

MEETING OF SEPTEMBER 12, 1966

COUNCIL CHAMBERS

1040th MEETING

The one-thousand fortieth meeting of the Council of the City of Milwaukee, was held on the twelfth day of September, 1966.

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

Edgar Fuller	Robert Richmond
Donald Graf	Paul Slominski
James Howard	

Also present: Fred Dyer, City Manager Barbara Watson, Acting Clerk
Robert Mills, City Attorney

Rev. Poole, Milwaukee Covenant Church, scheduled for the invocation, was unable to be present.

It was moved by Howard, seconded by Graf, that the minutes of the regular meeting of August 22, 1966, be approved as written. Motion carried and so ordered.

CORRESPONDENCE

Zone Change #66-12, Applicant - Kronberg Bros., from 3-R-1 to Commercial Zone on Lot 10, 11, 12, all of 9, and the s'ly 18' of Lot 8, Block 2, Brownell Acres (29th and Harrison St.), proposed use - small grocery store.

Memo was read from the Planning Commission recommending that the above zone change request be denied.

James Praggastis, 2917 West View Circle, Lake Oswego, addressed the Council and requested that this zone change application be referred back to the Planning Commission as additional information had been obtained concerning the interchange going through in this area, that should be considered by the Commission with regard to this change.

It was moved by Slominski, seconded by Fuller, that the zone change application #66-12, be referred back to the Planning Commission for further study. Motion carried and so ordered.

C. E. Benson - Appeal on P. C. denial for moving duplex to lot at 4506 Llewellyn St. Letter was submitted by C. E. Benson requesting the Council to grant approval on the plot plan submitted for the duplex proposed to be moved to 4506 Llewellyn St.

Memo from the Planning Commission was read advising that this request was denied by the Commission because this particular duplex was too large for the proposed lot.

It was moved by Fuller, seconded by Slominski, that the appeal of Mr. C. E. Benson be denied by the Council. Motion carried and so ordered.

George Deering dba Milwaukee Sanitary Service

Mr. Dale Harlan, Attorney representing Mr. Deering, came before the Council and reviewed the letter that had previously been submitted requesting increase in rates in the Refuse Collection Agreement between the City and Milwaukee Sanitary Service.

After discussion, it was moved by Fuller, seconded by Graf, that a study of cost increases and changes in garbage collection program be made with a report back to the Council. Motion carried and so ordered.

ZONE CHANGE APPLICATION #66-10

It was moved by Fuller, seconded by Howard, that Zone change Application #66-10 be taken off the table for discussion. Motion carried and so ordered.

It was moved by Fuller, seconded by Howard, that the Planning Commission's

recommendation for approval of the zone change from 3-R-2 Special to Commercial Zone, on all of Lots 6 and 7, Wilson Subdivision No. 636, except that portion that lies within the State Highway right-of-way, be accepted. Motion carried and so ordered.

ACCEPTANCE OF BECKMAN ROAD

Letter from City Engineer was read certifying that the work on Beckman Road has been completed in accordance with specifications and recommending that the amount of retainer, \$3,870.58, be paid.

It was moved by Slominski, seconded by Graf, that Beckman Road be accepted as improved and retainer in the amount of \$3,870.58 be paid. Motion carried and so ordered.

It was moved by Graf, seconded by Slominski, that September 26 be set as the date for the assessment hearing for this district. Motion carried and so ordered.

PETITION - Al Hamlin, 2323 Harrison Street

Petition submitted by Al Hamlin, requesting an assessment district be formed for the purpose of street improvements including sidewalks and curbs, between Harrison and Llewellyn Street along 23rd Street.

It was moved by Howard, seconded by Slominski, that this matter be referred back to the City Manager to contact the other property owner in an attempt to gain his consent for this improvement. Motion carried and so ordered.

CEDARCREST STREETS

City Manager requested what action the Council would require before the City's acceptance of the streets in Cedarcrest #4 Addition, as a performance bond was not obtainable from the bonding company due to the fact that more than one contractor was responsible for the street construction.

It was moved by Slominski, seconded by Howard, that a cash performance bond of not less than 20% of the total cost of the streets in the Cedarcrest #4 Addition be put up by the developer, before the acceptance of the streets by the City. Motion carried and so ordered.

DOG REPORT

Manager read sections of various Ordinances pertaining to dogs, in effect in other cities.

After discussion, it was moved by Slominski, seconded by Howard, that the matter be referred back to the Manager for further study. Motion carried and so ordered.

RESOLUTIONS

#44-1966 (Intention to improve 38th St. extension by curbs and paving)

It was moved by Slominski, seconded by Graf, that Resolution #44-1966 be taken up for reading. Motion carried and so ordered.

It was moved by Howard, seconded by Fuller, that Resolution #44-1966 be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 44-1966

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO IMPROVE THE EXTENSION OF S.E. 38TH STREET IN ZANDERS ADDITION AND BEING A PART OF LOTS 2, 3, 12 and 13, BY THE CONSTRUCTION OF CURBS ALONG BOTH SIDES OF SAID STREET, PAVING SAID STREET AND ALL THINGS NECESSARY FOR STREET IMPROVEMENTS, AND BY THE CONSTRUCTION OF A SANITARY SEWER AND APPURTENANCES.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to improve S.E. 38th Street southerly approxi-

mately 110 feet by the construction of sanitary sewers and all appurtenances necessary for the construction of said sanitary sewers, 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. 38th Street southerly approximately 175 feet.

By the construction of sanitary sewers, southerly approximately 110 feet and all appurtenances necessary for the construction of said sanitary sewer in S. E. 38th Street extension.

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:

A part of Lots 2, 3, 12 and 13, Zanders Addition, to the City of Milwaukie.

THAT THE CITY ENGINEER'S ESTIMATED COST OF SUCH IMPROVEMENT IS THE SUM OF \$5,000.

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.

BE IT FURTHER RESOLVED, that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 26th day of September, 1966.

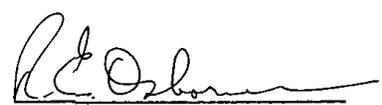
BE IT FURTHER RESOLVED, that the City Recorder of the City of Milwaukie, Oregon, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted, notices headed with the title "NOTICE OF SANITARY SEWER CONSTRUCTION" in three conspicuous 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 and proper termination of said street, NOW, THEREFORE, an emergency is declared to exist, and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 12th DAY OF SEPTEMBER, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder

#45-1966 (Intention to improve Drake Street and S. E. 38th St. with dry wells)

It was moved by Howard, seconded by Slominski, that Resolution #45-1966, be taken up for reading. Motion carried and so ordered.

It was moved by Howard, seconded by Fuller, that Resolution #45-1966 be amended by adding "at which time a public hearing will be held before the City Council at the hour of 8:00 p.m." at the end of the paragraph reading: "Be it further resolved, that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 26th day of September, 1966." Motion carried and so ordered.

It was moved by Howard, seconded by Fuller, that Resolution #45-1966 be adopted as amended. Motion carried and so ordered.

RESOLUTION NUMBER 45-1966

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF MILWAUKIE, OREGON, TO IMPROVE S. E. DRAKE STREET AND S. E. 38TH STREET SOUTHERLY FROM S. E. DRAKE STREET APPROXIMATELY 400 FEET BY THE CONSTRUCTION OF ADEQUATE DRY WELLS AND APPURTENANCES NECESSARY FOR SURFACE DRAINAGE, AND THE IMPROVEMENT OF SAID STREET BY AN OVERLAY OF ASPHALTIC CONCRETE.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to improve S. E. Drake Street and S. E. 38th Street southerly from S. E. Drake Street, approximately 400 feet, by the construction of dry wells and appurtenances necessary for surface drainage, and by the overlay of asphaltic concrete, 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 dry wells and appurtenances necessary for surface drainage along S.E. Drake Street and S.E. 38th Street southerly from S.E. Drake Street approximately 400 feet.

By grading and paving S.E. Drake Street and S.E. 38th Street southerly from Drake Street approximately 400 feet, by an overlay of asphaltic concrete.

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 the lots and parcels of lots abutting S. E. Drake Street westerly from S. E. 40th Street to S. E. 38th Street, thence southerly from Drake Street approximately 600 feet.

THAT THE CITY ENGINEER'S ESTIMATED COST OF SUCH IMPROVEMENT IS THE SUM OF \$2,875.00.

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.

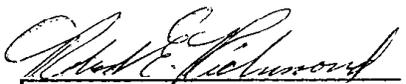
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BE IT FURTHER RESOLVED, that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 26th day of September, 1966, at which time a public hearing will be held before the City Council at the hour of 8:00 p.m.

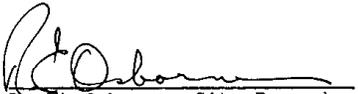
BE IT FURTHER RESOLVED, that the City Recorder of the City of Milwaukie, Oregon, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted, notices headed with the title, "NOTICE OF DRY WELL CONSTRUCTION" in three conspicuous places 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 proper maintenance and repair of existing street, NOW, THEREFORE, an emergency is declared to exist, and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 12th DAY OF SEPTEMBER, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, City Recorder

ORDINANCE

It was moved by Graf, seconded by Howard, that Ordinance No. 1130, be taken up for its first reading. Motion carried and so ordered.

After completion of reading, it was moved by Howard, seconded by Fuller, that Ordinance No. 1130 be moved to its second reading by title only at this time. Motion carried and so ordered.

Ordinance No. 1130, AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM 3-R-2 SPECIAL TO COMMERCIAL ZONE, AMENDING ORDINANCE 481, AS AMENDED, AND DECLARING AN EMERGENCY, was taken up and read by title only for its second reading and put on its passage with the following roll call vote: AYES: Fuller, Slominski, Graf, Howard, Richmond. NOES: None. Ord. No. 1130 passed the Council and was so declared by the Mayor.

OTHER BUSINESS

Councilman Graf advised that because of a conflict in meeting time, he would be unable to continue on the Tax Base Committee. Mr. Fuller agreed to serve in this position.

City Engineer advised that there had been an updating of the Kellogg Creek report, and a meeting is to be held on September 21, to discuss this. Councilmen are urged to attend.

PAYMENT OF BILLS

It was moved by Slominski, seconded by Howard, that the following bills be approved and that warrants be drawn for the payment of same. Motion carried and so ordered.

Air-Mac, Inc.	45.00
All Electric Construction Co.	8.50
American Barricade Co.	12.20
American Building Maintenance Co.	395.40
American Fire Protection	13.71
American Water Works	12.00
Atlantic Richfield Co.	2.53

Badger Meter Mfg. Co.	1143.00
Bailey's Saw & Elect.	5.40
Bearing Sales & Service	8.68
Blake, Moffit & Towne	33.35
Blue Seal Industrial Service	36.08
Bob's Rentals & Sales	16.92
Cantel Inc.	30.88
Carpenter Paper Co.	32.34
The Childrens Bk. Encl.	11.75
Clackamas County	154.00
Clackamas County Public Library	20.43
Collier MacMillan Lib.	45.26
Combs Insurance Agency	87.26
Communication Specs.	44.00
Dick's Key Shop	5.00
Dieringer's	48.40
Dohrmann Co.	17.45
Doubleday & Co., Inc.	10.00
Edwards Mfg. Co.	17.87
Evergreen Library Service	14.40
Barbara D. Ewell	250.00
Feenaughty Machinery	6590.00
Joe Fisher Ford	8.50
Gaylord Bros. Inc.	228.10
Graybar Electric Co.	14.88
Ruth L. Green	12.85
Ray Grimshaw Tires	6.75
Hall Tool Co.	65.48
Heisler's Car Wash	13.50
Charlie Helwig, Inc.	186.90
Horton Electric	61.27
Industrial Iron Works	136.26
Industrial Specialties	8.85
International City Managers' Association	5.00
International Harvester	102.48
Lampert, Fairly & Co.	1895.00
Landeen Welding Sups.	7.20
Larson's Auto Parts	224.82
Larry Linnum-Bill Gagnier	76.25
League of Oregon Cities	100.00
McCready Lumber Yard	58.24
McGraw-Hill Book Co.	33.70
McNaughton Book Service	252.11
Meter Box Equipment Co.	747.94
Milwaukie Automotive Service	223.07
Milwaukie Hardware	51.51
Milwaukie Lumber Co.	2.70
Milwaukie Plumbing & Heating Co.	8.80
Milwaukie Review	92.48
Milwaukie Volunteer Fire Department	152.00
Mixermobile Manufacturers Inc.	5.55
Montgomery Ward & Co.	235.84
Mt. Hood Chemical Corp.	384.00
Mt. Hood Geneological	4.95
National Rec. & Park Association.	5.00
Northwest Natural Gas Co.	50.81
Northwest Photocopy Corp.	465.58
Olson Bros. Shell	6.05
Oregon City Laundry Co.	70.88
The Oregonian	82.49
Oregon News Co.	8.98
Oregon Toro Distributors	31.40
R. E. Osborne	10.64
Overhead Door Co.	8.50
Pacific Northwest Bell	458.17
Paulsen & Roles Labs	32.06
Pennsalt Chemicals	225.00
J. C. Penney Co.	32.94
Pennzoil Co.	177.62
Perry Pharmacy	5.43
Petty Cash	23.44
Portland Concrete Pipe & Products	74.87
Portland General Electric Co.	4316.40

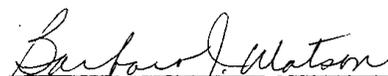
Portland Road & Driveway	370.99
Paulson-Wilson, Inc.	54.76
Prentice-Hall, Inc.	19.50
Public Employees Retirement Board	27.90
Richfield Oil Corp.	520.74
Rich Valley Top Soil	292.60
Rock Creek Sand & Gravel	215.00
Sanderson Safety Supplies	8.05
Santer Spray Equipment	17.14
Secretary of State	47.20
Silver Burdett Co.	4.30
Southern Pacific Co.	30.00
State of Oregon - Dept. of Motor Vehicles	108.00
Stevens, Thompson R & R	98.82
Street Fund	54.25
Thomas Office Supply	19.86
Tire Sales & Service	5.50
U. S. Dept. of Commerce	7.00
University Microfilms	10.15
Walker's Manual Inc.	74.07
Robert Wallace	40.00
Water Fund	375.94
Waterworks Supplies	4788.37
Webfoot Fertilizer Co.	22.80
Western Drug Label	6.50
Willamette Hi Grade Con.	23.25
William H. Wise & Co.	9.60
Woodbury Company	11.43

ADJOURNMENT

On motion duly made and seconded, the meeting was adjourned.


Robert E. Richmond, Mayor

ATTEST:


Barbara J. Watson, Acting Clerk

MEETING OF SEPTEMBER 26, 1966

COUNCIL CHAMBERS

1041st MEETING

The one thousand forty-first meeting of the Council of the City of Milwaukie, was held on the twenty-sixth day of September, 1966.

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

Edgar Fuller	Robert Richmond
Donald Graf	Paul Slominski
James Howard	

Also present: Fred Dyer, City Manager Barbara Watson, Acting Clerk
Robert Mills, City Attorney

Rev. Doug Schmidt, Church of the Nazarene, 1130 - 46th Ave., gave the invocation.

It was moved by Fuller, seconded by Slominski, that the minutes of the regular meeting of September 12, 1966, be approved as written. Motion carried and so ordered.