

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
FEBRUARY 17, 1965

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, February 17, 1965, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - CULBERTSON, KIRSTEN, WALTON and DOW(Mayor pro tempore)

Absent: Councilmen - BROWNI(Mayor)

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

MINUTES On motion of Councilman Kirsten, Walton second, the minutes of February 3, 1965, were approved as written and mailed.

PUBLIC HEARINGS

REZONING NW
COR TOKAY &
STOCKTON STS
TO "M" IND.
ORD. NO. 779
INTRODUCED

Notice thereof having been published in accordance with law, Vice Mayor Dow called for public hearing on the proposal to rezone certain property at the northwest corner of Tokay and Stockton Streets from the R-4 Multiple Family Residential District to the "M" Industrial District. Mr. Graves read the Planning Commission report recommending approval of the proposed rezoning. Mr. Harold Walz, 313 Flora Street, and Mrs. Inez Huppert, owner of the subject property, spoke in favor of the rezoning, declaring the rezoning was in accordance with the Master Plan and the property was adjacent to "M" Industrial zoning. There were no protests, written or oral. On motion of Councilman Kirsten, Walton second, the City Council introduced Ordinance No. 779 rezoning property on the northwest corner of Tokay and Stockton Streets (Lots 22, 24 and 26, Block C, Resubdivision of Lot 72, Lodi Barnhart Tract) to "M" Industrial.

REZONING W/S
STOCKTON ST
BTW FLORA &
TOKAY STS TO
"M" INDUSTRIAL
ORD. NO. 780
INTRODUCED

Notice thereof having been published in accordance with law, Vice Mayor Dow opened the public hearing on the proposal to rezone certain properties on the west side of Stockton Street between Flora and Tokay Streets from the R-4 Multiple Family Residential District to the "M" Industrial District. The proposed rezoning had been initiated by the Planning Commission. Mr. Walz stated the proposal was in line with the rezoning just approved and should also be approved for the same reasons. There were no protests, written or oral. On motion of Councilman Kirsten, Walton second, the City Council introduced Ordinance No. 780 rezoning certain lots on the west side of South Stockton Street between Flora and Tokay Streets (Lots 2, 4, 6, 8, 10, 12, 14, 16, 18 and 20 of Block C, Resubdivision of Lot 72, Lodi Barnhart Tract) to be in the "M" Industrial District.

ANNEX
S. SANGUINETTI
ADDITION
RES. NO. 2793
ADOPTED

Notice thereof having been published in accordance with law, the Vice Mayor opened the public hearing on the proposal to annex the South Sanguinetti Addition to the City of Lodi as petitioned by all the owners of said property. There was no one in the audience for or against the proposal and no communications thereon had been filed with the City Clerk. Councilman Walton moved the adoption of Resolution No. 2793 annexing the South Sanguinetti Addition to the City of Lodi. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

Minutes of February 17, 1965, continued

ANNEX TALLEY
ADDITION

RES. NO. 2794
ADOPTED

Notice thereof having been published in accordance with law, Vice Mayor Dow opened the public hearing on the proposal initiated by the City Council to annex the Talley Addition to the City of Lodi. There was no one in the audience for or against the proposal and no communications thereon had been filed with the City Clerk. Councilman Kirsten moved the adoption of Resolution No. 2794 annexing the Talley Addition to the City of Lodi. The motion was seconded by Councilman Walton and carried unanimously.

J. DUNCAN RE
STREET LIGHT

Mr. James Duncan, 1655 Rutledge Street, Stockton, addressed the Council in regard to a street light standard in front of his lot at 1146 Devine Drive in Lakewood Subdivision No. 1. He asked that the standard be moved since it obstructs the area planned for a driveway. According to Mr. Duncan, the plans for the house which is being built on this lot were drawn prior to the erection of the light pole; however, they were submitted to the City Building Department after the light was installed. He contended that placing the pole in the middle of the lot was unusual and not accepted practice for subdivisions in other cities with which he was familiar. City Manager Graves explained that the policy of the City is to design the lighting system with a maximum (150') spread of poles that will give even lighting and that usually the poles are on the lot line. However, in the Lakewood No. 1 Subdivision two of the poles were placed in the center of lots. If the light in front of Mr. Duncan's lot is moved to the property line, there will be a resulting dark area. The policy of the City has been that if the property owner wants a light moved, he pays to have it done. However, there might be some question in this case, since Mr. Duncan did not know where the light would be when he purchased the lot. Mr. Graves said it would cost between \$100-\$200 to move the light. Councilman Dow felt the City could deviate from its policy because Mr. Duncan had purchased his lot prior to installation of the light. Councilman Culbertson stated that nine out of ten homes do not have driveways in the center of the lot so it was not unreasonable for the City to place the light in the middle of the lot; there are two sides to be considered. Mr. Duncan said that if he had known where the light would be placed, he would have purchased a different lot. Stating that there was responsibility both ways, Councilman Culbertson moved that the City and property owner pay for the cost of moving the light pole on a 50-50 basis. His motion was seconded by Councilman Walton. Mr. Duncan objected to paying any of the cost, stating that his property was being damaged by having the light in its present location; that it was a case of inverse condemnation. Councilman Kirsten said he appreciated Mr. Duncan's problem and said that neither the City nor Mr. Duncan could have foreseen this problem. Vice-Mayor Dow said that each home owner participates in the expense of street lights and that after they have been accepted by the City, the burden rests with the City. He felt that neither was at fault, but that the City should stand the cost of moving the light. Councilman Walton felt that it was incumbent on the landowner to find out where the light pole would be before building, particularly in view of the unusual location of the driveway. The motion to pay for moving the light on a 50-50 basis failed by the following vote:

AYES: Councilmen - CULBERTSON and WALTON

NOES: Councilmen - DOW and KIRSTEN

Minutes of February 17, 1965, continued

Councilman Kirsten moved that the City pay the entire cost for relocation of the light pole. His motion was seconded by Vice-Mayor Dow and failed to carry by the following vote:

AYES: Councilmen - DOW and KIRSTEN

NOES: Councilmen - CULBERTSON and WALTON

Councilman Culbertson moved that the request of Mr. Duncan be continued to the meeting of March 3, 1965, and that at that time the City Manager submit a report as to the exact location of the light standard. His motion was seconded by Councilman Kirsten and carried unanimously. To avoid such controversies in the future, City Manager Graves asked the Council if it wished to change its present policy. He recommended that the lights be placed only on the lot lines without dropping present minimum standards, which would mean that in some instances more lights would be added. After some discussion, it was moved by Councilman Walton that the present policy on street lights be maintained. His motion was seconded by Councilman Culbertson and carried unanimously. Councilman Culbertson mentioned the advisability of having information sheets for subdividers and builders as a means of avoiding problems similar to the above.

E.O.A.
STUDENT
PROGRAM

Mrs. Naomi Fitch of the San Joaquin Delta College addressed the Council concerning the Economic Opportunity Act by which the Federal Government will aid in paying wages to needy students for whom jobs are provided. She asked permission to discuss with the City Manager the possibility of the City's hiring under the Economic Opportunity Act program some of the needy students in this area who are attending Delta College. Any proposals would have to be approved by the College Board of Trustees and the City Council before going into effect. On motion of Councilman Kirsten, Walton second, the City Council authorized the City Manager to discuss the program with Mrs. Fitch as requested.

PLANNING COMMISSION

PROPOSED
P-D ZONE

The Council discussed the proposed amendment to the zoning ordinance recommended by the Planning Commission establishing a P-D Planned Development zone which would give more flexibility to subdividers of areas five or more acres in size. After considerable discussion, it was moved by Councilman Walton, Kirsten second, that further consideration of the proposed amendment be put over to the Council meeting of March 3, 1965. Motion carried.

REPORTS OF THE CITY MANAGER

CLAIMS

On motion of Councilman Culbertson, Kirsten second, the City Council approved the claims in the amount of \$74,744.95.

AWARD -
POLICE CARS

The following bids were received for six police cars:

RES. NO. 2795
ADOPTED

Krieger Ford Co.	\$8,537.02 plus trade-in
Loewen Auto Co.	\$7,380.00 plus trade-in

The City Manager recommended that award be made to the low bidder. On motion of Councilman Walton, Kirsten second, the City Council adopted Resolution No. 2795 awarding the contract on the police cars to Loewen Auto Company.

Minutes of February 17, 1965, continued

AWARD -
GASOLINE, OIL
AND GREASES

Tabulation of bids on gasoline, oil and greases was presented by the City Manager, totalling as follows:

RES. NO. 2796
ADOPTED

Union Oil Company	\$41,045.33
Signal Oil Company	40,374.75
Shell Oil Company	38,959.73
Richfield Oil Company	38,157.45

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Culbertson, Kirsten second, the City Council adopted Resolution No. 2796 awarding the contract for the supply of gasoline, oil and greases to the lowest bidder, Richfield Oil Company, in accordance with its bid.

SIGNS ON
E. LODI AVE.

The City Manager presented pictures of signs along East Lodi Avenue showing the relationship of the signs to the existing property line and the future curb line along the street. These signs will encroach into the traveled way of the widened street and will extend beyond the curb line from one to seven feet. The problem is to determine whether relocation of the signs is the responsibility of the City or the property owners. City Attorney Mullen said it was the property owner's obligation. Councilman Culbertson stated that widening of East Lodi Avenue would benefit the entire community and he felt the City should ^{PARTICIPATE IN} pay for the cost of moving the signs. City Attorney Mullen answered that the Council could not go beyond the cost of removing the signs; doing anything further would be a gift of public funds. Councilman Culbertson moved that the City be liable for removal of any signs that would extend beyond a point two feet back of the curb after the street is widened. His motion was seconded by Councilman Kirsten and carried unanimously. M. K. W. 3/17/65

CROSSWALKS -
SR. ELEMENTARY
SCHOOL

RES. NO. 2797
ADOPTED

The City Manager presented copies of a sketch showing school crosswalks proposed by the Director of Public Works and approved by the Lodi Safety Council for students going to the Lodi Senior Elementary School. He recommended that the proposed crosswalks be approved. Councilman Culbertson moved the adoption of Resolution No. 2797 establishing school crosswalks at Vine and Fairmont, Vine and Ham Lane and Ham Lane and Cardinal Street as shown on the sketch submitted. His motion was seconded by Councilman Walton and carried.

KETTLEMAN -
HUTCHINS
TRAFFIC
SIGNALS

Mr. Graves reported that because of the proposed reconstruction of the intersection of Kettleman Lane and West Lane, the State Division of Highways finds it necessary to make a major modification of the traffic signal system at this intersection. The State had originally planned to have the signals installation completed in June. However, if the signals were installed before the widening of West Lane, it would cost an additional \$3,500 to modify the signals during construction of the street work. On the other hand, if the installation of the signals were delayed and redesigned to fit the road widening project the cost would be about \$2,500 more, but would be offset by \$2,577 in the original project for drainage correction and curbed island which would be required. The Director of Public Works has met with representatives of the State Division of Highways and the County and agreement has been reached that the signals be redesigned and installed in their ultimate locations, being placed in operation as soon as the roadway is open for traffic. It is expected that the street would be open and the signals in operation by October 1, 1965. This means that the

Minutes of February 17, 1965, continued

school crossing guard would be needed at the Kettleman Church intersection when school started in September until the signals were in operation.

SPECS -
TELEMETERING
SYSTEM

The City Manager presented specifications for a water telemetering system. On motion of Councilman Culbertson, Walton second, the Council approved the specifications for the system and authorized calling for bids thereon.

ORDINANCES

REZONING SW
CORNER OF
CHURCH AND
LOCUST TO
C-2

ORDINANCE NO. 778, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY ON THE SOUTHWEST CORNER OF CHURCH AND LOCUST STREETS TO BE IN THE C-2 GENERAL COMMERCIAL DISTRICT," having been introduced at the regular meeting of February 3, 1965, was brought up for passage on motion of Councilman Culbertson, 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:

ORD. NO. 778
ADOPTED

AYES: Councilmen - CULBERTSON, DOW, KIRSTEN and
WALTON

NOES: Councilmen - NONE

ABSENT: Councilmen - BROWN

REPORTS OF CITY MANAGER (Continued)

CAPITAL OUTLAY
WATER SYSTEM

Mr. Graves presented the five-year capital outlay program for the water supply and distribution system. In discussing costs Mr. Graves stated that more of the burden should be shifted to the subdivider and that they should be responsible for lines up to 8". At the present time they are held responsible for anything up to and including 6". The Director of Public Works said that the 8" mains are fairly uniform in new developments and would affect all developers essentially the same. Councilman Culbertson felt the water rates should be increased sufficiently to take care of the capital outlay program for the water system without resorting to bonds. The need for bonds in addition to the increase in rates was discussed.

BACKSTOP AT
LAWRENCE SCH.

The City Manager reported that the Recreation Department needed more playing space for baseball and was asking for \$370 to install a temporary backstop at Lawrence School grounds. On motion of Councilman Kirsten, Culbertson second, the Council authorized the appropriation of \$370 for a temporary backstop to be erected at Lawrence School.

ADJOURNMENT

There being no further business, the City Council adjourned at 11:25 p.m.

Beatrice Garibaldi
Attest: BEATRICE GARIBALDI
City Clerk