

MEETING OF JULY 9, 1962

COUNCIL CHAMBER

972nd MEETING

The nine hundred seventy-second regular meeting of the Council of Milwaukie was held on the ninth day of July, 1962

The Mayor being absent, it was moved by Renard and seconded by Howard that Councilman Baer act as Chairman of the Council. Motion carried and so ordered.

Those present were Councilmen James Howard, Charles Renard, Paul Baer and Theron Sedgwick; City Manager Leonard Mullan, City Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Mayor Earl Clay.

Councilman Baer, acting as chairman of the Council, called the meeting to order.

It was moved by Howard and seconded by Sedgwick that the minutes of the nine hundred seventy-first regular meeting of the Council, held on the eleventh day of June, 1962, the Minutes of a special meeting of the Council, held on the fourteenth day of June, 1962, and the minutes of a special meeting of the Council, held on the third day of July, 1962, be approved as written. Motion carried and so ordered.

Mr. Chris F. Bullard, Jr. 2700 Boyd Street came before the Council and stated that his wife had passed away a week ago and that after her death he had found a letter written by City Attorney John Sheldahl, notifying them of foreclosure proceedings which would be instituted against his property unless the lien against the property for the assessment for the Ardenwald Area "A" Sewer was paid. Mr. Bullard stated that he was not aware that the assessment payments had not been made. The property had been bonded in the amount of \$463.02. Mr. Bullard stated that his wife's illness and funeral expense had made it impossible for him to pay the full amount of the lien at this time and requested that he be permitted to pay the two unpaid installments and interest on the same and the penalty and his bond be reinstated. It was moved by Howard and seconded by Sedgwick that if Mr. Bullard would pay the two delinquent assessments, the interest accrued and the penalty on his assessment for the Ardenwald Area "A" sewer on the following property, Lot 6, except the east 73.08 feet, Block 3, Bonnie View Acres; in the following amounts, within ninety days, that the bond on the balance of the assessment be reinstated.

2 delinquent assessments	\$92.60
Interest to October 25	69.48
Penalty, 10% of amt of bond	<u>46.30</u>
	\$ 208.38

Motion carried and so ordered.

Mr. George Deering laid before the Council a proposal for a change in the fee for the collection of garbage and requested that his contract be changed to include the change in collection rates. After discussion it was moved by Howard and seconded by Renard that the Council set this question over to a later date in order that the Council may study the proposed change. Motion carried and so ordered. The Council agreed that the meeting be set for July 13, 1962.

The Chairman of the Council opened the hearing on the withdrawal of properties annexed by Ordinance No. 897, from the Milwaukie Rural Fire Protection District, and called for any objections to the same. There was no person present who objected to the withdrawal and no written objection had been received. The Chairman declared the hearing closed.

The Chairman opened the hearing on the withdrawal from the Oak Lodge Fire District of properties annexed by Ordinance No. 897 and called for objection to the same. There was no person present who made objection and no written objection had been received. The Chairman declared the hearing closed.

The Chairman opened the hearing on the withdrawal of properties annexed by Ordinance No. 897, from the Oak Lodge Sanitary District and called for objection to the same. There was no person present who made objection and no written objection had been received. The Chairman declared the hearing closed.

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Mr. George Haley, attorney, representing a group of property owners along 23rd Street in Streib's Addition, made a plea in behalf of these property owners, objecting to the widening of the travel area in 23rd Street, and the setting back of the curbs. They felt that if the curbs were set back the shade trees in the park area would be damaged. Mr. Mount, 715 23rd Street, Dr. & Mrs. Harrison, 625 23rd Street, and Mr. & Mrs. Elder, 606 23rd Street voiced their objections to the setting back of the curbs on account of the damage it may do to the trees. It was moved by Renard and seconded by Sedgwick that the curbs along 23rd Street from Harrison St. north, be not set back and that the City Manager be instructed to contact Mr. Wm. Davis with regard to him (Davis) resurfacing the street. Motion carried and so ordered.

The Chairman opened the hearing on the annexation of properties as described in Ordinance No. 915 and called for objection to this annexation. There was no person present who made objection and no written objection had been received. The Chairman declared the hearing closed.

A group of citizens representing different service clubs in Milwaukie were present. Mr. Roger Hollingsworth, on behalf of the Milwaukie Jay-Cees, presented a letter recommending that Milwaukie adopt a distinguishing nickname, and that it be "The Dogwood City of the West" and that the dogwood blossom be used as an emblem on official cars, uniforms, etc. Those service clubs represented by the presence of an officer or members of the club were;

Jr. Chamber of Commerce	JayCees
Action in Milwaukie	A.I.M.
North Clackamas Central Park	
Kiwanis	
Milwaukie Business Women's Club	
Milwaukie Library Board	

A letter from the Milwaukie Planning Commission, approving the nickname and recommending its adoption, was read. It was moved by Renard and seconded by Sedgwick that the following resolution be adopted.

RESOLUTION NO. 25-1962

A RESOLUTION PROVIDING FOR THE ADOPTION OF AN OFFICIAL FLOWER AND PSEUDONYM (NICKNAME) FOR THE CITY OF MILWAUKIE, OREGON

WHEREAS, the City of Milwaukie does not have an official flower, and

WHEREAS, the City of Milwaukie does not have a distinguishing pseudonym (nickname), and

WHEREAS, most cities use a pseudonym (nickname) or have a trade name which distinguishes it from other cities, and

WHEREAS, the Dogwood Tree (*Cornus nuttalli*) is native to the City of Milwaukie, and

WHEREAS, the oldest and largest Dogwood Tree in the world is in the City of Milwaukie, and

WHEREAS, the popularity of the Dogwood tree can well be attested to by the number that are planted in the yards of the residents of the City of Milwaukie, and

WHEREAS, the City of Milwaukie is and should be considered the Dogwood City of The West, now therefore

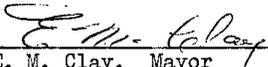
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, THAT

SECTION 1. The official flower of the City of Milwaukie shall be the Dogwood blossom (*Cornus nuttalli*, *Cornus florida*, *Cornus florida rubra*) to be used as an identifying emblem on official uniforms, vehicles, stationery, publicity releases, etc., as deemed feasible by the City Administrator.

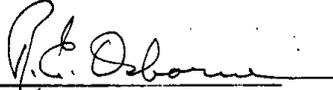
SECTION 2. The Dogwood blossom emblem shall be recommended for use by civic, fraternal, service, commercial, and other recognized organizations in the Milwaukie area in the same manner as suggested in Section 1.

SECTION 3. The official pseudonym (nickname) of the City of Milwaukie shall be The Dogwood City of The West. This name to be used in conjunction with the official City Flower.

ADOPTED THIS 9th DAY OF JULY, 1962.


E. M. Clay, Mayor

ATTEST:


R. E. Osborne, Recorder.

Motion carried and so ordered.

An application for recommendation for Package Store Class "B" license to be used at 9313 S.E. 32nd Street was laid before the Council by Albert H. Erlandson. A letter from the Chief of Police recommending that the recommendation be granted, was read. It was moved by Howard and seconded by Sedgwick that the permit be recommended. Motion carried and so ordered.

Ordinance No. 916 AN ORDINANCE amending subsection 4 of subsection 3 of Section 16, of Part III of Ordinance No. 481, by providing for the ~~erection~~ erection of accessory buildings less than 5 feet from any adjacent property line upon certain conditions, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Sedgwick and Baer. Nays: None. Ordinance No. 916 passed the Council and was so declared by the Acting Mayor.

Ordinance No. 917 AN ORDINANCE declaring the assessment for the construction of sanitary sewers along certain street in Masonmead Derry Acres and along Johnson Creek Boulevard and 41st Street, and for the construction of a Lift Station and sewage pressure line, and for the construction of laterals from the sanitary sewers to the property lines where the same are requested 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, Sedgwick and Baer. Nays: None. Ordinance No. 917 passed the Council and was so declared by the Acting Mayor.

Ordinance Number 918 AN ORDINANCE adopting the 1962-63 Budget for the City of Milwaukie, Oregon, providing a tax levy on all taxable property within said City, for city purposes beginning July 1, 1962 and ending June 30, 1963, 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, Sedgwick and Baer. Nays: None. Ordinance Number 918 passed the Council and was so declared by the acting Mayor.

Ordinance Number 919 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 919 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 920 was taken up for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 920 be passed to its second reading. Motion carried and so ordered.

Ordinance No. 921 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 921 be moved to its second reading. Motion carried and so ordered.

Ordinance Number 922 was taken up and read for its first reading. It was moved by Howard and seconded by Renard that Ordinance No. 922 be passed to its second reading. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission, in which they recommended that the zone be changed from 3-R-1 to Industrial zone for the Palmer-Cole Stoss tracts in the J.D. Garrett D.L.C. It was moved by Sedgwick and seconded by Howard that the Council approve the recommendation of the Planning Commission.

Ordinance Number 923 was taken up and read for its first reading. It was moved by Howard and seconded by Renard that Ordinance No. 923 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 924 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No.924 be moved to its second reading. Motion carried and so ordered.

Ordinance No. 925 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 925 be passed to its second reading, Motion carried and so ordered.

Ordinance No. 926 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 926 be passed to its second reading. Motion carried and so ordered.

Manager Mullan reported the condition of the Ledding Estate buildings along the west side of Main Street south of Jackson Street. After considerable discussion the Council agreed that the policy of no permits for repairs on these buildings should continue.

It was moved by Sedgwick and seconded by Howard that the following Resolution be adopted.

RESOLUTION NUMBER 27-1962)

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO CONSTRUCT SANITARY SEWERS ALONG 47th STREET, HARVEY STREET AND A PORTION OF LOGUS ROAD.

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

- 47th STREET, from Rockwood Street to Logus Road
- HARVEY STREET, from 47th Street to Harvey Court
- LOGUS ROAD, from 47th Street easterly to a point approximately 600 feet east of Winworth Road.

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

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

- 47th STREET, from Rockwood Street to Logus Road
- HARVEY STREET, from 47th Street to Harvey Court
- LOGUS ROAD, from 47th Street, easterly to a point approximately 600 feet east of Winworth Road.

By the construction of service laterals from the sanitary sewer to the property line where such service lateral is requested by the property owner, and all things necessary in the construction of such service laterals.

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

ALL LOTS OR PORTIONS OF LOTS LYING WITHIN 100 FEET OF 47th STREET FROM ROCKWOOD STREET TO LOGUS ROAD.

ALL LOTS OR PORTIONS OF LOTS LYING WITHIN 100 FEET OF AND FACING HARVEY STREET FROM 47TH STREET TO HARVEY COURT.

ALL LOTS, PORTION OF LOTS, TRACTS OF LAND OR PORTION THEREOF, LYING WITHIN 100 FEET OF LOGUS ROAD, AND LYING WITHIN THE CITY LIMITS OF THE CITY OF MILWAUKIE, OREGON, FROM 47TH STREET TO A POINT APPROXIMATELY 600 FEET EAST OF WINWORTH ROAD.

THAT THE ENGINEER'S ESTIMATE OF COST PER EACH FRONT FOOT OF SAID PROPERTIES ABUTTING THE AFOREMENTIONED STREETS WHERE SAID SANITARY SEWERS WILL BE LAID IS THE SUM OF \$4.50.

THAT THE ENGINEER'S ESTIMATE OF COST PER SERVICE LATERAL FROM SAID SANITARY SEWER TO THE PROPERTY LINE, WHERE THE SAME ARE REQUESTED IS \$85.00 PER SERVICE LINE.

THAT THE ENGINEER'S ESTIMATED COST FOR THIS IMPROVEMENT EXCLUSIVE OF THE SERVICE LATERALS IS THE SUM OF \$25,500.00.

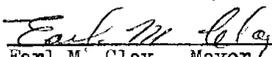
That an assessment will be levied on all lots and parcels of land within such proposed improvement district, in proportion to the amount to which each lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 23rd day of July, 1962.

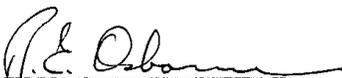
BE IT FURTHER RESOLVED that the City Recorder of Milwaukie shall, within ten days from the passage of this Resolution give notice of the passage of this Resolution by causing to be posted notices headed with the title "NOTICE OF SEWER CONSTRUCTION WORK" in three conspicuous places along said above named streets, which said notices shall contain a copy of this Resolution and shall specify the time in which remonstrances 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 hereby declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 9th DAY OF JULY, 1962.


Earl M. Clay, Mayor

ATTEST:


R. E. Osborne, Recorder

Motion carried and so ordered.

Manager Mullan read a letter from Stevens & Thompson in which they recommended that the American Pipe and Construction Co., be given the contract to build the new Water tower.

The Health Department report was read and ordered filed.

It was moved by Sedgwick and seconded by Howard that the following Resolution be adopted.

RESOLUTION NUMBER 28-1962

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO IMPROVE MADISON STREET FROM 30th STREET WESTERLY TO HENNEMAN ACRES, BY CURBS, SIDEWALKS, DRIVEWAYS AND ASPHALTIC PAVEMENT.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct curbs, sidewalks and driveways along both sides of Madison Street from 30th Street westerly to Henneman Acres, and to pave said street with asphaltic pavement.

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 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 curbs, and to pave said street with asphaltic pavement

That the district liable to be assessed for the aforesaid improvement is as follows:

ALL LOTS, PORTIONS OF LOTS, TRACTS OF LAND OR PORTION THEREOF, LYING WITHIN 100 FEET OF MADISON STREET FROM 30th STREET WESTERLY TO HENNEMAN'S ACRES

That the City Engineer's estimate of cost per each front foot of said property abutting the aforementioned Street where said curbs are constructed is \$1.75 per lineal foot

That the City Engineer's estimate of cost per each square foot of monolithic sidewalk and driveways where the same are constructed is 45¢ per square foot. That the City Engineer's estimate of cost for asphaltic pavement where the same is laid is \$1.15 per square yard.

That the City Engineer's estimate of the probable cost of such improvement is the sum of EIGHT THOUSAND TWO HUNDRED NINETY EIGHT DOLLARS AND 88 CENTS (\$8,298.88).

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 23rd day of July, 1962.

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 STREET IMPROVEMENT WORK in three conspicuous places along said above named streets; which said notice 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 so as to take advantage of weather and other conditions in the construction of said improvement; NOW THEREFORE an emergency is declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 9th DAY OF JULY, 1962

ADOPTED THIS 9th DAY OF JULY, 1962

Earl M. Clay
Earl M. Clay, Mayor

ATTEST:

R. E. Osborne
R. E. Osborne, Recorder

Motion carried and so ordered.

It was moved by Sedgwick and seconded by Howard that the City accept the sewer installed in Drake Street east of 40th Street, by Fred Anderson, 4007 Drake Street. Motion carried and so ordered.

It was moved by Howard and Seconded by Sedgwick that Ordinance No. 720, Section 8, be amended to read \$1.00 instead of \$0.13. Motion carried and so ordered.

It was moved by Howard and seconded by Renard that the following Resolution be adopted.

RESOLUTION NUMBER 29-1962

RESOLUTION RELATING TO PARKING ALONG THE EASTERLY AND WESTERLY SIDES OF PACIFIC HIGHWAY EAST, ALSO KNOWN AS McLOUGHLIN BOULEVARD, IN THE CITY OF MILWAUKIE, OREGON.

WHEREAS, by virtue of Ordinance No. 530 of the City of Milwaukie, Oregon, the City Council is authorized to make changes in traffic regulations by resolution to become effective when the proper signs have been installed; and

WHEREAS, a traffic hazard and traffic congestion has developed on Pacific Highway East, also known as McLoughlin Boulevard, between Jackson Street and a point 180 feet north of the northerly property line of Scott Street in the City of Milwaukie, Oregon; and

WHEREAS, it is now deemed necessary and expedient to make the following changes in the parking regulations covering the use of the easterly and westerly sides of said Pacific Highway East, also known as McLoughlin Boulevard, between said Jackson Street and a point 180 feet north of the northerly property line of Scott Street, and to install and locate signs regulating such use; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the parking of motor vehicles or vehicles of any kind or description be and the same is hereby prohibited along the easterly side of Pacific Highway East, also known as McLoughlin Boulevard, between the north property line of JACKSON STREET and a point 180 feet north of the northerly property line of Scott Street in the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the parking of motor vehicles or vehicles of any kind or description be and the same is hereby prohibited along the westerly side of Pacific Highway East, also known as McLoughlin Boulevard, from the southerly property line of HARRISON STREET extended westerly to a point 180 feet north of the center line of Scott Street extended westerly, in the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED that the City Manager of the City of Milwaukie, Oregon, be and he hereby is authorized and directed to cause proper signs to be placed as to indicate the prohibition against parking as required by this Resolution.

BE IT FURTHER RESOLVED that the provisions of this Resolution shall be and become effective from and after the erection of the signs herein provided for; and

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions

in conflict with the provisions of this Resolution be and the same hereby are repealed.

ADOPTED THIS 9th DAY OF JULY, 1962.


Earl M. Clay, Mayor

ATTEST:


R. E. Osborne, Recorder.

Motion carried and so ordered.

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

A Active Business Machines	1.50
Addressograph Multigraph Corp.	3.30
American Barricade Co.	36.60
American Photocopy Equipment Co.	6.90
Badger Meter Manufacturing Co.	1,013.40
Richard K. Bass	15.60
Brooks Products, Inc.	71.85
Cascade Construction Inc.	48.00
Clackamas County	166.00
Clackamas County Public Library	5.55
Communication Specialists	14.00
M. L. Foxworthy	36.00
Franck's Color Center	13.21
Charlie Helwig, Inc.	23.25
Heisler's Car Wash	4.00
Gertrude Flors Herzog	51.23
Albert Hoffman	10.00
Huser Sales & Service	10.95
Industrial Air Products Co.	9.60
Jack's Digger Service	1,507.00
K P R Co.	37.50
League of Oregon Cities	693.35
M & N Sheet Metal Works	18.93
Milkiewa Feed Mills	24.60
R. S. Milln	312.50
Milwaukie Automotive Service	93.41
Milwaukie Lumber Co.	9.35
Milwaukie Hardware	74.44
Milwaukie Publishers & Printers	522.87
Bernard Muffenbier	30.00
Norris Pain & Varnish Co., Inc.	600.00
Northwest Industrial Laundry Co.	6.00
Olson Bros. Shell Service	47.30
Oregon City Laundry Co.	23.16
Oregon City Printing & Stationery Co.	8.31
The Overall Laundry Co.	24.85
Pacific Intermountain Express	6.54
Pacific Northwest Bell	197.25
Paul's Auto Repair	23.95
Paulson-Roles Laboratories	77.75
Pennsalt Chemicals Corp.	112.50
Perry Pharmacy	4.04
Pioneer Mercantile Co.	20.65
Portland General Electric Co.	2,274.19
Portland Gravel Co.	9.60
Portland Road & Driveway Co.	934.36
Price Rite Grocery	1.05
Quimby Welding Supplies Inc.	105.00
Sheldahl & Misko	5.50
Southern Pacific Co.	30.00
Texaco, Inc.	372.96
Tires Sales & Service	26.00
J. Weiner & Co.	39.13
Western Drug Label Co.	58.45

Water Department	278.81
Waterworks Supplies Co.	8,528.30
Fred Wildy	479.00
Wills-Paulson, Inc.	41.10

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
 Ellen Martin, Clerk

SPECIAL MEETING OF JULY 13, 1962

A special meeting of the Council of Milwaukie was held on the thirteenth day of July, 1962, for the purpose of reviewing the contract agreement of the Milwaukie Sanitary Service, and such other matters necessary to come before the Council at this time.

It was decided that Councilman Baer would act as Chairman of the Council in the absence of Mayor Earl Clay.

The meeting was called to order by Acting Mayor Paul Baer.

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

The matter of raising the rates of garbage collection was discussed. It was shown that the proposed raise would not exceed the fees charged in the areas around Milwaukie. It was moved by Howard and seconded by Sedgwick that the Attorney and City Manager prepare the necessary agreement to permit the raise in rates for collection of garbage in Milwaukie, and that the Mayor be authorized to sign the same. Motion carried and so ordered.

Ordinance Number 919 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 taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Sedgwick and Baer. Nays: None. Ordinance Number 919 passed the Council and was so declared by the acting Mayor.

It was moved by Howard and seconded by Sedgwick that the following Resolution be adopted.

RESOLUTION NUMBER 39-1962

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

LOTS 9, 10, 12, BLOCK 1, SMELSER'S ADDITION

A tract of land located in section 32, T. 1S., R. 2E., of the W.M. and being more particularly described as follows, to-wit:

Beginning at the southwest corner of Tract 11, Smelser's Addition, a Townplat recorded in Book 30, Page 8, RECORD OF TOWNPLATS For Clackamas County, Oregon, which corner is also the southwest corner of the tract of land conveyed to B.C. and Carol C. Smelser by Robert G. and Lorene E. McPherson, husband and wife; from said beginning on a westerly extension of the south boundary of said Smelser's Addition South 89° 34' 20" West 272 feet to an iron pipe located in the east right of way boundary of Linwood Avenue; thence following said last mentioned boundary, North 71.00 feet; thence parallel with the south boundary of said Smelers Addition, north 89° 34' 20" East 272.00 feet to the west boundary of the aforesaid Tract 11; thence following said last mentioned boundary, South 71.00 feet to the place of beginning of the tract herein described.