

CITY COUNCIL MEETING  
March 27, 1967

COUNCIL CHAMBERS

1053rd Meeting

The one thousand fifty-third meeting of the Council of the City of Milwaukle, Oregon, was held on the 27th day of March, 1967.

The meeting was called to order by Mayor Robert Richmond with the following Council men present:

- |                    |   |
|--------------------|---|
| Frank C. Clore     | Dr. Paul J. Slominski (arrived at 8:05) |
| Donald Graf        | David S. Strauss                        |
| Robert E. Richmond |   |

also present:

- |                           |                           |
|---------------------------|---------------------------|
| Fred Dyer, City Mgr.      | Barbara Watson, Secretary |
| Robert Mills, City Att'y. |                           |

It was moved by Graf, seconded by Clore, that the minutes of the regular meeting of March 13, 1967, be approved as written. Motion carried and so ordered.

WAVERLY GREEN ASSESSMENT

Letter from Mr. H. Sherfy, one of the owners of Waverly Greens Apartments, was read requesting that the Council allow the assessment due on Tax Roll 101 for sewers to be paid off at a monthly rate. This was denied by the Council.

(Notice has been published for the sale of Waverly Green Apartments on the 7th of April, 1967, to satisfy the lien of assessment.)

Mr. Sherfy, 323 Virginia, San Mateo, California, addressed the Council, requesting an extension for payment of the \$11,122.16, plus interest and penalty due on the Waverly Heights sewer assessment.

(Dr. Slominski entered and took his seat on the podium)

After further discussion, it was moved by Graf, seconded by Clore, that the Council agree to readvertise in order to give the period of five weeks grace requested by Mr. Sherfy, starting the advertising immediately and which will run to approximately the end of April; cost of legal notices and other costs incident to said extension to be borne by the owners, Mr. Sherfy and Leong. ~~Motion carried and so ordered.~~ as agreed upon by Mr. Sherfy. Motion carried with Strauss and Slominski dissenting. (Amended 4/3/67)

PUBLIC HEARINGS

PUBLIC HEARING was declared open by the Mayor at 8:15 p. m. , on the question of Street Vacation of Franklin Street between 42nd and Railroad Ave. Notices published and posted as required by provisions in Sec. 271.130 and 271.110 of Oregon Revised Statutes.

As there was no one present speaking either for or against the proposed street vacation, and no written remonstrance had been received, the hearing was declared closed.

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It was moved by Slominski, seconded by Graf, that Ord. No. 1148, be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Slominski, seconded by Strauss, that Ord. No. 1148, be moved to its second reading by title only at this time. Motion carried and so ordered.

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Ord. No. 1148, (AN ORDINANCE VACATING A PORTION OF FRANKLIN STREET, A PUBLIC STREET WITHIN THE CITY OF MILWAUKIE, OREGON, AND DECLARING AN EMERGENCY,) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1148 passed the Council and was so declared by the Mayor.

PUBLIC HEARING was opened on the question of withdrawal from Wichita Street Lighting District. Notices published and posted in compliance with Resolution No. 9-1967. Speaking in opposition: Mr. McDonald, 10116 Stanley.

As there was no one further speaking either for or against the proposed withdrawal, and no written remonstrance had been received, the hearing was declared closed.

It was moved by Slominski, seconded by Graf, that Ord. 1149 be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Slominski, seconded by Clore, that Ord. No. 1149, be moved to its second reading by title only at this time. Motion carried and so ordered.

RR 4  
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Ord. No. 1149, (AN ORDINANCE WITHDRAWING FROM THE WICHITA STREET LIGHTING DISTRICT NO. 4, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON,) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1149 passed the Council and was so declared by the Mayor.

PUBLIC HEARING was opened on the question of withdrawal from the Wichita Zoning District. Notices published and posted in compliance with Resolution No. 6-1967.

Speaking in opposition: Mr. McDonald, 10116 S. E Stanley Avenue, Milwaukie.

As there was no one further speaking either for or against proposed withdrawal, and no written remonstrance had been received, the hearing was declared closed.

It was moved by Graf, seconded by Slominski, that Ord. No. 1150, be taken up for its first reading. Motion carried and so ordered.

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After completion of the reading, it was moved by Clore, seconded by Graf, that Ord. No. 1150 be read by title only at this time. Motion carried and so ordered.

Ord. No. 1150, (AN ORDINANCE WITHDRAWING FROM THE WICHITA ZONING DISTRICT, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON,) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1150 passed the Council and was so declared by the Mayor.

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PUBLIC HEARING was opened on the question of withdrawal from the Wichita Water District. Notices published and posted in compliance with Resolution No. 8-1967.

Speaking in opposition: Mr. McDonald, 10116 S E. Stanley Ave., Milwaukie

As there was no one further speaking either for or against proposed withdrawal, and no written remonstrance had been received, the hearing was declared closed.

It was moved by Slominski, seconded by Strauss, that Ord. No. 1151, be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Clore, seconded by Graf, that Ord. No. 1151, be moved to its second reading by title only at this time. Motion carried and so ordered.

Ord. No. 1151, (AN ORDINANCE WITHDRAWING FROM THE WICHITA WATER DISTRICT, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON,) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1151 passed the Council and was so declared by the Mayor.

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(Recess called at 9:45 - reconvened at 9:50 with all members present)

PUBLIC HEARING was opened on the question of withdrawal from Milwaukie Rural Fire District. Notices published and posted in compliance with Resolution No. 7-1967.

Speaking in opposition: Mr. McDonald, 10116 S. E. Stanley Avenue, Milwaukie.

It was moved by Graf, seconded by Clore, that Ord. No. 1152, be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Graf, seconded by Clore, that Ord. No. 1152, be moved to its second reading by title only at this time. Motion carried and so ordered.

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Ord. No. 1152, ( AN ORDINANCE WITHDRAWING FROM THE MILWAUKIE RURAL FIRE DISTRICT NO. 56, CLACKAMAS COUNTY. OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1152 passed the Council and was so declared by the Mayor.

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PUBLIC HEARING ON JACKSON STREET STORM SEWER ASSESSMENT was declared open by the Mayor. Notices published and posted in compliance with Resolution No. 48-1966.

As there was no one present speaking either for or against proposed sewer assessment, and no written remonstrance had been received, the hearing was declared closed.

It was moved by Slominski, seconded by Graf, that Ord. No. 1153, be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Graf, seconded by Strauss, that Ord. No. 1153, be moved to its second reading by title only at this time. Motion carried and so ordered.

Ord. No. 1153, ( AN ORDINANCE DECLARING THE ASSESSMENT FOR THE CONSTRUCTION OF STORM SEWERS AND APPURTENANCES IN A PORTION OF THE MINTHORN ADDITION, AND DECLARING AN EMERGENCY, ) was put on its passage with the following roll call vote: AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None. Ord. No. 1153 passed the Council and was so declared by the Mayor.

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CITY PLANNING PROGRAM - 2nd Phase

Memo from the Planning Commission was read recommending the Council accept the proposal by the Bureau of Municipal Research to subcontract the second phase of the planning study assigned to Central Business District, in the amount of \$3,000. to Cornell, Howland, Hayes & Merryfield.

It was moved by Slominski, seconded by Strauss, that the Planning Commission's recommendation be accepted. Motion carried and so ordered.

PROCLAMATION

It was moved by Graf, seconded by Clore, that a proclamation, declaring April 17 to April 23, 1967, as National Library Week, be accepted by the Council and signed by the Mayor. Motion carried and so ordered.

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47th & KING RD. ACQUISITION

Manager reported that Mr. Bayer, had agreed to sell the property needed to improve 47th Street, north of King Rd. , at a price of \$1100.

After discussion, it was moved by Slominski, seconded by Strauss, that the Manager proceed with negotiations for the purchase of the property, approximately 5,219 sq. ft. , and that the City, after completion of the sale, improve the street to a 50 ft. width; City to bear the full cost of said improvement. Motion carried and so ordered.

BOWMAN TERRACE ANNEXATION (Proposed)

It was moved by Strauss, seconded by Graf, that this matter be tabled until the meeting of April 10, 1967. Motion carried and so ordered.

RESOLUTION NO. 13-1967

The Manager was directed by the Mayor, with the concurrence of the Council, to take Res. No. 13-1967, from the table for reading.

It was moved by Strauss, seconded by Slominski, that Resolution No. 13-1967, be adopted as read. Motion carried and so ordered.

Resolution No. 13-1967, A RESOLUTION DIRECTING THE MAYOR, CITY MANAGER, AND RECORDER OF THE CITY OF MILWAUKIE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF CLACKAMAS FOR THE DETENTION OF VIOLATORS OF CITY ORDINANCE.

RESOLUTION NO. 14-1967

The Manager was directed by the Mayor, with the concurrence of the Council, to take Res. No. 14-1967, from the table for reading.

It was moved by Clore, seconded by Graf, that Resolution No. 14-1967, be adopted as read. Motion carried and so ordered.

Resolution No. 14-1967, A RESOLUTION DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF CLACKAMAS FOR THE CHECKING AND APPROVAL OF SUBDIVISION PLATS WITHIN THE CITY LIMITS OF MILWAUKIE.

RESOLUTION NO. 15-1967

The Manager was directed by the Mayor, with the concurrence of the Council, to take Res. No. 15-1967, from the table for reading.

It was moved by Slominski, seconded by Strauss, that Resolution No. 15-1967, be adopted as read. Motion carried and so ordered.

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Resolution No. 15-1967, A RESOLUTION PROVIDING FOR A HEARING ON THE QUESTION OF STREET VACATION OF RIDGE ROAD AND CENTRAL AVENUE, DESIGNATED STREETS WITHIN THE CITY OF MILWAUKIE, OREGON.

ESTABLISH PROCEDURE ON LEGAL NOTICES

After discussion, it was moved by Strauss, seconded by Graf, that the City establish a procedure of listing addresses, together with the required legal descriptions, on legal notices whenever possible. Motion carried and so ordered.

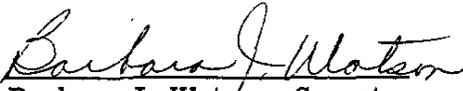
PAYMENT OF BILLS

It was moved by Graf, seconded by Slominski, that the bills listed for March 28, 1967, payment be approved and that warrants be drawn for the payment of same. Motion carried and so ordered.

Upon motion duly made and seconded, the meeting adjourned at 11:00 p. m.

  
Robert E. Richmond  
Robert E. Richmond, Mayor

ATTEST:

  
Barbara J. Watson  
Barbara J. Watson, Secretary

BILLS PAYABLE ON MARCH 28, 1967

American Building Maintenance Co.	284.90
American Heritage Pub. Co.	3.25
Bay, Fred N., News Co.	4.22
B J. Door Mfg. Co.	29.00
Brittingham, Frank	23.00
Carpenter Paper Co.	14.94
Chalet L'Abbe	32.10
City Sanitary Products	3.00
Clackamas County	141.00
Clackamas County Fire Defense Bd.	5.00
Collier Macmillan Library Service	9.53
Command School Registration	90.00
Cornell, Howland, Hayes & Merryfield	300.00
Dick's Pump & Meter Service	9.00
Dieringer's	49.65
Dohrman Co.	6.95
Eldridge, John H.	22.75
Evergreen Library Service	1 598.34
Fisher, Joe, Ford	174.96
Helwig, Charlie, Inc.	9.19
Hennessy Insurance	130.00
Herb's Uniforms Co.	193.25
Horton Electric	221.42
Int'l City Managers' Ass'n.	2.50
Langston Tree Service	66.25
Lehman Reloading Service	25.00
Library of Congress, Card Div.	16.80
Lincoln & Allen Co.	15.00
Mason's Supply Co.	8.50
Meter Box Equipment Co.	142.80
Milwaukie Glass Co.	4.44
Milwaukie Plumbing & Heating	47.30
Montgomery Ward & Co.	45.80
Northwest Natural Gas Co.	170.15
Northwest Photocopy Corp.	50.00
Nudelman Brothers	11.45
Owens, J. A , Educational Distrib.	43.65
Pacific Northwest Bell	76.48
Pacific Scientific Co.	11.35
Pacific Waterworks Supply Co.	51.50
Paulson Roles Labr.	35.22
Petty Cash	72.44
Paulson Wilson	23.52
Portland Road & Driveway	790.15
Review, the	39.47
Rock, Creek Sand & Gravel	60.00
Shorline Co.	1 652.00
Silver Burdett Co.	4.40

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Bills payable 3/28/67

State Dept. Motor Vehicles	5.00
Traffic Safety Supply Co.	202.35
Van Waters & Rogers	185.26
Water Dept.	2.16
Waterworks Supplies Co.	5 757.07
Zep Manufacturing Co.	153.45
Zidell Explorations	99.64

WAIVER OF NOTICE AND ACKNOWLEDGMENT

We, the undersigned members comprising the Council for the City of Milwaukie, Oregon, do hereby waive any and all notice of a special meeting of the City Council called by the Mayor of the said City and held on the 3rd day of April, 1967, to consider Resolution Number 16-1967, relating to amendment of City Charter and Bond Election, and we do hereby acknowledge attendance at said meeting in our official capacity.

DATED THIS 24 DAY OF April, 1967.

Frank C. Cloe

Donald W. Gray

Robert E. Richmond

Paul J. Smith

David L. Strass