

MEETING OF JULY 8, 1957

COUNCIL CHAMBER

912th MEETING

The nine hundred twelfth regular meeting of the Council of Milwaukie, was held on the eighth day of July, 1957.

The meeting was called to order by Mayor Mullan.

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

The minutes of the nine hundred eleventh regular meeting of the Council held on the tenth day of June, 1957, were approved as written.

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The minutes of a special meeting of the Council, held on the twentieth day of June, 1957 were approved as written.

Mr. Price, Mrs. Shaw and Mrs. Peters, from Sellwood Gardens, came before the Council and made inquiry as to when the City's water system would be extended to Sellwood Gardens. Manager Burdick reported that the large water main was now being laid and that Milwaukie water would soon be available to them.

Manager Burdick reported that Campbell Street, from Monroe Street to Harrison Street, was now satisfactorily graded and paved.

Ordinance Number 666, AN ORDINANCE providing for the rezoning of Tax Lot 40, a part of the Lot Whitcomb D.L.C. and amending Ordinance 481 accordingly and declaring an emergency, was taken up and read in full for its second reading and put on its passage with the following results being had. Ayes: Mullan, Mortensen and Roberts. Naves: None. Ordinance Number 666 passed the Council and was so declared by the Mayor.

Manager Burdick presented a deed, from owners of Tax Lot 40, Whitcomb D.L.C. for Campbell Street, through the said Tax Lot 40. It was moved by Roberts and seconded by Mortensen that the deed to this portion of Campbell Street be accepted. Motion carried and so ordered.

The Clerk announced that this was the time set for a hearing on the assessment for curbs along Main Street north of Luelling Addition. The Mayor called for objections to the assessment. There was no citizen present who objected and there were no written objections. Ordinance Number 677 was taken up and read for its first reading. It was moved by Mortensen and seconded by Roberts that Ordinance Number 677 be passed to its second reading. Motion carried and so ordered.

Bids were opened and read for the laying of a water main along Beta Street and for the construction of a sanitary sewer along a portion of Main Street, as follows:

	For the laying of Sewer, Main St	For laying Water main	TOTAL
John Lubin and Son	\$18,824.00	\$13,205.70	\$32,029.70
Don Thornton	20,375.75	12,945.25	33,321.00
Geo. W. Lind	21,396.75	14,165.80	35,562.55
Riverside Construction Co.	23,641.00	12,479.20	36,120.20
Lord Bros.	23,020.50	13,189.75	36,219.75
James B. Robertson	22,552.20	14,426.00	36,978.20
Soule Construction Co.	26,247.45	12,432.20	38,679.65
S. Kazor	29,066.25	13,439.30	42,505.55
P. C. Knox	25,481.75		

It was moved by Roberts and seconded by Mortensen that the bids be referred to the City Manager and the Engineer 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.

A petition, signed by property owners in Block 3 Robertson's Re-Plat, requesting that curbs and sidewalks be constructed along the southeast side of Penzance Street. It was moved by Mortensen and seconded by Roberts that the following Resolution be adopted.

RESOLUTION NUMBER 13, 1957

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF MILWAUKIE, OREGON TO CONSTRUCT CURBS AND SIDEWALKS ALONG THE SOUTHEASTERLY SIDE OF PENZANCE STREET, FROM ITS INTERSECTION WITH WASHINGTON STREET TO THE NORTHEAST CORNER OF LOT 26, BLOCK 3, ROBERT'S RE-PLAT OF J. R. W. SELLWOOD'S ADDITION.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct curbs and sidewalks along the southeasterly side of Penzance Street from its intersection with Washington Street to the northeast corner of Lot 26, Block 3, Robert's Re-Plat of J.R.W. Sellwood's Addition, and

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WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for the 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 and specifications and estimates in the office of the City Recorder

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

By construction of curbs and sidewalks along the southeasterly side of Penzance Street, along the following lines and termini:

Beginning at the northwest corner of Lot 17, Block 3, Robert's Re-Plat of the J.R.W.Sellwood's Addition, thence northeasterly along the northwesterly boundary of Block 3, of said Addition to the northeast corner of Lot 26, said Block 3, and to do all things necessary in the construction of said curbs and sidewalks, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

That the Engineer's estimate of the probable cost of such improvement is the sum of \$1870.00.

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

LOTS 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, Block 3, ROBERT'S RE-PLAT of J. R. W. SELLWOOD'S ADDITION AND LOT 8 WILSON TRACT. (See minutes of August 12, 1957.)

The City Engineer's estimate of the cost per each front foot is \$2.90.

That an assessment will be levied on all lots or parcels of land within the said proposed district, where said curbs and sidewalks will be constructed, in proportion to the amount to which each lot or parcel of land is benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the TWELFTH DAY OF AUGUST, 1957.

BE IT FURTHER RESOLVED, that the Chief of Police of the City of Milwaukie shall, within ten days from the adoption of this Resolution, give notice of the adoption hereof, by posting a notice headed with the title "NOTICE OF CURB AND SIDEWALK CONSTRUCTION WORK" in three public and conspicuous places along said portion of Penzance Street, which said notice shall contain a copy of this Resolution and shall specify the time in which the remonstrances against the proposed improvement may be filed with the City Recorder; and that the Council will hear such remonstrances as may be filed on the 12th day of August, 1957, at the hour of eight (8:00) o'clock P.M. in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon

AND WHEREAS, it is necessary that said improvement be made as soon as possible so as to take advantage of weather conditions in the construction of said improvement; NOW THEREFORE AN EMERGENCY IS DECLARED TO EXIST and this Resolution shall go into full force and effect immediately after its passage.

ADOPTED THIS 8th DAY OF JULY, 1957

Leonard B. Mullan
Leonard B. Mullan, Mayor

ATTEST
R. E. Osborne
Recorder

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Motion carried and so ordered.

Mr. Orvil Hampton laid before the Council, a petition for a change of zone for property along the west side of 42nd Street. The petition was referred to the Planning Commission.

Ordinance number 676 AN ORDINANCE providing for a tax levy on all taxable property within the City of Milwaukie, Oregon, for all taxable purposes, for the fiscal year beginning July 1, 1957 and ending June 30, 1958, and declaring an emergency was taken up and read for its second reading and put on its passage with the following results being had. Ayes: Mullan, Mortensen and Roberts. Nays: None. Ordinance Number 676 passed the Council and was so declared by the Mayor.

It was moved by Mortensen and seconded by Roberts that the following resolution be adopted.

WHEREAS, Almighty God, in His infinite wisdom has seen fit to remove from this early life, HAROLD A. NELSON^{IV}, and

WHEREAS, HAROLD A. NELSON, was a highly respected citizen of the City of Milwaukie, and had faithfully and honorably served the City of Milwaukie

As a member of the City Council	1945 to 1949
As a member of the Volunteer Fire Dept.	Many years
As President of the Volunteer Fire Dept.	1948
As Secretary of the Volunteer Fire Dept.	1952
As Board Member of the Volunteer Fire Dept.	1953

with credit and honor to himself and to the City of Milwaukie, and

WHEREAS, the Council of the City of Milwaukie is appreciative of the services rendered to the City by said HAROLD A. NELSON, and the high type of citizenship which he exemplified, and regrets his passing, NOW THEREFORE

BE IT, AND IT IS HEREBY RESOLVED, that the appreciation of the Council of the City of Milwaukie, of the high type of citizenship exemplified by HAROLD A. NELSON, and the creditable and honorable services which he rendered to the City, and further, the regret of said Council at his passing, be conveyed to his surviving relatives, and further, that a copy be spread upon the minutes of the proceedings of this body.

Passed by the Council of the City of Milwaukie this eighth day of July, 1957.

Approved by the Mayor this eighth day of July, 1957.

Leonard B. Mullan
Leonard B. Mullan, Mayor

Earl S. Burdick
Earl S. Burdick, City Manager

ATTEST:

R. E. Osborne
R. E. Osborne, Recorder

Motion carried and so ordered.

Manager Burdick read a letter from Oregon Saw Chain in which they requested that certain portions of streets in the east side of Milwaukie Industrial Park be vacated. It was moved by Roberts and seconded by Mortensen that the Attorney be instructed to institute proceedings for the vacation of
MILPORT ROAD, from its intersection with Main Street, easterly to the easterly boundary of Milwaukie Industrial Park
EASTPORT DRIVE, from its southerly terminus, northerly to the southerly boundary of Olson Avenue
EASTPORT DRIVE, from the north boundary line of Olson Avenue to the south

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boundary line of Beta Street
ALL OF THE ALLEY, which lies between Tract 3 and Tract 4 of Milwaukie
Industrial Park

Motion carried and so ordered.

Manager Burdick reported that the Storm drains on 33rd, 34th and 35th
Streets, the paving on Main Street north, and the curbs along Main Street
north, were now completed and that the Contractors for these jobs should
be paid.

It was moved by Roberts and seconded by Mortensen that the follow-
ing bills be approved and paid.

Don Thornton, for storm drains, 33rd, 34th, 35th Sts. \$5554.29
Portland Road & Driveway Paving Main St., North 5245.56
" " " Curbs, sidewalks, Main St.N. 1760.23

Motion carried and so ordered.

It was moved by Roberts and seconded by Mortensen that beinning
January 1, 1958, the City Manager's salary be \$5,400.00 per year.
Motion carried and so ordered.

It was moved by Mortensen and seconded by Roberts that George
Kirkpatrick be paid \$2500.00, as agreed upon, in final settlement of his
claim against the City for moving dirt and rock from the location of
International Harvester Co. in Kellogg Park. Motion carried and so
ordered.

Ordinance Number 678 was taken up and read in full for its
first reading. It was moved by Mortensen and seconded by Roberts that
Ordinance Number 678 be passed to its second reading. Motion carried
and so ordered.

A petition, requesting that curbs and sidewalks be constructed
along both sides of 29th Street, north of Harrison Street to the City
Limits, was read. It was moved by Mortensen and seconded by Roberts
that the following Resolution be adopted.

RESOLUTION NUMBER 12-1957

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF MIL-
WAUKIE, OREGON, TO CONSTRUCT CURBS AND SIDEWALKS ALONG BOTH SIDES OF
29th STREET, WHERE NONE NOW EXIST OR WHERE THEY DO EXIST BUT DO NOT
CONFORM TO CITY STANDARDS AS TO ALIGNMENT, GRADE OR QUALITY, FROM ITS
INTERSECTION WITH HARRISON STREET, NORTHERLY TO THE CITY LIMIT LINE.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it
expedient and necessary to construct curbs and sidewalks along both
sides of 29th Street from its intersection with Harrison Street northerly
to the City limit line where none now exist or where such as do exist
do not conform to City standards as to alignment, grade or quality, and

WHEREAS, the Council of the City of Milwaukie, Oregon, has
required from the City Engineer, plans and specifications for the approp-
riate 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
and specifications and estimates in the office of the City Recorder

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

By the construction of curbs and sidewalks along both sides of
29th Street, where none now exist or where such as do exist do not conform
to City standards as to alignment, grade or quality, along the following
lines and termini:

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Beginning at the intersection of 29th Street with Harrison Street, thence northerly to the intersection of Harrison Street with the city limit line, and to do all things necessary in the construction of said curbs and sidewalks, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

That the City Engineer's estimate of the probable cost of such improvement is the sum of \$3275.25.

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

Beginning at the northwest corner of Lot 1, Block 1, Brownell Acres, thence southerly along the westerly boundary of Block 1, Brownell Acres to the southwest corner thereof, thence easterly along the northerly boundary of Harrison Street to the center line of Block 2, Brownell's Acres, thence Northerly along the said center line of Block 2 Brownell's Acres, to the Northerly boundary of Brownell's Acres, thence Westerly along the northerly boundary of Brownell's Acres to the point of beginning.

The City Engineer's estimate of the cost per foot for curbs is \$3.15.

That an assessment will be levied on all lots and parcels of land within said proposed district, where said curbs and sidewalks will be constructed, in proportion to the amount to which each lot or parcel is benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 12th day of August, 1957.

BE IT FURTHER RESOLVED, that the Chief of Police of the City of Milwaukie shall within ten days from the adoption of this Resolution, give notice of the adoption hereof, by posting a notice headed with the title "NOTICE OF CURB AND SIDEWALK CONSTRUCTION WORK" in three public and conspicuous places along said portion of 29th Street, which said notice shall contain a copy of this Resolution and shall specify the time in which remonstrances against the proposed improvement may be filed with the City Recorder; and that the Council will hear such remonstrances as may be filed on the 12th day of August, 1957, at the hour of eight (8:00) o'clock P.M. in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon.

AND WHEREAS, it is necessary that said improvement be made as soon as possible so as to take advantage of weather and other conditions in the construction of said improvement; NOW THEREFORE AN EMERGENCY IS DECLARED TO EXIST and this resolution shall go into full force and effect immediately after its passage.

ADOPTED THIS 8th DAY OF JULY, 1957


Leonard B. Mullan, Mayor

ATTEST:


R. E. Osborne, Recorder

Motion carried and so ordered.

It was moved by Roberts and seconded by Mortensen that the following bills be approved and that the same be paid.

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Addressograph - Multigraph Co.	\$2.69
J. M. Bernard's Garage	9.99
Brooks Products Co.	51.75
Earl Burdic, use of personal car	20.00
Bureau of Water Works	63.75
Clackamas County	35.45
Dave DeFord	1.00
Feenaughty Machinery Co.	312.00
General Petroleum Corp.	234.30
Milwaukie Hardware	22.48
McNaughton's	3.85
Milwaukie Lumber Co.	28.87
Milwaukie Review	100.80
Milwaukie Transfer & Fuel	30.00
Milwaukie Volunteer Fire Dept.	110.00
Mullan's Garage	248.34
Nelson Equipment Co.	6.50
Neptune Meter Co.	282.20
Northwest Industrial Laundry	9.18
Nudelman Bros.	74.09
City of Oregon City	20.00
Oregon City Printing & Stationery	2.15
State of Oregon	11.40
Pacific Telephone & Telegraph	137.90
Peerless Pacific Co.	257.65
Portland Concrete & Pipe Products Co.	2.50
Portland General Electric Co.	978.29
Portland Road & Driveway	173.34
Pump, Pipe & Power Co.	59.32
W. F. Shea	20.65
Traffic Safety Supply Co.	7.36
Waterworks Supply Co.	174.09
Western Drug Label Co.	48.00
Wilco Fire Equipment Co.	6.45
International Conf. of Bldg. Officials	50.00

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Clerk