

Medford Waiting for Order from PUC After Starting Proceedings in 1959

By PEGGYANN HUTCHINSON
Mail Tribune Staff Writer

On March 5, 1959, the Medford city council passed a resolution approving the extension of Barnett rd. across the Southern Pacific railroad tracks.

The next month, the city filed a petition with the public utilities commissioner for a Barnett rd. railroad grade crossing.

Nearly four years and several dozen orders, complaints, demurrers, answers and other litigations later, the city is awaiting an order from the public utilities commissioner following a hearing in Salem Jan. 8.

At the hearing, the Southern Pacific railroad company had no objections to the retention of a grade crossing at 11th st. once the Barnett rd. crossing is opened. Since no opposition to the crossing was heard, a favorable ruling by the PUC is expected.

Last Major Obstacle

Once the PUC approves the crossing, the last major obstacle to the extension of Barnett rd. to South Holly st. will have been removed. The road will intersect with Holly at Melrose ave.

City Manager Robert A. Duff, one of three city officials who testified at the recent hearing, said the right-of-way property fronting on Holly st. was purchased by the city several years ago, and negotiations are under

way for the acquisition of the right-of-way from South Grape st. to Riverside ave.

The city has purchased the Pacific Power and Light company and Cass properties needed for the highway. Condemnation proceedings have been filed on two parcels which front on South Grape st.

The project was stalled after the PUC's order Aug. 11, 1960 stated that once the Barnett rd. grade crossing was opened, the 11th st. crossing would have to be closed.

Appeals Order

The city immediately appealed the order of the 11th st. closure, filing a complaint in Jackson county circuit court. Litigations continued from Oct. 24, 1960, through 1962.

The Southern Pacific's original objections to the crossing at Barnett rd. was that the 4,353 feet of track between 11th st. and Stewart ave. was the longest track for switching in the area and would adversely affect the railroad's switching procedures.

Three tracks are involved at the crossing—the mainline, an auxiliary track used for passing and yard work, and an oil track which serviced the petroleum products distribution plants.

Charges and countercharges were made during the next several months as a motion to dismiss the complaint was filed by the PUC to be followed by a defendant's affidavit and answer by the plaintiff.

Charges No Notice

The city charged that no notice had been given prior to ordering the 11th st. crossing being closed. The PUC staff charged that the city had failed to exhaust administrative remedies before filing the complaint.

Circuit Judge James M. Main ruled for the city in an order signed Nov. 29, 1960, regarding the motion, but this was immediately followed by a demurrer to the complaint. This demurrer was overruled by Judge Main July 7, 1961. Meanwhile, the PUC's brief was filed in early 1961, answering the city's charge that the commissioner's closure of the 11th st. crossing was de-

priving a municipality of its police power.

"The decision as to which crossing is the most important to the people of Medford" has been left for the city officials to make, the PUC brief stated. "The commissioner is not depriving the city of the opportunity to make this decision."

Memorandums Follow

Other memorandums followed from both the plaintiff and defense until Aug. 29, 1961, when the Southern Pacific company issued an order of intervention asking to be made a party of the defendant in the suit.

This was granted and trial date was set in Jackson county circuit court Dec. 28, 1961. But before the case came to trial, Edwin L. Graham, SP lawyer who was familiar with the case, was seriously injured in an automobile accident. A continuance was asked, which Judge Main signed Dec. 21 that year.

Proceedings for the next several months are not a matter of public record since litigations turned from legal documents on file to discussions.

On March 20, 1962, an order was signed by Circuit Judge Edward C. Kelly which removed the case from the trial docket and remanded it to the PUC for consideration of new evidence.

Resolution Is Passed

The Medford city council then passed a resolution June 7, 1962, calling for the city to pay all costs, plus utility pole relocation and the installation of signal devices at the Barnett rd. crossing. The original petition called for the costs to be divided between the city and SP. This was one of the SP objections to the crossing.

A new petition was filed with PUC by the city Aug. 9. Following the filing, the railroad company filed a supplementary petition. The company explained that changes in railroad operating conditions in the area of 11th st. were such that practical operation of trains in the area no longer required closure of 11th st. as a condition to the Barnett rd. crossing.

In December, Jonel C. Hill, public utility commissioner, scheduled the Jan. 8 hearing, and the SP notified PUC that the company would not oppose it. The hearing was 28 months after the first hearing on the original petition—September, 1959.

Anticipated Decrease

City Engineer Vernon Thorne testified concerning the anticipated decrease in automobile traffic on 11th st. once the Barnett rd. crossing is open. This is estimated to

be between 1,200 and 1,400 vehicles a day. He noted that there has not been an accident at the 11th st. crossing since Nov. 5, 1958.

In the original order, the PUC had ordered that train speed limit at the Barnett rd. crossing be 15 miles per hour, the same as for the 11th st. crossing. SP officials asked that this be increased to 20 miles per hour to coincide with the speed limit on Stewart ave. Reason given was to assist in the elimination of traffic congestion.

This request was referred by the examiner to the PUC staff for safety study. The city agreed to abide by the safety study findings.

Will Pay Costs

The city of Medford will pay all costs, including signaling of the proposed railroad crossing construction. The railroad will pay the costs of paving in the immediate area of the tracks.

Also in Salem for the hearing was City Attorney William Mansfield, the second city attorney to work on the proceedings.

The extension of Barnett rd. to Holly st. is part of the arterial street program voted on by Medford residents in 1958. The 10-year program is expected to cost an estimated \$1,856,100.

The proposed extension will be for a total of 1,285 feet, but will provide the city an east-west arterial street from Interstate 5 to the southwest area.

When the street will be opened to traffic is not known, according to Duff. The original petition was filed April 30, 1959, the hearing was in September and the PUC order was issued in August, 1960.

The order could be in 90 days, it could be a year, Duff commented last week.

Religious Census Planned in Valley By Area Churches

A religious census for Medford, Jacksonville, Central Point and Eagle Point was approved by the Medford Ministerial association this week.

The census has also been approved by Sacred Heart Catholic church and other religious groups.

Dr. D. Kirkland West is chairman of the census, assisted by a committee representing each of the churches involved. Dr. West said this is the first census since 1955, and about 1,400 persons from all churches will be enlisted to contact the 30,000 persons in the area.

He said it was felt that there is a need for such a census, since eight years have elapsed and many people have moved into the area.

Will Be Contacted

Residents will be contacted Feb. 16 and 17 by 700 teams, each consisting of two people, in the four cities. All calls will be completed on these dates, then the census will be completed on Feb. 23 and 24 by the committee.

It was emphasized that the census is not a drive for church membership nor an evangelistic effort, but to determine the ratio of residents who belong to any church. Cost of the census will be paid by cooperating churches. Each church appoints a census chairman who will recruit up to 20 per cent of the church membership to assist in the project.

Dr. John Berry, Forest Grove, professor of sociology at Pacific university, will direct the census, assisted by the Rev. Donald Klein. They will conduct five training sessions in Medford from Monday, Jan. 28 to Feb. 2. Workers will attend one of the sessions.

Dr. West noted that all census takers will be identified when making calls, and each call should take approximately five minutes.

SOC Gets Copies Of First Magazine

Ashland-Copies of the first issue of "The Pacific Northwest Geographer" have been received at Southern Oregon college.

Intended as an additional outlet for the writing of superior students and teachers, the publication, for which Dr. Roy W. McNeal, professor of geography at SOC, serves as an editorial board member, will appear twice yearly.

In addition to articles of interest to geographers and those in affiliated fields, the issue contains news items from the various Northwest colleges and universities, and book reviews.

On the Air

By ELEANOR WIESE

Although ETV (Educational Television) will not be available to southern Oregon for some time yet, it was interesting to me to read in "Media," the Educational Media Bulletin, just what shows were being offered on Channels 7 and 10 in the Portland, Salem, Corvallis, Eugene area.

One of the most popular series is the Peabody award-winning production "The Age of Kings," which presents in chronological order Shakespeare's "king" plays covering 300 turbulent years of British history.

"Master Class" is another outstanding series in which great musicians perform and teach their artistry to a select group of students. Singer Lotte Lehmann, violinist Jascha Heifetz and cellist Pablo Casals are this season's participants.

Well-known TV personality Dave Garroway heads a new series, "Exploring the Universe," which hopes to increase the appreciation of science among nonscientists and provide greater public discussion of the vital issues of science today. How does Mr. Garroway fit into this picture? He was once an astronomy instructor at Harvard university.

Japanese brush painting, ceramics and poetry are other subjects currently featured on ETV in addition to new analysis and panel discussions of timely headlines and the regular courses for college credit.

These are the types of things we can expect to see when Educational Television grows to include our area. We hope we don't have too long to wait.

SPORTS SPECTACULER, 2:30 p. m. Sunday KBES-TV. World parachute jumping championships filmed in Orange, Mass., show jumpers from Russia, Europe and Japan in free fall maneuvers and accuracy jumping.

AMERICA WANTS TO KNOW, 3 p. m. Sunday KBOY-AM and FM. "Why Johnny Can't Get a Job." Lester Velie, author, moderates a panel discussion of the problems of youth employment. Panelists are Commissioner Ewan Claue of the Bureau of Labor Statistics and Dr. Benjamin Willis, superintendent of Chicago Public Schools.

TWENTIETH CENTURY, 6 p. m. Sunday KBES-TV. "From Jet to Dyna-Soar" reports on the Air Force's aerospace program. Filmed at the Flight Test Center, Edwards Air Force Base, Calif., the program shows the amazing

"birds" of the supersonic age and the test pilots who fly them.

DISNEY'S WONDERFUL WORLD, 7:30 p. m. Sunday KMED-TV. A Welsh Corgi puppy stars in "Little Dog Lost," the story about a dog whose deathly fear of common house brooms leads her into a life of sorrow and loneliness.

ED SULLIVAN, 8 p. m. Sunday KBES-TV. Guests include a Cuban band, composed of Bay of Pigs prisoners released last month by Fidel Castro; Sophie Tucker, celebrating her 75th birthday; Robert Goulet, Brenda Lee and the Cypress Gardens water skiers.

SHOW OF THE WEEK, 10 p. m. Sunday KMED-TV. Eddie Albert and Glynis Johns star in a suspense drama about a young couple who find \$92,000 in an antique sink they bought at a junk shop.

WINSTON CHURCHILL, 7 p. m. Monday KMED-TV. "Closing the Ring," shows the bitter fighting at Casino and the establishment of the Teheran Big Three conference is held in November of 1943 during which Churchill, Roosevelt and Stalin discuss plans for a second front.

BEN CASEY, 10 p. m. Monday KMED-TV. This two part episode is notable for the appearance of Broadway actress Kim Stanley portraying a brilliant attorney-drug addict.

REPORT TO THE PEOPLE, 11:15 p. m. Monday KBES-TV. The first of a bi-weekly series of discussions by Gov. Mark O. Hatfield concerning current issues, measures and bills that are before the Oregon State Legislature.

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Internal Revenue Office To Move To Liberty St. Site

The Medford office of the Internal Revenue Service has announced plans to move from the Sixth st. location to 532 Liberty st. Tuesday, Jan. 15.

The new office space has been secured to enable the staff to give better service to taxpayers and in keeping with a general trend by the government to get federal agencies out of old buildings. Oral L. Bell, local representative of A. G. Erickson, district director, stated.

The federal building at Sixth st. and Riverside ave., where the office is now located, has been condemned and the Internal Revenue service is the last government agency to leave the building. Employees of the Medford office serve Josephine, Jackson and part of Douglas counties.

The following dates have been designated when the office will be open to give advice and assistance here during the current filing season. Every Monday through April 15 and April 11 and 12 between 8 a.m. and noon and from 12:45 p.m. to 4:45 p.m.

The remainder of the year the office will be open to furnish advice and assistance every Monday between 8 a.m. and noon.

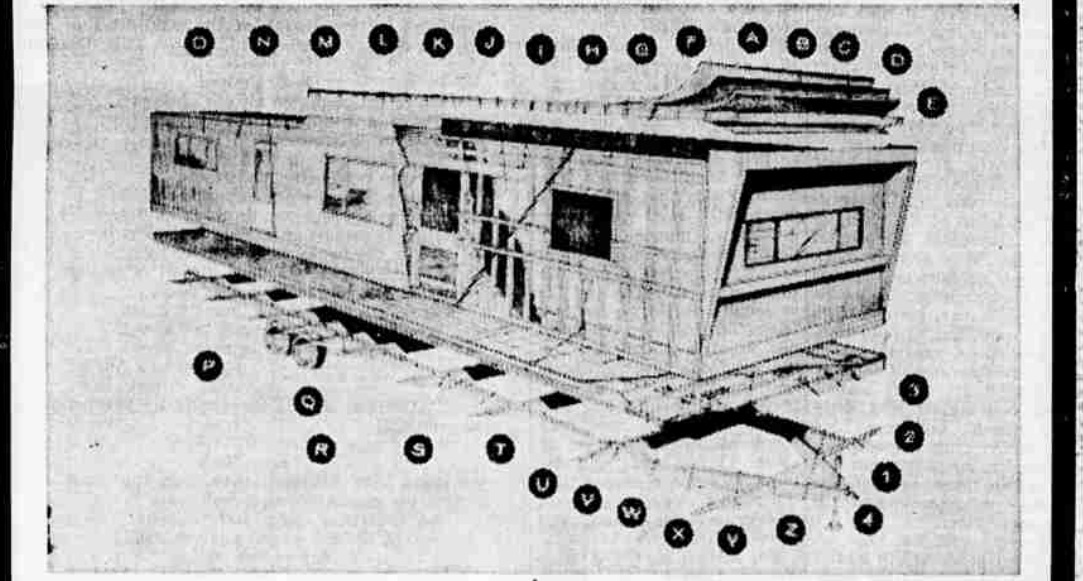
The telephone number of the service will remain the same, 773-8239.

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- E-1/4" plywood ceiling panels.
- F-2"x2" plate on top of studs.
- G-2"x2" and 2"x3" studs, 16" on center, 2"x3" used around windows and doors.
- H-1 1/4" steel band triangulation bracing.
- I-2"x6" lintel over Panaview door or 2" LAMINATED LINTEL over EXPANDING ROOMS.
- J-3/16" ash plywood sidewall panels glued and nailed to studs.
- K-1 1/2" high density fibre glass between studs.
- L-Drip cap both sides of roof.
- M-Awning rails both sides front to rear of unit.
- N-Pre-painted aluminum siding.
- O-HEHR windows.
- P-Goodyear tires and wheels on 4500 lb. axles.
- Q-Zieleman chassis-7" channel with formed steel cross members and outriggers.
- R-Raceway for Romex wiring.
- S-Convenient outlets nailed to studs.

- T-Asphalt impregnated hemp board between each floor joist.
- U-1 1/2" high density fibre glass between each joist.
- V-8" open web laminated floor joists.
- W-5" round heat ducts laid on fibre glass through open web of joists, one duct to each register.
- X-Floor register with adjustable dampers.
- Y-1/2" marine plywood glued and screwed to all joists and perimeter floor members.
- Z-9" tile laid on all floor area not to be covered by carpet.
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- 2-Front drain member connects to central 3" drain under bathroom.
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