

CITY COUNCIL CITY OF LODI
 COUNCIL CHAMBERS, CITY HALL
 DECEMBER 3, 1952

This regular meeting of the City Council of the City of Lodi held at 8:10 o'clock p.m. of Wednesday, December 3, 1952. Councilmen Richey, Rinn, Robinson and Haskell (Mayor) present; absent, Preszler.

Minutes of the previous meetings of November 19, 1952, and November 21, 1952, were approved as written and mailed.

COMMUNICATIONS

RESULTS OF ELECTION ON FLUORIDATION	<p>A certification from R. E. Graham, County Clerk, certifying the results of the vote on the fluoridation measure appearing on the official ballot for the City of Lodi at the Consolidated City and General Election held on November 4, 1952. The results were certified to be as follows:</p> <p style="margin-left: 40px;">Fluoridation Equipment (Yes) 1545 Fluoridation Equipment (No) 5081</p> <p>In this connection Mr. Weller reported that on November 13, 1952, he received a reply to his letter of November 5 cancelling the order on the fluoridation equipment. Wallace and Tiernan stated in their letter that in view of the fact that no equipment was actually shipped to the job, no charge against the City would be made.</p>
EQUIPMENT ORDER CANCELLED	<p>Letter from James H. Oakley, Executive Secretary to the Governor of California, calling the City's attention to the special citation to be awarded by Governor Warren to the city which polled the highest percentage of its registered vote. The letter invites the City of Lodi to submit its vote for consideration. Mr. Weller stated that he is presently gathering the necessary information and will enter the name of the City of Lodi in the competition.</p>
GOVERNOR WARREN CITATION	<p>Letter from Mr. B. A. Scheppler of South Fairmont Avenue just north of the Memorial Hospital, which property is outside the City limits, requesting the privilege of connection to the water and sanitary sewer lines which lie near his property. Mr. Scheppler stated that he was not adverse to coming into the City when his neighbors are annexed. Councilman Richey moved that the request be denied and that the applicant be informed that the extension of City operated utilities outside the City is in opposition to the standing policy of the City Council.</p>
REQUEST FOR UTILITY EXTENSION DENIED	<p>Request from Carleton Yoder for a partial payment of \$1500.00 on his contract with the City for the design of new sewage disposal facilities. He also requested that the monthly payments of \$100.00 be discontinued. Mr. Weller introduced a memorandum from the City Engineer stating that the plans were approximately 90% complete and that the City had already paid Mr. Yoder \$1700.00 in monthly payments on a total fee of approximately \$7500.00. Councilman Robinson moved that a warrant for \$1500.00 be drawn in favor of Mr. Yoder as a partial payment on his contract and that the monthly payments be discontinued. The motion was seconded by Councilman Richey and carried.</p>
PARTIAL PAYMENT ON YODER CONTRACT	

PUBLIC HEARINGS

RELOCATION
OF
DAY CARE
CENTER

Mrs. Ruth Snyder addressed the Council as spokesman for those present who were interested in the Day Care Center. Mrs. Snyder explained that the Day Care Center presently located on the "Old Salem School" grounds was being evicted by the owners of the property at an early date. She asked if the City Council would come to the aid of the Center by providing any of the following items:

- (1) A new site for the Center on City-owned property, if such is available.
- (2) Aid in the movement of the Center building or contribute funds for the movement--cost of moving would be an estimated \$1800.00 installed on concrete slab or \$2600.00 for installation on a concrete foundation.
- (3) Connection to utilities.
- (4) Replacement of equipment.

MAPLE SQUARE
SITE OFFERED

Mrs. Snyder made it clear that these were the immediate needs of the Day Care Center and that they were only appealing to the City Council for what aid it could offer. After an exchange of questions and answers between the members of the Council and Mrs. Snyder and Mrs. Berg of the Day Care Center relative to the functions of the center, the qualifications for attendance and financing of its activities, Mayor Haskell questioned Mr. Leroy Nichols, Superintendent of Schools, relative to the school's contribution to the operation of the Center. Mr. Nichols explained that the school functions as a go-between between the Center and the State. That is, the school furnishes certain clerical and administrative functions to the Day Care Center, but it cannot appropriate funds for the operation of the Center. Councilman Rinn asked Mrs. Berg what proportion of the children came from residents of the City of Lodi and what proportion came from outside of the City. Mrs. Berg's reply was that approximately 4 of the 23 children resided outside the City of Lodi. City Attorney Mullen raised a question regarding the State Fire Marshal's position relative to the present building of the Center. The rather vague answer of the respondent implied that there was no significant objection on the part of the State Fire Marshal. Mayor Haskell then explained that the City had three sites for the Day Care Center. These include the Maple Square Park, a lot south of the Armory and Hale Park. Mrs. Snyder replied that the Maple Square site would be preferable. It was then agreed that with the approval of the Fire Chief the Day Care Center could be relocated on the Maple Square site. At this point City Attorney Mullen explained that before any money could be appropriated by the Council, it must first determine that the purpose for which the funds are to be appropriated is for the public welfare and are necessary as such. He explained that this was necessary in order to comply with the State prohibition against spending public funds for private purposes. Mayor Haskell questioned Mrs. Snyder about what provisions they were willing to take in order to remove the trees necessary for placing the building on the Maple Square grounds. Mrs. Snyder replied that the building would fit without removing any trees. Mayor Haskell then suggested

that the Council offer the services of the City in connecting the utilities for the Center after it is relocated. Beyond this he did not feel the City should go. The Council agreed that this would be the position of the City in the matter.

FALLS AVE.
ADOPTION OF
ORD. 470
POSTPONED

When Mayor Haskell called for the matter of the abandonment of Falls Avenue to be brought up, City Manager Weller recommended that the adoption of Ordinance 470, approving such abandonment, be postponed. Mr. Weller explained that he and the City Attorney had had only a brief meeting with the Schneider Bros. and had been unable to reach any definite agreement with them regarding the disposition of the street once it is abandoned. He explained further that his recommendation was a safeguard to the property owners interested in the continued use of the street as a private thoroughfare. The matter was then postponed until a satisfactory agreement could be worked out.

REPORTS OF THE CITY MANAGER

TAXI CAB
STAND
DECISION
DEFERRED

The hearing for a transfer of cab stand for the City Cab Company, set over from the November 5, 1952, meeting, was again deferred until such time as a decision can be made on the improvement of the S. P. Company property. Mr. Weller stated that he had contacted the appropriate officials of the Southern Pacific Company and that they were presently studying the City's proposal.

FUNDS FOR
NEW TIMER
AT STADIUM

A recommendation from the Recreation Commission that the City expend \$800 toward the purchase of a new electric timer for the Stadium was approved on the motion of Councilman Robinson, Richey second. The cost of the timer is to be \$1500 and the \$700 balance will be paid by the High School.

RECREATION
COMMISSION
TERMS EXPIRE

The Recreation Commission called the attention of the Council to the fact that the terms of Mr. Ray Van Buskirk and Mrs. Stella Higginbotham will expire on December 31, 1952. The Council indicated that the appointments to fill these vacancies will be made at a later date.

JOB CLASSIFI-
CATION
APPROVED FOR
CONSTRUCTION
ENGINEER

The City Manager proposed the creation of a new position in the Engineer's Department due to a number of changes in the department and the resulting shift in responsibilities. The job he proposed would be that of Construction Engineer and he recommended that the salary range be that of 14-A (\$341-415). On the motion of Councilman Rinn, Richey second, the job classification for Construction Engineer was approved as recommended.

JOB
CLASSIFICATION
RECREATION
AND PARKS
SUPERVISOR

Mr. Weller then recommended a job classification for a Recreation and Parks Supervisor to work under the Superintendent of Recreation and Parks. He explained that the creation of this job serves primarily to formalize a position already held by an individual. The job classification of Recreation and Parks Supervisor was approved on the motion of Councilman Robinson, Rinn second.

CLAIMS

Claims in the amount of \$86,076.76 were approved and ordered paid on the motion of Councilman Richey, Rinn second.

SEWER
SPECIFICATIONS

Specifications for sewers in Kettleman Lane and School Street were presented and adopted on the motion of Councilman Robinson, Rinn second.

GASOLINE
SPECIFICATIONS

Specifications for gasoline for the calendar year beginning January 1, 1953, were read and approved on the motion of Councilman Rinn, Richey second.

AUTO
LIABILITY
INSURANCE
AWARD

Tabulation of the informal bids for the automobile liability insurance for the period December 31, 1952 to December 31, 1953, has been completed and the City Manager recommended that the award of the contract be made to the Ohio Casualty Insurance Company on their bid of \$2,129.52. Mr. Weller stated that his bid was approximately 100% higher than last year. On the motion of Councilman Rinn, Robinson second, the Council voted to award the contract to the Ohio Casualty Insurance Company.

PUBLIC
LIABILITY
INSURANCE BID
REJECTED

The City Manager reported that only one bid had been received for the public liability insurance. This bid was quoted on a \$5,000 deductible basis at \$5,750 annually. Mr. Weller recommended that the bid be rejected and that he be authorized to negotiate on the open market for this insurance. This recommendation was approved on the motion of Councilman Rinn, Richey second.

RES. NO. 1713
AND 1714
ADOPTED

CORRECTING
SIDEWALK
ASSESSMENTS
ON TAX ROLLS

City Clerk Graves explained that two mistakes in the list of special assessments for sidewalk improvement transferred to the tax rolls by Ordinance No. 462 on June 25, 1952, had come to his attention. A resolution of the Council to the County Board of Supervisors requesting the correction would be necessary. Resolution No. 1714 requesting that the County Tax Collector be authorized to substitute Lot 19, Crosby Park, for Lot 14, Forrest Park, and the names of John A. and Ada Howard for Charles J. and Avis O. Reed on the County tax rolls was adopted on the motion of Councilman Robinson, Rinn second. Resolution No. 1713, requesting that the Tax Collector be authorized to substitute Lots 3 and 4, City of Lodi, for Lot 12 in Block 2, Forrests Addition and the name of John Piazza for Jennie Piazza on the County tax rolls was adopted on the motion of Councilman Robinson, second by Rinn.

REQUEST TO
DELETE SIDE-
WALK ASSESS-
MENT FROM
TAX ROLL
REJECTED

Mr. Weller then stated that the City had a request from a party whose assessment for sidewalk construction had been transferred to the County tax rolls by Ordinance No. 462 to have the assessment deleted from the tax rolls and substitute therefor an agreement with the City whereby the assessment could be paid in monthly installments. Mr. Weller explained that the party preferred to make the monthly payments rather than pay the sum in two installments with the annual taxes. In reply to a question by Councilman Robinson, Mr. Dreyfuss, Finance Director, stated that the party was willing to pay \$20.00 monthly until the sum of \$299.18 was paid. Mr. Weller read an excerpt from a letter, which was mailed to all persons with unpaid assessments, explaining that such persons would be given time to make suitable arrangements with the City for payments of the bill. The letter stated that at the conclusion of the stated time those assessments which still remained unpaid, or for which no arrangements had been made, would be transferred to the tax rolls. Mr. Weller stated that the party in question had failed to avail himself of the opportunity when it was presented. On the motion of Councilman Rinn, Richey second, the request was rejected.

CITY PLANNING COMMISSION

BISSELL
CONTRACT
TERMINATED

Notification from the Planning Commission that the services of Mr. Howard Bissell, employed to revise the City's zoning ordinance, had been terminated on November 30, 1952, at the completion of his work. The Planning Commission stated that it had found Mr. Bissell's advice of immeasurable value and that he had promised to remain available in the event difficulty was experienced in administering the ordinance.

SET-BACK LINE
ON KETTLEMAN
LANE EXTENDED
ORD. NO. 472
INTRODUCED

A recommendation from the City Planning Commission that the ordinance establishing a building set-back line on the north side of Kettleman Lane be amended so as to extend this provision to properties annexed to the City west of Hutchins Street. The existing ordinance requires that all buildings build on the north side of Kettleman Lane from Cherokee Lane to Hutchins Street be set-back 55 feet from the section line which is the center line of Kettleman Lane. Ordinance 472, amending Ordinance No. 322 to extend the set-back line along the north side of Kettleman Lane to those properties annexed to the City west of Hutchins Street, was introduced on the motion of Councilman Rinn, Robinson second.

TENTATIVE
MAP OF
LAWRENCE
RANCH
SUBDIVISION

A notification to the effect that the Planning Commission had approved the tentative map of the Lawrence Ranch Subdivision and accepted the street names except for that part of Calaveras Street which runs north and south. The Commission recommended that this portion of the street be named Central Avenue as it nearly aligns with that street in the Brier and Peeney Addition. The Commission also recommended that there be a distinct understanding that the parcels designated "A", "B" and "C" will be conveyed to the City on demand of the City Council, and that the obligation to improve these parcels by the subdivider not to be impaired by approval of the map unless the City Council determines to the contrary in such instance or instances where such improvement is of distinct benefit to the City and of little or no consequence to the subdivider. Councilman Richey took exception to the recommendation as it pertains to Calaveras Street. It was determined that the City Council was not necessarily bound by the recommendation of the Planning Commission. It was then agreed that the subdivider should be informed that the City Council favored the following changes to the map before submitted as a final map: (a) Parcel "A" to be dedicated as a street; (b) Each of parcels "B" and "C" be dedicated as a "public way". The Council decided to leave Calaveras Street as it appears on the tentative map.

see minutes 2/2/53

ORD. NO. 471
ADOPTED
APPROVE
LAWRENCE
RANCH SUB.

ORDINANCE NO. 471, "APPROVING THE ANNEXATION OF LAWRENCE RANCH ADDITION TO THE CITY OF LODI AND DECLARING THAT THE SAME IS ANNEXED TO AND MADE PART OF THE CITY OF LODI", having been regularly introduced on November 21, 1952, was brought up for passage on motion of Councilman Rinn, Richey second, second reading omitted after reading by title by unanimous consent and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Richey, Rinn, Robinson and Haskell
NOES: Councilmen, None
ABSENT: Councilmen, Preszler
Mayor Haskell then signed Ordinance No. 471 in approval thereof.

CONSOLATION
TO COUNCIL-
MAN PRESZLER

On the motion of Councilman Robinson the Council adopted a resolution expressing consolation to Councilman Preszler on the demise of his wife.

HALL OF
JUSTICE
PLANS
SUBMITTED

The Council then considered the plans for the proposed Hall of Justice submitted by the architects. Councilman Robinson questioned the estimated costs of \$214,848.00 as submitted by the architects. Mr. Robinson stated that it was his understanding that the costs of the structure were not to exceed \$175,000. Mayor Haskell said he did not recall that the architect was limited to any such amount, but that the figure of \$175,000 had been mentioned because the Capital Outlay Fund contained \$185,000 which was available. Mr. Weller stated that he had discussed the plans with Mr. Trudell and that he had been assured that the City could not include everything it requires in the building for \$175,000. Further action was deferred until the members of the Council had the opportunity to give the matter further study.

Adjournment was had at 11:10 o'clock p.m.

ATTEST:


Henry A. Glaves, Jr.
City Clerk