

MEETING OF DECEMBER 10, 1962

COUNCIL CHAMBER

977th MEETING

The nine hundred seventy-seventh regular meeting of the Council of the City of Milwaukie, was held on the tenth day of December, 1962.

The meeting was called to order by Mayor Earl Clay.

Present: Mayor Earl M. Clay; Councilmen James Howard, Charles Renard, Paul Baer and Theron Sedgwick; City Manager Leonard Mullan, Assistant Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin.

The minutes of the nine hundred seventy-sixth regular meeting of the Council, held on the twelfth day of November, 1962 were approved as written.

Ordinance Number 950 was taken up and read for its first reading. It was moved by Baer and seconded by Sedgwick that Ordinance Number 950 be passed to its second reading and that it be read at this time by title only. Motion carried and so ordered.

Ordinance Number 950, AN ORDINANCE providing for the procedure to annex, without election, certain territory, contiguous to the

present boundaries of the City of Milwaukie, Clackamas County, Oregon, fixing a day for public hearing before the City Council of the City of Milwaukie, Oregon, on the question of such annexation, directing publication of notice of such hearing and declaring an emergency, was again taken up and read by title only for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Baer, Sedgwick and Clay. Nays: None. Ordinance Number 950 passed the Council and was so declared by the Mayor.

A letter from the Milwaukie Planning Commission, in which they recommended a change of zone from 3-R-1 to 3-R-2, for properties at the south end of 26th Street, was read. It was moved by Howard and seconded by Baer that the Council accept therecommendation of the Planning Commission. Motion carried and so ordered.

Ordinance Number 951 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Howard that Ordinance Number 951 be passed to its second reading and that it be read at this time by title only. Motion carried and so ordered. Ordinance Number 951 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Zone 3-R-2, amending Ordinance Number 481, as amended, and declaring an emergency; 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: Howard, Renard, Baer, Sedgwick and Clay. Nays: None. Ordinance Number 951 passed the Council and was so declared by the Mayor.

It was moved by Howard and seconded by Sedgwick that the 47th Street-Logus Road sewer be accepted. Motion carried and so ordered.

It was moved by Sedgwick and seconded by Howard that the Madison Street improvement from 30th Street west to Henneman's Acres, be approved and accepted. Motion carried and so ordered.

Mr. Ted Miller^A came before the Council and stated that he had built and sold two houses on the south half of Lots 5 and 6, Block 2, Plimpton Tracts; and that now he finds that there was a sewer assessment against the property for the Ardenwald "Area C" sewer. Upon investigation it was shown that at the time of the hearing for the Area "C" assessment, the then owners of the property objected to the assessment on the grounds that their properties faced two streets, Olson Street and Hazel Street, and that they were being assessed twice for the same sewer; and that they had been excused for the assessment along Hazel Street on the assumption that this sewer would not be used by the property. Mr. Miller^A was not advised of this when he purchased the south one-half of the properties and had assumed this property was entitled to sewer service, and was now asking for such service. It was moved by Howard and seconded by Renard that inasmuch as the property was now using the sanitary sewer that the lineal foot assessment for the sewer be sustained. Motion carried and so ordered.

A request for a D.C.A. liquor permit was laid before the Council by the American Legion, 1316 Main Street. It was moved by Howard and seconded by Renard that the permit be recommended. Motion carried and so ordered.

The Mayor opened the hearing on the question of annexation of properties described in Ordinance Number 949, and called for any objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

The Mayor opened the hearing on the question of the withdrawal of properties annexed by Ordinance Number 945 from the Milwaukie Rural Fire Protection District and called for objection to the same. There was no person present who objected and no written objection had been received. The Mayor declared the hearing closed.

A petition, signed by sixteen business men, requesting that two-way traffic be restored on Main Street. The petition requested that this be done immediately. The Mayor called for discussion on the question. Mr. Hupp (Hupp's Studio), Mr. McNaughton (McNaughton's) and Mr. Nickles (Nickles Shoe Store) all stated that their business had fallen off since the one-way traffic on Main Street had been enforced. Several others stated that their customers had complained. One man present stated that he had found the one-way traffic very convenient. After considerable discussion it was moved by Renard and seconded by Sedgwick that the one-way traffic on Main Street be withdrawn as of Sunday, December 16, 1962. Motion carried and so ordered.

Mr. R. Shook came before the Council, on behalf of the Friends of the Library, and requested that the Special Election for Bonds to improve the Library be held in February. The Council approved the request.

Ordinance Number 952 was taken up and read in full for its first reading. It was moved by Sedgwick and seconded by Baer that Ordinance Number 952 be passed to its second reading and that it be read by title only. Motion carried and so ordered. Ordinance Number 952 AN ORDINANCE annexing certain territory 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 by title only and put on its passage with the following result being had: Ayes; Howard, Renard, Baer, Sedgwick and Clay. Nays: None. Ordinance Number 952 passed the Council and was so declared by the Mayor.

It was moved by Sedgwick and seconded by Baer that the following resolution be adopted.

RESOLUTION NUMBER 47-1962

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

LOTS 9, 10, 11 and 12, Block 48
MINTHORN ADDITION to the
City of Portland

AND WHEREAS, the above described real properties lie within the boundaries of the Wichita Zoning District, a zoning 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 Wichita Zoning District, all that part of said Zoning 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 14th day of January, 1963 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

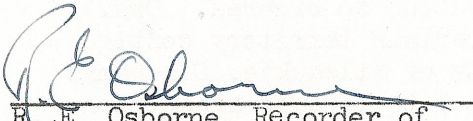
Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Wichita Zoning District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

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 10th day of December, 1962.


 Earl M. Clay, Mayor, Mayor
 City of Milwaukie, Oregon

ATTEST:


 R. E. Osborne, Recorder of
 Milwaukie, Oregon

Motion carried and so ordered.

Ordinance Number 953 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Baer that Ordinance Number 953 be passed to its second reading and that it be read at this time by title only. Motion carried and so ordered. Ordinance Number 953 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 by title only for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Baer, Sedgwick and Clay. Nays: None. Ordinance Number 953 passed the Council and was so declared by the Mayor.

Manager Mullan read a report from Pump, Pipe & Power Co. with regard to an auxiliary pump unit for the Water Department. After some discussion it was moved by Renard and seconded by Howard that this matter be held over for more study. Motion carried and so ordered.

Manager Mullan read a letter from Stevens & Thompson in which they reported that the final payment now due Sebold & Wolverton, Contractors, for the enlargement of the Sewage Disposal Plant, was \$17,238.51, with an added \$1,543.00 to be withheld until the lawn, sidewalks, etc. were completed in the Spring. It was moved by Howard and seconded by Baer that Sebold & Wolverton be paid \$17,238.51. Motion carried and so ordered.

It was moved by Howard and seconded by Renard that Manager Mullan make application to the State Engineer for permit to drill a 16-inch water well. Motion carried and so ordered.

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

Air-Mac	45.00
Akron Brass Company	21.87
All Electric Construction	53.65
George Allen	5.69
American Barricade	8.80
American Photocopy Equipment Co.	30.80
Frank Brittingham	9.00
Frank Brittingham	8.75
Richard K. Bass	19.00
Brooks Products, Inc.	15.00
Certified Electric Division	191.22
Clackamas County	264.50
Clackamas County Public Library	9.81
Communication Specialists	9.06
Davis Camera Service	2.57
Davis Pet Supply Co.	21.52
Edwards Manufacturing Co.	28.57
Feenaughty Machinery Co.	13.99
Francis Motor Car Co.	12.05
Franck's Color Center	11.19
G & S Janitor Supply Co.	24.75
Charlie Helwig, Inc.	68.17
Inertol Co., Inc.	198.79
Johnston Cement Products	153.00
Kimmel's Hometown Hardware	1.25
Peter I. Kolik	11.25
Larson's Auto Parts	6.96
W. J. McCready Lumber Co.	22.99
Mercer Steel Co.	29.00
Milwaukie Automotive Service	15.37
Doubleday & Co., Inc.	30.28
Gaylord Bros., Inc.	23.23
Golden Press, Inc.	5.34
Heisler's Car Wash	2.00
H. R. Huntling Co., Inc.	35.65
Milwaukie Fire Dept.	700.00
Milwaukie Hardware	73.40
Milwaukie Lumber Co.	15.62
Milwaukie Oil Co.	138.38
Milwaukie Plumbing & Heating Co.	33.45
Milwaukie Review	206.10
Milwaukie Sanitary Service	125.00
Milwaukie Volunteer Fire Dept.	10.00
Mitchell, Lewis & Staver	25.50
Bernard Muffenbier	125.00
Leonard B. Mullan	14.75
Multnomah Fuel Co.	113.85
National Chemsearch Corp.	237.58
National Fire Protection Assn.	15.00
Neptune Meter Co.	277.75
New Method Book Bindery, Inc.	22.80
Nordlander Kelley & Associates	990.00
Northwest Industrial Laundry Co.	6.00
Northwest Natural Gas Co.	17.02
Nudelman Bros.	54.00
Nurnberg Thermometer Co.	102.68
Olson Bros. Shell Service	361.41
Oregon City Laundry Co.	40.88
Oregon City Printing & Stationery Co.	3.55
Oregon Typewriter Co.	189.50
R. E. Osborne	10.25
Overall Laundry, Inc.	25.99
Pacific Northwest Bell	227.73
Paulsen & Roles Laboratories	25.73

Donald H. Peterson	2.45
Petty Cash	4.77
Pioneer Mercantile Co.	36.86
Olson's 5 & 10	1.47
Portland Concrete Pipe & Products Co.	12.50
Portland General Electric	2,331.16
Portland Road & Driveway Co.	179.99
Public Employee's Retirement Board	24.09
Pump Pipe & Power Co.	79.66
Reddaway's Truck Line	2.30
Rogers Rock Co.	388.55
Ed Rudiger	48.00
Seabold & Wolverton	17,238.51
State Industrial Accident Comm.	7.50
Southern Pacific Co.	30.00
John Stennet	3.15
Stevens & Thompson	5,220.26
Texaco, Inc.	588.30
Trophies, Unlimited	2.08
Wilco Fire Equip. Co.	2.00
Weiner's	80.35
Waterworks Supplies Co.	21.00
Fred Wildy	512.75
Willamette Falls Comm. Hospital	12.00
Water Fund	341.83
Zidell Explorations, Inc.	16.00
Title & Trust Co.	22.50

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
 Ellen Martin, Clerk