

47

SPECIAL MEETING OF MAY 13, 1960

A special meeting of the Council of the City of Milwaukie, Oregon, was held on the thirteenth day of May, 1960, for the purpose of a hearing on the withdrawal of recently annexed territories from the Milwaukie Rural Fire Protection District, the Wichita Rural Zoning District and the Oak Lodge Rural Fire Protection District, and such other business necessary to come before the Council at this time.

The meeting was called to order at eight o'clock PM. by Mayor Clay.

Present: Mayor Clay; Councilmen Howard, Mortensen, Aebi and Sedgwick; Manager Mullan and Clerk Martin. Absent: Attorney John Sheldahl.

The Mayor opened the hearing on the withdrawal of recently annexed territories from the Milwaukie Rural Fire Protection District and called for any objection to the same. It was shown that proper notice of the hearing had been published and posted. There was no citizen present who made protest to this withdrawal and no written protest had been received. The Mayor declared the hearing closed. Ordinance Number 798 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Aebi that Ordinance Number 798 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 798 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 again taken up and read for its second reading and put on its passage with the following result being had: Ayes: Clay, Howard, Mortensen, Aebi and Sedgwick. Nays: None. Ordinance Number 798 passed the Council and was so declared by the Mayor.

The Mayor opened the hearing on the withdrawal of recently annexed territories from the Wichita Rural Zoning District and called for objections to the same. It was shown that proper notice of the hearing had been published and posted and no written remonstrance had been received. There was no citizen present who made protest. The Mayor declared the hearing closed. Ordinance Number 799 was taken up and read for its first reading. It was moved by Mortensen and seconded by Aebi that Ordinance Number 799 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 799 AN ORDINANCE withdrawing from the Wichita Rural 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 again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Clay, Howard, Mortensen, Aebi and Sedgwick. Nays: None. Ordinance Number 799 passed the Council and was so declared by the Mayor.

The Mayor opened the hearing on the withdrawal of recently annexed territory from the Oak Lodge Rural Fire Protection District and called for any objection to the same. It was shown that proper notice of the hearing had been published and posted. There was no citizen present who objected and no written objection had been received. The Mayor declared the hearing closed. Ordinance Number 800 was taken up and read for its first reading. It was moved by Aebi and seconded by Sedgwick that Ordinance Number 800 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 800 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 again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Clay, Howard, Mortensen, Aebi, and Sedgwick. Nays: None. Ordinance Number 800 passed the Council and was so declared.

Manager Mullan reported work completed on the 33rd Street sidewalks and curbs. The amount now due to Perkins Bros. contractors, is \$1919.94. It was moved by Howard and seconded by Sedgwick that Perkins Bros be paid \$1919.94. Motion carried and so ordered.

Manager Mullan presented a bill from Judge Kolik for expenses advanced during his attendance at the Oregon State Traffic Conference, held in Eugene in the amount of \$75.00. It was moved by Howard and seconded by Sedgwick that Judge Kolik be reimbursed for the expenses advanced. Motion carried and so ordered.

Dr. H.M. Stolte and Mr. John Borden, of the Clackamas County Health Department, were present and laid before the Council, a plan whereby, for \$100.00 per month, the County Health Department would operate in Milwaukie in lieu of a City Health Department. It was moved by Mortensen and seconded by Aebi that the City accept this offer. Motion carried and so ordered.

A petition, requesting that an area south of the City Limits be annexed to the City by election within the area, was laid before the Council. It was moved by Howard and seconded by Aebi that the proper procedure be taken for an election in this area. Motion carried and so ordered.

A petition requesting that 40th Court be improved by pavement, was laid before the Council. It was moved by Sedgwick and seconded by Aebi that the following Resolution be adopted.

RESOLUTION NUMBER 18-1960

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON TO BLACK-TOP PAVE 40th COURT, FROM ITS INTERSECTION WITH OLSEN AVENUE, SOUTHERLY A DISTANCE OF 400 FEET.

WHEREAS, the Council of the City of Milwaukie deems it expedient and necessary to improve 40th Court from its intersection with Olsen Avenue, southerly a distance of 400 feet, and

WHEREAS, the City Council of the City of Milwaukie, Oregon has required from the City Engineer, plans and specifications 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 City Recorder, be and they hereby are determined to be satisfactory and 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, the location and kind of improvement being as follows:

By the surfacing of said 40th Court with a black-top pavement, and to do all things necessary in the construction of said black-top paving, all to be done in accordance with the plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

Said paving to be constructed between the following termini:

ALONG 40th COURT, FROM ITS INTERSECTION WITH OLSEN AVENUE, SOUTHERLY A DISTANCE OF 400 FEET.

The City Engineer's estimate of the probable cost of said improvement is the sum of \$1,800.00.

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

All lots or parcels of land lying within 100 feet of both sides of 40th Court, from its intersection with Olsen Avenue southerly a distance of 400 feet.

The City Engineer's estimate for the cost per each front foot of land abutting the aforesaid portion of 40th Court is the sum of \$4.00.

That an assessment will be levied on all lots and parcels of land within said proposed street improvement district, where such black-top paving will be laid, in proportion to the amount by which each lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED, that a written remonstace against said proposed improvement may be filed with the City Recorder on or before the 13th day of June, 1960.

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 posting a Notice headed with the title, NOTICE OF STREET IMPROVEMENT CONSTRUCTION WORK in three conspicuous places along 40th Court, and

which said notice shall contain a copy of this Resolution, and shall specify the time within which remonstrances against the said proposed improvement may be filed with the City Recorder.

AND WHEREAS, it is necessary that said improvement be made as soon as possible; and it is necessary to take advantage of weather conditions in the construction of said improvement; NOW THEREFORE an emergency is declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

INTRODUCED THIS 13th DAY OF MAY 1960

Adopted this 13th day of May 1960

Earl M. Clay
Earl M. Clay, Mayor

ATTEST
R. E. Osborne
R. E. Osborne, Recorder

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Clerk

SPECIAL MEETING OF MAY 27, 1960

A special meeting of the Council of the City of Milwaukie, Oregon, was held on the twenty-seventh day of May, 1960, for the purpose of reviewing a petition requesting that a special annexation election be held in the Oak Grove area, and such other business necessary to come before the Council at this time.

The meeting was called by order of Mayor Clay.

Present were Mayor Clay; Councilmen Mortensen, Aebi and Sedgwick; Manager Mullan. Absent: Councilman Howard, Attorney Sheldahl and Clerk Martin.

The petition requesting annexation by election in the area, of a portion of the Oak Grove area, was again reviewed. Ordinance Number 801 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Aebi that Ordinance Number 801 be passed to its second reading. Motion carried and so ordered.

City Manager Leonard Mullan, then presented to the Council duplicate counterparts of proposed permanent easements agreements between the Southern Pacific Company and the City of Milwaukie, Oregon, granting to the City of Milwaukie permanent easements to install an eighteen inch underground storm sewer pipe over and across the railroad right-of-way of the Southern Pacific Company and under its railroad tracks of both its main line and its Tillamook line. The form of the said easements and the terms thereof were found to be satisfactory. Therefore, Councilman Mortensen moved the adoption of the following Resolution.

RESOLUTION NUMBER 19-1960

WHEREAS, the City Council of the City of Milwaukie, Oregon, and the duly authorized officers of the Southern Pacific Company have come to agreement as to the terms and conditions whereby the said Southern Pacific Company is willing to grant to the City of Milwaukie, permanent easements authorizing the City of Milwaukie to construct and place its eighteen inch storm sewer pipe line across the right-of-way of the Southern Pacific Company and under its main line and Tillamook line tracks near the intersection of 24th Street and Harrison Street and near the intersection of 31st Street and Harrison Street in the City of Milwaukie, Oregon, and

WHEREAS, the terms and conditions of said permanent easements have been reduced to writing in the form of duplicate counter-parts, and

WHEREAS, the said duplicate counter-parts of said easements agreements are