

CITY COUNCIL, CITY OF LODI  
COUNCIL CHAMBER, CITY HALL  
MAY 16, 1956

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, May 16, 1956; Councilmen Fuller, Hughes, Katzakian, Robinson, and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of the previous meetings of March 21, 1956 and April 4, 1956, were approved as written and mailed after amending the last sentence in the paragraph entitled "Mayor's Report" to read as follows: "He reported that Congressman Johnson, Senator Knowland, and Senator Kuchel had been very cooperative."

PUBLIC HEARINGS

<p>MILLS- TURNER ROAD ABANDONMENT</p> <p>ORD. NO. 557 INTRODUCED</p>	<p>Mayor Mitchell called for those persons wishing to protest the proposed abandonment of a portion of the public right of way at the intersection of Mills Avenue and Turner Road to address the City Council. No protest was heard, either written or oral. On the motion of Councilman Fuller, Katzakian second, Ordinance No. 557, ordering the abandonment of that portion of the right of way was introduced by unanimous vote.</p>
<p>S. SACRAMENTO ST. SET-BACK AMENDMENT</p> <p>ORD. NO. 558 INTRODUCED</p>	<p>Mayor Mitchell then called for those persons wishing to protest the amendment of the set-back line on South Sacramento Street north of the alley between Lodi Avenue and Chestnut Street to address the City Council. Mr. Vincent Scotti, 515 South Sacramento Street, was assured by the City Council that the proposed amendment would not affect the property south of the indicated alley south of Lodi Avenue. The City Clerk read a letter from Fred Spiekerman dated May 11, 1956 stating that he did not object to the proposed amendment of the set-back on Sacramento Street. There being no protest offered, Councilman Hughes moved, Fuller second, the introduction of Ordinance No. 558 amending the set-back line on South Sacramento Street between Lodi Avenue and the alley south of Lodi Avenue to effect the widening of that portion of the street on the east side. Councilman Robinson stated that he would agree to the introduction of this ordinance, but he wanted to tie this action up with the proposed widening of West Lodi Avenue between School Street and Main Street. The motion was then passed by unanimous vote.</p>
<p>AMEND ZONING ORDINANCE REDUCE BLDG. SET-BACK</p> <p>ORD. NO. 559 INTRODUCED</p>	<p>Mayor Mitchell then called for those persons wishing to protest the proposed amendment to the Zoning Ordinance to reduce the required front yard set-back from 25 feet to 20 feet in the R-1 and R-2 districts and from 20 feet to 15 feet in the R-3 district. City Attorney Mullen stated that he had discussed this proposed amendment with FHA officials and they had offered no objection to the proposed change. No protests were offered. Ordinance No. 559, amending the Zoning Ordinance to provide for reduced front yard set-back requirements in residential districts, was introduced on the motion of Councilman Katzakian, Fuller second.</p>
<p>EUREKA- LOUIE AVENUE STREET LIGHT- ING DISTRICT</p>	<p>Mayor Mitchell then called for those persons wishing to protest the formation of the Eureka-Louie Avenue Street Lighting District to address the City Council. City Clerk Graves read a petition containing 83 unverified signatures protesting the formation of the</p>

special assessment district and the installation of street lights. The City Clerk also presented a petition containing 33 unverified signatures stating that they had signed the original petition requesting the street lights and asking that their names be removed. All names appearing on this petition also appeared on the petition protesting the formation of the district. City Attorney Mullen stated that this second petition asking the withdrawal of names from the original petition was not valid since there is no provision in the law for removing names from the original petition, particularly after the City Council has acted upon it. Councilman Fuller asked if anyone in the audience that had signed the original petition would explain to him why he had changed his mind. Mrs. Theo Schmidt, 519 Eureka Avenue, stated that she did not sign the original petition, but she felt the people were opposed to the special assessment district because they felt one light at the street intersection would be enough and the people should not have to pay for this type of lighting. Mr. Rude Liebelt, 735 North Grant Street, asked that his name be removed from the petition objecting to the special assessment district. Mr. Al Sperring delivered to the City Clerk the written request of Mr. Fred Schnaible, 758 Eureka Avenue, asking that his name be removed from the petition objecting to the district. Mrs. R. J. Jacobsen, 755 Eureka Avenue, stated that she had signed the original petition and had been requested to sign the protest. The person circulating the protest petition had stated to her that the installation of lights would raise taxes and that the lights to be installed were the old type with concrete standards. Mrs. Harry Bauer, 749 Eureka Avenue, stated that she could verify Mrs. Jacobsen's statement. Mrs. Delwin Maas, 223 Eureka Avenue, stated that she had too much footage and the cost would be too great. Mr. Al Sperring, 400 Eureka Avenue, stated that he had circulated the original petition and that he had told the people the cost would be between \$1.30 and \$1.80 per front foot. Mrs. Manna, 1201 Louie Avenue, stated that she had nearly 400 feet of vineyard fronting on Louie Avenue and this would be too expensive for her. The hearing was then continued to the next regular meeting of the City Council, June 6, 1956, on the motion of Councilman Katzakian, Robinson second.

HEARING  
CONTINUED

LIPILT  
TRAILER  
COURT

Mr. R. M. Lipelt, Woodbridge, addressed the City Council to explain that he was the owner of property fronting on the river just north of the cemetery in Woodbridge, and he planned to develop a modern trailer court on the property. He asked the City Council for water service to this property. The Council explained its policy of not granting service outside the City limits. Mr. Lipelt stated that his property was contiguous to the City limits and he would agree to annexation. In the ensuing discussion Mr. Lipelt stated that he felt the City of Lodi should bear part of the cost of the extension of the water line since it must pass through Lodi Lake Park and be subject to use by the City. The matter was referred to the City Manager for report on the motion of Councilman Robinson, Katzakian second.

#### CITY PLANNING COMMISSION

ZONING-  
COMMITTEE  
REPORT

The City Manager read the following report from the Zoning Committee of action taken at its meeting of May 14, 1956:

1. Granted front yard variance from 25' to 20' of all lots in Tokay Gardens, except lots 22 through 28 and lots 45 through 48, Ted Schneider, owner.

2. Granted front yard variance from 25' to 20' to the First Church of God at 900 North California Street, the variance to apply to a parsonage to be built on their property on Palm Avenue.

3. Denied a request for a Use Permit to install a metal sign in a C-1 zone on the southwest corner of Lockeford Street and Pleasant Avenue, Edward Wallof, owner.

#### COMMUNICATIONS

##### MAYORS' AND COUNCILMEN'S INSTITUTE

Letter from the League of California Cities regarding the 4th biennial Mayors' and Councilmen's Institute to be held in the City of Monterey, May 23-24-25.

##### COURTESY MAIL BOX

Letter from the local Postmaster stating that he had received a request from the President of the Farmers' and Merchants' Bank for a courtesy curb-side mail box to be located on the east side of South Church Street just north of Lodi Avenue. He asked that the City reserve the curb space equivalent to two parking spaces for this mail box. On the motion of Councilman Katzakian, Fuller second, the Council referred the request to the Chief of Police and City Engineer for recommendation.

##### ABC LICENSE

Alcoholic Beverage License application for Off-sale Beer and Wine to Elvira and Richard M. Hurych for Hurych's Grocery Store, 433 North Church Street, and on On Sale Beer License for Marvin Reimche for Rex Pool Hall at 9 North Sacramento Street.

##### CITY MANAGER PRAISED

Letter dated May 1, 1956 from Jerome Keithley, City Manager of the City of Palo Alto, commending Mr. Weller and expressing gratitude on behalf of the member cities of the Northern California Municipal Electric Association for Mr. Weller's efforts during the recent negotiations with the Pacific Gas and Electric Company for the purchase of bulk power. Councilman Hughes moved, Fuller second, that the letter be spread in full in the official minutes of the meeting. The motion passed by unanimous vote.

"The Mayor and Members of the City Council  
City of Lodi  
Lodi, California

Gentlemen:

"Several months have now passed since the member electric resale cities of the Northern California Municipal Electric Association received their approved contracts from the Pacific Gas and Electric Company. These contract documents, and the economic benefits they represent, were signed after approximately one and one-half years of negotiations between the supplying firm and the representatives of the nine resale cities.

"You are, of course, aware of the benefits provided to your city by the negotiated contracts. Substantial savings have been realized by each city through the terms of the agreements as compared to the regularly filed tariff which had been previously approved by the State Public Utilities Commission.

"When the resale cities decided to organize themselves into a bargaining unit in an attempt to negotiate a more favorable contract, the Northern California Municipal Electric Association was born. The success of this organization's efforts is due in great measure to the ability of its chairman and spokesman, Mr. H. D. Weller, your City Manager.

"Mr. Weller's leadership, knowledge of the problems encountered, and negotiating ability resulted in the contract from which the people of Lodi now benefit, along with the residents of the other member cities. I feel that the efforts of the organization would have been seriously handicapped or perhaps unsuccessful without the skill and stamina displayed by Mr. Weller.

"Writing for the representatives of the member cities of the Northern California Municipal Electric Association, I wish to express our gratitude and appreciation to you for authorizing Mr. Weller to assume the leadership of this organization which served as an instrument to insure that its member cities could provide better public service at a realistic, yet equitable cost.

"To this, I want to add my personal commendation to Mr. Weller for his outstanding ability in coping with a serious and difficult situation.

"It was truly a gratifying experience to work with Mr. Weller throughout the long, and sometimes frustrating, period of negotiating, and I would be most happy to have the opportunity of serving as his team-mate again if the occasion should arise.

Sincerely yours,

CITY OF PALO ALTO

JEROME KEITHLEY  
City Manager"

#### REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$69,257.06 were approved on the motion of Councilman Robinson, Hughes second.
SPECS FOR OILS AND GREASES	Specifications for the supply of oils and greases needed for the fiscal year 1956-57 were approved and advertising for bids authorized on the motion of Councilman Fuller, Katzakian second.
OASI APPROVED RES. #1926 ADOPTED	Mr. Weller reported that the eligible employees had voted on the question of coverage by the Federal Old Age and Survivor's Insurance and the results had favored the integration of OASI with the local system by a vote of 71 to 33, including two employees that did not vote. On the motion of Councilman Robinson, Fuller second, the Council adopted Resolution No. 1926 approving the agreement with the State of California for the inclusion of the members of the Lodi City Employees' Retirement System under the Federal OASI. Councilman Robinson then moved, Fuller second, that the Pension Board be asked to prepare a recommendation for increasing the retirement benefits to the members of the Police and Fire departments in keeping with the City's participation under the OASI

program extended to the other City employees. The motion passed by unanimous vote. Mr. Weller stated that it should be understood at the outset that equal contributions by the employee and the City will not provide benefits which will compete with those provided by OASI. He also pointed out that police and firemen should have an option to retire before age 65, but to provide for such retirement materially cuts down on the amount of the payments received by the retired employee.

REZONE LOTS  
8 AND 9,  
BARBOUR  
BECKMAN TR.  
  
ORD. NO. 556  
ADOPTED

ORDINANCE NO. 556, ENTITLED "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 8 AND 9 OF BARBOUR BECKMAN TRACT TO BE IN THE R-L RESIDENCE DISTRICT", having been introduced in regular meeting of May 2, 1956, was brought up for passage on the motion of Councilman Katzakian, Robinson second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian,  
Robinson and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 556 was then signed by Mayor Mitchell in approval thereof.

BLAIS  
DEED  
  
RES. #1927  
ADOPTED

City Attorney Mullen then reported that he had negotiated an agreement with Mr. R. L. Blais for the dedication of the necessary right of way for the completion of West Vine Street between Lee Avenue and Hutchins Street. He stated that Mr. Blais had agreed to dedicate the necessary land if the City would pay \$900 for the damage to his garage and install the curb and gutter and pave the street. Resolution No. 1927, approving the acceptance of the deed from Mr. Blais, was adopted on the motion of Councilman Robinson, Fuller second.

CAPITAL  
OUTLAY  
  
  
  
  
RECREATION  
PROJECTS

Councilman Fuller then stated that he felt immediate action should be taken to acquire the needed park sites, turf the school playgrounds and construct the swimming pools as proposed by the Recreation Commission. In response to a question from Mayor Fuller, Mr. Weller stated that the time needed for the completion of a swimming pool would depend upon whether it would be necessary to advertise for bids. City Attorney Mullen stated that he would check the laws and report back to the Council. Councilman Robinson stated that the City Council should meet with the Recreation Commission prior to authorizing construction of capitol outlay projects. On the motion of Councilman Hughes, Fuller second, and the Council voted to ask the Recreation Commission and the City Manager for recommendations for capitol outlay projects to receive immediate action.

LEE AVENUE

Mayor Mitchell then asked that the City Engineer plan for the paving of South Lee Avenue and the installation of sidewalk over the Sturla property in the vicinity of Needham School.

The meeting was adjourned at 10:40 p.m. on the motion of Councilman Fuller.

*Henry A. Graves, Jr.*  
ATTEST: HENRY A. GLAVES, JR.  
City Clerk