

## MEETING OF JULY 26, 1965

COUNCIL CHAMBER

1014th MEETING

The one thousand fourteenth regular meeting of the Council of the City of Milwaukie was held on the twenty-sixth day of July, 1965.

The meeting was called to order by Councilman Edgar Fuller, acting as Chairman of the Council until the arrival of Mayor George Haley who came in a little later.

The invocation was given by Reverend Evenson of the St. John Episcopal Church.

Those present were Councilmen Edgar Fuller, Paul Slominski and Donald Graf, Mayor George Haley came in at 8:15 o'clock; City Manager Max Thompson, City Attorney George VanBergen, City Recorder Ray Osborne, City Engineer Wayne Daigle and Clerk Ellen Martin. Absent: Councilman Robert Richmond.

The Minutes of the one thousand thirteenth regular meeting of the Council, held on the twelfth day of July, 1965, were approved as written.

The Minutes of a special meeting of the Council, held on the twentieth day of July, 1965, were approved as written.

An application for a recommendation of license for a Retail Malt Beverage, Class "A" (R.M.B.A.) license for "Smokey Joe's Pizza Parlor" at 1921 River Road, was laid before the Council by Robert J. Boss, who had recently purchased the business, from Beverly Andreasen. A report from Chief of Police Brittingham stated that the investigation made by the Police resulted in no record for Mr. Boss, and therefore recommended that the permit be recommended. It was moved by Graf and seconded by Slominski that the Council recommend the permit for Retail Malt Beverages Class "A" for Smokey Joe's Pizza Parlor at 1921 River Road. Motion carried and so ordered.

Manager Thompson reported that the Peter Pirsch Aerial Quintuple (Ladder) Fire Equipment had been delivered; that the Fire Chief had reported that it had been tested and found in complete and satisfactory condition, and recommended that the Council accept the same. It was moved by Graf and seconded by Slominski that the Council accept the Peter Pirsch Aerial Quintuple (Ladder) Fire Fighting Apparatus. Motion carried and so ordered.

Manager Thompson reported that he had ascertained the information that, in the event the County Clerk's Department conducted elections for the City, the charge for same would be the actual cost of such election. It was moved by Graf and seconded by Slominski that this matter be tabled until the August 23rd meeting. Motion carried and so ordered.

Manager Thompson laid before the Council a list of Personnel Rules for the Council's consideration. It was moved by Graf and seconded by Slominski that the Personnel rules be either posted or a copy sent to the heads of the different departments and that further consideration of this matter be tabled until the meeting of August 9. Motion carried and so ordered.

Mr. David Moncrief, 1935 Beckman Road, came before the Council and stated that when he purchased his property in Candlewick Park, he had been told that Beckman Road would be improved within a very short time; that as yet nothing had been done and asked why, and requested that something be done about this matter. Mr. Wm. Gorsline, 11920 Beckman Road stated that he had lived on Beckman Road for twenty years; that he also represented Mary Bocci and that they were vitally interested in having the road widened and improved; that at least 90% of the residents along the Road agreed with him, also stated that he would be willing to assist in securing the necessary right-of-way along the west side of the road. Others who voiced their requests for the improvement of Beckman Road were Mr. Brown, 11915 Beckman Road, and Mr. George Koehler. Mr. Kenneth Waymire stated that he was prepared to give 20 feet along the plat of Candlewick Addition and would provide his share of the cost of the improvement. Engineer Daigle reported that the engineering had been done for this improvement; that it would be necessary to provide a storm drain and that when he had contacted property owners along the west side of the street for right-of-way that some of them had ignored his letters and that therefore the program had been delayed. It was moved by Graf and seconded by Fuller that Beckman Road be improved by acquisition of right-of-way, where necessary and by curbs, proper drainage and paving, from Railroad Avenue northerly to Park Street and that the following Resolution be adopted.

CCB102

## RESOLUTION NUMBER 23-1965

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO IMPROVE BECKMAN ROAD FROM RAILROAD AVENUE NORTHERLY TO PARK STREET, BY THE CONSTRUCTION OF A STORM DRAIN, CONSTRUCTION OF CURBS ALONG BOTH SIDES OF SAID ROAD, PAVING SAID ROAD AND ACQUIRING RIGHT-OF-WAY FOR SAID ROAD.

WHEREAS, the Council of the City of Milwaukie, Oregon deems it expedient and necessary to improve Beckman Road from Railroad Avenue northerly to Park Street by the construction of a storm drain, construction of curbs along both sides of said Road, paving said Road and acquiring right-of-way for said Road where necessary, and

WHEREAS the City Council of the City of Milwaukie, has required from the City Engineer plans and specifications for approximate improvement to accomplish the above, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has filed such plans, specifications and estimates in the office of the City Recorder

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

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

By the acquisition of properties, where necessary, to widen Beckman Road to a 40 foot roadway from Railroad Avenue northerly to Park Street.

By installing a storm drain in Beckman Road, where necessary.

By construction of curbs along both sides of Beckman Road from Railroad Avenue northerly to Park Street.

By grading and paving Beckman Road from Railroad Avenue northerly to Park Street.

THE IMPROVEMENTS LISTED ABOVE INCLUDE ALL THINGS NECESSARY IN SUCH IMPROVEMENT, ALL TO BE DONE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS NOW ON FILE WITH THE CITY RECORDER OF THE CITY OF MILWAUKIE, OREGON.

THAT THE DISTRICT LIABLE TO BE ASSESSED FOR THE AFORESAID IMPROVEMENT IS AS FOLLOWS:

All lots, parts of lots, or parcels of land abutting on either side of Beckman Road from Railroad Avenue northerly to Park Street.

THAT THE CITY ENGINEER'S ESTIMATED COST OF SUCH IMPROVEMENT IS THE SUM OF \$59,000.00.

THAT THE CITY ENGINEER'S ESTIMATED COST OF THE CURBS IS \$1.50 PER LINEAL FOOT FRONTAGE.

THAT THE CITY ENGINEER'S ESTIMATED COST OF THE STORM DRAIN AND PAVEMENT IS THE SUM OF \$8.50 PER LINEAL FOOT FRONTAGE.

THAT THE CITY ENGINEER'S ESTIMATED COST OF THE STORM DRAIN AND PAVEMENT TO BE PAID BY THE CITY OF MILWAUKIE IS THE SUM OF \$13,000.00.

THAT AN ASSESSMENT WILL BE LEVIED ON ALL LOTS OR PARCELS OF LAND WITHIN SUCH IMPROVEMENT DISTRICT IN THE AMOUNT TO WHICH EACH LOT OR PARCEL OF LAND WILL BE BENEFITED.

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 9th day of August, 1965.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted, notices headed with the title "NOTICE OF STREET IMPROVEMENT WORK" in three conspicuous places along the said above named street; which notices shall contain a copy of this Resolution, and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS, IT IS NECESSARY THAT SAID IMPROVEMENT BE MADE AS SOON AS POSSIBLE, on account of the bad condition of Beckman Road causing it to be a hazard to vehicle travel, and in order to take advantage of weather conditions, NOW THEREFORE an emergency is declared to exist, and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 26TH DAY OF JULY, 1965

George P. Haley, Mayor

ATTEST:

R. E. Osborne  
R. E. Osborne, Recorder.

Motion carried and so ordered.

Mr. Allen McAllister of Ernst & Ernst gave a report of City Services and how these services are handled by Ernst and Ernst.

Councilman Fuller suggested that the League of Oregon Cities be invited to give a similar report to the Council. Manager Thompson was requested to contact the League of Oregon Cities and other firms doing this type of service.

Mayor Haley read a letter from Mr. R. M. Rivers, stating his reasons for voting against the City Budget.

Manager Thompson reported that on Saturday July 24th, 3,214,650 gallons of water had been pumped from the wells which was a record for water used.

Manager Thompson reported that he had attended the meeting of the Health and Welfare Department for the Willamette Valley.

Manager Thompson reported that on Tuesday, July 27, there would be a meeting with the State Highway Department, Clackamas County Commissioners and heads of other Clackamas County Cities.

Attorney VanBergen reported to the Council, the position the City was now in as a result of the Budget being voted down. That according to Section 35 of the City Charter the Council would be facing personal liability if they approved the bills or incurred other bills without a budget. It was moved by Slominski and seconded by Fuller that the bills, as presented at this meeting, be not paid at this time. Motion carried and so ordered.

Ordinance Number 1085 was taken up and read for its first reading. It was moved by Graf and seconded by Slominski that Ordinance Number 1085 be passed to its second reading. Motion carried and so ordered.

It was moved by Slominski and seconded by Graf that the following Resolution be adopted.

RESOLUTION NUMBER 24-1965

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO CONSTRUCT A SANITARY SEWER IN MINTHORN ADDITION TO THE CITY OF PORTLAND, ALONG EDISON STREET.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct a sanitary sewer along Edison Street from 35th Street to a point approximately 150 feet easterly of 37th Street, in Minthorn Addition to the City of Portland, AND TO CONSTRUCT BUILDING SEWERS from said sanitary sewer to approximately the property line where such building sewers are required.

AND WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications to accomplish the above and an estimate of the cost of the work to be constructed,

AND WHEREAS, the City Engineer has heretofore filed such plans, specifications and estimates in the office of the City Recorder,

BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the above mentioned plans, specifications and estimates of the City Engineer, now on file with the City Recorder are found to be satisfactory and are hereby approved.

CCB102

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

By the construction of sanitary sewers and building sewers, and all things necessary in the construction thereof, all to be constructed in accordance with the plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

That the district liable to be assessed for the aforesaid improvement is as follows: LOTS 20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38, BLOCK 88, MINTHORN ADDITION.  
LOTS 21,22,23,24,25,26, BLOCK 89, MINTHORN ADDITION.  
LOTS 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19, BLOCK 93, MINTHORN ADDITION.  
LOTS 15,16,17,18,19,20,21,22,23; West 15 feet of Lot 24, BLOCK 92, MINTHORN ADDITION.

That the City Engineer's estimate of the probable cost of such improvement is the sum of EIGHT THOUSAND FIVE HUNDRED (\$8,500.00) DOLLARS.

That the City Engineer's estimated cost of the sanitary sewers in the street is the sum of \$5.40 per lineal foot of property in the assessment district.

That the City Engineer's estimated cost of the building sewers (from the sewer in the street, approximately to property line) is \$90.00 per service.

THAT AN ASSESSMENT WILL BE LEVIED on all lots and parcels of land within such proposed improvement district in proportion to the amount to which such lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 9th day of August 1965.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted, notices headed with the title "NOTICE OF SEWER CONSTRUCTION WORK" in three conspicuous places along said above named street, which said notice shall contain a copy of this Resolution and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS, it is necessary that said improvement be made as soon as possible on account of sewage disposal and drainage conditions in said district; NOW THEREFORE an emergency is declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

Adopted this 26th day of July 1965.

George P. Haley, Mayor

ATTEST:

R. E. Osborne  
R. E. Osborne, Recorder.

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk