

MEETING OF SEPTEMBER 12, 1955

COUNCIL CHAMBER

876th MEETING

The eight hundred seventy-sixth regular meeting of the Council was held on the twelvth day of September, 1955

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan, Councilman Clay, Shook and Klein; Manager Burdick, Attorney Sheldahl and Recorder Martin.

The minutes of the eight hundred seventy-fifth regular meeting of the Council, held on the twenty-second day of August, 1955, were approved as written.

The minutes of a special meeting of the Council, held on the thirty-first day of August, 1955, were approved as written.

The minutes of a special meeting of the Council, held on the first day of September, 1955, were approved as written.

Mr. M.C. Martin came before the Council with regard to the improvement necessary for the Council to accept streets for City maintenance. Mr. Martin stated that it was his understanding that when he put in curbs and rocked the street a depth of (8) eight inches by (20) twenty feet wide, that the Council would accept the street and maintain the same, and requested that if this was the policy of the City, that he be given a letter to this effect as he was intending to retire from active business and wished to leave such matters clear for his successor. Mayor Mullan stated that the Council had told Mr. Martin that the City would maintain the streets that were graded to city specifications and rocked twenty (20) feet wide and eight inches deep, with six inches of heavy rock and two inches of fine topping, and that he (Mullan) felt that the Manager should make written copies of the City's policy in this matter. Mr. Burdick stated that he felt that Mr. Martin, or any other contractor, making development in the City, should be furnished a written copy of the City's policy and requirements in street development.

Mr. Richard Groener came before the Council and stated that he had read in the newspaper, of a proposed Armory to be placed in Milwaukie Park, (formerly Kellogg Park) between E. and F. streets and from River Road easterly a distance of 500 feet. Mr. Groener urged the Council to go on record as objecting to this choice piece of industrial property being used for this purpose. Mr. Fred V. Schlaf, of Portland Traction Co. also requested the Council to protest this useage of this property. There was considerable discussion on the matter. It was moved by Klein and seconded by Shook that the following Resolution be adopted and that copies of the same be sent to Senators Wayne Morse and Richard Neuberger, and Representatives Edity Green, Sam Coon, Harris Ellsworth and Walter Norblad.

RESOLUTION NUMBER 5-1955.

WHEREAS the City of Milwaukie and its environs composes what is perhaps one of the fastest growing areas in the State of Oregon, from both an industrial and residential standpoint, and

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WHEREAS approximately one-third of the area within the corporate limits of the City of Milwaukie is presently owned by either the United States or the State of Oregon, with resulting loss to the city of tax revenues, and

WHEREAS that area formerly known as "Kellogg Park" and now known as "Milwaukie Industrial Park" has long been zoned exclusively for industrial uses and purposes by the City of Milwaukie, Oregon, and

WHEREAS the area known as Milwaukie Industrial Park is presently in great demand by industrial interests, and comprises the only available and desirable industrial sites within the City of Milwaukie, and its use for industrial purposes is utterly essential to the continued growth, welfare, development and prosperity of the City of Milwaukie and surrounding territory, and

WHEREAS the said area known as Milwaukie Industrial Park is adjacent to two main line railroads, and is ideally suited for industrial development because of its topography, its highway and water transportation facilities, and the availability to thousands of potential workers, and

WHEREAS the City Council of the City of Milwaukie has been made acutely aware of the fact that the General Service Administration of the United States has under consideration the allocation of a part of said Milwaukie Industrial Park to the Sixth Army for the location of an Armory thereon, and

WHEREAS the use of any land in the said Milwaukie Industrial Park area for other than industrial purposes would be violative of the zoning ordinances of the City of Milwaukie, and

WHEREAS the location of an Armory on land within said Milwaukie Industrial Park is economically unfeasible because of the value of the land in question and because of the burden and deprecations it would cast upon the City of Milwaukie and industrial development generally, and

WHEREAS there are many other sites in the general locality equally suitable and far less costly that are available to the Sixth Army for Armory purposes, and

WHEREAS the retention and "freezing" of the land owned by the United States within the said Milwaukie Industrial Park has for a long time blocked and defeated industrial development within the City of Milwaukie, and its continued retention will cause irreparable damage to the welfare of the City of Milwaukie and surrounding communities, and deprive thousands of people of needed employment, now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON:

1. That the City Council of the City of Milwaukie, by reason of the foregoing, hereby enters its vigorous protest to the use of any part of the lands owned by the United States within the area formerly known as Kellogg Park, and now known as Milwaukie Industrial Park, for Armory or any other military or governmental purposes.

2. That the City Council of the City of Milwaukie, Oregon, hereby respectfully asserts to the General Service Administration the immediate and compelling necessity of making the federally owned lands within the area formerly known as Kellogg Park, and now known as Milwaukie Industrial Park available for purchase by industrial interests in the manner provided by law.

BE IT FURTHER RESOLVED that copies of this resolution be placed in the hands of the Governor of the State of Oregon, the congressional delegates of the State of Oregon, and other interested federal and defense agencies to the end that they may be induced to take all required steps and procedures to make the federally owned land within the area comprising Milwaukie Industrial Park immediately available through purchase to industrial interests for industrial development.

ATTEST:

Ellen Mauter
Recorder

Leonard B. Mullan
Leonard B. Mullan, Mayor

DATED SEPTEMBER 12, 1955

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The Recorder announced that this was the time set for the continued hearing on the 34th Street (Quincy Addition) improvement by curbs, sidewalks and driveways.

Manager Burdick stated that he had made investigation of the work, that he had contacted the Contractors, Cushing Bros. and that they were to be in Milwaukie on September 15 for consultation.

Manager Burdick's report was as follows:

"I have investigated the complaints voiced by the residents along 34th Street and several on 30th Street, who protest the quality and workmanship of the cement sidewalks and curbs.

I, personally, took two assistants and investigated the thickness of the driveways. The thickness of the driveways measured on the edge along the property side, varied as follows:

At house number	1936	34th Street	4	inches
" "	"	2000	"	"
" "	"	2136	"	"
" "	"	3405	"	"
" "	"	1935	"	"
" "	"	1815	"	"
" "	"	1836	"	"

The specifications call for a thickness of not less than 5 inches.

I employed Mr. Fred O. Roberts who, with one of our employees, examined the sidewalks as to thickness;

August 26, 1955

Mr. Earl Burdick, City Manager
Milwaukie, Oregon.

Dear Sir:

The following is a report of what was found after drilling test holes for thickness of the concrete sidewalks on 34th Street on above date, as per your request.

1. We drilled two holes through sidewalk in front of Mr. Doupe's property. One hole showed the concrete to be 3 5/8 inches thick. The house number is 1956
2. We drilled one hole in the sidewalk in front of Mr. Michel's house No. 1946, and found the concrete to be 2" thick
3. We drilled one hole through the sidewalk in front of the house at No. 1936 and found the concrete to be 2 3/4 inches thick.

We picked spots to drill test holes where we found the most check marks or cracks.

Time spent on doing above work was 6 hours.

Yours truly,

(Signed) Fred O. Roberts

After examining the report I have come to the belief that the testimony given before the Council, to-wit: The workmen did shovel soft earth into the center of the walk ahead of the pouring of the concrete in such a manner as to reduce the thickness of the sidewalk to the dimensions indicated in the above report of Mr. Fred Roberts.

The walk is deteriorating and comes far below the standard required in the specifications

It is plainly stated and shown in the specifications that sidewalk is to be 4 inches thick, which they are not.

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I therefore recommend the Contractor be required to remove the sidewalks and driveways and replace same in its entirety, excluding the curbs."

The Council voiced their approval of Mr. Burdick's recommendation.

Mr. David Johnson, acting as spokesman for a group of citizens owning property along 35th Street, made inquiry as to if or not there was truth in the rumor that curbs and sidewalks were going to be laid along 35th Street from Washington Street to Lake Road. They were advised that there were no present plans for such improvement.

Mr. Leo Butler, Municipal Judge, came before the Council and stated that he was contemplating a change in his other work, (from County Constable to a city Police Officer in another Clackamas County City) and wished to know how the Council felt in the matter of his continuing to act as Municipal Judge during his time off from duty with the other city. The Council members voiced their satisfaction of services already rendered and stated they had no objection to his making a change in his other employment.

Ordinance Number 621 AN ORDINANCE authorizing the City of Milwaukie, Oregon to sell and convey by good and sufficient deed to Northwest Investment Company, a tract of land now owned by it and situated in the Wm. Meek D.L.C., containing .211 acres more or less, 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, Shook and Klein. Nays: None. Ordinance Number 621 passed the Council and was so declared by the Mayor.

Ordinance Number 622, AN ORDINANCE amending Section 4 of Ordinance Number 139, as amended by Section 1 of Ordinance Number 479, and fixing the charge to be made for service connections, 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, Shook, Clay and Klein. Nays: None. Ordinance Number 622 passed the Council and was so declared by the Mayor.

A letter, from Mrs. Donna Van Auken, 1446 21st Street, was read. Mrs. Van Auken called attention to condition of 21st Street between Washington St. and Lake Road, and inquired as to how the residents should proceed to get curb and sidewalk improvement. The matter was referred to Manager Burdick.

A letter, with regard to additional easement agreement with Pendleton Woolen Mills, similar to the agreement already made with them for covering intercepting and outfall lines to the Sewage Disposal Plant, signed by Wm. F. Lubersky, was read. Mr. Lubersky will attend the Council meeting on September 26.

Mayor Mullan announced that all members of the Council and the City officers were invited to attend the dedication service of the Portland State College.

Manager Burdick reported as follows:

The foot bridge across Kellogg Lake is closed but to date no one has offered to demolish it.

Myrtle Street pipe line is in and the street is rocked.

Patching on various streets throughout the City is in process and will soon be completed.

Manager Burdick reported that Dr. Harrison would like to purchase a strip of land paralleling his present property in Milwaukie Industrial Park. The Council felt it would be unwise to lessen the size of the property still owned by the City, in Milwaukie Industrial Park and adjacent to that owned by Dr. Harrison.

Manager Burdick reported that Mrs. Harrison had asked for approval of the planting of trees at her expense, along the north boundary of the Buffer Park Strip, north of Streib's First Addition. The Council felt that in as much as Northwest Investment Co. were presently active there, clearing their land and making fill, it would be best not to do planting at this time.

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Manager Burdick reported that Main Street Extension in Milwaukie Industrial Park, had been filled from Harvester Drive, southerly as far as fill could be made at this time. Mr. Burdick stated that Frank Lyons Co. had moved 8200 cu.yds. of earth @ 35¢ per cu. yd. to make the fill and called attention to Mr. Lyon's bill of \$2870.00 which was listed with the bills for approval at this meeting.

Manager Burdick reported that he had contacted the proper authority from the State Highway Department with regard to the timing of the traffic lights at McLoughlin Blvd. and Monroe Street. No change of timing has been made as the cost to do so was excessively high.

Attorney Sheldahl reported that the case of Jehovah's Witnesses vs. the City of Milwaukie had been set up to November 15.

The following letter was read.

Earl S. Burdick, City Manager
Milwaukie, Oregon

Dear Mr. Burdick:

This is to confirm that we have an understanding that Irwin S. Adams and I have agreed each to sell to Milwaukie for a total of \$6,000.00 our respective strips of 100 x 40 feet and 50 x 40 feet and that Milwaukie has agreed to buy the same. Said property is to be used for street purposes, being a northerly extension of Main Street.

You may enter upon the property pending issuance of deeds for street construction purposes.

It is understood that the exchange of deeds and funds will take place with reasonable dispatch.

Milwaukie agrees that reasonable provision for proper ingress is satisfactory to my brother and I. Same to be in accordance with my telephone conversation with you today.

Very truly yours,

(Signed) William B. Adams

(Signed) Irwin S. Adams

It was moved by Clay and seconded by Shook that Messrs Irwin S. Adams and William B. Adams be paid the sum of Six thousand (\$6,000.00) Dollars for their property necessary to extend Main Street to the north, upon delivery by them, to the City of good and sufficient deeds for same. Motion carried and so ordered.

The Police Chief's monthly report was read and ordered filed.

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.

Pacific Telephone and Telegraph Co.	.	.	\$150.50
Portland General Electric	.	.	971.35
Olson's 5 & 10, Election supplies	.	.	.58
Waterworks Supplies	.	.	115.92
Royal Tire Service	.	.	3.60
Nudelman Bros.	.	.	24.50
Earl's Tire Co.	.	.	41.01
Milwaukie Lumber Co.	.	.	26.00
Consolidated Supply Co.	.	.	99.36
Neptune Meter Co.	.	.	314.64
Sperr's Shell Service.	.	.	23.50
The J.K.Gill Co, File for Police Dept	.	.	7.15

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Norris Walker Paint Co.	28.50
Zellerbach Paper Co.	11.00
A.W.Meyers, Clackamas County maps	9.00
Crawford Door Sales Co. Doors for fire dept.	400.00
The Perry Pharmacy.	17.54
Western Drug Label Co.	66.00
Traffic Safety Supply Co.	11.99
Addressograph Multigraph	1.56
Northwest Industrial Laundry	5.00
Milwaukie Volunteer Fire Dept	112.00
Tidewater Associated, gasoline	247.95
Reddaway's Truck Line	4.76
Secretary of State, registration look-ups	11.60
City of Oregon City radio service	20.00
Bureau of Water Works, 2 stand-by	127.50
Southern Pacific Co. rent of land, store house	1.00
Fred O. Roberts, testing sidewalk depth	12.00
Warren Nott, repair of window	2.40
Price Rite Grocery, soap	.75
Larson's Auto Parts,	2.40
Clackamas County, maps	10.00
Milwaukie Review	15.00
J.M.Bernard's Garage	.75
Fairbanks Morse Co.	1.65
American Brush Co.	3.75
R.Derwey, repairs to pipe finder	1.50
Kilham Stationary & Printing	11.85
M.& N Sheet Metal Works	
McCready Lumber Co.	.44
Main Street Variety Store	.95
West Disinfecting Co.	12.40
Kimmel's Home Town Hardware	1.26
Frank Lyons & Co. Clearing for Main Street Ex.	561.92
Frank Lyons & Co. Moving dirt for Main St Ex.fill	2870.00
Mullan's Garage	20.00
Milwaukie Automotive Service	25.40
H.Kleinendorst, ditching	114.90
Milwaukie Hardware	9.52
Remington Rand	24.00
Portland Road & Driveway, gravel	137.75
Portland Road & Driveway, misc improvements	1808.09
Earl Burdick, advances for gasoline expenses.	20.00
County Clerk, recording, election, annexation	1.50
Pacific Water Works Supplies	2982.18
State Industrial Accident Commission	175.90
Richard Groener, law books	50.00

Motion carried and so ordered.

Upon motion duly made and carried the meeting adjourned.

Ellen Martin
Recorder.