

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI
DECEMBER 6, 1950

Regular meeting of the City Council of the City of Lodi held Wednesday, December 6, 1950 beginning at 8:10 P.M.

Councilmen Bull, Haskell, Preszler, Tolliver present, Councilman Rinn absent.

Minutes of the previous meeting held November 15, 1950 approved as written, copies having been mailed each Councilman prior to this meeting.

J.N. BLAIR
CONTRACT
PENALTIES

Mr Maurice R. Archer, Consulting Engineer employed by the City on air conditioning the City Hall being present, the Council discussed the equity of imposing the contract penalties for failure of contractor J. N. Blair Company to complete the work within the extended time granted by the City Council. Mr Archer stated that he did not believe that the contractor was negligent or dilatory, saying that he had checked the contractor's statements on specific items and believed that his claims were valid for all but about four days and that these days could perhaps be found excuseable on careful checking of deliveries. There being some doubt as to whether the provision for penalties would come under the exception stated in Section 1671 of the Civil Code it was moved by Councilman Haskell, Preszler second, that the City take no action to recover these penalties. Councilman Bull voted against adoption of the motion on the ground that Blair Company should be assessed penalties for the four or five unexplained days. Motion carried.

REPORT OF THE CITY MANAGER -

SPECIFICATIONS
FOR POSITION
ASSISTANT
FIRE CHIEF
ADOPTED.

Mr Weller presented and explained specifications prepared for the classification of " Assistant Fire Chief " and his reasons for supplanting the classification of Fire Marshal with this position. It appearing that an eligibility list had recently been established by examination for " Fire Marshal ", Councilman Bull objected to examining applicants for Fire Marshal and making the appointment to the position of Assistant Fire Chief. Mr Weller explained that his proposed specifications would abolish the Fire Marshal's position with little difference in the prescribed duties. Discussion was continued for some time, principally on the desirability of giving local applicants preference over outside applicants, the amount of salary increase contemplated and the qualifications for the position. Mayor Tolliver called for positive action; when Councilman Bull moved, Preszler second, that the Council accept the specifications and salary range for Assistant Fire Chief BUT that no appointment be made from the eligible list established for Fire Marshal. ~~also, that after six months from the date of appointment of an eligible for Fire Marshal from a new list, an examination be held for the classification of Assistant Fire Chief~~ Further, that an examination be held, open to all applicants, for the position of Assistant Fire Chief. Motion carried, Councilman Haskell voting No.

AWARD 1951
GASOLINE
CONTRACT.
RES 1580

City Manager Weller read a tabulation of bids received by the Purchasing Clerk for the City's requirements for gasoline for the ensuing calendar year, recommending that the proposal of Petroleum Products Company, .178 for standard and .189 for ethyl, base, be accepted as the lowest of eight bids received. Recommendation approved and award made by adoption of Resolution of Award No. 1580, introduced by Councilman Haskell, Preszler second.

SIDEWALKS
IN SUBDIVISIONS.
SUBDIVISION
ORDINANCE
REQUESTED

Communications read were from Lodi Coordinating Council suggesting that sidewalks be required in all future subdivisions and from Garfield-Lincoln Parent Teachers Association, requesting that sidewalks be required in the area near the new George Washington School on Lockeford Street. Mr Weller suggested that sidewalk requirements be considered in drafting a " subdivision ordinance " together with other matters of policy regarding new subdivisions formulated from time to time by the City Council. Mayor Tolliver said that Lodi Realty Board favored a subdivision ordinance. The City Manager and the City Clerk were directed to accumulate data necessary for drafting such an ordinance.

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- EXTENSION
KETTLEMAN-
LEE STORM
SEWER** City Engineer A. C. Heckenlaible in a memorandum to the City Manager suggested that the Kettleman-Lee storm sewer now under construction be increased to full capacity by building about 775 feet of 48 inch pipe as a substitute for the existing 30 inch pipe laid some years ago at the west end of the project; stating that procurement of this large size reinforced pipe would be a serious problem if deferred for another year. He estimated the additional cost to be \$12,600.00 of which \$11,160.00 would be for pipe in place, \$800.00 for outlet structure and \$640.00 for contingencies. Spiekeman, contractor on pipe will furnish additional pipe at present price of \$8.75 per foot, hauling would be 65¢ per foot and laying, under the existing contract with Stockton Construction Company at \$5.00 per foot. It appearing that replacement of this small diameter pipe is necessary and expedient at this time, Councilman Bull moved amendment of present contract with Ed Spiekeman Concrete Pipe Company for pipe and Stockton Construction Company for laying and backfilling. Motion carried unanimously.
- STORM PUMP
LINCOLN
AVENUE
SEWER** The City Council, without formal action, stated that it would approve expenditures for a pump, preferably on the Lincoln Avenue Storm Sewer, for increasing discharge capacity when the level of the Mokelumne River is such as to prevent free discharge of storm waters into it. This pump is to be installed only in case of emergency. An alternate location would be in Lodi Avenue to increase flow westward in the Sargent Road Sewer to the Woodbridge canal.
- POLICE REPORT
NOVEMBER** The November report of the Chief of Police was read and copies furnished Councilmen who so desired.
- WILSON LIQUOR
LICENSE** Transfer of an on-sale liquor license to Juanita and Wayne Wilson, 25 North Sacramento Street met with no objection
- PERMITS OF
SOUTHERN
BAPTIST
CHURCH AND
OF DAN MAYER** On receipt of reports from the City Planning Commission, recommending granting of the following exceptions from the strict application of provisions of the City zoning ordinance, a use permit, restricted to the present structure to be occupied as a church, was granted First Southern Baptist Church at No. 735 East Pine Street, and to Dan Mayer, for a permit to encroach on the side line of the lot at 521 South Central Avenue with the sidewall of a commercial building. Both permits approved on motion of Councilman Bull, Preszler second.
- VARIANCE OF
DR HOOKER
APPROVED** A public hearing on the application of Dr G. W. Hooker for a variance applying to the lot on the southwest corner of Pine Street and Orange Avenue was then held, a similar hearing having been had before the City Planning Commission on November 27th. No objections offered and a variance ordered approved to allow reduction of rear (west) yard from 23 feet to 12 feet, a side yard on Pine Street to be observed of at least ten feet with a twenty-five foot front yard on Orange Avenue. Motion Councilman Bull, Haskell second.
- ITALIAN SWISS
COLONY
EASEMENT
ACCEPTED BY
RES. NO. 1578** A deed of easement over the South 15 feet of Lot 18, Map of Lawrence Homestead Addition was accepted by the adoption of Resolution No. 1578 which resolution also agrees to certain restrictions imposed by the grantor, Italian Swiss Colony. Resolution adopted by the following vote:
AYES: Councilmen Haskell, Preszler, Bull and Tolliver.
NOES: Councilmen, None. ABSENT: Councilman, Rinn.
- STATE CIVIL
DEFENSE
AGREEMENT
APPROVED BY
RES. NO. 1579** The Master Civil Defense and Disaster Relief Mutual Aid Agreement with the State of California, signed by the Governor on November 15th, 1950 was approved and accepted by the adoption of Resolution No. 1579, passed by the following vote:
AYES: Councilmen, Bull, Haskell, Preszler and Tolliver
NOES: Councilmen, None. ABSENT: Councilman Rinn.

COUNCIL CHAMBERS CITY COUNCIL
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ORDINANCE
NO. 435
ADOPTED
ZONING OF
LAKESIDE PK.

ORDINANCE NO. 435 " AMENDING THE ZONE DISTRICT MAP OF THE CITY OF LODI BY ADDING THERETO LAKESIDE PARK ADDITION AND ZONING AND CLASSIFYING THE LOTS THEREIN " having been introduced on November 15, 1945, was brought up for passage on motion of Councilman Preszler, Haskell second, second reading omitted after reading by title, and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Preszler, Haskell, Bull and Tolliver
NOES: Councilmen, None. ABSENT: Councilman, Rinn.

Mayor Tolliver then signed Ordinance No. 435 in approval thereof.

ORDINANCE
NO. 436
UNCLAIMED
PROPERTY
DISPOSAL
INTRODUCED

ORDINANCE NO. 436 " PROVIDING FOR THE CARE, RESTITUTION, SALE AND DESTRUCTION OF UNCLAIMED PROPERTY BY THE POLICE DEPARTMENT OF THE CITY OF LODI " was submitted and read by the City Manager. Councilman Bull, Haskell second, moved its introduction and that it be laid over for not less than five days. Motion carried and ordinance laid over until the next Council meeting. This ordinance is written pursuant to the provisions of Section 1873 of the Civil Code of this State.

USED CAR
DEALERS
BOND
ORDINANCE
NO. 437
INTRODUCED

ORDINANCE NO. 437 " RELATING TO SURETIES REQUIRED BY ORDINANCE NO. 402 ON " USED CAR DEALERS " BOND AND AMENDING SECTION 8 OF SAID ORDINANCE, ALSO REPEALING SECTION 6 OF SAID ORDINANCE " was introduced by Councilman Bull, Preszler second, after considerable discussion as to the requirement for corporate surety in Ordinance No. 402 and as to the City's responsibility in licensing used car dealers. After introduction, this ordinance was ordered laid over for not less than five days as required by statute.

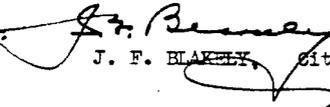
CLAIMS

Claims submitted with the approval of the City Manager for payment in the amount of \$76,734.42 were allowed and ordered paid on motion of Councilman Haskell, Preszler second.

Councilman Haskell asked that the East Auditorium in the City Hall be refurbished. City Manager Weller stated that this was contemplated but that several roof leaks had to be repaired before walls and ceilings could be finished. This repair has been made and other work will follow.

Mayor Tolliver asked that the ordinance relating to registration of purchases by dealers in second hand goods be enforced to protect against sale of stolen goods.

At 11:35 P.M. the Mayor declared the City Council adjourned.

Attest. 
J. F. BLAKELEY, City Clerk.