

SPECIAL MEETING OF JANUARY 17, 1964

A special meeting of the Council of Milwaukie, Oregon, was held on the seventeenth day of January, 1964, for the purpose of the second readings of Ordinances Numbered 998 and 999.

The meeting was called to order by Mayor Joseph M. Bernard Jr.

Those present were, Mayor Joseph M. Bernard, Jr.; Councilmen Charles Renard and Robert Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Councilmen Theron Sedgwick and Walter Freeman.

Ordinance Number 998 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Commercial Zone and 3-R-2 SPECIAL, amending Ordinance No. 481 as amended, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Renard, Richmond, and Bernard. Nays: None. Ordinance Number 998 passed the Council and was so declared by the Mayor.

Ordinance Number 999 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 City 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 taken up and read for its second reading and put on its passage with the following result being had. Ayes: Renard, Richmond, and Bernard. Nays: None. Ordinance Number 999 passed the Council and was so declared by the Mayor.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Recorder.

MEETING OF FEBRUARY 10, 1964

COUNCIL CHAMBER

991st MEETING

The nine hundred ninety-first regular meeting of the Council of the City of Milwaukie was held on the tenth day of February, 1964.

The meeting was called to order by Mayor Joseph M. Bernard, Jr..

The invocation was given by Reverend Willis L. Whalen, Christ the King Catholic Church.

Those present were Mayor Joseph M. Bernard Jr.; Councilmen Walter Freeman, Charles Renard, Theron Sedgwick, and Robert Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin.

The minutes of the nine hundred nintieth regular meeting of the Council, held on the thirteenth day of January, 1964 were approved as written. The minutes of a special meeting of the Council, held on the seventeenth day of January, 1964 were approved as written after correction of a typographical error.

Mayor Bernard made the following proclamations.

P R O C L A M A T I O N

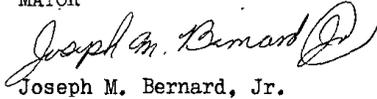
WHEREAS, the League of Women Voters of Milwaukie makes valuable contributions to the community by helping promote political responsibility through informed and active participation of citizens in government, and

WHEREAS, the League of Women Voters is non-profit, and a volunteer organization which disseminates to the general public non-partisan information concerning political candidates and issues, and

WHEREAS, the League of Women Voters depends upon the business community for moral and financial support;

NOW, THEREFORE, I, Joe Bernard Jr., Mayor of Milwaukie, Oregon, do hereby proclaim February 24 through February 28, 1964, as Milwaukie League of Women Voters Week and urge the business community to support the worthwhile work of this volunteer group.

MAYOR



Joseph M. Bernard, Jr.

February 10, 1964

Mayor Bernard read a letter from Representative Walter Norblad, reporting the status of the advance finances for the Water survey.

The Citizen's Committee to survey and study the needs of the Fire Department requested a little more time to complete their report. Mayor Bernard called a special meeting of the Council to be held on the 24th day of February, to hear this report.

Mayor Bernard read a letter from Portland Home Builders Association in which they offer their cooperation and assistance in matters pertaining to adoption of a building code etc.

Mr. Charles Cuculich requested that a street light be placed on King Road between 43rd and 44th Streets.

It was moved by Renard and seconded by Freeman that the following Resolution be adopted

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RESOLUTION NUMBER 6-1964

WHEREAS, Almighty God, in His infinite wisdom has seen fit to remove from this early life, RALPH MYRLE LAKIN, and

WHEREAS, RALPH MYRLE LAKIN was a highly respected citizen of the City of Milwaukie, Oregon, and had faithfully and honorably served the City of Milwaukie

As CHIEF OF THE FIRST VOLUNTEER FIRE DEPARTMENT of the TOWN OF MILWAUKIE, from October 20, 1906 to January 1, 1913

with credit and honor to the Town of Milwaukie, and

WHEREAS, the Council of the City of Milwaukie is appreciative of the services rendered to the City by the said RALPH MYRLE LAKIN, and the high type of citizenship which he exemplified, and regret his passing, NOW THEREFORE

BE IT, AND IT IS HEREBY RESOLVED, that the appreciation of the Council of the City of Milwaukie, of the high type of citizenship exemplified by RALPH MYRLE LAKIN, and the creditable and honorable services which he rendered to the City, and further, the regret of said Council at his passing, be conveyed to his surviving relatives, and further, that a copy be spread upon the minutes of the proceedings of this body.

Passed by the Council of the City of Milwaukie, this tenth day of February, 1964.

Approved by the Mayor this tenth day of February, 1964.

Joseph M. Bernard Jr.
Joseph M. Bernard Jr., Mayor

Max Thompson
Max Thompson, City Manager

Robert C. Wickam, Fire Chief

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

Motion carried and so ordered.

Mayor Bernard announced that he had appointed Earl S. Burdick and Mr. Jerry C. Miller to serve on the Planning Commission until March 1968. Mr. Miller will take the place of Marvin Shrock on the Commission.

Mayor Bernard announced that he had appointed Mr. Robert Staley and Mr. Wm. Huff to serve on the Budget Committee until 1967.

The Mayor opened the hearing on the annexation of property described in Ordinance No. 999 and called for objection to the same. There was no citizen 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 certain territories, as described in Resolution No. 1-1964, from the Milwaukie Rural Fire Protection 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.

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The Mayor opened the hearing on the withdrawal of certain territory from the Wichita Zone, as described in Resolution No. 2-1964, and called for objection to the same. A letter signed by eight citizens living adjacent to and near Lots 9 to 16 incl. and 33 to 40 incl., Block 45 Minthorn Addition, requesting that this property be not withdrawn from the Wichita zone, was read. The objectors stated that Mr. Dorn, owner of these properties had violated a Court Order restricting his activities and use of the property, (Case No. 52367, Wichita Zoning District vs. George Dorn and Wilhelmine Dorn, husband and wife, Clackamas County Circuit Court) and that he was now in contempt of Court, and that if the City withdrew this property from the Wichita Zone District the County Court would no longer have jurisdiction over Doern's activities. It was moved by Sedgwick and seconded by Freeman that this property not be withdrawn at this time. A called vote showed the following result: Ayes: Richmond, Sedgwick, Freeman, Nays: Renard. The motion carried and was so declared by the Mayor.

The Mayor called for objection to the removal of the other properties, as described in Resolution No. 2-1964, from the Wichita Zoning District. There was no citizen present who made objection and no written objection had been received. The Mayor declared the hearing closed.

The Mayor opened the hearing on the withdrawal of certain properties, as described in Resolution No. 3-1964, from the Wichita Water 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.

The Mayor opened the hearing on the withdrawal of certain properties, as described in Resolution No. 4-1964, from the Clackamas Water 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.

The Mayor opened the hearing on the withdrawal of territories, as described in Resolution No. 5-1964, from the Oak Lodge Sanitary District and called for objection to the same. There was no citizen present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Bids for the building of the Library were opened and read as follows:

<u>BID LIST</u>	<u>BASIC BID</u>	<u>ALTERNATIVES</u>				
		A	B	C	D	E
Gene Fettergren	\$193,121.00	\$2,340.00	\$3,400.00	\$1130.00	\$1800.00	\$1530.00
Charles Camplan	197,791.00	2500.00	28.00.00	700.00	700.00	290.00
Paul B. Emerick	187,000.00	3200.00	3500.00	900.00	1900.00	1600.00
Charles R. Schmiedeskamp	190,400.00	2400.00	3150.00	1000.00	1600.00	1700.00
Macaw Inc.	179,948.00	3000.00	3342.00	1285.00	1766.00	1425.00
Milwaukie Construction	176,955.00	2526.00	3828.00	1730.00	1752.00	1525.00
W.R. Dallas & Co.	191,400.00	1700.00	3000.00	980.00	1800.00	2400.00

ALTERNATIVES (Continued)

	ROCK/ Cu. Yd.
Gene Fettergren	\$15.00
Charles Camplan	34.00
Paul B. Emerick	35.00
Charles R. Schmiedeskamp	30.00
Macaw Inc.	30.00
Milwaukie Construction	30.00
W. R. Dallas & Co.	25.00

It was moved by Sedgwick and seconded by Richmond that the bids be referred to the City Manager, Architect Boyd Jossy and the Mayor for their study, and that they make their recommendation to the Council within thirty days.

A letter, from the Planning Commission, in which they recommend that the Omark properties in the George Wills D.L.C. and Logan Tracts, be changed from Zone 3-R-1 to Industrial Zone, was read. It was moved by Freeman and seconded by the Council accept the recommendation of the Planning Commission. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission, in which they recommend that Tract 29 of Gibson's Subdivision of the Logus Tracts, except the southeast 66' x 180' be changed from Zone 3-R-1 to Zone 3-R-2 SPECIAL: that the south 75 feet of Lots 45, 46, 47, 48, Block 13, Minthorn Addition and Lots 1, 2, 3, 4, 47, 48, Block 16, Minthorn Addition, be changed from Zone 3-R-1 to Commercial Zone; and that Tax Lots numbered 16, 116, 88, 25, 89, 28 and 26, John Garrett D.L.C. be changed from Zone 3-R-1 to Industrial Zone, was read. It was moved by Freeman and seconded by Sedgwick that the Council accept the recommendation of the Planning Commission. Motion carried and so ordered.

Ordinance Number 1000 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance Number 1000 be moved to its second reading. Motion carried and so ordered.

Ordinance Number 1000 AN ORDINANCE amending Ordinance Number 836 of the City of Milwaukie, Oregon, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1000 passed the Council and was so declared by the Mayor.

The Mayor requested that the Jr. Chamber of Commerce take the initiative in informing the voters of Milwaukie of our need for a change in our tax base.

The Mayor opened the hearing on the Adams Street (Duerst's Addition) Storm Sewer Assessment and called for objection to the same. Mr. Horton, owner of Lot 7, Block 2, Duerst's Addition, inquired as to why his property was assessed. It was explained to Mr. Horton that the assessment district extended 100 feet back from either side of the street. There were no other inquiries or objection to the assessment. The Mayor declared the hearing closed.

A letter from the Milwaukie Planning Commission in which they recommended that the zones of Lots 1, 2, 3, 4, and the west 100 feet of Lot 5 Engle Addition, and Tax Lot No. 24, Hector Campbell D.L.C. be not changed from Zone 3-R-1 to Commercial zone, was read. There was present at the meeting property owners in close proximity to these properties who objected to this change, stating that it would increase traffic on Glover Road, raise taxes and that there were already enough filling stations in the area.

It was moved by Sedgwick that the Council approve the recommendation of the Planning Commission. The motion died for lack of a second. There were present those who owned some of the properties in question who spoke in favor of the zone change stating that the property had already become fit for none other than commercial use because of the commercial areas adjacent to them and the heavy traffic, and that they could not sell or use their properties for anything other than Commercial use. The owners of the properties withdrew their application for this zone change to give the matter further study.

Manager Thompson pointed out the boundary of the proposed new fire zone. It was moved by Richmond and seconded by Sedgwick that the Council approved the recommendation for a Fire Zone No. 1. Motion carried and so ordered.

Ordinance Number 1001 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 1001 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1001 AN ORDINANCE creating and establishing Fire Zones; repealing Ordinance No. 551 and all other ordinances or parts of ordinances in conflict therewith, and declaring an

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emergency, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1001 passed the Council and was so ordered.

Ordinance Number 1002 was taken up and read for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance Number 1002 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1002 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 boundaries of the City of Milwaukie, Oregon, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, R Richmond and Bernard. Nays: None. Ordinance Number 1002 passed the Council and was so declared by the Mayor.

Ordinance Number 1003 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance No. 1003 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1003 AN ORDINANCE Withdrawing from the Wichita Zoning District Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the city boundaries of the City of Milwaukie, Oregon, was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1003 passed the Council and was so declared by the Mayor.

Ordinance Number 1004 was taken up and read for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance Number 1004 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1004 AN ORDINANCE withdrawing from the Wichita Water District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon, was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance No. 1004 passed the Council and was so declared by the Mayor.

Ordinance Number 1005 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance Number 1005 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1005 AN ORDINANCE withdrawing from the Clackamas Water District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1005 passed the Council and was so declared by the Mayor.

Ordinance Number 1006 was taken up and read for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance Number 1006 be moved to its second reading. Motion carried and so ordered.

Ordinance Number 1006 AN ORDINANCE withdrawing from the Oak Lodge Sanitary District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon, was again taken up and read for its second reading and put on its passage with the following results being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1006 passed the Council and was so declared by the Mayor.

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Ordinance Number 1007 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance Number 1007 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1007 AN ORDINANCE declaring the assessment for the construction of a Storm Sewer along Adams Street in Duerst's Addition from Main Street to a point approximately 150 feet east of 21st Street, and declaring an emergency. was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1007 passed the Council and was so declared by the Mayor.

Ordinance Number 1008 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 1008 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1008 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon from Zone 3-R-1 to Zone 3-R-2 SPECIAL, Commercial Zone and Industrial Zone, Amending Ordinance No. 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: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1008 passed the Council and was so declared by the Mayor.

Ordinance Number 1009 was taken up and read for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance Number 1009 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1009 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Industrial Zone, amending Ordinance No. 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: Freeman, Renard, Sedgwick, Richmond, and Bernard. Nays: None. Ordinance Number 1009 passed the Council and was so declared by the Mayor.

A letter from the Milwaukie Planning Commission, in which they recommend that the Council approve the Oregon State Highway Department's proposed relocation of the Milwaukie-Lake Road section of the Clackamas Highway. It was moved by Renard and seconded by Freeman that the Council accept the Planning Commissions' recommendation. Motion carried and so ordered.

The City Manager's report included the following information. Mr. Fred Weber had defaulted in his payment of \$1,000.00 per month. A letter from Stevens & Thompson on the progress in procuring funds from Housing and Home Finance Agency for the Water Survey, and that plans were ready for the Wichita Water Board to turn over a part of the Wichita Water District to the City.

Manager Thompson reported that the State Highway Department recommended that a traffic light be installed at McLoughlin Blvd. and Jackson Street.

Manager Thompson read a letter from Fire Chief Wickam in which he recommended that a three month leave of absence be given to Captain Chester Stose, who is unable to be on duty on account of injuries from smoke inhalation.

The Fire Chief's monthly report was read and ordered filed. The Street Department monthly report was read and ordered filed. The Water Department monthly report was read and ordered filed. The Police Chief's monthly report was read and ordered filed.

Attorney Sheldahl reported that the deeds were now ready for the purchasers of Lots 14, 15, 16, Block 12, Quincy Addition and requested that a Resolution be adopted providing for the transfer of this property. It was moved by Sedgwick and seconded by Freeman that the following Resolution be adopted.

RESOLUTION NUMBER 7-1964

RESOLUTION PROVIDING FOR THE SALE, IN FURTHERANCE OF PUBLIC INTEREST, OF CERTAIN REAL PROPERTY OWNED BY CITY OF MILWAUKIE, OREGON, NOT NEEDED FOR PUBLIC USE.

WHEREAS, the following described real property situated in the City of Milwaukie, County of Clackamas and State of Oregon, described as:

LOTS 14, 15, 16, in BLOCK 12, QUINCY ADDITION to the City of Milwaukie, County of Clackamas and State of Oregon,

being tracts of real property owned by City of Milwaukie, Oregon, are hereby declared and determined to be real property not needed for public use or for municipal purposes by the said City of Milwaukie, Oregon; and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined and does hereby determine that the public interest would be furthered by the sale of said real property to Kenneth L. Waymire and Roberta Waymire for a cash consideration of \$7,150.00, said consideration being hereby determined as a fair and reasonable price for said property, and representing its fair market value;

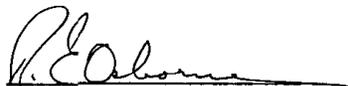
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the above described lots be sold to Kenneth L. Waymire and Roberta Waymire, husband and wife, for a cash consideration of \$7,150.00;

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized and directed to sign a deed or deeds to said properties on behalf of the City of Milwaukie, and to attach the official seal of the City thereto.

ADOPTED THIS 10th DAY OF FEBRUARY, 1964.


Joseph M. Bernard, Jr., Mayor.

ATTEST:


R. E. Osborne, Recorder.

Motion carried and so ordered.

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

Air Mac Inc.	224.00
Alaska Steel Co.	346.50
All Electric Construction	199.41
American Barricade Co.	24.80
American Waterworks Assn.	18.75
Badger Meter Mfg. Co.	676.20
Brod & McClung Engineering Sales Co.	8.90
Bureau of Business Research, University of Oregon	2.00
Casey's	88.26
Clackamas County	135.50
Clackamas County Public Library	24.41
Communication Specialists	54.90
Howard Cooper Corp.	4.31
V. W. Crosswhite	250.00
Crosswhite Enterprises	3.00
Daily Journal of Commerce	32.20
Diamond Fuel Co.	199.21
Dunmire Motor Co.	4.76
Feenaughty Machinery Co.	43.30

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Francis Motor Car Co.	9.21
Franck's Color Center	2.00
Gaylord Bros., Inc.	57.87
Dick Groener Agency	5,768.92
Larry Harrington Co., Inc.	5.61
Harshberger Equipment Co.	55.22
Charlie Helwig, Inc.	78.95
Herb's Uniform Co.	86.85
J. I. Holcomb Co., Inc.	32.25
Horton Electric	1,246.53
Hupp Photo Service	8.50
Industrial Air Products Co.	6.00
Industrial Iron Works	110.31
Johnston Cement Products	193.50
Lanson's, Inc.	21.20
Larson's Auto Parts	11.80
Management Information Service	50.00
McCready Lumber Yards	120.15
Milwaukie Automotive Service	74.75
Milwaukie Hardware	90.88
Milwaukie Heating & Air Conditioning	9.50
Milwaukie Lumber Co.	61.97
Milwaukie Plumbing & Heating Co.	8.00
Milwaukie Review	282.50
Milwaukie Volunteer Fire Dept.	35.00
J.W. Minder Chain & Gear Co.	1.63
Mitchell Manufacturing Co.	3.75
Moore Business Forms, Inc.	181.94
Neptune Meter Co.	917.79
North Clackamas Publishers & Printers	33.90
Northwest Industrial Laundry	122.00
Northwest Natural Gas Co.	44.65
Olson Bros. Shell Service	59.39
Oregon City Laundry Co.	71.78
Oregon City Printing & Stationery Co.	81.43
Oregon Typewriter & Recorder Co.	15.05
Overall Laundry Co.	29.25
Pacific Northwest Bell	301.54
Pennzoil Co.	241.32
Petty Cash	24.63
Pioneer Mercantile Co.	26.13
Pitney-Bowes, Inc.	70.20
Portland Concrete Pipe & Prod. Co.	80.48
Portland General Electric Co.	2,940.76
Portland Gravel Co.	36.00
Portland Road & Driveway Co.	376.47
Pump Pipe & Power Co.	4,002.30
Sanderson Safety Supply Co.	3.35
Sears, Roebuck & Co.	186.63
Southern Pacific Co.	30.00
Street Fund	41.16
Tartan Book Sales, Inc.	26.41
Texaco, Inc.	322.75
Thomas Office Supply	111.15
Water Fund	358.95
Waterworks Supplies Co.	148.23
Western Drug Label Co.	191.85
Robert C. Wickam	48.00
Zep Manufacturing Co.	83.50

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
 Ellen Martin, Clerk.