

MEETING OF JANUARY 24, 1966

COUNCIL CHAMBER

1026th MEETING

The one thousand twenty-sixth regular meeting of the Council of the City of Milwaukie was held on the twenty-fourth day of January, 1966.

The meeting was called to order by Mayor Robert E. Richmond.

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

Those present were: Mayor Robert E. Richmond; Councilmen Dr. James Howard, Don Graf, Dr. Paul Slominski, Edgar Fuller (came in later in the evening); City Manager Max Thompson, City Attorney George Van Bergen, City Recorder R. E. Osborne, City Engineer Wayne Daigle and Clerk Ellen Martin.

The minutes of the one thousand twenty-fifth regular meeting, held on the tenth day of January, 1966, were corrected to show that instead of excusing any street improvement assessment to Tax Lot 4, Campbell D.L.C., the City would pay to the owner, in the amount of the assessment, for a strip of land necessary to widen 40th Street.

The minutes of a special meeting of the Council, held on the seventeenth day of January, 1966, were approved as written.

Mayor Richmond announced that the Council had retained Mr. Fred C. Dyer as City Manager. Mr. Dyer will begin his duties on March 1.

Councilman Howard suggested that letters be sent to the other applicants, thanking them for their applications and advising them that Mr. Dyer had been selected.

A letter from Lloyd Bousman, in which he appealed to the Council a change of zone from zone 3-R-1 to zone 3-R-2 Special on Lots 4 and 5 Block 3 Gloverland. The zone change had been denied by the Planning Commission. Attorney Van Bergen outlined the process for appealing to the Council in these matters and advised the Council to hold a public hearing for the appeal. It was moved by Howard and seconded by Slominski that the Council accept the recommendation of the City Attorney and that the Council set the date of February 14, 1966, for the hearing on the appeal. Motion carried and so ordered.

Mayor Richmond read a memorandum from the Planning Commission in which they recommended that the standard for residential subdivisions and street improvements in residential areas with low traffic flow be 50 feet right-of-way with 4 foot sidewalks, 2½ foot parkways and 36 feet of paved travel area with 6 inch curbs. The minimum requirements for high density residential area be 60 foot right-of-way, 5 foot sidewalks, set one foot from the property line, 3½ feet parkway and 40 feet of paved travel area with 6 inch curbs. Engineer Daigle reported that the City of Portland had adopted these standards. Mr. Daigle pointed out that the wider the street, the faster people drive over them. He also reported that builders were unhappy with these requirements. The matter of curved streets and cul-de-sacs was discussed. It was moved by Graf and seconded by Howard that this be referred back to the Planning Commission for their review and further recommendation as to short streets, cul-de-sacs, sidewalk widths, etc. Motion carried and so ordered.

Mayor Richmond read the annual report of the Civil Service Commission. It was moved by Howard and seconded by Slominski that the Council accept the report of the Civil Service Commission. Motion carried and so ordered.

Bids for furnishing the City with three police cars were opened and read as follows:

Stout Motor Co.,	Two 2-door 1966 Plymouths
Oregon City	One 4-door 1966 Plymouth
	Less trade-in value of three 1965 Total cost \$4260.00

Joe Fisher Ford, Portland, Oregon	Two 2-door 1966 Fords @ 2077.55	4155.10	
	One 4-door 1966 Ford	<u>2241.82</u>	
		6396.92	
	Less trade-in value of 3 1965 Fords	<u>3060.00</u>	
	Total cost to City	3336.92	3336.92
Weiler Chevrolet, Oregon City	Two 2-door 1966 Chevrolets @ 2202.16	4404.32	
	One 4-door 1966 Chevrolet	<u>2389.66</u>	
		6793.98	
	Less trade-in value 3 1965 Fords	<u>2800.00</u>	
	Total cost to City	3993.98	3993.98
Wolfard Ford, Oregon City	Two 1966 2-door Fords @ 2049.97	4099.94	
	One 1966 4-door Ford	<u>2226.00</u>	
		6325.94	
	Less trade-in value of 3 Fords	<u>2700.00</u>	
	Total cost to City	3625.94	3625.94

It was moved by Howard and seconded by Graf that the low bid of Joe Fisher be accepted subject to the recommendation of the City Manager and City Attorney. Motion carried and so ordered.

Manager Thompson reported that Mr. Fairly had completed the City audit and that the auditor's firm was now Lampert Fairly & Co., and presented a contract from them, for future services to audit the City's books. It was moved by Howard and seconded by Slominski that this matter be taken under advisement until the next meeting of the Council in order that the Council members may study the contract. Motion carried and so ordered.

Manager Thompson reported that Mr. Fred Weber had been notified that he must turn the sewage lift pump at Linwood and Railroad Avenue, to the City, that the time period had not elapsed and that Mr. Weber had turned the whole matter over to his attorney.

Attorney Van Bergen reported that the Charter provided that a protest from the owners of two-thirds of the front foot of property along any Local Improvement District could stop the improvement and that in order to make emergency improvements under a Local Improvement District without the risk of having the improvement stopped, the Charter would have to be changed. It was moved by Graf and seconded by Howard that the City Attorney be directed to take the necessary steps to repeal Section 32 of Chapter 8 from the Charter, and that the same be ready for the ballot for the May election. Motion carried and so ordered.

Manager Thompson reported that the Retirement Committee is holding a meeting, to which the employees have been invited, on Thursday, January 27.

Manager Thompson reported that the Portland Traction Co. was improving Milport Road on the west side of Milwaukie Industrial Park and that the improvement would be made according to City specifications.

Manager Thompson reminded the Council that since the passage of Ordinance No. 1106, establishing a City Planning Commission, it will be necessary to appoint the members of the Commission under this ordinance and this must be done immediately after February 10.

Mayor Richmond announced that there would be a special meeting of the Council on Tuesday, February 1, at 7:30 p.m. for the purpose of meeting with Judge Mills.

Engineer Wayne Daigle reported that a survey has been made for sewers through Cogswell's Acres; that he had also made a survey to extend this sewer to take care of the emergency in Guilford Drive in Kellogg Creek Acres but that this extension could not be made.

Engineer Daigle reported that the survey for a sewer line to Milwaukie Heights and to Mr. Edward Terry's property (Tax Lot 133, Whitcomb D.L.C.) had been made, and recommended that Mr. Terry connect

to the Oak Lodge Sanitary District trunk line until such time that our Kellogg Creek interceptor sewer is laid. It was moved by Slominski and seconded by Howard that the City Attorney prepare an agreement with Mr. Terry for his property to connect to the Oak Lodge Sewer District trunk line and show his willingness to share in an assessment for a Local Improvement District and connect to the City sewer when sewers are laid in Milwaukie Heights. Motion carried and so ordered.

Mayor Richmond read a notice for a meeting of the Council with the Civil Service Commission on Friday, February 18.

Engineer Daigle reported the need of storm drainage at Monroe Street east of 42nd Street and Jackson Street west of 42nd Street and pointed out the estimates of cost and how the assessments should be made to take care of this type of improvement. The Council discussed this problem but no action was taken at this time.

Attorney Van Bergen reported that the Dave Beeson vs City of Milwaukie lawsuit had been heard in court but that no decision had been handed down at this time.

It was moved by Slominski and seconded by Graf that the following resolution be adopted.

RESOLUTION NUMBER 1-1966

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

A tract 79' and 100' in dimension consisting of the southerly 58.9 feet of Lots 1, 2, 3, 4 and the northerly 20.1 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

The southerly 79.9 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

AND WHEREAS, the above described real properties lie within the boundaries of the Milwaukie Rural Fire Protection District, a fire protection district in the County of Clackamas and State of Oregon, duly organized and by virtue of the laws of the State of Oregon.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Milwaukie Rural Fire Protection District, all that part of said Fire District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 14th day of February, 1966 is hereby fixed as the date, the hour of 8:00 o'clock p.m. Pacific Standard Time is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place, for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Milwaukie Rural Fire Protection District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing, in the MILWAUKIE REVIEW, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED this 24th day of January, 1966.

Robert E. Richmond
Robert E. Richmond, Mayor

ATTEST
R. E. Osborne
R. E. Osborne, Recorder

Motion carried and so ordered.

It was moved by Graf and seconded by Howard that the following resolution be adopted.

RESOLUTION NUMBER 2-1966

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

A tract 79' and 100' in dimension consisting of the southerly 58.9 feet of Lots 1, 2, 3, 4 and the northerly 20.1 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

The southerly 79.9 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

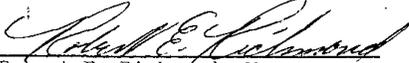
AND WHEREAS, the above described real properties lie within the boundaries of the Wichita Water District, a water district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Wichita Water District, all that part of said Water District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

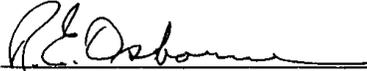
BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 4th day of February, 1966 is hereby fixed as the date, the hour of 8:00 o'clock p.m. Pacific Standard Time is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place, for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Wichita Water District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing, in the MILWAUKIE REVIEW, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED this 24th day of January, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder

Motion carried and so ordered.

It was moved by Slominski and seconded by Fuller that the following resolution be adopted.

CCB102

RESOLUTION NUMBER 3-1966

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

A tract 79' and 100' in dimension consisting of the southerly 58.9 feet of Lots 1, 2, 3, 4 and the northerly 20.1 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

The southerly 79.9 feet of Lots 45, 46, 47, 48, Block 37, Minthorn Addition to the City of Portland, Clackamas County, Oregon.

AND WHEREAS, the above described real properties lie within the boundaries of the Wichita Zoning District, a zoning district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Wichita Zoning District, all that part of said Zoning District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 14th day of February, 1966 is hereby fixed as the date, the hour of 8:00 o'clock p.m. Pacific Standard Time is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place, for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Wichita Zoning District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing, in the MILWAUKIE REVIEW, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED this 24th day of January, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder

Motion carried and so ordered.

It was moved by Graf and seconded by Slominski that the City Manager negotiate with the Clerk of Clackamas County, for the County to conduct City elections and that the Attorney prepare an amendment to Section 15 of Chapter 3 of the City Charter, to provide for the County to conduct the City's regular election. Motion carried and so ordered.

Councilman Slominski reported that there would be a meeting of the Milwaukie Area Water Boards on Wednesday, January 26, at the lunch

hour and invited the members of the Council to attend this meeting.

Councilman Slominski reported that he had attended a meeting of the North Clackamas Park Committee and that they seemed to be favorable to the City taking an active responsibility for the care of the park.

It was moved by Howard and seconded by Graf that the following bills be approved and that warrants be drawn for the payment of same.

All Electric Construction Co.	7.25
American Barricade Co.	6.20
Cascade Microfilm System	3.60
Christian Supply Center	5.10
Clackamas County	105.25
Communication Specs.	77.75
Doubleday & Co.	9.57
Dick's Key Shop	6.50
Electromatic Associates	40.00
Evergreen Communication	45.20
Gaylord Bros., Inc.	21.79
Gerber Manufacturing Co.	51.54
Heisler's Car Wash	10.00
Charlie Helwig, Inc.	22.94
Hennessey Insurance Agency	6505.00
O. E. Hurst	12.88
International Business Machines	92.50
K & K Photo Finishing	4.84
Knight Wrecking Co.	46.50
Landeem Welding Supply	2.40
Lehman Reloading Service	31.00
Litho Develop. Research	12.75
Lanson's Inc.	230.45
Will Loder Insurance Agency	1157.00
Mannings Radio & TV	40.20
Milwaukie Paint & Paper	12.24
Milwaukie Plumbing & Heating	19.00
Moore Business Forms Inc.	6.30
Moore's Audio-Visual	12.60
Nation's Business	19.75
Northwest Natural Gas Co.	186.98
Northwest Photocopy Corp.	4.50
The Oregonian	15.12
Oregon Journal	4.99
The Pennzoil Co.	43.03
J. K. Perley Painting	54.00
Petty Cash	22.67
Pioneer Mercantile	88.66
Pitney-Bowes, Inc.	70.20
Portland General Electric	43.21
Portland Road & Driveway	406.41
Pump Pipe & Power	155.86
Clyde Rice	6.56
Richfield Oil Corp.	933.78
Ronco Welding	10.00
State of Oregon, Dept. of Motor Vehicles	10.00
State of Oregon, Division of Audits	65.00
Stevens & Thompson	470.46
Van Waters & Rogers, Inc.	11.02
Waterworks Supplies	37.60
Western Drug Label	225.55
L. D. Zommerman	25.00

Motion carried and so ordered.

On motion duly made and carried, the meeting adjourned.

Ellen Martin, Clerk

MEETING OF FEBRUARY 14, 1966

COUNCIL CHAMBER

1027th MEETING

The one thousand twenty-seventh regular meeting of the Council of Milwaukie was held on the fourteenth day of February, 1966.

The meeting was called to order by Mayor Robert E. Richmond.

The invocation was given by Rev. T. Whitehead of the St. Paul's Methodist Church, 11631 Linwood Avenue.

Those present were: Mayor Robert Richmond; Councilmen James M. Howard, Don W. Graf, Paul J. Slominski and Edgar D. Fuller; City Manager Max Thompson, City Attorney George Van Bergen, City Engineer Wayne Daigle and Clerk Ellen Martin. Also present was a group of Boy Scouts (Troop 203) who are studying citizenship, with them was their leader, former Mayor Joseph Bernard, Jr.

The minutes of the one thousand twenty-sixth regular meeting of the Council, held on the twenty-fourth day of January 1966, were approved as written.

Mr. Charles Cuculich, 4335 King Road, again came before the Council and reported the drainage problem along King Street east of Glover Road (43rd St.). Mr. Cuculich stated that he was afraid the water that drains off of Dieringer's Market and King Street, into his yard and patio, would cause the wall of his basement to cave in and requested that, if the City was not going to put curbs along King Street, that he be permitted to put in the curb along his property, and requested that the grade and specifications for the same be furnished to him. Manager Thompson explained that Clackamas County had been requested to finish that part of King Road which they had left unfinished, and which was causing this problem, in order that the City could then put in curbs along that part of King Road within the City limits. Mr. Cuculich was advised that Engineer Daigle had made a survey in the area and he could get the elevations and curb line from Mr. Daigle.

Manager Thompson reported that the City's contract with Mr. Frank Fairly for the auditing had expired. It was moved by Graf and seconded by Fuller that the City Attorney be directed to draw a contract for the City's audit; that the contract specify that it be renewable annually; that the dead line for the audit report be on October 15 each year and that the contract be submitted for the approval of the Council and the approval of the Auditor before the Council authorizes the Mayor to sign the same. Motion carried and so ordered.

The Mayor opened the hearing on the withdrawal of recently annexed properties in Block 37 Minthorn Addition, from the Milwaukie Rural Fire Protection District, and called for objection to the same. There was no person present who objected and no written objection had been received. The Mayor declared the hearing closed.

The Mayor opened the hearing on the withdrawal of recently annexed properties in Block 37, Minthorn Addition, from the Wichita Water District and called for objection to the same. There was no person present who objected and no written objection had been received. The Mayor declared the hearing closed.

The Mayor opened the hearing on the withdrawal of recently annexed properties in Block 37, Minthorn Addition from the Wichita Zoning District and called for objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 1108 was taken up and read for its first reading. It was moved by Howard and seconded by Graf that Ordinance Number 1108 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1108 AN ORDINANCE withdrawing from the Milwaukie Rural Fire Protection District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the