

CITY COUNCIL - CITY OF LODI
 COUNCIL CHAMBERS, CITY HALL
 SEPTEMBER 17, 1952

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. on Wednesday, September 17, 1952; Councilmen Preszler, Richey, Rinn, Robinson and Haskell (Mayor) present; none absent.

The minutes of the previous meeting, September 3, 1952, were approved as written and mailed.

RES. NO. 1699
 APPOINTING
 CITY ATTORNEY

As the first order of business Mayor Haskell explained that the members of the City Council had given due consideration to the appointment of a city attorney to fill the vacancy created by the resignation of Glenn West. He stated that each member of the Council had been individually polled and that Robert H. Mullen had been the choice. On the motion of Councilman Robinson, Resolution No. 1699 appointing Mr. Mullen to the position of City Attorney was adopted by a unanimous vote.

CITY ATTORNEY
 SALARY FIXED

Councilman Rinn then moved that the salary for the City Attorney be fixed at \$200.00 a month and that such salary be subject to modification upwards or downwards from time to time at the pleasure of the City Council. The motion was adopted. After taking the oath of office Mr. Mullen thanked the Council for the confidence placed in him and stated that he would endeavor to maintain the office on the high plane achieved by his predecessor, Glenn West.

PUBLIC HEARINGS

REVISED
 ZONING
 ORDINANCE
 SUBMITTED

Mr. Howard Bissell, consultant to the Lodi City Planning Commission, addressed the Council on the subject of the proposed zoning ordinance which is intended to supersede Ordinance No. 238. Mr. Bissell discussed the proposed ordinance and answered the questions of the members of the Council. On the motion of Councilman Rinn, Robinson second, a public hearing on the proposed ordinance was set for November 5, 1952.

NORTH S.J.C.
 CONSERVATION
 DISTRICT
 REPORT

Mr. Reuben Rott, Walter Hogan and Lewis Hieb, directors of the North San Joaquin Conservation District, appeared before the Council. Acting as spokesman, Mr. Rott reported the progress of the Conservation District and explained the plan for diverting the flow of the Mokelumne River which has been submitted to the State Engineers Department and for which a hearing has been set. Mr. Rott explained that it was the feeling of the directors of the District that a report should be made to the City Council. He stated further that Mr. Russell Simpson had been retained as consultant to aid in the presentation of the case at the hearing.

COMMUNICATIONS

REQUEST
 FOR
 WATER
 SERVICE

A letter from Mr. Edgar Pietzke requesting municipal water service to his property which lies outside of the limits of the City. His request was for water for domestic use only. The City Manager explained that the neighbors on both sides of Mr. Pietzke had City water at the present time. The City Attorney reminded the Council of the policy regarding extension of City utility services to users outside the City limits. Councilman Rinn recommended that the matter be checked to determine the circumstances under which water service was extended to the neighbors of Mr. Pietzke. It was agreed that the matter be tabled until such infor-

CVD,LCC
MEETING

An announcement of a meeting of the Central Valley Division of the League of California Cities at the Tracy Inn in Tracy was read. Councilmen Robinson and Rinn indicated that they would probably attend.

SAN DIEGO
INVITATION

The City Manager read an invitation from the Mayor of San Diego to the League of California Cities Annual Conference in San Diego beginning October 12, 1952.

AMA
CONVENTION
IN L.A.

A letter from Terrell C. Drinkwater, President of the Los Angeles Chamber of Commerce, inviting the City officials to the annual convention of the American Municipal Association to be held December 1,2,3, 1952, in Los Angeles.

LETTER FROM
MRS. W. H.
THOMPSON

A letter from Mrs. W. H. Thompson expressing appreciation to the City Council for making possible the dedication of the W. H. Thompson Romm at the Lodi Library.

REQUEST FOR
EASEMENT
ENCROACHMENT

The City Manager submitted a request from Mr. Walter Schmidt of 525 E. Walnut Street for permission to encroach upon the easements on the north and east side of his lot on the northeast corner of Hutchins Street and Kettleman Lane. There is a 10 foot easement on the north end of the lot and a 12 foot easement on the east end. Mr. Schmidt wishes to build a super market as close to the northeast corner of the lot as possible in order to allow for off-street parking in front of the building. The City Engineer states that there are no utilities in the north easement and none are planned. Therefore he recommends that the building be permitted 4 feet from the property line conforming with the zoning requirements. He further recommended that Mr. Schmidt be allowed to build no closer than 5 feet to the east easement. On the motion of Councilman Robinson, the recommendations of the City Engineer were adopted.

REPORTS OF THE CITY MANAGER

CITIZENS
TRAFFIC
COMMITTEE
REPORT

A report from the sub-committee of the Citizen's Traffic Safety Study Committee relating to a study of and report on restricted time zones in the downtown area were read to the members of the Council. Mayor Haskell asked that copies of the report be prepared for distribution to each councilman and other interested individuals.

HALL OF
JUSTICE

The City Manager reported that the committee appointed at the meeting of September 3 for the purpose of making the necessary modifications to the architects' contract for the proposed Hall of Justice had met and completed its work. Further, the modifications had been presented to the architects and that a contract, in final form, had been submitted for the City's consideration.

FIRE HOSE
AWARDED
RES. NO.1698

In the matter of the bids for fire hose deferred from the September 3 meeting, the City Manager reported that he had investigated the matter and was satisfied that the bid from the American Rubber Company was a fair bid and he recommended that the contract for 2800 feet of "Cracker-jack" brand hose be awarded to said company. On the motion of Councilman Rinn, the Council adopted Resolution No. 1698 awarding contract to the American Rubber Company.

STATE CONFIRMS
OFFER FOR
LAKE PARK

The City Manager reported that the Recreation Director had sent a letter to E. B. Powell of the State Department of Parks and Beaches in accordance with the Council's directions. A reply was received confirming the offer as understood by the Council. Councilman Rinn moved, Preszler second, that a letter be written to the State Department of Parks and Beaches expressing the sincere interest of the City in the State's offer to acquire Lodi Lake Park, requesting the State to make an appraisal of the present facilities, making known to the City the amount of the appraisal and the amount of land to be acquired on a matching basis, and requesting the State to inform the Council as to the amount of time it will have to reach its decision. The motion passed unanimously.

CONTRACTS
WITH WINERY
TO BE
REVIEWED-

~~Councilman Robinson suggested that the Council might revise the contracts which the City holds with Italian-Swiss Colony regarding the furnishing of municipal utility services. Councilman Rinn spoke in agreement, adding that the Council should review the arrangements with the Winery in order to determine the position of the City at the present time. It was agreed that this step should be taken.~~

AUDIT
SPECIFICATIONS

The City Manager recommended specifications for an audit of the City's accounts. The specifications were adopted on the motion of Councilman Richey, Preszler second.

CARRY-ALL
SPECIFICATIONS

Specifications for a carry-all vehicle to be used by the Engineering Department's survey crew were submitted. On the motion of Councilman Rinn, Richey second, the specifications were approved as submitted.

POLICE CHIEF
APPOINTED

The City Manager announced the appointment of Frederick R. Hunt as the Chief of Police following his unanimous selection by a three man oral board. The City Manager stated that Mr. Hunt was also the choice of the Mayor and himself while they witnessed the interviews of applicants.

CITY MANAGER
TO ATTEND
I.C.M.A.
CONVENTION

The City Manager reminded the members of the Council that he would be absent from the City while attending the convention of the International City Managers Association during the week of September 26 - October 3. Mr. Weller recommended that the City Engineer be designated the Acting City Manager during this absence. This recommendation was approved on the motion of Councilman Rinn, Richey second.

POLICE
TRAINING

Councilman Robinson stated that it was his understanding that the new Chief of Police would conduct a training program for Lodi police officers in order to provide the necessary trained administrative personnel. Mayor Haskell replied that that was the general understanding of the Council and that he felt that the City Manager would respect the wishes of the Council in this matter.

CLAIMS

Claims in the amount of \$36,754.27 were approved on the motion of Councilman Preszler, Robinson second.

ASBESTOS PIPE
SPECIFICATIONS

Specifications for the purchase of asbestos treated concrete pipe were submitted. The specifications were approved and adopted on the motion of Councilman Rinn, Richey second.

CITY PLANNING COMMISSION

RES. NO.1700
CHANGES
NAME OF
SEATON AVE.

A recommendation from the City Planning Commission that the name of Seaton Avenue be changed to South Main Street was approved by adoption of Resolution No. 1700 on the motion of Councilman Richey, Rinn second.

APPROVE USE
PERMIT FOR
FERTILIZER
PLANT

The City Planning Commission recommended approval of a request on the part of Lodi Agriculture Suppliers, Inc., for a use permit to erect and operate a plant for the manufacture by dry process of plant foods. The plant is to be located on the west portion of Lot 68 of the Lodi Barnhart Tract. The use permit was granted on the motion of Councilman Robinson, second Preszler.

ORD. NO.466
INTRODUCED
INT. TO
VACATE FALLS
AVENUE

On the motion of Councilman Richey Ordinance No. 466, "Declaring the Intention of the City Council of the City of Lodi to Vacate that Portion of Falls Avenue Lying between Grant Avenue and Roper Avenue" was introduced after receiving the approval of the City planning Commission. Public hearing was set for November 5, 1952.

ANNEXATION
PETITION

The Planning Commission returned the petition for annexation submitted by T. J. Hallinan with the recommendation that Lots 6, 7 and 18, Map of Lawrence Homestead Addition, be included. It also recommended inclusion of all of Highway 99. The City Attorney stated that he did not believe the above lots belonging to Italian Swiss Colony Winery could be included in the annexation in the face of the protest from the Winery. He stated that the total assessed value of the Winery property would exceed 50% of the total assessed value of all the territory to be annexed. Two suggestions were offered. The first provided that the Hallinan petition be accepted when its boundary description received approval and that a separate petition be initiated for annexation of the Winery property. The second suggestion provided that the Council consider the petition submitted by Mr. Hallinan and at the same time consider annexation as recommended by the Planning Commission. In this case if the Winery protested, thus nullifying one petition, the Council could then consider the annexation of the Hallinan property alone. The legal aspects of the two proposals were discussed at length. After ascertaining that the City Clerk would take the necessary steps to secure an approved boundary description for the Hallinan petition, Councilman Rinn moved that the City Manager and the City Attorney take the necessary steps to include the Winery or provide proper petition for annexation of the Winery property. On the second of Councilman Robinson, the motion passed unanimously.

WINERY
INCLUSION
DISCUSSED

CONTRACTS
WITH WINERY
TO BE
REVIEWED

Councilman Robinson suggested that the Council might revise the contracts which the City holds with Italian Swiss Colony regarding the furnishing of municipal utility services. Councilman Rinn spoke in agreement, adding that the Council should review the arrangements with the Winery in order to determine the position of the City at the present time. It was agreed that this step should be taken.

CLEAR
SALEM SCHOOL
GROUNDS

Mayor Haskell inquired if it were possible to remove the concrete pipe which the City has stored on the old Salem School grounds. He stated that its presence presented an unsightly condition. Mr. Weller stated that he would look into the matter and see what could be done.

HUTCHINS ST.
WIDENING

The City Manager reported that the City Engineer has reported to him regarding the future widening of South Hutchins Street. The City Engineer has arranged with two of the property owners south of Vine Street for a grant of the necessary 10 feet of right-of-way provided the City will construct curb, gutter and sidewalk along the west line of their property at City expense. Presumably this same type of arrangement can be worked out with a third property owner on the corner of Vine and Hutchins Streets. The City Engineer estimated the costs of constructing the 220 feet of curb, gutter and sidewalk would be approximately \$650. Tree removal would be about \$175 and street surfacing would run about \$200. Councilman Preszler moved, Robinson second, that the City Engineer be authorized to proceed with the negotiations under the stated conditions. The motion passed.

RES. NO.1696
AUTHORIZING
CANVASS OF
VOTES

On the motion of Councilman Robinson, Preszler second, the Council adopted Resolution No. 1696, authorizing the Board of Supervisors of San Joaquin County or the County Clerk to canvass the vote cast in the special election of the City to be consolidated with the General Election on November 4, 1952. Said resolution also authorized reimbursement for the expenses incurred by the County in connection with the election.

RES. NO.1697
FIXING
TAX RATE

Resolution No. 1697, fixing the tax rate to provide revenue for the fiscal year 1952-53, was adopted on the motion of Councilman Richey, Rinn second. The tax rate fixed provides for \$1.00 per hundred assessed value with \$.82 going to the General Fund and \$.18 going to the Library Fund.

On the motion of Councilman Rinn the meeting was adjourned at 11:30 o'clock p.m.

ATTEST

Henry A. Glaves, Jr.
HENRY A. GLAVES, JR.
City Clerk