

MEETING OF DECEMBER 12, 1949
Cont'd.

Nelson Equipment Company.....	\$ 15.36
Mullan's Garage.....	79.82
Elder Hardware.....	2.25
Milwaukie Hardware.....	11.02
Jack Taber, use of personal car.....	20.00
State Industrial Accident Commission, September.....	57.85
" " " " , October.....	56.73
" " " " , November.....	53.73

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Recorder.

SPECIAL MEETING OF DECEMBER 20, 1949

COUNCIL CHAMBERS

A special meeting of the Council was held at the call of the Mayor for the purpose of a hearing on the matter of rent control in Milwaukie.

The meeting was called to order by Mayor Sperr.

Present: Mayor Sperr; Councilmen Mortensen, Norbeck, and Frady; Attorney Kirkpatrick, and Recorder Martin.

Mr. E. Daryl Mabee, State Director of rent control in the Portland Area, under the Housing Expeditor, was present. Mr. Mabee stated that he had come to the meeting to answer questions on both sides of the subject, that he had no recommendations to make either for or against rent control.

The Council members questioned Mr. Mabee for information on present operation of rent control. Mr. Mabee stated that the 1949 law permitted much more liberal adjustments than previous laws and that in the Portland area eighty-seven (87%) percent of rent adjustments applied for have been made.

Since there were no citizens present for or against rent control, the Council was at a loss to make a decision on the matter.

It was moved by Frady and seconded by Norbeck that this meeting be continued on January 11, 1950 at the hour of 8 o'clock P.M. Motion carried and so ordered.

The Mayor announced that on account of Monday, December 26, being a legal holiday, the next regular meeting of the Council would be held on Tuesday, December 27, 1949.

The meeting adjourned.

Ellen Martin
Ellen Martin, Recorder.

MEETING OF DECEMBER 27, 1949

COUNCIL CHAMBERS

739th MEETING

The seven hundred thirty-ninth regular meeting of the Council was held on the twenty-seventh day of December, 1949.

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Cont'd.

The meeting was called to order by Mayor Sperr.

Present: Mayor Sperr; Councilmen Taylor, Mortensen, and Norbeck. Manager Taber, Attorney Kirkpatrick, Water Superintendent Hofmann, Officer Delp, and Recorder Martin. Absent: Councilman Frady.

The minutes of the seven hundred thirty-eighth regular meeting of the Council, held on the twelfth day of December, 1949, were approved as written.

Manager Taber reported that the estimated cost of grading and paving 33rd, 34th, and 35th Streets from Elmer to Wister Streets was more than twice the assessed value of the property assessable, and that in his opinion, the grading and graveling is all that could be done at an assessable figure.

It was moved by Mortensen and seconded by Norbeck that Manager Taber be directed to have a registered engineer establish the grades and surface water drainage along 33rd, 34th, and 35th Streets, Quincy Addition. Motion carried and so ordered.

The matter of extending the improvement of 33rd Street from Wister Street to Lake Road was discussed and it was decided that the Mayor appoint a committee to call on the property owners along the street at this area, in order to ascertain if or not they wanted the street opened and improved. The Mayor appointed the following committee. Sperr, Taylor, Norbeck, Mortensen, and Taber.

The matter of re-zoning that portion of Kellogg Park which lies south of Harvester Drive was discussed at some length, as the sale of the major portion of the property involved to International Harvester Corporation depends on a zone change. It was decided that the Mayor should appoint a zoning committee to work over the zoning in the area in question, also that the Mayor appoint a new Planning Commission.

It was moved by Mortensen and seconded by Taylor that the Manager be authorized to substantially offer to the International Harvester Corporation land in Kellogg Park, a portion of which lies south of Harvester Drive at the following prices: \$3000.00 per acre for the front five acres plus the proportionate cost of the storm sewer, which is to be installed, and \$4000.00 per acre for the back three and one half ($3\frac{1}{2}$) acres. The front five acres to be subject to the proposed zone change. Motion carried and so ordered.

It was moved by Mortensen and seconded by Norbeck that a street lamp be placed on thirty-seventh Street between King Road and Harvey Avenue, at a position which will be suitable when a second light is installed on the same street and that a street light be installed at 31st and Llewellyn Streets. Motion carried and so ordered.

Mayor Sperr read a letter from Mr. Herman Kehrli, Executive Secretary of League of Oregon Cities, in which he stated that it had been his impression that the type of work that would ordinarily be handled by a City Manager would not require that he be registered as an Engineer, and that it was pretty largely a matter of City Council discretion whether the City Manager should be a registered engineer or not.

Councilman Mortensen brought up the subject of manager form of government and Manager Taber's letter in which he had offered to resign, which had been discussed informally at the special meeting of the Council on December 20, 1949. For the benefit of Councilman Taylor, who was not present at the above mentioned special meeting, Councilman Mortensen reviewed a part of the discussion which had taken place, and explained that it was a discussion with no action being taken by the Council. Mr. Mortensen then reviewed what had been accomplished under the present Charter and since he (Mortensen) had taken his seat at the Council table. Councilman Mortensen in his review, pointed out that in the various projects for improvement which had been accomplished, a registered engineer or consulting engineer had approved the work or designed the plant. Mayor Sperr stated that no

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action could be taken on the matter of taking Manager Taber's letter off the table until the full membership of the Council was present. There was quite a group of businessmen present. Their spokesman spoke briefly on the matter stating that there had been much of the City business discussed on the streets, and urged that the Council either give Manager Taber a vote of confidence or accept his resignation; that the adverse publicity the City was getting from the long, drawn out controversy by the Council was not good for the Council and would tend to discourage Manager Taber's best efforts.

The minutes of the special meeting of the Council held on the twentieth day of December, 1949, were approved as read.

The matter of re-zoning in Kellogg Park was again discussed. Manager Taber made some suggestions and was asked to make a map showing the park area which he proposed to keep as a park dividing the residential area from the industrial area.

It was decided that the Mayor should appoint a zoning committee which would immediately take up this matter and would also review the zoning of the entire City.

The matter of appointing a planning Commission was discussed and it was decided that the Mayor should appoint a new Commission at this time.

Attorney Kirkpatrick asked the Council to be considering the subject of time and manner of paying for the Sewage Disposal Bonds.

On motion duly made and seconded the meeting adjourned.

Ellen Martin
Ellen Martin, Recorder.

PLANNING COMMISSION

At 10:00 P.M., December 29, 1949, the City Council of Milwaukie, Oregon, was called to order by Mayor Fred Sperr for the purpose of appointing a Planning Commission for the City of Milwaukie.

The following citizens were appointed by Mayor Sperr with the approval of the Council:

John Walker Jones
R.C. Williams
James Swaggerty
Leonard Mullian
M.C. Martin

The following were appointed by the Mayor as Ex-officio members to represent the Council with the Planning Commission:

Fred Sperr
City Attorney Kirkpatrick
City Manager Taber

Mayor Sperr was appointed Chairman pro-tem and R.C. Williams appointed Secretary pro-tem.

The Planning Commission was called to order by the Chairman and the recommendation of the Zoning Committee as to the zone change and the establishment of a City Park in that portion of the City of Milwaukie known as Kellogg Park and described in the motion above referred to, (a copy of the recommendation of the Zoning Committee is hereto attached and made a part of the recommendation of the Committee.) After discussion it was the judgment of the Committee that the zone change and the dedication of Crystal Creek Park was for the best interests of the City of Milwaukie and its citizens.

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Cont'd.

PLANNING COMMISSION

A motion was made by Attorney Kirkpatrick and seconded by M.C. Martin that the same motion as approved by the Zoning Committee, on even date, be approved and passed by the Planning Commission, and forwarded to the City Council.

All present voted in the affirmative.

Meeting adjourned.

(Signed) Fred Sperr, Chairman, pro-tem
(Signed) R.C. Williams, Secretary, pro-tem

Following the adjournment of the Planning Commission the City Council formally adopted the recommendation of the Planning Commission and the Zoning Committee.

R.C. Williams, Secretary pro-tem.

ZONING COMMITTEE

City of Milwaukie, Oregon, Zoning Committee appointed by Mayor Fred Sperr, December 29, 1949, as follows:

John Walker Jones, Chairman
Eugene Leitz, Secretary
R.C. Williams
M.C. Martin
J. Earl Jones
James Swaggerty
Leonard Mullan

At 8:30 P.M., December 29, 1949, meeting was called to order by Chairman Jones and discussion followed as to the advisability of changing the zoning of that portion of Kellogg Park lying south of Harvester Drive and east of State Highway 99E.

The entire Council of the City of Milwaukie was present, including City Attorney Kirkpatrick and City Manager Taber. All joined the discussion and all agreed that the following motion made by J. Earl Jones and seconded by Eugene Leitz would solve the problem and protect the best interests of the City of Milwaukie and its citizens.

Motion of J. Earl Jones, seconded by Eugene Leitz:

The special zoning committee of the City of Milwaukie recommends to the Council of the City of Milwaukie the re-zoning of the area which constitutes that section of Kellogg Park lying south of Harvester Drive and east of State Highway 99E, now zones as 3R1 and 3R2 be re-zoned to Zone II with the exception of the area shown on the zoning map now before the Committee and hereafter to be known as Crystal Creek Park, described as a strip of land lying at least 100 feet north of the center line of Crystal Creek and south from the center line of the center line of Crystal Creek to the former north limits of the City of Milwaukie. That said Crystal Creek Park be so dedicated for a City Park with perpetual care and that said Park be maintained always in its present wild and natural state.

After the above motion was agreed to by the City Council and the Zoning Committee a vote was taken by the Committee and recorded as follows:

J. Earl Jones -- yes.
M.C. Martin -- yes.
R.C. Williams -- no.
J.W. Jones -- yes.
Eugene Leitz -- yes.

ZONING COMMITTEE

The motion was passed.

(Signed) J. Earl Jones, Chairman
(Signed) Eugene F. Leitz, Secretary

MEETING OF JANUARY 9, 1950

COUNCIL CHAMBERS

740th MEETING

The seven hundred fortieth regular meeting of the Council was held on the ninth day of January, 1950.

The meeting was called to order by Mayor Sperr.

Present: Mayor Sperr; Councilmen Taylor, Frady, and Norbeck; Manager Taber, Attorney Kirkpatrick, Officer Delp, and Recorder Martin.

The minutes of the seven hundred thirty-ninth regular meeting of the Council, held on the twenty-seventh day of December, 1949, were approved as written.

The minutes of a meeting of the Zoning Committee, held on the twenty-ninth day of December, 1949, were read.

The minutes of a meeting of the Planning Commission, held on the twenty-ninth day of December, 1949, were read.

The minutes of a special meeting of the Council, held on the twenty-ninth day of December, 1949, were read, and approved as read.

A fact-finding committee from the Garthwick Community Club was present and laid before the Council their problem of sewage disposal and asked if, or what, arrangements could be made for their use of Milwaukie's Sewage Treatment Plant. Mr. Charles McClung stated that by applying for admission into the City of Portland they could force that city to include their district in their disposal plans in the event they were accepted, but that Garthwick was in the Clackamas County and Milwaukie School District Number 1, and that the majority of residents in the district who had school children wished to keep their children in the Milwaukie Schools. Mr. C.F. Wagner stated that the Garthwick Community Club would have their next meeting in February, and invited the Council to attend that meeting. Mr. Loren Thompson, of Stevens & Koon, Consulting Engineers, was called upon for advice and stated that the elevation of the land would make it prohibitive for a hook-up to the Portland intercepting sewer without a pumping plant but that his guess (without actually looking over the land) was that they could connect with Milwaukie's proposed treatment plant on a gravity flow.

Mr. G. Cottrell, 1806 31st Street and Mrs. C. Peters, 1816 31st Street came before the Council and asked that something be done about the unsanitary condition existing at the Leo Fontana place; also that Mr. Fontana be required to keep his dogs and chickens on his own property. Mayor Sperr, appointed Manager Taber, Attorney Kirkpatrick, and Officer Delp to enforce the City's ordinance with regard to dogs, chickens, sanitary facilities, etc., in an effort to eliminate this nuisance.

Mr. Loren Thompson placed before the Council a preliminary plan for drainage of storm water from the low lands along 35th to 30th Streets along Madison Street, Quincy Addition, which plan called for emptying the drain tile into Spring Creek at the west side of 30th Street. Attorney Kirkpatrick stated that it would be necessary to have the consent of all property owners along the creek. It was decided that the Mayor should appoint a committee to contact the owners of said property. The Mayor stated that he would appoint the Committee later.

Attorney Kirkpatrick read Resolution Number 1, 1950; no action was taken on the resolution.

Manager Taber read a letter from A. G. Skelton, Division Engineer