

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on August 15, 1972 at 7:00 P.M.

PRESENT

Charles G. DeMirjyn, Vice Mayor
 Chresten M. Knudsen, Councilman
 Ellsworth E. Miller, Councilman
 Sam S. Sewall, Councilman
 Ralph P. Merritt, Jr., City Manager
 Edward F. Taylor, City Attorney
 Peggy A. Moseley, City Clerk
 Erwin S. Hein, Redlands Daily Facts
 Chuck Palmer, San Bernardino Sun

ABSENT

Mayor Jack B. Cummings

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Martin G. Zylstra of the Highland Avenue Christian Reformed Church.

The minutes of the regular meeting of August 1, and the special meeting of August 8, 1972 were approved as submitted.

Award
 of
 Certifi-
 cates

Vice Mayor DeMirjyn read a letter from the California Department of Public Health announcing receipt of awards by four employees who have studied and taken examinations to upgrade their ability of service to the City of Redlands. Mr. DeMirjyn then presented Water Treatment Works Operator certificates to David Voss, Grade IV; Michael Huffstutler, Grade III; K. Louis Perkins, Grade IV; and Gary L. Hoover, Grade III, and congratulated these men on their achievements.

Mr. Stanley Lichtenstein, Manager of the J. C. Penney Company, addressed Council in behalf of the Retail Division of the Chamber of Commerce, and expressed appreciation for the Council's work in the redevelopment of downtown Redlands. Mr. Lichtenstein presented a check for \$750 as a moral and cash contribution in support of the Council's continuing efforts toward the redevelopment of downtown Redlands.

The Council expressed appreciation for these funds and for the support and good work of the Chamber.

PUBLIC HEARINGS

Ordinance
No. 1499

Annexation
No. 47

Resolution No. 2963 set the public hearing for Annexation No. 47 for this time and place. Vice Mayor DeMirjyn opened the meeting as a public hearing to consider questions concerning this annexation. No comments being forthcoming, the public hearing was declared closed, and Ordinance No. 1499, an ordinance of the City Council approving Annexation No. 47, was given first reading of the title and laid over under the rules, with second reading set for September 5, 1972.

Ordinance
No. 1498

Annexation
No. 47

Public hearing was also advertised for this time and place on Ordinance No. 1498, an ordinance establishing the zoning for Annexation No. 47. Vice Mayor DeMirjyn again opened the meeting as a public hearing for comments concerning the zoning for Annexation No. 47. No comments being forthcoming, the public hearing was declared closed and Ordinance No. 1498 was adopted, on motion of Councilman Sewall, seconded by Councilman Miller, with waiver of the reading of the ordinance in full, by the following roll call vote:

AYES: Councilmen Miller, Sewall, Vice Mayor DeMirjyn
NOES: None
ABSTAIN: Councilman Knudsen
ABSENT: Mayor Cummings

ORAL PETITIONS FROM THE FLOOR

Bridle
Trail

Mr. Sylvester Burke, of 28 West Hilton Avenue, addressed Council at length concerning requests he had received in the past four months asking that he remove juniper plants from the bridle path in front of his home. Following his discourse, Council discussed the matter briefly with Mr. Burke, explained their responsibility as related to this existing easement, and repeated the request that Mr. Burke remove the junipers.

PLANNING COMMISSION RECOMMENDATIONS

as considered by the City Council at a regular meeting thereof held August 15, 1972 at 3:00 P.M.

Present: Councilmen Knudsen, Miller, Sewall, Vice Mayor DeMirjyn;
City Attorney Taylor
Absent: Mayor Cummings

1. Conditional Use Permit No. 197 - Valley Oak Apartment Co.

That the request of Valley Oak Apartment Company for a conditional use permit in an R-2-2000 zone to permit construction of a 96-unit apartment complex at 451 East Cypress Avenue be denied. On motion of Councilman Miller, seconded by Councilman Knudsen, this recommendation of the Planning Commission was followed by the City Council, with denial of Conditiona Use Permit No. 197.

2. R.P.C. No. 378 - Amendment No. 1110 to Ordinance 1000

That R.P.C. No. 110, a resolution of the Planning Commission for adoption of Amendment No. 110 to Ordinance No. 1000, Section 32.30 - Architectural Review, be approved. This matter was discussed at length, with consideration centering around the advisability of having the duties of architectural review handled by the Planning Commission or with a separate committee. Following consideration, on motion of Councilman Miller, seconded by Councilman Sewall, R.P.C. No. 378 was adopted by the City Council, and Ordinance No. 1501, an ordinance establishing the Architectural Review, was introduced and laid over under the rules with public hearing set for September 5, 1972 at 7:00 P.M., by the following roll call vote:

AYES: Councilmen Knudsen, Miller, Sewall
NOES: Vice Mayor DeMirjyn
ABSENT: Mayor Cummings

PLANNING COMMISSION RECOMMENDATIONS (Continued)3. Conditional Use Permit No. 207 - Pioneer Acres

This request for a Conditional Use Permit to construct a 116-unit planned residential development on 16.6 acres of property located at the northeast corner of Church Street and Pioneer Avenue was tabled at the request of the applicant to the meeting of September 5, 1972, on motion of Councilman Knudsen, seconded by Councilman Sewall.

4. Conditional Use Permit No. 203 - Lincoln Ranches

This matter was also tabled to September 5, 1972 at the request of the developer, on motion of Councilman Knudsen, seconded by Councilman Sewall.

5. Lot Split No. 433 - Dr. James Milliron - Final Approval

All requirements as outlined in Council minutes dated June 6, 1972, having been complied with, it is the recommendation of the Planning Department that final approval be given for Lot Split No. 433. On motion of Councilman Knudsen, seconded by Councilman Miller, the recommendation of the Planning Department was approved by the City Council.

6. Conditional Use Permit No. 182 - L. O. Mowery - Time Extension

That a time extension of one year, from August 17, 1972 to August 17, 1973 be granted for Conditional Use Permit No. 182. On motion of Councilman Miller, seconded by Councilman Knudsen, this recommendation of the Planning Department was adopted by the City Council.

UNFINISHED BUSINESS

Ordinance
No. 1497

Traffic
Commission

On motion of Councilman Sewall, seconded by Councilman Miller, Ordinance No. 1497, an ordinance of the City of Redlands amending the ordinance code as relates to the traffic section and the traffic commission, was adopted with waiver of the reading of the ordinance in full, by the following roll call vote:

AYES: Councilmen Knudsen, Miller, Sewall, Vice Mayor DeMirjyn
NOES: None
ABSENT: Mayor Cummings

NEW BUSINESS

Request
for
Variance

Mr. Ronald Deissler, attorney, and Mr. John P. Strader addressed Council with an appeal from the decision of the Appeals Board which denied a variance to permit approval of air ducts which are not installed in accordance with the Uniform Mechanical Code as required by the city for Tract No. 7069. Both gentlemen described the problem and requested approval as they are presently installed.

Director of Building and Safety Robert Mitchell stated that these represent a fire hazard and presented the following report:

"1. The Building Department has refused to issue an occupancy certificate on 35 homes in Tract 7069 because return air ducts are not installed in accordance with Chapter 10 of the Uniform Mechanical Code. The code requires that the ducts that carry return air to the furnace be constructed of a minimum of 5/8" plywood in any concealed spaces. The ducts in question use the back of a fiberglass tub-shower combination as part of the duct. The fiberglass tub-shower is highly flammable and poses a serious fire hazard.

2. This matter was brought to the Board of Appeals on 3 August 1972. A copy of the minutes is on file in the Building Department and in the office of the City Clerk. It may be noted that Mr. Strader submitted no evidence concerning the hazard involved, but has based his appeal on what he feels are administrative error of the Building

NEW BUSINESS (Continued)

Department. He feels that the job should have been stopped when a deficiency was found and further that the ducts were signed off as OK by an inspector. He has threatened legal action on the above two counts. My position is that he was given sufficient notice by personal contact of myself and the inspector with his appointed superintendent, on several occasions. He does not deny this. Stopping a job for a small deficiency causes all subcontractors hardship and financial loss and could well cause the city extensive litigation. In conference with the mechanical contractor and bank representatives on Friday, August 11, 1972, it was determined that correction of the problem, at this late date, will cost less than \$50.00 per unit. The inspector signed off the ducts because, for some unknown reason, the framing contractor was required to install the return air ducts. All ducts installed by the mechanical contractor (heating) were installed correctly and signed off. Following lengthy Council discussion, on motion of Councilman Knudsen, seconded by Councilman Miller, Council upheld the Building and Safety Department and the decision of the Board of Appeals and denied the request for a variance.

Resolution
No. 2973
Urban
Highway
Program

Street Superintendent John Donnelly explained Resolution No. 2973, a resolution of the City of Redlands requesting that San Bernardino County administer the Federal Aid Urban Highway Program as it applies to the City of Redlands. Following this, on motion of Councilman Miller, seconded by Councilman Sewall, Resolution No. 2973 was adopted by AYE votes of all present.

Resolution
No. 2975
1972-73
Tax

Resolution No. 2975, a resolution of the City of Redlands fixing the rate and levying the property tax for fiscal year 1972-73 was adopted on motion of Councilman Miller, seconded by Councilman Sewall, by AYE votes of all present.

CITY MANAGER

Resolution
No. 2974
Police
Vehicles

Resolution No. 2974, a resolution of the City of Redlands authorizing the Department of General Services of the State of California to purchase certain items, was adopted on motion of Councilman Knudsen, seconded by Councilman Miller, by AYE votes of all present. This resolution is adopted for the purpose of purchasing six police vehicles.

Resolution
No. 2972
Tow-Truck
Franchise

City Manager Merritt requested authorization to transfer the tow-truck franchise from Louis Stanford, A & H Towing, to Larry Hendrick, new owner of A & H Towing. On motion of Councilman Knudsen, seconded by Councilman Miller, Resolution No. 2972, making the requested transfer, was adopted by AYE votes of all present, subject to compliance with all requirements.

On motion of Councilman Miller, seconded by Councilman Sewall, the City Clerk was authorized to advertise for bids for a skip loader for the Street Division.

Grant Deeds

The City Manager was authorized to execute the certificates of acceptance in behalf of the City for the following grant deeds in connection with building permits and street realignment:

Feenstra

To the City of Redlands from Thys and Jeanette Feenstra, on motion of Councilman Knudsen, seconded by Councilman Miller.

To the City of Redlands from the Redlands Unified School District in

CITY MANAGER (Continued)

Redlands connection with Tract No. 8564, on motion of Councilman Miller,
School Dist. seconded by Councilman Knudsen.

Harris To the City of Redlands from Everett E. and Elizabeth Harris, on
motion of Councilman Miller, seconded by Councilman Knudsen.

Claim The Council denied the claim for fall-down injury by Ronald Hinger
and referred the matter to the city's insurance carrier in routine
manner, on motion of Councilman Sewall, seconded by Councilman Miller.

League Mayor Cummings and Vice Mayor DeMirjyn were appointed as voting rep-
Conference resentative and alternate voting representative, respectively, to
represent the City of Redlands at the forthcoming annual League
Conference of the League of California Cities to be held in Anaheim
on October 15 to 18, 1972.

Bills and salaries were ordered paid as approved by the Finance
Committee.

There being no further business, on motion, Council adjourned at
8:20 P.M. in honor of Mr. A. B. Drake commemorating his many civic
contributions.

Next regular meeting, September 5, 1972.

ATTEST:

Peggy A. Moseley
City Clerk

Barley H. DeMirjyn
Vice Mayor of the City of Redlands

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