

on L.I.D. for same.

City Manager said there must be a virus affecting independent pumping stations as the one on Shell Lane was creating problems; and that one of the owners of property using the pumping station had been notified that something had to be done.

The Mayor on behalf of the Council thanked Bob Mills for the very fine job he did as City Judge. Judge Mills said a few words of appreciation for having the chance to act as judge and assured the Council they had selected a good man in Robert Morgan.

Dr. Howard said he would like to thank Win Anderson of the Review for his good coverage of the Mayor's & City Manager's visits to the residence explaining the budget.

ADJOURNMENT

On motion duly made and seconded, the meeting adjourned at 9:30 P.M.

Vivian Mumper
Vivian Mumper, Acting Clerk

SPECIAL MEETING OF JULY 14, 1966

CITY HALL

A special meeting of the Council of Milwaukie was held at the call of the Mayor on the fourteenth day of July, 1966, for the purpose of canvassing the votes of a special election held on July 12, 1966, and such other business as necessary to come before the Council.

The meeting was called to order by Mayor Robert Richmond, with the following members present:

Edgar Fuller (arrived at 8:10)	Robert E. Richmond
Donald Graf	Paul J. Slominski
James Howard	

Also present:

Fred Dyer, City Manager	Max Thompson, Asst. Manager
Robert L. Mills, City Attorney	Barbara Watson, Acting Clerk

CANVASS OF VOTES

It was moved by Howard, seconded by Graf, that the Council proceed to canvass the votes of the special election held on the 12th day of July, 1966. The motion carried and so ordered.

The Council did then proceed to canvass the votes cast at the Special Election, held on July 12, 1966, in the City of Milwaukie, Oregon, at which there was submitted to the legal voters of said City for their adoption or rejection, the following proposition:

"AUTHORIZING CITY COUNCIL TO ADOPT BUDGET AND LEVY TAXES
IN EXCESS OF CONSTITUTIONAL LIMITATION.

Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized and directed to include in the budget and levy a tax on all taxable property in said City in the sum of \$419,779.76 for the fiscal year 1966-1967, for general City purposes, which sum exceeds the six per-cent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon, and which sum shall be in addition to all other taxes levied?"

The canvass of the votes showed the following results:

	<u>YES</u>	<u>NO</u>	
PRECINCT 10 Milwaukie Grammar	96	50	
" 11 City Hall	42	32	
" 12 Fire Station #2	42	58	
" 13 Hector Campbell School	79	62	
" 14 Ardenwald Baptist Church	49	80	
" 15 Hillside Park	24	22	
" 16 Ardenwald School	31	29	
" 17 Linwood Church	76	50	
" 18 Rowe Junior High	90	31	
" 19 Seth Lewelling	50	67	
Absentee	<u>9</u>	<u>—</u>	
TOTAL VOTES	588	481	VOTES CAST 1069

The Mayor declared that the 1966-1967 Budget for the City of Milwaukie passed by a majority vote of the people.

RESOLUTION #38-1966

It was moved by Graf and seconded by Howard, that the following Resolution be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 38-1966

RESOLUTION ADOPTING 1966-67 BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES.

BE IT RESOLVED that the Council hereby adopts the budget approved by the budget committee of the City of Milwaukie on May 17, 1966 now on file in the office of the City Recorder.

BE IT RESOLVED that the Council hereby levies the taxes provided for in the budget adopted in paragraph 1 of this resolution in the aggregate amount of \$549,999.00 and that these taxes are hereby levied and assessed pro rata upon all taxable property within the City of Milwaukie as of 1 a.m., July 1, 1966.

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 1966, and for the purposes shown below are hereby appropriated as follows:

BONDED DEBT FUND

Principal and Interest 57,235.00

GENERAL FUND

GENERAL GOVERNMENT, for:

Materials and Services 71,645.00
Capital Outlay 10,875.00

ADMINISTRATION AND FINANCE DEPARTMENT, for:

Personal Services 53,220.00
Materials and Services 4,395.00
Capital Outlay 340.00

CITY HALL, for:

Personal Services 3,608.00
Materials and Services 7,775.00
Capital Outlay 1,000.00

FIRE DEPARTMENT, for:

Personal Services 244,195.00
Materials and Services 20,825.00
Capital Outlay 6,345.00

POLICE DEPARTMENT, for:

Personal Services 167,700.00
Materials and Services 16,315.00
Capital Outlay 3,250.00

PUBLIC WORKS DEPARTMENT, for:	
Personal Services	18,260.00
Materials and Services	4,340.00
Capital Outlay	1,500.00
LIBRARY, for:	
Personal Services	33,445.00
Materials and Services	20,160.00
Capital Outlay	11,840.00
PARK AND CITY GROUNDS, for:	
Personal Services	20,065.00
Materials and Services	2,865.00
Capital Outlay	21,000.00
OPERATING CONTINGENCIES	10,000.00
TOTAL GENERAL FUND APPROPRIATIONS	<u>754,963.00</u>

EQUIPMENT RESERVE FUND

Capital Outlay for Fire Department	28,000.00
Capital Outlay for Public Works Department	9,520.00

STATE TAX STREET FUND

Personal Services	62,410.00
Materials and Services	28,600.00
Capital Outlay	65,990.00
Operating Contingencies	5,000.00

WATER FUND

ADMINISTRATION DEPARTMENT	
Personal Services	29,205.00
Materials and Services	10,005.00
OPERATION DEPARTMENT	
Personal Services	46,720.00
Materials and Services	37,400.00
Capital Outlay	83,051.25
Operating Contingencies	5,000.00
BOND RETIREMENT	
Principal and Interest	22,118.75
TOTAL WATER FUND APPROPRIATIONS	<u>233,500.00</u>

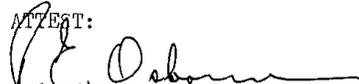
SEWER FUND

SEWER SYSTEM MAINTENANCE DEPARTMENT	
Personal Services	2,665.00
Materials and Services	2,435.00
Capital Outlay	2,700.00
SEWAGE DISPOSAL DEPARTMENT	
Personal Services	20,220.00
Materials and Services	18,560.00
Capital Outlay	8,020.00
Operating Contingencies	3,400.00
TOTAL SEWER FUND APPROPRIATIONS	<u>58,000.00</u>

BE IT RESOLVED that the City Recorder certify to the county clerk and county assessor of Clackamas County, Oregon, the tax levy made by this resolution and shall file with the State Tax Commission a true copy of the budget as finally adopted.

ADOPTED BY THE COUNCIL, July 14, 1966.

ATTEST:


R. E. Osborne, Recorder
CITY OF MILWAUKIE, OREGON.


Robert E. Richmond, Mayor
CITY OF MILWAUKIE, OREGON

RESOLUTION #39-1966

It was moved by Slominski, seconded by Howard, that the following Resolution be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 39-1966

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO IMPROVE S. E. HARRISON STREET FROM S. E. SHERMAN STREET EASTERLY APPROXIMATELY 360 FEET, BY THE CONSTRUCTION OF CURBS ALONG BOTH SIDES OF SAID STREET, PAVING SAID STREET AND ALL THINGS NECESSARY FOR STREET IMPROVEMENT, AND BY THE CONSTRUCTION OF A WATER MAIN, RELOCATION OF FIRE HYDRANT AND ALL APPURTENANCES NECESSARY FOR THE CONSTRUCTION OF SAID WATER MAIN.

WHEREAS, the Council of the City of Milwaukie, Oregon deems it expedient and necessary to improve S. E. Harrison Street from S. E. Sherman Street easterly approximately 360 feet by the construction of curbs along both sides of said street, paving said street and all things necessary for street improvement, and by the construction of a water main, relocation of fire hydrant and all appurtenances necessary for the construction of said water main, and

WHEREAS, the City Council of the City of Milwaukie, 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 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 improvements, and the location and kind of improvement being as follows:

By the construction of curbs along both sides of S. E. Harrison Street from S. E. Sherman Street easterly approximately 360 feet.

By grading and paving S. E. Harrison Street from S. E. Sherman Street easterly approximately 360 feet.

By the construction of a water main, relocation of fire hydrant and all appurtenances necessary for the construction of said water main on S. E. Harrison Street from S. E. Sherman Street easterly approximately 360 feet.

THE IMPROVEMENTS LISTED ABOVE INCLUDE ALL THINGS NECESSARY IN SUCH IMPROVEMENT, ALL TO BE DONE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS NOW ON FILE WITH THE CITY RECORDER OF THE CITY OF MILWAUKIE, OREGON.

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

All of the lots in Elaine Addition, a duly recorded subdivision, Tax Lot 18 and Tax Lot 20 in the vacated Block 35, Minthorn Addition to the City of Portland, all parcels of land abutting on either side of S. E. Harrison Street from S. E. Sherman Street easterly approximately 360 feet.

THAT THE CITY ENGINEER'S ESTIMATED COST OF SUCH IMPROVEMENT IS THE SUM OF \$8,190.00.

THAT THE CITY ENGINEER'S ESTIMATED COST OF THE STREET IMPROVEMENT AND WATER MAIN PER UNIT OF ACCESSIBLE PROPERTY IS THE SUM OF \$630.00.

THAT AN ASSESSMENT WILL BE LEVIED ON ALL LOTS OR PARCELS OF LAND WITHIN SUCH IMPROVEMENT DISTRICT IN THE AMOUNT TO WHICH EACH LOT OR PARCEL OF LAND WILL BE BENEFITTED.

CCBI02

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 8th day of August, 1966.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, 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 AND WATER CONSTRUCTION" in three conspicuous places along the said above named street; 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, to provide for the orderly development of said subdivision and contiguous properties, NOW THEREFORE an emergency is declared to exist, and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 14th DAY OF JULY, 1966.

Robert E. Richmond
Robert E. Richmond, Mayor

ATTEST:

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

ADOPTION NEW SALARY SCHEDULE

It was moved by Graf, seconded by Howard, that the new salary schedule be adopted, effective July 1, 1966. Motion carried and so ordered.

INCREASED HOSPITAL BENEFITS

It was moved by Howard, seconded by Slominski, that the Council accept the City Manager's recommendation for increasing the daily hospital benefit from \$20 to \$24 per day, under the League of Oregon Cities Insurance Plan. Motion carried and so ordered.

RESOLUTION #40-1966

It was moved by Slominski, seconded by Howard, that the following Resolution be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 40-1966

BEFORE THE COMMON COUNCIL OF THE CITY OF MILWAUKIE File 38391
CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of the Application of the
State of Oregon, by and through its State
Highway Commission, to purchase certain
right of way in the City of Milwaukie,
Clackamas County, for the Pacific Highway
East - Cascade Highway Section of the
relocated Clackamas Highway

RESOLUTION

WHEREAS, the State of Oregon, by and through its State Highway Commission, has applied to the City of Milwaukie for right of way for use upon the Pacific Highway East - Cascade Highway Section of the Clackamas Highway, over and across certain lands belonging to the City of Milwaukie, hereinafter more particularly described, and,

WHEREAS, the Common Council of the City of Milwaukie being of the opinion that it will be to the best interests of the City of Milwaukie, as well as to the State of Oregon, by and through its State Highway Commission, that the hereinafter described right of way be conveyed to the State of Oregon at a reasonable consideration,

THEREFORE, BE IT RESOLVED by the Common Council of the City of Milwaukie, sitting in regular session upon this 14th day of July, 1966, that the hereinafter described lands be deeded to the State of Oregon, by and through its State Highway Commission, for the consideration of the sum of One and No/100 Dollar (\$1.00) and other valuable consideration, and that the said Council pass an Ordinance authorizing the execution and delivery to the State of Oregon, by and through its State Highway Commission, of a good and sufficient Bargain and Sale Deed, conveying to the State of Oregon, by and through its State Highway Commission, the following described lands in the City of Milwaukie, Clackamas County, State of Oregon, to wit:

PARCEL 1

A parcel of land lying in the William Meek D.L.C. #50, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon; the said parcel being that portion of said D.L.C. #50 lying Westerly of the existing Pacific Highway East, Easterly of the existing River Road and Southerly of a line which is parallel to and 120 feet Northerly of the center line of the Clackamas Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 93+78.31, said Station being 628.98 feet North and 1101.14 feet West of the Initial Point of STREIB'S FIRST ADDITION TO MILWAUKIE; thence South 65° 29' East, 669.51 feet; thence on a spiral curve left (the long chord of which bears South 68° 29' East) 300 feet; thence on a 954.93 foot radius curve left (the long chord of which bears South 76° 59' East) 83.33 feet; thence on a spiral curve left (the long chord of which bears South 85° 29' East) 300 feet; thence South 88° 29' East, 765.24 feet; thence on a spiral curve right (the long chord of which bears South 80° 29' 43" East) 600 feet; thence on a 716.20 foot radius curve right (the long chord of which bears South 51° 24' East) 327.08 feet; thence on a spiral curve right (the long chord of which bears South 22° 18' 17" East) 600 feet; thence South 14° 19' East, 94.73 feet; thence on a spiral curve left (the long chord of which bears South 18° 19' East) 600 feet to Engineer's center line Station 137+18.20.

EXCEPT therefrom that property described in those deeds to James B. and Josephine M. Harrison, recorded in Book 476, Page 93, to the Sharrylou Corporation, recorded in Book 576, Page 523 and to Elizabeth McClung Stevenson, recorded in Book 492, Page 715 all of Clackamas County Records of Deeds.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 2.78 acres, more or less.

PARCEL 2

A parcel of land lying in the William Meek D.L.C. #50, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon; the said parcel being that portion of said D.L.C. #50 lying Northerly of Parcel 1 and included in a strip of land variable in width, lying on the Westerly side of the center line of the Pacific Highway East, which center line is described as follows:

Beginning at Engineer's center line Station 346+79.93, said Station being 364.83 feet North and 521.96 feet West of the Initial Point of STREIB'S FIRST ADDITION TO MILWAUKIE; thence North 11° 55' 56" East, 545.07 feet to Engineer's Station 352+25, at which Station the Northerly line of said strip of land lies at right angles to said center line.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line
346+79.93		349+75	115
349+75		352+25	115 taper to 60

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 0.32 acre, more or less.

PARCEL 3

A parcel of land lying in the William Meek D.L.C. #50, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon; the said parcel being that portion of said D.L.C. #50 lying Easterly of Main Street in the City of Milwaukie; Westerly of the right of way of the Southern Pacific Co. (Tillamook Branch) and included in a strip of land variable in width, lying on each side of the center line of the Clackamas Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 93+78.31, said Station being 628.98 feet North and 1101.14 feet West of the Initial Point of STREIB'S FIRST ADDITION TO MILWAUKIE; thence South 65° 29' East, 669.51 feet; thence on a spiral curve left (the long chord of which bears South 68° 29' East) 300 feet; thence on a 954.93 foot radius curve left (the long chord of which bears South 76° 59' East) 83.33 feet; thence on a spiral curve left (the long chord of which bears South 85° 29' East) 300 feet; thence South 88° 29' East, 765.24 feet; thence on a spiral curve right (the long chord of which bears South 80° 29' 43" East) 600 feet; thence on a 716.20 foot radius curve right (the long chord of which bears South 51° 24' East) 327.08 feet; thence on a spiral curve right (the long chord of which bears South 22° 18' 17" East) 600 feet; thence South 14° 19' East, 94.73 feet; thence on a spiral curve left (the long chord of which bears South 18° 19' East) 600 feet to Engineer's center line Station 137+18.20.

The widths in feet of the strip of land above referred to are as follows:

<u>Station to</u>	<u>Station</u>	<u>Width on Southerly Side of Center Line</u>	<u>Width on Northerly Side of Center Line</u>
100+50	104+31.15	120	110
104+31.15	107+31.15	120 in a straight line to 140	110 in a straight line to 120
107+31.15	113+50	140 taper to 150	120 taper to 130
113+50	114+96.39	150	130

EXCEPT therefrom that portion of said strip of land included in that property described in those deeds to Northwest Investment Company, recorded in Book 444, Page 631, in Book 637, Page 822 and in Book 447, Page 237 and that property described in that deed to International Harvester Co. recorded in Book 429, Page 228 of Clackamas County Deed Records.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 0.80 acre, more or less.

PARCEL 4

A parcel of land lying in the William Meek D.L.C. #50, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon; the said parcel being bounded on the Southerly side by Parcel 1; bounded on the Easterly side by Parcel 2; bounded on the Westerly side by that property conveyed to Elizabeth McClung Stevenson, by that deed recorded in Book 492, Page 715 of Clackamas County Deed Records and bounded on the Northerly side by a line lying at right angles to the center line of the Pacific Highway East at Engineer's Station 349+75, which center line is described in Parcel 2.

The parcel of land to which this description applies contains 0.3 acre.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the Grantee all existing, future or potential common law or statutory abutter's easements of access between the right of way of the public ways identified as the relocated Clackamas Highway and River Road and all of the Grantor's remaining real property; ALSO, between Parcels 2 and 4 herein described and all of the Grantor's remaining property.

ADOPTED by the Common Council of the City of Milwaukie this 14th day of July, 1966.


/s/ Robert E. Richmond
Mayor


/s/ R. E. Osborne
Recorder

ORAL COMMUNICATIONS

Mr. Ron Bennett, City employee, addressed the Council and requested that the Council hold in abeyance the election scheduled for July 26, for the selection of a collective bargaining representative, until a legal interpretation can be obtained. He questioned whether the City of Milwaukie comes under the State Law calling for this election because of the City's Home Rule Charter.

(Councilman Fuller entered the meeting.)

The Council stated they had researched the matter and that the Commission was within their jurisdiction in providing for an election for this purpose.

INTRODUCTION OF CITY JUDGE

Mr. Robert Morgan, newly appointed City Judge, was introduced to the Council members.

REPORT - CEDARCREST PUMPING STATION

The City Manager reported that he and the City Attorney had met with Mr. Weber concerning the Cedarcrest pumping station and a contract would be drawn up very soon for Council approval; however, because of the fact that this would take a little more time than originally anticipated, the Manager recommended that the moratorium originally given by the Council at their meeting on June 27, 1966, on allowing no more sewer connections after July 27, be amended.

It was moved by Howard, seconded by Graf, that the moratorium be extended to August 15, 1966. Motion carried and so ordered.

RECESS

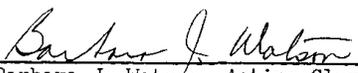
The Mayor recessed the Council at 8:10 to enable the members of the Council to sit in with the Planning Commission for the final presentation by Herb Beals on the Preliminary Report of Land Use for the City.

Meeting reconvened with all members present.

ZONE CHANGE #66-8

It was moved by Fuller, seconded by Graf, that the zone be changed from 3-R-1 to 3-R-2 SPECIAL on Lots 3 and 4, Blk. 15, Minthorn Addition (3916 Llewellyn St.), over the recommendation of denial by the Planning Commission. Motion carried by a four to one vote in favor of the change, and was so ordered.

On motion duly made and seconded, the meeting adjourned.


Barbara J. Watson, Acting Clerk

CCB102