

SPECIAL MEETING OF JUNE 22, 1964

A special meeting of the Council of Milwaukie was held on the fifteenth day of June, 1964, for the purpose of viewing ordinances to be codified and such other business necessary to come before the Council at this time.

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

Present: 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.

A request for recommendation for Package Store Liquor License for the "Open Pantry Market" 8929 - 41st Street, was laid before the Council by Douglas W. Leach. A letter from Chief of Police Brittingham in which he reported favorably on Mr. Leach, was read. It was moved by Sedgwick and seconded by Freeman that the Council recommend a "Package Store Class "B" license" for the Open Pantry Market at 8929 - 41st Street, Mr. Douglas Leach, owner. Motion carried and so ordered.


It was moved by Freeman and seconded by Sedgwick that the Council recommend a Package Store Class "B" liquor license for Albertson's Inc. for their new store at 32nd and Harrison Streets. Motion carried and so ordered.

It was moved by Sedgwick and seconded by Freeman that the request of the Milwaukie Plywood Corp. for the vacation of Meek Street from 31st Street westerly to the east boundary of the Southern Pacific Railroad right-of-way be denied. Motion carried and so ordered.

Ordinance Number 1025 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance No. 1025 be passed to its second reading. Motion carried and so ordered.

Ordinance Number 1025 AN ORDINANCE defining offenses; prescribing penalties, and repealing Ordinances Numbered 11, 101, 306, 358, 552, 777, 961 and 962, 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 Number 1025 passed the Council and was so declared by the Mayor.

On motion duly made and carried the meeting adjourned.


Max Thompson, acting Clerk.

SPECIAL MEETING OF JUNE 29, 1964

A special meeting of the Council of the City of Milwaukie was held on the twenty-ninth day of June, 1964 for the purpose of reviewing ordinances coming under the codifying program, canvassing the votes of a special election held on the 29th day of June, 1964 and such other business necessary to come before the Council at this time.

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

The roll call showed the following members of the Council to be present: Mayor Joseph M. Bernard, Jr.; Councilmen Walter Freeman, Charles Renard, Theron Sedgwick, and Robert Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl and Clerk Ellen Martin.

The Mayor opened the hearing on the annexation of property described in Ordinance Number 1022 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 1026 was taken up and read for its first reading. It was moved by Councilman Richmond and seconded by Councilman Sedgwick that Ordinance Number 1026 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

CCB102

Ordinance Number 1026 AN ORDINANCE annexing certain territory, contiguous to the present boundary of the City of Milwaukie, Clackamas County, Oregon, and fixing the effective date of such annexation, 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 1026 passed the Council and was so declared by the Mayor.

Mr. John Van Leeuwen, from Norris, Beggs and Simpson, Realtors, came before the Council and stated that his firm had a client who would like to locate a \$900,000.00 warehousing facility in Milwaukie Industrial Park. Their building would need a piece of land with minimum dimensions of 800 feet by 300 feet and would need railroad facilities. Mr. Van Leeuwen pointed out that if that portion of Millport Road lying between McBrod Avenue and River Road were vacated, the property to the north and south of this street together with the vacated street, would make a suitable site for their client. After some discussion it was moved by Renard and seconded by Richmond that the vacation of this portion of Millport Road be given favorable consideration. The motion carried and was so ordered.

Mr. F. J. Feltz, 914 S. E. Bidwell, came before the Council and stated that he was the owner of houses at 2320 S. E. Clatsop, 8604 and 8614 - 23rd Street; that there was sand in the water main which gets in his meters and as a result his water bills were exorbitant. This matter was referred to the City Manager for his investigation.

Ordinance Number 1027 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance Number 1027 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1027 AN ORDINANCE providing for the rezoning of certain property in the City of Milwaukie, County of Clackamas, 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 Number 1027 passed the Council and was so declared by the Mayor.

Ordinance Number 1028 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance Number 1028 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 1028 AN ORDINANCE defining nuisances, providing for abatement, prescribing penalties and repealing ordinance Numbers 15, 25, 29, 127, 146, 180, 238, 311, 370, 420, 525, 596, and 853. 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 1028 passed the Council and was so declared by the Mayor.

SPECIAL MEETING OF JUNE 29, 1964

Clerk Ellen Martin presented to the Chairman a written consent to the special meeting signed by all of the members of the City Council. Chairman Bernard, Jr. ordered such written consent so signed to be attached to and made a part of the minutes of the special meeting.

The Chairman of the Council then announced that the special meeting had been called for the purpose of canvassing the results of the Special City Election held on the 29th day of June, 1964, and for the purpose of taking up such other business that might properly come before the Council.

It was then moved by Councilman Theron Sedgwick and seconded by Councilman Robert Richmond that the Council proceed to count, canvass and return the votes cast at the Special Election held in the City of Milwaukie, Oregon, on the 29th day of June, 1964, at which there was submitted to the legal voters of said City for their adoption or rejection the proposition of levying a tax for general city purposes exceeding the Constitutional limitation by the sum of \$325,734.19 for the fiscal year 1964-1965, and which appeared on the official ballot at said election and was designated by the following ballot title, to-wit:

VOTE YES OR NO. MARK A CROSS (X) IN THE SQUARE FOR THE ANSWER VOTED FOR

REFERRED TO THE PEOPLE BY THE CITY COUNCIL

TAX LEVY EXCEEDING CONSTITUTIONAL LIMITATION.

| | | |
|----|--|---|
| 51 | "Shall the City Council of the City of Milwaukie, Oregon, be authorized and directed to include in the budget and levy a tax on all the taxable property in said City in the sum of \$325,734.19, for the fiscal year 1964-1965, for general city purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, and which shall be in addition to all other taxes?" | YES <input type="checkbox"/> NO <input type="checkbox"/> |
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Upon being put to a vote, the motion carried unanimously.

Whereupon the City Council did proceed to count, canvass and return the votes cast at said election for the said proposition entitled and numbered as above set forth, and did find the results to be as follows:

| | |
|---|------------|
| Total number of votes cast for and against said proposition | <u>789</u> |
| Total number of votes cast in favor of said proposition | <u>329</u> |
| Total number of votes cast against said proposition | <u>459</u> |
| Total number of blank or defective ballots..... | <u>1</u> |

Whereupon Joseph M. Bernard, Jr., Mayor of the City of Milwaukie and Chairman of its Council, did forthwith declare that the vote on the said proposition at said Special Election shows a majority who voted on the proposition to be not in favor of it.

It was moved by Sedgwick and seconded by Richmond that the following resolution be adopted.

Ellen Martin
Ellen Martin, Clerk.

CCB102

RESOLUTION NUMBER 15-1964

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY ELECTION IN THE CITY OF MILWAUKIE, OREGON, ON THE 13th DAY OF JULY, 1964, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON THE QUESTION OF AUTHORIZING AND DIRECTING THE CITY COUNCIL OF SAID CITY TO INCLUDE IN THE BUDGET AND LEVY THE SUM OF \$325,734.19 FOR THE FISCAL YEAR 1964-1965 FOR THE GENERAL CITY PURPOSES, WHICH AMOUNT EXCEEDS THE CONSTITUTIONAL SIX PER CENT LIMITATION ON TAXATION SET FORTH IN SECTION 11, ARTICLE XI OF THE CONSTITUTION OF OREGON, AND WHICH AMOUNT IS IN ADDITION TO ALL OTHER TAXES LEVIED.

WHEREAS, the City Council and the duly constituted Budget Committee of the City of Milwaukie, has determined that it is necessary and advisable that there be included in the budget and levy for the fiscal year 1964-1965 for general city purposes the sum of \$325,734.19, and which amount exceeds the constitutional six per cent limitation on taxation set forth in Section 11, Article XI of the Constitution of Oregon; and

WHEREAS, before said amount so exceeding said constitutional limitation can be included in the budget and levy, it is necessary to submit the matter to the legal voters of the City of Milwaukie, Oregon, for the purpose of seeking their authorization and approval; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that there shall be submitted in the manner prescribed in this Resolution to the legal voters of the City of Milwaukie, Oregon, at a special election to be held on the 13th day of July, 1964, for their approval or rejection, the following proposition:

"Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized and directed to include in the budget and levy a tax on all of the taxable property in said City in the sum of \$325,734.19 for the fiscal year 1964-1965, for general City purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon, and which sum shall be in addition to all other taxes levied?"

BE IT FURTHER RESOLVED THAT the election precinct for said special city election shall be and constitute all of the territory included within the corporate limits of the City of Milwaukie, Oregon, and that there shall be one polling place for said Special City Election, namely in the City Hall, 926 Main Street, Milwaukie, Oregon.

BE IT FURTHER RESOLVED that the following named persons, all legal voters of Milwaukie, Oregon, be and they are hereby designated and appointed as the chairman and clerks of election, to act as the election board at such polling place on said date, to-wit: GERTRUDE WESTERBERG, Chairman, FLORENCE SALTER, ELIZABETH REGER, and MARJORIE CASSWELL, Clerks.

BE IT FURTHER RESOLVED that the Recorder of the City of Milwaukie, Oregon, is hereby ordered and empowered to make all other arrangements and to secure the necessary supplies for said special election.

BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing proposition in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the proposition in question, the proposition should be submitted to the voters in the following form and ballot title, to-wit:

"AUTHORIZING CITY COUNCIL TO ADOPT BUDGET AND LEVY TAXES IN EXCESS OF CONSTITUTIONAL LIMITATION.

"Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized and directed to include in the budget and levy a tax on all of the taxable property in said City in the sum of \$325,734.19 for the fiscal year 1964-1965, for general City purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon, and which sum shall be in addition to all other taxes levied?"

BE IT FURTHER RESOLVED that the City Recorder be and he hereby is directed to give at least ten (10) days' notice of the special election hereby called by posting notices thereof in three (3) public places within the boundaries of the City of Milwaukie, Oregon, and by publishing said notice once in the official City newspaper. The said notice shall be in the following form;

"NOTICE OF SPECIAL ELECTION

On the 13th day of July, 1964, in the City of Milwaukie, Oregon, from 8:00 o'clock A.M. until 8:00 o'clock P.M., Pacific Daylight Time, a special election will be held at which the following proposition will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection:

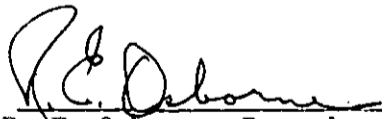
' Proposed by the City Council and referred to the legal voters of said City:

AUTHORIZING CITY COUNCIL TO ADOPT BUDGET AND LEVY TAXES IN EXCESS OF CONSTITUTION LIMITATION.

Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized and directed to include in the budget and levy a tax on all of the taxable property in said City in the sum of \$325,734.19 for the fiscal year 1964-1965, for general City purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon, and which sum shall be in addition to all other taxes levied?"

The polling place for the said special election will be the City Hall, 926 Main Street, Milwaukie, Oregon.

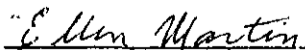
Published by order of the City Council of the City of Milwaukie, Oregon.


R. E. Osborne, Recorder of the
CITY OF MILWAUKIE, OREGON."

ADOPTED THIS 29th DAY OF JUNE, 1964.

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.


Ellen Martin, Clerk.