

New Method Book Bindery	4.90
Northwest Natural Gas Co.	147.62
The Oregon News Co.	13.78
Pacific Truck & Body Equipment	32.00
Pennsalt Chemical Corp.	112.50
Pioneer Nat. Title Insurance	25.00
Portland Pipe & Concrete Products	9.00
Portland Road & Driveway	645.74
Portland Seed Co.	59.70
Richfield Oil Corp.	548.63
Robert E. Richmond	395.24
Schuyler Southwell Agency	25.00
State of Oregon - Dept. of Motor Vehicles	5.00
John M. Stennet	7.61
Teeney's Milwaukie Dept. Store	19.47
Traffic Safety Supply	29.00
Water & Sewage Works	10.00
Waterworks Supplies	2.75
Richard R. White	6.47
Robert G. White	26.50
Webfoot Fertilizer Co.	95.00
Yakima Command School	100.00

MISCELLANEOUS

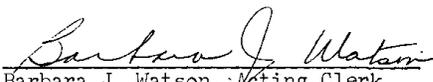
Attorney informed the Council that notice had been sent to Southern Pacific that condemnation would be filed within thirty days on their property at Monroe and Railroad Avenue.

There was discussion as to limiting the times of trash pick-up in various sections of the City. It was moved by Graf, seconded by Slominski, that this matter be referred to the City Attorney for preparation of an Ordinance limiting the time of trash pick-up in certain sections, and that the sanitary collectors be notified of the meeting that this is to come before the Council. Motion carried and so ordered.

Councilman Fuller requested that a secretary be provided to take the minutes of the Budget Committee meetings.

ADJOURN

On motion duly made and seconded, the meeting adjourned at 10:15 p.m.

  
Barbara J. Watson, Acting Clerk

## MEETING OF MAY 9, 1966

COUNCIL CHAMBERS

1032nd Meeting

The one thousand thirty-second regular meeting of the Council of Milwaukie was held on the ninth day of May, 1966.

The meeting was called to order by Mayor Robert Richmond at 7:30 p.m., with the following Councilmen present:

Robert E. Richmond, Mayor	Dr. James Howard
Edgar Fuller	Dr. Paul J. Slominski
Donald Graf	

also present:

Fred Dyer, City Manager	Wayne Daigle, City Engineer
George Van Bergen, Attorney	Max Thompson, Assistant Manager

The invocation was given by the Reverend Ian Robertson, Church of the Nazarene, 1130 - 46th Street.

It was moved by Slominski, seconded by Howard, that the minutes of the regular meeting held April 25, 1966, be approved as written. Motion carried and so ordered.

AUDIENCE PARTICIPATION

Mr. Ray Prefontaine came before the Council to ascertain if the Council had talked with the State Highway Department concerning the purchasing of property for the Expressway right-of-way, discussed at the last meeting on April 25.

Mr. Prefontaine was advised that the Highway Department had been contacted; however, as no offer had been made to the property owners in writing, the Council did not feel in any position to enter into the discussions at this time.

Grant Fulmore, Milwaukie Firefighter, asked if a new Fire Chief had been appointed yet, and was advised that no decision had been reached, but the Fire Department would receive notice as soon as a choice is made.

CORRESPONDENCE

A letter from the Robert Tabor and Howard Martin Families, sons of Ellen Martin, expressing their appreciation for the Resolution honoring their mother, was read and ordered filed.

A letter from Pastor Robertson, Church of the Nazarene, was laid before the Council, requesting permission for the church to use T.L. 118-2, Garrett Estate, which is dedicated public property adjoining the church, for parking and planting.

It was moved by Slominski, seconded by Graf, that the church be allowed to use this dedicated land for parking and planting so long as no permanent structures are erected. An agreement is to be drawn up between the church and the City whereby the City can obtain possession of this property if needed, and releasing the City of any liability. Motion carried and so ordered.

PUBLIC HEARINGSCogswell Sewers

It was pointed out to the Council that the citizen that had been promoting the sewers in the Cogswell area now had no immediate need for them and unless some other person in the proposed sewer district desired to pursue the matter, there was no need for continuing with the public hearing.

It was moved by Howard, seconded by Slominski, that the Cogswell Sewer hearing be tabled. Motion carried and so ordered.

City Manager advised that a meeting had been scheduled for Monday, May 16, at City Hall, with the residents of Guilford Drive concerning sewers in this area and invited the property owners living in the proposed Cogswell Sewer District to attend if interested.

Annexation of surrounded area North of Johnson Creek Blvd.

The Mayor opened the public hearing on the annexation of property north of Johnson Creek Blvd., and asked those wishing to speak on the proposed annexation to come forward.

Mr. George Kirkland, Attorney, Pacific Building, Portland, speaking on behalf of Douglas Fir Plywood Corporation, came forward stating that Douglas Fir Plywood Corporation does not wish to annex to the City of Milwaukie at the present time. "In view of the fact it is not now platted, is not used to furnish residences for any of the citizenry of the City, is not needed for any City purpose ... on that basis, I wish to register the dissent of the Douglas Fir Plywood Corporation on annexing to the City of Milwaukie."

The City Engineer pointed out the reason for annexing this surrounded area was to clean up irregular boundaries, also advised that the area presently in the county is covered by the Rural Fire District rather than the City. The Planning Commission felt it would benefit the City in their overall planning to take in all enclaves.

The City Attorney advised that these surrounded areas could be taken in by resolution or ordinance without notice to land owners

involved; however, notices did go out to all property owners enabling them to be heard.

It was moved by Slominski, seconded by Graf, that the Council move to the first reading of Ordinance No. 1115 (Annexation of the above property). Motion carried and so ordered.

Annexation of surrounded area South of Johnson Creek Blvd.

Hearing was declared open on the proposed annexation of surrounded area south of Johnson Creek Blvd.

O. I. Jensen, owner of T. L. 44, Tract 12, Gibson's Subdivision of the J. A. Logan Tracts, expressed his objection to the proposed annexation. "It is undeveloped ... the City has no police protection around that district ... until it is developed, I don't think it should be taken into the City of Milwaukie."

Van Stangel, 925 - 28th Street, Milwaukie, stated that this area is considered undesirable residential property because of the flooding of Johnson Creek.

Edward Bain, 4930 Johnson Creek Blvd., stated, "I don't see right at the present how we would benefit by coming into the City except by raising our taxes ..."

Councilman Graf informed the group that the City normally does not initiate annexation of property; however, where the area is surrounded, it does create a problem in total planning and for this reason, it is felt that annexation is of benefit to both the residents of the area as well as the City.

Councilman Fuller pointed out that although the Council could not promise immediate benefits, annexation is a part of a whole plan that would be of benefit to the entire City; therefore, moved, seconded by Graf, that the Council move to the first reading of the Ordinance Number 1116. (Annexation of the above property.) Motion carried and so ordered.

Annexation of surrounded area near Linwood and Railroad Ave.

Mayor opened the public hearing on the annexation of property in the area of Linwood and Railroad Avenue and asked for those wishing to speak either for or against the proposed annexation to come forward. As there was no one present wishing to speak and no written remonstrances had been received, the hearing was declared closed.

It was moved by Graf, seconded by Fuller, that the Council move to the first reading of Ordinance Number 1117. Motion carried and so ordered.

INDUSTRIAL PARK SEWER CONNECTION

The Manager advised that after discussing the matter of Industrial Park area connecting to existing City sewer with the City Attorney and Engineer, the recommendation would be to allow Omark to connect to the City sewer, as the treatment plant and the line capacity is sufficient to carry the increase in sewage.

This line would be donated to the City; therefore, no assessment would be required against the property for the value of the line. There was discussion as to the intent of Ordinance No. 1098 as to the requirement that property owners hook on to an existing line within two years of notification.

The Attorney advised that there was no way that the City could charge the property owners for the existence of the line, nor charge for hook up. Inspection fee only could be charged.

It was moved by Howard, seconded by Slominski, that the City Manager and Attorney be directed to prepare a Resolution allowing Omark to connect to the existing sewer line and setting the procedure for private citizens connecting to the line. Motion carried and so ordered.

LIQUOR LICENSE APPLICATION

Application for recommendation of a Retail Malt Beverage Class "A" Liquor License for Pizza Palace, 44th and King Road, was submitted by Herbert and Bernice Burtis. Memo from the Police Department was read advising that applicants were free of any police record and recommending that a license be granted.

It was moved by Slominski, seconded by Graf, that the Council recommend approval of the license. Motion carried and so ordered.

MEMO PLANNING COMMISSION - Zone Change

A memo from the Planning Commission was read recommending that the zone change be denied on Lots 3 and 4, Block 15, Minthorn Addition, (3916 Llewellyn Street) from 3-R-1 to 3-R-2 Special, applicants - Arthur and Leila Martineau.

Mr. Bob Morgan, Attorney for Mr. and Mrs. Martineau, came before the Council stating the applicants had been notified by letter of the Planning Commission's recommendation for denial. The zone change was requested to allow the building of a duplex next to two existing duplexes that have been there approximately two years.

Mr. Morgan pointed out that every attempt had been made to follow the procedure for applying for a zone change and with the one exception of the parking area on the plot plan submitted, believed that everything was in order. A petition had been submitted with the application signed by persons living within a 200 ft. radius stating they did not object to the zone change requested. There was no one present at the public hearing opposing the change and no written remonstrances had been received by the City; therefore, the Martineaus were questioning the recommendation of the Planning Commission.

Mr. Jones, member of the Planning Commission, was in the audience and was asked to express his views on the decision rendered by the Planning Commission.

Mr. Jones came before the Council and offered his reasons on voting for the denial, but stated he did not wish to speak as a representative of the Planning Commission. He pointed out that the parking as shown on the submitted plot plan did not comply with the City's requirement and could create a problem. He also brought out the fact that the two existing duplexes were built on a conditional use permit and the land is not zoned for multiple family dwelling; therefore, he would feel that this would be considered spot zoning. This area is outside the outlined area planned for multiple dwellings.

Mr. Martineau asked for a reconsideration of the Planning Commission's recommendation.

It was moved by Fuller, seconded by Slominski, that the recommendation of the Planning Commission be overruled and that the zone change as requested be permitted. Ayes - 2, Nays - 3. Motion not carried.

It was moved by Graf, seconded by Howard, that this matter be referred back to the Planning Commission for further consideration and study along with the Council's recommendation. Motion carried and so ordered.

REPORT - RETIREMENT COMMITTEE

Max Thompson, speaking as a member of the Retirement Committee, advised the Council that a written report would soon be completed with the Retirement Committee's recommendation; but in the interim, would like to verbally give the Council their attitude to assist them in their budget preparation.

After checking into various plans, the Committee recommended that the City adopt the Public Employees Retirement System for all permanent employees on July 1, 1966, and that unlimited service credit be allowed for permanent employees.

EXTENSION OF 21st STREET

Engineer presented a drawing showing a proposed extension of 21st Street North of Harrison. No action was taken.

READING OF ORDINANCES

Ordinance No. 1115 was taken up and read for its first reading. It was moved by Howard, seconded by Fuller, that Ordinance No. 1115 be moved to its second reading at this time. Motion carried and so ordered.

Ordinance No. 1115, AN ORDINANCE annexing certain territory surrounded by the corporate limits and boundaries of the City of Milwaukie, Clackamas County, Oregon, pursuant to the provisions of Oregon Revised Statutes, Chapter 222, as amended by 1963 Oregon Laws, 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: Fuller, Slominski, Graf, Howard, Richmond. Nays: None.

Ordinance No. 1116 was taken up and read for its first reading. It was moved by Howard, seconded by Fuller, that Ordinance No. 1116 be moved to its second reading at this time. Motion carried and so ordered.

Ordinance No. 1116, AN ORDINANCE annexing certain territory surrounded by the corporate limits and boundaries of the City of Milwaukie, Clackamas County, Oregon, pursuant to the provisions of Oregon Revised Statutes, Chapter 222, as amended by 1963 Oregon Laws, 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: Fuller, Slominski, Graf, Howard, Richmond. Nays: None.

Ordinance No. 1117 was taken up and read for its first reading. It was moved by Howard, seconded by Graf, that Ordinance No. 1117 be moved to its second reading at this time. Motion carried and so ordered.

Ordinance No. 1117, AN ORDINANCE annexing certain territory surrounded by the corporate limits and boundaries of the City of Milwaukie, Clackamas County, Oregon, pursuant to the provisions of Oregon Revised Statutes, Chapter 222, as amended by 1963 Oregon Laws, 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: Fuller, Slominski, Graf, Howard, Richmond. Nays: None.

PROGRESS REPORT ON CONSTRUCTION CONTRACT

A report was given by the Engineer on payments due on construction work being done on Beckman Road (Milport Road).

It was moved by Howard, seconded by Fuller, that the following payments be made:

Portland Road and Driveway	\$6082.74
Riverside Construction Co.	3417.84

Motion carried and so ordered.

PAYMENT OF BILLS

It was moved by Howard, seconded by Fuller, that the bills as presented be paid. Motion carried and so ordered.

Audio-Visual Supply Company	196.21
Blue Seal Industrial Service	44.08
Bob's Rentals	20.00
Carpenter Paper Co.	16.66
Clackamas County	110.50
D & B Inc.	206.30
Fred Dyer	21.00
Electrical Construction Co.	356.00
Gaylord Bros., Inc.	136.15

Dieringers	21.93
Evergreen Library	1487.13
H. D. Fowler Co., Inc.	7.68
G & S Janitor Supply	70.50
Glens Falls Ins.	1327.50
Gro-Tron Products	180.00
Robert O. Hedensten	61.79
Heisler's Car Wash	18.00
International Business Machines	24.52
International Harvester	10.58
Lanson's Inc.	30.70
Larsen Plumbing Co.	392.50
Miller Landscape	90.00
Milwaukie Review	120.87
Bernard Muffenbier	41.00
Northwest Natural Gas Co.	115.53
Pacific Northwest Bell	69.80
Pacific Waterworks Supply	142.65
Paulsen & Roles Lab.	63.05
Pioneer National Title Insurance	25.00
Portland Seed Co.	12.35
Public Employees Retirement Board	27.90
Richfield Oil Corp.	641.35
Sanfax Corp.	302.04
Charles Scribners	17.28
State of Oregon - Dept. of Motor Vehicles	15.00
State of Oregon - Compensation Dept.	10.00
Stevens, Thompson R & R	1177.38
Traffic Safety Supply	46.80
Utilities Supply Co.	87.75
Waterworks Supplies	58.38
Western Drug Label	6.75

#### ELECTION OF A PRESIDENT PRO TEM

After discussion as to the advisability of electing a President pro tem to preside at Council meetings in the absence of the Mayor, it was moved by Slominski, seconded by Fuller, that Councilman Graf be elected to serve as President pro tem. Motion carried and so ordered.

#### ADJOURN

On motion duly made and seconded, the meeting adjourned.

Barbara J. Watson, Acting Clerk

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Carpenter Paper Co.	16.66
Clackamas County	110.50
D & B Inc.	206.30
Fred Dyer	21.00
Electrical Construction Co.	356.00
Gaylord Bros., Inc.	136.15
Gerber Mfg. Co.	67.40
Ruth L. Green	74.30
Ray Grimshaw, Inc.	40.54
Charlie Helwig, Inc.	45.17
Hennessey Insurance Agency	593.00
Instrument Sales & Service	6.00
International Conference of Building Officials	50.00
International Harvester	22.40

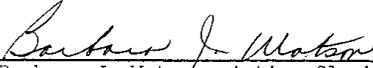
Landeem Welding Supplies	4.80
Lanson's Inc.	26.01
Larson's Auto Parts	70.21
Larry Laws	3.00
Leg. Counsel Comm.	45.00
Charlie Lieb	494.50
McCready Lumber Yards	47.62
Milwaukie Automotive Service	72.20
Milwaukie Hardware	58.75
Milwaukie Lumber Co.	9.10
Milwaukie Oil Co.	142.09
Milwaukie Review	70.40
Milwaukie Volunteer Fire Dept.	24.00
New Method Book Bindery	3.40
Norris Paint & Varnish	687.50
Oregon City Laundry	75.15
Oregon Toro Distributing Co.	895.00
Pacific Northwest Bell	312.48
The Pennzoil Co.	336.71
Petty Cash	24.06
Pioneer Mercantile.	24.31
Kenneth Porath	185.00
Portland General Electric Co.	3640.13
Portland Road & Driveway	638.39
Portland Seed Co.	59.70
Pub. Personnel Assoc.	85.00
R.C.A. Service Co.	46.25
Jim Reid	60.00
Rodda Paint Co.	11.65
St. Louis Crayon & Handle	7.19
Silver Burdeth Co.	3.30
A. R. Smith	7.96
Southern Pacific Co.	30.00
State of Oregon - Dept. of Motor Vehicles	78.00
Street Fund	111.14
Thomas Office Supply	32.07
Traffic Safety Supply	40.32
Truck Wrecking Yard	40.00
U.S. Pipe & Foundry	4844.93
Utilities Supply Co.	1041.90
Van Waters & Rogers	93.57
Water Fund	365.20
Wallace & Tiernan	8.00
Waterworks Supplies	16.66
West Chemical Products	38.70
Western Fire Equipment	5.00
American Building Maintenance Co.	274.40
Clackamas County, Public Library	14.17
Evergreen Lib. Service	204.28
The Oregon News Co.	3.97
Charles Scribner's Son	87.53

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ADJOURN

On motion duly made and seconded, the meeting adjourned.

  
Barbara J. Watson, Acting Clerk