

MEETING OF DECEMBER 14, 1964

COUNCIL CHAMBER

1001st MEETING

The one thousand and first regular meeting of the Council of the City of Milwaukie was held on the fourteenth day of December, 1964.

The meeting was called to order at the hour of seven-thirty p. m. by Mayor Joseph M. Bernard Jr.

The invocation was given by Reverend Thomas Whitehead from St. Paul's Methodist Church, 11631 Linwood Avenue.

The roll call showed the following result: Present: Mayor Joseph M. Bernard Jr; Councilmen Walter J. Freeman, Charles Renard, Theron E. Sedgwick and Robert E. Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin.

The minutes of the one thousandth regular meeting of the Council, held on the ninth day of November, 1964, were approved as written.

The minutes of a special meeting of the Council, held on the twelfth day of November, 1964, were approved as written.

The minutes of a special meeting of the Council, held on the twenty-third day of November, 1964, were approved as written.

A petition, objecting to the proposed route of an intercepting highway from 82nd Avenue to McLoughlin Blvd., signed by 114 citizens in the area, was laid before the Council, with a request that the same be presented to the State Highway Department.

Mrs. June M. Routson, Chairman of the Milwaukie Citizens' Committee for the Parks and Beautification, gave a report of the Committee's activities through the year, which included recommendation for the beautification of the new library grounds. It was moved by Richmond and seconded by Sedgwick that the City employ Mr. Harold Miller, Landscape Engineer, to work out the Master Plan for the beautification of the Library grounds. Motion carried and so ordered.

Mr. W. H. Hensley, 1227 SW Hume Ct., Portland, laid before the Council, on behalf of the owners of real property abutting the south 36.79 feet of 25th Avenue in Ross Addition, a petition requesting that the south 36.79 feet of 25th Avenue in Ross Addition be vacated. A letter from Milwaukie Planning Commission, in which they recommended the vacation of the south 36.79 feet of 25th Ave. in Ross Addition was read. It was moved by Richmond and seconded by Sedgwick that, contingent upon the formal acceptance of the building plans and plot-plans, the south 36.79 feet of 25th Avenue in Ross Addition, be vacated according to the provisions in Ordinance No. 678 of Milwaukie. Motion carried and so ordered.

Ordinance Number 1046, AN ORDINANCE annexing certain territories contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, and fixing the effective date of such annexation, was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1046 passed the Council and was so declared by the Mayor.

Ordinance Number 1047 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance Number 1047 be moved to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 1047 AN ORDINANCE amending Subsection (5) of Section 5 of Ordinance No. 981 by adding a new provision and declaring an emergency; was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1047 passed the Council and was so declared by the Mayor.

Applications for recommendation for renewal of liquor licenses were laid before the Council as follows:

Candlelight Pizza, 1921 River Rd., Beverly J. Andreasen -	Retail Malt Beverage Class A
Open Pantry Market, 8929 SE 41st St., Douglas W. Leach	Package Store Class B PB
Monroe Street Market, 4910 Monroe St., David and Jacqueline Brown	Package Store Class B
Lisac's Market, 9035 - 32nd St.; P. Lisac	Package Store Class B PB

All applicants had been approved by the Police Department. It was moved by Renard and seconded by Freeman that the Council recommend the renewals for liquor licenses as listed above. Motion carried and so ordered.

It was moved by Sedgwick and seconded by Renard that the following Resolution be adopted.

RESOLUTION NUMBER 28-1964

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

PARCEL I

A part of that certain tract of land in the John D. Garrett D. L. C. in T. 1 2, S. R. 2E., of the W. M., in the County of Clackamas and State of Oregon, conveyed by William C. Reinke and J. F. Reinke, her husband, to Theodore N. Hagenburger and Hattie L. Hagenberger, husband and wife, recorded in Book 177, page 587, records of deeds in said County and State, beginning at a point on the East line of said Hagenberger land North 0° 33' East 335.48 feet from the southeast corner thereof, said point of beginning being also North 0° 33' East 42.00 feet from the Northeast corner of Lot or Tract 1, Mintone Homes, and lying in the Northerly right-of-way of the Portland and Oregon City Railway; thence North 0° 33' East 570.08 feet to the Southeast corner of land conveyed by said Hagenburger and wife to Benedetto Bocci and Luigi Bocci, recorded in Book 177, page 306, records of Deeds in said County and State; thence North 48° 51' 3" West 100.0 feet, tracing the Southerly line of said Bocci land and along the center of creek to a point, from which point bears an iron pipe South 51° 08' West 5.00 feet; thence South 51° 08' West 660.9 feet from said point to an iron pipe driven in the Northerly line of said Portland and Oregon City Railway; thence South 68° 37' East 26.7 feet and South 69° 17' 30" East 598.15 feet tracing the northerly right-of-way line of said railway and parallel with and 40 feet distant from the northerly line of said Mintone Homes to the point of beginning;

ALSO THE FOLLOWING DESCRIBED PROPERTY:

Beginning at a point on the northerly right-of-way line of the Portland and Oregon City Railway, an extinct corporation, said point being the southwest corner of that certain tract of land conveyed by deed to Joseph Van Hoomison and recorded June 30, 1943 in Book 309, page 397 Deed records of Clackamas County, Oregon, said tract lying in Section 31, T. 1 S, R. 2 E., and Section 6, T. 2 S, R. 2 E., W. M., and running thence following the aforementioned north right-of-way line South 68° 37' East 27.5 feet; thence following said North right-of-way line South 69° 17' 30" East 598.14 feet to a point on the Northerly extension of the East line of the recorded plat of Mintone Homes; thence following said extension line South 0° 33' West 42.61 feet to the Northeast corner of Lot 1 in said Mintone Homes, said corner being on the South right-of-way line of aforesaid Portland and Oregon City Railway; thence following said south right-of-way of aforesaid Portland and Oregon City Railway; thence following said South right-of-way line and the North line of Mintone Homes, North 69° 17' 30" West 613.06 feet; thence continuing on said South right-of-way line and North line of Mintone Homes, North 68° 37' West 50.60 feet to a point on the Southwesterly extension of the Westerly line of the aforesaid Joseph Van Hoomison tract; thence following said Southwesterly extension 51° 08' East 46.07 feet to the point of beginning.

PARCEL II

Part of the D. L. C. of John D. Garrett and wife in T. 1 and 2 S., R. 2 E., of the W. M., in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the initial point of NORTH MINTONE HOMES, a recorded plat, said initial point being North 89° 22' West a distance of 30.00 chains, North 0° 33' East, a distance of 292.88 feet, North 69° 17' 30" West, a distance of 613.06 feet, North 68° 37' West a distance of 200.48 feet, North 66° 31' 30" West a distance of 62.98 feet from the southeast corner of the John D. Garrett D. L. C.; thence running along the southerly line of North Mintone Homes, North 66° 31' 30" West a distance of 137.62 feet; thence North 64° 36' West, a distance of 200.70 feet; thence North 62° 24' 30" West a distance of 200.68 feet; thence North 60° 40' 30" West a distance of 200.68 feet; thence North 58° 29' 30" West a distance of 200.64 feet; thence North 56° 43' West a distance of 130.93 feet; thence North 56° 14' 30" West, a distance of 143.00 feet to the west line of said North Mintone Homes; thence

North 0° 38' 00" East a distance of 1705.27 feet to the southerly right-of-way line of the Oregon City and California Railroad; thence along the said right-of-way line South 55° 32' 40" East, a distance of 1445.99 feet to the most northerly corner of the Bocci Tract described in Book 177, page 306, Deed Records; thence leaving said southerly right-of-way line South 27° 29' 30" West along the westerly line of said Bocci Tract and an extension thereof a distance of 462.20 feet to the most westerly corner of the Joe Bocci Tract described in Book 340, page 240, Deed Records; thence South 49° 18' 30" East, a distance of 602.49 feet; thence South 30° 25' West along the westerly line of the Stose Tract described in Book 472, page 373, Deed Records, a distance of 779.49 feet to the place of beginning.

PARCEL A: Beginning at the northwesterly corner of that certain tract of land conveyed to Joseph Van Hoomissen by deed dated June 23, 1943, and recorded June 30, 1943, in the Deed Records of Clackamas County, Oregon, in Book 309, at page 397 thereof, which beginning point is North 48° 51' 30" West 100 feet from the southeast corner of land conveyed by Theodore N. Hagenburger and Hattie L. Hagenburger, his wife, to Benedetto Bocci and Luigi Bocci, by deed recorded in Book 177, at page 306, Records of Deeds in said County; from said beginning point North 48° 51' 30" West 470.1 feet, more or less, to a point which point is also the southeast corner of land conveyed to said Benedetto Bocci and wife above mentioned; thence South 30° 25' West 739.15 feet, more or less, to a iron pipe driven in the northerly line of said Portland and Oregon City Railway, thence Easterly along said northerly right-of-way line of the Portland and Oregon City Railway South 66° 31' 30" East 58.4 feet to a point; then south 68° 37' East along said northerly right-of-way line 172.02 feet to a point which is the southwesterly corner of the land so conveyed to Joseph Van Hoomissen; thence North 51° 08' East 660.90 feet, more or less, to the place of beginning.

PARCEL B: The following described real property situated in the County of Clackamas and State of Oregon, in the John D. Garrett D. L. C. ; Beginning at a point 22 feet north of the initial point of North Mintone Homes; thence East 226.1 feet parallel to the north line of Mintone Homes; thence North 18 feet to a point at the southwest corner of that certain property conveyed to Joseph Van Hoomissen and recorded June 30, 1943, in Book 309, page 397, Deed Records, Clackamas County, Oregon, thence West 226.1 feet to a point 40.00 feet north of aforementioned initial point and thence South 18 feet to the place of beginning.

AND WHEREAS, the above described real properties lie within the boundaries of the Clackamas Water District, a water district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Clackamas Water District, all that part of said Water District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 491, Oregon Laws, 1957, the 11th day of January, 1965, is hereby fixed as the date, the hour of 8:10 o'clock p. m. , Pacific Standard 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 Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Clackamas Water District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon be and he hereby is ordered and directed to cause a notice of the date, time and 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 14th day of December, 1964.

Joseph M. Bernard, Jr.
Joseph M. Bernard, Jr.
CITY OF MILWAUKIE, OREGON

ATTEST:

R. E. Osborne
R. E. Osborne, Recorder of
Milwaukie, Oregon

Motion carried and so ordered.

It was moved by Richmond and seconded by Sedgwick that the following Resolution be adopted.

RESOLUTION NUMBER 29-1964

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

A PART OF TRACT 4 OF LOGUS TRACTS DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly line of said Tract 4, which is 868.15 feet west of the northeast corner thereof; thence Southerly and parallel with the easterly line of said Tract 4, 140.2 feet to a point; thence Westerly on a line parallel with the northerly line of said Tract 4, 178.3 feet to a point on the westerly line of said Tract 4; thence Northerly 140.8 feet to the northwesterly corner of said Tract 4; thence Easterly along the northerly line of said Tract 4 to the point of beginning.

A PART OF TRACT 4 OF LOGUS TRACTS DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly boundary line of Tract 4, 868.15 feet Westerly from the northeast corner of said Tract 4; thence Southerly 140.2 feet on a line parallel with the east line of said Tract 4, to the point of beginning of the tract herein described, said point being the southeast corner of a tract conveyed to James S. Mura and Thelma Mura, husband and wife, by deed recorded March 19, 1946, in Book 363, page 124, Deed Records; thence Southerly 124.9 feet parallel with the east line of said Tract 4, to a point on the north line of a tract conveyed to John David by deed recorded July 18, 1925, in Book 181, page 113, Deed Records; thence Westerly following the northerly line of said David tract 170.92 feet to the most westerly northwest corner of said David Tract, which is a point on the west line of said Tract 4, 125.4 feet south of the southwest corner of said Mura Tract; thence northerly along the west line of said Tract 4, to the southwest corner of said Mura Tract; thence easterly following the south line of said Mura Tract, 178.03 feet to the place of beginning.

AND WHEREAS, the above described real properties lie within the boundaries of the Milwaukie Rural Fire Protection District, a fire protection district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

CCB102

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Milwaukie Rural Fire Protection District, all that part of said Rural Fire Protection District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 11th day of January, 1965, is hereby fixed as the date, the hour of 8:00 o'clock Pacific Standard 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 Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Milwaukie Rural Fire Protection District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and 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 14th day of December, 1964.

Joseph M. Bernard

Joseph M. Bernard
CITY OF MILWAUKIE, OREGON

ATTEST:

R. E. Osborne

R. E. Osborne,
Recorder of Milwaukie, Oregon

Motion carried and so ordered.

It was moved by Sedgwick and seconded by Richmond that the following Resolution be adopted.

RESOLUTION NUMBER 30-1964

WHEREAS, on April 17, 1847, Henderson Luelling (Llewellyn, Lewelling) and his son Alfred left Salem, Iowa with 700 varieties of grafted fruits planted in especially constructed boxes containing compost and earth, on stout ox-wagons, bound over the Oregon Trail, for the Oregon Contry where they arrived November 17, 1847, on the bank of the Columbia River opposite Fort Vancouver; and

WHEREAS, of February 8, 1848, at Milwaukie, Oregon, on the east bank of the Willamette River, they planted, with these fruits, the first grafted fruit nursery in the west, from which has stemmed the fruit industry which has yielded to the nation and the world more of health and wealth than all of the gold taken from the mines of this continent; and,

WHEREAS, Seth and John Luilling, (Llewellyn-Lewelling) brothers of Henderson Luelling, trudged across the plains in 1850 and engaged in the nursery business, with their brother, at Milwaukie, Oregon; and

WHEREAS, Seth Luelling, in 1878 at Milwaukie, Oregon, produced the first of the, since famous, Bing Cherry; and

WHEREAS, the Lewelling Quaker Shrine Incorporated, of Salem, Iowa, is requesting the issuance of a series of United States Postage Stamps commemorating the accomplishments of these three brothers Lewelling (Llewellyn-Luelling);

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Milwaukie, County of Clackamas, State of Oregon, that the United States Post Office Department is hereby requested to issue such series of the United States Postage Stamps commemorative of the accomplishments of these three brothers Lewelling (Llewellyn-Luelling) and;

BE IT FURTHER RESOLVED that the United States Post Office Department direct and require that such series of Commemorative Postage Stamps be issued first on the same day at Asheboro, North Carolina; New Castle, Indiana; Salem, Iowa & Milwaukie, Oregon.

ADOPTED THIS 14th DAY OF DECEMBER, 1964.

Joseph M. Bernard Jr.
Joseph M. Bernard Jr., Mayor of
CITY OF MILWAUKIE, OREGON

ATTEST:

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

Motion carried and so ordered.

Manager Thompson read a letter from R. E. Demarest, 3768 Johnson Creek Blvd. in which he stated that he had been unjustly charged the sewage disposal maintenance fee in the total amount of \$10.00. A written statement signed by R. E. Osborne, Treasurer, varified that the sewage maintenance fee should not have been collected. It was moved by Sedgwick and seconded by Renard that the \$10.00 be refunded to Mr. Demarest. Motion carried and so ordered.

RESOLUTION NUMBER 31-1964

A RESOLUTION SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, AN AMENDMENT TO THE CITY CHARTER, AS AMENDED, TO BE KNOWN AS CHAPTER VIII-G, WHICH PROVIDES FOR THE EXTENSION, IMPROVEMENT AND AUGMENTATION OF THE EXISTING WATER FACILITIES OF SAID CITY, WHICH PROVIDES FOR THE ACQUISITION OF NECESSARY REAL PROPERTY AND EASEMENTS IN REAL PROPERTY IN CONNECTION WITH SAID PURPOSES, WHICH PROVIDES FOR THE PAYMENT THEREOF BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY IN THE AMOUNT OF \$1,300,000.00 WHICH SHALL BE PAID BY AN AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE CITY OF MILWAUKIE; PROVIDING FOR THE BALLOT TITLE UNDER WHICH SAID AMENDMENT SHALL APPEAR, AND CALLING AND PROVIDING FOR A SPECIAL ELECTION AT WHICH SAID CHARTER AMENDMENT IS TO BE SUBMITTED TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON.

WHEREAS, the City of Milwaukie, Oregon, is presently served with an inadequate water supply which creates grave dangers to the City and its inhabitants from the standpoint of health, commercial development, and fire protection, and creates a situation not conducive to the present

CCB102

welfare and future expansion and growth of the City; and

WHEREAS, to avoid said hazards, dangers and situations and to provide the City and its inhabitants with protection therefrom, and to promote the best interest of the said City and its inhabitants it is necessary to extend, improve and augment the existing water facilities of the City of Milwaukie, Oregon, and to provide additional water storage facilities; and

WHEREAS, the City of Milwaukie, Oregon, has had a Water System Study for Milwaukie, Oregon, prepared by the engineering firm of Stevens & Thompson, Inc., Consulting Engineers of Portland, Oregon, under a planning loan from the Housing and Finance Agency of the U. S. Government under HHFA Project No. P-ORE-3184; and

WHEREAS, the said extension, improvements and augmentation of the existing water facilities and additional water storage facilities now contemplated will be of benefit to the entire City of Milwaukie and its inhabitants and should be paid for by all the taxpayers residing within said City; and

WHEREAS, the City of Milwaukie desires to amend its Charter, as amended, in order that the power to acquire additional real property and easements in real property and to extend, improve and augment the existing water facilities and to provide additional water storage facilities, and in order that the power to issue general obligation bonds in payment therefor and the right to levy and collect such ad valorem taxes on all of the taxable property within the City of Milwaukie, Oregon, for the payment of principal and interest on said bonds may specifically be provided for,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that a special election be and the same is hereby called to be held in the City of Milwaukie, Oregon, on the first day of February, 1965, at which time there shall be submitted to the legal voters of the City of Milwaukie, Oregon, for adoption or rejection, a proposed amendment to the Charter of the City of Milwaukie, as amended, which Charter was adopted on November 7, 1944, which said proposed amendment is to be a new Chapter, designated as Chapter VIII-G, and said amendment to be so submitted shall be as follows:

CHARTER AMENDMENT

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

BE IT ENACTED BY THE PEOPLE OF THE CITY OF MILWAUKIE, OREGON:

That the Charter of the City of Milwaukie, Oregon, adopted by the people of the City of Milwaukie, Oregon, on the 7th day of November, 1944, as amended, be and the same is hereby further amended by adding thereto the following Chapter:

CHAPTER VIII-G

In addition to the other methods provided by the Charter of the City of Milwaukie, Oregon, or the General Laws of the State of Oregon, and not in derogation of any such powers, the City Council of the City of Milwaukie, Oregon, when in its discretion it is deemed advisable, may provide by resolution or resolutions for the construction, either by contract method or city construction, or both, of extensions, improvements and augmentations to existing water facilities of the City of Milwaukie, Oregon, and to provide additional water storage facilities, together with all the appurtenances necessary for the completion and operation of said extensions, improvements

301910

and augmentations, and for such purposes may acquire by gift, purchase, grant or condemnation necessary lands and easements therefore within the corporate limits of the City of Milwaukie, Oregon; and to pay the cost thereof, the City Council of the City of Milwaukie, Oregon, is hereby authorized to issue \$1,300,000.00 in general obligation bonds of the City of Milwaukie, Oregon, which shall be paid by an ad valorem tax on all taxable property within the corporate limits of the said City of Milwaukie.

The City Council of the City of Milwaukie, Oregon, each year shall provide in the budget for sufficient funds to pay the principal and interest on said general obligation bonds of the City of Milwaukie, Oregon, which taxes shall be in addition to all other taxes permitted by the Charter, as amended, of the City of Milwaukie, Oregon, and the laws of the State of Oregon.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that it is not practicable to submit the foregoing measure or charter amendment 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 the purpose and the effect of the measure or charter amendment in question, it should be submitted to the legal voters of the City of Milwaukie, Oregon, in the following form and ballot title, to-wit:

CHARTER AMENDMENT PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON

PROPOSED AMENDMENT TO THE CITY CHARTER.

Shall the Charter of the City of Milwaukie, Oregon, as amended, be further amended by adding thereto a Chapter to be known as Chapter VIII-G, authorizing and empowering the City Council to extend, improve and augment the existing water facilities of the City of Milwaukie, Oregon, and to provide additional water storage facilities; authorizing and empowering the City Council to acquire by gift, purchase, grant or condemnation, the necessary land and easements therefore; authorizing and empowering the City Council to issue general obligation bonds of the City of Milwaukie, Oregon, in the amount of \$1,300,000.00 which shall be paid by an annual ad valorem tax on all taxable property within the corporate limits of said City that is in addition to all other taxes permitted by the Charter, as amended, or the City of Milwaukie, Oregon, and the laws of the State of Oregon; and authorizing, empowering and directing the City Council to provide each year in the budget of said City for sufficient funds to pay the principal and interest on said general obligation bonds.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the election precincts for said special election shall be and constitute all of the territory within the corporate limits of the City of Milwaukie, Oregon, and that there be and there are hereby established three (3) polling places for the reception of the ballots to be cast by the legal voters of said City at said special city election. The said polling places so established shall be open from 8:00 o'clock a. m. to 8:00 o'clock p. m., Pacific Standard Time.

THE CITY HALL BUILDING,
926 Main Street, Milwaukie, Oregon

the ARDENWALD GRADE SCHOOL BUILDING,
8950 36th Street, Milwaukie, Oregon; and

CCB102

the WILBUR ROWE JUNIOR HIGH SCHOOL BUILDING,
3616 Lake Road, Milwaukie, Oregon.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that voters registered in regular Milwaukie Voting Precincts numbered 201, 202, 203, 204, 207, 213, 214, 217, 222, 224 and 226 will vote at the CITY HALL BUILDING.

That voters registered in regular Milwaukie Precincts numbered 205, 208, 209, 210, 211, 212, 215, 218, 219 and 223 will vote at the ARDENWALD GRADE SCHOOL BUILDING;

That voters registered in regular Milwaukie Precincts numbered 206, 216, 220, 221 and 225 will vote at the WILBUR ROWE JUNIOR HIGH SCHOOL BUILDING.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the following named persons, all legal voters of the City of Milwaukie, Oregon, are hereby designated and appointed as chairmen and clerks of election, to act as the election boards at such polling places, and on such date, to-wit;

At the polling place established at the CITY HALL BUILDING, 926 Main Street, Milwaukie, Oregon:

Gertrude Westerberg,	Chairman
Elizabeth Reger,	Clerk
Donna Fairbrass,	Clerk
Lillian Gambell,	Clerk

At the polling place established at the ARDENWALD GRADE SCHOOL BUILDING, 8950 36th Street, Milwaukie, Oregon:

Pearl Sedgwick,	Chairman
Florence Schwartz,	Clerk
Ethel Grocook,	Clerk
Wanda Swan,	Clerk

At the polling place established at the WILBUR ROWE JUNIOR HIGH SCHOOL BUILDING, 3616 Lake Road, Milwaukie, Oregon:

June Routson,	Chairman
Elizabeth Kirlin,	Clerk
Florence Salter,	Clerk
Beverly Whitehead,	Clerk

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Recorder of the City of Milwaukie, Oregon, be and he hereby is empowered and ordered to make all other arrangements and to secure the necessary supplies for said special election.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Recorder of the City of Milwaukie, Oregon, be and he hereby is directed to give at least ten (10) days notice of the special election hereby called by posting notices thereof in not less than three public places within the boundaries of Milwaukie, Oregon, and by publishing said notice once in the official city newspaper, the MILWAUKIE REVIEW. The said notice shall be in the following form:

NOTICE OF SPECIAL ELECTION

On the first day of February, 1965, in the City of Milwaukie, Oregon, from 8:00 o'clock a. m. to 8:00 o'clock p. m., Pacific Standard Time, a special city election will be held at which a charter amendment 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:

CHARTER AMENDMENT PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON

PROPOSED AMENDMENT TO THE CITY CHARTER.

Shall the Charter of the City of Milwaukie, Oregon, as amended, be further amended by adding thereto a Chapter to be known as Chapter VIII-G, authorizing and empowering the City Council to extend, improve and augment the existing water facilities of the City of Milwaukie, Oregon, and to provide additional water storage facilities; authorizing and empowering the City Council to acquire by gift, purchase, grant or condemnation the necessary land and easements therefor; authorizing and empowering the City Council to issue general obligation bonds of the City of Milwaukie, Oregon, in the amount of \$1,300,000.00 which shall be paid by an annual ad valorem tax on all taxable property within the corporate limits of said City that is in addition to all other taxes permitted by the Charter, as amended, of the City of Milwaukie, Oregon, and the laws of the State of Oregon; and authorizing, empowering and directing the City Council, to provide each year in the budget of said City for sufficient funds to pay the principal and interest on said general obligation bonds.

The special city election will be held at the following polling places:

- CITY HALL, 926 Main Street, Milwaukie, Oregon
- ARDENWALD GRADE SCHOOL, 8950 36th Street, Milwaukie, Oregon
- WILBUR ROWE JUNIOR HIGH SCHOOL, 3616 Lake Road, Milwaukie, Oregon.


Voters registered in regular Milwaukie Voting Precincts numbered 205, 208, 209, 210, 211, 212, 215, 218, 219 and 223 will vote at the ARDENWALD GRADE SCHOOL.

Voters registered in regular Milwaukie Precincts numbered 206, 216, 220, 221 and 225 will vote at the WILBUR ROWE JUNIOR HIGH SCHOOL

The polls for the reception of the ballots cast for or against the adoption of said Charter Amendment will, on said day and date at the places aforesaid, be open at the hour of 8:00 o'clock a. m. , Pacific Standard Time, and remain open until the hour of 8:00 o'clock p. m. , Pacific Standard Time, of the said day, at which hour the same shall be closed.

The original Resolution containing the proposed Charter Amendment in full 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.


/s/  R. E. OSBORNE
Recorder of the City of
Milwaukie, Oregon

CCB102

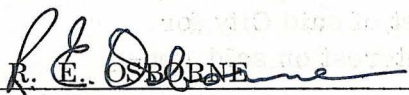
BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the original of this Resolution containing the full Charter Amendment to be voted upon be placed on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, at least fifteen (15) days before the date of the Special Election at which the said Charter Amendment is to be voted upon, and there made available for inspection by all interested parties.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that an exact copy of this Resolution be inserted and made a part of the minutes of this regular meeting of the City Council held on the 14th day of December, 1964.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on the 14th day of December, 1964, at a regular meeting of the City Council.


/s/ JOSEPH M. BERNARD, JR.
Mayor of the City of Milwaukie, Oregon

ATTEST:


/s/ R. E. OSBORNE
Recorder of the City of
Milwaukie, Oregon

It was moved by Freeman and seconded by Sedgwick that the City Manager be authorized to have the necessary remodeling done to the City Hall to move the police department into the area formerly occupied by the library; the Recorder's office enlarged and the Manager's office moved to the quarters now occupied by the Police Department. The motion carried and so ordered.

A memorandum from the Milwaukie Civil Service Commission was read. The Commission outlined a program and listed the necessary supplies to carry on the functions of the Commission. The estimated cost of initiating the program was \$3,225.00, exclusive of secretarial wages; which sum they requested be set up for their use. It was moved by Sedgwick and seconded by Renard that the City Manager be authorized to withdraw \$3,225.00 from the Emergency Fund in the City Budget, to be allocated to the Civil Service Commission. This to be done on the condition that this action coincides with the State Laws concerning the Civil Service Commission. Motion carried and so ordered.

Manager Thompson reported that the State Highway Department's estimated cost to install signal traffic lights on McLoughlin Blvd. at Jackson and Jefferson Streets, and to remove the signal light at Monroe Street is the sum of \$16,128.00.

Manager Thompson reported that eighty-one new street lamps are being installed.

Manager Thompson reported that Mr. Cy. Nims, of the Bureau of Municipal Research, had reported that Housing and Home Finance Agency had allocated \$8,000.00 to be added to \$4,000.00 furnished by the City for research work to be done for the City, by the Bureau of Municipal Research.

Manager Thompson reported that notice of Bid opening for gasoline and fuel oil for the City had been mailed and that the bids were to be opened on December 28.

Manager Thompson displayed a plaque bearing the dogwood emblem of the City of Milwaukie and suggested that the City use the same as merit awards for special services; or honorary citations. It was moved by Freeman and seconded by

Renard that Manager Thompson be authorized to order a supply of the plaques and to proceed with his plans for their use. Motion carried and so ordered.

An annual report and Christmas greetings from the Fire Department was read. The Fire Chief's monthly report was read and ordered filed. The Water Department monthly report was read and ordered filed. The Police report was read and ordered filed. The Health Department report was read and ordered filed. The Street Department report was read and ordered filed.

It was moved by Renard and seconded by Richmond that the motion to employ Mr. Robert Mills as Municipal Judge, tabled at the Special meeting of November 23, be removed from the table. Motion carried and so ordered. (The motion removed from the table was as follows: "It was moved by Richmond and seconded by Renard that Mr. Robert Mills be employed as Municipal Judge as of January 1, 1965" The motion was voted upon with results as follows: Ayes: Richmond and Renard. Nays: Freeman and Sedgwick. Mayor Bernard then voted Aye. The motion carried and was so ordered.

The Mayor announced that the Johnson Creek Corporation (Terra Corporation) and Mr. Fred Weber had signed the note as prepared by Attorney Sheldahl. It was moved by Freeman and seconded by Sedgwick that the Council accept the Promissory Note in the amount of \$8,327.37, dated December 21, 1964, drawn by the City Attorney in favor of the City of Milwaukie and signed by Johnson Creek Corporation, its President Fred Weber, and Mr. Fred Weber and further, instruct the City Recorder to accept this instrument as security in the amount stated as balance due in lieu of bonded agreement for "Tarrybrooks Addition", as listed in the Docket of City Liens, Roll # 92, page 132 thereof. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission was read. The Commission recommended a zone change for Parcels 1 and 2 of properties formerly owned by Fred C. Baker at Linwood and Railroad Avenues. It was moved by Renard and seconded by Richmond that the Council approve and accept the recommendation of the Planning Commission. Motion carried and so ordered.

Ordinance No. 1048 was taken up and read for its first reading.

It was moved by Richmond and seconded by Renard that Ordinance No. 1048 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1048 AN ORDINANCE, providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Commercial zone, amending Ordinance Number 481, as amended, and declaring an emergency; was again taken up and read for its second reading with the following result being had: Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard. Nays: None. Ordinance Number 1048 passed the Council and was so declared by the Mayor.

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

Addressograph-Multigraph	1,441.45
American Barricade Co.	38.60
American Fire Protection Co.	5,320.00
American Library Assn.	6.00
American Waterworks Assn.	25.00
Badger Meter Mfg. Co.	1,024.95
R. K. Bass	70.00
Dallas W. Brown	137.52
The Byron Co.	1.98
Jerry Carpenter	7.75
Check Printing Co.	4.12
Clackamas County	248.00
Bernard Collins	976.00
Communication Specialists	6.00
Coral Corporation	40.60

CCB102

Crosswhite Enterprises	40.50
Dept. of Motor Vehicles	73.00
Diamond Fuel Co.	196.03
Dunmire Motor Co.	93.49
Election Boards	70.00
Fields Chevrolet Co.	.70
Joe Fisher Ford	4,991.36
Walter Freeman	28.70
Donald W. Graf	12.15
Dick Groener Agency	196.00
Heisler's Car Wash	7.00
Charlie Helwig	430.16
Hoesly Furniture	59.50
Horton Electric	116.73
International Bus. Mach.	610.20
John Iven	20.90
Kimmel's Hometown Hardware	3.64
Harold Kleinfeldt	6.50
Landeen Welding Equipment	6.00
Lanson's Inc.	293.98
Larsons Auto Parts	155.12
League of Oregon Cities	157.25
Leopold & Stevens Instruments	2.70
Los Angeles-Seattle Motor Exp.	4.79
Mackey Laboratories	45.00
Mail-Well Envelope Co.	12.85
McCready Lumber Yards	27.67
McNaughtons TV & Appliance	12.85
Roland Mills	65.00
Milwaukie Automotive Serv.	315.11
Milwaukie Const. Co.	10,215.26
Milwaukie Hardware	64.94
Milwaukie Lumber Co.	13.22
Milwaukie Review	91.20
Milwaukie Sanitary Service	35.00
J. Wayne Daigle	8.00
Mitchell Lewis & Staver	3.75
Mixermobile Mfg., Inc.	12.14
Munnell & Sherrill, Inc.	16.62
National Barricade Co.	2.40
National Fire Protection	82.25
Neptune Meter Co.	512.91
Northwest Industrial Lndry.	12.00
Northwest Natural Gas Co.	43.93
Northwest Photocopy Corp.	8.50
Olson's 5 & 10	5.30
Olivetti-Underwood Corp.	197.00
Olson Bros.	17.70
Oregon City Laundry Co.	53.57
Oregon City Prtg. & Statnry.	7.40
R. E. Osborne	36.19
Overall Ind. Supply Inc.	28.60
Pacific N. W. Bell	349.29
Paulman Publications	4.95
Charles T. Parker Const. Co.	455.00
Paulsen & Roles Lab.	53.88
The Perry Pharmacy	15.08
Perry Pictures	4.68
Petty Cash	24.59
Pioneer Mercantile Co.	127.43
City of Portland	49.85
Portland Concrete Pipe & Products Co.	12.00

Portland Pest Control Serv.	16.00
Portland Road & Driveway	248.63
Paulson-Wilson Inc.	14.85
Professional Floor Coverings	25.50
Rasmussen & Co.	39.24
C. J. Rice	388.00
Reddaway's Truck Line	289.20
Sanderson Safety Supply Co.	9.00
Silver Burdett Co.	3.30
Dr. Paul J. Slominski	29.00
Southern Pacific Co.	30.00
Standig, Inc.	1,346.65
Stevens & Thompson	34.14
Street Fund	51.61
Texaco, Inc.	544.85
Thomas Office Supply	51.10
Max Thompson	36.05
Time Inc. Books	6.40
Tire Sales & Service Inc.	23.00
Traffic Safety Supply Co.	207.70
Travel Inn Motel	24.00
Van Waters & Rogers Inc.	48.17
Portland General Electric Co.	3,004.37
Water Fund	383.61
Waterworks Supplies Co.	88.05
Weiler Chevrolet	.85
Western Drug Label Co.	181.20
Robert C. Wickam	8.00
Zep Manufacturing Co.	209.00

Motion carried and so ordered.

Mayor Bernard thanked the City Attorney, City Manager, each Councilman, and the Clerk for their cooperation during the past two years, pointing out incidents that have occurred during his tenure of office as Mayor, and voiced his appreciation of their services.

On motion duly made and carried, the meeting adjourned.

Ellen Martin
 Ellen Martin, Clerk

CCB102