

## MEETING OF NOVEMBER 22, 1954

COUNCIL CHAMBER

857th MEETING

The eight hundred fifty-seventh regular meeting of the Council was held on the twenty-second day of November, 1954

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan; Councilmen Shook, Clay, Klein and Wright; Manager Sperr, Attorney Kirkpatrick and Recorder Martin.

The minutes of the eight hundred fifty-sixth regular meeting of the Council, held on the eighth day of November, 1954 were approved as written.

Ordinance Number 605 was taken up and read in full for its first reading. It was moved by Wright and seconded by Shook that Ordinance Number 605 be passed to its second reading. Motion carried and so ordered.

Application for recommendation of a P.B. (Package Store Class B) Beverage License, was presented by Safeway Store. The Chief of Police had stated that he has had no complaint against Safeway Store. It was moved by Shook and seconded by Wright that the permit be recommended. Motion carried and so ordered.

A letter from State Industrial Accident Commission with a request that the City advise them if or not James F. Sturdevent was entitled to 100% loss of use of an arm and 100% loss of use of a leg through injuries received on December 19, 1951 as a result of slipping down an encline while reading meters. The Council discussed the matter but took no action on the request.

Mr. Silas Peake came before the Council and suggested that the City extend Main Street to the south to connect with McLoughlin Blvd. just north of the Southern Pacific overhead crossing. There was considerable discussion on this matter and the Council agreed that this would be a worthwhile project.

The annexation of certain property east of 40th Street, north of Drake Street and south of Harvey Street was brought up for hearing. The Recorder read the public notice of hearing which had been published in three issues of the Milwaukie Review. The Mayor called for objections to the annexation of this property. There were no objections. It was moved by Shook and seconded by Wright that the following property be annexed to the City of Milwaukie and that an ordinance be drawn declaring the same.

All of Lot 1 Block 6 Gloverland, except the easterly 70 feet thereof.

All of Lot 2, Block 6, Gloverland.

All of Lot 3, Block 6 Gloverland, except the Northerly 235.94 feet

All of Lots 40,41,42,43,44,45,46,47,48,49 and 50, Marchbanks Addn.

Motion carried and so ordered.

Ordinance Number 606 was taken up and read in full for its first reading. It was moved by Wright and seconded by Klein that Ordinance Number 606 be passed to its second reading. Motion carried and so ordered.

A letter from the Milwaukie Volunteer Fire Department in which they requested that they be furnished with "Turn-out" clothing, was read. The matter was referred to the City Manager.

Manager Sperr read a letter from Hollister M. Stolte, Clackamas County Health Officer, in which he stated that while Leo Fontana has an accumulation of things he has collected, both inside and outside of his house, and that while these stacks of things are unsightly, they are not filthy and that the Health Department planned to aid Mr. Fontana in a safe program to exterminate rats. Dr. Stolte stated that Leo's dogs were not in evidence when representatives from the Health Department visited the Fontana home and that a further check would be made to determine the number and condition of the dogs.

Manager Sperr read a letter written to Albert Combs by Ohio Casualty Co. with reference to their Liability insurance policy covering the City of Milwaukie. The letter called attention to a public hazard. (an abnormal exposure in the sidewalk) at the north side of Washington Street between Main St. and McLoughlin Blvd. and stated that it was not covered by the City's present insur-

## MEETING OF NOVEMBER 22, 1954 (Cont'd)

policy. They suggested that the hazard be removed and that a "hold harmless" agreement could be drawn between the owner of the building and the City until such removal was complete. It was moved by Klein and seconded by Shook that Mr. J. Earl Jones be directed to remove the hazard from the sidewalk along his property at Main and Washington Streets. Motion carried and so ordered.

Councilman Wright reported that he had attended the full session of the League of Oregon Cities and gave an interesting report of the proceedings.

It was moved by Shook and seconded by Clay that the following bills be approved subject to the approval of the City Manager, and that warrants be drawn for the payment of same.

State Industrial Accident Commission	\$119.18
Darrel Wright, advanced for League of Oregon Cities	15.00
Fred Sperr " " " " "	3.00
E.W. Kirkpatrick " " " " "	3.00
Perkins Bros. Balance due on Myrtle Street Improvement	197.72
Perkins Bros, Improvements of various streets	3201.78

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

*Ellen Martin*  
Recorder.

## MEETING OF DECEMBER 13, 1954

COUNCIL CHAMBER

858th MEETING

The eight hundred fifty-eighth regular meeting of the Council was held on the thirteenth day of December, 1954

The meeting was called to order by Mayor Mullan

Present: Mayor Mullan, Councilmen Shook, Clay, Klein and Wright; Manager Sperr, Attorney Kirkpatrick and Recorder Martin.

The minutes of the eight hundred fifty-seventh regular meeting of the Council, held on the twenty-second day of November, 1954, were approved as written.

Mr. J. Earl Jones came before the Council on the matter of an obstruction in the sidewalk at his building at Main and Washington Streets. It was brought out that when Mr. Jones purchased the property known as the Wetzler Building, he was of the opinion that the building was two and one half feet from the south line of his property, but it later appeared that the building was standing on two and one half feet of Washington Street. At the time Mr. Jones improved the building, which was shortly after Washington Street was graded and improved from Main Street to McLoughlin Blvd, it was necessary to build a platform about 2 $\frac{1}{2}$  or 3 feet in height in order to enter the doors on the south side of the building. Mr. Jones had the platform built on what he considered his property but on a later survey proved to be sidewalk area. Mr. Jones, however, had never put a guard rail on the platform and the matter of its hazardous condition was recently brought to the City Manager's attention. Mr. Jones stated that he had taken the matter up with his Insurance Co. and they are willing to attach a clause in his liability insurance which will hold the City harmless in case of an accident caused by the platform. He would also put a railing and woven wire fencing along the platform to keep anyone from falling off same, and light the same with reflector lighting along the platform, and a continuous overhead light. After considerable discussion, it was decided that the Council would view the property and make a decision on the matter later.

The Recorder announced that this was the time set for the hearing on the improvement of 29th Street and Myrtle Street, by curbs, sidewalks and driveways.

The Mayor called for protests on the improvement of 29th Street from Harrison Street to Washington Street. There were no protests. The Mayor called for protests to the improvement of Myrtle Street from Elmer to Campbell Streets. The Recorder read a protest to the cost of concrete, from Meta Cross, owner of Lot 25, Block 2, Robert's Re-Plat. It was moved by Shook and seconded by Clay that the objection be overruled. Motion carried and so ordered.