

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
DECEMBER 1, 1965

This regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, December 1, 1965, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, DOW, WALTON  
and KIRSTEN

Absent: Councilmen - None

Also present: City Manager Graves, City Attorney Mullen (8:04 p.m.), Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES

On motion of Councilman Brown, Walton second, the Minutes of November 16, 1965 were approved as written and mailed and the Minutes of November 17, 1965 were approved as written and mailed after making the following corrections. On page 4 in the paragraph entitled "Ham Lane Stop Signs," add to the end of the first sentence, "and at Kettleman Lane" and to the end of the third sentence, "and the north side of Kettleman Lane." On page 5 in the paragraph entitled "Council Salaries" change the second sentence to read as follows: "Second reading was omitted by unanimous vote and after reading by title the ordinance was passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, DOW and WALTON

Noes: Councilmen - KIRSTEN"

PUBLIC HEARINGS

APPEAL -  
TIDEWATER OIL CO.

RES. NO. 2896  
ADOPTED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the appeal of Tidewater Oil Company from the decision of the Planning Commission in denying a variance to setback requirements to permit construction of canopies over two pump islands at the northeast corner of Ham Lane and Lockeford Street. (City Attorney Mullen arrived.) Mr. D. Veldman, 2700 Marquette Street, Sacramento, Construction Engineer for Tidewater Oil Company, said the Company felt the installation of the canopies would not be detrimental to the area but would be an improvement. At the Mayor's request the City Manager reviewed the sketches prepared by the Planning Director showing the relation of the pump islands and proposed canopies to the setback lines. The pump island on Ham Lane is a non-conforming use since it is in the setback area. The pump island on Lockeford Street is a valid use, but the proposed canopy would extend 3'1" over that permitted by ordinance. There were no protests to the appeal, written or oral. Councilman Culbertson stated that he was on the Council when a variance for canopies encroaching into the setback area had been granted to Richfield Oil Company for their station at the corner of Hutchins and Kettleman; the Company had signed an agreement to the effect that the canopies would be removed when requested by the City at no cost to the City. After discussion by the Council, it was moved by Councilman Dow that the appeal of Tidewater Oil Company be granted by the adoption of Resolution No. 2896 permitting the installation of canopies over the pump islands as proposed provided the City had a written agreement (to be recorded) from the Company that the

Minutes of December 1, 1965, continued

structures within the setback area on both Lockeford Street and Ham Lane would be removed at the Company's expense when requested to do so by the City. His motion was seconded by Councilman Culbertson and carried by unanimous vote.

ENCROACHMENT  
ORDINANCE

ORD. NO. 806  
INTRODUCED

Mayor Kirsten called for public hearing on the proposed Encroachment Ordinance which had been discussed at the meeting of September 1, 1965. There was no one in the audience who wished to speak for or against the proposed ordinance. Councilman Culbertson stated that questions he had concerning the ordinance had been resolved by the report of the Public Works Director entitled "Guide Lines for Encroachment Permit Issuing" and he complimented the Public Works Director on its preparation. Councilman Culbertson then moved the introduction of Ordinance No. 806 entitled "Encroachment Ordinance of the City of Lodi." His motion was seconded by Councilman Walton and carried by unanimous vote.

City Manager Graves said a survey had been prepared of illegal uses of right of way and that there would be complaints in regard to hardship cases such as the trash fence belonging to Tokay Market on Hutchins Street and the parking lots at the East Campus High School where cars parked in the sidewalk area. Councilman Culbertson felt that some compromise could be worked out in hardship cases and also advocated distribution of the "Guide Lines" to licensed people doing business in the area. The Council agreed that people in violation should be given ample notice and time to comply with the regulations and that hardship cases should be given particular consideration.

PLANNING COMMISSION

PROPOSE  
REZONING  
536 E. FLORA

Mr. Graves reported the following action of the Planning Commission at its meeting of November 22, 1965:

Recommended the rezoning from the R-4 Multiple Family Institutional Residence District to the C-2 General Commercial District of the property at 536 East Flora Street. On motion of Councilman Culbertson, Dow second, the matter was set for public hearing on December 15, 1965.

INFORMATION

As a matter of information, the Commission also took the following action:

1. Denied the request of Mr. Jonathan Fandrich for a change in zoning from R-2 to R-3 for a lot located at 524 Tara Place.
2. Instructed the City staff to prepare specific plans for (a) the extension of Elm Street from Allen Drive to Sacramento Road (b) the establishment of frontage roads along Lower Sacramento Road between Turner Road and Lodi Avenue.
3. Recommended to the County denial of the request of Mr. Ted Molfino for a use permit to establish a mobile home park at the northern terminus of Cluff Road.
4. Recommended to the County denial of the request of Mr. M. P. Price for a use permit to establish a single-unit trailer park and reduce front and rear yard requirements for his property on Lilac Street in the Town of Woodbridge.

Minutes of December 1, 1965, continued

COMMUNICATIONS

THANKS FROM  
FRED L. MUTHER

A letter was read from Mr. Fred L. Muther thanking the Council for his appointment to the Planning Commission and stating he would cast his vote on all issues for the best interest of our city and its people.

ABC LICENSE

Notice of application for transfer of Alcoholic Beverage License, On Sale General, by Helen and Roger Adler, Mary and Philip Johnson, Eleanor Smythe and Elizabeth Williams, The Spot Club, 220 North Cherokee Lane.

R/W  
NE CORNER  
KETTLEMAN AND  
CHEROKEE LANES

Mr. Graves presented a letter from Mr. Harry Kullijian and Mr. Robert Husted, owners of the property at the northeast corner of Kettleman Lane and Cherokee Lane, requesting a change in the curb radius at the intersection. They are in the process of developing the property and would like a determination from the City. Mr. Graves reported that some time ago the Public Works Director had been contacted by a representative of the owners in regard to this request. Mr. Jones had indicated to the developers that the City should review their plans before making a decision. Councilman Culbertson said perhaps an exchange of property could be negotiated so that there would be sufficient right of way on Kettleman Lane in the event the City wished to put in a median strip. Stating the City should not give the corner away until there was reason to do so, Councilman Brown moved that the Director of Public Works talk over the idea of making an exchange with the owners of the property. His motion was seconded by Councilman Dow and carried.

PREEMPTION  
INITIATIVE  
PETITION

The City Manager explained that a letter had been received from Supervisor Dorn of Los Angeles requesting support of a proposed preemption initiative petition relating to sexual activity. In reference to this petition a bulletin had been received several days later from Richard Carpenter, Executive Director and General Counsel of the League of California Cities, informing the City that the letter from the Supervisor was misleading, that the proposed initiative petition did not begin to reach the preemption problem and recommending that it not be endorsed. On motion of Councilman Culbertson, Dow second, the petition was tabled by unanimous vote.

STATUS OF  
ERICH PARK #2

A letter was presented from Mr. John Capell, President of Capell Land and Development Company, concerning the status of Erich Park Subdivision Unit No. 2. In March of 1964 the tentative map of the subdivision had been approved by the Planning Commission subject to approval of sanitary sewer and storm drainage service by the City Engineer. Plans were worked out for these services and the final map signed by the City Engineer. Since the City was in the process of making a change in charges for subdivisions, in a spirit of cooperation the subdivider had decided not to submit the map until the new charges had been established by the Council. According to the letter, the retirement of the City Engineer and appointment of Mr. Jones to fill the position had further delayed submission of the map. On requesting a determination of the status of the subdivision in June of this year, Mr. Capell had been informed by Mr. Jones that the Subdivision Map Act states that "any failure to record a final map within one year from the approval or conditional approval of the tentative map or extension thereof granted by the governing body shall terminate all proceedings." Mr. Capell felt that because of the

Minutes of December 1, 1965, continued

foregoing circumstances, City regulations in effect prior to the recently adopted changes should apply to this subdivision and he was asking the Council for a determination. After discussion of the circumstances covering this subdivision, it was moved by Councilman Dow that Erich Park Subdivision Unit No. 2 go under the \$1,940 fee and the City to do the engineering work and installation of utilities, subject to submission and approval of a new tentative map. The motion was seconded by Councilman Walton and carried unanimously.

REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$236,690.49 were approved on motion of Councilman Dow, Culbertson second.								
AWARD - LINE TRUCK	Two bids complying with specifications were received on the line truck as follows:								
RES. NO. 2891 ADOPTED	<table border="0"> <tbody> <tr> <td>Tokay Motors</td> <td>\$5,185.99</td> </tr> <tr> <td>Green &amp; Schwindt Ford</td> <td>\$5,564.62</td> </tr> </tbody> </table>	Tokay Motors	\$5,185.99	Green & Schwindt Ford	\$5,564.62				
Tokay Motors	\$5,185.99								
Green & Schwindt Ford	\$5,564.62								
	On motion of Councilman Dow, Culbertson second, the City Council adopted Resolution No. 2891 awarding the contract for the line truck to the low bidder, Tokay Motors, in accordance with said bid.								
AWARD - PARKS PICKUP	The following bids complying with specifications were received on the pickup truck for the Parks Department:								
RES. NO. 2892 ADOPTED	<table border="0"> <tbody> <tr> <td>Loewen Auto Company</td> <td>\$2,086.35</td> </tr> <tr> <td>Tokay Motors</td> <td>2,110.23</td> </tr> <tr> <td>Green &amp; Schwindt Ford</td> <td>2,227.62</td> </tr> </tbody> </table>	Loewen Auto Company	\$2,086.35	Tokay Motors	2,110.23	Green & Schwindt Ford	2,227.62		
Loewen Auto Company	\$2,086.35								
Tokay Motors	2,110.23								
Green & Schwindt Ford	2,227.62								
	On motion of Councilman Dow, Walton second, the City Council adopted Resolution No. 2892 awarding the contract for the pickup truck to the low bidder, Loewen Auto Company, for a net amount of \$2,086.35.								
AWARD - POUND TRUCK	The following bids complying with specifications were received on the pound truck:								
RES. NO. 2893 ADOPTED	<table border="0"> <tbody> <tr> <td>Tokay Motors</td> <td>\$1,519.57</td> </tr> <tr> <td>Loewen Auto Company</td> <td>1,524.51</td> </tr> <tr> <td>Green &amp; Schwindt Ford</td> <td>1,785.36</td> </tr> </tbody> </table>	Tokay Motors	\$1,519.57	Loewen Auto Company	1,524.51	Green & Schwindt Ford	1,785.36		
Tokay Motors	\$1,519.57								
Loewen Auto Company	1,524.51								
Green & Schwindt Ford	1,785.36								
	Award was made to the low bidder, Tokay Motors, by the adoption of Resolution No. 2893 on motion of Councilman Culbertson, Dow second.								
AWARD - STATION WAGON	The following bids complying with specifications were received on the station wagon for the Police Department:								
RES. NO. 2894 ADOPTED	<table border="0"> <tbody> <tr> <td>Loewen Auto Company</td> <td>\$2,625.24</td> </tr> <tr> <td>Tokay Motors</td> <td>2,736.45</td> </tr> <tr> <td>Green &amp; Schwindt Ford</td> <td>2,858.31</td> </tr> </tbody> </table>	Loewen Auto Company	\$2,625.24	Tokay Motors	2,736.45	Green & Schwindt Ford	2,858.31		
Loewen Auto Company	\$2,625.24								
Tokay Motors	2,736.45								
Green & Schwindt Ford	2,858.31								
	On motion of Councilman Dow, Culbertson second, the City Council adopted Resolution No. 2894 awarding the contract for the station wagon to the low bidder, Loewen Auto Company, for a total of \$2,625.24.								
AWARD - FIRE DEPT. SEDAN	The following bids complying with specifications were received on the four-door sedan for the Fire Department:								
RES. NO. 2895 ADOPTED	<table border="0"> <tbody> <tr> <td>Loewen Auto Company</td> <td>\$2,017.36</td> </tr> <tr> <td>Tokay Motors</td> <td>2,137.41</td> </tr> <tr> <td>Mitchell &amp; Koenig</td> <td>2,322.00</td> </tr> <tr> <td>Green &amp; Schwindt Ford</td> <td>2,352.62</td> </tr> </tbody> </table>	Loewen Auto Company	\$2,017.36	Tokay Motors	2,137.41	Mitchell & Koenig	2,322.00	Green & Schwindt Ford	2,352.62
Loewen Auto Company	\$2,017.36								
Tokay Motors	2,137.41								
Mitchell & Koenig	2,322.00								
Green & Schwindt Ford	2,352.62								

On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 2895 awarding the contract for the sedan to the low bidder, Loewen Auto Company, in accordance with their bid.

CAC  
ELECTION BD

Mr. Graves stated that the Board of Supervisors had requested an appointee from the City Council to the Election Board of the Community Action Council. On motion of Councilman Dow, Walton second, Councilman Brown was designated to represent the City on said Election Board.

COUNTY-WIDE  
REFUSE  
DISPOSAL  
STUDY

Mr. Graves reported that the County Board of Supervisors has ordered a County-wide study of refuse disposal for the development of a long-range plan and is requesting each of the cities in the County to appoint someone to serve on a technical staff to utilize knowledge of local background. To serve on this staff, Mr. Graves has appointed Public Works Director Jones.

SPECS -  
AUTOMOBILES

Specifications have been drawn up for the purchase of two standard cars or alternate specifications for one standard car and one heavier car. Specifications for three compact cars were also presented by the City Manager. On motion of Councilman Brown, Dow second, the Council approved the specifications for one standard and one heavier car and for the three compact cars and authorized advertising for bids thereon.

ORDINANCES

REZONING  
LOTS 1-10,  
RUMINSON TR.  
TO R-3  
  
ORD. NO. 805  
ADOPTED

ORDINANCE NO. 805, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 1-10, RUMINSON TRACT, TO BE IN THE R-3 LIMITED MULTIPLE FAMILY RESIDENTIAL DISTRICT," having been introduced at the regular meeting of November 17, 1965, was brought up for passage on motion of Councilman Brown, Dow second. Second reading was omitted after reading by title and the ordinance passed, adopted, and ordered to print by the following vote:

- Ayes: Councilmen - BROWN, CULBERTSON, DOW, WALTON and KIRSTEN
- Noes: Councilmen - None
- Absent: Councilmen - None

REGIONAL  
ASSOCIATION  
PROPOSAL

Mayor Kirsten, Councilman Brown, Councilman Culbertson, City Manager Graves and City Attorney Mullen agreed to attend a meeting in Fresno on December 8, 1965 to discuss a proposed association of city and county officials to consider regional valley problems.

BEAUTIFICATION  
CONFERENCE

Mayor Kirsten said he had received an invitation to attend a Governor's Conference on Beauty in Los Angeles on January 11 and 12. On motion of Councilman Walton, Culbertson second, Councilman Dow was appointed to attend the Conference.

COUNCIL  
MICROPHONES

Councilman Dow stated he would like to have the microphone system on the Council table improved and Mr. Graves said he would see what could be done.

DISTINGUISHED  
VISITORS  
AWARD

After discussing the need for some type of award for distinguished visitors and also some kind of memento or plaque for mayors and councilmen, it was moved by Councilman Brown that the Administrative Assistant organize a local contest to design an award which would be suitable for presentation to distinguished visitors and retiring councilmen. His motion was seconded by Councilman Dow and carried unanimously.

ADJOURNMENT

There being no further business, the Council adjourned at 9:30 p.m.