

REGULAR MEETING OF FEBRUARY 8, 1965

COUNCIL CHAMBER

1003rd MEETING

The one thousand and third regular meeting of the Council of the City of Milwaukie, Oregon, was held on the eighth day of February, 1965.

The meeting was called to order by Mayor George P. Haley.

The invocation was given by Rev. Roy Irwin, from the Ardenwald Baptist Church 3125 Van Water Street.

Those present were: Mayor George P. Haley; Councilmen Donald Graf, Robert Richmond, Walter Freeman and Paul Slominski; City Manager Max Thompson; City Attorney John O. Sheldahl; City Recorder R. E. Osborne; City Engineer Wayne Daigle and Clerk Ellen Martin.

The minutes of the one thousand and second regular meeting of the Council held on the eleventh day of January, 1965, were approved as written.

The minutes of the special meeting of the Council, held on the thirteenth day of January, 1965, were approved as written.

The minutes of a special meeting of the Council, held on the eighteenth day of January, 1965, were approved as written.

The minutes of a special meeting of the Council, held on the twenty-third day of January, 1965, were approved as amended by the following: "Mayor Haley requested that the record show that the action taken by the Southern Pacific R. R. Co. in repairing their crossings in Milwaukie was largely due to the effort of Representative Tom Monahan who wrote to the S. P. R. R. Co. regarding this matter".

The minutes of a special meeting of the Council, held on the first day of February, 1965, were approved as written.

It was moved by Richmond and seconded by Slominski that the minutes of the special meeting of the Council, held on the twenty-third day of January, 1965, be amended to include that Representative Tom Monaghan had written to the Southern Pacific R. R. Co. regarding the condition of their street crossings in Milwaukie. Motion carried and so ordered.

Mayor Haley furnished each Councilman with a copy of House Bill No. 1196, now before the State Legislature "Relating to the sale or exhibition to minors of indecent publications, pictures or matter." Councilman Freeman read the House Bill and spoke on the question. It was moved by Richmond and seconded by Freeman that Manager Thompson obtain a large meeting place for the next meeting of the Council on February 22, and that the public be informed of the meeting and invited to attend and that the Council launch a "Crusade for Decent Literature" in Milwaukie. The motion carried and was so ordered.

The matter of an easement for a railroad spur track, in a city owned strip of land in Milwaukie Industrial Park was discussed. Attorney Sheldahl recommended that the beneficiary of this easement be required to main the right-of-way for the spur track and the roadway. It was moved by Graf and seconded by Richmond that the Council approve the easement subject to the recommendation of Attorney Sheldahl regarding maintenance. Motion carried and so ordered.

A sizable group of Boy Scouts were present. Mayor Haley called on their leader to identify them. Mr. Hodge, leader, introduced the boys of Boy Scout Troop No. 35 of the Milwaukie, Baptist Church.

The progress being made toward a new numbering system for Milwaukie was reported by Manager Thompson. Mr. Hodge, Scout Leader, commended the Council for steps being taking in the renumbering, stating that it had been difficult for him to find the addresses of his Troop.

Under Citizens discussion, there were questions regarding the route of the proposed "Cascade" highway connecting 82nd Ave. and McLoughlin Blvd. Mayor Haley reported that the Council had met earlier in the evening for a discussion and review of this matter and had decided to recommend the first proposed route, along and parallel with the Southern Pacific main line right-of-way, and would recommend overhead or under pass street crossings. Councilman Freeman stated that he was at first in favor of this route, but could see that any spur track from the Railroad into the Industrial area along the track would have to cross this highway, which would be very bad. Bill Hupp commended the Council on their decision.

Mr. Wm. Lay, 4015 Jackson St. and Mr. Laughlin, 4025 Jackson Street, reported that drainage water from Jackson Street was seeping into their basements and requested that something be done about it. Manager Thompson stated that the City had put in a dry well some time ago, but it was inadequate as the water for some distance around drains to this place and that a storm sewer was the only permanent solution to this problem and recommended a Local Improvement District be set up for this purpose.

The matter of fire insurance for the City was discussed. Recorder Osborne explained that at present we are on a five year plan, by which we get a better rate, also that we are insured by a Mutual Company and are eligible to dividends; that one of five policies, of the policy is retired or renewable each year; that the policy for renewing one five year policy was in his hands and the premium due and payable upon the Council's approval of the bill. Mr. Combs, of Combs & Combs was present and prepared to present a bid for the City's fire insurance. It was shown that no call for bids had been made and no date set for opening of bids; however, the amount of renewal fee for the Loder Insurance Co. was \$1,171.55 based on the new Fire Underwriter's Rates set by the Insurance Rating Bureau, which adjusted the premiums on all five of the City's policies. There was considerable discussion on this matter. It was moved by Graf and seconded by Richmond that the Council accept the present policy renewal and that Mr. Loder be requested to come before the Council within two months and explain his policy to the Council preparatory to any further action on renewals. The motion was lost by the negative vote of the Council.

It was moved by Freeman and seconded by Graf that the Council accept the present policy renewal; that the Mayor appoint a Citizen's Committee to establish a definite policy for obtaining the City's fire insurance in the future and that this Citizens Committee be requested to recommend a bid opening date and to provide a set of specifications. A called vote showed the following result: Ayes; Graf, Richmond, Freeman and Slominski. Nays: Haley. Mayor Haley stated that while he favored the motion, he would like to accept the lower of two bids, Combs and Loder Insurance Co., that the amount of Loder's bill would be the amount of his bid. The motion carried.

Mr. Wm. Doyle, 4619 Logus Road came before the Council and requested that a penalty, which had been added to his sewer assessment, be excused. Recorder Osborne showed that the penalty had been added in accordance with Ordinance No. 740 and was a just penalty. After some discussion, Mr. Doyle stated that he intended paying his improvement bond in full, therefore, no action of the Council was necessary.

A letter from Milwaukie Planning Commission recommending that the zone on Lots 3 and 4, Block 67, Minthorn Addition, be not changed from Zone 3-R-1 to Zone 3-R-2, Special, was read. It was moved by Graf and seconded by Freeman that the recommendation of the Planning Commission be approved. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission recommending a change of zone from zone 3-R-1 to zone 3-R-2 Special for Tax Lot 100 Hector Campbell D. L. C. was read. It was moved by Graf and seconded by Richmond that the Council approve the recommendation of the Planning Commission. Motion carried and so ordered.

A letter from the Planning Commission in which they recommend that along streets not having a 50 foot width, that buildings be required to set back a distance necessary to widen the street to fifty feet, was read. It was moved by Richmond and seconded by Graf that the Council approve and adopt the recommendation of the Planning Commission and that an Ordinance be prepared in accordance therewith. Motion carried and so ordered.

Manager Thompson reported that at one o'clock P. M., on February 9, there would be a hearing on House Bill No. 1235 which would increase the amount paid to cities from the gasoline tax.

Manager Thompson reported that he had contacted the Southern Pacific R. R. Co. with regard to the property necessary for the extension of 34th Street south to Monroe Street and that they have promised to reappraise the property.

Manager Thompson reported that the Citizens Committee for the beautification of parks and the library had recommended Mr. John Burch to landscape the library grounds. It was moved by Graf and seconded by Slominski that the Council accept the recommendation of the Citizens Committee. Motion carried and so ordered.

Manager Thompson pointed out to the Council, the need for a sewer in Glover Road from King Street north and stated he would contact property owners in the area and perhaps they would petition for a local improvement district, improvement there.

Manager Thompson recommended the Rowe Jr. High School auditorium as a meeting place for the Council on February 22, as an effort will be made to have a large group of citizens attend. The Council hopes to launch a campaign against the sale of indecent or pornographic literature in Milwaukie.

Manager Thompson distributed to the Council for their review, two codified Ordinances repealing Ordinances Numbered 14, 124, 161, 309, 356, 536 and 587.

Manager Thompson was requested to provide a date for a meeting of the Council with the State Highway Commission on the question of the location of Cascade Highway and requested that Mr. Porter of the Highway Commission be present.

It was moved by Richmond and seconded by Slominski that the Council go on record that they (Council) recommend to the Highway Commission that Cascade Highway be located along the Southern Pacific R. R. Co. right-of-way. The motion carried over one dissenting vote by Freeman who stated that his vote was based on the fact that the Highway Department had made a survey of this route and had found underground springs, also that any spur tracks from the main line of the SPRR. to the industrial area would have to cross the highway, which should be avoided if possible.

Manager Thompson reported that he had contacted the proper authority at Omark Industries; that they were investigating if or not they would prefer their properties to be withdrawn from the Clackamas Water District and suggested that Ordinance No. 1055 be not read at this time for its second reading.

Manager Thompson reported that he had contacted Attorneys who dwell and/or practiced in Milwaukie and had found that Mr. George VanBergen would accept the position. It was moved by Richmond and seconded by Freeman that after the Council discussion which we have had, we accept Mr. Van Bergen as City Attorney as of March 1, 1965. The motion carried and so ordered.

Attorney Sheldahl recommended that the words "for commercial gain" in Line 15 of House Bill No. 1196 be deleted.

Ordinance No. 1056 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance No. 1056 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1056 AN ORDINANCE repealing Ordinance No. 1029, and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had; Ayes: Graf, Richmond, Freeman, Slominski and Haley. Nays: None. Ordinance No. 1056 passed the Council and was so declared by the Mayor.

Ordinance Number 1057 was taken up and read for its first reading. It was moved by Richmond and seconded by Graf that Ordinance No. 1057 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1057 AN ORDINANCE providing for the procedure to annex, without election, certain territory, contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, fixing a day for public hearing before the Council of the City of Milwaukie, Oregon, on the question of such annexation, directing publication of notice of such hearing and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had; Ayes: Graf, Richmond, Freeman, Slominski and Haley. Nays: None. Ordinance No. 1057 passed the Council and was so declared by the Mayor.

Ordinance No. 1058 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance No. 1058 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 1058 AN ORDINANCE providing for the rezoning of certain property in the City of Milwaukie, Clackamas County, Oregon, from 3-R-1 to 3-R-2 Special Zone, amending Ordinance Number 481, as amended, and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had: Ayes; Graf, Richmond, Freeman, Slominski and Haley. Nays: None. Ordinance No. 1058 passed the Council and was so declared by the Mayor.

Mayor Haley suggested appointees for the Budget Committee, but it was shown that one of those suggested did not live within the City boundary. Mayor Haley stated he would submit names at the next regular meeting of the Council.

Manager Thompson read an invitation from the Milwaukie Fire Department, inviting the Council to attend the Clackamas County Fire Departments meeting on February 15, at the V. F. W. Hall, when the Milwaukie Fire Department will be the Host Fire Department.

It was moved by Freeman and seconded by Graf that the following bills be allowed and that warrants be drawn for the payment of same:

Address - Multigraph	7.20
Air Mac, Inc.	968.00
American Barricade	23.40
Amer. Fire Protection	228.75
Amer. Bldg. Maint. Co.	396.50
R. K. Bass	9.75
Blue Seal Dust Mop Service	35.90
Brooks Products	116.00
Burroughs Corp.	16.55
Cantel, Inc.	64.80
Jerry Carpenter	13.45
Cascade Microfilm Systems, Inc.	9.00
Clackamas County	116.50
Columbia Ladder Co.	66.13
Combs Ins. Agency	10.00
Communication Spec.	72.35
Consolidated Electrical Dist.	25.92

Coral Corp.	34.80
Demco Library Sup.	8.60
Dept. Motor Vehicles	73.00
Diamond Fuel	89.83
Dohrman Hotel Supply	19.30
Edwards Mfg. Co.	13.89
Election Boards (3)	140.00
Feenaughty Mach. Co.	149.97
G & S Janitor Supply	77.00
Gaylord Bros.	125.45
Gerber Mfg. Co., Inc.	47.54
J. K. Gill Co.	654.28
B. F. Goodrich Store	5.92
Dick Groener Agency	230.81
Heisler's Car Wash	10.00
Charlie Helwig, Inc.	86.73
Hennessy Ins.	4821.00
John Herbst, Jr.	150.00
Homelite	30.00
Horton Electric	345.04
Hupp Studio	4.85
Industrial Air Prod.	7.20
Industrial Control Co.	17.88
Inter. Business Machines	46.50
Fred Kobs	50.00
Landeen Weld. Supplies	6.00
Lanson's	280.50
Larson's Auto Parts	125.86
LaRog Jewelers	2.40
T. W. Loder Ins.	1171.55
Mail-Well	12.69
Mannings Radio & T. V.	25.80
Mascott Equip. Co.	14.80
McCready Lumber Yd.	21.57
Milwaukie Automotive	66.05
Milkiewa Feed Mills	5.00
Milwaukie Glass	24.78
Milwaukie Hardware	164.48
Milwaukie Lumber Co.	69.76
Milwaukie Review	74.29
Milwaukie Transfer & Fuel Co.	122.54
Milwaukie Volunteer Fire Dept.	39.00
Multnomah Fuel Co.	121.90
Bob Murray Truck Co.	5.83
Neep Equipment Co.	162.50
Neptune Meter Co.	485.17
North Clackamas News	10.00
N. W. Natural Gas Co.	265.16
Nudelman Bros.	19.50
Olson Bros.	17.35
Oregon Assoc. Chiefs of Police	10.00
Oregon City Laundry	88.64
Oregon City Printing	1.95
Pacific Northwest Bell	181.37
Pacific Pumping Co.	66.19
Pennzoil Co.	77.43
Perry Pharmacy	12.74
Pioneer Mercantile	79.88
Portland General Electric Co.	3288.03
Portland Road & Driveway Co.	464.18
Portland Woodwork	345.00
Pump Pipe & Power	233.53

Clyde Rice	454.50
Richfield Oil Corp.	441.68
Sanderson Safety Supply Co.	11.00
Secretary of State	32.47
Southern Pacific Co.	30.00
Stevens & Thompson	837.20
Street Fund	46.89
Texaco, Inc.	201.93
Dave Teeney's	19.84
Thomas Supply (Office)	166.41
Traffic Safety Supply	7.20
University of Maryland	84.00
Utilities Supply Co.	49.38
Water Fund	392.55
Waterworks Supply	744.02
Western Drug Label	208.95
Wade R. Wilcox	200.00
Wilhelm Trucking Co.	125.60
Wrought Iron Spec.	627.50
Fuitan Plumbing Co.	2990.03

Motion carried and so ordered.

On motion duly made and carried, the meeting adjourned.

MINUTES OF SPECIAL MEETING OF FEBRUARY 17, 1965

The Council of the City of Milwaukie met in special session on the seventeenth day of February, 1965, for the purpose of appointing a member to the Civil Service Commission, to fill the vacancy caused by the resignation of Mr. George Van Bergen, and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor George P. Haley.

Those present were: Mayor George P. Haley; Councilmen Walter Freeman, Don Graf, Paul Slominski and Robert Richmond and City Manager Max Thompson. Absent: Attorney John O. Sheldahl, Engineer Wayne Daigle and Clerk Ellen Martin.

Mayor Haley announced the resignation of George Van Bergen from the Civil Service Commission in order that he could serve the City as City Attorney and suggested the name of Jack Spencer to fill the vacancy. The Civil Service Commission had suggested the name of Melvin Brink for the vacancy. It was moved by Graf and seconded by Slominski that Mr. Melvin Brink be appointed to fill the unexpired term of George Van Bergen on the Civil Service Commission. The motion carried by the unanimous vote of the Council and was so ordered.

The Mayor proposed the names of Mr. Ed Fuller, Mr. George Fossati and Mr. Wm. Keller to be appointed to serve on the City Budget Committee. Councilman Freeman suggested the name of Mr. Willard Cox. It was moved by Graf, and seconded by Richmond that the three gentlemen suggested by the Mayor be appointed to the Budget Committee. The motion carried by the unanimous vote of the council and was so ordered.

It was moved by Slominski and seconded by Freeman that Mr. W. Henry Stewart be reappointed to serve on the Planning Commission. The motion carried and so ordered.

On motion duly made and carried, the meeting adjourned.

Robert Richmond, Acting Clerk