

MEETING OF OCTOBER 14, 1957

915th MEETING.

The nine hundred fifteenth regular meeting of the Council of Milwaukie was held on the fourteenth day of October, 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 Martin.

The minutes of the nine hundred fourteenth regular meeting of the Council, held on the ninth day of September, 1957, were approved as written. The minutes of a special meeting of the Council, held on the sixteenth day of September, 1957, were approved as written. The minutes of a special meeting of the Council, held on the 30th day of September, 1957, were read and approved as read.

Ordinance Number 686 was taken up and read for its first reading. It was moved by Roberts and seconded by Clay that Ordinance Number 686 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 686, AN ORDINANCE providing for the re-zoning of Lots 3 and 4, Block 2, Leo's First Addition, to the City of Milwaukie, Oregon, and amending Ordinance Number 481 as amended by Ordinance Number 576, accordingly, 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 686 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.

RESOLUTION NUMBER 20-1957

WHEREAS, it has been made known to the City Council of the City of Milwaukie, Oregon, that Conway Street, from its westerly terminus easterly a distance of 109 feet, a public street within the City of Milwaukie, Oregon, is neither useful as a public street, and never has been and can never be appropriately developed or used as a public street, and that the City would be benefited by its vacation, and

MEETING OF OCTOBER 14, 1957 continued

WHEREAS, The Council of the City of Milwaukie, Oregon, after due consideration of the interests of the City of Milwaukie, Oregon, and its inhabitants, and after due consideration of the interests of the adjoining property owners, deems it advisable to initiate proceedings to vacate said public street hereinbefore described pursuant to the provisions of Section 271.130, Oregon Revised Statutes, and,

WHEREAS, the Council of the City of Milwaukie, Oregon, has ascertained and has determined that the market value of the property abutting upon said public street to be vacated will be increased rather than decreased by reason of said vacation, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has been advised that all of the owners of property abutting upon said public street to be vacated will consent in writing to such vacation,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of Section 271.130, Oregon Revised Statutes, that proceedings be and the same hereby are initiated by the Council of the City of Milwaukie, Oregon, to vacate that part of Conway Street, from its westerly terminus easterly a distance of 109 feet, a public street within the City of Milwaukie, Oregon.

BE IT HEREBY FURTHER RESOLVED that the 9th day of December, 1957, is hereby fixed as the date, the hour of 8:00 o'clock P.M. is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the City Council of the City of Milwaukie, Oregon, to hear objections and remonstrances to the vacation of said public street, if any.

BE IT HEREBY FURTHER RESOLVED that the City Recorder of the City of Milwaukie, be and is hereby directed and ordered to cause notices of these proceedings and the public hearing to be held thereon to be published and posted as required by the provisions of Section 271.110 of the Oregon Revised Statutes.

Leonard B. Muller
Mayor of the City of Milwaukie, Oregon

ATTEST:

R. E. Osborne
Recorder

Motion carried and so ordered

It was moved by Klein and seconded by Mortensen that the following Resolution be adopted.

RESOLUTION NO. 21-1957

WHEREAS, it has been made known to the Council of the City of Milwaukie, Oregon, that Washington Street, from the westerly boundary line of Block 15, Quincy Addition extended northerly across Washington Street, southeasterly to the westerly boundary of Minthorn Addition to the City of Portland, Oregon, a public street within the City of Milwaukie, Oregon, is neither used nor useful as a public street, and never has been and can never be appropriately developed or used as a public street, and that the City would be benefited by its vacation, and

WHEREAS, the Council of the City of Milwaukie, Oregon, after due consideration of the interests of the City of Milwaukie, Oregon, and its inhabitants, and after due consideration of the interests of the adjoining property owners, deems it advisable to initiate proceedings to vacate said said public street hereinbefore described pursuant to the provisions of Section 271.130, Oregon Revised Statutes, and,

WHEREAS, the Council of the City of Milwaukie, Oregon, has ascertained and has determined that the market value of the property abutting upon said public street to be vacated will be increased rather than decreased by reason of said vacation, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has been

MEETING OF OCTOBER 14, 1957 Continued

advised that all of the owners of property abutting upon said public street to be vacated will consent in writing to such vacation.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of Section 271.130, Oregon Revised Statutes that proceedings be and the same hereby are initiated by the Council of the City of Milwaukie, Oregon, to vacate that part of Washington Street within the City of Milwaukie, Oregon, extending from the westerly boundary line of Block 15, Quincy Addition, extended northerly across Washington Street, southeasterly to the westerly boundary of Minthorn Addition to the City of Portland, Oregon.

BE IT HEREBY FURTHER RESOLVED that the 9th day of December, 1957, is hereby fixed as the date, and the hour of 8:00 o'clock P.M. is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the City Council of the City of Milwaukie, Oregon, to hear objections and remonstrances to the vacation of said public street, if any.

BE IT HEREBY FURTHER RESOLVED that the City Recorder of the City of Milwaukie be and he hereby is directed and ordered to cause notices of these proceedings and the public hearing to be had thereon to be published and posted as required by the provisions of Section 271.130 and 271.110 of the Oregon Revised Statutes.

Leonard B. Mullan
Mayor of the City of Milwaukie, Oregon

ATTEST:

R. E. Osborne
Recorder

Motion carried and so ordered.

Bids for the improvement, by curbs and sidewalks, of 29th street, Penzance Street, and 28th Street were opened and read as follows:

<u>Bidder</u>	29th St.	Penzance St.	28th St.	Total
Pelton Concrete Construction Co.	2,566.10	1,826.80	1,582.80	5,975.70
Pacific Concrete Co.	3,112.60	2,264.80	1,960.00	7,337.40
E. M. Peterson	4,014.50	2,895.55	2,194.14	9,104.19
Multnomah Road and Concrete	3,624.25	2,609.50	1,917.40	8,051.15
Zuber Bros.	3,016.00	2,161.60	1,692.88	6,870.48

It was moved by Klein and seconded by Mortensen that the bids be referred to the City Manager and Engineer for examination and that the contract be given to the lowest responsible bidder and that the Mayor be authorized to sign the contract. Motion carried and so ordered.

Ordinance Number 688 (Gloverland Annexation) was taken up and read for its first reading. It was moved by Klein and seconded by Mortensen that Ordinance No. 688 be passed to its second reading. Motion carried and so ordered.

Mayor Mullan called a special meeting to be held on October 21, for the purpose of a hearing on the annexation of territories in Robertson's Addition, Milwaukie Park, Birkemeier Addition and Milwaukie Heights Addition.

Ordinance Number 687 was taken up and read for its first reading. It was moved by Klein and seconded by Clay that Ordinance Number 687 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 687 AN ORDINANCE amending paragraph numbered 12 of subsection 3 of Section 16 of Part 3 of Ordinance Number 481, 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, Clay, Mortensen, Klein and Roberts. Nays: None. Ordinance Number 687 passed the Council and was so declared by the Mayor.

Ordinance Number 689 was taken up and read for its first reading. It was moved by Roberts and seconded by Clay that Ordinance Number 689 be passed

MEETING OF OCTOBER 14, 1957 Continued

to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 689 AN ORDINANCE declaring the assessment for the construction of sanitary sewers along Rio Vista Street, Franklin Street, Railroad Avenue and 46th Street, also for the construction of a lift station at Railroad Avenue, 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, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 689 passed the Council and was so declared by the Mayor.

Manager Burdick read a letter from Oregon State Pollution Authority, by W. J. Whitsell, Assistant Engineer, in which they stated that they had investigated the smoke and ash fall out at Coquille Valley Lumber Co. (formerly Milwaukie Plywood) and that the Coquille Company had re-hired their room engineer and they also planned to install natural gas for the firing, and he (Whitsell) was of the opinion, this would relieve the smoke and soot.

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

Acme Visible Records, Inc.	\$ 8.01
American Bitumuls & Asphalt Co.	14.28
J. M. Bernard's Garage	289.59
James J. Bond	1.25
Bowers, David & Hofman	920.00
Brookd Products Co.	30.00
Earl S. Burdick	20.00
Bureau of Water Works	63.75
Burroughs Corporation	180.00
Columbia Equipment Co.	38.75
County of Clackamas, Health Dept.	200.00
Edwards Manufacturing Co.	129.62
Daily Journal of Commerce	5.00
Feenaughty Machinery Co.	312.00
Milwaukie Volunteer Fire Dept.	178.00
General Petroleum Corp.	185.03
Island Sales & Service	24.80
Kilham Stationary & Printing Co.	29.92
Milwaukie Hardware Co.	17.30
M. & N. Sheet Metal Works, Inc.	32.80
L. D. McFarland Co.	.50
Milwaukie Automotive Service	29.17
Milwaukie Lumber Co.	60.87
Milwaukie Pharmacy	.75
Milwaukie Plumbing & Heating Co.	15.28
Milwaukie Review	243.10
Milwaukie Transfer & Fuel Co.	20.00
Mullan's Garage	116.74
Neptune Meter Co.	285.28
Northwest Industrial Laundry	4.08
Overall Laundry	8.30
Oregon Blue Print	45.00
Oregon City Printing & Stationery Co.	80.47
Pacific Telephone & Telegraph Co.	144.05
Peerless Pacific Co.	145.08
Pennsalt Chemicals	93.75
Portland General Electric Co.	1,037.60
Portland Road & Driveway Co.	416.00
H. T. Price	61.60
Dr. Thomas D. Remly	60.00
Reynolds & Reynolds Co.	46.30
Rose's Richfield Station	1.50
Traffic Safety Supply	103.86
Waterworks Supply	5,407.87
Western Drug Label	7.25
Zellerbach Paper Co.	12.60

Motion carried and so ordered.

On Motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Clerk