

Mr. Zenas Olson came before the Council on behalf of the Milwaukie Historical Society, and requested that the City make investigation into the feasibility of moving the Historic Episcopal Church to city owned property in order that it may be preserved for its historic value. It was moved by Howard and seconded by Sedgwick that an investigation be made into the possibility of preserving the Episcopal Church for its historic value. Motion carried and was so ordered.

Councilman Renard brought up the question of the city promoting the development of the river front for future activity. It was moved by Howard and seconded by Sedgwick that Mr. Renard be appointed a committee of one to make investigation into the feasibility of development of the river frontage. Motion carried and so ordered.

Ordinance Number 840 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance No. 840 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 840 AN ORDINANCE vacating the south 40 feet of the west 100 feet of Park 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: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance Number 840 passed the Council and was so declared by the Mayor.

On motion duly made and carried the meeting adjourned.

*Leonard B. Mullan*  
 Leonard B. Mullan, Acting Clerk.

MEETING OF MAY 8, 1961

COUNCIL CHAMBER

958th MEETING

The nine hundred fifty-eighth regular meeting of the Council of Milwaukie, was held on the eighth day of May, 1961.

The meeting was called to order by Mayor Earl Clay.

Present: Mayor Earl Clay; Councilmen James Howard, Charles Renard and Theron Sedgwick; Manager Leonard Mullan; Attorney John O. Sheldahl and Clerk Ellen Martin.  
 Absent: Councilman E. H. Aebi.

The minutes of the nine hundred fifty-seventh regular meeting of the Council, held on the tenth day of April, 1961, were corrected to include action taken by the Council to the effect that Manager Mullan contact the Southern Pacific Railroad Co. in an effort to have more modern wig-wag lighted alarms installed at their Harrison Street Crossing.

The minutes of a special meeting of the Council, held on the twenty-eighth day of April, 1961, were read and approved as read.

The minutes of a special meeting of the Council, held on the first day of May, 1961, were read and approved as read.

Mr. G. R. Million, 9535 Howe Lane, came before the Council and made protest about the condition of the streets in Arden Park. Mr. Million stated that the Contractor for the sewers and the Northwest Natural Gas Co. had both left chuck holes in the streets making it very difficult to drive over them. Mr. Mike Kennedy, 9544 Howe Lane also protested the condition of the streets. The gentlemen were assured that as soon as weather conditions permitted, the sewer contractor would be required to replace and repair the streets.

A letter, signed by four owners of property along Clatsop Street in Sellwood Gardens, protesting the payment of sewage disposal maintenance charges, was read. It was moved by Sedgwick and seconded by Renard that this matter be temporarily tabled in order that the Council may make a complete investigation of the question, that these property owners be relieved of the bills until the Council has come to a decision on the matter. Motion carried and so ordered.

The time having arrived for a hearing on the improvement of the east end of Conway Street, the Mayor opened the hearing and called for any objections to the same. Written objections had been received from four of the eight property owners along the street. There were citizens present who voiced verbal objection to the proposed improvement. The Mayor declared the hearing closed. It was moved by Howard and seconded by Sedgwick that the east end of Conway street be not improved at this time. Motion carried and so ordered.

Mr. Ralph Worth, owner of property along 45th Street, near Conway Street, made complaint of the condition of 45th Street. Mr. Worth stated that on warm days there were puddles of oil in the street and that the street was dusty. It was moved by Howard and seconded by Sedgwick that the Manager contact the Engineer and make a survey of the street to determine what can be done to correct this condition. Motion carried and so ordered.

The time having arrived for the hearing on the improvement of 26th Street, south of Lake Road, the Mayor declared the hearing opened and called for any objection to this improvement. There was no citizen present who objected and no written objection had been received. The Mayor declared the hearing closed.

Mr. Hadley, from the Milwaukie Billiard Parlor, 1216 Main Street, came before the Council and requested that he be given a license permitting him to operate card games for gain in his place of business. It was moved by Renard and seconded by Sedgwick that a license to operate card games for gain, at Milwaukie Billiard Parlor, be denied. Motion carried and so ordered.

Ordinance No. 841 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 taken up and read for its second reading and put on its passage with the following results being had. Ayes: Howard, Renard, Sedgwick and Clay. Nays: None. Ordinance No. 841 passed the Council and was so declared by the Mayor.

A group of members of the Milwaukie Historical Society and Mrs. Georgia Farmer, representing the Clackamas County Historical Society, came before the Council and requested that if the Historic St. John Episcopal Church could be moved, that the Council permit it to be placed on the Ledding property which is now city owned, and will be used for Library and Park purposes. After some discussion on the question it was moved by Sedgwick and seconded by Renard that the Council approve the use of the northwest corner of the Ledding Property for the location of the Historic Episcopal Church provided it can be moved. Motion carried and so ordered.

Ordinance No. 842 was taken up and read for its first reading. It was moved by Hoard and seconded by Sedgwick that Ordinance No. 842 be passed to its second reading. Motion carried and so ordered.

A communication from the Milwaukie Planning Commission, in which they recommend a change of zone for the west 50 feet of the east 150 feet for properties in Blocks 1, 4, 5 and 8, Bonnie View Acres. Councilman Renard questioned the recommendation and stated that he felt the whole of the platted lots, facing 32nd Street in these Blocks should be commercial zone. It was moved by Howard and seconded by Renard that the matter be referred back to the Planning Commission. Motion carried and so ordered.

Mayor Clay announced that the Council would meet in special session on May 31, for the purpose of opening bids on the Area "D" sewers.

Manager Mullan read a letter from the S.E. Johnson Creek Water Control District requesting an easement over city owned property along Johnson Creek for the purpose of clearing the creek. It was decided that the Attorney and City Manager make investigation into the matter.

A written request for street lights to be located along Roswell Street, from the Ardenwald Community Club, was read. The City Manager was requested to make a survey of this street and submit his recommendation for location of street lights.

Manager Mullan read a letter from Stevens and Thompson in which they gave estimates of costs of sewers in Robertson's Addition and Birkemeier Heights. It was moved by Sedgwick and seconded by Howard that the following Resolution be adopted.

## RESOLUTION NUMBER 13-1961

A resolution declaring the intention of the Council of the City of Milwaukie, Oregon, to construct sanitary Sewers, Trunk line sewers and Lift station in Robertson's Addition, Birkemeier Heights and Milwaukie Heights.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct sanitary sewers along:-

7th STREET from approximately 25 feet west of 9th Avenue to 10th Avenue.  
 10th AVENUE from 7th Street to 5th Street  
 11th AVENUE from 7th Street to Portland Traction Co. Right-of-way thence northwesterly along the said right-of-way to 5th Street  
 7th STREET from approximately 60 feet west of 10th Avenue to 10th Avenue.  
 9th AVENUE from 5th Street southerly approximately 225 feet.  
 8th AVENUE from a point west of Lot 6 Block 38, Milwaukie Heights to a point in 5th Street that is approximately 70 feet west of 9th Avenue.  
 5th STREET from a point that is approximately 70 feet west of 9th Avenue, easterly to the right-of-way line of the Portland Traction Co.  
 BIRK STREET from a point approximately 100 feet east of 7th Avenue thence easterly and northeasterly to the Portland Traction Co. right-of-way.  
 7th AVENUE from 6th Street northerly to the Portland Traction Co. right-of-way.  
 6th AVENUE from a point that is approximately 150 feet south of 5th Street, northerly to 2nd Avenue.  
 5th STREET from 6th Avenue southerly approximately 70 feet.  
 5th AVENUE from 5th Street northerly to 2nd Street.  
 3rd STREET from 5th Avenue easterly approximately 125 feet.  
 4th AVENUE from 1st Street southerly to a point that is 150 feet south of 3rd Street.  
 5th STREET from a point approximately 150 feet west of 5th Avenue, westerly to 3rd Ave.  
 3rd AVENUE from 5th Street northerly to a point that is approximately 100 feet south of 2nd Street.  
 4th STREET from 3rd Avenue to 2nd Avenue and from 7th Avenue to the Portland Traction right-of-way.  
 4th AVENUE from 6th Street northerly approximately 70 feet.  
 6th STREET from 4th Avenue westerly approximately 260 feet, thence southwesterly approximately 125 feet.  
 2nd AVENUE from 6th Street to 2nd Street  
 2nd STREET from 2nd Avenue easterly approximately 100 feet and from 4th Avenue to 6th Avenue.

A sanitary sewer lateral will also be laid from a point that is approximately 100 feet southwest of 6th Street and west of the Southern Pacific Railroad right-of-way to a point in 6th Street at 2nd Avenue.

AND TO CONSTRUCT A TRUNK LINE SEWER from the east end of 5th Street northwesterly along the Portland Traction Co. right-of-way to 2nd Street, thence west to 6th Avenue, thence North to the Portland Traction Co. right-of-way, thence following the said right-of-way northerly and westerly to Jefferson Street.

ALSO from a point in 2nd Street that is approximately 100 feet west of 3rd Avenue thence Easterly to 3rd Avenue; thence North to 1st Street; thence East to 5th Avenue thence northeasterly to a point in the Southern Pacific Railroad Co. right-of-way that is approximately 100 feet northeast of 1st Street.

ALSO to construct a lift station in 2nd Street approximately 100 feet west of 3rd Ave.

AND TO CONSTRUCT SERVICE LATERALS from said sanitary sewers to the property line where such service laterals are requested.

AND WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for approximate improvement to accomplish the above and an estimate of the cost of the work to be done

AND WHEREAS, the City Engineer has heretofore filed such plans, specifications and estimates in the office of the City Recorder.

BE IT HEREBY RESOLVED by the Council of the City of Milwaukie, Oregon, that the above mentioned plans, specifications and estimates of the City Engineer now on file with the City Recorder are found to be satisfactory and are hereby approved.

BE IT FURTHER RESOLVED that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, and the location and kind of improvement being as follows:

By the construction of sanitary sewers and all things necessary in the construction thereof, all to be done in accordance with plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

By the construction of a trunk line sewer and all things necessary in the construction thereof, all to be done in accordance with plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

By the construction of a SEWAGE LIFT STATION, and all things necessary in the construction thereof, all to be done in accordance with the plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this resolution.

Said sanitary sewers to be constructed along the following lines and between the following termini.

- 7th STREET from approximately 25 feet west of 9th Avenue to 10th Avenue.
- 10th AVENUE from 7th Street to 5th Street
- 11th AVENUE from 7th Street to Portland Traction Co. right-of-way, thence northwesterly along the said right-of-way to 5th Street.
- 7th STREET from approximately 60 feet west of 10th Avenue to 10th Avenue
- 9th AVENUE from 5th Street southerly approximately 225 feet.
- 8th AVENUE from a point west of Lot 6 Block 38, Milwaukie Heights to a point in 5th Street that is approximately 70 feet west of 9th Avenue.
- 5th STREET from a point that is approximately 70 feet west of 9th Avenue, easterly to the right-of-way line of the Portland Traction Co.
- BIRKHEASTREET from a point approximately 100 feet east of 7th Avenue; thence easterly and northeasterly to the Portland Traction Co. right-of-way
- 7th AVENUE from 6th Street northerly to the Portland Traction Co. right-of-way.
- 6th AVENUE from a point that is approximately 150 feet south of 5th Street, northerly to 2nd Avenue.
- 5th STREET from 6th Avenue southerly approximately 70 feet.
- 5th AVENUE from 5th Street northerly to 2nd Street
- 3rd STREET from 5th Avenue easterly approximately 125 feet.
- 4th AVENUE from 1st Street southerly to a point that is 150 feet south of 3rd Street.
- 5th STREET from a point approximately 150 feet west of 5th Avenue, westerly to 3rd Avenue
- 3rd AVENUE from 5th Street northerly to a point that is approximately 100 feet south of 2nd Street.
- 4th STREET from 3rd Avenue to 2nd Avenue and from 7th Avenue to the Portland Traction Co. right-of-way.
- 4th AVENUE from 6th Street northerly approximately 70 feet.
- 6th STREET from 4th Avenue westerly approximately 260 feet, thence southwesterly approximately 125 feet.
- 2nd AVENUE from 6th Street to 2nd Street.
- 2nd STREET from 2nd Avenue easterly approximately 100 feet and from 4th Avenue to 6th Avenue.

A sanitary sewer lateral will also be laid from a point that is approximately 100 feet southwest of 6th Street and west of the Southern Pacific Co. right-of-way to a point in 6th Street at 2nd Avenue.

AND TO CONSTRUCT A TRUNK LINE SEWER from the east end of 5th Street northwesterly along the Portland Traction Co. right-of-way to 2nd Street, thence west to 6th Avenue, thence north to the Portland Traction Co. right-of-way; thence following the said right-of-way northerly and westerly to Jefferson Street.

ALSO from a point in 2nd Street that is approximately 100 feet west of 3rd Avenue; thence Easterly to 3rd Avenue; thence North to 1st Street; thence East to 5th Avenue; thence Northeasterly to a point in the Southern Pacific Railroad Co. right-of-way that is approximately 100 feet northeast of 1st Street.

AND TO CONSTRUCT A LIFT STATION in 2nd Street approximately 100 feet west of 3rd Avenue.

AND TO CONSTRUCT SERVICE LATERALS from said sanitary sewers to the property line where such service laterals are requested.

THAT THE DISTRICT LIABLE TO BE ASSESSED FOR THE AFORESAID IMPROVEMENT IS AS FOLLOWS:

- All of the Plat of Robertson's Addition
- All of the Plat of Birkemeier Addition
- All of Blocks 33, 38, 43, 48, 44, Milwaukie Heights Addition
- Lots 1,3,5,7,9,10,11,12, Block 37 Milwaukie Heights Addition
- Lots 1,2,3,4,5,6, Block 45, Milwaukie Heights
- Lots 1,2,4,6,8,10 and a portion of Lot 3, Block 47 Milwaukie Heights
- Tax Lots 113,273,114,118,204,85,84,61-1,61-1-1,61, and 230 Lot Whitcomb D.L.C.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each front foot of said property abutting the aforementioned Streets where said sanitary sewers will be laid is the sum of \$10.00.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each square foot of property lying within the hereinabove described territory which will be benefitted by the trunk line sewer, is the sum of \$0.04.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each service lateral from the sanitary sewers to the property line is the sum of \$100.00

THAT THE CITY ENGINEER'S ESTIMATE OF COST OF THE IMPROVEMENT BY CONSTRUCTION OF SANITARY SEWERS, TRUNK LINE, LIFT STATION AND SERVICE LATERALS is the sum of \$200,000.00

THAT THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT BY CONSTRUCTION OF SANITARY SEWERS, TRUNK LINE SEWERS AND LIFT STATION is the sum of \$180,000.00

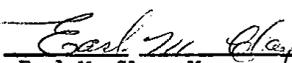
That an assessment will be levied on all lots and parcels of land within such proposed improvement district, in proportion to the amount to which each lot or parcel of land will be benefitted

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 12th day of June, 1961.

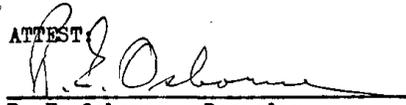
BE IT FURTHER RESOLVED that the City Recorder of Milwaukie, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted notices headed with the title NOTICE OF SEWER CONSTRUCTION WORK in three conspicuous places along said above named streets; which notices shall contain a copy of this Resolution and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS it is necessary that said improvement be made as soon as possible on account of sewage disposal and drainage conditions in said district; NOW THEREFORE an emergency is declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 8th day of May, 1961.

  
Earl M. Clay, Mayor

ATTEST:

  
R. E. Osborne, Recorder.

Motion carried and so ordered.

The Police Chief's report was read and ordered filed.

Manager Mullan read a letter from A. W. Kilborn, Superintendent, Southern Pacific Co. stating that an investigation of the wig-wag signal at their Harrison Street crossing was being investigated.

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

Addressograph-Multigraph Corp.	5.40
American Barricade Co.	21.00
American Fire Protection Co.	50.40
Brooks Products, Inc.	21.00
Carey Oil Co.	428.81
Clackamas County	110.50
Cascade Construction Co.	12.00
Casey's	163.20
Enterprise Foundary Co.	19.00
Franck's Color Center	6.31
G & S Janitor Supply Co.	47.25
Charlie Helwig, Inc.	7.70
Huser Sales & Service	4.15
Jack's Digger Service	374.30
M & N Sheet Metal Works, Inc.	2.00
McCready Lumber Yard	2.45
Milwaukie Automotive Serv.	199.88
Milwaukie Electric	16.95
R. S. Milln	25.00
Milwaukie Hardware	36.78
Milwaukie Lumber Co.	25.57

Milwaukie Review	215.65
Milwaukie Transfer & Fuel	171.96
Milwaukie Volunteer Fire Dept.	31.00
Bernard Muffenbier	246.70
Neptune Meter Co.	248.54
Northwest Industrial Laundry	3.60
Nudelman Bros.	18.25
Olson Bros. Shell Service	357.44
Oregon City Printing & Stationery	32.92
The Overall Laundry, Inc.	18.76
Pacific Telephone-Northwest	243.12
Pennsylvania Chemicals Corp.	111.83
Pioneer Mercantile Co.	1.75
Portland General Electric Co.	1,674.71
Portland Road & Driveway Co.	407.69
Power Equipment Co.	70.00
H. T. Price	27.00
Reddaway's Truck Line	6.02
Rickfield Oil Corp.	144.09
Scientific Supplies Co.	16.56
Schuyler Southwell Agencies	27.50
Southern Pacific Co.	30.00
Alice Staley	4.95
State of Oregon	2.00
Stevens & Thompson	250.18
System Construction Co.	5,023.69
Tank Liners, Inc.	200.00
Tokheim Pump Co.	50.00
Bureau of Water Works	79.50
Waterworks Supply Co.	8,407.39
Weiler Chevrolet	261.11
Weiners	47.40
Fred Wildy	682.50

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk

#### SPECIAL MEETING OF MAY 15, 1961

A special meeting of the Council of Milwaukie was held on the fifteenth day of May, 1961, for the purpose of reviewing the 1961-62 budget and such other business as was necessary to come before the Council at this time.

The meeting was called to order by Mayor Clay.

Present: Mayor Earl M. Clay; Councilmen James Howard, Charles Renard, E.H. Aebi and Theron Sedgwick; City Manager Leonard Mullan and Attorney John O. Sheldahl.

The 1961-2 budget for the City was reviewed.

The Council then considered the matter of calling a Special Election seeking direction and authority from the legal voters of the City to levy a tax for general purposes exceeding the Constitutional limitation by the sum of \$135,153.23 for the fiscal year 1961-1962.

It was moved by Councilman James M. Howard and seconded by Councilman E. H. Aebi that the following transcribed Resolution set forth hereunder be adopted.

#### RESOLUTION NO. 13X-1961

##### A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY ELECTION

WHEREAS, the City Council of the City of Milwaukie, Oregon, has considered the probable receipts and necessary expenditures of the said City for the fiscal year beginning July 1, 1961, and ending June 30, 1962, and the budget estimates for said fiscal year as prepared by its duly constituted Budget Committee, and is of the opinion that in order to adequately pay the expenses necessary for general City purposes for such fiscal year it will be necessary to levy a tax outside of the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, in amount of \$135,153.23 to pay the operating expenses of such City for such fiscal year,