

MEETING OF AUGUST 22, 1966

COUNCIL CHAMBERS

1039th MEETING

The one thousand thirty-ninth meeting of the Council of the City of Milwaukie, was held on the twenty-second day of August, 1966.

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

Donald Graf
James Howard

Robert Richmond
Paul Slominski

Absent: Edgar Fuller

Also present: Fred Dyer, City Manager Vivian Mumper, Acting Clerk
 Robert Mills, City Attorney

Invocation was given by the Rev. Harvey Schmidt, Presbyterian Church of Milwaukie, 2416 Lake Road.

It was moved by Howard, seconded by Slominski, that the minutes of the regular Council meeting held on August 8, 1966, be approved as written. Motion carried and so ordered.

CITIZEN PARTICIPATION

Mr. John Jennings of Kronberg Realty, asked that the Zone Change on Penzance Street, Application #66-10, be reactivated. Councilmen explained reason for it being tabled at the last meeting, for 30 days, and advised it would be on the September 12 agenda.

CORRESPONDENCE

Manager read letter from CRAG and presented agreement for signatures of the Mayor and Councilmen. (Dr. Howard was appointed after the meeting as Council representative to this group.)

ACCEPTANCE OF PRELIMINARY LAND USE PLAN

Letter from Planning Commission was read, recommending the Preliminary Plan be adopted with the following conditions:

1. That immediate attention and consideration be given to the King Road projection and expressway interchange as discussed in Item 4 of Street Recommendations and shown on Plate XV.
2. That Item 9 of Public Facilities Recommendations be restated to encourage green or open spaces in high density areas.
3. That the connection of Washington and Monroe Streets, as outlined in Item 16, Street Recommendations, utilize 29th Street as the connector.
4. That the utilization of a grade separation for the Ochoco-Roswell connection, as outlined in Item 12, Street Recommendations, would be desirable and possibly essential.

It was moved by Howard, seconded by Slominski, that Resolution No. 41-1966 (Accepting the Preliminary Plan for Land Use) be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 41-1966

A RESOLUTION APPROVING, ADOPTING AND ACCEPTING A PRELIMINARY PLAN FOR LAND USE, STREETS AND FACILITIES IN THE CITY OF MILWAUKIE.

WHEREAS, the Council of the City of Milwaukie is responsible for the general welfare of the citizens therein and the orderly use of lands within the City, and

WHEREAS, the Milwaukie City Planning Commission has been charged with the responsibility of implementing ordinances relating to land use and facilities; and advising and making recommendations to the Milwaukie City Council regarding zoning plans and the administration thereof, and

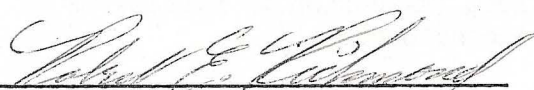
WHEREAS, the Milwaukie City Council has caused to be prepared a Preliminary Plan for Land Use, Streets and Facilities in Milwaukie, Oregon, by the Bureau of Municipal Research and Service of the University of Oregon, and

WHEREAS, said Preliminary Plan has been prepared and completed; and has been considered by the Milwaukie City Planning Commission, and


WHEREAS, the Milwaukie City Planning Commission, by motion made, seconded and passed at a special meeting held August 9, 1966, has recommended to the Milwaukie City Council the approval, adoption and acceptance of the Preliminary Plan for Land Use, Streets and Facilities

NOW THEREFORE BE IT RESOLVED that the Milwaukie City Council does hereby approve, adopt and accept the Preliminary Plan for Land Use, Streets and Facilities in Milwaukie, Oregon, prepared by the Bureau of Municipal Research and Service of the University of Oregon and presented to the Milwaukie City Council this date.

ADOPTED THIS 22nd DAY OF AUGUST, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, City Recorder

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Letter was read from Planning Commission, advising that Rich Eddy had been appointed as Planning Commission representative, to work with the merchants of the City on off-street parking and downtown area problems.

PROPOSED AMENDMENT TO ORD. NO. 481

Memo from Planning Commission was read recommending that Ord. No. 481 be amended to allow the building of duplexes in residential zone, by permit, and setting forth the criteria for such dwellings.

It was moved by Howard, seconded by Slominski, that the City Manager be instructed to draw up an amendment to Ordinance No. 481, in accordance with recommendation submitted by Planning Commission. Motion carried and so ordered.

CITY CENSUS

Manager reported he had contacted Dr. Earle MacCannell of Oregon State Board of Census regarding enumeration. The cost to the City would be somewhere between \$1500 and \$2000. It was moved by Slominski, seconded by Graf, that the City Manager be instructed to take the necessary steps to have the City Census taken. Motion carried and so ordered.

CEDARCREST PUMPING STATION

An agreement prepared by Jack Nickols, Attorney for Fred Weber, was read. After considerable discussion, this matter was put over to a later time.

BID OPENING - Street Maintainer

One bid only was again received on readvertising for Street Maintainer. It was moved by Howard, seconded by Slominski, that the bid from Feenaughty Equipment Company, \$6950, w/trade, be accepted. Motion carried and so ordered.

ORDINANCE NO. 1128, AN ORDINANCE PROVIDING FOR STREET IMPROVEMENT BY THE CONSTRUCTION OF A WATER MAIN, RELOCATION OF FIRE HYDRANT AND ALL APPURTENANCES NECESSARY FOR THE CONSTRUCTION OF SAID WATER MAIN, AND DECLARING AN EMERGENCY, was taken up and read for its second reading and put on its passage with the following roll call vote: AYES: Slominski, Graf, Howard, Richmond. NOES: None. ABSENT: Fuller. Ordinance No. 1128 passed the Council and was so declared by the Mayor.

ELAINE ADDITION - L.I.D. 66-4

Manager read a letter from Wm. C. Butler, design engineer, recommending Blacktop Paving Company as the low responsible bidder for the Elaine Addition Improvements.

It was moved by Howard, seconded by Slominski, that Blacktop Paving Company, with a bid of \$7,011, be awarded the bid. Motion carried and so ordered.

ORDINANCE NO. 1129, AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM 3-R-1 ZONE TO 3-R-2 SPECIAL ZONE, AMENDING ORDINANCE NUMBER 481, AS AMENDED, AND DECLARING AN EMERGENCY, was taken up and read for its second reading and put on its passage with the following roll call vote: AYES: Slominski, Graf, Howard, Richmond. NOES: None. Absent: Fuller. Ordinance No. 1129 passed the Council and was so declared by the Mayor.

RESOLUTIONS

It was moved by Howard, seconded by Slominski, that Resolution No. 42-1966 (Execution of Signatures on City Drafts) be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 42-1966

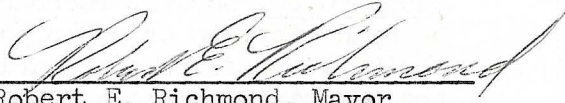
A RESOLUTION PROVIDING FOR THE EXECUTION OF CHECKS AND DRAFTS FOR THE CITY OF MILWAUKIE.

WHEREAS, the Council of the City of Milwaukie is responsible for the management of the fiscal affairs of the City, and

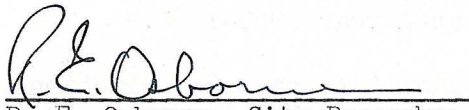
WHEREAS, the efficient and prudent management of said financial affairs require a signature and a counter signature on all checks and drafts issued by the City of Milwaukie,

BE IT THEREFORE RESOLVED that all checks and drafts issued by the City of Milwaukie henceforth shall be drawn over the signatures of the City Recorder, the City Manager and the Assistant City Manager or any two of the above three officials.

ADOPTED THIS 22nd DAY OF AUGUST, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, City Recorder

It was moved by Howard, seconded by Slominski, that Resolution No. 43-1966 (Tax Base Election) be adopted, setting the figure of \$496,500.00 for the new tax base. Motion carried and so ordered.

RESOLUTION NUMBER 43-1966

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY TAX BASE ELECTION IN THE CITY OF MILWAUKIE, OREGON, ON NOVEMBER 8, 1966, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION ON TAXATION SET FORTH IN SECTION II, ARTICLE XI, OREGON CONSTITUTION.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that a new tax base should be established as authorized by Section 11, Article XI, Oregon Constitution, in order to permit the proper operation of the City's affairs, to enable the City to continue to provide the municipal and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area; and

WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters of the City of Milwaukie, Oregon; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the following Act be submitted to the legal voters of the City of Milwaukie, Oregon, for their adoption or rejection;

AN ACT

TO INCREASE THE TAX BASE OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM \$76,720.24 NOW IN EFFECT TO \$496,500.00, SAID NEW TAX BASE TO APPLY FIRST TO THE LEVY OF THE FISCAL YEAR 1967-1968.

BE IT ENACTED BY THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON:

Section 1. That the City of Milwaukie, Clackamas County, Oregon, do and hereby does increase its tax base from \$76,720.24 now in effect to \$496,500.00, said new tax base to apply first to the levy of the fiscal year 1967-1968.

BE IT FURTHER RESOLVED, that it is not practicable to submit the foregoing measure in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state

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the purpose and effect of the measure in question, it should be submitted to the legal voters of the City of Milwaukie, Oregon, in the form and ballot title hereinafter set forth;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the foregoing measure shall be submitted in the manner prescribed in this Resolution to the legal voters of the City of Milwaukie, Oregon, at a special City tax base election to be held on November 8, 1966;

"Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from \$76,720.24, now in effect to \$496,500.00, for the reasons, as declared by the Council of said City, in order to permit the proper operation of the City's affairs, to enable it to continue to provide the municipal services and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area, said new tax base to apply first to the levy for the fiscal year 1967-1968."

BE IT FURTHER RESOLVED, that this special City tax base election be, and the same hereby is called to be, held concurrently with, and as a part of the state-wide general election being held in the State of Oregon and in the City of Milwaukie, Oregon, on November 8, 1966;

BE IT FURTHER RESOLVED, that the regular polling places designated by the County Court of Clackamas County, Oregon, in the voting precincts in the City of Milwaukie are hereby designated as the polling places for this special City election; the poll books adopted by the County Court of Clackamas County, Oregon, as the poll books for the state-wide general election for the voting precincts in the City of Milwaukie hereby are adopted as the poll books for this special City election; and the judges and clerks of election appointed by the County Court of Clackamas County, Oregon, to serve at the state-wide general election are hereby designated as the judges and clerks of and for this special City election.

BE IT FURTHER RESOLVED, that the judges and clerks shall hold their respective offices as designated for the state-wide general election.

BE IT FURTHER RESOLVED that the polls for this special City election shall be opened in each of the voting precincts at the same hour, and shall be kept open until the same hour, as the polls are opened and closed for the state-wide general election that will be held on the same day.

BE IT FURTHER RESOLVED, that the notice of the City tax base election shall be given by posting notices thereof in three public places in each voting precinct within the City of Milwaukie, Oregon, at least ten days prior to the date of election, and by publishing notice thereof once in the Milwaukie Review, the official city newspaper, at least ten days prior to said election.

BE IT FURTHER RESOLVED, that the notice published in the said newspaper and the notices to be posted in three public places in each voting precinct shall be in substantially the following form:

NOTICE OF CITY TAX BASE ELECTION

On the eighth day of November, 1966, in the City of Milwaukie, Oregon, from 8:00 o'clock a.m. to 8:00 p.m., Pacific Standard Time, a special City tax base election will be held at which the question will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection.

The following is the ballot title, the number and form in which the question will be printed on the official ballot:

PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY

ESTABLISHING NEW CITY TAX BASE: Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from \$76,720.24 now in effect to \$496,500.00, for the reasons, as declared by the Council of said City, in order to permit the proper operation of the City's affairs, to enable it to continue to provide the municipal services and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area, said new tax base to apply first to the levy for the fiscal year 1967-1968.

YES
NO

The original Resolution containing the full measure is on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, and is there available for inspection. Such Resolution is hereby referred to and by reference made a part hereof.

Published by order of the City Council of the City of Milwaukie, Oregon.

R. E. Osborne
Recorder of the City of Milwaukie

BE IT FURTHER RESOLVED that the original of this Resolution containing the full measure to be voted on be placed on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, at least fifteen (15) days before the date of the special City election at which the said measure is to be voted upon, and there made available for inspection by all interested parties.

BE IT FURTHER RESOLVED that an exact copy of the Resolution be inserted in and made a part of the minutes of this regular meeting of the City Council held on the 22nd day of August, 1966.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on the 22nd day of August, 1966, at a regular meeting of the City Council.

Robert E. Richmond
Robert E. Richmond, Mayor
City of Milwaukie

ATTEST:

R. E. Osborne
R. E. Osborne, City Recorder

ORAL COMMUNICATION

Mr. Robert Wyman, 2923 Olsen, had a complaint about a dog kennel in his neighborhood and stated he had a petition signed by other neighbors. Manager advised that this complaint was in the hands of the court and until court action was taken, nothing could be done by the City. It was moved by Howard, seconded by Slominski, that this matter be tabled. Motion carried and so ordered.

On motion duly made and seconded, the meeting adjourned at 9:30 p.m.

Vivian Mumper
Vivian Mumper, Acting Clerk

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