

MEETING OF JUNE 12, 1961

959th MEETING

The nine hundred fifty-ninth regular meeting of the Council of Milwaukie, was held on the twelfth day of June, 1961.

The meeting was called to order by Mayor Clay.

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

The minutes of the nine hundred fifty-eighth regular meeting of the Council, held on the eighth day of May, 1961 were approved as written.

The minutes of the special meeting of the Council, held on the fifteenth day of May, 1961, were approved as written.

The minutes of a special meeting of the Council, held on the thirty-first day of May, 1961, were approved as written.

Mr. Stokes, representing the Milwaukie Junior Chamber of Commerce, came before the Council and stated that it was the intention of the Junior Chamber to campaign for a program to fluoridate Milwaukie's water and asked if the Council would be willing to act by ordinance instead of an election on the question in the event they could show that the citizens of Milwaukie favored fluoridation. The Council took no action on the matter.

The time having arrived, the Mayor opened the hearing on sewers, trunk line sewers and lift station in Robertson's Addition, Birkemeier Addition and Milwaukie Heights, and called for any objection to the same. There was a group of property owners from the area present. Mr. Willard Gambell, 2080 - 3rd Ave. spoke on behalf of property owners in Robertson's Addition. Mr. Gambell stated that the area he represented did not need sewers at this time, that they did not feel that they should share in the expense of the high priced digging which would be necessary on the upper ground in Birkemeier Heights and Milwaukie Heights and presented a Resolution opposing the sewers in that part of Robertson's Addition which lies west of 100 feet east of 5th Avenue. The Resolution had been signed by 95% of the property owners in the area. Written objection had been received from Ernest and Arduus Barrett, Lots 1,2,3,4, Block 4, Robertson's Addition, Mr. and Mrs. Roy Schomber, 2115 - 7th Ave., Mr. & Mrs. Roy Payne, owners of all of Block 34, Milwaukie Heights except parts of Lots 7,9,11, and Mr. & Mrs. Chas. Selfors, owners of parts of Lots 7,9,11, Block 43, Milwaukie Heights. Mr. Gambell was asked how the people in Robertson's Addition felt about participating in the cost of the trunk line sewer. Mr. Gambell stated that inasmuch as this area would some day be emptying sewers into the trunk line he personally felt that the area should share in the cost. He called upon citizens present from the area for their opinions. It appeared that those present had no objection to being assessed for the trunk line. Mrs. Sarem, 2215 - 4th Street, stated that sewers were much needed in Birkemeier Addition and Milwaukie Heights and requested that they be installed. Mr. Carl Reinke, from Stevens and Thompson, Consulting Engineers, stated that this area could be cared for by gravity flow but that it was known to be rocky and therefore could be expensive ditching. It was decided that a survey and cost estimates would be prepared for the area east of 6th Avenue and that the property owners in this area petition for the sewers.

Manager Mullan read a letter from Stevens and Thompson with regard to costs etc. of enlarging the sewage disposal plant. It was moved by Renard and seconded by Sedgwick that the following Resolution be adopted.

RESOLUTION NUMBER 15-1961

WHEREAS, the legal voters of the City of Milwaukie, Oregon, did, at a Special Election held in said City on October 15, 1959, adopt and amendment to the City Charter designated as Chapter VIII-B of said Charter, authorizing the said City to issue its general obligation bonds in the amount of \$215,000.00 with which to construct a storm sewer system and an additional sewage treatment plant; and

WHEREAS, said bonds have now been issued and sold; and

WHEREAS, of the \$215,000.00 so realized from the sale of said bonds, the sum of \$145,000.00 has been allocated for the construction of storm sewers and \$70,000.00 allocated toward the expense of constructing an additional sewage treatment plant, and

WHEREAS, the construction of said additional sewage treatment plant is not only required by the Oregon State Sanitary Authority but is also required in order to avoid a severe pollution of the Willamette and Columbia Rivers, and in order to protect the public health; and

WHEREAS, it has now been determined that the construction of an additional sewage treatment plant in the City of Milwaukie adequate for said purpose will cost an estimated \$182,000.00; and

WHEREAS, said estimated cost exceeds funds presently available to the City for such purposes, including the proceeds of said bond sale; now therefore

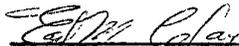
BE IT HEREBY RESOLVED by the City Council of the City of Milwaukie, Oregon, that the Mayor of the City of Milwaukie, Oregon, be and he is hereby empowered and directed to make and sign on behalf of said City an application, in triplicate, to the Department of Health, Education and Welfare, Public Health Service, of the United States of America upon the forms provided for that purpose, for a federal grant for sewage treatment works under 33 U.S.C. 466 et seq., and requesting a construction grant in the amount of \$52,800.00 in order to enable the City of Milwaukie, Oregon, by the use of funds presently available and by the use of the grant requested, to construct additional units to its existing primary sewage treatment works to provide secondary treatment for the purpose of avoiding major pollution of the Willamette and Columbia Rivers, and for the purpose of protecting the public health.

BE IT FURTHER RESOLVED that the Mayor of the City of Milwaukie be and he is hereby authorized, empowered and directed to submit such application, in triplicate, to the State Water Pollution Control Agency of the State of Oregon;

BE IT FURTHER RESOLVED that the Mayor of the City of Milwaukie, Oregon, be and he hereby is authorized and empowered to agree in writing and as a part of said application that if a Federal grant for the proposed sewage treatment plant project is made pursuant to the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), that the City of Milwaukie will pay the remaining cost of the approved project, and that the City of Milwaukie will provide proper and efficient operation and maintenance of the approved project after completion of construction thereof; and

BE IT FURTHER RESOLVED that the Mayor of the City of Milwaukie, Oregon, be and he is hereby authorized, empowered and directed to accept the said Federal grant for sewage treatment works if granted as applied for; and to do any and all acts, to sign any and all instruments, and to enter into any and all agreements binding the City of Milwaukie as may be necessary and required in connection with the acceptance of said Federal grant if the same is granted.

BE IT FURTHER RESOLVED that the Resolution Number 8-1960, heretofore passed by the City Council of the City of Milwaukie, Oregon, on the 21st day of March, 1960, be and the same hereby is repealed.


 Earl M. Clay, Mayor
 City of Milwaukie, Oregon.

ATTEST:


 R. E. Osborne, Recorder.

Passed this 12th day of June, 1961

Motion carried and so ordered.

A delegation of citizens from the Ardenwald area came before the Council and made objection to changing the water in this area. It was pointed out to them that inasmuch as the pipe line to furnish their district with well water had been laid at considerable cost, it would be unfair to expect this expense to be borne by that part of the city not benefitted in any way.

A letter from Milwaukie Planning Commission in which they recommended a zone change was read. It was moved by Renard and seconded by Sedgwick that the Planning Commission recommendation be accepted and that an ordinance be drawn providing for the zone change. Motion carried and so ordered.

Ordinance Number 843 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 843 be passed to its second reading. Motion carried and so ordered.

Manager Mullan presented the proposed water Stand-by contract with the City of Portland. There was considerable discussion on this question in which it was revealed that the City of Milwaukie would not have the right to terminate the service. It was moved by Renard and seconded by Sedgwick that the contract with the City of Portland, for a water Stand-by service be rejected. Motion carried and so ordered.

Attorney Sheldahl reported that the Deines-Deering hearing will be on June 28.

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

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

Manager Mullan reminded the Council that this was the time to prepare for the auditing of the City's books. Mayor Clay announced that there would be a special meeting of the Council on June 19 when the full Council could be in attendance.

It was moved by Sedgwick and seconded by Renard that Jerry Carpenter be sent as a delegate to the Firemen's Convention. Motion carried and so ordered.

Manager Mullan read a report from Stevens and Thompson which included the amounts owing to them to date. It was moved by Sedgwick and seconded by Renard that the following bills to Stevens and Thompson Engineers be allowed.

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| For Engineering on Ardenwald Area "C" sewers | \$ 180.52 |
| For Engineering survey for Milwaukie Hts., Birkemeier Addn. | |
| Robertson's Addn. sewers and lift station | 363.56 |

Motion carried and so ordered.

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

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| Acme Visible Records | 32.39 | 32.39 |
| Addressograph-Multigraph Cpn. | | .15 |
| Amer. Bitumals & Asphalt | | 48.59 |
| Ammerman's Divers Supplies | | 2.00 |
| Bureau of Water Works | | 79.50 |
| Carey Oil Co. | | 452.81 |
| Charlton Laboratories, Inc. | | 60.00 |
| Clackamas County | | 132.00 |
| Communications Services | | 58.74 |
| Daily Journal of Commerce | | 25.55 |
| Election Board | | 50.00 |
| Feenaughty Machinery Co. | | 15.56 |
| M. L. Foxworthy | | 20.00 |
| Franck's Color Center | | 6.10 |
| G & S Janitor Supplies | | 47.50 |
| Charlie Helwig, Inc. | | 5.05 |
| Instrument Sales & Service | | 32.75 |
| Jack's Digger Service | | 1,296.90 |
| Larson's Auto Parts | | 1.24 |
| League of Oregon Cities | | 40.00 |
| Leupold & Stevens Instruments | | 4.88 |
| R. S. Milln | | 37.50 |
| Milwaukie Automotive Service | | 174.96 |
| Milwaukie Electric | | 34.80 |
| Milwaukie Hardware | | 44.16 |
| Milwaukie Lumber Co. | | 11.30 |
| Milwaukie Review | | 26.78 |
| Milwaukie Volunteer Fire Dept. | | 9.00 |
| Mobil Oil Co. | | 6.15 |
| Munnell & Sherrill | | 25.40 |
| Neptune Meter Co. | | 64.09 |
| N.W. Industrial Laundry | | 4.00 |
| N.W. Natural Gas Co. | | 17.98 |
| Nudelman Bros. | | 19.20 |
| Ore. State Dept. of Finance & Admin. | | 75.00 |
| Olson Bros. Shell Service | | 208.26 |
| Overall Laundry | | 18.10 |
| Pacific & Readymix | | 25.20 |
| Pacific Telephone N.W. | | 247.00 |
| Paul's Richsfeld Service | | 4.00 |
| Peerless Pacific Co. | | 33.86 |
| Pennsalt Chemicals Corp. | | 93.75 |
| Pioneer Mercantile Co. | | 25.57 |
| Plumbers Supply Co. | | 70.66 |

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| Portland General Electric | 1,690.10 |
| Portland Road & Driveway | 515.05 |
| Reddaway's Truck Line | 20.24 |
| Perry Pharmacy | 4.97 |
| Richfield Oil Corp'n | 43.56 |
| Rockwell Mfg. Co. | 44.60 |
| Scientific Supplies Co. | 7.40 |
| Charles Scadding | 12.00 |
| W. E. Smith & Son | 12.70 |
| Southern Pacific Co. | 30.00 |
| Alice Staley | 20.30 |
| Stevens & Thompson | 126.00 |
| System Construction Co. | 558.19 |
| Super Car Wash | 7.00 |
| Traffic Safety Supply Co. | 35.56 |
| Tire Sales & Service | 6.00 |
| Waterworks Supplies | 1,253.45 |
| Weiler Chevrolet Co. | 29.98 |
| Weiners | 14.00 |
| Western Drug Label | 77.50 |
| Fred Wildy | 258.75 |

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin

Clerk.

SPECIAL MEETING JUNE 19, 1961

A special meeting of the Council of Milwaukie was held on the nineteenth day of June, 1961 for the purpose of interviewing an auditor for the City and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Clay.

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

The matter of contracting the auditing of the City books for the fiscal year of 1960-61 was discussed. It was moved by Aebi and seconded by Renard that Mr. Frank Fairly be employed by contract to audit the city books for 1960-61. Motion carried and so ordered.

The Johnson Creek Flood Control Board appeared before the Council with regard to an easement for Army Engineers to clear John Creek of brush and debris. It was moved by Renard and seconded by Aebi that after investigation, the necessary instruments be signed. Motion carried and so ordered.

Ordinance Number 843 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Oregon, from Zone 3-R-1 to Commercial Zone, amending Ordinance No. 481, as amended, 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 843 passed the Council and was so declared by the Mayor.

It was moved by Aebi and seconded by Howard that the City Attorney prepare a resolution providing for the sale of improvement bonds for the construction of a 1,500,000 gallon water tank and for secondary sewage treatment plant improvement. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Leonard B. Mullan

Leonard Mullan, Acting Clerk.