

MEETING OF AUGUST 9, 1965

COUNCIL CHAMBER

1015th MEETING

The one thousand fifteenth regular meeting of the Council of Milwaukie, was held on the ninth day of August, 1965.

The meeting was called to order by Mayor George P. Haley.

The invocation was given by Reverend Bennie Harris, Assembly of God Church, 10680 Grant Street.

Those present were Mayor George P. Haley; Councilmen Don Graf, Robert Richmond, Paul Slominski; City Manager Max Thompson, City Attorney George VanBergen, City Engineer Wayne Daigle, Police Chief Frank Brittingham, Fire Chief Robert Wickam, and Clerk Ellen Martin. Absent: Councilman Edgar Fuller.

The minutes of the one thousand fourteenth regular meeting of the Council, held on the twenty-sixth day of July, 1965, were approved as written.

The minutes of a special meeting of the Council, held on the third day of August, 1965, were approved as written.

The 1965-1966 Budget was discussed. Manager Thompson laid before the Council a list of proposed reductions which showed the General Fund to be reduced by \$48,671.00 and the Fire Fund to be reduced by \$4,000.00 and recommended that the Budget, with these reductions be placed before the voters with a total amount of \$294,102.40 to be levied over the six per-cent limitation.

It was moved by Richmond and seconded by Graf that the following Resolution be adopted.

RESOLUTION NUMBER 24X-1965

RESOLUTION ADOPTING 1965-1966 BUDGET

BE IT RESOLVED that the Council hereby adopts the budget approved by the budget committee of the City of Milwaukie on June 10, 1965, reduced \$9,380.00 by the Council on July 1, 1965, and further reduced \$52,671.00 by the Council on August 9, 1965.

ADOPTED by the Council, August 9, 1965.

Donald W. Graf, Councilman - President Pro-tem  
of City of Milwaukie, Oregon

Robert E. Richmond  
Robert E. Richmond, Councilman  
City of Milwaukie, Oregon

Paul J. Slominski, Councilman  
City of Milwaukie, Oregon

ATTEST:

R. E. Osborne  
R. E. Osborne, Recorder  
City of Milwaukie, Oregon

CCB102

It was moved by Graf and seconded by Richmond that the following Resolution be adopted:

RESOLUTION NUMBER 25-1965

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY ELECTION IN THE CITY OF MILWAUKIE, OREGON, ON THE 23rd DAY OF August, 1965, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, THE QUESTION OF AUTHORIZING AND DIRECTING THE CITY COUNCIL OF SAID CITY TO INCLUDE IN THE BUDGET AND LEVY THE SUM OF \$294,102.40 FOR THE FISCAL YEAR 1965-1966 FOR THE GENERAL CITY PURPOSES, WHICH AMOUNT EXCEEDS THE CONSTITUTIONAL SIX PER-CENT LIMITATION ON TAXATION SET FORTH IN SECTION 11 ARTICLE XI OF THE CONSTITUTION OF OREGON, AND WHICH AMOUNT IS IN ADDITION TO ALL OTHER TAXES LEVIED.

WHEREAS, the City Council and the duly constituted Budget Committee of the City of Milwaukie, Oregon, has determined that it is necessary and advisable that there be included in the budget and levy for the fiscal year 1965-1966 for general City purposes the sum of \$294,102.40 and which amount exceeds the constitutional six per-cent limitation on taxation set forth in Section 11, Article XI of the Constitution of Oregon, and

WHEREAS, before said amount so exceeding said constitutional limitation can be included in the budget and levy, it is necessary to submit the matter to the legal voters of the City of Milwaukie, Oregon, for the purpose of seeking their authorization and approval; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that there shall be submitted in the manner prescribed in this Resolution to the legal voters of the City of Milwaukie, Oregon, at a special election to be held on the 23rd of August, 1965, for their approval or rejection, the following proposition:

"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 the said City in the sum of \$294,102.40 for the fiscal year 1965-1966 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?"

BE IT FURTHER RESOLVED that the election precincts for said special City Election shall be and constitute all of the territory included within the corporate limits of the City of Milwaukie, Oregon, and that there shall be three polling places for said Special City Election, namely

- SPECIAL PRECINCT NUMBER ONE, CITY HALL, 926 MAIN STREET, (Includes County Precincts 201, 202, 203, 204, 206, 207, 213, 214, 217, 220, 222, 224, 226)
- SPECIAL PRECINCT NUMBER TWO, ARDENWALD GRADE SCHOOL, (Includes County Precincts 205, 208, 209, 210, 211, 212, 215, 218, 219, 223, 228)
- SPECIAL PRECINCT NUMBER THREE, ROWE JR. HIGH SCHOOL, (County Precincts 216, 221, 225, 227)

BE IT FURTHER RESOLVED that the following named persons, all legal voters of Milwaukie, Oregon, be and they are hereby designated and appointed as the Chairmen and Clerks of election, to act as the Election Boards at such polling places on said date as follows, to-wit:

SPECIAL ELECTION PRECINCT ONE: (County Precincts 201, 202, 203, 204, 206, 207, 213, 214, 217, 220, 222, 224, 226)

- Etha Tate Chairman
- Elizabeth Reger Clerk
- Lillian Gambell Clerk
- Florence Salter Clerk

SPECIAL ELECTION PRECINCT TWO: (County Precincts 205, 208, 209, 210, 211, 212, 215, 218, 219, 223, 228)

- Pearl Sedgwick Chairman
- Wanda Swan Clerk
- Helen Hamlin Clerk
- Florence Schwartz Clerk

SPECIAL ELECTION PRECINCT THREE: (County Precincts 216, 221, 225, 227)

- Helen Fullerton Chairman
- Nellie Westby Clerk
- Beverly Whitehead Clerk
- Anita StLouis Clerk

BE IT FURTHER RESOLVED that the Recorder of the City of Milwaukie, Oregon, is hereby ordered and empowered to make all other arrangements and to secure the necessary supplies for said Special Election.

BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing proposition in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the proposition in question, the proposition should be submitted to the voters in the following form and ballot title, to-wit:

"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 \$294,102.40 for the fiscal year 1965-1966, 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?"

BE IT FURTHER RESOLVED that the City Recorder be and he hereby is directed to give at least ten (10) days' notice of the special election hereby called by posting notices thereof in three (3) public places within the boundaries of each voting precinct as established by this Resolution, within the boundaries of the City of Milwaukie, Oregon, and by publishing said notice in the official City newspaper in the following form:

"NOTICE OF SPECIAL ELECTION

On the 23rd day of August, 1965, in the City of Milwaukie, Oregon, from 8:00 o'clock a.m. until 8:00 o'clock p.m. Pacific Daylight Time, a special election will be held at which the following proposition will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection:

'Proposed by the City Council and referred to the legal voters of said City:  
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 of the taxable property in said City in the sum of \$294,102.40 for the fiscal year 1965-1966, 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 be in addition to all other taxes levied?'

The polling places for the said Special Election will be as follows:

SPECIAL ELECTION PRECINCT ONE, CITY HALL, 926 Main Street, Milwaukie, Oregon (Includes Precincts 201, 202, 203, 204, 206, 207, 213, 214, 217, 220, 222, 224, 226)

SPECIAL ELECTION PRECINCT TWO, Ardenwald Grade School, 8950 - 36th Street, Milwaukie, Oregon (Includes Precincts 205, 208, 209, 210, 211, 212, 215, 218, 219, 223, 228)

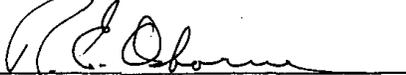
SPECIAL ELECTION PRECINCT THREE, Rowe Jr. High School, 3616 Lake Road, Milwaukie, Oregon (Includes Precincts 216, 221, 225, 227)

Published by order of the City Council of the City of Milwaukie, Oregon."

ADOPTED THIS 9th DAY OF AUGUST, 1965.

  
Mayor

ATTEST:

  
R. E. Osborne, Recorder

Motion carried and so ordered.

The Mayor then opened the hearing on the improvement of Beckman Road and called for objections to the same. Mr. Wm. Gorsline reported that several of the property owners along the street were prepared to deed a 20 foot strip of their lands to widen the street. There were two property owners who made verbal objection because of the cost. A petition signed by the owners of 1192 front feet of the property lines, stating that they protested the widening and improvement, but giving no reason for the objection, was laid before the Council. Mr. Gorsline stated that Fiore Ermini and wife had changed their minds on the protest and had already signed a deed for the necessary property to widen the street along their 200 foot frontage.

The Mayor declared the hearing closed.

The Mayor then opened the hearing on the proposed sewer in Edison Street from 35th Street easterly to a point 150 feet east of 37th Street, and called for objections to the same. Mr. Russell Loney, 3535 Edison Street stated that under ordinary conditions he would have no objection but now that the proposed access road would be crossing Edison Street in this area, he felt the sewer should not be installed at this time. Another property owner felt that this was the time to install the sewer before the highway was put in, thus saving the expense of tunneling under the highway. A petition, signed by seven property owners along the street, objecting to the installation of a sewer at this time, was laid before the Council. The petition was referred to the City Engineer. The Mayor declared the hearing closed.

A letter from Nase Development Co. was read. The letter stated that the Nase Co. were in the process of procuring two lots neighboring 3816 Harrison Street and that they would like the zone changed to Commercial zone but that if the property could not be zoned Commercial, would the Council consider allowing a service type (office) building in a 3-R-2 Special zone? The matter was referred to the Planning Commission.

Manager Thompson reported to the Council that he had received several letters from citizens, some were discussing the Budget, some objecting to another election for the budget, some solving the City's problems etc. etc. The Council requested that the letters be filed.

A petition, signed by ten owners of properties along Linwood Ave. requesting that a sewer be laid in Linwood Avenue from Railroad Avenue northerly to the City limit line, was laid before the Council by Mrs. Ida Walker. It was moved by Graf and seconded by Richmond that the petition be referred to the City Engineer for his survey and recommendation. The motion carried and was so ordered.

A letter from the Milwaukie Planning Commission in which they recommended a change of zone from zone 3-R-1 to Commercial-Industrial zone for Tax Lot 24, except the south 294.71 feet, John Garrett D.L.C., was read. It was moved by Richmond and seconded by Slominski that the Council accept the recommendation of the Planning Commission. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission in which they recommended a change of zone from zone 3-R-1 to zone 3-R-2 Special for lots 28 to 46 inclusive, Block 42 Minthorn Addition, was read. It was moved by Graf and seconded by Richmond that the Council approve the recommendation of the Planning Commission. Motion carried and so ordered.

It was moved by Slominski and seconded by Graf that the Personnel rules, as submitted to the Council at their meeting of July 26, be approved. The motion carried and was so ordered.

Manager Thompson read a letter from the County Sanitary Authority in which they called attention to the low water in the river.

Ordinance Number 1085 AN ORDINANCE amending Section 1, Section 6 and Section 7 of Ordinance Number 1037 was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Graf, Richmond, Slominski and Haley. Nays: None. Ordinance Number 1085 passed the Council and was so declared by the Mayor.

Ordinance Number 1086 was taken up and read for its first reading. It was moved by Richmond and seconded by Graf that Ordinance No. 1086 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1087 was taken up and read for its first reading. It was moved by Graf and seconded by Richmond that Ordinance No. 1087 be passed to its second reading. Motion carried and so ordered.

Mayor Haley announced that he had appointed Mr. Richmond Eddy to the Planning Commission to fill the unexpired term of W. Henry Stewart.

Mayor Haley announced that he had appointed the following citizens on the Recreation Committee. Louis Cereghino, Clyde Basler and Effie Muffenbeier.

Mayor Haley then thanked the members of the Council for their efforts and cooperation during the time he has held the office of Mayor, and stated that it was his intention to resign the office in the interests of the City, that if his resignation would help to pass the budget he was willing to take this step, that in his so doing he hoped that personalities could be forgotten and that the citizens would vote for the budget only. That he would stand willing to help in any way he could to help Milwaukie go forward. Mr. Haley then tendered his resignation as Mayor and left the Council Chamber amid cheers from friends attempting to show their admiration and trust, and a standing ovation from all present.

After the room quieted, it was moved by Richmond and seconded by Slominski that Councilman Graf preside during the remainder of the meeting. Motion carried.

There was discussion as to when the Council would appoint a Mayor to succeed Mr. Haley. It was pointed out that inasmuch as Councilman Fuller was away on vacation, it would be better to postpone the appointment until the four Councilmen were present.

Mrs. Betty Harsh presented a petition, signed by 174 citizens, requesting that the name of Leonard Mullan be considered for Mayor.

Councilman Richmond read the Library report.

Councilman Richmond gave a report on the meeting of the "Congress of Cities" which he attended in Detroit, Michigan.

It was moved by Richmond and seconded by Slominski that this meeting be adjourned until 7:30 P.M. Monday, August 16, 1965. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk

ADJOURNED MEETING OF AUGUST 16, 1965

An adjourned meeting, of the one thousand fifteenth regular meeting, of the Council of Milwaukie, was held on the sixteenth day of August, 1965.

The meeting was called to order by Councilman Don Graf.

Those present were Councilmen Don Graf, Robert Richmond and Paul Slominski; City Manager Max Thompson, City Attorney George Van Bergen, City Engineer Wayne Daigle and Clerk Ellen Martin. Absent: Councilman Edgar Fuller. There were many interested citizens present also.

It was moved by Slominski and seconded by Richmond that the resignation of Mayor George P. Haley, as presented, be accepted by the Council. The motion carried and was so ordered.

It was moved by Richmond and seconded by Slominski that the matter of appointing a Mayor to fill the unexpired term of retired Mayor Haley, be tabled until the return of Councilman Edgar Fuller. Motion carried and so ordered. In seconding the motion Councilman Slominski brought to the attention of the citizens present the fact that the appointment of a Mayor was an important step and should therefore not be done until all of the Council was present.

Chairman Graf requested Manager Thompson to again explain the budget and show to those present where changes have been made. Councilman Richmond stated