

MEETING OF JUNE 13, 1966

COUNCIL CHAMBERS

1034th Meeting

The one thousand thirty-fourth meeting of the Council of the City of Milwaukie was held on the thirteenth day of June, 1966.

The meeting was called to order by Mayor Robert Richmond, with the following Councilmen present:

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| Edgar Fuller (arrived 8:55) | Robert E. Richmond |
| Donald Graf | Paul J. Slominski |
| James Howard | |

also present:

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| Fred Dyer, City Manager | Max Thompson, Asst. Mgr. |
| George Van Bergen, Attorney | Barbara Watson, Acting Clerk |

The invocation was given by the Rev. Larry Thomas, Battin Baptist Church, 8510 Battin.

It was moved by Howard, seconded by Graf, that the minutes of the regular meeting of May 23, 1966, be approved as written. Motion carried and so ordered.

It was moved by Graf, seconded by Howard, that the minutes of the special meeting of May 31, 1966, be approved as written. Motion carried and so ordered.

WRITTEN COMMUNICATION

A letter from the Los Verdes Development Corporation was read inviting

the Council to take part in the groundbreaking ceremonies on Webster Road, in the city of Gladstone on June 22.

A letter from Rev. Herbert G. Read, Church of Christ, 2816 Harrison Street, requesting the Council to reconsider the granting of a liquor license to the Pizza Palace at 42nd and King Road, was read and ordered filed.

Memo from the Civil Service Commission was read requesting a tentative date for meeting with them in executive session, concerning the newly adopted Civil Service Rule XVI. The Council set July 12 or 14 for the meeting, upon the approval of the Commission.

PRESENTATION OF AWARDS

Mayor Richmond publicly thanked the Tax Base Study Committee for the time and effort spent by the members in informing the citizens of the need for an increase in the City's tax base. Awards were presented to the members of the Committee by the Councilmen.

RETENTION OF CITY CLERK POSITION

City Manager requested that the Council retain the position of City Clerk in the Job Classification to enable the Civil Service Commission to comply with his request for certification for this position, which had previously been filled by Nell Martin.

It was moved by Slominski, seconded by Graf, that the Civil Service Commission be informed that the position of City Clerk be retained in the Job Classification structure. Motion carried and so ordered.

PUBLIC HEARINGS

Public hearing was called at 8:00 p.m. on withdrawal from the Milwaukie Rural Fire District #56, on area recently annexed by Ordinance Number 1115, and called for objections to same. As there was no one present who made objection and no written remonstrance had been received, the Mayor declared the hearing closed.

Public hearing was opened on withdrawal from the Milwaukie Rural Fire District #56, on area recently annexed by Ordinance Number 1116, and called for objections to same. As there was no one present who made objection and no written remonstrance had been received, the Mayor declared the hearing closed.

Public hearing was opened on withdrawal from the Milwaukie Rural Fire District #56, on area recently annexed by Ordinance Number 1117, and called for objections to same. As there was no one present who made objection and no written remonstrance had been received, the Mayor declared the hearing closed.

PERSONNEL RULE AMENDMENT

Consideration was given the recommendation by the City Manager that Personnel Rule I, Section 4, be changed by deleting the last two sentences of said Section and the following be inserted:

"Holidays that fall during vacation or on regular days off, shall not be charged against such leave, but shall be taken at a later date subject to the approval of the City Manager."

It was moved by Slominski, seconded by Howard, that the Manager's recommendation be adopted and the Personnel Rule I, Section 4, be changed accordingly. Motion carried and so ordered.

RESOLUTIONS

It was moved by Howard, seconded by Graf, that Resolution Number 26-1966 be taken off the table and again be brought before the Council for consideration. Motion carried and so ordered.

It was moved by Howard, seconded by Graf, that the following Resolution

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be adopted as read. Motion carried and so ordered.

RESOLUTION NUMBER 26-1966

WHEREAS, the City of Milwaukie is the owner of the South 25' of Lot 8, all of Lots 9, 10 and 11, and the North 25' of Lot 12, all of which are in Block 15, Quincy Addition, and

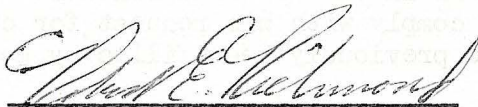
WHEREAS, the said lots or parts thereof lie within the assessment district for the improvement of 35th Street by curbs and sidewalks along the said 35th Street, and

WHEREAS, the total cost of said improvement apportioned to the said lots is the sum of \$691.20, and

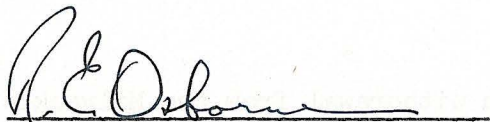
WHEREAS, the charge for the above is still a matter of record on the City's books,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, that the City Recorder be and hereby is authorized to write this charge off the books.

ADOPTED this 13th day of June, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, City Recorder

It was moved by Howard, seconded by Graf, that the following Resolution be adopted as read. Motion carried and so ordered.

RESOLUTION NUMBER 29-1966

A RESOLUTION PROVIDING FOR THE CALLING OF A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ON THE QUESTION OF ANNEXING CERTAIN TERRITORY SURROUNDED BY THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, DIRECTING PUBLICATION AND POSTING OF NOTICE OF SUCH HEARING.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that there exists within the corporate limits of said City and completely surrounded by the boundaries of said City, certain tracts of land and territory which are not a part of the City of Milwaukie, Oregon, and which have never been heretofore annexed to the City of Milwaukie, Oregon, and

WHEREAS, the tract of land and territory hereinabove referred to are described as follows:

A portion of the J. D. Garrett D.L.C. described as follows: Beginning at a point 387.12 feet West, 2184.03 feet south of the northeast corner of the J. D. Garrett D.L.C. in Sections 31 and 32, T. 1 S., R. 2 E., of the W.M.; thence West 108.39 feet; thence South 97.72 feet; thence East 108.39 feet; thence North 97.72 feet to the place of beginning: EXCEPTING therefrom the east 10 feet of even width, and TOGETHER with an easement for roadway purposes over said east 10 feet, in the County of Clackamas and State of Oregon.

WHEREAS, the said tract of land and territory hereinabove described do not comprise an incorporated city or wholly territory belonging to the State of Oregon or the United States of America, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that it is not for the best interests of the inhabitants of said City, nor the inhabitants of the land and territory so surrounded

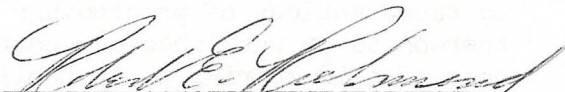
by the boundaries of said City but not annexed thereto that such tracts of land and territory continue to exist as territory not annexed to and made a part of the City of Milwaukie, Oregon, and

WHEREAS, the City Council of Milwaukie, Oregon, now deems it advisable to hold a public hearing on the question of annexation of the above described property

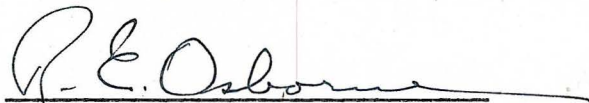
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the 11th day of July, 1966, is hereby fixed as the date, the hour of 8:00 o'clock p.m., Pacific Daylight Time is hereby fixed as the time and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the City Council of the City of Milwaukie, Oregon, to hear objections and remonstrances to the annexation of the hereinabove mentioned property, if any.

BE IT HEREBY FURTHER RESOLVED, that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is directed and ordered to cause notices of proceedings and the public hearing to be had thereon to be published and posted and the date, time, place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing in the Milwaukie Review, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED THIS 13th day of June, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, City Recorder

It was moved by Howard, seconded by Fuller, that the following resolution be adopted as read. Motion carried and so ordered.

RESOLUTION NUMBER 30-1966

A RESOLUTION PROVIDING FOR THE CALLING OF A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ON THE QUESTION OF ANNEXING CERTAIN TERRITORY SURROUNDED BY THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, DIRECTING PUBLICATION AND POSTING OF NOTICE OF SUCH HEARING.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that there exists within the corporate limits of said City and completely surrounded by the boundaries of said City, certain tracts of land and territory which are not a part of the City of Milwaukie, Oregon, and which have never been heretofore annexed to the City of Milwaukie, Oregon, and

WHEREAS, the tract of land and territory hereinabove referred to are described as follows:

The South 90 feet of the East 135 feet of the following described property in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the southeast corner of Block 22, MINTHORN ADDITION TO THE CITY OF PORTLAND; running thence South on the west line of Sheridan Street 160 feet to the middle line of Block 35 in said addition; thence West parallel with the North line of said Block 35, 305.00 feet; thence North parallel with the west line of Sheridan Street 160

feet to the South line of said Block 22; thence East along the south line of said Block 22, 305.00 feet to the place of beginning.

WHEREAS, the said tract of land and territory hereinabove described do not comprise an incorporated city or wholly territory belonging to the State of Oregon or the United States of America, and


WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that it is not for the best interests of the inhabitants of said City, nor the inhabitants of the land and territory so surrounded by the boundaries of said City but not annexed thereto that such tracts of land and territory continue to exist as territory not annexed to and made a part of the City of Milwaukie, Oregon, and

WHEREAS, the City Council of Milwaukie, Oregon, now deems it advisable to hold a public hearing on the question of annexation of the above described property

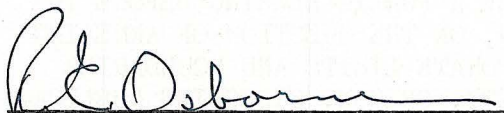
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the 11th day of July, 1966, is hereby fixed as the date, the hour of 8:00 o'clock p.m., Pacific Daylight Time is hereby fixed as the time and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the City Council of the City of Milwaukie, Oregon, to hear objections and remonstrances to the annexation of the hereinabove mentioned property, if any.

BE IT HEREBY FURTHER RESOLVED, that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is directed and ordered to cause notices of proceedings and the public hearing to be had thereon to be published and posted and the date, time, place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing in the Milwaukie Review, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED THIS 13th day of June, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder

REPORTS

City Manager informed the Council that a letter had been received from the Clackamas Water District advising that their Board of Directors had not yet met for the purpose of discussing water service to Milwaukie residents in the Cedarcrest area. They did advise that their rate to a similar outside district was on the basis of a straight 17¢ per 100 cubic feet.

The Council suggested that the Manager continue his negotiations with Clackamas Water District and report back at a later date to the Council.

Mrs. June Routson reported on a walking survey made by members of the City Beautification Committee in the downtown area. She also advised that special Beautification Awards would be given to businesses, churches and schools again this year at the June meeting of the North Clackamas Chamber of Commerce.

STREET IMPROVEMENT PAYMENTS

It was moved by Graf, seconded by Howard, that the final payment in the amount of \$379.76 to Riverside Construction, and \$796.86 to Portland Road and Driveway Co., for water and street improvements in Milport Road, be authorized. Motion carried and so ordered.

It was moved by Howard, seconded by Slominski, that progress payment in the amount of \$7,088.85 to Portland Road and Driveway Co., for improvement on Beckman Road, be authorized. Motion carried and so ordered.

ORDINANCES

Ordinance No. 1120, was taken up and read for its first reading. It was moved by Howard, seconded by Slominski, that Ordinance No. 1120, be moved to its second reading by title only at this time. Motion carried and so ordered.

Ordinance No. 1120, AN ORDINANCE WITHDRAWING FROM THE MILWAUKIE RURAL FIRE DISTRICT #56, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON, was again taken up and read by title only for its second reading and put on its passage with the following results being had: AYES: Fuller, Slominski, Graf, Howard, Richmond. NOES: None. Ordinance No. 1120 passed the Council and was so declared by the Mayor.

Ordinance No. 1121, was taken up and read for its first reading. It was moved by Howard, seconded by Fuller, that Ordinance No. 1121, be moved to its second reading by title only at this time. Motion carried and so ordered.

Ordinance No. 1121, AN ORDINANCE WITHDRAWING FROM THE MILWAUKIE RURAL FIRE DISTRICT #56, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON, was again taken up and read by title only for its second reading and put on its passage with the following results being had: AYES: Fuller, Slominski, Graf, Howard, Richmond. NOES: None. Ordinance No. 1121 passed the Council and was so declared by the Mayor.

OTHER BUSINESS

Mr. Martineau addressed the Council and questioned whether it would be possible for the Council to remove from the table the matter of Zone Change Application #66-8.

After discussion, Mayor Richmond stated he would decline to vote until the Council had the opportunity of reviewing the land use report soon to be presented by the Bureau of Municipal Research.

It was moved by Graf, seconded by Slominski, that this matter again be tabled until the July 11 meeting of the Council. Motion carried and so ordered.

Dave Strauss, chairman of the Planning Commission, requested that Mr. Martineau and a representative of the Planning Commission be notified at least 24 hours prior to above zone change being acted upon by the Council. Mayor instructed Manager to comply with this request.

Mr. Bill Hupp, requested that on behalf of the City Beautification Committee, the City take whatever steps might be necessary to have the two railroad overpasses through town painted. He also suggested that "Entering Milwaukie" and "Leaving Milwaukie" signs be placed on the outskirts of the City.

PAYMENT OF BILLS

It was moved by Howard, seconded by Slominski, that the following bills be approved and that warrants be drawn for the payment of same. Motion carried and so ordered.


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| Adams Electric Co. | 66.00 |
| Addressograph - Multigraph | 18.75 |

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| Americana Interstate Co. | 6.40 |
| American Association of State Highway Engrs. | 5.25 |
| American Building Maintenance Co. | 284.90 |
| American Public Works Association | 20.00 |
| American Rubber Manufacturing Co. | 416.50 |
| Arco Publishing Co. | 9.25 |
| The Baker & Taylor Co. | 8.72 |
| Blue Seal Industrial Service | 46.23 |
| Bureau of Municipal Research | 33.80 |
| The Byron Co. | 37.87 |
| Jerry W. Carpenter | 25.20 |
| The Children's Book Co. | 5.50 |
| Clackamas County Clerk | 2.50 |
| Clackamas County Public Library | 14.28 |
| Cornell Manufacturing Co. | 380.72 |
| Dieringer's | 54.23 |
| Fred Dyer | 7.35 |
| Enterprise-Courier | 16.80 |
| Evergreen Communications | 11.90 |
| Joe Fisher Ford | 33.26 |
| J. D. Fowler, Inc. | 6.75 |
| G. & S. Janitor Supply | 14.90 |
| Gaylord Bros. Inc. | 67.30 |
| General Spray Service | 20.50 |
| Charlie Helwig | 41.58 |
| Heisler's Car Wash | 19.50 |
| O. E. Hurst | 30.00 |
| International Harvester | 12.41 |
| Landeen Welding Supplies | 18.80 |
| Larsen Plumbing Co. | 309.05 |
| Larson's Auto Parts | 52.83 |
| Mail-Well Envelope | 9.55 |
| Mascott Equipment Co. | 399.00 |
| McNaughton Book Service | 25.55 |
| Meter Box Equipment Co. | 145.00 |
| Milwaukie Automotive Service | 79.34 |
| Milwaukie Hardware | 80.82 |
| Milwaukie Review | 86.94 |
| Milwaukie Volunteer Fire Department | 52.00 |
| Bernard Muffenbier | 15.00 |
| Municipal Court (Portland) | 1.00 |
| National League of Cities | 10.00 |
| Neptune Meter Co. | 6.51 |
| North Clackamas County Chamber of Commerce | 210.00 |
| Northwest Photocopy Corp. | 31.88 |
| Nudelman Brothers | 59.00 |
| Olson's 5 & 10 | 13.80 |
| Olson Bros. Shell | 4.71 |
| Oregon City Laundry | 71.52 |
| The Oregon News Co. | 3.30 |
| Oregon Toro Distributors | 16.67 |
| Overland West Press | 11.45 |
| Pacific Northwest Bell | 417.31 |
| Paulsen & Roles Lab. | 13.66 |
| Pennsalt Chemicals | 112.50 |
| Petty Cash | 19.82 |
| Pioneer Mercantile | 91.86 |
| Pioneer National Title Insurance | 33.00 |
| Portland Concrete Pipe & Products Co. | 21.16 |
| Portland General Electric Co. | 3717.83 |
| Portland Road & Driveway | 7177.86 |
| Richfield Oil Corp. | 638.24 |
| Rich Valley Top Soil | 57.05 |
| Rodda Paint Co. | 1.78 |
| Sanderson Safety Supply | 2.02 |
| Southern Pacific Co. | 30.00 |
| State of Oregon - Dept. of Motor Vehicles | 83.00 |
| Stevens, Thompson R. & R. | 758.88 |
| Street Fund | 158.86 |
| Supt. of Documents - Government Printing Off. | 4.00 |
| Thomas Office Supply | 63.81 |
| Max C. Thompson | 16.10 |

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| Tire Sales & Service | 16.74 |
| Traffic Safety Supplies | 55.00 |
| Union High School District #5 | 36.80 |
| B. T. Walton | 19.95 |
| Water Fund | 468.22 |
| Waterworks Supplies | 350.35 |
| Weiler Chevrolet | .84 |
| Western Drug Label Co. | 3.25 |
| The World Book Year Book | 5.95 |
| George A. Ystad | 5.50 |
| Zidell Explorations | 65.00 |

ADJOURNMENT

On motion duly made and seconded, the meeting adjourned.


Barbara J. Watson, Acting Clerk