

SPECIAL MEETING OF NOVEMBER 23, 1964

A special meeting of the Council of Milwaukie was held on the twenty-third day of November, 1964, for the purpose of a hearing on the annexation of territories as described in Ordinance No. 1044 and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Joseph M. Bernard Jr.

Present: Mayor Joseph M. Bernard, Jr. ; Councilmen Walter Freeman, Charles Renard, Theron Sedgwick and Robert Richmond; City Manager Max Thompson; City Attorney John O. Sheldahl and Clerk Ellen Martin. Also present were Mayor elect George Haley and Councilman Don Graf

Manager Thompson gave a report of the progress made on the Library, stating that all that remained to be done to the building was the installation of lights which was in progress at this time. Mr. Thompson's report showed that the amount now due the contractor was \$10,215.36. It was moved by Sedgwick and seconded by Freeman that this bill be approved and paid. Motion carried and so ordered.

Applications for recommendations for liquor license renewals were laid before the Council as follows:

- |   |                            |
|---|----------------------------|
| Chalet L'Abbe, 2311 6th St. , Jewel B. Abei                   | Restaurant Class "A" RA    |
| Dick's Super Market, 846 - 32nd St. , Richard J. Miller       | Package Store Class "B" PB |
| Day-Night Food Service, 9310 - 32nd St. , Albert I. Erlandson | Package Store Class "B" PB |
| Albertson's Inc. 3232 Harrison St.                            | Package Store Class "B" PB |

Manager Thompson reported that the Police Chief had no complaints against these applicants. It was moved by Renard and seconded by Freeman that the Council recommend that the licenses, as listed, above be renewed. Motion carried and so ordered.

A letter from Mrs. B. E. Coxley, was read. Mrs. Coxley stated that she had been paying sewage disposal maintenance fee although her property was not within 200 feet of a sewer. It was moved by Richmond and seconded by Sedgwick that Mrs. Coxley be refunded in the amount erroneously collected. Motion carried and so ordered.

Manager Thompson read a report from Clackamas County Health Department, in which they explained the Uniform Housing Code, providing for the control of unsanitary and nuisance conditions in dwellings. Attorney Sheldahl was requested to draw an ordinance adopting the Uniform Housing Code.

It was moved by Renard and seconded by Freeman that the Council employ an Attorney other than Mr. Sheldahl, to defend the City in the pending Mayor election suit. A called vote showed the following result: Ayes: Renard. Nays: Freeman, Sedgwick and Richmond. The Mayor did not vote, The motion did not pass the Council.

Mr. Cordova, of the Security Bank of Oregon, came before the Council with regard to the matter of a request formerly made by him, that the City divide its banking business. Mr. Cordova recalled to the Council that the Bank was started here in 1958 and gave an account of its financial status.

Mr. Robert Franz, of the First State Bank of Milwaukie, recalled to the Council that they (Bank) had not changed their warrant rate to the City, despite changes and ~~that they (Bank) had not changed~~ fluxuations, that he felt they owed this to the City and therefore the City should continue the relationship enjoyed in the past, and that they (Bank) would stand on the reputation they had built. Mr. Coursey, of the First State Bank, stated that the City represented tax payers money and that they (Council) had handled it well in the past. City Recorder, Mr. Osborne, explained to the Council that the First State Bank was carrying our improvement warrants and explained the fluxuation in the accounts. Mayor Bernard called for the opinion of the Council, after short discussion, Mayor Bernard announced that unless there was a motion calling for a change in the City's banking arrangements, the business will remain as is. Mayor Bernard called for a motion, after the third call and no motion had been made, the Mayor declared that there would be no change in the banking arrangements of the City.

Mayor Bernard thanked the members of the Council, Planning Commission, City employees and the Mayor and Councilmen elect for their attendance at the League of Oregon Cities session which had been held in Eugene during the past week.

Councilman Renard brought up the matter of Council action on the question of recommendation of liquor license for new dealers. After discussion on this matter, it was moved by Renard and seconded by Freeman that some method be arranged providing that in cases where new places of business or new applicants for recommendation of liquor license come before the Council, that a public hearing be held on the question and notice of such hearing be given in the surrounding area and that such area be determined the the Council. Motion carried and so ordered.

Mayor Bernard introduced the members of the Civil Service Commission who had been appointed by the Council at a special meeting held on November 12, 1964, as follows:

- Robert Stochosky, to serve for 2 years, term expires Nov. 12, 1966.
- George VanBergen, to serve for 3 years, term to expire Nov. 12, 1967
- Kenneth Levstone, to serve for four years, term to expire Nov. 12, 1968.

The matter of the proposed Clackamas Highway, connecting 82nd Ave. with 99E, McLoughlin Blvd. via Omark Industrial area, was discussed. There were several interested citizens present. It was reported that the State Highway Department, had made tests for lowering this road to underpass Oak and Harrison Streets and that the area had underground springs which would prevent this undertaking. Overhead crossings were discussed. It was moved by Richmond and seconded by Sedgwick that the Council recommend to the Highway Commission that this road be adjacent to and parallel with the Southern Pacific Company's main line right-of-way; that it be elevated from 37th Street northwesterly to include its crossing of the Tillamook branch line of the Southern Pacific Railroad, and that there be provided at least one interchange connecting with the present City streets. A called vote showed the following results: Ayes: one, Nays: three. The motion did not pass the Council.

It was moved by Freeman and seconded by Richmond that the Council accept the recommendation of the State Highway Department with reservations regarding crossings for both vehicular and pedestrian traffic. The motion carried and was so ordered.

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Mayor Bernard opened the hearing on the annexation of properties as described in Ordinance Number 1044, and called for objections to the same. There was no person present who made objection and no written objection had been received. The mayor declared the hearing closed.

Ordinance Number 1046 was taken up and read for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance No. 1046 be passed to its second reading. Motion carried and so ordered.

Mr. Sarri, of the League of Oregon Cities, made a report to the Council of the progress made on the codification of the City Ordinances and discussed the next group of Ordinances to be codified, which brought up a discussion of our business license ordinance. After some discussion, it was moved by Freeman and seconded by Sedgwick that an investigation be made relative to the business license practices of other cities compared in size with Milwaukie. Motion carried and so ordered.

There was discussion regarding a letter sent to Mr. Wm. Hupp from Mr. Pat Garrett, former police officer in Milwaukie. It was moved by Renard and seconded by Richmond that hereafter all letters of reference concerning employees who have left the employ of the City, be referred to the City Manager. Motion carried and so ordered.

Manager Thompson reported that Stevens & Thompson, Consulting Engineers, had completed the engineering study of the large water extension and are now ready to do the engineering on a portion of Phase One of this project, which will extend a large water main to the Omark Industries development in the industrial area south of Southern Pacific Company's right-of-way. Stevens & Thompson estimate that the engineering for this portion of the project will be \$140,000.00. It was moved by Sedgwick and seconded by Richmond that the following resolution be adopted:

RESOLUTION NUMBER 27-1964

WHEREAS, the City of Milwaukie, Oregon, proposes to construct a water line extension from the existing City reservoirs to serve the industrial site being developed by Omark Industries in accordance with the plan proposed in the Water Study for the City of Milwaukie, Oregon, dated September 14, 1964; and

WHEREAS, in connection with such proposed water line extension, it is necessary that the City of Milwaukie obtain the services of consulting engineers; and

WHEREAS, the City Council of the City of Milwaukie, Oregon; and the firm of Stevens & Thompson, Inc., consulting engineers of Portland, Oregon, have come to an agreement as to the terms and conditions under which the firm of Stevens & Thompson, Inc. will perform the engineering services required in connection with such proposed water line extension; and

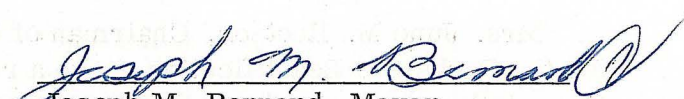
WHEREAS, the terms and conditions of said agreement have been reduced to writing in the form of duplicate counterparts; and

WHEREAS, the said duplicate counterparts of the said agreement are satisfactory, both as to form and the terms thereof; now therefore

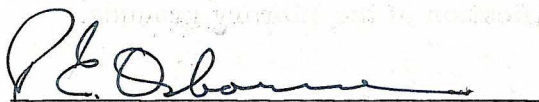
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Mayor of the City of Milwaukie be and he hereby is authorized to sign and execute the said duplicate counterparts of the said agreement on behalf of the City of Milwaukie, Oregon, and that the City Recorder of the said City be and he hereby is authorized to attest

the signature of the Mayor as to the said duplicate counterparts and to attach the official seal of the City thereto.

ADOPTED THIS 23RD DAY OF NOVEMBER, 1964

  
Joseph M. Bernard, Mayor

Attest:

  
R. E. Osborne, Recorder

The Mayor announced that Mr. Fred Weber and the Tarra Corporation had signed a note to the City for the payment of their assessment for the "Ardenwald Area D" lift station.

It was moved by Richmond and seconded by Sedgwick that the Council establish a policy of rotating the Municipal Judge at two year intervals to become effective on January 1, 1965, and that the present Municipal Judge be replaced as of January 1, 1965. The motion carried and was so ordered.

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 under discussion when Councilman Freeman moved that this motion, above, be tabled until the regular meeting in December. The motion was seconded by Councilman Sedgwick and upon being put before the Council, was carried and so ordered.

On motion duly made and carried, the meeting adjourned.

  
Ellen Martin, Clerk