

The nine hundred fourteenth regular meeting of the Council of Milwaukie, was held on the ninth day of September, 1957.

The meeting was called to order by Mayor Mullan. Present; Mayor Mullan; Councilmen Clay, Mortensen, Roberts and Klein; Manager Burdick, Attorney Sheldahl and Clerk <sup>M</sup>artin.

The minutes of the nine hundred thirteenth regular meeting of the Council, held on the twelfth day of August, 1957, were approved as written.

The minutes of a special meeting of the Council, held on the 39th day of August, 1957, were approved as read.

Mr. Howard Hamlin came before the Council and asked what had been done to eliminate the smoke and noise at the Coquille Lumber Co. at 31st and Llewellyn Sts. Manager Burdick reported that he had written to the State Sanitary Authority. Councilman Mortensen suggested that the Council take no further action until Mr. Burdick hears from the State Sanitary Authority and, if necessary, the Council hold a special meeting at that time.

The Clerk announced that this was the time set for the hearing on the 34th Street improvement and the Keil Heights Sewer and Lift Station improvement. The Mayor called for objections to the improvement of 34th Street by Curbs and Sidewalks. Mr. Hall presented a remonstrance, signed by twenty-five property owners along the street, stating that there were still cracks in the walks and that they were too rough for children to roller skate upon and therefore they object to being assessed 100% for the improvement. It was shown that Ordinance No. 655 had been read for its first reading on September 10, 1956. It was moved by Roberts and seconded by Mortensen that the Council rescind the reading of Ordinance Number 655 in 1956 and that it be read for its first reading at this time. Ordinance Number 655 was taken up and read for its first reading. It was moved by Mortensen and seconded by Roberts that Ordinance Number 655 be passed to its second reading. Motion carried and was so ordered.

The Mayor called for objections or remonstrances to the assessment for the Keil Heights sewer and lift Station. There were seven written objections; of which five objected to being assessed for the lift station only, the other two objected to both sewers and lift station, stating that the improvement was put in for the benefit of the school. There was considerable discussion. No action was taken by the Council.

The matter of a change of zone for Lots 3 and 4, Block 2 Leo's 1st Addition was laid before the Council. It was reported that the Planning Commission recommended the change. It was moved by Roberts and seconded by Clay that the Council proceed with a change of zone from 3-R-2 Special to Industrial Zone for Lots 3 & 4, Block 2, Leo's 1st Addition. Motion carried and was so ordered.

The matter of the manner of construction of curbs and sidewalks along 35th Street, Quincy Addition was brought before the Council by a delegation of property owners along the street. Some wanted the walks and curbs poured together, others wanted a parking space left between the sidewalk and curb. There was consid-

## MEETING OF SEPTEMBER 9, 1957 Continued

able discussion on the matter. Reasons for wanting the walks and curbs poured together being mostly due to the fact that improvements presently on the properties being too close to the property line, having been put in without consulting the city as to the street grade, set back requirements etc. There were suggestions as to putting in part of the walks with the curb and part with a parking. It was decided that Manager Burdick would make a survey as to who wanted what, that he would make a drawing of the improvement with the meandering walks and bring the same before the Council for the approval of the Council and the citizens affected, before further procedure with the improvement.

Ordinance Number 685 was taken up and read for its first reading. It was moved by Mortenson and seconded by Klein that Ordinance 685 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 680 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 taken up and read for its second reading and put on its passage with the following results being had: Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 680 passed the Council and was so declared by the Mayor.

Ordinance Number 684 was taken up and read in full for its first reading. It was moved by Roberts and seconded by Mortensen that Ordinance Number 684 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 684 AN ORDINANCE providing for the re-zoning of Lots 8, 9, and 10 Block 2, Leo Addition, in the City of Milwaukie, Oregon, and amending Ordinance No. 481 as amended by Ordinance No. 576 accordingly, was taken up and read for its second reading and put on its passage with the following results being had: Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 684 passed the Council and was so declared by the Mayor.

A petition, signed by three property owners, requesting that 26th Street, south of Lake Road, be improved by curbs and sidewalks. There was considerable discussion on the matter of the "bottle neck" at the north end of the street where it intersects with Lake Road. The Council showed reluctance to improve the street until the west side of same could be straightened out. It was decided that Manager Burdick would contact the owner of the property abutting out into the street and make an effort to have the property given for street purposes.

Ordinance Number 681 was taken up and read in full for its first reading. It was moved by Mortensen and seconded by Roberts that Ordinance Number 681 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 681 AN ORDINANCE providing for the improvement of 29th Street by Curbs, Sidewalks and Driveways, where none now exist or where such as do exist do not conform to city standards as to grade, quality or alignment, from its intersection with Harrison to the city limit line, 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 681 passed the Council and was so declared by the Mayor.

Ordinance Number 682 was taken up and read in full for its first reading. It was moved by Klein and seconded by Clay that Ordinance Number 682 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 682 AN ORDINANCE providing for the improvement of a portion of Penzance Street by curbs, sidewalks and driveways, from its intersection with Monroe Street to its intersection with Washington Street, and declaring an emergency, was taken up and read in

## MEETING OF SEPTEMBER 9, 1957 continued

full 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 682 passed the Council and was so declared by the Mayor.

Ordinance Number 683 was taken up and read in full for its first reading. It was moved by Clay and seconded by Klein that Ordinance Number 683 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance Number 683 AN ORDINANCE providing for the improvement of 28th Street, by curbs, sidewalks and driveways, where none now exist and where such as do exist do not conform to City standards as to alignment, grade or quality from its intersection with Washington Street to its intersection with Harrison Street, 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, Clay Mortensen, Roberts, and Klein. Nays: None. Ordinance Number 683 passed the Council and was so declared by the Mayor.

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

## RESOLUTION NUMBER 18-1957

A RESOLUTION ACCEPTING JURISDICTION OVER CERTAIN COUNTY ROADS PLACED IN AND GIVEN TO THE CITY OF MILWAUKIE, OREGON, BY ORDER OF THE COUNTY COURT OF THE STATE OF OREGON AND FOR THE COUNTY OF CLACKAMAS, COURT ORDER NUMBER 5524

WHEREAS, by appropriate statutory procedure, the County Court of the State of Oregon for the County of Clackamas did, by its Court Order Number 5524, place in and give to the City of Milwaukie, Oregon, jurisdiction over the following County Roads and portions thereof, to-wit:

1. J.K.WAIT ROAD, Number 87 (31st Street) from Harrison St. to Meek Street.
2. J. K. WAIT ROAD, Number 87 (Meek Street) from 31st Street to 32nd Street.
3. All of LUELLING ROAD, Number 162 (Part of 32nd Street)
4. That portion of LAMBERT-LUELLING ROAD, Number 163, which lies between Luelling Road Number 162 and the North City Limits (32nd Street)
5. MILWAUKIE-SANDY ROAD, Re-survey Number 228 (Harrison Street) from Main Street to the Northeast corner of the Lot Whitcomb D.L.C.
6. MILWAUKIE-SANDY ROAD Number 132 (34th Street) from Harrison Street to King Street.
7. MILWAUKIE-SANDY ROAD, Number 132 (King Street) from 34th Street to 40th Street
8. MILWAUKIE-FOSTER ROAD (Washington Street) Beginning at the intersection of the present Main Street and Adams Street, thence North on Main Street to Washington Street; thence Easterly along Washington Street to Oak Street; thence Easterly along Oak Street to Railroad Avenue, also known as S. S. Fields Road, Number 1438; thence Southeasterly along Railroad Avenue (S.S. Fields Road) to the City Limits.
9. HARLOW ROAD, Number 208 (Jefferson Street) from McLoughlin Boulevard to the City limit line at the meander of the Willamette River.

AND WHEREAS the said County did, by its order, further provide that the City of Milwaukie must accept said jurisdiction within ninety days from the date of the order.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, and by virtue of the provisions of O.R.S. 373.270, that the City of Milwaukie, Oregon does hereby accept the jurisdiction over the County Roads hereinabove described, as the said jurisdiction was placed in and given to the City of Milwaukie, Oregon, by Court order Number 5524 of the County Court of the State of Oregon, for the County of Clackamas.

## MEETING OF SEPTEMBER 9, 1957 continued

BE IT FURTHER RESOLVED that certified copy of this Resolution be forthwith transmitted to the County Clerk of the State of Oregon for the County of Clackamas.

ADOPTED THIS 9th DAY OF SEPTEMBER, 1957

*Leonard B. Mullan*  
Leonard B. Mullan, Mayor

ATTEST:

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

Motion carried and so ordered.

A letter requesting that a "SCHOOL" stripe be painted at 37th and Monroe Streets for a crossing for kindergarden pupils, was read and referred to the Manager.

A petition requesting that a street lamp be placed on 27th between Lake Road and Willard Street was referred to the Manager.

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

J. M. Bernard's Garage	\$282.22
Bureau of Water Works	63.75
Clackamas County	2.35
Daily Journal of Commerce	27.65
Doubleday & Co., Inc.	74.00
Feenaughty Machinery Co.	312.00
Franklin Electric Co.	132.47
General Petroleum Corp.	174.43
Charlie Helwig, Inc.	7.75
Hi-Way Ready Mix, Inc.	16.05
Floyd Hoggard	52.50
Island Sales & Service	33.08
Langlitz Leather	19.00
Milwaukie Hardware	17.68
Milwaukie Electric Co.	56.90
Milwaukie Lumber Co.	2.70
Milwaukie Plumbing & Heating Co.	9.50
Milwaukie Review	238.44
Milwaukie Volunteer Fire Dept.	141.00
Mullan's Garage	219.14
Nelson Equipment Co.	6.85
Neptune Meter Co.	143.94
Nudelman Bros.	20.50
Oregon City	20.00
Oregon City Printing & Stationery Co.	77.05
The Overall Laundry	4.10
Pacific Stationery Co.	18.88
Peerless Pacific Co.	145.08
Pacific Telephone & Telegraph Co.	140.75
Pennsalt Chemicals	93.75
Portland Concrete Pipe & Products	119.49
Portland General Electric Co.	1,041.53
Portland Road & Driveway	52.82
Price Rite Grocery	.62
Remington Rand	29.85
Senter Tool Service, Inc.	14.75
Smith Brothers	121.42
Southern Pacific Co.	1.00
Super Car Wash	1.40
Tracey & Co.	9.44
Traffic Safety Supply	13.24
J. F. Transue	724.50
Wallace & Tierman, Inc.	18.00
Waterworks Supply	1,633.22
West Disinfecting Co.	16.20
Western Drug Label	237.50
Wilco Fire Equipment Co.	28.25
Fred Wildy Landscape Service	130.00

## MEETING OF SEPTEMBER 9, 1957 continued

R. J. Wood Blacksmith Shop	17.00
Earl S. Burdick	20.00
Milwaukie Transfer & Fuel	40.00
Bernard Muffenbier	8.10
Northwest Industrial Laundry	5.10
Overall Laundry	9.25
Van DeMoortell	48.00
Brooks	42.25

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Clerk.