

SPECIAL MEETING OF APRIL 17, 1957

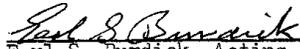
There was a special meeting of the Milwaukie City Council, held on the Seventeenth day of April, 1957, at the call of the Mayor and for the purpose of making a settlement, out of Court, of the George Kirkpatrick vs. the City of Milwaukie case.

Present: Mayor Mullan; Councilmen Klein, Mortensen and Clay; Manager Burdick and Attorney Sheldahl. Absent: Councilman Roberts.

Attorney Sheldahl reported the progress of the case of Kirkpatrick vs. the City of Milwaukie, now in court, and stated that Kirkpatrick's attorneys had offered to settle for \$5,000.00, and advised the Council to accept this offer as further court proceedings could cost the City a considerable sum.

It was moved by Mortensen and seconded by Klein that the Council accept the offer of Kirkpatrick and settle the case of Kirkpatrick vs. the City of Milwaukie for the sum of \$5,000.00, of which \$2,500.00 is to be paid at this time and \$2,500.00 is to be paid in July, 1957. Motion carried and so ordered.

On Motion duly made and carried the meeting adjourned.


Earl S. Burdick, Acting Clerk.

SPECIAL MEETING OF APRIL 22, 1957

A special meeting of the Council of Milwaukie was held, at the call of the Mayor, on the twenty-second day of April, 1957

The meeting, which was called for the purpose of discussing the 1957-58 Budget, and such other matters as were necessary to come before the Council at this time, was called to order by Mayor Mullan.

Present: Mayor Mullan; Councilman Clay, Mortensen, Roberts and Klein; Manager Burdick, Attorney Sheldahl and Clerk Martin.

Ordinance Number 668 was taken up and read for its first reading. It was moved by Klein and seconded by Roberts that Ordinance Number 668 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 668 AN ORDINANCE providing for the calling of a special City election in the City of Milwaukie, Oregon, on the 7th day of May, 1957, 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 \$7,277.30 for the fiscal year 1957-1958 for general City purposed, 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, was taken up and read for its second reading and put on its passage with the following result being had Ayes: Mullan, Clay Roberts and Klein. Nays: None. Ordinance Number 668 passed the Council and was so declared by the Mayor.

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

It was moved by Klein and seconded by Roberts that the following Resolutions be adopted.

RESOLUTION NUMBER 7-1957

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF MILWAUKIE, ORE. TO CONSTRUCT CURBS ALONG MAIN STREET, MILWAUKIE, OREGON, FROM STATE HIGHWAY STATION 347+20 to STATION 337+00

WHEREAS the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct curbs along Main Street from the point where present curbing ends, northerly a distance of approximately 1020 feet and between the following termini:

Beginning at State Highway Station 337+00 and ending at State Highway Station 347+20

WHEREAS, The Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for the appropriate improvement to accomplish the above, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore filed such plans and specifications and estimates in the office of the City Recorder.

BE IT THEREFORE RESOLVED, that the Council of the City of Milwaukie, Oregon does hereby declare its intention and purpose to make such improvement, the location and kind of improvement being as follows:

By the construction of curbs along both sides of Main Street, along the following lines and termini:-

Beginning at State Highway Station 337+00 in Main Street; thence northerly to State Highway Station 347+20, and to do all things necessary in the construction of said curbs, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

That the City Engineer's estimate of the probable cost of such improvement is the sum of \$2,523.67

That the district liable to be assessed for the said improvement is as follows:

EAST SIDE OF MAIN STREET:- Beginning at State Highway Station 347+20, which point is the intersection of the center line of Harvester Drive and Main Street, Milwaukie, Oregon, thence southerly along the center line of Main Street as surveyed and stationoned by the State Highway Engineers, to Station 337+00. ALL PROPERTY WITHIN 140 FEET EAST AND PARALLEL TO SAID CENTER LINE OF MAIN STREET.

WEST SIDE OF MAIN STREET:- Beginning at State Highway Engineer's Station 341+50 in the center line of Main Street, Milwaukie, Oregon, thence Southerly along the center line of Main Street as surveyed and stationoned by the State Highway Engineers, to Station 338+00. ALL PROPERTY WITHIN 140 FEET WEST AND PARALLEL TO SAID CENTER LINE OF MAIN STREET OR TO THE EAST LINE OF McLOUGHLIN BOULEVARD WHERE THE SAME IS WITHIN A DISTANCE OF 140 FEET FROM SAID CENTER LINE.

That the City Engineer's estimate of the cost per each front foot for curbs where the same will be constructed is \$1.35.

That an assessment will be levied on all lots and parcels of land within said proposed improvement district, where said curbs will be constructed, in proportion to the amount which each lot or parcel of land is benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 13th day of May, 1957.

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

BE IT FURTHER RESOLVED that the Chief of Police of Milwaukie shall, within ten days from the adoption of this resolution, give notice of the adoption of this resolution by posting a notice headed with the title "NOTICE OF CURB CONSTRUCTION WORK in three conspicuous places along said portion of Main Street, which said notice shall contain a copy of this resolution, and shall specify the time within which a remonstrance against said proposed improvement may be filed with the City Recorder: and that the Council will hear such remonstrance as may be filed, on the 13th day of May, 1957.

AND WHEREAS it is necessary that said improvement be made as soon as possible, so as to take advantage of weather conditions in the construction of said curbs; NOW THEREFORE, AN EMERGENCY IS DECLARED TO EXIST, and this Resolution shall go into full force and effect immediately after its adoption

Adopted this 22nd day of April, 1957.


Leonard B. Mullan, Mayor

ATTEST:

Jean S. Dillery, Recorder

RESOLUTION NUMBER 8-1957

A RESOLUTION declaring the intention of the City of Milwaukie, Oregon to grade, rock and surface with black-top pavement, Main Street from its intersection with the northerly boundary of Milport Avenue to its intersection with the northerly boundary line of Beta Street, and Beta Street from its intersection with Main Street to its intersection with Short Street.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to grade, rock and surface with black-top paving, Main Street, a distance of approximately 1530.36 feet and between the following termini:

Beginning at the northerly intersection of Milport Avenue, thence northerly to the northerly intersection of Beta Street.

AND WHEREAS the Council of the City of Milwaukie, Oregon has required from the City Engineer plans and specifications for the appropriate improvement to accomplish the above, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore filed such plans and specifications and estimates in the office of the City Recorder.

BE IT THEREFORE RESOLVED, that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, the location and kind of improvement as follows:

By the grading, rocking and surfacing with black-top that portion of Main Street, Milwaukie, Oregon, which lies between the following termini:-

Beginning at the northerly intersection line of Main Street and Milport Avenue, thence Northeasterly to the northerly intersection line of Beta Street thence easterly of Beta Street thence easterly on Beta Street to Short Street and to do all things necessary in such grading, rocking and surfacing said portion of Main Street. all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

That the City Engineer's estimate of the probable cost of such improvement is the sum of

That the district liable to be assessed for the said improvement is as follows:-

Beginning at the intersection of the east line of Main Street and the north line of Milport Avenue, in Milwaukie, Clackamas County, Oregon, thence northerly along the east boundary line of Main Street to its intersection with the south boundary line of Beta Street; thence Easterly along the south boundary line of Beta Street, extended, to a point which is 20 feet west of the west boundary line of the Southern Pacific Company's Tillamook branch right-of-way; thence southerly and 20 feet west of the west line of the Southern Pacific Company's right-of-way, and paralleling said west line of said right-of-way to a point in the north boundary line of Milport Avenue; thence Westerly along the north boundary line of Milport Avenue to the point of beginning.

That the City Engineer's estimate of the cost per each square foot to be assessed for said improvement will be

That an assessment will be levied on all lots and parcels of land within said proposed improvement district, where said street improvement is done, in proportion to the amount to which each lot or parcel of land is benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 13th day of May, 1957

BE IT FURTHER RESOLVED that the Chief of Police of Milwaukie shall, within ten days from the adoption of this Resolution, give notice of the adoption of this Resolution by posting a notice headed with the title "NOTICE OF STREET IMPROVEMENT WORK" in three (3) conspicuous places along said portion of Main Street, which said notice shall contain a copy of this Resolution, and shall specify the time within which a remonstrance against said proposed improvement may be filed with the City Recorder, and that the Council will hear such remonstrances as may be filed on the 13th day of May, 1957, and

WHEREAS, it is necessary that said improvement be made as soon as possible so as to take advantage of weather conditions, in the construction of said improvement,

NOW THEREFORE AND EMERGENCY IS DECLARED TO EXIST, and this Resolution shall go into full force and effect immediately after its adoption.

Adopted this 22nd day of April, 1957.


Leonard B. Mullan, Mayor.

RESOLUTION NUMBER 9-1957

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO CONSTRUCT A SANITARY SEWER ALONG A PORTION OF MAIN STREET, BETA STREET AND SHORT STREET

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct a sanitary sewer along Main Street from a point which is parallel with the northerly boundary line of the property now known as the International Harvester Property, thence Northerly to Beta Street; thence Easterly along Beta Street to Short Street; thence Northerly along Short Street to Stubb Street, and

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer plans and specifications for appropriate improvement to accomplish the above and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore 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 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 improvement, and the location and kind of improvement being as follows:

By the construction of a sanitary sewer, and all things necessary in the construction thereof; all to be done in accordance with plans and specifications now on file with the City Recorder, which said plans and specifications hereby are referred to and made a part of this Resolution. Said sewer to be constructed along the following lines and between the following termini:

Beginning at the intersection of the east boundary of Main Street with the north boundary line of the International Harvester Property in Milwaukie Industrial Park, Milwaukie, Oregon; thence northerly along Main Street to Beta Street; thence Easterly along Beta Street to Short Street; thence Northerly along Short Street to Stubb Street.

That the City Engineer's estimate of the probable cost of such improvement is the sum of \$24,028.57

That the district liable to be assessed for the aforesaid improvement is as follows:

Beginning at the intersection point of the east line of Main Street and the north line of the property presently owned by International Harvester Company, in Milwaukie Industrial Park, Clackamas County, Oregon; thence Northerly along the east line of Main Street extended to the intersection of the south line of Stubb Street; thence Easterly along the south line of Stubb Street extended to a point which is 20 feet west of the west boundary line of the Southern Pacific Company's Tillamook Branch right-of-way; thence Southerly, 20 feet west and parallel with the said Tillamook Branch right-of-way to a point which is the north line of the said International Harvester Property extended easterly to the said Tillamook Branch right-of-way, thence Westerly along the north line of the said International Harvester property to the point of beginning.

That the City Engineer's estimate of the cost per each square foot of the property within the aforesaid district is the sum of \$0.012

That an assessment will be levied on all lots and parcels of land within such proposed improvement district, in proportion to the amount to which each lot or parcel of land will be benefitted.

BE IT THEREFORE RESOLVED, that written remonstrances against the said proposed improvement may be filed with the City Recorder on or before the 13th day of May, 1957.

BE IT FURTHER RESOLVED that the Chief of Police of Milwaukie, shall, within ten (10) days from the adoption of this Resolution, give notice of the adoption of this Resolution by posting notice headed with the title NOTICE OF SEWER IMPROVEMENT in three conspicuous places along said above named Streets, which said notice shall contain a copy of this

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

Resolution, and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS, it is necessary that said improvement be made as soon as possible on account of drainage problems in the area, NOW THEREFORE an emergency is declared to exist and this resolution shall go into full force and effect immediately upon its adoption.


Leonard B. Mullan, Mayor

ATTEST:

Jean S. Dillery, Recorder.

RESOLUTION NUMBER 10-1957

~~AIR~~RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO LAY A WATER MAIN ALONG BETA STREET FROM McLOUGHLIN BOULEVARD TO SHORT ST.

WHEREAS, The Council of the City of Milwaukie, Oregon, deems it expedient and necessary to lay an eight inch (8") water main along Beta Street a distance of approximately seven hundred fifty (750) feet and between the following termini:

Beginning at the twelve inch water main in McLoughlin Boulevard and running easterly along Beta Street to the eight inch water main in Short Street, and

WHEREAS, The Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for the laying of such water main, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore filed such plans and specifications and estimates in the office of the City Recorder,

BE IT THEREFORE RESOLVED, that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to lay such eight inch water main, the location of same being as follows:

Beginning at the twelve inch water main presently in Mc Loughlin Boulevard, running easterly along Beta Street to connect to the eight inch water main presently in Short Street, and to do all things necessary in the laying of said water main, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which Plans and specifications are hereby referred to and made a part of this Resolution.

That the City Engineer's estimate of the probable cost of laying such water main is the sum of \$4,950.00

That the district liable to be assessed for such laying of water main is as follows:

Beginning at the intersection point of the east line of Main Street and the north line of the property presently owned by the International Harvester Company, in Milwaukie, Industrial Park, Milwaukie, Clackamas County, Oregon; thence northerly along the east line of Main Street extended to the intersection of the south line of Stubb Street; thence

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

Easterly along the south line of Stubb Street extended to a point which is 20 feet west of the west boundary line of the Southern Pacific Company's Tillamook Branch right-of-way; thence Southerly, 20 feet west and parallel with the said Tillamook Branch right-of-way to a point which is the north line of the said International Harvester property extended easterly to the said Tillamook Branch right-of-way; thence Westerly along the north line of said International Harvester property to the point of beginning.

That the Engineer's estimate of the cost per each square foot of land within the said proposed assessment district is \$ _____

That an assessment will be levied on all lots and parcels of land within said proposed assessment district, where said water main will be laid, in proportion to the amount to which each lot or parcel of land is benefitted.

BE IT FURTHER RESOLVED that the Chief of Police of Milwaukie shall, within ten (10) days from the adoption of this Resolution, give notice of the adoption of this Resolution by posting a notice headed with the title "NOTICE OF WATER MAIN EXTENSION WORK" in three conspicuous places along Beta Street, which said notice shall contain a copy of this Resolution, and shall specify the time within which a remonstrance against said proposed water main extension may be filed with the City Recorder, and that the Council will hear such remonstrances as may be filed, on the 13th day of May, 1957.

AND WHEREAS, it is necessary that said water main be laid as soon as possible, so as to take advantage of weather conditions, NOW THEREFORE AN EMERGENCY IS DECLARED TO EXIST, and this Resolution shall go into full force and effect immediately after its adoption by the Council.

Adopted this 22nd day of April, 1957


Leonard B. Mullian, Mayor

ATTEST:

Acting Recorder.

Motion carried and so ordered.

A copy of a letter, written by Marvin Runyan, Stevens and Thompson, Consulting Engineers, to the Oregon State Sanitary Authority, notifying them of the completion of the Keil-Walsh sewer extensions and lift station, was read, also their final bill for their services in connection with this project, was read. It was moved by Klein and seconded by Roberts that Stevens and Thompson be paid their final bill in the amount of \$708.43. Motion carried and so ordered.

A deed to property through the Praggastis property, Tax Lot 40, Whitcomb D.L.C., and which would extend Campbell Street from its dead end north of Monroe Street to Harrison Street, was laid before the Council by Wm. Charack, Attorney for Mr. Praggastis. The Council did not accept the deed at this time pending corrections to made in the agreement which was referred to Attorney Sheldahl.

Ordinance Number 669 was taken up and read in full for its first reading. It was moved by Mortensen and seconded by Roberts that Ordinance Number 669 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

SPECIAL MEETING OF APRIL 22, 1957 (CONT'D)

Ordinance Number 669 AN ORDINANCE providing for the procedure without election to annex certain territories contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, fixing a day for public hearing before the Council of the City of Milwaukie, Oregon, on the question of such annexation, and directing publication of notice of such hearing; was taken up and read for its second reading and put on its passage with the following result being had. Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 669 passed the Council and was so declared by the Mayor.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Clerk

SPECIAL MEETING OF MAY 3, 1957

A special meeting of the Council of Milwaukie, was held on the third day of May, 1957, for the purpose of a hearing on the matter of vacation of Streets and Alleys in Milwaukie Industrial Park.

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan; Councilmen Roberts and Mortensen and Clerk Martin.

Absent: Councilmen Clay and Klein; Manager Burdick and Attorney Sheldahl.

The public notice calling for the hearing on the matter of vacating Freeport Avenue, from McBrod Avenue to River Road; Factory Avenue, from Mc Brod Ave. to River Road; Milport Drive, from Ochoco Street to Milport Avenue; the Alley from Ochoco Street to Westport Drive; the Alley from Ochoco Street to Mc Brod Avenue; as shown on the Re-plat of Milwaukie Industrial Park, was read. The Mayor called for objections to the vacations of the above named streets and alleys. There was no citizen present who objected.

Ordinance Number 670 was taken up and read in full for its first reading.

It was moved by Roberts and seconded by Mortensen that Ordinance Number 670 be passed to its second reading. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Clerk