

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on November 2, 1982, at 7:00 P.M. Planning Commission Items 3:00 P.M.

PRESENT

Kenneth Roth, Mayor
Charles G. DeMirjyn, Vice Mayor
Oddie J. Martinez, Councilmember
James W. Gorman, Councilmember
Tim Johnson, Councilmember

Chris C. Christiansen, City Manager
Dallas Holmes, City Attorney
Peggy A. Moseley, City Clerk
Glenn Cunliffe, Redlands Daily Facts
Art Wong, The Sun

ABSENT

None

Recognition of U.S. Marine Corps.

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Phil Jones of the Seventh-Day Adventist Church.

Mayor Roth came to the podium to greet Captain Jack Mattsen and Sgt. Samuel Walls of the United States Marine Corps. He read a proclamation setting forth the many areas of assistance to the City of Redlands and the Redlands Police Department which the Corps has provided, and thanked them for their dedication to service.

Minutes of the regular meeting of October 5, 1982, were approved as submitted.

BIDS

Reroofing Safety Hall

The following bids were opened and publicly declared at 10:00 A.M. on October 13, 1982, by the City Clerk for reroofing a portion of Redlands' Safety Hall:

Superior Roofing Company Redlands, California	\$11,052.00
J. J. Roofing Riverside, California	11,889.64
Morrison-Hope, Inc. San Bernardino, California	14,415.00
Lee Roofing Redlands, California	17,657.00

Bid Award

At this time, it is the recommendation of the Department of Building and Safety that award be made to Superior Roofing Company as this is the lowest, qualified bid. On motion of Councilman Martinez, seconded by Councilman Gorman, unanimous Council approval was given to the award of reroofing a portion of Redlands' Safety Hall to Superior Roofing Company in the amount of \$11,052.00.

Redlands' Bowl Renovation

The following bids for renovation of Redlands' Bowl were opened and publicly declared by the City Clerk at 10:00 A.M. on October 19, 1982:

Eugene R. Kaufman, Inc. Blue Jay, California	\$139,900.00
A. J. Construction Associates San Bernardino, California	157,000.00
Donald McKee & Hart, Inc. Redlands, California	161,999.00
Inland Contractors, Inc. Redlands, California	179,800.00

Bid Award

At this time, it is the recommendation of the Department of Public Works that award be made to Eugene R. Kaufman, Inc. as this is the lowest, qualified bid. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Council approval was given for the renovation of Redlands' Bowl to Eugene R. Kaufman, Inc. in the amount of \$139,900.00, by four AYE votes with Councilman Johnson voting NO.

ORAL PETITIONS FROM THE FLOOR

Mobile Home
Park
Trees

Mrs. Rachel Biddick gave a detailed report on the removal, by the owners, of street trees within Lugonia Fountain Mobile Home Park. She explained that these were tall trees which screened the bare roof-lines of the coaches. Mr. Schindler said that a letter had been written informing the Merles's that these trees were a requirement of the Ordinance. The Council concurred that a deadline for replacement should be given the owners.

Mrs. Dee Anne Jennings of 416 West Olive Avenue requested revocation of the business license for the four-unit apartment rental at 425 West Olive Avenue because "the owner is unwilling or unable to set standards which make this business acceptable to the neighborhood." Yelling, screaming obscenities, brawling and general disturbance of the peace at all hours is indulged in by the tenants at that address on a continuing basis. Mrs. Jennings explained that these people cease their noise and fighting when police appear and then resume the disturbance as soon as the police leave. A petition signed by seventeen adjacent neighbors was also presented.

Council discussed the problem at length. Attorney Holmes explained that this was a civil matter and not a cause for revoking the business license. Mr. Christiansen reported that a special police watch has been ordered and that staff is trying to gain cooperation of the owner.

Mr. Ron Jennings, Mr. Robert Roth and Mr. William Crook each described personal encounters with these people and expressed very deep concern for potential violence. They have already complained to the District Attorney. Councilman Martinez assured these people that Council and staff will make every effort to assist them.

Protest
Home
Occupation
Permit No.
284

Mr. William Crook of 405 West Olive Avenue addressed Council on three items. He protested Planning Commission approval of Home Occupational Permit No. 284 because it did not conform to the requirements of Section 3401 of Ordinance No. 1336; the business is being conducted within the home, the kiln is of commercial size with a special gas line, and the business is wholesale and retail.

Mr. Crook reminded Council that he lived two doors from the objectionable apartment building at 425 West Olive.

Mr. Crook requested revocation of the Council action taken on August 3, 1982 regarding a requirement for a fire hydrant in connection with the granting of conditional use permit. He asked that this be included in the six-month review of the conditional use permit in February, 1983. On motion of Councilman DeMirjyn, seconded by Councilman Johnson, this matter was authorized for consideration with the six-month review of the conditional use permit. The motion was approved by four AYE votes with Mr. Gorman voting NO.

COMMISSION REPORTS

Present:

Planning Commission recommendations as considered by the City Council at a regular meeting thereof held on November 2, 1982, at 3:00 P.M.

Councilmembers DeMirjyn, Martinez, Gorman, Johnson; Mayor Roth; Attorney Holmes, Planning Director Schindler, Deputy Clerk Poyzer

COMMISSION REPORTS (Continued)

1. R.P.C. No. 576 - Specific Plan No. 31 - City of Redlands

That R.P.C. No. 576, a resolution of the Planning Commission for adoption of Specific Plan No. 31 (Alternate "B"). a street alignment for the extension of Orange Tree Lane within the area generally bounded by Lugonia Avenue, Alabama Street, the I-10 Freeway, and California Street, C-M Zone, be approved. Councilman Gorman observed that a technical solution was not necessarily appropriate to adopt and stated he had a problem with any recommendation to open another intersection in this area. Mr. Gorman suggested adoption of a resolution indicating Council did not desire any additional intersections on Alabama Street and also a requirement to abandon Coulston Court as soon as practical. He further stated he could not at this time agree to set a public hearing on this matter.

On motion of Councilman Johnson, seconded by Councilman Martinez, R.P.C. No. 576 was approved by the City Council, and Ordinance No. 1802, an ordinance of the City Council adopting Specific Plan No. 31 (Alternate "B") was given its first reading by title only, introduced, and laid over under the rules with public hearing set for November 16, 1982, at 7:00 P.M. by the following vote:

AYES: Councilmembers DeMirjyn, Martinez, Johnson; Mayor Roth
NOES: Councilmember Gorman

2. R.P.C. No. 584 - Zone Change No. 249 - City of Redlands

That R.P.C. No. 584, a resolution of the Planning Commission for adoption of Zone Change No. 249, a change of zone from A-1 (Agricultural) District to R-2 (Multiple Family Residential) Districts for approximately 28 acres of property bounded by Barton Road, Bellevue Avenue, Terracina Boulevard, and Brookside Avenue, be approved. On motion of Councilman Johnson, seconded by Councilman DeMirjyn, R.P.C. No. 584 was unanimously approved by the Council, and Ordinance No. 1803, an ordinance of the City of Redlands establishing Zone Change No. 249, was by unanimous consent given first reading by title only, introduced, and laid over under the rules with public hearing set for November 16, 1982, at 7:00 P.M.

3. Amendment to Sign Code Ordinance No. 1770 - City Council

Ordinance No. 1804, an ordinance of the City Council of the City of Redlands amending Sign Code Ordinance No. 1770 by establishing sign standards for unified commercial and industrial complexes, was by unanimous consent given its first reading by title only, and on motion of Councilman Johnson, seconded by Councilman Martinez, was introduced with unanimous Council approval and laid over under the rules with public hearing set for November 16, 1982, at 7:00 P.M.

4. La Hacienda Sign

Dr. Roth expressed his desire to see the word "cocktail" removed from the La Hacienda sign which was approved by the Planning Commission on October 12, 1982, since their license and conditional use permit only allow liquor to be served with food. Council briefly discussed this with Planning Director Schindler and Attorney Holmes and took no action on the matter.

5. Minor Subdivision No. 120 - Tri-City Center

That the request for the subdivision of 8.5 acres of land into three parcels located on the north side of Colton Avenue between Alabama Street, Tennessee Street, and the I-10 Freeway, C-M Zone, be approved subject to the recommendations of all departments as contained in Planning Commission minutes dated October 26, 1982, and in accordance with Alternate "B" as submitted by the applicant and noting that the application is in compliance with the General Plan. On motion of Councilman DeMirjyn, seconded by Councilman Johnson, this recommendation of the Planning Commission was approved by the following vote:

AYES: Councilmembers DeMirjyn, Martinez, Johnson; Mayor Roth
NOES: Councilmember Gorman

6. Conditional Use Permit No. 382 - Joy and Gary Knudson/Altadena Dairy

That the request for a conditional use permit for the expansion of an existing car wash, gasoline service station, and dairy service complex located on the northwest corner of Fern Avenue and Redlands Boulevard, C-4 Zone, be approved based on the findings of the Planning Commission and the recommendation of all departments as contained in Planning Commission minutes dated October 12, 1982. Mayor Roth expressed concern regarding the traffic flow. John Donnelly reported this concern was discussed at a Planning Commission meeting and referred to the Traffic Commission which found that statistically there was no problem; that there have been no accidents at this location in twelve years.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

On motion of Councilman DeMirjyn, seconded by Councilman Johnson, this recommendation of the Planning Commission was unanimously approved by Council. It was noted that the applicant will have to come back with a sign program application prior to final approval.

7. R.P.C. No. 585 - Zone Change No. 251 - City of Redlands

That R.P.C. No. 585, a resolution of the Planning Commission for adoption of Zone Change No. 251, a change of zone from R-S (Suburban Residential) District to I-P (Industrial) District for approximately one acre of property located on the southeast corner of State and Tennessee Streets, be approved. Councilman Johnson moved to provide for M-1 (Light Industrial) zoning for this application; Councilman DeMirjyn seconded the motion. In reply to Council's questions, Planning Director Schindler said the applicant was satisfied with the Planning Commission recommendation for I-P zoning. The motion was then withdrawn, and on motion of Councilman Johnson, seconded by Councilman Martinez, R.P.C. No. 585 was unanimously approved as recommended by the Planning Commission, and Ordinance No. 1805, an ordinance of the City of Redlands establishing Zone Change No. 251, a change of zone to I-P (Industrial) District for the aforementioned property, was by unanimous consent given first reading by title only, introduced, and laid over under the rules with public hearing set for November 16, 1982, at 7:00 P.M.

8. Ordinance Text Amendment No. 163 - Conditional Use Permits

At its October 26, 1982, meeting, the Planning Commission recommended revising Resolution R.P.C. No. 586 to reflect their concern that in the event City Council modified or rejected the Planning Commission recommendation for a conditional use permit application that a public hearing be held within twenty-one days of that decision. Attorney Holmes explained to Council that under this theory, Council would be pre-judging the results of the public hearing which is not the way to begin a public hearing. He reviewed the procedure used by the City of Corona which is cumbersome, requires a lot of staff time, and extensive written reports, but is workable. On motion of Councilman Johnson, seconded by Councilman Gorman, this matter was tabled for further study.

9. Conditional Use Permit No. 386 - Burger King Corporation

That the request for a conditional use permit for a drive-thru Burger King Restaurant on the northeast corner of Colton and Industrial Park Avenues (Tri-City Center), C-M Zone, be approved based on the findings of the findings of the Planning Commission and the recommendations of all departments as contained in Planning Commission minutes dated October 26, 1982, and modifying Planning and Community Development Requirement No. 5 to read: "Require final landscaping, irrigation, and grading plans be approved by the Planning Commission prior to issuance of a permit; and adding Planning and Community Development Condition No. 17: "Eliminate light bar and roof spot light." Mayor Roth again expressed his concerns regarding unhealthy car emissions and the gas that is wasted in drive-thru facilities. On motion of Councilman DeMirjyn, seconded by councilman Martinez, Conditional Use Permit No. 386 was approved as recommended by the Planning Commission by the following vote:

AYES: Councilmembers DeMirjyn, Martinez, Johnson
NOES: Councilmember Gorman; Mayor Roth

10. Variance No. 270 - Shell Oil Company

The Planning Commission unanimously denied Variance No. 270, an application for a variance from the hours of operations provisions of Ordinance No. 1000, Section 24.30(0), to operate a service station 24-hours a day on property located on the southeast corner of Church Street and Lugonia Avenue, C-2 Zone. An appeal has been filed in the Office of the City Clerk on this decision. On motion of Councilman DeMirjyn, seconded by Councilman Johnson, Council Unanimously set November 16, 1982, at 3:00 P.M. to hear this appeal.

11. Commission Review and Approval of Conditional Use Permit No. 253 - Taco Bell

The application for a sign approval for an existing restaurant located at 1225 West Colton Avenue was approved by the Planning Commission at their meeting of October 26, 1982. Mayor Roth stated he thought the national logo sign was ugly and that it ought to be down to monument sign level. Councilman Gorman agreed with Mayor Roth.

OTHER PLANNING ITEMS FOR COUNCIL CONSIDERATION

1. Zone Change Reconsideration Request - Dr. Gary Groves/Pacific Physician Services

Council took no action on this request at this time. The General Plan cycle has to precede any action on this, and Council will consider the zoning after that.

2. Transfer of Residential Development Allocation - Michael Leon and Bruce McIntyre/Apple Builders

In 1980, City Council granted Residential Development Allocation 80-10A (14 units) to KKK Corporation and then allowed the allocation to be transferred to Apple Builders. Apple Builders changed the architectural design and was required to file a new RDA application, and in 1981, Council granted RDA 81-10A (14 units) to Apple Builders with the new architectural design. Apple Builders is now requesting to construct the architectural design approved for the KKK Corporation (RDA 80-10A). Following brief discussion, Councilman DeMirjyn moved to authorize the use of either allocation. Motion seconded by Councilman Martinez and carried unanimously.

3. Annexation No. 58 Report

A map has been prepared and was distributed showing the area which was deleted by LAFC. No action can be taken to set a public hearing until the official resolution is received from LAFC.

4. Conditional Use Permit No. 352 - HSU/ADR Corporation - Time Extension

On motion of Councilman Johnson, seconded by Councilman DeMirjyn, a time extension of one year to November 17, 1983, was unanimously given for Conditional Use Permit No. 352.

ADDENDUM

1. Motorcycle Park - County of Riverside

Councilman Johnson presented information on a proposed 4,400 acre motorcycle park to be located in an area bounded by Interstate 10 and Highway 60 near Beaumont which will be built with State vehicle tax money. He expressed concern that there will be no direct access to the property off either freeway, but rather off San Timoteo Canyon Road which could cause possible highway, police, and flood control problems in Redlands. Councilman Johnson moved to direct the City Manager to send a letter to the Riverside County Board of Supervisors with copies sent to our State Senator and Assemblyman asking that action on November 9, 1982, be held up pending resolution of the possible traffic, police, and flood control problems which might impact on the City of Redlands. Motion seconded by Councilman Martinez who also felt we should communicate with the San Bernardino County Board of Supervisors for more information. Mr. Christiansen said he would have someone from staff look into this further. Motion then carried by the following vote:

AYES: Councilmembers Martinez, Gorman, Johnson; Mayor Roth
NOES: Councilmember DeMirjyn

There being no further business, Council recessed, on motion, to a closed session for the purpose of discussing matters covered under the attorney/client privilege. Council will reconvene at 7:00 P.M. this evening in the Council Chambers

Parks Commission - will meet November 18, 1982 in the City Hall Conference Room.

Appointments

Housing Commission - will meet November 11, 1982, in the Council Chambers Safety Hall. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Mr. Charles Howell and Mr. Johnny Moore were unanimously appointed to the Housing Commission.

Appointments

Traffic Commission - On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Gregory Staviski was unanimously appointed to serve as Student Commissioner on the Traffic Commission as recommended by the Commission at their meeting held October 21, 1982. Commissioner Steve Crotinger addressed Council requesting appointment of one more member. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Dr. Robert E. Schultze was reappointed after a years' absence.

COMMISSION REPORTS (Continued)

Public Works Commission - will meet December 13, 1982, to consider member replacements on the Commission.

Airport Advisory Board - On motion of Councilman Gorman, seconded by Councilman DeMirjyn, Council unanimously reappointed Dr. Robert C. Tarter, Richard Davis, and Dave Sevel to the Airport Advisory Board.

Historic and Scenic Preservation Commission - will meet November 8, 1982, at Provident Savings. On motion of Mayor Roth, seconded by Councilman DeMirjyn, Mr. Bob Wells was unanimously appointed to the Historic and Scenic Preservation Commission.

APPLICATIONS AND PETITIONS

On October 4, 1982, Mr. Nassim F. Khoury filed a petition to the Planning Commission denial of Minor Subdivision No. 118.

Minor
Subdivision
No. 118

At this time Mr. Khoury's representative, Carlos Guzman, requested that a redesign of the parcels be returned to the Planning Commission, and the time limits in the Subdivision Map Act be waived. Councilman Johnson moved that this revised design be returned to the Planning Commission; Councilman Gorman seconded the motion. Following brief Council discussion of the revision, the motion was unanimously adopted.

Nassim
Khoury

On motion of Councilman DeMirjyn, seconded by Councilman Johnson, the American Red Cross was unanimously granted permission to hold their annual flea mart on the 6th and 7th of November, 1982, and exempted from the City's business license requirements under Section 2122 of the Redlands Ordinance Code.

American
Red
Cross

The United Foursquare Women of the New Life Church was unanimously granted permission to conduct a parking lot sale on November 4-5, 1982, at 1130 East Lugonia Avenue and exempted from the City's business license requirements under Section 2122 of the Redlands Ordinance Code on motion of Councilman DeMirjyn, seconded by Councilman Johnson.

The New
Life Church

The Redlands Host Lions Club was unanimously granted permission to conduct their annual date and candy sale for approximately eight weeks beginning November 4, 1982, and exempted from the City's business license requirements under Section 2122 of the Redlands Ordinance Code on motion of Councilman DeMirjyn, seconded by Councilman Johnson. The sale will be held on the corner of Fifth and State Streets on Thursdays, Fridays, and Saturdays of each week from 11:00 A.M. to 5:00 P.M.

Redlands
Host
Lions
Club

Montessori in Redlands was unanimously granted permission to hold a "Holiday Peddlers Market" at the Santa Fe Station and a portion of the Garvey Building on November 26-27, 1982, from 9:00 A.M. to 9:00 P.M. and exempted from the City's business license requirements under Section 2122 of the Redlands Ordinance Code on motion of Councilman DeMirjyn, seconded by Councilman Gorman, subject to prohibition of riders in the hot air balloon.

Montessori
in
Redlands

Bennie Duplauss Lombardi was unanimously exempted from the City's business license requirements under Section 2122 of the Redlands Ordinance Code to sell hot dogs, cokes, coffee, and pastries to raise money for the Option House, a shelter for battered women and children in Colton, on motion of Councilman Johnson, seconded by Councilman Martinez. Council requested that Ms. Lombardi provide a letter of authorization from Option House and that reports be provided to assure Council that all proceeds go to Option house.

Business
License
Waiver
Option
House

APPLICATIONS AND PETITIONS (Continued)

March
of
Dimes

The Inland Counties Chapter of the March of Dimes was unanimously granted permission to solicit door-to-door for funds on January 28-30, 1983, on motion of Councilman DeMirjyn, seconded by Councilman Johnson.

COMMUNICATIONS

Helicopter

Councilman Martinez announced that a presentation will be arranged for the December 7, 1982, meeting, by Capt. Terry Jaterson concerning use of the Sheriff's helicopter in Redlands.

Municipal
Election

Under recent legislation municipal elections may be moved forward or backward in time to coincide with other elections. On motion of Councilman Johnson, seconded by Councilman Martinez, the City Attorney was authorized to prepare an ordinance consolidating the next municipal election in the School Board election of November, 1983.

League
Meeting
Report

Councilman DeMirjyn gave a report on the recent League of California Cities meeting in San Diego and brought copies of material for each Councilmember. He mentioned the many areas in which Redlands has developed progressive legislation in addition to Proposition "R" and complimented staff for their progressiveness.

NEW BUSINESS

Resolution
No. 3858
Fire
Department

Resolution No. 3858, a resolution of the City Council changing the classification of Fire Battalion Chief to Fire Division Chief with no change in salary, was unanimously approved on motion of Councilman Martinez, seconded by Councilman Johnson.

Resolution
No. 3859
Tabled

On motion of Councilman Johnson, seconded by Councilman Gorman, Resolution No. 3859, a resolution of the City Council of the City of Redlands approving and adopting the annual appropriations limit for the fiscal year 1982-83, was unanimously tabled.

CITY MANAGER

Audit
Acceptance

The annual audit report for fiscal year ending June 30, 1982, was accepted as submitted on motion of Councilman DeMirjyn, seconded by Councilman Gorman, by four AYE votes. Councilman Johnson voted NO because he had two exceptions and felt the report was not an "honest reflection of the City."

Funds
Park
Department

An additional appropriation in the amount of \$3,500.00 to purchase a new engine for the stumper for the Parks Department was unanimously approved on motion of Councilman Martinez, seconded by Councilman DeMirjyn.

Obsolete
Street
Lights

On motion of Councilman DeMirjyn, seconded by Councilman Gorman, Council authorized donating the obsolete street light fixtures being replaced in our conversion program to the City of Rosarito Beach, Mexico, by four AYE votes with Councilman Johnson voting NO.

Cooperative
Personnel
Services
Contract

On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Council unanimously approved renewal of a contract with Cooperative Personnel Services for rental of state validated tests and authorized the City Manager to sign on behalf of the City.

CITY MANAGER (Continued)

Claims

On motion of Councilman DeMirjyn, seconded by Councilman Martinez, claims against the City in the names of Sandra Quintero in the amount of \$10,914.74, Wausau Insurance in an amount yet to be determined, and Fernwood, Inc. in the amount of \$1,275.00 were found not to be proper charges against the City and were therefore rejected.

Bills and salaries were ordered paid as approved by the Finance Committee. There being no further business, Council adjourned to a personnel session, on motion, at 8:50 P.M.

Next regular meeting, November 16, 1982.

ATTEST:

Reggie A. Moseley
City Clerk

Ken Both
Mayor of the City of Redlands

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