

MEETING OF FEBRUARY 14, 1955

COUNCIL CHAMBER

862nd MEETING

The eight hundred sixty-second regular meeting of the Council was held on the fourteenth day of February, 1955

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan, Councilmen Shook, Clay, Klein and Wright; Attorney Kirkpatrick and Recorder Martin. Absent: Manager Sperr.

The minutes of the eight hundred sixty-first regular meeting of the Council, held on the twenty-fourth day of January, 1955, were approved as Written.

Mr. R.W. Mersereau, representing Terminal Ice and Cold Storage Co. came before the Council and stated that his Company were interested in purchasing twelve and one third acres of land from Oregon Liquor Commission, in Kellogg Park, and south of the Oregon Liquor Commission's building. Mr. Mersereau stated that his Company were in the business of handling and storing frozen foods, that the food was packaged when it was received and was shipped out as packaged and therefore there would be no refuse of food or crates on the premises; that there would be no smoke, noise or odor, that the building would be concrete construction and one story high. There was considerable discussion about the set-back line for the building. It was suggested that a specified set-back from the access road be required, to line up with the Oregon Liquor Commission building. It was moved by Klein and seconded by Wright that the Council approve the sale of the land in Kellogg Park to Terminal Ice and Cold Storage Co. as presented, subject to the approval of the Council of the set-back of the building or buildings placed thereon. Motion carried and so ordered.

The Recorder announced that this was the time set for a hearing on the annexation of Lots 3 and 4 Block 11 Bonnie View Acres. The Mayor called for objections to such annexation. The Recorder read a letter from the Portland Suburban Water District, objecting to the annexation, stating that their water mains were under ground on the west side of 32nd Street past this property, and that if the city were to pave the street they would have difficulty getting to their water mains. It was pointed out to Mr. Staley, who was present, representing the District, that the entire width of the street was already in the city limits. Mr. Staley stated that the Water District would withdraw their objection if Lots 3 and 4 Block 11 Bonnie View Acres, would be taken in to the City, as they would then be relieved of serving water to the property. There was considerable discussion on the matter in which it was pointed out that if the property was not annexed it would be necessary to locate cesspools thereon and that the district already was suffering from lack of proper sanitary disposal facilities. It was moved by Shook and seconded by Klein that Lots 3 and 4 Block 11 Bonnie View Acres be annexed to the City of Milwaukie. Motion carried and so ordered.

It was moved by Wright and seconded by Shook that the west side of 32nd Street, along Lots 1,2,3,4, Block 11, Bonnie View Acres, be not paved until such time that said Lots 1 and 2 were annexed to the city. Motion carried and so ordered.

The Recorder announced that this was the time set for a hearing on the Vacation of a portion of Shindler Street, Kerr & Shindler Addn. The Mayor called for protests to the above mentioned vacation. There were no protests. It was moved by Klein and seconded by Wright that an ordinance be drawn declaring the vacation of a portion of Shindler Street known as 29th Street. Motion carried and so ordered.

The Recorder read a notice of Public Hearing on the matter of changing a street name in Arden Park. The Mayor called for protests to the changing of the street name. There were no protests. It was moved by Clay and seconded by Shook that an ordinance be drawn changing the name of Rockwood Drive in Arden Park to Arden Street and Rockwood Street. Motion carried and so ordered.

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Mr. Alfred Emele, representing Ardenwald Busses, appeared before the Council and presented a bus schedule and rates of fares, and requested that Ardenwald Busses be granted exclusive franchise to pick up and discharge passengers within the city limits of Milwaukie. It was moved by Shook and seconded by Wright that the Ardenwald Stages Inc. be granted exclusive franchise to pick up and discharge passengers within the City of Milwaukie, provided they file with the City Recorder their schedules of fares and routes, the franchise to be terminable at the pleasure of the Council. Motion carried and so ordered.

It was moved by Wright and seconded by Klein that the Inter-city Busses be routed through Milwaukie as follows: Oatfield Road to Lake Road; Lake Road to 21st Street; 21st Street to Jackson Street; Jackson Street to Mc.Loughlin Blvd. McLoughlin Blvd. to the north City Limit line. Motion carried and so ordered.

Brethern

Mr. W.G. Kensington, representing Evangelical United Church came before the Council and requested that they be permitted to install chimes in the belfry of the church they intend to build at 27th and Willard Streets. Mr. Kensington explained how the sounds could be controlled and the type of music which would be played for the broadcast. It was moved by Wright and seconded by Clay that the Evangelical United Brethern Church be permitted to install a public address system to reproduce carrillion music and chimes, in the belfry of their new church. Motion carried and so ordered.

The Recorder, on behalf of Mr. A. Peterson, made request that he be given a temporary permit to place a trailer house on the property at 2236 Washington Street. It was moved by Wright and seconded by Shook that Mr. A. Peterson be granted a temporary permit, to expire on February 28, 1955, to park a trailer at 2236 Washington Street. Motion carried and so ordered.

It was moved by Klein and seconded by Shook that the Recorder be permitted to accept a note in payment for the improvement of 31st Street by curbs and sidewalks, the minimum monthly payment to be \$10.00 and interest on unpaid balance and the maximum time for full payment of the note to be two years. Motion carried and so ordered.

It was moved by Shook and seconded by Wright that the following Resolution be adopted.

RESOLUTION NUMBER 1-1955

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE TO CONSTRUCT CURBS, SIDEWALKS AND DRIVEWAYS ALONG BOTH SIDES OF 34th STREET, BETWEEN ITS INTERSECTION WITH LAKE ROAD, AND ITS INTERSECTION WITH WASHINGTON STREET, WHERE NONE NOW EXISTS AND WHERE THEY DO EXIST BUT DO NOT CONFORM TO CITY STANDARDS AS TO ALIGNMENT, GRADE OR QUALITY.

WHEREAS, the Council of the City of Milwaukie deem it expedient and necessary to construct, repair and relay all curbs, sidewalks and driveways, where none now exists or where they do exist but do not conform to city standards as to alignment, grade or quality, along both sides of 34th Street, between its intersection with Washington Street and its intersection with Lake Road, and between the following termini:-

Beginning at the intersection of 34th Street with the southerly line of Washington Street; running thence southerly to the intersection of the said 34th Street with the northerly line of Lake Road.

AND WHEREAS, the Council of the City of Milwaukie 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, specifications and estimate in the office of the City Recorder,

BE IT THEREFORE RESOLVED, by the Council of the City of Milwaukie, that the above mentioned plans, specifications and estimates of the City Engineer now on file with the Recorder are found to be satisfactory and hereby are approved.

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

By the construction of certain curbs, sidewalks and driveways along both sides of 34th Street, along the following lines and termini:-

Beginning at the intersection of said 34th Street with the southerly line of Washington Street; running thence southerly along 34th Street to its intersection with the northerly line of Lake Road and to do all other things necessary in the construction of said curbs, sidewalks and driveways; 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.

Said curbs sidewalks and driveways to be constructed wherever none now exist or where the same exist but do not conform to the standards established by the City Engineer as to grade alignment or quality.

The Engineer's estimate of the probable cost of such improvement is the sum of \$11,725.05

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

Beginning at the northwest corner of Lot 3, Block 4, Quincy Addition to the Town of Milwaukie; thence southerly along the westerly line of said Lot 3 to the center line of Block 6, said Quincy Addition; thence southerly along the center line of said Block 6 and said center line extended southerly to the Northwest corner of Lot 11, Block 17, said Quincy Addition; thence southwesterly to the most northerly corner of Lot 7, Fernwood Addition; thence southwesterly in a straight line to the most westerly corner of Lot 12 Fernwood Addition; thence southeasterly along the southwesterly line of said Lot 12, and southwesterly line extended southeasterly to the southwesterly corner of Lot 1 Fernwood Addition; thence southeasterly along the southwesterly line of said Lot 1, 100 feet to a point; thence northeasterly and parallel with the easterly line of said 34th Street to a point on the northerly line of Lot 6 Fernwood Addition; thence northeasterly to the Southeast corner of Lot 12, Block 16, said Quincy Addition; thence northerly along the center line of said Block 16 and the northerly extension of said center line of said Block 16, to the northeast corner of Lot 7, Block 5, said Quincy Addition; which point is in the southerly line of Washington Street; thence northwesterly along the southerly line of Washington Street to the point of beginning.

That the City Engineer's estimate of the cost per each front foot for curbs where the same will be constructed is \$1.30; and that the City Engineer's estimate for the cost of each square foot of sidewalk, where the same will be constructed is \$0.35; and that the City Engineer's estimate for the cost per each square foot of driveway, where the same will be constructed is \$0.50

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

BE IT FURTHER RESOLVED, that written remonstrance against the proposed improvement may be filed with the Recorder on or before the 14th day of March, 1955.

BE IT FURTHER RESOLVED, that the Chief of Police of Milwaukie shall, within ten days from the adoption of this resolution, give notice of the adoption of this resolution by posting a notice headed with the title "NOTICE OF CURB, SIDEWALK AND DRIVEWAY CONSTRUCTION WORK" in three conspicuous places along said 34th Street; which notice shall contain a copy of this resolution, and shall specify the time within which a remonstrance against said proposed improvement may be filed with the Recorder; and that the Council will hear such remonstrance as may be filed on the 14th day of March 1955.

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 adoption.

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Adopted this 14th day of February, 1955

Signed: Leonard B. Mullan
Leonard B. Mullan, Mayor

ATTEST:

Ellen Martin
Ellen Martin, Recorder

Motion carried and so ordered.

Ordinance Number 609 was taken up and read in full for its first reading. It was moved by Wright and seconded by Shook that Ordinance Number 609 be passed to its second reading. Motion carried and so ordered.

A letter from Fire Chief Lillis, in which he stated that another Captain was necessary in the Fire Department, and recommended Mr. Jack Spencer for the position, was read. It was moved by Klein and seconded by Clay that Acting Manager Mullan be authorized to employ another Captain for the Fire Department. Motion carried and so ordered.

A petition, signed by twelve property owners in the vicinity, requesting that a street light be placed at 40th and Drake Streets was read. It was moved by Shook and seconded by Wright that a street lamp be installed at 40th and Drake Streets. Motion carried and so ordered.

Acting Manager Mullan brought to the attention of the Council that now the extra man on the Police Force would legally be allowed to earn up to \$100.00 per month and recommended that he be given work on Saturdays, which would enable the Police Department to control traffic along Main Street on that day, and that he be paid \$100.00 per month. It was moved by Shook and seconded by Klein that the Acting Manager's recommendation be accepted. Motion carried and so ordered.

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

Pacific Telephone & Telegraph Co.	.	.	\$ 98.00
Bureau of Water Works	.	.	65.37
Portland General Electric general & water	.	.	852.61
Larson's Auto Parts.	.	.	1.28
Pensylvania Salt Chemicals	.	.	35.00
Sheldahl & Misco, Gehoval Witness case (attorneys)	.	.	250.00
Traffic Safety Supply Co.	.	.	59.87
Milwaukie Volunteer Fire Dept.	.	.	68.00
Floyd Taylor Oil & Gas Co.	.	.	66.89
Roney's Inc.	.	.	22.60
Tidewater Associated	.	.	202.36
Manning Packing & Supply Co.	.	.	1.75
Pacific Water Works Supply Co.	.	.	10.32
Pump Pipe & Power Co.	.	.	30.05
Herman Goldberger Agency	.	.	82.95
Barde Steel Co.	.	.	4.84
Wilco Fire Equipment Co.	.	.	241.58
R.J.Wood Blacksmith Shop	.	.	14.25
Western Fire Equipment Co.	.	.	18.95
Clackamas County, maps	.	.	5.00
Pacific Stationary Co.	.	.	10.04
Western Auto Supply Co.	.	.	4.23
H.A-Dryer Co. Appraisers	.	.	600.00
Northwest Industrial Laundry	.	.	4.—
Randall Church, advanced for police car	.	.	.35
Milwaukie Hardware Co.	.	.	74.36
Sperr's Shell Service	.	.	34.50
Milwaukie Lumber Co.	.	.	21.50
Milwaukie Automotive Service	.	.	20.50
Columbia Equipment Co.	.	.	86.70
Mullan's Garage	.	.	160.90

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The Multnomah Fuel Co.	.	.	\$122.64
Milwaukie Automotive Service	,	.	3.50
Manning's Radio & Television	.	.	15.90
Chown Hardware	.	.	1.80
Oregon Textile Mills	.	.	150.90
Portland Road & Driveway	.	.	50.25
K.P.R.Co gravel	.	.	1.00
Milwaukie Review	.	.	22.63
Meier & Frank Co, 2 flags	.	.	14,700
Willamette Valley Service Station Supply	.	.	30.32
Elder Hardware	.	.	5.30
City of Oregon City	.	.	20.00
C.L. & Earl S. Marshall, survey in K.P.	.	.	185.00
Clackamas County, prisoner board	.	.	1.00
State Industrial Accident Commission	.	.	143.08
Remington Rand	.	.	1.75
Ray Grimshaw	.	.	24.06
Royal Tire Service	.	.	42.02
Ellen ^M artin Planning Commission	.	.	25.00

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin

Recorder.