

## SPECIAL MINUTES OF JANUARY 18, 1965

A special meeting of the Council of Milwaukie was held on the eighteenth day of January, 1965, for the purpose of reading of Ordinances and such other pertinent business to come before the Council at this time.

The meeting was called to order by Mayor George P. Haley.

The invocation was given by Councilman Robert Richmond.

Those present were Mayor George P. Haley, Councilmen Donald Graf, Robert Richmond, Walter Freeman and Paul Slominski; City Manager Max Thompson, City Attorney John O. Sheldahl; City Engineer; Wayne Daigle. Absent: Clerk Ellen Martin.

The City Manager first brought up the question of the tape recorder that he had at the meeting and asked the Council's pleasure on whether they would like it used at the meetings or not. After some discussion, it was moved by Graf and seconded by Richmond that the tape recorder be used to record the minutes and the tape to be used as an aid to the Council, the City Manager and City employees to further their duties as set forth. The City Manager asked how long the tapes should be kept. The matter was discussed, but no time was decided upon.

The tabled motion pertaining to retiring the present City Attorney and retaining a new one was then taken up and after considerable discussion and the reading of the previous motion, it was moved that this Council instruct the City Manager to retain a new Attorney for the City Council selecting a member from the group of attorneys who practice in Milwaukie. The vote showed the following results: Ayes: Graf, Slominski and Haley. Nays: Freeman and Richmond. The motion carried and was so ordered by the Mayor.

The City Manager, Max Thompson, read a letter from Mr. Ellison of the Randall Club Apartments requesting the city form a Sanitary Sewer Improvement district in the area of Glover Road at Ely Property to King Road and proceeding East to 44th Street. A letter was also received by the City from the Clackamas County requesting that the City Council use their powers to form this district. Our City Engineer, Wayne Daigle, pointed out this area on the map and stated the area of Glover Road, Rhodesia, Logus Road and Drake Street from 40th to 43rd Street definitely needed sewers. The City Engineer recommended that the Council initiate forming this district. City Manager Thompson also agreed that this is needed. It was moved by Richmond and seconded by Freeman that the City of Milwaukie initiate a petition for the Glover Road Sewer District. After some discussion it was moved by Slominski and seconded by Freeman that this motion be tabled until we can get a ruling from the City Attorney on the City setting up a Sewer District, and bring this up at the next meeting. Motion carried and was so ordered by the Mayor.

It was moved by Richmond and seconded by Graf to accept the streets in Cedarcrest Plat #3, as set out by record and recommended by the City Engineer. Streets as follows: Juniper Street, Apple Street, Plum Drive, Sequoia Place, Sequoia Avenue, and Aspen Street, but only the portions as shown on the plat of Cedarcrest No. 3 as recorded in the records of Clackamas County, Oregon. Motion carried and was so ordered by the Mayor.

City Manager, Max Thompson, reported to the Council on his findings pertaining to the Fred Weber note regarding his assessment in Tarrybrooks area. "May 9, 1960 - Resolution No. 16-1960 notice of Intent to Construct Sewers & Pumping Station at Johnson Creek Blvd. at 45th; On June 13, 1960, the 1st hearing was held on Area "D" Sewers (Fieldcrest area did not wish to be included); On Aug. 8, 1960 Council decided to pass Resolution 30-1960 to construct sewers except in Fieldcrest, Engineers estimated cost was \$2.79 front foot and area assessment of \$.027 per square foot. The Terra Corporation put in their own sewers at their expense, paying for the pumping station only. Hearing on Ord. #821 was held on Sept. 12, 1960, Bids opened on May 31, 1961, awarded on June 5, 1961 and on June 11, 1962 Council held hearing on this assessment. On July 9, 1962, Ord. #917 "assessment of Area D Sewer" and area east of city limits was not included in Assessment, but Fred Weber of Terra Corporation agreed to pay \$12,000.00 as his share of this lift station." The City Manager could find nothing in writing per-

taining to this, so the last Council had the City Attorney draw up a note for \$8,327.37 (Mr. Weber had made a number of payments towards this), and Fred Weber signed it so the City would have some record.

The Mayor stated he wishes to go on record of not ratifying the handling of this Note of Fred Weber.

It was moved by Graf and seconded by Richmond that the Weber Note matter be tabled until the new City Attorney can study this. Motion carried and was so ordered by the Mayor.

Ordinance No. 1050 was taken up and read for its first reading. It was moved by Richmond and seconded by Graf that Ordinance No. 1050 be passed to its second reading and that it be read by caption only. Motion carried and was so ordered.

Ordinance No. 1050 AN ORDINANCE adopting the Uniform Building Code, 1964 Edition, Volume 1, together with the appendix attached thereto, as the same is copyrighted in 1964 by the International Conference of Building Officials, 50 South Los Robles, Pasadena, California; repealing Ordinance No. 879 and all other Ordinances and parts of Ordinances in conflict therewith, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Graf, Richmond, Slominski, Freeman and Haley. Nays: None. Ordinance No. 1050 passed the Council and was so declared by the Mayor.

Ordinance No. 1051 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance No. 1051 be passed to its second reading and that it be read by caption only. Motion carried and so ordered.

Ordinance No. 1051 AN ORDINANCE adopting the Uniform Housing Code, 1964 Edition, as the same is copyrighted in 1964 by the International Conference of Building Officials, 50 South Los Robles, Pasadena, California; repealing all other ordinances and parts of ordinances in conflict therewith, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Graf, Richmond, Slominski, Freeman and Haley. Nays: None. Ordinance Number 1051 passed the Council and was so declared by the Mayor.

Ordinance No. 1052 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance No. 1052 be passed to its second reading and that it be read by caption only. Motion carried and so ordered.

Ordinance No. 1052 AN ORDINANCE adopting the Uniform Sign Code, 1964 Edition, as the same is copyrighted in 1964 by the International Conference of Building Officials, 50 South Los Robles, Pasadena, California; repealing Ordinance No. 879 and all other Ordinances and parts of Ordinances in conflict therewith, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had; Ayes: Graf, Richmond, Slominski, Freeman and Haley. Nays: None. Ordinance No. 1952 passed the Council and was so declared by the Mayor.

Regarding Ordinance No. 1952, the City Manager recommended a fee of \$5.00 for sign that is 100 square feet or less and \$10.00 for sign with an area exceeding 100 square feet. It was moved by Slominski and seconded by Freeman to table the setting of a fee until a later date and that we continue the \$5.00 charge for sign installation until such time as the fee is set. Motion carried and so ordered.

City Manager Thompson brought up the question of Insurance Rating and after some discussion, it was moved to ratify the acceptance of Mr. Hennessey's bid on a three (3) year basis at the higher liability of 100/300 thousand. Upon being put to a vote, the following results were: Ayes: Graf, Richmond, Slominski, Freeman and Haley. Nays: None. Motion carried and was so ordered by the Mayor.

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A letter from the Planning Commission dated January 13, 1965, was read recommending Zone Change from 3-R-1 to 3-R-2 SPECIAL on Lots 5, 6, 7, 8 and Block 18, Minthorn Addition to Portland. It was moved by Richmond and seconded by Graf that the Council accept the recommendation of the Planning Commission. Motion carried and so ordered.

Ordinance No. 1053 was taken up and read for its first reading. It was moved by Richmond and seconded by Graf that Ordinance No. 1053 be passed to its second reading and that it be read by caption only. Motion carried and so ordered.

Ordinance No. 1053 AN ORDINANCE providing for the rezoning of certain property in the City of Milwaukie, Clackamas County, Oregon, from 3-R-1 to Zone 3-R-2 Special, 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 result being had; Ayes: Graf, Richmond, Slominski, Freeman and Haley. Nays: None. Ordinance No. 1953 passed the Council and was so declared by the Mayor.

Mayor Haley read a letter from Charles A. Clark, 2806 River Road, Milwaukie, Oregon, dated January 18, 1965 requesting the Council's aid in supporting a Voluntary Cultural Association being formed and a center being established in North Clackamas County. It was moved by Graf and seconded by Slominski that the Mayor be authorized to appoint a committee to encourage and assist this effort. Motion carried and so ordered. The Mayor then appointed Mr. Charles A. Clark as the Chairman.

Mayor Haley read a letter from A. J. Bander, Business Representative of the Electrical Workers No. 48, Labor Temple, 4th and Jefferson St., Portland, Oregon, objecting to a Mr. Dallas Brown doing electrical work on the Sewage Treatment Plant. City Manager Thompson explained that Mr. Brown, our Building Inspector, is a licensed electrician and was working on our Sewage Plant during the flood emergency and does not make a practice of this. Mayor Haley stated that he would write a letter to the Electrical Workers Union explaining the situation.

The City Engineer, Wayne Daigle, requested the Council to set a time when all could get together to discuss the Water Bond Issue which comes up in two weeks. The meeting was set for Saturday, January 23, 1965, at 1:30 p. m. in the Council Chambers.

The Council discussed setting up some new Council rules and the following rules were made up and read:

1. There will be two meetings a month - on the 2nd and 4th Mondays of the month at 7:30 p. m.
2. On the second Monday of the month between the time of 8:00 and 8:30 P. M., time will be allowed for the citizens to be heard from the floor. A time limit of 3 minutes will be allowed each person, and no person may get up and speak more than twice.
3. Any new business must first be taken up with the City Manager, and then, if not satisfied they may request that it be put on the Agenda for the next meeting; providing it gets on the agenda the Wednesday night prior to the next meeting.
4. The City Manager is to see that the Agenda is mailed to the Council the Friday before the meeting. Copies of reports from all Department Heads are to be sent to the Council the Friday before the second Monday of the month.
5. Every citizen is to address the Council from the Rostrum as his turn comes up on the Agenda. Suggest they leave any data regarding their request or information they have with the secretary.
6. Other than those on the Agenda, any citizen may address the Council on the subject that is before the Council and shall speak for not more than 3 minutes and not be heard from more than two times on that subject.

The motion was made by Councilman Graf and seconded by Councilman Richmond that these rules be adopted as read. Motion carried and was so ordered by the Mayor.

Mayor Haley asked for office space so that work could be left for him to take care of after hours. City Manager Thompson said that space used by the Civil Service could be made available for the Mayor's use.

The Mayor called for the next special meeting to be held on Monday, February 1, 1965 at 7:30 P. M.

On motion duly made and carried, the meeting adjourned at 11:30 p. m.

  
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Vivian Mumper, Acting Clerk