

SPECIAL MEETING OF OCTOBER 21, 1963

A special meeting of the Council of the City of Milwaukie, was held on the twenty-first day of October, 1963, for the purpose of a hearing on the question of cutting a curb and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Joseph M. Bernard.


Present: Mayor Joseph M. Bernard, Jr.; Councilmen Walter Freeman, Charles Renard, Robert Richmond, and Theron Sedgwick, and City Manager Max Thompson. Absent: Attorney John O. Sheldahl and Clerk Ellen Martin.

Mr. George Van Buren, Attorney, representing Regal Service Stations, came before the Council with regard to the cutting of the curb along the east side of McLoughlin Blvd., and the south side of Jefferson Street to give access to a service station to be built on the property at this corner. It was moved by Renard and seconded by Richmond that they be permitted to cut the curbs as requested. Motion carried and so ordered.

A request for recommendation of renewal of a liquor license for Mac's Pit was laid before the Council by Milwaukie Management Co., It was moved by Sedgwick and seconded by Richmond that the Council recommend the renewal for a "Dispenser's Class A (D.A.) license for Mac's Pit. Motion carried and so ordered.

It was moved by Sedgwick and seconded by Richmond that the Council authorize City Manager Thompson to employ Mr. Ronald Fessler as draftsman for the City. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.


Max Thompson, Acting Clerk.

SPECIAL MEETING OF OCTOBER 28, 1963

A special meeting of the Council of the City of Milwaukie was held, for the purpose of hearings on the Waverly Heights trunk line sewer, the Adams Street Storm Sewer and such other business necessary to come before the Council at this time, on the twenty-eight day of October, 1963.

The meeting was called to order by Mayor Joseph M. Bernard, Jr.

Present: Mayor Joseph M. Bernard, Jr.; Councilmen Charles Renard, Robert Richmond and Walter Freeman; City Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin. Absent: Councilman Theron Sedgwick.

Applications for recommendations of renewal of liquor licenses were laid before the Council as follows:

SCOTTY'S MARKET; Bernice M. Scott & Thelma G. Willoughby; Package Store Class B. (PB)

VIC'S TAVERN; Chester Victor Crispin; Retail Malt Beverage Class A. (RMBA) and Package Store Class B (PB)

"SPEED'S"; Herman W. & Evelyn L. Suelsen; Class A Dispenser's (DA)

It was moved by Richmond and seconded by Freeman that the recommendations as requested be granted. Motion carried and so ordered.

A bill in the amount of \$26.00 for appellants filing fee in the case of Heining VS. City of Milwaukie, was presented to the Council. It was moved by Freeman and seconded by Richmond that the \$26.00 be paid. Motion carried and so ordered.

Manager Thompson reported that he had interviewed applicants for the position of draftsman for the City and recommended that Mr. Donald Nash be employed. It was moved by Richmond and seconded by Freeman that Mr. Thompson be authorized to hire Mr. Nash as Draftsman for the City. Motion carried and so ordered.

Manager Thompson reported that he had had an offer for the sale of the "Buffer Strip Park" north of Streib's Addition, and requested that the matter be investigated. The Mayor appointed Mr. Thompson and Councilman Walter Freeman to make investigation of the status of the park and report at the next meeting of the Council.

The Mayor opened the hearing on the matter of a proposed church building (Open Bible Church) being placed on Lot 4, Block 1, Appleby Acres.

Mr. James Byrd, Attorney for the applicants, laid before the Council the plans and plot plan for the church, showing off street parking for 26 cars with space which could provide four or five more parking spaces. He also presented a letter from Ethel Cooper, owner of the adjacent property to the north, stating that she would be willing to sell her property to the church. Reverend Dye, the minister reported that at present the membership averaged approximately seven cars to be parked on Sunday and that they would hold one midweek meeting, also that they now operate one Sunday School bus. He explained that later when they purchased the Cooper property, the cars would have ingress and egress from Wake Street.

A petition, signed by twenty-three residents along Filbert Street and Wake Street, and one resident at Olson Street favoring this location for the Church, was presented. Ten letters protesting the use of the property for a church building, written by property owners along Filbert Street, were read. The main objection being that the Street was too narrow for the increase in traffic the church would bring, causing congestion as a result of cars being parked along the shoulder of the improved portion of the street.

The Mayor declared the hearing closed. The Council referred the question to Attorney Sheldahl who enlightened them of the decision of the U. S. Supreme Court in the case of Jehovah's Witness Church, (who had been denied a permit to build a church on a 50 x 100 foot lot) VS: the City of Milwaukie, on conditions where there would be inadequate off street parking. It was moved by Renard and seconded by Richmond that the permit to build a church on Lot 14, Block 1, Appleby Acres be denied. Motion carried and so ordered.

The Mayor opened the hearing on the Trunk Line Sanitary Sewer for Waverly Heights and called for any objection to the same. Owners of the following properties made objection to being assessed for this trunk line on the grounds that their properties were eligable to connect to the trunk line installed by the United States (Kellogg Park trunk line) for which they gave an easement through their roadway (private road- Riverway Lane)

Mr. F. S. Wood,	Tax Lot 244,	Lot Whitcomb D.L.C.
Mr. H. Wease	Tax Lot 243,	" " "
Mr. L. C. Meyers	Tax Lot 241,	" " "
Mr. Ralph Klein	Tax Lot 245,	" " "

It was moved by Freeman and seconded by Richmond that these properties be taken out of the Assessment district. Motion carried and so ordered. There was no objection from other owners of properties in the District and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 991 was taken up and read for its first reading. It was moved by Freeman and seconded by Richmond that Ordinance Number 991 be passed to its second reading. Motion carried and so ordered.

The Mayor opened the hearing on the proposed Storm Sewer in Adams Street in Duerst's Addition and called for objection to the same. There was no person present who objected and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 992 was taken up and read for its first reading. It was moved by Richmond and seconded by Freeman that Ordinance Number 992 be passed to its second reading. Motion carried and so ordered.

Mr. Carl Reinke, from Stevens & Thompson, explained to the Council that negotiations were proceeding for the advance finances for Public Works, for a study of the Water System to determine present and future needs for distribution, storage and supply, and stated that an application should be filed with the United States for such advance finances. It was moved by Renard and seconded by Richmond that the following Resolution be adopted.

RESOLUTION NUMBER 34-1963

AUTHORIZING FILING OF APPLICATION WITH THE UNITED STATES OF AMERICA FOR AN ADVANCE TO PROVIDE FOR THE PLANNING OF PUBLIC WORKS UNDER THE TERMS OF PUBLIC LAW 560, 83RD CONGRESS OF THE UNITED STATES, AS AMENDED.

WHEREAS, the City of Milwaukie, Oregon (herein called the applicant) after thorough consideration of the various aspects of the problem and study of available data has hereby determined that the construction of certain public works, generally described as Water System Improvements, is desirable and in the public interest and to that end it is necessary that action preliminary to the construction of said works be taken immediately; and

WHEREAS, under the terms of Public Law 560, 83rd Congress, as amended, the United States of America has authorized the making of advances to public bodies to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications, or other action preliminary to and in preparation for the construction of public works; and

WHEREAS, the applicant has examined and duly considered such act and the applicant considers it to be in the public interest and to its benefit to file an application under said act and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the City Council, the governing body of said applicant as follows:

1. That the construction of said public works is essential to and is to be the best interests of the applicant, and to the end that such public works may be provided as promptly as practicable it is desirable that action preliminary to the construction thereof be undertaken immediately;

2. That Max Thompson, City Manager be hereby authorized to file in behalf of the applicant an application (in form required by the United States and in conformity with said act) for an advance to be made by the United States to the applicant to aid in defraying the cost of plan preparation for the above described public works, which shall consist generally of preliminary planning.

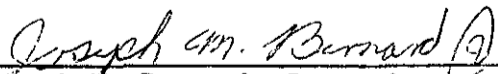
3. That if such advance be made, the applicant shall provide or make necessary arrangements to provide such funds, in addition to the advance, as may be required to defray the cost of the plan preparation of such public works;

4. The said Max Thompson, City Manager, is hereby authorized to furnish such information and take such action as may be necessary to enable the applicant to qualify for the advance;

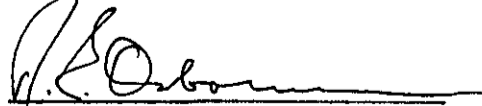
5. That the officer designated in the preceding paragraph is hereby designated as the authorized representative of the applicant for the purpose of furnishing to the United States such information, data, and documents pertaining to the application for an advance as may be required; and otherwise to act as the authorized representative of the applicant in connection with this application.

That certified copies of this resolution be included as part of the application for an advance to be submitted to the United States.

Adopted this 28th day of October, 1963.



Joseph M. Bernard, Jr., Mayor.

ATTEST:


R.E. Osborne, Recorder.

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.


Ellen Martin, Clerk.