

MEETING OF JUNE 9, 1958

923 meeting

The nine hundred twenty-third regular meeting of the Council of Milwaukie was held on the ninth day of June, 1958.

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan; Councilmen Clay, Mortensen, Roberts and Klein; Manager Burdick, Attorney Sheldahl and Clerk Martin.

The minutes of the nine hundred twenty-second regular meeting of the Council, held on the 12th day of May, 1958 were approved as written.

The minutes of a special meeting of the Council, held on the seventeenth day of May, 1958, were approved as written.

The minutes of a special meeting of the Council, held on the nineteenth day of May, 1958, were approved as written.

The minutes of a special meeting of the Council, held on the twenty-eighth day of May, 1958, were approved as written.

The minutes of a special meeting of the Council, held on the third day of June, 1958, were approved as written.

Manager Burdick read a communication from Chief of Police Brittingham in which he (Brittingham) recommended that "NO LEFT TURN" signs be placed at the intersection of Scott Street and McLoughlin Blvd. stopping south bound traffic from turning into Scott Street and stopping south bound traffic from entering McLoughlin Blvd. It was moved by Mortensen and seconded by Roberts that this matter be referred to the Traffic Committee. Motion carried and so ordered.

The Mayor opened the hearing on the Lake Road sewer extension and called for objections to the assessment for same. A protest from Janet M. Taylor, Richmond Va., owner of Tax Lot 4, Joseph Kellogg D.L.C. was read. A copy of Manager Burdick's answer to Mrs. Taylor was read. Manager Burdick stated that Mr. Taylor had contacted him (Burdick) and that he (Taylor) was contemplating a trip west and while here would make investigation of the possibilities of developing the property and that he (Burdick) felt confident that Mr. Taylor would be satisfied that the improvement had been beneficial to the property.

A remonstrance, objecting to the lineal feet assessed to his property, from Ralph C. Christiansen, was read. Manager Burdick stated that he would explain to Mr. Christiansen just how his assessment was made.

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The Mayor declared the hearing closed. Ordinance Number 720 was taken up and read. It was moved by Roberts and seconded by Klein that Ordinance No. 720 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance No. 720, AN ORDINANCE declaring the assessment for the construction of a sanitary sewer along Lake Road and a sanitary sewer along 37th Street north of Lake Road and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had, Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 720 passed the Council and was so declared by the Mayor.

The Mayor opened the hearing on the vacation of Adams Street, from Main Street to 21st Street, and called for objections to the same.

Mr. Ed Darnell made objection, stating that the street would become private property and that it would inconvenience his customers in that they would have to go south to Lake Road before being able to turn to get onto Main Street.

Mr. Joe Bernard Jr. objected to the vacation stating that it could stop the flow of traffic from Main Street to 21st Street.

Councilman Mortensen stated that he objected to vacating the street because it intersects two streets.

Manager Burdick said that the city is faced with many traffic problems, one of which is at the new Post Office on Monroe Street and that any reimbursement to the city, would be used to obtain or improve access where it would serve the public to the best advantage.

Mr. Wm. Davis commented that it appeared that the question was not so much a matter of vacating the street as a matter of reimbursement in like value.

There were comments from other citizens present, both for and against the vacation. Mayor Mullan introduced Mr. Peter Relos, owner of property along both sides of Adams Street between Main and 21st Streets. Mr. Relos stated that he had been working for four years to get a suitable tenant before developing this property as he intended to build to suit the tenant, and that now he had a tenant that would boost Milwaukie and benefit all the merchants along Main Street, and introduced Mr. Kienow, who would operate a super market on the site providing he could be assured of adequate parking space.

Mr. Relos stated that their plan called for all this portion of Adams Street and the vacant property to the south of it to be used for parking lot and that it would be open for ingress and egress from both 21st and Main Streets, but without this parking lot this market would not locate there. A delegation of business men were present who voiced their hopes that Kienow's Store would be located on this property. The Mayor closed the hearing.

The Mayor opened the hearing on the question of the annexation by election of the Plat of Ardenwald, Cole Addition and Walnut Park Addition, and called for objection to the same. There was no citizen present who objected. The hearing was closed. Ordinance No. 721 was taken up and read for its first reading. It was moved by Clay and seconded by Roberts that Ordinance No. 721 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance No. 721, AN ORDINANCE ordering an annexation election within the territory bounded as therein described, fixing the date of such election and the hours during which the polls will be open, designating the location of the polling place within said territory, designating the names of the chairman and clerks of said election, and directing publication of notice of said election, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had, Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 721 passed the Council and was so declared by the Mayor.

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The Mayor reopened the matter of the vacation of Adams Street from Main Street to 21st Street. There was considerable discussion on the question of where the building would be located and if ingress and egress to both Main and 21st Streets would be preserved. The Council appeared to favor the vacation if there would be assurance that this would be done. It was moved by Mortensen and seconded by Roberts that a poll of the Council be taken, the provisions of the conditions under which the vacation would be made to be agreeable to both the Council and to the owner and tenant. Motion carried and so ordered. The poll was taken and showed the following result: Ayes: Mullan, Clay, Roberts and Klein. Nays: Mortensen.

A letter from Dieringer Bros., requesting that a sewer extension be constructed in Harrison Street, east of 42, was read. Inasmuch as the property along the south side of Harrison Street is not in the city limits it was decided that the city would advance one half the cost of this sewer extension, this advance cost to be collected from this property at the rate of \$2.00 per lineal foot of frontage if and when the properties are permitted to connect to the sewer.

It was moved by Roberts and seconded by Clay that the following Resolution be adopted

RESOLUTION NUMBER 12-1958

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO CONSTRUCT A SANITARY SEWER ALONG HARRISON STREET FROM 42nd STREET EASTERLY A DISTANCE OF 500 FEET.

WHEREAS the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct a sanitary sewer along Harrison Street from 42nd Street easterly a distance of 500 feet, and

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

WHEREAS the City Engineer has heretofore filed such plans, specifications and estimates in the office of the City Recorder

BE IT THEREFORE RESOLVED by the Council of the City of Milwaukie, Oregon, that the above mentioned plans, specifications and estimates of the City Engineer now on file with the 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 improvements, and the location and kind of improvement being as follows:

By the construction of a sanitary sewer, and all things necessary in the construction thereof; all to be done in accordance with 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 sanitary sewer to be constructed along the following lines and between the following termini:

From the present easterly terminus of terminus of the sewer in Harrison Street, easterly a distance of approximately 500 feet.

That the Engineer's estimate of the probable cost of such improvement is the sum of \$1,700.00.

That the district liable to be assessed for the aforesaid proposed improvement is as follows:

LOTS 25 to 48 INCLUSIVE, BLOCK 17, MINTHORN ADDITION
LOTS 24, 23, and W. 23 Ft. of Lot 22, BLOCK 40, MINTHORN ADDITION

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That the City Engineer's estimate of the cost per each front foot of said property abutting on Harrison Street is the sum of \$2.00.

That an assessment will be levied on all lots and parcels of land within such proposed improvement district, in proportion to the amount to which each lot will be benefitted.

BE IT FURTHER RESOLVED, that written remonstrance against the said proposed improvement may be filed with the City Recorder on or before the 16th day of June, 1958.


BE IT FURTHER RESOLVED, that the Chief of Police of Milwaukie, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution, by posting a notice headed with the title "NOTICE OF SEWER CONSTRUCTION WORK" in three conspicuous places along Harrison Street, which said notices 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; NOW THEREFORE an emergency is declared to exist and this resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 9th day of June, 1958.


Leonard B. Mullan, Mayor

ATTEST:


R. E. Osborne, Recorder

Motion carried and so ordered.

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

<u>VENDOR</u>	<u>TOTAL</u>
American Bitumuls & Asphalt Co.	14.14
American Brush Co.	5.05
The American Rubber Manufacturing Co.	980.00
Brooks Products, Inc.	31.20
J. M. Bernard's Garage	53.68
Earl S. Burdick	20.00
Bureau of Water Works	63.75
Captain J. Carpenter	26.25
Clean-Rite Building Maintenance Co.	43.00
Clackamas County	13.50
Diamond Fuel Co.	17.88
John H. Dodd	36.70
Feenaughty Machinery Co.	312.00
Gaylord Bros., Inc.	45.82
International Conference of Build. Officials	50.00
League of Oregon Cities	40.00
Leupold and Stevens Instruments	38.50
Milwaukie Automotive Service	54.13
Milwaukie Hardware Co.	19.41
Milwaukie Volunteer Fire Department	55.00
Milwaukie Lumber Co.	24.57
Milwaukie Oil Co.	.90
Milwaukie Review	145.80
Montgomery's Tacoma Street Service	9.35

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<u>VENDOR</u>	<u>TOTAL</u>
Munnell & Sherrill, Inc.	3.84
Neptune Meter Co.	282.20
Northwest Industrial Laundry	6.12
Olsen Brothers	30.35
Oregon City Printing & Stationery Co.	6.98
The Overall Laundry	8.20
The Pacific Telephone & Telegraph Co.	139.95
Pennsalt of Washington Division	93.75
Pioneer Mercantile Co.	6.50
Portland General Electric Co.	1,048.55
Portland Road & Driveway	97.25
W. F. Shea	7.50
Tidewater Oil Co.	236.38
Traffic Safety Supply Co.	21.71

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin, Clerk