

MEETING OF MAY 13, 1946

COUNCIL CHAMBER

652nd MEETING

The six hundred fifty second regular meeting of the Council was held on the thirteenth day of May, 1946.

The meeting was called to order by Mayor Sperr.

Present: Mayor Sperr; Councilmen Hamlin, Nelson and Roberts, Manager Kelsey, Auditor Phillips, Water Superintendent Hofmann, Officer Burbank and Recorder Martin. Absent: Councilman Rowe, Treasurer Walcott and Fire Chief Lewellyn.

The minutes of the six hundred fifty-first regular meeting of the Council held on the twenty-second day of April, 1946 were read and approved as read.

Minutes of a special meeting of the Council held on the tenth day of May, 1946 were read and approved as read.

Mr. Dwyer, of the Southeast Portland Lumber Co., and Dwyer Logging Co., came before the Council and made complaint of a bill in the amount of \$175.00 for repairs to streets in Milwaukie. Mr. Dwyer stated that his company had not hauled into Milwaukie since September 24, 1945 and that in view of the fact that other haulers were using the streets and had hauled much more footage than his company had, he felt it was unfair to charge half the cost of repair to his company. Mr. Kelsey pointed out that the city had no way of knowing how much footage each hauler carried and which haulers were most responsible for the damage done, and recommended that the city require that a cash bond be posted with the city before a permit would be granted. It was moved by Roberts and seconded by Hamlin that all existing permits for all haulers of logs, poles and piling be canceled and that henceforth a cash bond, in an amount satisfactory to the City Manager, be required before a permit will be granted and that the City Manager be authorized to set out in the permit any further conditions he deems necessary. Motion carried and so ordered.

It was moved by Hamlin and seconded by Nelson that Mr. Kelsey write to the State Highway Commission asking for financial assistance on the streets used by the log haulers. Motion carried and so ordered.

The committee on water service investigation made the following recommendation:

That the water rates be increased as follows for a one month period.

Inside users from 90¢ to \$1.00 minimum, excess from 14¢ to 15¢ per 100 cubic feet.

Outside users from \$1.40 to \$1.55 minimum, excess from 24¢ to 25¢ per 100 cubic feet.

That the minimum footage be reduced from 400 cu. ft. to 300 cu. ft. per month.

That the cost of meter installation for 3/4 inch meter be increased from \$37.50 to \$50.00.

That meter installations be placed at the City's mains on the curb line of dedicated streets and roadways.

That it be the policy of the city to maintain water mains in the streets, both inside and outside of the city limits.

It was moved by Roberts and seconded by Nelson that the recommendation be adopted and that the City Attorney be instructed to draft an ordinance embracing these rates. Motion carried and so ordered.

It was moved by Nelson and seconded by Roberts that the City enter into a Veteran's training program, for help in the City Water Dept, and that the training period be set a six (6) months, at a training wage of \$120.00 per month, and the wages at the end of

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the period be set at \$200.00 per month for trained help. Motion carried and so ordered.

The committee on business licenses reported that they would meet after the next meeting of the Chamber of Commerce.

*Resolution 4-1946*

Attorney Kirkpatrick read the following resolution:

WHEREAS, there has heretofore been filed with the Council of the City of Milwaukie a certain petition signed by a majority of the owners of real property in a certain district as hereinafter described, within the City of Milwaukie, praying for the making of certain improvements by laying of sewers.

AND WHEREAS the Council of the City of Milwaukie deems it expedient and necessary to grant the prayer of said petition and make the improvement hereinafter described in the manner set forth herein, and has required from the City Engineer plans and specifications for an appropriate improvement 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 Recorder; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, that the aforesaid plans, specification and estimates of the City Engineer now on file with the Recorder are found to be satisfactory and hereby are approved;

AND BE IT FURTHER RESOLVED, that the Council does hereby declare its intention to make said improvement, the location and kind of improvement being as follows;

By the construction of certain sewers along the lines hereinafter stated, which said sewers shall include all catch basins, inlets and all things necessary in the construction of said sewers, all to be done in accordance with the plans and specifications now on file in the Office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

Said sewer to be constructed along the following lines and termini and routes thereof beginning as follows;

Beginning at the line of the present sewer on Washington Street, where the same intersects the center line of 30th Street; thence southerly along said 30th Street to the northerly line of a tract of land known as the Hoesly Tract, being also the southerly terminus of said 30th Street.

The boundaries of the district benefitted and to be assessed to pay the cost and expense of the same, are as follows;

Beginning at the northwesterly corner of Lot 6, Block 1, Sellwood's Addition to Quincy Addition, in Milwaukie, Clackamas County, Oregon; running thence southerly and parallel with the westerly line of 30th Street to the northerly line of a tract of land known as the Hoesly Tract; thence southeasterly along the northerly line of said Hoesly Tract to the most southerly southwest corner of Lot 12, Block 10, Quincy Addition to the City of Milwaukie, Oregon; thence easterly along the southerly line of said Lot 12 to the southeast corner thereof; thence northerly and parallel with the easterly line of said 30th Street to the

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southeasterly corner of Lot 7, Block 1, said Quincy Addition; thence westerly along the southerly line of said Lot 7 and Lot 8 in said Block 1 to the easterly line of said 30th Street; thence westerly along the westerly projections of the southerly line of said Lot 8 to the easterly line of Lot 1, Block 1, said Sellwood's Addition to Quincy Addition to the City of Milwaukie, Oregon; thence southerly along the easterly boundary of said Lot 1 to the northerly line of said Lot 6 to the place of beginning.

That the City Engineer's estimate of the total cost of the same is \$6,103.00.

That the City Engineer's estimate of the cost per each front foot of the property to be assessed to pay the cost and expense of the same is \$2.20, which shall be increased for the property abutting on the side nearest the sewer, and decreased for the property abutting on the side nearest the sewer, and decreased for the property abutting on the side farthest from the sewer, which sewer will be located to the west of the center of said 30th Street.

That the above described district is the district referred to in paragraph 1 of this Resolution.

BE IT FURTHER RESOLVED, that the Chief of Police shall within 5 days from the passage of this resolution, give notice of the passage of this resolution by posting three notices headed "NOTICE OF SEWER WORK" along 30th Street, being the street along the line of the proposed sewer; which notice shall contain a copy of this resolution, and shall specify the time within which remonstrances against said proposed improvement may be filed.

That an assessment will be levied on all lots and parcels of land within said assessment district in proportion to the amount to which each lot of parcel of land will be benefitted.

BE IT FURTHER RESOLVED THAT OBJECTIONS AND REMONSTRANCES may be filed with the recorder against the said proposed improvement at any time within 10 days after the date of the posting of said notices by the Chief of Police, and the same shall be heard and considered by the Council at a regular meeting of said Council to be held on the 27th day of May, 1946 at 7:30 P.M.

AND WHEREAS it is necessary that said improvement be made at as early a date as possible, as said sewer is urgently needed; and it is necessary to take advantage of weather conditions in the construction thereof; Now therefore, an emergency hereby is declared to exist, and this resolution shall go into effect and force immediately upon its adoption.

It was moved by Hamlin and seconded by Roberts that the resolution be adopted. Motion carried and so ordered.

*Resolution 5-1946*

Attorney Kirkpatrick read the following resolution:  
 WHEREAS THE OWNERS OF THE REAL PROPERTY abutting on that portion 37th Street in the City of Milwaukie, Oregon have indicated their desire to have the same improved by graveling and grading..

AND WHEREAS, the Council of the City of Milwaukie deems it expedient and necessary to make the improvement hereinafter described, in the manner as set forth herein,

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and has required from the City Engineer plans and specifications for an appropriate improvement 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 Recorder,

Now therefore be it resolved by the Council of the City of Milwaukee, that the aforesaid plans, specifications and estimates of the City Engineer now on file with the Recorder are found to be satisfactory and hereby are approved;

BE IT FURTHER RESOLVED, that the Council does hereby declare its intention to make said improvement, the location and kind of said improvement being as follows;

By the grading and graveling of 37th Street, between the termini hereinafter set forth, in accordance with the plans and specifications now on file in the office of the City Recorder, which said plans and specifications are hereby referred to and made a part of this resolution.

The termini of such improvement to be as follows;

Beginning at the southerly line of the paved surface of Harvey Street where the same intersects the center line of said 37th Street; running thence along the center line of said 37th Street southerly to the paved surface on King Street.

The boundaries of the district benefitted and to be assessed to pay the cost and expense of the same is as follows;

Beginning at a point which is the northeastern corner of Tract 1, Boley's Addition to the City of Milwaukee; thence westerly along the northerly line of Tract 1, Boley's Addition a distance of 117 feet; thence southerly along the westerly line of Tract 1, 2, 3, 4, 5 and 6 said Boley's Addition to the northerly line of Tract 15 Zanders Addition to Milwaukee; thence southerly and parallel with the westerly line of 37th Street and 117 feet distant westerly there from through tracts 15, 16 and 17 said Zanders Addition to the southerly line of said Tract 17; thence easterly along the southerly line of said Tract 17 extended easterly and the southerly line of Tract 14, said Zanders Addition to a point on the southerly line of said Tract 14, which is 117 feet from the easterly line of said 37th Street and 117 feet distant easterly therefrom through tract 14, 12, 11, 10 and 9 of said Zanders Addition to the northerly line of said Tract 9, Zanders Addition; thence westerly along the northerly line of said Tract 9 extended westerly, to the point of beginning.

That the City Engineer's Estimate of the total cost of the said improvement is \$2,450.00.

That the City Engineer's estimate of the cost per each front foot of property to be assessed to pay the cost and expense of the same is \$1.00.

That the hereinbefore described district is the District referred to in paragraphs 1 and 2 hereof.

BE IT FURTHER RESOLVED, that the Chief of Police shall within 5 days from the passage of this resolution,

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give notice of the passage of this resolution by posting three notices headed "NOTICE OF STREET IMPROVEMENT WORK" along that portion of 37th Street, hereinbefore described, which notices shall contain a copy of this Resolution, and shall specify the time within which remonstrances against said proposed improvement may be filed.

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

BE IT FURTHER RESOLVED, that objections and remonstrances may be filed with the Recorder against said proposed improvement at any time within 10 days after the date of the posting of said notices by the Chief of Police, and the same shall be heard and considered by the Council at a REGULAR meeting of said Council to be held on the 27th day of May, 1946 at 7 30 P.M.

AND WHEREAS it is necessary that said improvement be made at as early a date as possible, and said improvement is urgently needed; and it is necessary to take advantage of weather conditions in the construction thereof; Now therefore an emergency hereby is declared to exist; and this resolution shall go into effect and force immediately upon its adoption.

It was moved by Roberts and seconded by Sperr that the resolution be adopted.. Motion carried and so ordered.

A letter from Mr. Kelsey, in which the estimate for the Monroe Street sewer, from the present sewer on 29th Street easterly for a distance of 850 linear feet, was the sum of \$2,734.00 was read.

*Resolution 6-1946*

Attorney Kirkpatrick read the following resolution.

WHEREAS, there has heretofore been filed with the Council of the City of Milwaukee a certain petition signed by a majority of the owners of real property in a certain district as hereinafter described, within the City of Milwaukee, praying for the making of certain improvements by laying of sewers.

AND WHEREAS the Council of the City of Milwaukee deems it expedient and necessary to grant the prayer of said petition and make the improvement hereinafter described in the manner set forth herein, and has required from the City Engineer plans and specifications for an appropriate improvement 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 Recorder, now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, that the aforesaid plans, specifications and estimates of the City Engineer now on file with the Recorder are found to be satisfactory, and hereby are approved;

BE IT FURTHER RESOLVED, that the Council does hereby declare its intention to make said improvement, the location and kind of improvement, being as follows;

By the construction of certain sewers along the lines hereinafter stated, which said sewers shall include all catch basins, inlets and all things necessary in the construction of said sewers, all to be done in accordance

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with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

Said sewer to be constructed along the following lines and the termini and routs thereof being as follows;

Beginning at a point in the center line of Monroe Street, S.  $80^{\circ} 37'$  W. 14.00 feet distant from the northeasterly boundary of 29th Street, in Milwaukie, Oregon; running thence N.  $80^{\circ} 37'$  E. 836.0 feet to a point which is the northeasterly terminus of said proposed sewer.

The boundaries of the district benefitted and to be assessed to pay the cost and expense of the same are as follows;

Beginning at the intersection of the center line of Monroe Street with a line measured at right angles to and 100 feet distant from the northeasterly boundary of 29th Street in the City of Milwaukie, Oregon; from said beginning point thence southeasterly 125.00 feet, parallel with the northeasterly boundary of said 29th Street; thence northeasterly parallel with the center line of Monroe Street and 125.00 feet distant southeasterly, when measured at right angles from the center of Monroe Street, to a point in the northwesterly boundary of Block 3 of Robert's Replat of Blocks 2-3-6-7-10 and 11 of J.R.W.. Sellwood's Addition as the same is recorded in Book 15 on page 1, Record of Townplats for Clackamas County, Oregon; which point is also in the southeasterly boundary of Penzance Street, thence northeasterly along the said boundary of Penzance Street to the most westerly corner of Lot 27 of said Block 3; thence southeasterly along the south westerly boundary of said Lot 27 to the most southerly corner thereof; thence northeasterly, following the southeasterly boundaries of Lots 27, 28, 29, 30, and 31 of said Block 3 to the most easterly corner of said Lot 31 as the same appears on the recorded plat of said Robert's Replat; thence northwesterly to the most northerly corner of said Lot 31, of said Block 3; thence northeasterly along the northeasterly projection of the northwesterly boundary of said Block 3 to its intersection with the south boundary of the tract of land described in that certain conveyance from Andrew Singer to Katze and Fred Singer and recorded September 2, 1927 in Book 197 on page 508 Record of Deeds for Clackamas County, Oregon; thence westerly following said last mentioned south boundary 149.00 feet, more or less, to a point that is 125.00 feet distant northwesterly when measured at right angles to the center line of Monroe Street thence southwestward parallel with the center line of Monroe Street to a point that is 100.00 feet distant when measured at right angles from the northeasterly boundary of 29th Street; thence southeasterly, parallel with said boundary of 29th Street, a distance of 125.00 feet to the place of beginning of the tract herein described.

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That the City Engineer's estimate of the total cost of the same is \$2,734.00.

That the City Engineers estimate of the cost per each from foot of the property to be assessed to pay the cost and expense of the same is \$1.85.

That the above described district is the district referred to in paragraph 1 of this Resolution.

BE IT FURTHER RESOLVED, that the Chief of Police shall within 5 days from the passage of this resolution, give notice of the passage of this resolution by posting three notices headed "NOTICE OF SEWER WORK" along Monroe Street and within said District, being the street along the line of the proposed sewer, which notices shall contain a copy of this resolution, and shall specify the time within which a remonstrance against said proposed improvement may be filed. And that an assessment will be levied on all lots and parcels of land within said assessment district in proportion to the amount to which each lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED that Objections and remonstrances may be filed with the Recorder against the said proposed improvement at any time within 10 days after the date of the posting of said notices by the Chief of Police and the same shall be heard and considered by the Council at a REGULAR meeting of said Council to be held on the 27th day of May, 1946 at 7:30 P.M.

AND WHEREAS it is necessary that said improvement be made at as early a date as possible, as said sewer is urgently needed, and it is necessary to take advantage of weather conditions in the construction thereof, Now therefore, an emergency hereby is declared to exist; and this resolution shall go into effect and force immediately upon its adoption.

It was moved by Nelson and seconded by Roberts that the resolution be adopted. Motion carried and so ordered.

A letter, from Mr. Kelsey, in which he estimated the cost of grading and graveling 35th Street from Wister Street wouth 600 linear feet, to be the sum of \$1,390.00, was read. It was moved by Hamlin and seconded by Nelson that the necessary resolution for this improvement be prepared. Motion carried and so ordered.

It was moved by Roberts and seconded by Hamlin that Milwaukie become a member of the Building Officials Conference and that the dues in the amount of \$25.00 be paid. Motion carried and so ordered.

Mr. Burbank reported a hazardous condition at the south end of Main Street. It was agreed that Mr. Kelsey make investigation and ascertain what can be done.

A petition requesting that the Bus Stop in Milwaukie be returned to Perry's Pharmacy, was read. The petition had been presented by mail, the Council therefore took no action on the petition.

The mater of a shelter for bus passengers was discussed. Mr. Kelsey was instructed to write the East Side Bus Co. and ascertain from them how much of the south side of Jackson Street they would need zoned off.

It was moved by Hamlin and seconded by Nelson that Attorney Kirkpatrick be instructed to draw an Ordinance making a portion of the south side of Jackson Street, between Front and Main Streets, a Bus loading zone. Motion carried and so ordered.

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An Agreement with the Housing Authority Of the County of Clackamas, with reference to the loan of fire fighting equipment, was read. It was moved by Hamlin and seconded by Nelson that the Mayor and Manager be authorized to sign the agreement. Motion carried and so ordered.

A letter from the Oregon Fire Chief's Association, was read and ordered filed.

It was moved by Hamlin and seconded by Nelson that Recorder Martin be reimbursed one week of pay withheld for absence due to illness, and that Manager Kelsey work out a sick leave plan, for future use, to be referred to the Council. Motion carried and so ordered.

Mr. Kelsey reported that the M. & N. Sheet Metal Works would build the water tank on the truck recently purchased for the Fire Department.

It was moved by Hamlin and seconded by Roberts that the following bills be allowed and that the Recorder be directed to issue warrants for the payment of same.

Milwaukie Review, pub. Ord. 473, 474, 475, 476, 477, Pol. slips, post	\$52.50
Kilham Stationary, plumb bob, chain, tape, etc. . . . .	10.45
West Disinfecting Co. drip machines, and supplies. . . . .	23.80
The Texas Co, gasoline, oil, police car. . . . .	1.76
Combs Insurance Agency, additional ins. prem, police car. . . . .	29.39
Francis Motor Car Co. . . . .	.75
Klippel's, spot light, fire extguisher, police car. . . . .	8.70
Portland General Electric Co, City Hall lighting. . . . .	23.71
" " " " Street lighting. . . . .	226.45
Pacific Stationary & Printing, chair, pad, misc. office sup. . . . .	42.10
J.F. Transue, painting parking lines. . . . .	10.00
Schuld Bros, gravel for streets. . . . .	5.88
J.J. Gerber, Plywood street signs. . . . .	10.00
Richfield Oil Corp. kerosene. . . . .	7.55
A.A.A. Fire Ex. Service, recharge, valve assembly, labor. . . . .	16.83
Pacific Telephone & Telegraph Co. . 2-4111. . . . .	1.25
Howard Cooper Corp. recouple end of booster hose. . . . .	1.50
Nell Flint, labor on Kellogg Park zoning maps. . . . .	10.00
Hanson Blue Print Co. Zoning Maps. . . . .	9.96
Milwaukie Hardware, batteries, bolts, axe, tape, cement. . . . .	5.13
Milwaukie Water Dept, labor advances, gasoline. . . . .	53.62
Milwaukie Lumber Co, street signs, lumber, screws, etc. . . . .	38.11
J.M. Bernard Garage, misc. parts, labor, Street & Water trucks . . . . .	12.25
Reddaway's Truck line, drayage. . . . .	54.20
Neptune Meter Co. misc. supplies. . . . .	23.30
Portland General Electric Co. pump house light, power. . . . .	150.65
Milwaukie Electric, batteries. . . . .	.90
Milwaukie Plumbing & Heating Co. plumbing at new pump house . . . . .	11.25
J.C. Barkman, labor at new pump house . . . . .	59.40
Consolidated Supply Co. misc. supplies for water dept. . . . .	54.21
Readymix Concrete Co, concrete at new pump house . . . . .	72.25
Milwaukie General Fund, adv. 1/3 of Manager's salary. . . . .	100.00
Bureau of Water Works, stand-by. . . . .	30.00
Schuld Bros. gravel at new pump house. . . . .	17.53
Mullan's Garage, rep. parts, water truck. . . . .	22.08
Empire Construction Co, excavating pipe line, new well. . . . .	108.00
W.S. Darley & Co. batteries for leak finder. . . . .	1.62
M. & N. Sheet Metal Works, rod, washers, cylinder. . . . .	3.68
W.J. McCready Lumber Co. lumber. . . . .	1.00
Minger Truck Line, drayage. . . . .	.75
Waterworks Supplies Co. misc. supplies. . . . .	98.98
Pacific Telephone & Telegraph Co. 2-4021. . . . .	10.25
Witt Mfg. Co, labor on pump house floor. . . . .	13.50
" " " meter boxes & lids. . . . .	96.00
Ellen Martin, postage advances. . . . .	2.00

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

*Ellen Martin*

Recorder.