

SPECIAL MEETING OF SEPTEMBER 8, 1964

A special meeting of the Council of Milwaukie was held on the eighth day of September, 1964, for the purpose of a hearing on a building permit and reviewing Ordinance No. 1008, which changed the zone from Zone 3-R-1 to Zone 3-R-2 Special on Tract 29, except the southeast 66 x 180 feet, Gibson's Subdividison of the Logus Tracts.


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

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

The matter of the zone change to zone 3-R-2 Special, on Lot 29, except the southeast 66 x 180 feet, was discussed and reviewed. Attorney Sheldahl advised that in his opinion all requirements for changing of zone as set forth in Ordinance No. 481 had been complied with.

Mr. Dave Beeson had applied for a building permit to place a multiple family dwelling on the property. Mr. Beeson had agreed to give a fifty foot street off the north end of the tract the street to intersect with White Lake Road. The plans and plot plan showed that the building conformed to the building code and the required set-backs. A letter from the County Health Department confirmed their approval of the septic tanks and drainage system to be installed and the Council could find no reason why a permit to build a six-family dwelling on the property should be denied. The question was "Does the Council have the authority to refuse or deny a building permit for a multiple dwelling under these conditions. Those who stated that in their opinion the Council not refuse a building permit were Councilmen Freeman, Renard, Richmond and Mayor Joseph M. Bernard, Jr. Councilman Sedgwick was of the opinion that the Council should refuse the permit.

After discussion and upon motion being made and carried the meeting adjourned.


Max Thompson, Acting Clerk.

MEETING OF SEPTEMBER 14, 1964

COUNCIL CHAMBER

998th MEETING

The nine hundred ninety-eighth regular meeting of the Council of the City of Milwaukie was held on the forteenth day of September, 1964.

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

The invociation was given by Father C. Brennen from St. John Catholic Church.

Those present were Mayor Joseph M. Bernard, Jr.; Councilmen Walter Freeman, Charles Renard, Theron Sedgwick, and Robert Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl, Fire Chief Wickam and Clerk Ellen Martin.

The minutes of the nine hundred ninety-seventh regular meeting of the Council, held on the tenth day of August, 1964, were approved as written.

The minutes of a special meeting of the Council, held on the thirty-first day of August, 1964, were approved as written.

Mayor Bernard read a letter from Fire Chief Wickam in which the Milwaukie Fire Department pledged to make this community as fire safe as possible. Mayor Bernard then made the following Proclamation.

FIRE PREVENTION WEEK PROCLAMATION 1964

WHEREAS, Fire killed 11,800 Americans last year, over half of them in their own homes, and over 4,000 were children, and

WHEREAS, Fire destroyed over \$1.75 billion worth of property in the same period, and

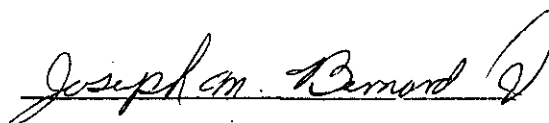
WHEREAS, Most of this needless loss of lives and property is avoidable if every one would assume personal responsibility for observing the rules of fire safety in the home and on the job, and

WHEREAS, The Fire Chief of the City of Milwaukie, Oregon has recommended a yearly continuous fire prevention program for the City of Milwaukie,

NOW THEREFORE, I JOSEPH M. BERNARD, JR. Mayor of the City of Milwaukie do hereby proclaim the Week of OCTOBER 4, to OCTOBER 10, as Fire Prevention Week in Milwaukie and the launching of an accelerated Fire Prevention Program.

MAYOR

JOSEPH M. BERNARD, JR.



SEPTEMBER 14, 1964.

Fire Chief Wickam reported that Captain Jerry Carpenter had been appointed Fire Marshall and introduced newly appointed firemen as follows:

Vernie McConoughy	Robert Bartley	Mario Ferrante
Smith French III	Marvin Allen	Dennis Fleck
Marvin Lines		

The proposed Charter Amendment ballot title, relating to Civil Service, to be put on the ballot of election on November 3, 1964, was read. A letter from R. E. Osborne, City Recorder, showing that the initiative petition, demanding this measure be voted upon, had sufficient qualified signers, was read. It was moved by Freeman and seconded by Sedgwick that the proposed Charter Amendment Ballot Title be approved. Motion carried and so ordered.

The Clerk reported that the County records show that 10th Street in Milwaukie Heights had been vacated August 31, 1923 and that it was now being used as a public way and had been improved as such. It was moved by Freeman and seconded by Sedgwick that a title search be made to determine if the street was still vacated. Motion carried and so ordered.

Ordinance No. 1039 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Freeman that Ordinance No. 1039 be passed to its second reading. Motion carried and so ordered.

A letter from Milwaukie Planning Commission, with reference to a change of zone for the north 1/2 of Tax Lot 144, Hector Campbell D.L.C., was read. The Council took no action on this question at this time.

It was moved by Renard and seconded by Richmond that Ordinance No. 1038 be removed from the table. Motion carried and so ordered.

The letter from the Planning Commission in which they recommend a zone change for the properties described in Ordinance No. 1038 (lots 5, 6, 7, 8, Block 18, Minthorn) was read again. It was moved by Sedgwick and seconded by Richmond that the recommendation of the Planning Commission regarding a zone change for Lots 5, 6, 7, 8, Block 18, Minthorn Addition, be denied. After discussion on the question a called vote showed the following result. Ayes: Sedgwick and Richmond. Nays: Freeman, Renard and Bernard. The motion did not carry.

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Mr. Albert Larson, who had made application for a position in the Fire Department, made inquiry as to what had been done about it. He was told that his application had been referred to the Personnel Board and when they were meeting.

Mr. John Bennett, 10241 White Lake Road, made inquiry as to what had been done about issuing a building permit for a six-plex dwelling to be placed on Tract 29 Gibson's Subdivision of the Logus Tracts. The Mayor advised Mr. Bennett that the Council had made investigation, that they had been advised that the property had been zoned for multiple family dwellings in a proper and legal manner and that the Council could not legally deny the permit as long as the building code or plat plan conformed to the City's requirements.

Mr. Charles Ingrahm, 4525 King Road requested that King Road be cleaned, in front of his property. The matter was referred to the City Engineer.

City Manager Thompson read a report of the vacation season, from Recreation Director Don Conway. Mr. Conway also read a suggested outline for next summer program.

Manager Thompson reported that he had contacted Shell Oil Co. and requested that they give a strip of land off the east side of their property, at Railroad Avenue and Harrison Street, sufficient to extend 32nd Street south to Railroad Avenue, and read their letter in answer to this request in which they stated that they would not give the land. After considerable discussion it was moved by Renard and seconded by Richmond that the City prepare to start condemnation proceedings for the necessary property along the east portion of the Shell Oil Co. property to be used as a public way for the extension of 32nd Street from Harrison Street to Railroad Avenue, and that, if necessary, a resolution be drawn for this purpose. Motion carried and so ordered.

Ordinance No. 1041 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Renard that Ordinance No. 1041 be passed to its second reading. Motion carried and so ordered.

Mr. James Lotz, representing the Junior Chamber of Commerce, came before the Council and stated that the JC's were willing to do some necessary improvement work in the Children's Play Park at 35th and Sellwood Streets, and asked the permission of the Council to do so. The permission was granted and the Council sent their thanks for the offer to the JC's via Mr. Lotz.

Manager Thompson reported that fifty-seven new street lamps had been installed also told where these installations were.

Manager Thompson reported that the City Employees had organized a social club, they would work toward the betterment of their departments, suggest improvement etc. as well as get acquainted and enjoy a social evening.

Mr. Thompson reported that all the easements necessary for the Waverly Heights Sewer has not yet been signed, that the Waverly Green Apartments were now ready for the first tenants and that the Contractor was eager to connect to the sewer. Mr. Thompson stated that he had contacted Mrs. Lavagetto and had obtained her consent to empty a temporary sewer line from the Apartments into her sewer line and that the cost of this temporary connection was estimated to be around \$1,000.00. It was moved by Richmond and seconded by Freeman that the City put in the temporary sewer. A called vote showed the following result: Ayes: Richmond and Freeman. Nays: Sedgwick, Renard and Bernard. The motion did not carry. Then followed a discussion on this question during which Mr. Freeman stated that he had not understood the motion correctly. It was moved by Freeman and seconded by Renard that the City permit the temporary sewer to be put in at the Contractor's expense. A called vote showed the following result. Ayes: Sedgwick, Freeman, Renard and Bernard. Nays: Richmond. The motion carried and was so ordered.

Manager Thompson brought the matter of the Railroad Avenue sewer before the Council. Mayor Bernard announced that there would be a Special meeting of the Council on Monday, September 21, at eight o'clock P.M. to discuss this matter with Messrs. Haley and Eivers and at eight-thirty the same evening the Council would discuss the same question with Stevens & Thompson, Consulting Engineers.

Manager Thompson reported the work progress on the new Library which showed the amount now due the Contractor to be \$13,285.53. It was moved by Sedgwick and seconded by Renard that this bill be paid. Motion carried and so ordered.

Manager Thompson discussed the matter of placing the proposition of a new tax base before the voters in November election, and recommended that the new base be the amount of the City's budget for 1964-1965. It was moved by Richmond and seconded by Sedgwick that the amount of the City's 1964-1965 budget be the new base to be voted upon at the general election in November. Motion carried and so ordered.

Manager Thompson reported that the City's water main was being extended westerly along Lava Drive to accommodate the apartment dwellings being constructed on Tax Lot 140, Whitcomb D. L. C. and that Lava Drive had a five foot jog in its south boundary at the west end of Pendleton Woolen Mill property. The Council requested Mr. Thomson to talk with the owners of Tax Lot 139, Whitcomb D. L. C. (Celeste & Louise Barberis), and Louise Lavagetto) and make arrangement whereby the water main can be laid straight to Tax Lot 140.

The Water Superintendent's report was read and ordered filed.

The Street Superintendent's report was read and ordered filed.

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

The Fire Chief's report was read and ordered filed.

The Health Department report was read and ordered filed.

Attorney Sheldahl reported that he had been unable to find a law absolving a city in the case of arrest, and that he had made inquiry about City Ordinances on this question and had found no city ordinance on this subject.

During the Councilmen's discussion, the matter of deduction for insurance from pay checks, and if or not the work could be done on a billing machine, was discussed. It was moved by Renard and seconded by Sedgwick that the Mayor appoint one representative from each department, as a committee, to investigate the employee insurance, and that this committee report their findings and their recommendation to the Council in time for the renewal of the Employees' insurance for the next year. Motion carried and so ordered.

The matter of the procedure for zone changes was discussed. It was moved by Freeman and seconded by Sedgwick that hereafter the notice sent to owners of surrounding properties be sent by mail. Motion carried and so ordered.

Ordinance Number 1037 AN ORDINANCE adopting a fire prevention code, prescribing regulations covering conditions hazardous to life and property from fire or explosion, and establishing a Bureau of Fire Prevention, and providing officers therefor, defining their powers and duties, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result:

Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard.

Nays: None

Ordinance No. 1037 passed the Council and was so ordered by the Mayor.

Ordinance Number 1039, AN ORDINANCE providing for the rezoning of certain property in the City of Milwaukie, Clackamas County, Oregon, from 3-R-1 Zone to 3-R-2 Special Zone; amending Ordinance No. 481, as amended, 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: Freeman, Renard, Sedgwick, Richmond and Bernard.

Nays: None

Ordinance No. 1039 passed the Council and was so declared by the Mayor.

Ordinance Number 1040 was taken up and read for its first reading. It was moved by Freeman and seconded by Sedgwick that Ordinance No. 1040 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1040 AN ORDINANCE providing for the rezoning of certain properties in the City of Milwaukie, Clackamas County, Oregon, from Zone 3-R-1 to Commercial zone; amending Ordinance Number 481, as amended 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: Freeman, Renard, Sedgwick, Richmond and Bernard.

Nays: None

Ordinance No. 1040 passed the Council and was so declared by the Mayor.

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Ordinance Number 1041 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance No. 1041 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1041, AN ORDINANCE prohibiting the wilful injury to and the wilful detension of Library property, providing penalties for its violation, and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had:

Ayes: Freeman, Renard, Sedgwick, Richmond and Bernard.

Nays: None.

Ordinance Number 1041 passed the Council and was so declared by the Mayor.

The plot plan, submitted by Mr. C. R. Thompson for two duplex dwellings which he proposed to build on Lots 5, 6, 7, 8, Block 18, Minthorn Addition, was discussed. It was suggested that the Planning Commission should not approve the plot plan until the City Engineer had examined the same and that plot plans should be in the hands of the Engineer at least three days before they were presented for the Planning Commission's approval.

Councilman Freeman reported that obscene magazines were for sale in many places in Milwaukie. There was considerable discussion on this matter and it was decided that a search be made as to where they were, and that an effort be made through contacting the merchants to rid their places of business of this type of literature, and that, if necessary, the Council take steps to prohibit the sale of these magazines.

The matter of the use of that portion of Tax Lot 86, Whitcomb D. L. C. (Kronberg Bros. along east side of McLoughlin Blvd. at S. P. R. R. overhead crossing) which has been filled with rock, now being used as a parking lot for K. P. R. trucks, was discussed. It was decided that the matter be investigated and a report made to the Council.

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

Addressograph-Multigraph C.	7. 40
Air-Mac, Inc.	45. 00
American Barricade Co.	12. 20
American Fire Protection Co.	6,162. 58
American Trucking Assn.	2. 15
Badger Meter Mfg. Co.	1,014. 30
R. K. Bass	31. 20
Brooks Products	70. 80
Casey's	495. 23
Randall Church	50. 00
Randall Church	20. 00
Clackamas County	219. 50
Clack. County Public Library	10. 98
Clack. Court Order of Amaranth	4. 60
Robert Clark	60. 00
Communication Specialists	8. 00
Dohrmann Hotel Supply	63. 45
Dunmire Motor Company	2,500. 00
Fields Chevrolet Co.	13. 52
Fire Engineering	15. 00
Francis Heating Sales & Service	22. 50
Francis Motor Car Co.	113. 90
Dick Groener Agency	117. 00
Gay Blade	144. 00
Heisler's Car Wash	4. 00
Charlie Helwig, Inc.	34. 37
Hood Tire Sales	6. 00
Horton Electric	113. 10
Hupp Photo Service	130. 00
Inertol Co.	212. 15
Jack's Digger Service	178. 25

Jim's Window Cleaning Co.	45.00
King Road Sport Shop	16.90
Landeem Welding Supplies	3.50
Lanson's Inc.	35.94
Larson's Auto Parts	43.66
Main Street Cleaners	70.55
Marcott Equipment Co.	120.05
McCready Lumber Yards	13.37
McCready Lumber Yards	35.76
Mercer Steel Co., Inc.	61.00
Milwaukie Ambulance Serv.	25.10
Milwaukie Automotive Serv.	99.79
Milwaukie Hardware	124.30
Milwaukie Hardware	174.47
Milwaukie Htg. & Air Cond.	7.00
Milwaukie Lumber Co.	17.40
Milwaukie Lumber Co.	154.69
Milwaukie Plbg. & Htg.	1,127.45
Milwaukie Review	155.30
Milwaukie Sand & Gravel	6.25
Milwaukie Fire Dept.	84.00
Milwaukie Volunteer Fire Dept.	28.00
Moore Business Forms	6.18
Morehouse Glass Co.	81.00
Motorola Comm. & Electronics	8.00
Multnomah Fuel Co.	80.50
Munnell & Sherrill	551.75
Munnell & Sherrill	129.00
National Chemsearch Corp.	446.28
National Fire Protection Assn.	24.00
Neptune Meter Co.	589.84
Northwest Industrial Laundry	12.00
Northwest Natural Gas Co.	7.73
Olson Bros.	36.76
Oregon City Laundry Co.	84.84
Oregon City Printing and Sta. Co.	3.70
Oregon Volunteer Firemen's Assoc.	10.00
Overall Laundry	41.80
Pacific Readymix	118.80
Pacific Northwest Bell	288.90
Pacific Motor Trucking Co.	2.50
Paulsen & Roles Laboratories	46.47
Pennsalt Chemicals Corp.	112.50
Petty Cash	23.49
Pike Tent & Awning Co.	904.95
Pioneer Mercantile Co.	17.78
Portland, City of	11.25
Portland Furniture Mfg. Co.	585.50
Portland General Electric Co.	3,513.32
Portland Road & Driveway	388.78
Paulson-Wilson, Inc.	808.52
Public Employees Retirement Bd.	22.94
Pump Pipe & Power Co.	81.49
Pump Pipe & Power Co.	5.55
Radio Corp. of American	1,100.00
Ramsay Signs	265.00
Reddaway's Truck Line	2.95
Richfield Oil Corp.	45.11
Rich Valley Top Soil Co.	425.25
Rose City Awning Co.	47.44
St. Martins Press	6.95
Sanderson Safety Supply Co.	14.40
Sanderson Safety Supply Co.	1,025.84
Sanfax	147.20
Santis Spray Equip. Co.	41.30

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Shirk, A. L.	231.00
Snyder, Marion R.	150.00
Southern Pacific Co.	60.00
Southgate Body & Fender Serv.	151.00
Stevens & Thompson	900.70
Street Fund	24.87
Texaco, Inc.	946.55
Thomas Office Supply	936.95
Thomas Office Supply	375.16
Tire Sales & Service	7.00
Traffic Safety Supply Co.	30.00
Truck Wrecking Yard	5.00
Uniform Specialists	339.00
University of Maryland	35.00
Van Waters & Rogers	4.96
Volunteer Fire Fighter	5.00
Water Fund	362.63
Waterworks Supply Co.	14.00
Weiler Chevrolet	3,442.99
Welders Supply Co., Inc.	145.78
Western Drug Label Co.	178.85
Willamette Hi-grade Concrete	21.35

Motion carried and so ordered.

On motion duly made and carried, the meeting adjourned.

Ellen Martin

Ellen Martin, Clerk

SPECIAL MEETING OF SEPTEMBER 21, 1964

A special meeting of the Council of Milwaukie was held for the purpose of a discussion with representatives of the Milwaukie Convalescent Hospital, regarding the sanitary sewer in Railroad Avenue, on the twenty-first day of September, 1964.

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

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

Mr. Thomas Haley, from the Milwaukie Convalescent Hospital and his Attorney, Mr. Wm. Keller, came before the Council with regard to the sanitary sewer installed by them, in Railroad Avenue, from Stanley Avenue westerly to 46th Street. Mr. Haley reviewed his understanding of the conditions under which the sewer was installed as follows:

1. That it was their opinion that Mr. Fred Weber, platton and builder of Cedar Crest, and Mr. D. Allred, platton and builder of Windemere, would share in the use of the sewer and share in the cost of installation of the gravity flow portion of same, from a point near Home Avenue westerly to about 46th Street.
2. That the City of Milwaukie had requested that the gravity flow portion of the sewer, from a point near Home Avenue, westerly to 46th Street, be enlarged from eight inches to ten inches at the City's expense, in order that the City could use this portion of the sewer as a trunk line.

It was shown that a survey had been made for the sewer installations, west of Stanley Ave., and that prior to the ground breaking a water main had been laid where the sewer had been planned and therefore the location of the sewer had to be changed, adding to the cost of the installation. Neither Mr. Weber nor Mr. Allred were pressed