

Oregon City, Oregon, June 1, 1927

The City Commission of Oregon City, Oregon met in Regular Monthly session on the above date in the office of the City Manager in the Municipal Building at the hour of Two o'clock P. M. with Mayor Pace in the Chair,

Roll Call showed the following present: Pace, Caufield and Farr, commissioners and City Manager Franzen.

The minutes of the previous meeting were read and approved.

Ordinance No. 1151 was read second time and ordered placed on its final passage.

Ayes, Pace, Caufield and Farr. Noes, none.

Ordinance No. 1153 was read second time and ordered placed on its final passage.

Ayes, Pace, Caufield and Farr. Noes, none.

Resolution and Notice to change the grade of John Adams Street, from Ninth St. to Tenth St. was adopted.

RESOLUTION

Resolution and Notice of intention to change the grade of John Adams Street from the north side of Ninth Street to the north side of Tenth Street.

Be It Resolved by the City Commission of Oregon City that the grade of John Adams Street from the north side of Ninth Street to the north side of Tenth Street in Oregon City be changed to read as follows:

Beginning at the north side of Ninth Street and on the west side of John Adams Street at an elevation of 220.4 feet; thence on a vertical curve 274 feet long having a middle ordinate of 1.8 feet and an elevation at the central point of 221.0 to the south side of Tenth Street an elevation of 218.0 and beginning on the north side of Ninth Street on the east side of John Adams Street at elevation of 222.6; thence on a vertical curve 274 feet long with a middle ordinate of 2.0 feet and an elevation at the central point of 222.6 to the south side of Tenth Street at an elevation of 218.0; thence across Tenth Street to an elevation of 216.0 on the easterly and westerly sides of John Adams Street.

Passed at a regular meeting of the City Commission held on the 1st day of June, 1927.

HUGO WESTPHAL, City Recorder.

A communication was read from the Falls Transfer Co. asking for a "NO PARKING" space on Sixth Street. On motion they were allowed a space of 25 feet.

Deeds were received from the Beuna Vista Civic Club for the Atkinson Park and on motion were duly accepted and the Recorder was instructed to file the same and to write a letter of acceptance to the Club.

There being no objections to the acceptance of the improvement of the Alley in Block 22 the same was accepted on motion.

A communication was read from T. L. Charman in which Mr. Charman stated that in making arrangements for the payment of the liens for the improvement of Monroe Street that certain other liens were to be canceled, and that the sum of \$14.40 had been omitted at that time. On motion the Recorder was instructed to cancel the lien of \$14.40 on Lot 5, Block 144.

Ordinance No. 1154, an ordinance granting to the Portland Electric Power Company, its successors and assigns, the

right to construct, maintain and operate street railway tracks upon certain streets in Oregon City, Oregon, and confirming, ratifying and approving the location, construction and maintenance of the railway tracks of the Grantee as presently located upon the streets of Oregon City, Oregon, and declaring an emergency, was read first time and ordered published.

ORDINANCE NO. 1154

An ordinance granting to the Portland Electric Power Company, its successors and assigns, the right to construct, maintain and operate street railway tracks upon certain streets in Oregon City, Oregon, and confirming, ratifying and approving the location, construction and maintenance of the railway tracks of the Grantee as Presently located upon the streets of Oregon City, Oregon, and declaring an emergency.

OREGON CITY DOES ORDAIN AS FOLLOWS:

Section 1. That there is hereby granted, subject to the terms and conditions hereof, to the Portland Electric Power Company a corporation of Oregon, and to its successors and assigns, which said Company and/or its successors and assigns are herein described as "the Grantee", the franchise, right and privilege to lay down, re-lay, construct re-construct, move, remove, locate re-locate, acquire, lease, repair, maintain, equip, operate, have, hold, use and enjoy a single or double track line of railway with overhead and underground equipment and all reasonable and convenient appurtenances except between Fifth Street and Twelfth Street, on Main Street where only a single track shall be permitted, and to run and operate cars and carry passengers and freight, mail, baggage, and express matter thereon, in, over, along and upon certain streets in said City, to-wit:

Upon Third Street from Main Street to the Willamette River; upon Fourth Street from Main Street to the Willamette river ; upon Main Street from a point which is 399 feet southerly along the center line of Main Street from a monument at the intersection of the center line of Main Street with the center line of Third Street, Northerly along Main Street to the City Boundary,

for a term of twenty-five (25) years from the date of the final passage of this ordinance.

Section 2. The said tracks shall be located as near as practicable in the center of the street and in laying out connecting curves the said tracks shall be laid on such curves and such alignments as to provide for the safe and convenient operation of cars thereover.

The said tracks shall be flush with the grade of said streets as the same may be improved, and shall offer as little obstruction as practicable to the passage of vehicles, or other public use of said streets.

The Grantee will maintain the surface pavement of the streets, upon which said tracks may be located, between the tracks and for one (1) foot outside of the outermost rails of said tracks, in a manner as may be directed by the Commission of said City; if, at any time during the term of this franchise, the City should improve or reconstruct the pavement upon, or change the grade of the streets whereon said tracks may be located, then the Grantee will, without expense to the City, and in a manner satisfactory to the Commission of said City re-pave or re-surface or re-grade that portion of said streets between the tracks thereof and within one (1) foot outside of the outermost rails of said tracks, to conform to the improvement of the remainder of said street.

Section 3. The Grantee will provide such passenger service upon and over said tracks as may be required by the Public Service Commission of the State of Oregon.

Section 4. The Portland Electric Power Company shall have the right to operate sufficient trains to carry all freight and express matter which may be presented for shipment over Main Street in Oregon City, provided, however, that the Railway Company, its successors and assigns, shall so arrange the schedule for freight service as to transport all that is practicable of such freight and express matter over its track in Main Street in Oregon City between the hours of ten o'clock p.m. on one day and six o'clock a.m. on the succeeding day; provided that after said night service has been furnished said Railway Company, its successors and assigns, shall be allowed to operate two trains of not more than 20 cars each, each way for the transportation of such excess freight and express matter over said track on Main Street in the daytime, one of such trains between the hours of six o'clock . . . a.m. and one o'clock p.m. of each day, and the other between the hours of one o'clock p.m. and ten o'clock p.m. on each day; the operation of such trains to be in such manner as will least obstruct and interfere with vehicular and other traffic on said Main Street and at the same time adequately serve the industries requiring such freight and express matter for their continued operation. Provided that the Grantee shall not be permitted to load or unload freight and express matter on Main Street between Fifth and Fourteenth Streets:

Section 5. The Grantee may charge and collect for the carriage of passengers and/or freight over said railway, such just, fair and reasonable fares and rates as may be established from time to time by the Public Service Commission of the State of Oregon.

Section 6. The Grantee is also hereby granted, for a term of twenty-five (25) years from the date of the final passage of this Ordinance the right and privilege, subject to the same general terms and conditions hereinbefore expressed, to construct maintain, operate and remove, at its option, railway tracks and overhead and underground equipment necessary or convenient to the operation of trains upon said tracks, on Main Street from a point 399 feet South of the intersection of Third and Main Streets to the Southerly limits of said City. In the construction and maintenance of the sub-structures, supporting the said railway tracks and the adjacent street surfaces, the Grantee shall be under no obligation to maintain more of said sub-structures than may be necessary to support said tracks and the street between said tracks and for a space of one (1) foot outside of the outermost rails of said tracks. It is expressly understood that the enjoyment, in whole or in part, of the rights and privileges granted under this section are optional with the Grantee and that the exercise or failure to exercise the privileges granted in this section, shall not affect the right of the Grantee to exercise the privileges granted under Section 1 of this Ordinance; In case the Grantee shall abandon all or any part of its railway operations for which an optional franchise is granted by this section, it will remove the rails, overhead and underground equipment and appurtenances of that part of its tracks which may be abandoned, and will repair and/or repave that portion of the street which it may have been compelled to maintain under the general terms of this franchise, to conform to the surface condition of the adjacent street surfaces.

Section 7. The City Commission estimates that a fair and reasonable compensation and/or license fee for the privileges granted hereunder is the sum of Six Hundred and Fifty (\$650.00) Dollars per year, which the Grantee will pay to the City in quarterly installments in advance, payable on the first day of January, April, July and October of each year, the first payment to be made on the first of the above dates succeeding the date of the acceptance by the Grantee of the terms and conditions of this Ordinance. Provided, however, that any payments by the Grantee for the year 1927 under the Ordinances described in Section 9 hereof and superseded by this Ordinance, shall be credited upon the compensation and/or license fee due hereunder for the year 1927.

Section 8. The location and construction of the tracks, overhead and underground facilities, equipment and appurtenances of the said Grantee as now located in the streets of said City, are hereby confirmed, ratified and approved as being in accordance with the terms and conditions hereof.

Section 9. Ordinance No. 241 effective August 17, 1899, Ordinance No. 139, effective July 11, 1892, and Ordinance No. 918,

effective June 23, 1922, being the franchise ordinances under which the Grantee has heretofore located and operated its railway tracks in Oregon City, shall be repealed upon acceptance by the Grantee of the terms and conditions of this Ordinance as hereinafter provided; it is the understanding that said Ordinance shall be, upon such acceptance by the Grantee, superseded by the passage of this Ordinance, which shall thereafter contain the sole franchise provisions governing the construction, maintenance and operation of said railway tracks in said City.

Section 10. The Grantee shall, within thirty (30) days after the final passage of this Ordinance, file in the office of the City Recorder of Oregon City an unqualified written acceptance of the franchises, rights and privileges by this Ordinance granted to it, and the failure of the Grantee to file such written acceptance, within said period of time, shall be held to be an abandonment and rejection of all the franchises, rights, and privileges granted by this Ordinance, and this Ordinance shall thereupon be null and void.

Section 11. The construction, maintenance and operation of said railway tracks are necessary for the immediate preservation of the public health, peace and safety of the City of Oregon City; wherefore an emergency is hereby declared to exist and this Ordinance shall be in force and effect from and after its passage by the City Commission and approval by the Mayor.

Read first time at a Regular meeting of the City Commission held on the 1st day of June, 1927, and ordered published, and to come up for second reading and final passage at a Special meeting to be held on the 13th day of June, 1927, at the hour of one o'clock p.m.

HUGO WESTPHAL, City Recorder.

There being no further business, the meeting adjourned.

Hugo Westphal
City Recorder.

Oregon City, Ore., June 3rd, 1927

-Special Meeting-

The City Commission of Oregon City, Oregon met in special session on the above date in the office of the City Manager in the Municipal Building at the hour of one o'clock p.m. with Mayor Pace in the Chair.

Roll Call showed the following present: Pace, Caufield and Farr, commissioners, City Manager Franzen, City Attorney Schuebel and City Engineer Stafford.

The minutes of the previous meeting were read and approved.

The report of the Treasurer was read and on motion ordered filed.

The Report of the Chairman of Finance was read and on motion the bills shown therein were ordered paid.

Ayes, Pace, Caufield and Farr. Noes, none.

C. J. Ham	Auditor	25.00
H. J. Bigger	Parks	50.00
I. A. Warren	Police Chief	160.00
C. A. Blodgett	Night officer	135.00