

CITY COUNCIL MEETING  
 CITY OF LODI, CALIFORNIA  
 WEDNESDAY, DECEMBER 3, 1947

This regular meeting of the City Council of the City of Lodi was called to order by the Mayor at 8:00 o'clock P.M. of Wednesday, December 3, 1947.

Councilmen Haskell, Lytle, Tolliver and Rinn present (4), Councilman Riggs absent, being still reported seriously ill.

The minutes of the last meeting held November 19, 1947 were read, approved as read and so endorsed by the Mayor.

PUBLIC HEARINGS -

VARIANCE OF  
 M. E. PALMER  
 GRANTED

The recommendation of the City Planning Commission that a variance as to rear yard space be granted M. E. Palmer, owner of Lot 1 in "Wares Subdivision" coming on to be heard, proper publication of notice being proven by affidavit, a hearing was had at which no objections, written or oral were offered. It was then moved by Councilman Lytle, Tolliver second, that this variance be granted in accordance with the application.

AIRPORT  
 REPORT

Robert Dolan, lessee of Lodi Airport, appeared and presented his first report of operations at this field, stating that he had collected \$198.50 for miscellaneous fees to November 30, 1947. Mr Dolan again requested a statement of the Council's intentions in regard to continued operation, stating that the lands to be used could be materially reduced from the ninety acre estimate made about a year ago. Mr Dolan was informed that the Council had no knowledge of War Assets Corporation as to disposal of the field and that the agreement for 1947 would have to be continued from month to month until this department reached a decision.

MEETINGS

Notice of hearing before the Legislative Committee on Water Pollution, in Sacramento December 11, 12 and 13th and of a special meeting of California Public Utilities Association in Los Angeles on December 9th and 10th were read.

PETITION  
 CURB & GUTTER  
 CONCORD ST.

A petition for installation of curbs, gutters and sidewalks on the 400 block of Concord Street signed by 14 property owners was read. The Clerk reported one absentee owner had not signed although notified by letter. Petitioners referred to a contractor to arrange for the work, lines and grades to be furnished by the City.

BUSINESS  
 LICENSES  
 AFFECTING  
 CONTRACTORS

W. C. Hoegerman, President of Lodi Contractors, requested permission for a committee from his organization to meet with the Council or with its Business License Committee in order that an equitable license fee might be worked out for the construction industry. The letter stated that there would be a general meeting of the local contractors on December 12th from which should emanate a recommendation as to a scale of fees. Councilman Tolliver stated that neither the Business License Committee or the City Council desired to act arbitrarily nor radically different from the licensing methods used in other California cities. Both Mr Tolliver and Mayor Rinn extended an invitation to the Lodi Contractors to meet with the Council or its representatives during their consideration of a licensing ordinance.

COMPLAINT  
 VS  
 J. SUTTEN  
 841 S. LEE

Six property owners on Lee Avenue north of Vine Street protested by petition against the building being erected at 841 South Lee Avenue by John Suttan, claiming that this additional building together with an existing shack marred an otherwise well built up residence neighborhood. It appearing that the application for the present building was as an accessory one, no action would be possible unless the same was actually used for purposes other than that appearing in the building application and permit. Mr Charles Dahlgren, one of the protestants, was so informed.

REPORTS  
 NOVEMBER

Reports of the Chief of Police, the City Foundmaster and of the City Treasurer for November were read and ordered filed.

Superintendent of Streets Bruner reported on his efforts to have the Department of Public Works approve the purchase of street equipment from gasoline tax moneys, submitting a letter from the office of the District Engineer, Division of Highways which denied use of these moneys for this purpose. The Council directed

COUNCIL BUSINESS

GAS TAX FOR STREET EQUIPMENT

that this matter be brought to the attention of the League of California Cities with a request that the League ascertain if this denial was in accordance with the uses to which gasoline tax moneys could be expended and if so, that the League foster legislation to allow purchase of equipment used solely for street construction, maintenance and repair from these funds

PROPOSED IMPROVEMENT ELM, FINE, SCHOOL & SACRAMENTO STS

A recommendation of Supt. Bruner that gasoline tax moneys be expended on the repair of portions of West Elm Street, Fine Street Sacramento Street and School Street at an estimated cost of \$ 45 750.00 met with Council approval but as this work would entail considerable general fund expense, particularly for the relaying of street lighting conduit, it was referred to Mr Bruner and Mr Killelea for estimates as to the costs of work to be done with moneys other than those acquired from gasoline taxes. A proposal from Mr Bruner for the improvement of Church Street at a cost of \$17 000 was passed for the present, it being the opinion of the Council that abutting benefitted property owners should contribute a share of this cost

CHURCH ST.

Mr Bruner also called the Council's attention to the five foot narrowing of the traveled way on School Street between Walnut and Oak Streets but as the amount of additional space that could be cut from the sidewalk space would not contribute materially to the safety of this block, the Council did not deem the expense of \$2 082.70 for one side of this block justified.

SCHOOL ST WIDENING S OF OAK ST

LAKE PARK CRAS

Mr Bruner, as Superintendent of Streets and Parks was authorized to enter into an agreement with Davey Tree Surgery for thinning and cleaning out dead wood from several trees in Lodi Lake Park on an hourly charge basis, Estimate of the cost to be \$560.00

TENNIS COURT CONSTRUCTION AUTHORIZED

acting City Engineer A. C. Heckenlaible submitted his revised estimates for construction of tennis courts in Hale Park, the cost to be \$7 175.00 plus \$525.00 for running electric service and setting transformer. This estimate was pared down by substituting wood for steel poles and overhead for conduit wiring at a saving of \$400.00. As this matter had been the subject of a previous call for bids for construction under contract and all bids rejected, the City Engineer was instructed to proceed with this work, contracting with the lowest and best bidders submitting informal proposals upon which his statement of cost was predicated. Motion Councilman Haskell, Lytle second.

PURCHASE OF 3/4 T. TRK APPROVED

The proposal of Lowen Auto Company to furnish a 3/4 Ton Chevrolet Truck opened November 19th was accepted and award made to that Company in the amount of \$1 502.47

SEWAGE COMMUNITER

On recommendation of Sanitary Engineer Yoder, the proposal, opened November 19, 1947, of E. C. COOLEY COMPANY to furnish one Chicago Pump Company #15M comminuter. for the sewage disposal plant was accepted at its bid price of \$3 021.19. Motion Councilman Lytle, Tolliver second.

JAY LOVELESS DAMAGE CLAIM

A claim of Jay Loveless for alleged damage to 1947 grape crop purported to have been occasioned by burning garbage at the Mokelumne River Dump Grounds in the amount of \$3 030.29 was referred to City Attorney West for an attempt to negotiate a settlement as the Council deemed this an excessive estimate of the damage incurred.

SPECS. FOR NEW PUMPS ORDERED

At the request of Thos C. Killelea, Superintendent of Utilities, the City Engineer's office was directed to prepare specifications for the purchase of three new water pumps, one for installation at a new pumping site, the other two to replace existing worn equipment. Such specifications to be the base for a call for competitive bids.

REAPPOINTMENT OF DR BOEHMER RES. 1379

Dr Arthur C. Boehmer was reappointed Trustee of San Joaquin Local Health District representing the City of Lodi for a term of two years ending January 2, 1950 by the adoption of Resolution No. 1379 introduced by Councilman Haskell, Lytle second and carried by the following vote:

AYES: Councilmen Haskell, Lytle, Tolliver and Rinn

COUNCIL MEMORANDUM  
DATE: 12/3/47

ORDINANCE  
NO. 357  
MORENZ ADDN.  
ADOPTED.

ORDINANCE NO. 357 - " AN ORDINANCE APPROVING THE ANNEXATION OF MORENZ ADDITION TO THE CITY OF LODI, CALIFORNIA " having been regularly introduced and read at the November 19th meeting was brought up for passage on motion of Councilman Tolliver, Lytle 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 Tolliver, Lytle, Haskell and Rinn  
NOES: Councilmen, None. ABSENT: Councilman Riggs.

Mayor Rinn then signed Ordinance No. 357 in approval thereof.

ORDINANCE  
NO 358  
LAKE ST ADDN.  
ADOPTED

ORDINANCE NO. 358 - " AN ORDINANCE APPROVING THE ANNEXATION OF LAKE STREET ADDITION " TO THE CITY OF LODI, CALIFORNIA " having been regularly introduced and read November 19th, was brought up for passage on motion of Councilman Lytle, Tolliver 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 Lytle, Tolliver, Haskell and Rinn  
NOES: Councilmen, None. ABSENT: Councilman Riggs.

Mayor Rinn then signed Ordinance No. 358 in approval thereof.

ORDINANCE  
NO 360  
TAXI STANDS  
ADOPTED

ORDINANCE NO. 360 - " AN ORDINANCE AMENDING SUBSECTION (g) OF SECTION 3 OF ORDINANCE NO. 268 OF THE CITY OF LODI BY PROVIDING A METHOD OF PROCEDURE FOR OBTAINING PERMISSION TO MAINTAIN A TAXI STAND IN THE PUBLIC STREETS OF SAID CITY " having been regularly introduced and read on November 19th, was brought up for passage on motion of Councilman Haskell, Lytle 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 Haskell, Lytle, Tolliver and Rinn  
NOES: Councilmen, None. ABSENT: Councilman Riggs.

Mayor Rinn then signed Ordinance No 360 in approval thereof.

ORDINANCE  
NO 361  
PURCHASING  
SYSTEM  
ADOPTED

ORDINANCE NO. 361 - " AN ORDINANCE ESTABLISHING A PURCHASING SYSTEM FOR THE CITY OF LODI, CALIFORNIA; PROVIDING RULES AND REGULATIONS FOR MAKING THE NECESSARY PURCHASES FOR THE CITY OF LODI; CREATING THE OFFICE OF CITY PURCHASING AGENT AND DEFINING HIS POWERS AND DUTIES " having been regularly introduced and read November 19, 1947 was brought up for passage on motion of Councilman Tolliver, Lytle 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, Tolliver, Lytle, Haskell and Rinn.  
NOES: Councilmen, None. ABSENT: Councilman, Riggs.

Mayor Rinn then signed Ordinance No. 361 in approval thereof.

3rd.  
AGREEMENT  
FOR THE  
BUY

An agreement with Southern Pacific Company granting the City permission to install a 5/16" steel guy wire across that company's Woodbridge Branch Line about 200 feet east from Ham Lane was approved for execution on motion of Councilman Tolliver, Lytle second and then signed in duplicate by the Mayor.

BUILDING  
SET BACK  
KUNDEBERT  
SUBDIVISION.

An agreement presented by the owners of all the lands comprising " Kundert Subdivision " requesting that the City Council approve the deletion of the set back line for buildings displayed on the official map of this tract was referred to the City Planning Commission for approval and recommendation.

At the request of City Attorney West, Resolution No. 1980 was introduced by Councilman Lytle, Haskell second and adopted without dissenting vote. This resolution directed payment to Security Title Insurance & Guaranty Company of the several amounts of

RES. 1380  
R/W  
ACQUISITION

\$504.00 and \$512.00 payable into escrow pending delivery of right of way deeds from Defendants Mello and Alberti in the actions brought by the City to condemn a right of way for its main line sewer outfall. These moneys to be later recovered from deposit with the Superior Court on dismissal of actions against these land owners.

BUSINESS  
LICENSES

Business license applications presented November 19th and as approved by the Chief of Police were ordered granted, applications filed since that date were referred to the Chief of Police in accordance with ordinance.

PERSONNEL  
SPECIFICATIONS  
APPROVED

Specifications for " Accountant ", " Account Clerk " Purchasing Clerk" and " Parking Meter Service Man " as submitted by Public Administration Service were approved and recommended to the Board of Review, Personnel System, for adoption. The Personnel Clerk was directed to proceed with examinations for these positions.

GARBAGE  
DISPOSAL  
HEARING  
SET

Mr West requested

At this time City Attorney West reported on the progress of the City's efforts to use its lands Southeast of Live Oak for fill and cover garbage disposal, particularly on his efforts to secure the approval of the Attorney General's office advising the State Board of Health to proceed with its hearing on the City's application to so use this land and in which he (West), had been successful. The hearing has been set for December 17, 1947 at 10:00 A.M. and in order to make proper presentation of the City's cause, Mr West requested authority to secure the testimony of the operators of the garbage disposal plants at Turlock and at Fresno and also to secure the services of Mr Thomas H. Means to testify as to the probability of water contamination by reason of the city's use for garbage disposal. On motion of Councilman Haskell, Tolliver second, Mr West was granted authority to secure the necessary testimony and incur such other expense as might be necessary to further this application.

PARKING  
METER  
HOODS

Chief of Police Fore was authorized to secure canvas hoods to be allotted to builders, plumbers, electricians and other crafts doing work in the parking metered district for covering meter heads while actually engaged in work where trucks were needed, such use to be strictly limited to machines actually on the job.

At 11:35 P.M. the Council was resolved into Committee of the Whole and the room cleared returning to open session at 12:17 A.M. of Thursday, December 4, 1947.

It appearing that radical changes were taking place in the administration of the City's fiscal departments pursuant to the survey being conducted by Public Administration Service, the installation of parking meters, an equitable business license ordinance and the initiation of sewer rental charges, which, in addition to the additional increases in population required a re-balance of the functions performed in the offices of the City Clerk and the City Treasurer, it was determined that the additional duties of Collector be added to the latter department so that moneys collected could flow by the most direct line into the City Treasurer. This was accomplished by the adoption of Resolution No. 1331 as introduced by Councilman Lytle, Tolliver second and passed by the following vote:

AYES: Councilmen, Lytle, Tolliver, Haskell and Rinn  
NAYS: Councilmen, None. ABSENT, Councilman, Riggs.

This resolution retains the present salary of the City Treasurer at \$150.00 per month and fixes the salary of Collector at \$300.00 monthly, the Treasurer to serve as Collector at the pleasure of the City Council.

At 12:22 A.M. the City Council adjourned to 8:00 P.M. of Wednesday, December 17, 1947 on motion of Councilman Lytle.

The above minutes approved  
Dec. 17, 1947

*[Signature]* Mayor

*[Signature]* City Clerk.