

COUNCIL CHAMBER

965TH MEETING

The nine hundred sixty-fifth regular meeting of the Council of Milwaukie was held on the eleventh day of December, 1961.

The meeting was called to order by Mayor Clay.

Present: Mayor Earl Clay; Councilmen James Howard, E. H. Aebi and Theron Sedgwick; Manager Leonard Mullan, Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Councilman Charles Renard.

The minutes of the nine hundred sixty-fourth regular meeting of the Council, held on the thirteenth day of November, 1961, were approved as written.

Mr. Way W. Lee came before the Council and explained that he had been the owner of the Southerly 170 feet of Lot 2, Block 2, Appleby Acres and the Southerly 170 feet of Lot 3, Block 2, Appleby Acres, that he had sold the property to a contract purchaser in August, 1961, that upon receipt of the sewer assessment notice he (Lee) had taken the notice to the purchaser and explained to him that he (the purchaser) must assume the assessment and that the purchaser had stated that he would bond for the assessment. The final date for bonding was September 20, 1961. The purchaser did not bond. Mr. Lee had received a notice advising that on December 20 the penalty would be added to the assessment, The purchaser had become bankrupt. Mr. Lee stated that he would take the responsibility of the assessment and requested that he be permitted to bond for the same. It was moved by Howard and seconded by Sedgwick that Mr. Lee be permitted to bond for the assessment and that the Recorder be authorized to antedate the bond to September 20, 1961, on the following property and in the following amounts;

The southerly 170 feet of Lot 2, Block 2, Appleby Acres \$305.04

The southerly 170 feet of Lot 3, Block 2, Appleby Acres 385.04

Motion carried and so ordered.

A petition, requesting that something be done about cats, dogs, chickens and pigeons, which are becoming a nuisance, at 9250 -40th Street, was read. The petition, signed by ten persons, representing seven dwellings in close proximity to 9250 - 40th Street, stated that the property was fenced and that, with the exception of the cats, these "pets" did not overrun the neighborhood but that the noise, odors and flies were very annoying and deprived the neighbors from the pleasure of their own yards or patios. The Council referred this problem to the City Manager.

A request for recommendation for a Retail Malt Beverage Class "B" (RMBB) for Candlelight Pizza Corporation, at 1921 River Road, was presented to the Council by Irene and Norman Helwig. It was moved by Howard and seconded by Aebi that the recommendation be granted. Motion carried and so ordered.

The Mayor opened the hearing on the withdrawal from the Milwaukie Rural Fire Protection District of territories annexed by Ordinances 852-857 and called for objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 864 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 864 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the withdrawal from the Wichita Zoning District of territories annexed by Ordinances 852 and 857 and called for objections to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 865 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 865 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the withdrawal from the Oak Lodge Rural Fire District of territory annexed by Ordinances 852 and 857 and called for any objections to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 866 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance Number 866 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 867 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Howard that Ordinance 867 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the annexation of properties as described in Ordinance No. 860 and called for any objections to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 868 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance Number 868 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the annexation of properties described in Ordinance No. 861 and called for any objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 869 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance Number 869 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the annexation of territory described in Ordinance No. 862 and called for any objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed. Ordinance Number 870 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Aebi that Ordinance Number 870 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the improvement of 26th Street south of Lake Road and called for objections to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed. Ordinance Number 871 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance Number 871 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the improvement of 46th Street from Railroad Ave. to Martin Heights and called for objection to the same. There were owners of properties along the street present who made inquiry about the width and type of the pavement. These citizens also inquired about the curbs along the school property. They were advised that the City Manager and the Engineer would contact the School authorities and work out a suitable entrance to the school. The Mayor declared the hearing closed. Ordinance Number 872 was taken up and read for its first reading. It was moved by Aebi and seconded by Sedgwick that Ordinance No. 872 be passed to its second reading. Motion carried and so ordered.

Mr. Fred Weber came before the Council and stated that he and his attorney had conferred with City Attorney Sheldahl with regard to the condemnation of a strip of land to be used as a roadway and right-of-way for sewer and water mains. Attorney Sheldahl explained to the Council what their legal findings were. Ordinance Number 873 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 873 be passed to its second reading. Motion carried and so ordered.

Manager Mullan reported that Bert Crosswhite had submitted the low bid for the improvement of 26th Street and 46th Street as follows:

For the asphaltic black-top pavement of 26th Street	\$1500.00
For curbs along both sides of 46th Street	\$1.25 per ft.
For asphaltic black-top on 46th Street from Railroad Avenue to Martin Heights	3175.00
For installing sewer laterals from the sanitary sewer to property	75.00 each

It was moved by Sedgwick and seconded by Aebi that the contract for both jobs be given to Bert Crosswhite. Motion carried and so ordered.

Manager Mullan read Stevens & Thompson's report on Area "D" sewers, which included their bill for services to date as \$695.56. It was moved by Sedgwick and seconded by Howard that Stevens & Thompson be paid \$695.56. It was moved by Sedgwick and seconded by Howard that Stevens & Thompson be paid \$695.56. Motion carried and so ordered.

It was moved by Howard and seconded by Aebi that the following bills be approved and that warrants be drawn for the payment of same.

American Barricade Co.	7.40
American Brush Co.	14.64
E. J. Bartells Co.	63.50
Henry Bisio	48.00
Brooks Products, Inc.	66.00
Burroughs Corp.	3.40
Carey Oil Corp.	491.96
Casey's	202.16
Clackamas County	212.00
Clackamas County Public Library	23.59
Communication Specialists	31.85
Gaylord Bros., Inc.	11.50
Feenaughty Machinery Co.	1.88
M. L. Foxworthy	36.00
Franck's Color Center	14.10
Al Gamble	26.54
J. K. Gill Co.	47.50
Dick Groener Agency	153.90
Charlie Helwig, Inc.	81.14
Jack's Digger Service	101.25
Industrial Iron Works	65.19
K P R Co.	96.75
Knapp Construction Co.	1,840.50
Larson's Auto Parts	1.05
M & N Sheet Metal Works	12.25
W. J. McCreedy Lumber Co.	159.66
R. S. Milln	124.00
Milwaukie Automotive Service	108.44
Milwaukie Hardware	63.25
Milwaukie Lumber Co.	17.25
Milwaukie Plumbing & Heating	3.96
Milwaukie Review	243.74
Milwaukie Volunteer Fire Dept.	15.00
Bernard Muffenbier	56.65
National Geographic Society	6.75
Geo. A. Morlan Plbg. & Appliance	18.50
National Fire Protection Assn.	15.00
Northwest Industrial Laundry	4.00
Nudelman Brothers	21.50
Northwest Natural Gas Co.	36.60
Olson Bros. Shell Service	325.65
Oregon City Laundry Co.	32.99
Oregon City Printing & Statry Co.	11.10
The Overall Laundry Co.	22.21
Pacific Northwest Bell	225.80
Portland Concrete Pipe & Prod. Co.	13.80
Pacific Waterworks Supply Co.	68.53
Paul's Richfield Service	12.85
Pioneer Mercantile Co.	50.64
Portland General Electric Co.	1,881.28
Portland Gravel Co.	3.70
Portland Road & Driveway Co.	326.29
Hank Price	36.00
Price Rite Grocery	4.64
Reddaway's Truck Line, Inc.	17.01
Richfield Oil Co.	144.41
Rub A Dub Car Wash	10.43
Southern Pacific Co.	30.00
Scientific Detection Prod. Corp.	10.28
Traffic Safety Supply Co.	120.75
State Industrial Accident Comm.	7.50
Water Department	585.06
Waterworks Supplies Co.	149.27
Wailer Chevrolet	1,747.20

Motion carried and so ordered.

Mayor Clay-announced that there would be a special meeting of the Council on Monday December 18, for the purpose of the second reading of ordinances and such other business necessary to come before the Council at that time.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Clerk

SPECIAL MEETING DECEMBER 18, 1961

A special meeting of the Council of Milwaukie was held on the eighteenth day of December, 1961, at the call of the Mayor, for the purpose of the second reading of Ordinances numbered 864 to 873 inclusive and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Clay.

Present: Mayor Earl Clay; Councilmen James Howard, Charles Renard, and Theron Sedgwick; Manager Leonard Mullan, Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Councilman E. H. Aebi.

Ordinance Number 864 AN ORDINANCE withdrawing from the Milwaukie-Rural Fire Protection District, Clackamas County Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon; was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Sedgwick and Clay. Nays: None. Ordinance Number 864 passed the Council and was so declared by the Mayor.

Ordinance Number 865 AN ORDINANCE withdrawing from the Wichita Zoning District, Clackamas County Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon, was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Sedgwick and Clay. Nays: None. Ordinance Number 865 passed the Council and was so declared by the Mayor.

Ordinance Number 866 AN ORDINANCE withdrawing from the Oak Lodge Rural Fire Protection District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon, was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Sedgwick and Clay. Nays: None. Ordinance Number 866 passed the Council and was so declared by the Mayor.

Ordinance Number 867 AN ORDINANCE providing for the procedure, without election, to annex certain territory, contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, pursuant to the provisions of Chapter 511, Oregon Laws 1961; accepting written consents of landowners in such territory to said annexation; determining that at least two-thirds of said consenting landowners also own at least two-thirds of the land in said contiguous territory and own real property therein representing at least two-thirds of the assessed value of the real property in the said contiguous territory; fixing a day for a public hearing before the Council of the City of Milwaukie, Oregon on the question of such annexation; directing publication and posting of notice of such hearing; and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result; Ayes: Howard, Renard, Sedgwick and Clay. Ordinance Number 867 passed the Council and was so declared by the Mayor.