SPECIAL MEETING OF APRIL 6, 1964

A special meeting of the Council of Milwaukie was held on the sixth day of April, 1964, for the purpose of viewing plans for the new Library building.

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

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

Architect Boyd Jossy presented to the Council the revised plans and contract for the remodeling of the Ledding house and new additions to the same to convert it to a Public Library, as recommended by the Library Committee and the Library Board.

After viewing the plans and the Contract, it was moved by Renard and seconded by Richmond that the Council approve the recommendation of the Library Committee and the Library Board and that the Contract be awarded to Milwaukie Construction Company, to build the Library for the sum of $135,511.59. The motion carried and was so ordered.

On motion duly made and carried the meeting adjourned.

Max Thompson

Max Thompson, Acting Clerk.

MEETING OF APRIL 13, 1964

COUNCIL CHAMBER 993rd MEETING

The nine hundred ninety-third regular meeting of the Council of Milwaukie was held on the thirteenth day of April, 1964.

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

The invocation was given by Reverend Herbert Reed, Church of Christ, 2816 Harrison Street, Milwaukie.

Those present were Mayor Joseph M. Bernard Jr.; Councilmen Walter J. 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 ninety-second regular meeting of the Council, held on the nineth day of March, 1964 and the minutes of a Special meeting of the Council, held on the sixth day of April, 1964, were approved as written.

Mrs. Florence Abbott, 9844 - 47th Street, laid before the Council "Petition for the improvement of Logus Road due to unsafe pedestrian traffic condition" Mrs. Abbott is President of the Seth Luelling School P.T.A. and explained that ninety-four school children walk along this road to and from school; that from 47th Street east, the road is only 30 feet wide. The petition was signed by eighty-one parents, but it was not determined how many lived within the city limits, and much of the property along the south side of the Road is not in the City. After considerable discussion it was moved by Sedgwick and seconded by Freeman that Manager Thompson be authorized to have a preliminary layout plan for the widening of this street, made and that the Council discuss this matter with the property owners along this road. Motion carried and so ordered.

Mayor Bernard announced that the League of Oregon Cities will hold their Regional Meeting in Milwaukie on April 29. It was moved by Freeman and seconded by Sedgwick that the City pay the expenses for the City Representatives at this meeting. Motion carried and so ordered.

Mr. John O. Sheldahl, City Attorney, then read the following resolution.

RESOLUTION NUMBER 10-1964

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY TAX BASE ELECTION IN THE CITY OF MILWAUKIE, OREGON, ON MAY 15, 1964, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION ON TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OREGON CONSTITUTION.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that a new tax base should be established as authorized by subsection (2), Section 11, Article XI, Oregon Constitution, in order to permit the proper operation of the city affairs within the limitation contained in Section 11, Article XI, Oregon Constitution; and

WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters of the City of Milwaukie, Oregon;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the following proposition shall be submitted in the manner prescribed in this Resolution to the legal voters of the City of Milwaukie, Oregon, at a special city tax base election to be held on May 15, 1964;

"Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from $68,178.81 to $451,978.00?"

BE IT FURTHER RESOLVED that this special city tax base election be and the same hereby is called to be held concurrently with and as a part of the state-wide primary election being held in the State of Oregon and in the City of Milwaukie, Oregon, on May 15, 1964;

BE IT FURTHER RESOLVED that the regular polling places designated by the County Court of Clackamas County, Oregon, in the voting precincts in the City of Milwaukie, hereby are designated as the polling places for the city tax base election; the poll books adopted by the County Court of Clackamas County, Oregon, as the poll books for the state-wide primary election for the voting precincts in the City of Milwaukie hereby are adopted as the poll books for the city tax base election; and the judges and clerks of election appointed by the County Court of Clackamas County, Oregon, to serve at the state-wide primary election hereby are designated as the judges and clerks of and for the city tax base election.

BE IT FURTHER RESOLVED that the judges and clerks shall hold their respective offices as designated for the state-wide primary election.

BE IT FURTHER RESOLVED that the polls for the city tax base election shall be opened in each of the voting precincts at the same hour, and shall be kept open until the same hour, as the polls are opened and closed for the state-wide primary election that will be held on the same day.

BE IT FURTHER RESOLVED that notice of the city tax base election shall be given by posting notices thereof in three public places in each voting precinct within the City of Milwaukie, Oregon, at least ten days prior to the date of election, and by publishing notice thereof once in the Milwaukie Review, the official city paper, at least ten days prior to the said election.

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BE IT FURTHER RESOLVED that the notice published in the said newspaper and the notices to be posted in three public places in each voting precinct shall be in substantially the following form:

NOTICE OF SPECIAL CITY TAX BASE ELECTION

On May 15, 1964, in the City of Milwaukie, Clackamas County, from 8:00 a.m. to 8:00 p.m., Pacific Daylight Time, a special city election will be held at which the following proposition will be submitted to the legal voters of the City of Milwaukie for their approval or rejection:

51	ESTABLISHING NEW CITY TAX BASE. Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from $68,178.81 to $451,978.00?	YES ☐ NO ☐

This proposition, if adopted, will establish a new tax base for the City of Milwaukie, Oregon, for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The present tax base is $68,178.81, the new tax base if adopted will be $451,978.00, and the new tax base if adopted shall first apply to the levy for the fiscal year next following this election.

The city and county precincts within the City of Milwaukie will have uniform boundaries and the same election boards. The polling places in the city for the special city tax base election will be at the same places as provided by Clackamas County for the state-wide primary election to be held on the same day, May 15, 1964, and to such places as the election boards may legally adjourn.

The City Council by resolution has appointed the identical officers appointed by the County Court of Clackamas County, Oregon, for the state-wide primary election as the judges and clerks of the special city tax base election to serve in each of the polling places in the respective precincts to which they are appointed by the County Court of Clackamas County, Oregon.

WITNESS my hand and seal of the City of Milwaukie, Oregon, this _____day of April, 1964.

R. E. Osborne, Recorder of the
City of Milwaukie, Oregon

It shall be unnecessary for either the City of Milwaukie or any official thereof to furnish the legal voters in the special city tax base election pamphlets containing either the text of the proposition or arguments in support of or in opposition to the proposition.

BE IT FURTHER RESOLVED that the following is the number and form in which the question shall be printed upon the official ballot:

VOTE YES OR NO

Mark a cross (X) in the square for the answer voted for

PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY

51	ESTABLISHING NEW CITY TAX BASE. SHall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from $68,178.81 to $451,978.00 ?	YES ☐ NO ☐

BE IT FURTHER RESOLVED that the Recorder of the City of Milwaukie, Oregon is hereby empowered and directed to cause to be posted and published the notice of special election as herein set forth and to make all further arrangements and to secure the necessary supplies for such election.

It was moved by Councilman Robert Richmond and seconded by Councilman Walter Freeman that Resolution No. 10-1964 be adopted. Upon being put to a vote the motion was unanimously passed by all of the members of the Council.

Mayor Bernard opened the hearing on the question of the annexation of properties as described in Ordinance No. 1011 and called for objections to the same. There was no citizen present who objected and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 1013 was taken up and read for its first reading. It was moved by Councilman Sedgwick and seconded by Councilman Richmond that Ordinance Number 1013 be moved to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1013 AN ORDINANCE annexing certain territories, contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon; and fixing the effective date of such annexation 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 1013 passed the Council and was so declared by the Mayor.

A letter from the Milwaukie Planning Commission, in which they recommended two driveways opening into 21st Street and one driveway opening into Lake Road, from property proposed as a cite for a Standard Oil Service Station, was read. It was moved by Councilman Richmond and seconded by Councilman Freeman that the Council accept and approve the recommendation of the Planning Commission, and that permit to cut the curb for these driveways be granted on the condition that the minimum distance between Lake Road and the south driveway into 21st Street be not less than 21 feet. The motion carried and was so declared by the Mayor.

A letter from the Milwaukie Planning Commission was read. The letter, written under date of March 24, recommended that the Zone for Tax Lot 24, Campbell D.L.C. and Lots 1, 2, 3, 4 and the West 100 feet of Lot 5, Engle Addition, be not changed at this time as the proposed change did not conform to the advance plan for this area.
Mr. Eastman, representing Richfield Oil Corp. stated that they were interested in Lots 1, 2 and West 100 feet of Lot 5 and if this property were Zoned Commercial they would purchase the same for a filling station. Mr. Eastman laid a map of the area before the Council and pointed out the properties now zoned Commercial and the areas suitable for buffer zones between Commercial areas and 3-R-1 zones. Mr. Eastman also showed pictures of the type of service stations which Richfield Oil Corp. is building in other Cities on similarly located properties and stated that they planned this type of station and landscaping at this location. Mr. Eastman then requested that the Council please refer this zone change request back to the Planning Commission. Under the discussion Mr. Smith, owner of Tax Lot 24, Campbell D.L.C.,which property is also at King and Glover Roads, requested that his application for zone change be referred back to the Planning Commission. Mr. Charles Cuculich, owner of Lot 3, Engle Addition, stated that he was speaking also for Mr. Anderson, owner of Lot 4, Engle Addition, and requested that the zone change on their properties also be referred to the Planning Commission. It was moved by Freeman and seconded by Sedgwick that the matter of zone changes for these properties be referred to the Planning Commission. Motion carried and so ordered.

The letter from the Planning Commission also recommended that the following zone changes be made

Lots 17 & 18, Block 40, Minthorn Addn. Change from 3-R-1 to Commercial

Tax Lot 147, Whitcomb D.L.C. - Change from 3-R-1 to Commercial

Lots 2 to 8 inclusive,Block 1, Leo Addn. Change from 3-R-1 to Commercial-Industrial

Lots 1 to 7 incl., Block 2, Leo Addition and Lots 11, 12, 13, Block 2, Leo Addition - Change from Industrial zone to Commercial-Industrial Zone.

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It was moved by Sedgwick and seconded by Freeman that the Council approve and accept the recommendation of the Planning Commission regarding the zone changes.

A letter, under date of April 13, from the Planning Commission, was read. In this letter the Commission recommended that the zone for Tax Lot 27, Campbell D.L.C. be changed from 3-R-1 to 3-R-2Special providing that a 50 foot street be extended into the property from King Street, that the street be extended through the property and that an additional 10 foot easement for street purposes as a turn around, be at the north termini of the street. Mr. Paul Baer, a member of the Planning Commission, was present and the Council called upon him for a report of the findings of the Planning Commission on this proposed change. Mr. Baer reported that the original request for the zone change showed a 25 foot roadway into Tax Lot 27 and that the purpose of the zone change would be to permit an apartment dwelling to be built on the property. Mr. Baier pointed out that the properties to the east and west of Tax Lot 27 also had large tracts of empty land and that properties in Marchbanks Addition could be benefitted by a roadway through these lands. There were owners of properties in Marchbanks Addition present who voiced their interests in obtaining an ingress and egress to a public street. Mrs. Mary Baur presented petitions, signed by 16 property owners along King, 40th and Drake Streets requesting that the zone on Tax Lot 27, Campbell, D.L.C. be not changed. Mr. Paul Baer and Mrs. Mary Baur pointed out that this large tract of empty land could be developed for choice homes if there was an opening to a public street but that if an apartment were allowed to be built on any portion of it, all the property would be devalued. Mr. Mel Larson, realtor, explained that the price demanded for the property made it necessary to build multiple family dwellings on the property. It was moved by Sedgwick that this matter be referred back to the Planning Commission for their further study. The motion died for lack of a second. It was moved by Richmond and seconded by Sedgwick that the Planning Commission's recommendation be not approved at this time. There was considerable discussion of the question. It was moved by Renard and seconded by Richmond that the Mayor call for the question. Motion carried and so ordered. Upon calling for the question on the motion to not approve the Planning Commission's recommendation, the motion carried without a dissenting vote.

Mayor Bernard appointed the following citizens to act on a " "Citizen's Committee" on building inspections and requirements of same.

Francis H. St.Pierre, Building Contractor; James Gibson, Gibson's Electric; Joe Gauger, All Electric Construction Co.; Maynard Egge, Milwaukie Plumming; D.W. Cousins, Cousins Plumbing; Wm. Klink, Milwaukie Oil Burner Sales; Victor Rose, Action Realty. City Manager, Max Thompson and Building Inspector, Dallas Brown are exofficio members of the Committee.

Ordinance Number 1014 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance Number 1014 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1014 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 notice publication of notice of such annexation 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: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1014 passed the Council and was so declared by the Mayor.

Ordinance Number 1015 was taken up and read for its first reading. It was moved by Sedgwick and seconed by Freeman that Ordiance Number 1015 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1015 AN ORDIANCE providing for the rezoning of c certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Commercial Zone and to Commercial-Industrial Zone and from Industrial Zone to Commercial-Industrial Zone, Amending Ordinance Number 481, as amended, and declaring an emergency, was again taken up and read for its second reading and put on itsppassage with the follow-

ing results being had. Ayes: Freeman, Renard, Richmond, Sedgwick and Bernard. Nays: None. Ordinance Number 1015 passed the Council and was so declared by the Mayor.

Manager Thompson reported the progress of the codifying of the City Ordinances.

Mayor Bernard announced that the Council would have special meetings as follows:

April 20, at 7:30 P.M. to review codified Ordinances.
April 24, at 7:30 P.M. to meet with the Budget Committee
April 24, after the election, to canvass the votes of the election

The Mayor announced that on April 29, the League of Oregon Cities would be meeting in Milwaukie for their Regional meeting, at St. John Episcopal Church dining room, and requested that the Council all attend.

Manager Thompson reported that he and the Police Chief had investigated the speed of vehicles on Lake Road and that they recommended the speed be regulated as follows:

From 0.16 mile west of Oatfield Road to Kimbrough Road, recommended speed 25 MPH.
From Kimbrough Road to Kuehn Road, recommended speed 35 MPH.(miles per hour)

It was moved by Renard and seconded by Richmond that the Council approve and accept the recommendation of the Manager and Police Chief. Motion carried and so ordered.

Manager Thompson reported that the American Legion were to hold their State Convention in Milwaukie in July and asked that certain parking provisions be arranged for them. It was agreed that investigation be made and a plan be worked out for the City's guests in July.

Manager Thompson reported the status of future development plans for Milwaukie. It was moved by Richmond and seconded by Sedgwick that as soon as funds are available, that the Manager contact the Bureau of Municipal Research and that an agreement be drawn with them for the plans for Future Development Study of the City of Milwaukie in an amount not to exceed $5,000.00 per year. Motion carried and so ordered.

Manager Thompson presented to the Council the annual Mosquito Control agreement with Clackamas County Mosquito Control Department. It was moved by Sedgwick and seconded by Renard that the Mayor be authorized to sign the Mosquito Control Agreement. Motion carried and so ordered.

Manager Thompson presented a formal agreement from the Housing and Home Finance Agency for advance funds for the preliminary plans for the proposed construction of the Water System extensions in the amount of $8,000.00. It was moved by Freeman and seconded by Richmond that the Mayor be authorized to sign the Agreement. Motion carried over one dissenting vote, and was so ordered.

Manager Thompson reported that Golden Rule Realty Co. had requested him to ascertain if the Oak Lodge Sewer District would permit the owner of Tax Lot 133 of Whitcomb D.L.C. to connect a lateral from this property to their sewer main, and that he had received word back from the Oak Lodge Sewer District as follows: "For a service of this nature, an agreement would have to be made between the City of Milwaukie and the Board of the Oak Lodge Sewer District. Such an opinion as I have given as to the feasibility of construction of a sewer does in no way bind the District to service the property" signed by Harvey Scott, General Manager. It was moved by Richmond and seconded by Renard that the request of the Golden Rule Real Estate Co. be denied at this time and that a letter to that effect be sent to the Oak Lodge Sewer District. Motion carried and so ordered.

Manager Thompson read a letter from Mr. Cooney, of Cooney, Isaacs and Lord, owners of Lakeside Apartments. Mr. Cooney explained that he had made application to bond this property for the lift station assessment for the 28th Street Hoesley Lakeside Addition, on the day after the filing date had expired, and that he requested that he be allowed to bond the property for this assessment. It was moved by Renard and seconded by Sedgwick that the Recorder be permitted to antedate the assessment bond for this property. Motion carried and so ordered.

CCB102

A request for a Class "A" Dispensers License recommendation for Chalet L'Abbe was laid before the Council on behalf of Jewel B. Aebi. It was moved by Renard and seconded by Sedgwick that the recommendation be granted. Motion carried and so ordered.

It was moved by Sedgwick and seconded by Richmond that the Ordinance pertaining to Civil Service for the City Employees be reviewed and read at the special meeting of the Council on April 20, Motion carried and so ordered.

It was moved by Sedgwick and seconded by Richmond that the Mayor be authorized to sign an agreement with Boyd Jossy, appointing him (Jossy) as architect in charge of the building of the new Library. Motion carried and so ordered.

Manager Thompson read a report of progress on the Library, from Mr. Jossy, showing that at this time the City owes Mr. Jossy 80% of his bill in the amount of $7,828.64/; the other 20% to be withheld until the job is finished. It was moved by Sedgwick and seconded by Freeman that Mr. Jossy be paid $7,828.64. Motion carried and so ordered.

The monthly Water Department report was read and ordered filed.
The monthly Street Department report was read and ordered filed.
The monthly Health Department report was read and ordered filed.
The monthly Fire Department report was read and ordered filed.
The monthly Police Department report was read and ordered filed.

It was moved by Sedgwick and seconded by Freeman that Ordinance Number 481 be amended to provide that no multiple dwelling of any kind be permitted in the 3*R-1 zone. The motion carried over one dissenting vote, (Councilman Renard noted No).

It was moved by Renard and seconded by Sedgwick that the City Attorney be instructed to recover for the City of Milwaukie, for the Area "D" Sewer and Lift Station, in the amount of $8,084.80, from any person or Corporation that may be responsible for the payment of same. Motion carried and so ordered.

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

Air-Mac, Inc.	37.80
American Barricade Co.	8.80
American Fire Protection Co.	21.35
American Library Association	2.00
R. K. Bass	37.15
Brooks Products, Inc.	82.30
Bureau of Municipal Research & Service	18.30
Cadco	48.90
Randall Church	33.00
Clackamas County	270.50
Clackamas County Public Library	4.47
Clackamas Court, Order of Amaranth	2.30
V. W. Crosswhite	131.25
Diamond Fuel	81.38
W. Frank Fairly & Co.	980.00
Francis Motor Car Co.	3.84
The Fyr-Fyter Co.	14.45
G & S Janitor Supply Co.	288.10
General Fund - Library Const.	98.20
Charlie Helwig, Inc.	50.89
Heisler's Car Wash	7.00
Horton Electric	49.00
Industrial Air Products Co.	6.00
International City Managers' Assn.	23.50
International Conference of Bldg. Officials	6.50
Jack's Digger Service	85.50
Johnston Cement Products	130.50
Lanson's Inc.	272.09
Larson's Auto Parts	21.55
Legislative Council Committee	55.00
Logger Jack's Tree Service	100.00
McCready Lumber Yards	44.90
Milwaukie Automotive Service	140.44
Milwaukie Hardware	92.72
Milwaukie Lumber Co.	14.16

Milwaukie Review	75.55
Milwaukie Upholstering	1.00
Milwaukie Volunteer Fire Dept.	60.00
Motorola Communication & Electronics	399.00
Neptune Meter Co.	867.29
Northwest Industrial Laundry Co.	12.00
Northwest Natural Gas Co.	85.99
Northwest Photocopy Corp.	42.50
Nudelman Brothers	40.00
Olson Bros. Shell Service	237.79
Oregon City Laundry Co.	68.59
Oregon City Printing & Stationery Co.	10.40
The Oregonian	15.60
The Oregon Journal	12.45
The Oregon News Co.	18.73
Oregon State University	5.00
The Overall Laundry Inc.	25.80
Pacific Northwest Bell	284.05
Pacific Waterworks Supply	4.24
Peerless Pacific Co.	31.94
Pennzoil Co.	140.88
Pioneer Mercantile Co.	74.62
Pitney-Bowes, Inc.	1.40
Plants & Gardens	1.00
City of Portland	20.10
Portland General Electric Co.	2,839.15
Portland Road & Driveway Co.	398.12
Richfield Oil Corporation	419.46
Sanderson Safety Supply Co.	9.00
Sanfax Corporation	135.20
Santer Spray Equipment Co.	19.45
Shields, Harper & Co.	197.00
Southern Pacific Co.	30.00
State of Oregon - Department of State	65.00
Street Fund	21.74
Stevens & Thompson	228.00
Thomas Office Supply	64.89
Max Thompson	30.00
Tire Sales & Service	76.60
Traffic Safety Supply Co.	49.86
Truck Wrecking Yard	13.50
Water Fund	361.61
Waterworks Supplies	331.17
Weiners	8.75

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin

SPECIAL MEETING OF APRIL 20, 1964

A special meeting of the Council of Milwaukie was held, at the call of the Mayor, for the purpose of studing the Personnel Ordinance and viewing a report from the League of Oregon Cities on the matter of codifying the City Ordinances, on the twentieth day of April, 1964.

The meeting was called to order at &;30 P.M. by Mayor Joseph M. Bernard, Jr.

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

The Council read and discussed the proposed personnel Ordinance.

At eight o'clock P.M. the Council viewed and reviewed with Mr. Dave Sari, from the League of Oregon Cities, the old ordinances which were no longer needed.

CCB102