

SPECIAL MEETING OF FEBRUARY 1, 1965

The Council of the City of Milwaukie met in special session for the purpose of canvassing the votes of a special election held on the same day, and such other business necessary to come before the Council at this time, on the first day of February, 1965.

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

The invocation was given by Councilman Walter Freeman.

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

It was moved by Richmond and seconded by Freeman that Manager Thompson contact the State Highway Department and arrange a joint meeting of the Highway Commission and the Council for the purpose of discussing plans and route of the proposed Cascade Express Way. Motion carried and so ordered.

Mr. R. Prefontain, 3618 Sellwood Street asked if any provision had been made for roads from Milwaukie to other freeways leading in to Portland. Mr. W. K. Kirby, 600 29th Street requested to be put on record as being opposed to this highway and being opposed to ground level crossings at intersections.

Manager Thompson read a letter from the Oregon State Highway Dept. under date of November 2, 1964, reminding the Council that Federal Aid Projects, in order to qualify, must conform to United State Code, Section 134, which requires that complete comprehensive planning on a continuing basis be under way before July 1, 1965. Mr. Thompson presented copies of agreement for comprehensive plans for the Council's study. No action was taken on this matter at this time.

Manager Thompson reported the necessity of employing a man to take care of the City's parks and grounds and suggested that the job could include "general handy man" jobs. It was moved by Graf and seconded by Freeman that the City Manager and the Civil Service Commission work out a schedule and classification for a groundskeeper and general handyman. Motion carried and so ordered.

The matter of Sewage Disposal Plant maintenance fee for Mrs. V. C. Figini, 12100 Oatfield Road was again discussed. It was shown that there are a few other properties coming under the provisions of Ordinance No. 981 who are paying Sewage Disposal Maintenance fee, but cannot connect to the present sewers. It was moved by Graf and seconded by Richmond that an Ordinance be prepared to amend Sections 2 and 3 of Ordinance No. 981 and presented to the Council for their study and approval. Motion carried and so ordered.

It was moved by Richmond and seconded by Graf that the following Resolution be adopted. RESOLUTION NUMBER 4 (Dad's Root Beer Disposal Maintenance Fee) Motion carried and so ordered.

(Note: City Manager's Order was drawn up as follows, in lieu of Resolution No. 4-1965)

As authorized by the City of Milwaukie, Ordinance No. 1047, Dad's Root Beer Co. - Canada Dry Bottling Co. will be charged the sewer service charge, for industrial users, on a volume of water which is equal to the reading of volume shown on the register of the water meter less the volume of water shown on their monthly production record of their product in bottles and leaving their plant.

This production record will be submitted every month to the City of Milwaukie and will contain the number of bottles of each size of their bottled product and the number of ounces of their product in each size bottle. The City reserves the right to inspect whatever records might be necessary to verify the volumes shown on the monthly production record.

This method of charging the sewer service charge to said company will begin on January 1, 1965.

Manager Thompson read a letter from Fuitens Plumbing & Heating, contractors for the Waverly Heights Sewer, requesting an extension of twenty-five days time for completion, on account of inclement weather. It was moved by Richmond and seconded by Freeman that an extension of twenty-five working days be approved for the completion of Waverly Heights Sewer. Motion carried and so ordered.

The matter of granting an easement for a spur railroad track, in a thirty foot roadway in the east area of Milwaukie Industrial Park, as requested by Oregon Transfer Company, was discussed. It was moved by Richmond and seconded by Graf that this be tabled until the next meeting of the Council in order that Attorney Sheldahl may survey the matter and advise the Council. Motion carried and so ordered.

Ordinance Number 1054 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance No. 1054 be passed to its second reading and that it be read at this time by title only. Motion carried and so ordered. Ordinance Number 1054, AN ORDINANCE withdrawing from the Milwaukie Rural Fire Protection District, Clackamas County, Oregon, those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon, was again taken up and read for its second reading by title only and put on its passage with the following result being had. Ayes: Graf, Freeman, Richmond, Slominski and Haley. Nays: None. Ordinance No. 1054 passed the Council and was so declared by the Mayor.

Ordinance Number 1055 was taken up and read for its first reading. It was moved by Richmond and seconded by Graf that Ordinance Number 1055 be passed to its second reading. Motion carried and so ordered.

Manager Thompson was requested to make inquiry and investigation as to what effect the withdrawal of the properties described in Ordinance No. 1055 would have on water rates in this withdrawn area.

Mayor Haley read a letter from Dagmar Skulason Fisher, thanking the Council for the copy of Resolution No. 3-1965 (Bardi Skulason Condolence) sent to her.

Mayor Haley read a letter from Southern Pacific Company in which they stated that their crossings over Milwaukie streets would soon be repaired.

Councilman Freeman brought up the matter of "Smut" literature for sale in Milwaukie stores and suggested that the Council take steps to prohibit this type of operation. There was considerable discussion and it was decided that the matter be publicized and taken up at the regular meeting on February 22.

It was decided that the Council would meet at an early hour on February 22, in order to have ample time for the "Smut" discussion before the regular opening hour.

Upon delivery of the ballots, tally sheets and Certificates of the Election Boards by the City Recorder, it was then moved by Councilman Richmond and seconded by Councilman Graf, that the Council proceed to count, canvass and return the votes cast at the Special Election held in the City of Milwaukie, Oregon, on the first day of February, 1965, at which there was submitted to the legal voters of said City for their adoption or rejection, an Amendment to the Charter of the City of Milwaukie, Oregon, which Charter is entitled "Charter for the City of Milwaukie, as enacted by the voters at a special election held Tuesday, November 7, 1944", which Amendment was designated as Chapter VIII-G, and which appeared on the official ballot at said election and was designated by the following ballot title, to-wit:

VOTE YES OR NO

Mark a cross (X) in the square for answer voted for

"	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	'
'		'

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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 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.

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YES

NO

Upon being put to a vote, the motion carried unanimously .

Whereupon the City Council did proceed to count, canvass and return the votes cast at said election for the Charter Amendment entitled and numbered as above set forth, and did find the results to be as follows:

Total number of votes cast for and against said	
Charter Amendment.....	782
Total number of votes cast in favor of said	
Amendment.....	360
Total number of votes cast against said	
Amendment.....	422
Total number of blank or defective ballots.....	0

Whereupon, George P. Haley, Mayor of the City of Milwaukie, Clackamas County, Oregon, did forthwith issue and sign a proclamation as required by Ordinance No. 735, of which the following is a true copy:

PROCLAMATION BY THE MAYOR OF THE CITY OF MILWAUKIE, OREGON

I, GEORGE P. HALEY, Mayor of the City of Milwaukie, Clackamas County, Oregon, do hereby proclaim and declare that the Amendment to the Charter of the City of Milwaukie, Oregon, submitted to the legal voters of said City for their adoption or rejection at a special election held in said City, on Monday, the 1st day of February, 1965, which Charter is entitled, 'Charter for the City of Milwaukie, as enacted by the voters at a special election held Tuesday, November 7, 1944, " which Amendment was designated as Chapter VIII-G, appeared on the official ballot at said special election and was designated by the following ballot title, to-wit:

VOTE YES OR NO

Mark a cross (X) in the square for answer voted for

CHARTER AMENDMENT PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON	<input type="checkbox"/>
PROPOSED AMENDMENT TO THE CITY CHARTER.	<input type="checkbox"/>
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	<input type="checkbox"/>

*authorizing and empowering the City Council to acquire by gift, purchase, grant or condemnation the necessary land and easements therefor; (omission in typing)

