CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
DECEMBER 3, 1958

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, December 3, 1958; Councilmen Brown, Culbertson, Mitchell, Robinson and Katzakian (Mayor) present; none absent. Also present: City Manager Graves, Administrative Assistant Brown, City Attorney Mullen and Planning Director Rodgers.

MINUTES — Minutes of November 19, 1958 were approved as written and mailed on motion of Councilman Culbertson, Brown second.

PUBLIC HEARINGS

COMMERCIAL REZONING ON KETTLEMAN LANE

ORD. NO. 631 INTRODUCED

Mayor Katzakian called for public hearing on the rezoning from R-4 to C-2 of Lots 20, 21 and 22, Storro Tract, more generally described as the north side of East Kettleman Lane extending 305 feet easterly from Stockton Street. There were no protests either written or oral. The Planning Commission recommended the rezoning for the following reasons:

1. The property is at the intersection of two major truck routes.
2. It is directly across Stockton Street from industrially zoned property.
3. It is on Highway 12 which will be a major traffic carrier through the south part of the City.
4. Other commercial developments are located on the south side of Kettleman Lane to the east of this property which tend to make this part of Kettleman Lane a future commercial street.
5. The property is considered undesirable for residential usage.

The Planning Commission also recommended that the Council require a six-foot solid fence or wall to be erected by the applicants between the commercial zoning and the residential zones bordering it. Councilman Robinson moved, Culbertson second, that Ordinance No. 631, rezoning the above mentioned lots from R-4 to C-2 subject to the fence requirement, be introduced by reading of title only and waiving reading of the ordinance in full. Mayor Katzakian felt the Planning Commission should study the problem further in view of the fact that Kettleman Lane is a part of the State highway system and is included in the freeway plans scheduled for completion by 1980; if zoned commercially, it might be bypassed by the State because of traffic hazards. Councilman Robinson stated that there is now a setback with a 100-foot right of way on Kettleman Lane, that by 1980 the Division of Highways might have different plans regarding this route, and that holding up development of property along this route was unfair to the property owners. Other members of the Council also expressed concern over rights of

property owners. The City Manager stated that according to the District Engineer, the Division of Highways should have definite plans regarding this route within a year or two and that it was up to the City to plan for future use. He stated he had no recommendation on the requested zoning, but reiterated that piece by piece development is not good planning and the entire street needs should be determined. The motion to introduce Ordinance No. 631 carried by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell and Robinson

NOES: Councilmen - Katzakian

MARC STREET ABANDONMENT

ORD. NO. 632 INTRODUCED

The Mayor then called for public hearing on the abandonment of Marc Street in Lodi Industrial Park which had been approved by the Planning Commission. There were no protests either written or oral. On motion of Councilman Brown, Mitchell second, the Council introduced by unanimous vote Ordinance No. 632 abandoning Marc Street, by reading of title only and waiving reading of the ordinance in full.

SIDEWALK CONSTRUCTION AT HAM LANE & LODI AVE.

This being the time for public hearing on the order for sidewalk construction on the property of Mrs. Mary Teierele at the northeast corner of Ham Lane and Lodi Avenue, the Mayor asked if there were any protests. There were no protests either written or oral. Since 50% of the sidewalk in this area is constructed and is used by children going to the West Campus, it is in order for the City to instruct the property owner to have the sidewalk constructed or otherwise the City will have it done and it will become a lien on the property. The City Attorney explained that he had corresponded with Mrs. Teierele without success regarding the construction of the sidewalk and the public hearing was in line with legal proceedings required to get the work done. Mrs. Teierele has until December 29, 1958 to comply with the order. Councilman Robinson moved, Mitchell second, that the legal proceedings be continued if necessary. Motion carried.

WM. NATHAN

Mr. William Nathan addressed the Council asking the Council to investigate plumbing installations at his motel, and also asking if the "Bentz easy method" were legal with the City. Mr. Nathan was told that the matter had already been investigated and referred him to the Building Inspector regarding the "Bentz easy method."

PLANNING COMMISSION

EXTENDING LODI AVENUE EASTERLY

The Planning Commission recommended the extension of Lodi Avenue easterly from Cherokee Lane and its crossing of the freeway just north of the Central California Traction Company railroad. The City Manager stated he had discussed grade separation with the Division of Highways District Engineer who said there should not be much difficulty in putting in the grade separation at this point. On motion of Councilman Mitchell, Brown

RES. NO. 2183
ADOPTED

second, the Council adopted Resolution No. 2183 declaring its intention to extend Lodi Avenue easterly, directing the City Engineer to proceed with study and estimate of costs thereof, and ordering a copy of the resolution sent to the State Division of Highways.

SUBDIVISION ACREAGE CHARGES

RES. NO. 2184
ADOPTED

The final map of Sharon Manor was presented for approval. Since it was the first map to be submitted under the new subdivision ordinance, acreage charges came up for discussion and the Planning Director gave an explanation of charges as set forth in Resolution No. 2184 which he recommended be adopted. On motion of Councilman Culbertson, Brown second, the Council adopted Resolution No. 2184 establishing acreage charges for subdivisions as recommended.

FINAL MAP SHARON MANOR

The Council then approved the final map of Sharon Manor on motion of Councilman Brown, Mitchell second. The approval was subject to deposit and agreement as required by the subdivision ordinance.

ORDINANCE

SETBACK LINES

ORD. NO. 629
ADOPTED

At the suggestion of Councilman Brown, the Mayor skipped the next item on the agenda and brought up Ordinance No. 629, entitled "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF SETBACK LINES AND PROHIBITING THE ERECTION OF BUILDINGS AND STRUCTURES WITHIN THE SETBACK AREA", which had been introduced at the regular meeting of November 19, 1958. Said ordinance was brought up for passage on motion of Councilman Robinson, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell, Robinson and Katzakian

NOES: Councilmen - None

ABSENT: Councilmen - None

SIGNAL OIL SETBACK ENCROACHMENT

RES. NO. 2185
ADOPTED

The Council then reconsidered the request of Signal Oil Company for an encroachment permit for a pump island within the setback line on Kettleman Lane at the northeast corner of Kettleman Lane and School Street; this request had been made at the meeting of November 19, 1958. On motion of Councilman Mitchell, Brown second, the Council, under provisions of Ordinance No. 629, adopted Resolution No. 2185 granting the encroachment permit, which had been approved by the Planning Commission, and providing for a recorded agreement with the Company for removal of the pump island when required, at the Company's expense.

COMMUNICATIONS

J.P. LIEBIG — A protest from Mr. J. P. Liebig regarding the no parking zone along his property on South Sacramento Street south of Tokay Street. It was pointed out that the no parking zone was required because of the narrow right of way and ensuing traffic hazards. However, the Council felt that loading and unloading should be permitted because it was rental property and was required for tenants moving in or out. On motion of Councilman Culbertson, Robinson second, the Council moved that the City Manager write to Mr. Liebig explaining to him the reason for the no parking zone and informing him that arrangements could be made with the Chief of Police when loading or unloading was required.

ABC LICENSE — Notice of Application for Transfer of Alcoholic Beverage License for Charles E. and Eva M. Lwsley, "3 Aces Tavern", 111 North Sacramento Street.

FORREST E. COOPER — Letter from Mr. Forrest E. Cooper, retired Pound-master, thanking the Council for naming the Animal Shelter after him and for installing the plaque in his honor at the Shelter. The Mayor remarked that Mr. Cooper was deserving of the honor for his years of faithful service to the City.

REPORTS OF THE CITY MANAGER

LIABILITY INSURANCE — The City Manager stated that the City's Broker of Record had received three unsealed bids for the City's liability insurance for 1959. These bids had been received by the deadline which had been set for 5 p.m. of November 28. On December 3 a sealed bid had been received from the Farmers Insurance Group. Mr. Max Elson, representing the Broker of Record, stated that the bids received by the closing date were as follows:

Great American Insurance	$14,810.43
Phoenix Assurance of N.Y.	13,059.00
American Surety of N.Y.	9,943.75

RES. NO. 2188 ADOPTED — The bid of the Farmers Insurance Group was $10,209.16. The Broker of Record recommended that the lowest bid be accepted. On motion of Councilman Culbertson, Robinson second, the Council adopted Resolution No. 2188 awarding the contract for liability insurance for 1959 to American Surety of New York. Councilman Mitchell felt that having sealed bids would be preferable to the present method of accepting unsealed bids. It was decided that hereafter sealed bids should be requested and that bids that were not received on time could not be accepted. Discussion arose regarding the qualifications of agents whose bids would be considered, particularly in regard to the requirement that he be a member of the San Joaquin County Association of Insurance Agents. The City Manager suggested that the City could secure the criteria for belonging to the Association and adopt such requirements rather than require membership in the organization. Action on this suggestion was held over.

SCHOOL CROSSWALKS

RES. NO. 2186 ADOPTED

The City Manager stated that the intersection of Hutchins and Tokay Streets qualified as a school crossing and he recommended that the crosswalks be painted yellow to designate school crossings. On motion of Councilman Mitchell, Brown second, the Council adopted Resolution No. 2186 establishing school crosswalks at Hutchins and Tokay Streets.

SCAVENGER CO. CONTRACT RENEWED

City Manager Claves reported that the Sanitary City Scavenger Company, whose five-year contract expires in March of 1959, had requested that their contract be renewed as of the first of the year as a convenience to their business manager and that it be for a ten-year period. They were requesting a longer term contract because of investment in additional equipment and storage area. The City Manager felt the requests were reasonable and recommended that the contract be renewed for a ten-year period as of January 1 and that the contract include a provision for termination for cause. Councilman Robinson, Mitchell second, moved that the Mayor be authorized to sign a ten-year agreement with the Scavenger Company effective January 1, 1959 and that the City be safeguarded by inclusion in said agreement of a clause providing that the agreement may be terminated for cause. Motion carried.

AWARD 2 NO PICKUP TRUCKS

RES. NO. 2187 ADOPTED

The City Manager presented bids received on two pickup trucks. The lowest bid on the 1/2-ton pickup was from Loewen Auto Company for $1,881.12 and the lowest bid on the 3/4-ton pickup was from Krieger Motor Company for $2,131.69. Highest bid for purchase of damaged 1/2-ton truck was $250 from Ehlers Garage, which would make the net cost of the 1/2-ton pickup amount to $1,631.12. On motion of Councilman Brown, Dulbertson second, the Council adopted Resolution No. 2187 awarding the bids to the bidders above mentioned.

LEASING OF CITY PROPERTY

The City Manager recommended that one person be designated to handle leasing of City property which is not being used by the City, such as the recently acquired park site at the corner of Hutchins and Vine Streets which is in vineyard. Councilman Mitchell moved, Brown second, that the City Manager be authorized to execute leases on behalf of the City to take care of crops on City property, said leases not to exceed one year in duration. Motion carried.

CLAIMS

Claims in the amount of $94,309.35 were approved on motion of Councilman Brown, Mitchell second.

W. PINE ST. EXTENDED 65 FEET

A deed from Stone Brothers (Lodi Construction Company) for the extension of West Pine Street westerly from Corinth Avenue for approximately 65 feet was presented by the City Manager who recommended that the deed be accepted. On motion of Councilman Brown, Mitchell second, the Council accepted the deed for street purposes.

SPECS GASOLINE

The City Manager presented specifications for gasoline for 1959 and recommended that they be approved. On motion of Councilman Culbertson, Mitchell second, the specifications were approved and advertising for bids authorized.

ORDINANCES

REZONING ON CARDINAL ST.

ORD. NO. 628 ADOPTED

ORDINANCE NO. 628, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING TWO LOTS ON THE NORTH SIDE OF CARDINAL STREET EAST OF FAIRMONT AVENUE TO BE IN THE R-2 RESIDENTIAL ZONE", having been introduced at the regular meeting of November 5, 1958, was brought up for passage on the motion of Councilman Culbertson, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell, Robinson and Katzakian

NOES: Councilmen - None

ABSENT: Councilmen - None

PURCHASING ORDINANCE

ORD. NO. 630 ADOPTED

ORDINANCE NO. 630, entitled "AN ORDINANCE OF THE CITY OF LODI PROVIDING FOR THE PURCHASE AND SALE OF SUPPLIES, SERVICES AND EQUIPMENT", having been introduced at the regular meeting of November 19, 1958, was brought up for passage on the motion of Councilman Culbertson, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell, Katzakian

NOES: Councilmen - Robinson

ABSENT: Councilmen - None

CAPITAL OUTLAY PROGRAM

In answer to query regarding the Capital Improvement Program, the City Manager stated he would have his report ready in January. It was requested that copies of the previous report on Capital Outlay be sent to the two new members of the Council.

Meeting was adjourned at 10:05 p.m.

ATTEST: BEATRICE BARTSALDI
City Clerk