

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF MILWAUKIE, OREGON, HELD ON THE 11th DAY OF  
JANUARY, 1960

942nd MEETING.

The nine hundred forty-second regular meeting of the City Council of the City of Milwaukie, Oregon, was held at the City Hall in Milwaukie, Oregon, on the 11th day of January, 1960, commencing at the hour of 7:30 P.M.

The meeting was duly called to order by Mayor Earl M. Clay, Chairman of the Council.

The roll was called by Clerk Ellen Martin. Those present were: Mayor Earl M. Clay; Councilmen Peter Mortensen, James M. Howard, Theron E. Sedgwick and E. H. Aebi, being all the members of the City Council.

Also present at the meeting were: City Manager Leonard B. Mullan; City Attorney John O. Sheldahl; Council Clerk Ellen Martin; Roy Johnson, representing Blyth & Co., Inc. and Foster & Marshall, and Richard Campbell and Dewey Merydith, representing the First National Bank of Oregon, Portland, Oak Grove Branch.

The minutes of the nine hundred forty-first regular meeting of the Council, held on the fourteenth day of December, 1959, were approved as written.

The minutes of the Special Meeting of the City Council, held on the twenty-first day of December, 1959, were read and approved as read.

Bids for furnishing the City with gasoline, furnace oil and stove oil were opened and read as follows:

All Bids include State Tax and exclude Federal Tax.

Shell Oil Co.	Super Shell Gasoline	\$0.278
Standard Oil Co.	Chevron Supreme Gasoline	0.279
" " "	Furnace Oil	0.1219
" " "	Stove Oil	0.1369
Richfield Oil	Boron Gasoline	0.2422
" " "	Diesel Fuel	0.1172
" " "	Stove Oil	0.1322
Milwaukie Oil Co.	Furnace Oil	0.124
" " "	Stove Oil	0.138
Diamond Fuel Co.	Furnace Oil	0.131
" " "	Stove Oil	0.151
Tidewater Oil Co.	Gasoline	0.2629
" " "	Furnace Oil	0.1213
" " "	Stove Oil	0.1399
Carey Oil Co.	Carter Extra Gasoline	0.2374
" " "	Furnace Oil	0.1174

It was moved by Councilman Howard and seconded by Councilman Aebi that the bids be referred to the City Manager for further investigation and that the contract be awarded to the lowest responsible bidder and that the Mayor be authorized to sign the contract. Motion carried and so ordered.

The hour of 8:00 o'clock P. M. having arrived, the City Council pro-

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ceeded to open the sealed bids received by it pursuant to the advertisement of the proposed sale of the general obligation bonds of the City of Milwaukie in the sum of \$215,000.00

The following bids for said bonds were received:

Name of Bidder	Interest Rate Offered	On Maturities	Total Net Interest Cost to City if Bid is Accepted	Effective Interest Rate Based Upon Price Offered
The First National Bank of Oregon, Portland, Oak Grove Branch	4 3/4% 4 1/4%	1961 through 1965, inclusive 1966 through 1980, inclusive	\$99,048.29	4.282%
Blyth & Co., Inc. Foster & Marshall (Jointly submitted)	4 1/2% 4 1/4%	1960 to 1968 inclusive 1969 to 1980 inclusive	99,139.25	4.286%

Upon due consideration of the said bids, the City Council determined that after taking into consideration the cost to the City of Milwaukie of delivering the bonds pursuant to the provisions of the appropriate statutes of the State of Oregon, the highest and best bid received for the bonds was that made by the First National Bank of Oregon, Portland, Oak Grove Branch. Accordingly, upon motion duly made by Councilman James M. Howard, seconded by Councilman Theron E. Sedgwick, and unanimously adopted, the said bid was accepted.

Mayor Earl M. Clay then directed that the foregoing bids go attached to and made a part of the minutes of this meeting.

Thereupon Councilman Peter Mortensen moved the adoption of the following transcribed Resolution:

RESOLUTION 1-1960

BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon that the Two Hundred Fifteen Thousand Dollars (\$215,000.00) in general obligation bonds of the City of Milwaukie, in Clackamas County, State of Oregon, sold on the 11th day of January, 1960, be issued to bear date the first day of January, 1960; to bear interest at the rate of 4 3/4% per annum for the bonds of the issue maturing on February 1 of the years 1961 through 1965 inclusive; and at the rate of 4 1/4% per annum for the bonds of the issue maturing on February 1 of the years 1966 through 1980 inclusive; that the bonds be issued to mature serially on the dates provided in Resolution 32-1959, duly adopted at a special meeting of the City Council of the City of Milwaukie duly and legally held on the 21st day of December 1959; and that both the principal of and the interest upon the said bonds be paid at the office of the Treasurer of the City of Milwaukie, Oregon;

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, Oregon that the said bonds and coupons attached thereto shall be executed in the form prescribed by the City Council of said City in said Resolution 32-1959, duly adopted by the said City Council at said Special Meeting held on the 21st day of December, 1959.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, Oregon, that Irwin-Hodson Co., printers, 439 N.W. 15th Avenue, Portland, Oregon, be employed for the purpose of printing the said bonds.

The motion to adopt the foregoing Resolution was duly seconded by Councilman James M. Howard and upon being put to a vote by the Chairman, was unanimously adopted.

The Mayor opened the hearing on the annexation of territories as set forth in Ordinance No. 776 and called for any protest to the annexation of these properties. There was no citizen present who made protest or objection and no written protest had been received. The Mayor declared the hearing closed.

Ordinance No. 778 was taken up and read for its first reading. It was moved by Councilman James Howard and seconded by Councilman Peter Mortensen that Ordinance No. 778 be passed to its second reading and that it be read at this time. The motion was unanimously carried and so ordered.

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Ordinance No. 778m AN ORDINANCE annexing certain territories contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon and fixing the effective date of such annexation, was again taken up and read for its second reading and put on its passage with the following result being had; Ayes: Clay, Howard, Mortensen, Aebi and Sedgwick. Nays: None. Ordinance Number 778 passed the Council and was so declared by the Mayor.

Ordinance Number 779 was taken up and read for its first reading. It was moved by Councilman Howard and seconded by Councilman Mortensen that Ordinance No. 779 be passed to its second reading and that it be read at this time. The motion unanimously carried and was so ordered.

Ordinance Number 779, AN ORDINANCE providing for the procedure, without election, to annex certain territory, contiguous to the present boundaries of the City of Milwaukie, Clackamas County Oregon, fixing a day for public hearing before the 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 for its second reading and put on its passage with the following result being had; Ayes: Clay, Howard, Mortensen, Aebi and Sedgwick. Nays: None. Ordinance No. 779 passed the Council and was so declared by the Mayor.

Manager Mullan reported that the curbs along Harvey Street had been completed in conformance with the Engineer's specifications. It was moved by Councilman Sedgwick and seconded by Councilman Mortensen that the City accept the curbs along Harvey Street and that notices for the proposed assessments be sent to the property owners. The motion was unanimously carried and was so ordered.

Manager Mullan read Stevens & Thompson's report of work completed to date, on the Ardenwald Area "B" Sewer, showing the amount now due Don Thornton, Contractor, to be \$2,592.95. It was moved by Councilman Howard and seconded by Councilman Sedgwick that Contractor Don Thornton be paid \$2,592.95. The motion was unanimously carried and so ordered.

Manager Mullan read Stevens & Thompson's report of engineering on the Ardenwald Area "B" sewers showing the amount now due them for engineering to be \$1,352.63. It was moved by Councilman Sedgwick and seconded by Councilman Mortensen that the report and bill be approved and that Stevens & Thompson be paid \$1,352.63. The motion was unanimously carried and so ordered.

Manager Mullan presented a deed to the City of Milwaukie from Omark Industries for a street in Milwaukie Industrial Park to be known as "Omark Drive". It was moved by Councilman Sedgwick and seconded by Councilman Aebi that the City accept the deed to Omark Drive. The motion was unanimously carried and so ordered.

Manager Mullan read a report from Stevens & Thompson showing the final amount due Horton Construction Co. for work done on city streets to be \$1,868.40. It was moved by Councilman Howard and seconded by Councilman Mortensen that the Horton Construction Co. be paid \$1,868.40. The motion was unanimously carried and so ordered.

The monthly Police Chief's report was read and ordered filed.

A communication from the Milwaukie Junior Chamber of Commerce, in which the members of the Council were invited to attend a meeting to be held in the City Hall on January 27, 1960, was read and ordered filed.

It was moved by Councilman Howard and seconded by Councilman Mortensen that the City request the County of Clackamas to release to the City, all streets within the city limits of Milwaukie, now under the jurisdiction of the County. The motion was unanimously carried and so ordered.

The City Manager then presented a proposed form of Permanent Easement Agreement in duplicate counterparts, providing for the grant of a permanent sewer easement by Southern Pacific Company to the City of Milwaukie, Oregon, along the easterly part of the right-of-way of the Southern Pacific Company as the same extends from Kelvin Street northerly to Roswell Street in the City of Milwaukie, Oregon. The form of the easement was approved by the City Attorney. The terms of said easement agreement were found to be satisfactory. Thereupon Councilman Sedgwick moved the adoption of the following Resolution.

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RESOLUTION NO. 2-1960

BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon, that the Mayor of the City of Milwaukie, Oregon, be and he hereby is authorized to execute on behalf of said City, the duplicate counterparts of the Permanent Easement Agreement with the Southern Pacific Company, providing for a permanent easement for sewer purposes along the easterly right-of-way of the Southern Pacific Company as the same extends from Kelvin Street northerly to Roswell Street in the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED that the consideration of \$950.00 provided for in said duplicate counterpart of agreement be paid to the Southern Pacific Company upon receipt of one of such counterparts duly executed by the said Southern Pacific Company. The motion was seconded by Councilman Howard, and upon being put to a vote by the Chairman, was adopted unanimously.

It was moved by Councilman Mortensen and seconded by Councilman Aebi that the Mayor be authorized to sign an agreement with Publishers Paper Co. for the grading and use of a parking area at the river bank along the south side of Jefferson Street. The motion was unanimously carried and so ordered.

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

VENDOR	TOTAL
Addressograph-Multigraph Corp.	\$ 6.30
American Barricade Co.	25.80
Automotive Products, Inc.	32.38
Richard K. Bass	17.28
J. M. Bernard's Garage	59.30
Brooks Products, Inc.	31.20
Bureau of Water Works	79.50
George F. Cake Co.	97.25
Clackamas County	8.40
Columbia Equipment Co.	2,153.60
Daily Journal of Commerce	12.80
Electro-Plumb. Co.	32.46
Enterprise Courier	11.00
Feenaughty Machinery Co.	279.75
Flexible Pipe Tool Co.	228.82
Franklin Electric Co.	39.90
Charlie Helwig, Inc.	24.05
J. I. Holcomb Co., Inc.	30.00
Homelite	75.80
Killiam Stationery & Printing Co.	10.10
Mail-Well Envelope Co.	12.69
Legislative Council Committee	32.50
McCready Lumber Co.	292.05
Miller Paint Co.	3.50
R. S. Milln	75.00
Milwaukie Automotive Service	69.37
Milwaukie Hardware	73.93
Milwaukie Landscape (Ditching)	78.95
Milwaukie Lumber Co.	6.86
Milwaukie Plumbing & Heating	165.73
Milwaukie Review	443.11
Milwaukie Volunteer Fire Dept.	13.00
Bernard Muffenbier	74.00
N. W. Industrial Laundry Co.	3.60
Olson Bros. Shell Service	159.94
Oregon City Printing & Stationery Co.	4.75
The Overall Laundry	8.00
Pacific Telephone Co.	167.70
Peerless Pacific Co.	360.42
Portland Concrete Pipe Products	8.19
Portland General Electric Co.	1,275.97
Portland Road & Driveway	355.80
Price Rite Grocery	3.15

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<u>VENDOR</u>	<u>TOTAL</u>
Ralph's Spraying Service	\$ 212.00
Charles Scadding	6.25
Alice Staley	2.65
Standard Oil Co. of California	125.75
F. E. Stein	28.04
Tidewater Oil Co.	351.52
Waterworks Supplies Co.	318.74
Western Drug Label Co.	145.00
Fred Wildy	76.50
Leonard B. Mullan	20.00

The motion was unanimously carried and so ordered.

Upon motion being duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk