

CITY COUNCIL, CITY OF LODI  
 COUNCIL CHAMBER, CITY HALL  
 MARCH 21, 1956

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, March 21, 1956; Councilmen Hughes, Mitchell and Richey present; Fuller and Robinson (Mayor) absent. City Attorney Mullen and City Manager Weller also present.

The City Clerk called for nominations for Mayor Pro Tempore. Councilman Richey was nominated and elected as Mayor Pro Tempore by Councilmen Hughes and Mitchell.

Minutes of the previous meeting of February 1, 1956 were approved as written and mailed.

COMMUNICATION

CLAIM: Claim for damages to a tractor alleged to have been  
 DAMAGED used during the December flood was made by Mr. Frank  
 TRACTOR T. Taylor in the amount of \$818.17. The claim was  
 denied and referred to the insurance carrier on the  
 motion of Councilman Mitchell, Hughes second.

PUBLIC HEARINGS

STOKELY- Mayor Pro Tempore Richey called for the public wishing  
 VAN CAMP to protest the proposed rezoning from R-3 and R-4  
 REZONING to M Industrial District of portions of Lots 68 and  
 69, Lodi Barnhart Tract to be heard. The proposed  
 ORD. NO. 552 rezoning was requested by Stokely-Van Camp, Inc.  
 INTRODUCED Mr. Liebig, manager of Stokely-Van Camp addressed  
 the Council to explain the expansion plans of his  
 company. There being no protests offered, Ordinance  
 No. 552, approving the rezoning, was introduced  
 on the motion of Councilman Hughes, Mitchell second.

REZONE Mayor Pro Tempore Richey then called for the public  
 LOT 3, BLK 4 wishing to protest the proposed rezoning from R-4  
 HUTCHINS ADD. Residence District to the C-2 Commercial District  
 of Lot 3, Block 4 of Hutchins Addition to the City  
 ORD. NO. 553 of Lodi to be heard. The request for rezoning had  
 INTRODUCED been initiated by the First Christian Church, owners  
 of the property. No protest was received. It was  
 agreed by the members of the Council that the re-  
 quested rezoning would make the depth of commercial  
 property along the south side of Lodi Avenue more  
 uniform. Ordinance No. 553, approving the requested  
 rezoning, was introduced on the motion of Councilman  
 Mitchell, Hughes second.

REPORTS OF THE CITY MANAGER

APPROVE Mr. Weller presented a contract for lease of Lodi  
 STADIUM LEASE Stadium by the Western Auto Racing Association of San  
 FOR AUTO Jose. He explained that an option to renew the pre-  
 RACING vious lease for one year had been given to Mr. Bark-  
 heimer, but the City Attorney recommended that the  
 option not be granted. Mr. Weller recommended that  
 the agreement be signed without option to renew.  
 After operating under the lease for a couple of months  
 the Association could request an option and receive  
 consideration at that time. The contract was approved  
 as recommended and the Mayor Pro Tempore was authorized  
 to sign on the motion of Councilman Hughes, Mitchell  
 second.

UNIFORM BUILDING CODE  
ORD. NO. 554  
INTRODUCED

The City Manager presented a recommendation from the Building Inspector, concurred in by the Fire Department, for the adoption of the Uniform Building Code, 1955 edition. On the motion of Councilman Hughes, Mitchell second, the Council voted to introduce Ordinance No. 554, adopting by reference the Uniform Building Code, Vol. 1, 1955 edition, and setting April 4, 1956 as the date for a public hearing on the adoption.

CLAIMS

Claims in the amount of \$108,573.36 were approved on the motion of Councilman Mitchell, Hughes second.

TRACTOR BIDS  
RES. #1915  
ADOPTED

The City Manager presented the tabulation of bids received for furnishing the City with a motor grader. The following bids were received:

Moore Equipment Co. ....\$5400.00  
Delta Tractor .....\$4424.00

The award was made to Delta Tractor by the adoption of Resolution #1915, on the motion of Councilman Mitchell, Hughes second.

PURCHASE  
FIRE PUMPER

Mr. Weller reported that he had been advised by the Fire Chief that an increase of \$1000 in the cost of 1000 gallon pumper needed by the City's Fire Department was in prospect. Since it is contemplated that the Fire Chief will request the replacement of a 1924 Seagrave pumper in the near future, he felt that the savings of \$1000 would justify the purchase of the pumper prior to the effective date of the price increase. The Fire Chief recommended the purchase of a rig manufactured by the American LaFrance Company with standardized equipment. The purchase of the new pumper was approved and authorized on the motion of Councilman Hughes, Mitchell second.

CITY PLANNING COMMISSION

ZONING  
COMMITTEE  
REPORT

The City Manager read the following report from the Zoning Committee of the City Planning Commission:

1. Granted a variance for a 20-foot setback in Lots 59 through 67 and Lots 84 through 108 of Hutchins Sunst Park.
2. A front yard variance to Mr. Elton Perrin from 25 feet to 22 feet at the corner of West Locust Street and Avena Avena.
3. Variances to Al Dais at 806 South Orange Avenue of side yard from 10 feet to 9 feet 7 inches and front yard from 25 feet to 24 feet.
4. A 20 foot front yard variance to the entire Plymouth Tract.

REVISED  
FINAL MAP  
CRESCENT  
MANOR#2

The final map of Crescent Manor No. 2 was again presented to the City Council for approval of changes made in the design of South Orange Avenue. The revised map provides for the extension of Sylvia Street through to Fairmont Avenue and the extension of Orange Avenue north of Sylvia to a cul-de-sac. The changes met with the approval of the City Council.

NONCONFORMING USE A memorandum from the Zoning Committee stating that it had forwarded to the Planning Commission a request for enlargement of a nonconforming use was read to the City Council. Mr. Ted Wagner requested permission to enlarge his grocery store at 732 Loma Drive.

SHAW REZONING ORDINANCE NO. 549, ENTITLED "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A PORTION OF LOT 2, BLOCK 7, HUTCHINS ADDITION, TO BE IN THE R-4 DISTRICT", having been introduced in regular meeting of March 7, 1956, was brought up for passage on the motion of Councilman Mitchell, Hughes second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Mitchell, Hughes, and Richey  
 NOES: Councilmen - None  
 ABSENT: Councilmen - Fuller and Robinson

Ordinance No. 549 was then signed by Mayor Pro Tempore Richey in approval thereof.

INCREASE SALES TAX ORDINANCE NO. 550, ENTITLED "AN ORDINANCE AMENDING ORDINANCE NO. 373 ENTITLED ' AN ORDINANCE IMPOSING A LICENSE TAX FOR THE PRIVILEGE OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL, PROVIDING FOR PERMITS TO RETAILERS, PROVIDING FOR THE COLLECTING AND PAYING OF SUCH TAX, AND PRESCRIBING PENALTIES AND VIOLATIONS OF PROVISIONS HEREOF' AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", having been introduced in regular meeting of March 7, 1956, was brought up for passage on the motion of Councilman Hughes, Mitchell second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Hughes, Mitchell and Richey  
 NOES: Councilmen - None  
 ABSENT: Councilmen - Fuller and Robinson

Ordinance No. 550 was then signed by Mayor Pro Tempore Richey in approval thereof.

UNIFORM SALES TAX ORDINANCE NO. 551, ENTITLED "AN ORDINANCE OF THE CITY OF LODI IMPOSING A CITY SALES AND USE TAX; PROVIDING FOR THE PERFORMANCE BY THE STATE BOARD OF EQUALIZATION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION AND COLLECTION OF THE SALES AND USE TAX HEREBY IMPOSED; SUSPENDING THE PROVISIONS OF ORDINANCE NO. 373, AND ALL AMENDMENTS THERETO, DURING SUCH TIME AS THIS ORDINANCE IS OPERATIVE; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF", having been introduced in regular meeting of March 7, 1956, was brought up for passage on the motion of Councilman Mitchell, Hughes second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Hughes, Mitchell and Richey  
 NOES: Councilmen - None  
 ABSENT: Councilmen - Fuller and Robinson

Ordinance No. 551 was then signed by Mayor Pro Tempore Richey in approval thereof.

- AEC LICENSE The City Manager read the application for transfer of an On Sale General Alcoholic Beverage License by Henry Coldani, Jr. and Joseph Giraudo at the Del Monte Club at 121-23 North Cherokee Lane.
- AEC LICENSE POLICY Councilman Hughes then moved that all future notices of application to establish or transfer Alcoholic Beverage Licenses received be read to the City Council, but that no action be taken unless a member of the Council wishes to propose a protest to the grant, and the application then be checked with the chief of Police and filed by the City Manager. The motion was seconded by Councilman Mitchell and passed by unanimous vote.
- FLOOD CONTROL LEGISLATION Mr. Weller reported that AB 59, establishing machinery for a County-wide flood control district in San Joaquin County was before the Legislature. He stated that he had wired Senator Short and Assemblyman McFall supporting the bill in principle.
- COURT HOUSE It was reported that at a meeting of the Cities and County of San Joaquin Association held March 9, 1956, the Association adopted a resolution recommending the construction of a new Court House on the Weber Point site in Stockton.
- POLICY STATEMENT RE: DECISIONS OF C. & C. OF S.J. ASSO. Councilman Mitchell then moved that it be the policy of the City Council of the City of Lodi that statements or decisions reached at a meeting of the Cities and County of San Joaquin Association would all be subject to review at a subsequent meeting of the City Council, and that any statement or decision be made on the basis of majority view of those members present at the meeting of the Association. The motion was seconded by Councilman Hughes and passed by majority vote.
- It was then agreed that the April 4, 1956, meeting of the City Council should be adjourned to April 17, 1956 in order to comply with the statutory provisions for canvassing the votes in the General Municipal Election to be held April 10, 1956.
- The meeting was adjourned at 9:25 on the motion of Councilman Hughes.

ATTEST: HENRY A. GLAVES, JR.  
City Clerk