

SPECIAL MEETING

COUNCIL CHAMBER

JULY 24, 1961

A special meeting of the Council of Milwaukie was held on the twenty-fourth day of July, 1961, for the purpose of canvassing the votes of election, held on the same day and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Earl M. Clay.

Upon roll call those present were: Mayor Earl Clay; Councilmen James Howard, Charles Renard, E. H. Aebi; City Manager Leonard B. Mullan, City Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Councilman Theron Sedgwick.

American Legion Post Number 180 made application for recommendation of a Class "C" liquor license for their new location

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at 1316 Main Street. It was moved by Councilman Renard and seconded by Councilman Aebi that the recommendation be granted. Motion carried and so ordered.

Manager Mullan presented a petition, signed by owners of property along 4th Street east of 7th Avenue, Birkemeier Addition to Milwaukie Heights, requesting that the street be improved by black-top paving, 20 feet in width, from a point 50 feet east of 7th Avenue, easterly a distance of 234 feet. It was moved by Councilman Aebi and seconded by Councilman Renard that the following Resolution be adopted.

## RESOLUTION NUMBER 21-1961

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO IMPROVE 4th STREET BY ASPHALTIC PAVEMENT, FROM 50 FEET EAST OF 7th AVENUE, EASTERLY A DISTANCE OF APPROXIMATELY 234 FEET.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to improve 4th Street, by asphaltic pavement from approximately 50 feet easterly from its intersection with 7th Avenue, wasterly a distance of approximately 234 feet, and

WHEREAS, the Council of the City of Milwaukie, Oregon, has required plans and specifications for the approximate improvement to accomplish the above and an estimate of the cost of the work to be done, and

WHEREAS, Portland Road and Driveway has filed with the City Recorder such plans, specifications and estimate of cost

BE IT THEREFORE RESOLVED by the Council of the City of Milwaukie, Oregon, that the above mentioned plans, specifications and estimates of Portland Road and Driveway, now on file with the City Recorder, are found to be satisfactory and are hereby approved.

BE IT FURTHER RESOLVED that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, and the location and kind of improvement being as follows:

By the paving with asphaltic pavement (black top) and all things in the construction thereof, all to be done in accordance with the plans and specifications, now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution, said pavement to be constructed 20 feet in width, with water drain troughs along the outer edge thereof, from approximately 50 feet east of 7th Avenue, or from the east end of the present pavement in 4th Street, thence easterly a distance of approximately 234 feet, the easterly terminus of the said 4th Street.

The estimate of the total cost of this improvement is the sum of \$1,480.00.

The estimated cost to the City is the sum of \$370.00.

The estimated cost per lineal foot to property abutting said street is the sum of \$2.38.

THAT AN ASSESSMENT WILL BE LEVIED on all lots or parcels of land abutting the said portion of 4th Street.

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before August 14, 1961.

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BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted notices with the title "NOTICE OF STREET IMPROVEMENT WORK" in three conspicuous places along the said above named street, which said notice shall contain a copy of this Resolution, and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder

AND WHEREAS it is necessary that said improvement be made as soon as possible in order to take advantage of weather conditions, NOW THEREFORE an emergency is hereby declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 24th DAY OF JULY, 1961

ATTEST R. E. Osborne Recorder  
R. E. Osborne

Earl M. Clay  
Earl M. Clay, Mayor

It was then moved by Councilman James Howard and seconded by Councilman E. H. Aebi 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 24th day of July, 1961, at which there was submitted to the legal voters of said City the following proposition:

## TAX LEVY EXCEEDING CONSTITUTIONAL LIMITATION.

Shall the City Council of the City of Milwaukie, Oregon, be authorized and directed to include in the budget and levy a tax on all the taxable property in said City in the sum of \$123,729.83, for the fiscal year 1961-1962, for general city purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, and which shall be in addition to all other taxes levied.

On 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 and did find the results to be as follows:

Total number of votes cast for and against said proposition	<u>298</u>
Total number of votes cast in favor of said proposition	<u>180</u>
Total number of votes cast against said proposition	<u>118</u>
Total number of blank or defective ballots.	<u>none</u>

Mayor Earl M. Clay, Chairman of the Council, then declared that the vote on the said proposition at said Special Election shows a majority who voted on the proposition to be in favor of it, and that the proposition had carried.

Ordinance Number 846 was then taken up and read for its first reading. It was moved by Councilman James Howard and seconded

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by Councilman E. H. Aebi that Ordinance Number 846 be passed to its second reading. Motion carried and so ordered.

It was moved by Councilman Charles Renard and seconded by Councilman E. H. Aebi that the members of the Election Board be paid \$1.00 per hour for services rendered. Motion carried and so ordered.

Mayor Clay announced that there would be a special meeting of the Council at ten o'clock A.M. on the morrow for the purpose of the second reading of Ordinance Number 846.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk