

VACATE R/W
 N OF LOT 37,
 WALNUT ORCHARD
 TRACT

RES. NO. 3101

The Planning Commission recommended that the City Council abandon a 20-foot right of way between Cherokee Lane and Lloyd Street. This action grew out of the request of Mr. James B. Hanley for the abandonment of right of way north of Lot 37, Walnut Orchard Tract. The Planning Commission determined that the

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area contained in Mr. Hanley's request, plus a similar right of way directly to its west, served no useful public purpose. The Department of Public Works also recommended abandonment of the area as there appears to be no present or prospective use for this right of way. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 3101 declaring the Council's intention of abandoning the right of way as recommended and setting public hearing for November 1, 1967.

The Planning Commission approved the request of Capell Land Development Company, Inc., for a revised tentative map for the area previously approved for a shopping center and multiple-family development at the southeast corner of West Turner Road and Lower Sacramento Road, subject to certain conditions.

COMMUNICATIONS

REQUEST FOR STOP SIGN AT GARFIELD & VINE

A letter was read from Mrs. Lois Meier, also signed by people residing in her neighborhood, requesting installation of a stop sign on Garfield and Vine Streets because of numerous accidents in this vicinity. The request was referred to the Public Works Department on motion of Councilman Culbertson, Hunnell second, for report and recommendation on October 18.

ABC LICENSES

The following notices of application for Alcoholic Beverage License were read:

1. Person to Person Transfer from Salvador Ramirez to Victoria Ramirez, On Sale Beer & Wine, Isle of Capri, 5 East Elm Street.
2. Person to Person Transfer from Jack A. Ulrich to John Bitz, On Sale General, The Rendezvous, 17-19-23 West Elm Street.

TRAFFIC CONSULTANT

City Manager Graves said a memorandum had been received from Dr. D. Jackson Faustman, Traffic Consultant, requesting a meeting with the Council on October 12 or 13. The Council decided on October 13 at 11 a.m. if possible.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$711,474.12 were approved on motion of Councilman Hunnell, Brown second.

CIVIC CENTER FOUNTAIN

Mr. Arlie D. Preszler, architect for the Civic Center Fountain, presented three sketches of the fountain showing different designs for the underground installation of the motor. The first sketch showed the equipment room directly below the fountain, which had been recommended by Mary Putnam, who said it would reduce the noise and be more efficient. However, Mr. Preszler said it would be more expensive than the other methods and would cause more problems with the fountain from a structural point of view and efficiency would depend on size of pipe used. The second plan was a pit in the lawn area to the north of the fountain covered by a grate and the third proposal was a fairly good-sized room in the lawn area with a small cap visible on top. Mr. Preszler felt the third plan would cut down on the sound of the motor. He recommended lining the fountain with mosaic tile and members of the Council were in agreement. The Council selected the third plan for the underground installation and instructed Mr. Preszler to proceed with the design thereof.

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RECESS

Mayor Kirsten declared a three-minute recess and the Council reconvened at 10:10 p.m.

SALARIES

RES. NO. 3102

City Manager Graves stated that the result of the staff survey of salaries indicated that a 5% increase would bring City employees in line with other areas, except for a few classifications, and he recommended that a 5% increase be given all classified employees except for the following classes, recommending:

1. A 15% differential between Police Officer and Police Sergeant, which would require an increase of 7-1/2% for Police Sergeant, Police Lieutenant, Police Captain, and Identification Officer.
2. A 15% differential between Fire Engineer and Fire Captain, requiring a 7-1/2% increase for Fire Captain, Chief Fire Inspector and Assistant Fire Chief.
3. A 7-1/2% increase for the following sub-professional engineering classes: Engineering Aide I, Engineering Aide II, Engineering Assistant and Planning Aide. Also, a 7-1/2% increase for Operations Supervisor.
4. A 7-1/2% increase for Recreation Supervisor and a 10% increase for Parks Supervisor. Mr. Graves said that the duties of the Parks Supervisor had increased and he is doing work comparable to other supervisors. To put the Parks Supervisor in line with other supervisors would require a 17-1/2% increase. The Council felt that the Parks Supervisor should be placed in the proper range.

Councilman Walton suggested that a lump sum payment be made to police officers when they were promoted to detective as compensation for having to purchase a new wardrobe.

Mr. Graves then reviewed the requests made by the City Employees' Association. The Association had requested a 5% increase for all employees, plus an additional 2-1/2% for 13 positions. Mr. Graves mentioned there were some discrepancies in the Association's survey and that it was important to maintain the proper relationships between the various classifications. Mr. Jack Brown, President of the City Employees' Association, stated the Association's recommendations were based on the averages of 15 cities. In making the survey the Association did not compare duties, but relied on the League of California Cities survey. Councilman Walton asked Mr. Brown if he could argue against no increase for employees who are now above the average and Mr. Brown replied that he could not. After discussion, on motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 3102 increasing salaries as recommended by the City Manager except for the position of Parks Supervisor which is to be increased 17-1/2%, being a salary range of \$727 - \$883. In accordance with Resolution No. 3099 increases are effective as of September 1, 1967.

REQUEST FOR
FRINGE BENEFITS

The Council then reviewed the request for fringe benefits made by the Employees' Association, as follows:

1. Fifteen days vacation after five years of service. On motion of Councilman Culbertson, Brown second, the Council voted to make no change in vacation leave.

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2. Two additional holidays: Admission Day and Lincoln's Birthday. Councilman Hunnell moved that no change be made in the number of holidays allowed. The motion was seconded by Mayor Kirsten and carried.

3. Monthly payroll deduction of Association dues. Councilman Culbertson moved that this request be denied. The motion was seconded by Councilman Brown and carried, with Councilman Walton voting no.

4. A wage continuation plan to protect any employee sustaining a prolonged period of disability, covering an employee after 60 consecutive days of illness and guaranteeing 60% of the employees base wage. Councilman Hunnell moved that this request be considered and a report thereon be made within six months. The motion was seconded by Councilman Walton and carried.

5. Space in the City Hall for an Association Office. On motion of Councilman Hunnell, Culbertson second, the Council authorized that office space be provided in the City Hall for the Employees' Association. Mr. Brown said a small room for files and a desk would be appreciated.

6. Consideration of existing residency requirements for employees. Mr. Graves said the City has no official policy, but that the Administration's policy is that employees are to live within the City limits, except in the case of hardship. Councilman Hunnell moved that this request be considered and that the City Manager submit a report thereon. The motion was seconded by Councilman Walton and carried.

CLOTHING
ALLOWANCE

Councilman Walton moved that police officers being promoted to detective be granted a one-time clothing allowance of \$300. The motion was seconded by Mayor Kirsten. Councilman Culbertson said he would like more information. The motion failed to carry by the following vote:

Ayes: Councilmen Kirsten and Walton

Noes: Councilmen Brown, Culbertson and Hunnell

Councilman Walton requested that this matter be placed on the agenda of November 1.

TRAVEL
INSURANCE

The Council then discussed travel insurance in light of the information in the City Manager's memo on the subject. Mayor Kirsten and Councilman Hunnell felt the councilmen should pay for their own insurance. Councilman Culbertson, on the other hand, felt that \$30 a year in premiums was not too much for the City to pay. (Mr. Max Elson had quoted \$29.43 for \$75,000 coverage for 15 persons.) Councilman Brown moved that the City pay for travel insurance for councilmen only in the amount of \$75,000. The motion was seconded by Councilman Walton and carried by the following vote:

Ayes: Councilmen Brown, Culbertson and Walton

Noes: Councilmen Hunnell and Kirsten

Mr. Elson stated that the premium quoted for \$75,000 coverage was for 15 persons so the rate to cover 5 persons might be different. He said he could have a policy in force by October 14.

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FIRE ENGINEER
POSITION

RES. NO. 3103

Mr. Graves reported that since the Fire Department's aerial platform has been put in service, one more fire engineer is needed as a relief driver. New personnel is not needed, but one fireman would be promoted to engineer. On motion of Councilman Walton, Brown second, the City Council adopted Resolution No. 3103 establishing one more position for Fire Engineer.

INSTALLMENT
PAYMENTS FOR
650 LOMA DR.
ASSESSMENT

RES. NO. 3104

Mr. Graves stated that he had reviewed the matter of the assessment for the curb, gutter and sidewalk installation at 650 Loma Drive with City Attorney Mullen, and that payments are to be made within a ten-year period with interest at 6%. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 3104 providing for installment plan payment for the assessment at 650 Loma Drive.

SPECS -
UTILITIES
TRUCK

On motion of Councilman Culbertson, Walton second, the City Council approved specifications for a truck to be used by the Utilities Department and authorized calling for bids thereon.

REPORT ON
POUND
OPERATIONS

Councilman Culbertson moved that the report on the Pound operation, copies of which had been received by members of the Council, be accepted. The motion was seconded by Councilman Hunnell and carried.

ORDER VACATING
BASEMENT IN
LOT 86, TWIN
OAKS WEST

Mr. Graves presented a request from the Public Works Department that the City abandon an easement in Lot 86 of Twin Oaks West Subdivision. The City has no present or prospective use for this easement. On motion of Councilman Hunnell, Brown second, the City Council adopted an order vacating an 8-foot easement along the south line of Lot 86, Twin Oaks West Subdivision.

ORDINANCES

DEFINITIONS FOR
MOBILE HOMES,
HOSPITALS, ETC.ORD. NO. 850
ADOPTED

ORDINANCE NO. 850 entitled "AN ORDINANCE AMENDING CHAPTER 27 (ZONING ORDINANCE) OF THE LODI CITY CODE BY ADDING THERETO DEFINITIONS FOR HOSPITALS, MOBILE HOMES AND/OR TRAILER PARKS, AND NURSING HOMES OR CONVALESCENT HOMES," having been introduced at the regular meeting of September 20, 1967, was brought up for passage on motion of Councilman Hunnell, 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,
Kirsten and Walton

Noes: Councilmen - None

R/W AT NE CORNER
OF LODI AVENUE
AND HAM LANE

Councilman Brown said he had talked to Mrs. Mary Teierle, owner of the property at the northeast corner of Ham Lane and Lodi Avenue, and that she does not wish to sell part of her property to the City for right of way, but wishes to sell the entire parcel. Mayor Kirsten said he sympathized with Mrs. Teierle, but the City should acquire only the corner, as proposed at the previous meeting. He felt the City should not spend money to acquire property it did not need at this time. City Manager Graves stated that Mrs. Teierle's attorney had quoted to him a figure for the property which sounded fair.

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Councilman Culbertson moved that the City proceed with negotiations to purchase the entire parcel and that the City go ahead with the ultimate development of Lodi Avenue at this corner. The motion was seconded by Councilman Hunnell and carried by the following vote:

Ayes: Councilmen Brown, Culbertson, Hunnell
and Walton

Noes: Councilman Kirsten

EXECUTIVE
SESSION

The Council then adjourned to executive session.

FRED REID
APPOINTED
TO P.C.

On reconvening, Mayor Kirsten recommended the appointment of Mr. Fred Reid to the Planning Commission to fill the unexpired term vacated by William Holz. Councilman Brown moved that the Council concur in the appointment of Fred Reid to the Planning Commission as recommended. The motion was seconded by Councilman Walton and carried unanimously.

ADJOURNMENT

At 12:15 a.m. the Council adjourned on motion of Councilman Culbertson.



Attest: BEATRICE GARIBALDI
City Clerk