

CITY COUNCIL, CITY OF LODI  
 CITY HALL COUNCIL CHAMBERS  
 DECEMBER 20, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, December 20, 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, Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

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

MINUTES Minutes of December 6, 1967 were approved as written and mailed on motion of Councilman Culbertson, Hunnell second.

PUBLIC HEARINGS

APPEAL - Notice thereof having been published in accordance  
 J. J. SCHAFER with law, Mayor Kirsten called for hearing on the appeal of John J. Schafer, 316 Flora Street, from the decision of the City Planning Commission in denying his appeal for a variance to reduce the required six-foot distance between the main buildings and an accessory building (garage) to three and one-half feet to permit enlargement of said accessory building at 316 Flora Street. City Manager Graves gave an explanation of the request for a variance, showing pictures of the garage in question and stating that it does not meet requirements of the Building Code. Mr. and Mrs. John J. Schafer spoke in behalf of the appeal, stating the garage is a double garage but is too narrow for present-day cars as car doors cannot be opened when two cars are in the garage. Therefore, Mr. Schafer wishes to extend the garage one and one-half feet. There were no others who wished to speak either for or against the appeal, and the public portion of the hearing was closed.

City Manager Graves read a memorandum from the Chief Building Inspector which stated that if the garage is widened a complete new roof structure and a new wall would be required and suggested that the garage be demolished and a car port large enough for two cars be built. This could be done without a variance and would be less expensive than bringing the garage up to standard. It was explained to Mr. Schafer that the City had to abide by the Building Code and that if he were to move the garage wall extensive remodeling would be required. After further discussion, it was moved by Councilman Culbertson that in view of the fact that the garage building was non-conforming the appeal be denied. The motion was seconded by Councilman Hunnell and carried with Councilman Brown voting no.

APPEAL - Notice thereof having been published in accordance  
 ST. PETER'S with law, the Mayor called for hearing on the appeal  
 LUTHERAN of St. Peter's Lutheran Church from the decision of  
 CHURCH the Planning Commission in denying the Church's request for a variance to permit off-street parking in the front yard setback area on Oxford Street and Lower Sacramento Road Frontage Road at the site of the

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Church's new complex. City Manager Graves reviewed the request and the requirements of the zoning ordinance concerning setbacks. He showed the plot plan for the Church's property, indicating the proposed parking area. Mr. Clint Hoellworth, 719 South Garfield, representing St. Peter's Lutheran Church, explained their reasons for wanting the parking arrangements as shown on the plan. There were no others present who wished to speak on the appeal. During the discussion it was brought out that no legal hardship could be shown and it was suggested that alternate plans be presented. Councilman Brown moved that the Church be granted a variance to provide parking in the setback area along Lower Sacramento Road Frontage Road, but not on Oxford Way. His motion died for lack of a second. Councilman Walton moved that the appeal of St. Peter's Lutheran Church be denied. The motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - CULBERTSON, HUNNELL and WALTON

Noes: Councilmen - BROWN and KIRSTEN

REZONING SOUTH  
1/2 BLOCK BOUNDED  
BY LODI, CHURCH,  
CHESTNUT &  
SCHOOL STS.  
TO C-1

ORD. NO. 853  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten opened the public hearing on the proposal to rezone the south one-half of the block bounded by Lodi Avenue, Church Street, Chestnut Street and School Street from the R-4 Multiple Family Institutional District to the C-1 Neighborhood Commercial District. Mr. Ben Schaffer, 600 Connie Street, spoke in favor of the rezoning. There being no other persons present who wished to speak on this matter, the public portion of the hearing was closed. Councilman Brown moved the introduction of Ordinance No. 853 rezoning the south one-half of the block bounded by Lodi Avenue, Church Street, Chestnut Street and School Street from R-4 to C-1. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

#### PLANNING COMMISSION

At its meeting of December 11, 1967 the Planning Commission denied the request of Mr. H. Glenn Prater to amend the Permitted Use List in the C-1 Neighborhood Commercial Zone to include "family type" billiard parlors.

#### COMMUNICATIONS

LODI UNION  
ACADEMY  
RE TREES

A letter was read from Mr. Harvey E. Voth, Principal of Lodi Union Academy, asking what could be done to keep the trees from being removed on the south side of Poplar Street from Garfield to Cherokee Lane in conjunction with the development of the school property including installation of curb, gutter and sidewalk. On motion of Councilman Culbertson, Hunnell second, the matter was referred to the Planning Commission for study and report.

C.C. WOOD CO.  
RE STORM  
DRAINAGE  
OUTSIDE CITY

A letter was read from Claude C. Wood Company requesting storm drainage service for the portion of their property on East Lockeford Street which is outside the City limits. The Company agrees to annex the property to the City as soon as possible and agrees such service may be terminated if the annexation proceedings are not completed for any reason. On motion of Councilman Culbertson, Brown second, the Council agreed to the service requested with the conditions set forth in the letter from Claude C. Wood Company dated December 20, 1967.

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CHAMBER OF  
COMMERCE  
COMMENDATION

A communication was received from the Lodi District Chamber of Commerce stating the Chamber's Board of Directors had adopted a resolution commending the Council for the strong support given in the effort to obtain the Kettleman Lane separation, including the City's willingness to participate in the project to the extent of \$200,000.

## REPORTS OF THE CITY MANAGER

## CLAIMS

Claims in the amount of \$521,816.07 were approved on motion of Councilman Walton, Culbertson second.

1968  
LIABILITY  
INSURANCE

Mr. Graves reported that the City's liability insurance comes up for renewal January 1 and that for several years the City's Agent of Record, Mr. Max Elson, has pointed out the inadequacy of the present policy which is written for limits of \$300,000/500,000 bodily injury property damage and \$50,000 property damage. That the City have a basic policy of \$100,000/300,000 bodily injury and \$50,000 property damage and, to Mr. Elson recommends cover anything above that amount, an umbrella policy of \$1,000,000. The cost for such coverage would be approximately \$2,000 more than the present policy which costs \$15,399. Some members of the Council indicated they would like to know the cost of an umbrella policy of \$2,000,000. City Attorney Mullen suggested the Council accept the proposal of Mr. Elson, and a rider can be attached to the policy in the event the Council wishes to have it increased. Councilman Walton moved that the basic and umbrella policies for liability insurance recommended by Mr. Elson be accepted for a total of \$17,348. The motion was seconded by Councilman Brown and carried by unanimous vote. Mr. Elson will report to the Council on the cost of increasing the umbrella policy to \$2,000,000.

PLANS & SPECS -  
BASIN A-I  
BASEBALL  
FACILITIES

Plans and specifications for the baseball facilities at Basin A-1 were presented to the City Council by Architect Arlie Preszler. He said the City should call for bids in March or April. On motion of Councilman Walton, Hunnell second, the plans and specifications for the baseball facilities were approved and the time for advertising for bids was left to the Administrative Staff.

AWARD -  
CIVIC CENTER  
FOUNTAIN

Mr. Graves read the following tabulation of bids received for construction of the Civic Center Fountain:

RES. NO. 3136

Bleily & Collishaw	\$24,442.00
K. H. S. Builders, Inc.	26,999.00
L. P. Singer Const.	28,490.00

Mr. Arlie Preszler, architect for the fountain, recommended that award be made to the low bidder. On motion of Councilman Brown, Hunnell second, the City Council adopted Resolution No. 3136 awarding the contract for construction of the Civic Center Fountain to the low bidder, Bleily & Collishaw.

AWARD -  
STANDARD CAR

RES. NO. 3137

Only one bid was received for the standard car to be used by the detectives. It is from Loewen Auto Company in the amount of \$1,470. Mr. Graves said this was a reasonable bid and he recommended that award be made. On motion of Councilman Walton, Culbertson second, the City Council adopted Resolution No. 3137 awarding the contract to Loewen Auto Company for furnishing one standard car.

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LAKE PARK  
EXPANSION  
PLANS

Preliminary plans for the proposed expansion of Lodi Lake Park to include approximately 53 acres east of the lake area were presented to the Council by the City Manager. The plans had been drawn by Mr. Lothar Schipanski, landscape architect, and have been reviewed by the Recreation and Parks Commission. Mr. Graves said there would be problems in developing the park area because of the levee and the adjoining residential area. The proposed plans have been discussed with the County Recreation Commission and the County favors the park concept for the area. Mr. Graves recommended that formal request to the County be made for allocation of State funds for acquisition of the site. After discussion, it was moved by Councilman Culbertson that the concept for the proposed expansion of Lodi Lake Park be approved, that authorization be given to the City staff to secure an appraisal of the site, and that official request be made to the County for funds for its purchase. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

SPECS -  
FIRE PUMPER

The Council then considered the fire pumper specifications which had been continued from the previous meeting in order to get more information as to the desirability of trips to inspect the pumper during construction. Fire Chief Forrest Eproson explained there were two critical stages in construction of the pumper; one was construction of the frame, chassis, etc.; and the other was construction of the tank, pump, plumbing, etc. After explanation of the importance of the inspection trips, it was moved by Councilman Hunnell that the specifications be approved as submitted and calling for bids be authorized. The motion was seconded by Councilman Brown and carried by unanimous vote.

PLANS & SPECS -  
LOWER SACTO RD  
SANITARY SEWER

Plans and specifications for the Lower Sacramento Road Sanitary Sewer, Lodi Avenue to Tejon Street, were approved and calling for bids authorized on motion of Councilman Culbertson, Hunnell second.

STOP SIGNS  
ON TOKAY ST  
AT MILLS AVE.

The Public Works Department recommends the installation of stop signs on Tokay Street at Mills Avenue, Mills Avenue being a through street. On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 3138 authorizing installation of stop signs on Tokay Street at Mills Avenue.

RES. NO. 3138

COUNTY  
ELECTION  
SERVICES

City Manager Graves presented the agreement with the County for its services for the 1968 Municipal Election. It is the same type of agreement that has been used in the past. On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 3135 authorizing execution of the agreement with the County of San Joaquin in connection with the 1968 General Municipal Election.

RES. NO. 3135

REMOVAL OF  
HOUSE AT  
939 WELLSWOOD

Mr. Graves reported that he had contacted Mr. Maurice O. Ray, Jr. concerning the house at 939 Wellswood Avenue which Mr. Ray has been instructed to move. Mr. Ray was not able to secure the lot he had intended to purchase, but if the City will pay \$2,300 (his out-of-pocket cost) plus renting the timbers from the house mover at \$20/month, he has stated he will purchase a more expensive lot. Councilman Walton abstained from any discussion of the matter. Councilman Culbertson moved that since the City was somewhat responsible for the error in allowing the house to be moved to its present location, the payment of \$2,300 to Mr. Ray be authorized. The motion was seconded by Councilman Hunnell. After further discussion the

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motion was amended by Councilman Culbertson, Hunnell second, to include that payment be made providing the lot at 939 Wellswood Avenue was clear of the house within 60 days. The motion as amended passed by the following vote:

Ayes: Councilmen - CULBERTSON, HUNNELL and  
KIRSTEN

Noes: Councilmen - BROWN

Abstain: Councilmen - WALTON

RECESS

At 10:30 p.m. a five-minute recess was declared and Mayor Kirsten left the meeting. Vice-Mayor Hunnell presided for the balance of the meeting.

UNION OIL CO.  
ACCESS  
NE CORNER  
CHEROKEE &  
KETTLEMAN

Mr. Graves reported that Union Oil Company had requested permission to install four driveways at the northeast corner of Cherokee Lane and Kettleman Lane. The City holds the access rights along Cherokee Lane with access right on Kettleman Lane to a point approximately 10 feet into the western-most proposed driveway on Kettleman. Mr. Graves explained that the Company has to meet City requirements and the driveway locations have been approved by the Public Works Department. Councilman Culbertson moved that access rights be granted and driveways approved subject to development of the frontage in conformance with the Master Plan for the beautification of Cherokee Lane and to the relinquishment of the existing access on Cherokee Lane. The motion was seconded by Councilman Brown and carried by unanimous vote.

LOADING ZONE  
AT MALL AND  
PUBLIC SAFETY  
BUILDING

Councilman Walton moved the adoption of Resolution No. 3139 establishing a passenger loading zone between the crosswalks in front of the Civic Center Mall on the north side of Pine Street and in front of the main entrance to the Public Safety Building on Elm Street. The motion was seconded by Councilman Culbertson and carried.

RES. NO. 3139

SPECS -  
TRANSFORMERS,  
ETC.

On motion of Councilman Culbertson, Brown second, specifications for transformers, secondary circuit breakers and cable were approved and advertising for bids authorized.

DRAINAGE LINE  
AT TURNER &  
HAM

Councilman Brown referred to the drainage line on Turner Road near Ham Lane which presently goes under a gas line. He felt there would be no problem if the subdivider were allowed to place his line over the gas line as it would still be two feet below the surface of the street. The City requires that the pipe be three feet below the surface. Councilman Brown moved that the drainage pipe be laid over the gas line. His motion died for lack of a second. City Manager Graves said there were other alternates that had been proposed to the subdivider and he would report thereon at the January 3 meeting.

ADJOURNMENT

There being no further business the meeting adjourned at 11 p.m.

Attest: *Beatrice Garibaldi*  
BEATRICE GARIBALDI  
City Clerk