

Regular Monthly Meeting
April 7-1930

The City Council met in regular session on Monday, April 7, 1930 at 8 o'clock P.M.

On roll call there were present: Mayor Dedman, Attorney Wait, Chief of Police Lent and Councilmen Bates, Koehler, Patch, Pfister, White and Zimmerman. Absent, Recorder Evans and Councilmen Graham and Thompson.

The minutes of the previous regular meeting of March third and of the special meeting of March 24 were read and approved.

Whereupon the following Resolution was introduced and on motion, seconded and carried, declared adopted:

Resolution

WHEREAS, prior to 1927 the cities received 70% of the general road fund levied within the cities, and

WHEREAS, the legislature of 1927 at the request of the county judges amended the law giving to the county 50% of the road fund levied within the cities, and

WHEREAS, under the present law cities of under 2,000 population are entitled to assistance by the state highway commission in the construction and maintenance of the state highway through such city, and

WHEREAS, in all cities of over 2,000 population the property owners are now compelled to improve and maintain the street in front of their property at their own expense, and

WHEREAS, on account of the heavy truck and bus traffic, the streets that are a continuation of the main state highway through such cities are being broken down and destroyed, and

WHEREAS, the cities within the state of Oregon now pay more than 50% of all the money expended on roads,

Therefore Be It Resolved that we favor an amendment to the general road law giving to the city a larger proportion of the general road fund levied within the cities than they now receive, and

Be It Further Resolved that we favor an amendment to the law authorizing the state highway commission to pay out of the general highway fund a reasonable amount per mile for the maintenance of all through streets in cities that are a part of the main state highway.

Passed by the City Council of Canby
this 7th day of April 1930.

Attest:

H. B. Evans
City Recorder.

H. A. Dedman
Mayor.

April 7-continued.

The following claims against the City were then presented:

Gene ral Fund		Light Fund	
Fred Larson	\$ 10.00	Hurst Truck Line	\$ 1.85
E. Bowlsby	25.00	Joe Kabourek	1.60
Canby Herald	2.70	Louis Lent	120.28
C.N.Wait	15.00	Electric A. & C. Co.	85.49
Canby State Bank	10.00	Molalla Electric Co.	448.40
H.B.Evans	.40	C.E.Bowman	12.00
Louis Lent	18.40	Aug. Rothenberg	2.00
C.E.Mason	5.60	State Ind. Acc. Com.	3.89
Canby Hdw. & Impl. Co.	34.05		-----
State Ind. Acc. Com.	1.55		\$ 675.51

	\$ 122.70		
Road Fund		Water Fund	
Aug. Rothenberg	\$ 14.15	Great Western E-C Co.	\$ 5.50
Chas. Huiras	2.40	Louis Lent	72.39
Canby Hdw. & Impl. Co.	1.05	R.W.Atwood	2.00
Rigdon Bros.	55.12	Hersey Mfg. Co.	5.28
State Ind. Acc. Com.	.25	Canby Hdw. & Impl. Co.	141.25
	-----	First Nat. Bank (Bond int.)	169.00
	\$ 72.97	Canby State (Bonds paid off)	2500.00
		State Ind. Acc. Com.	1.31

			\$ 2896.73

On motion, seconded and carried, the above claims were allowed.
Yeas 6 nays 0

Whereupon Councilman Patch reported that deeds from Martha E. Knight, D.G. Clark and wife and A.R.Knight and wife conveying to the City certain properties for street purposes had been prepared and delivered and are now in the hands of the Recorder.

This matter placed on file for future action.

Whereupon a communication from the Byron-Jackson Co. was read, in which they advised a change from a 13 stage Unit to a 12-stage, thereby saving the City \$ 20.00.

Whereupon the matter of an annual clean up week being presented, the Mayor announced that he would designate the period from April 14 to April 21 for such purpose.

The following Ordinance then came up for final action; and on motion, seconded and carried was placed on final passage.

On roll call-Yeas Bates, Pfister and Koehler. Nays-Patch, White and Zimmerman.
Whereupon the Mayor announced that the Ordinance was killed.

Killed

ORDINANCE NO. 40
An Ordinance entitled an Ordinance, to prevent the playing of pool billiards or any game of chance, in any public place, or pool or billiard hall in Canby, between the hours of twelve o'clock, P. M. of Saturday night, and twelve o'clock of Sunday night, and providing for the punishment of violators of this Ordinance and declaring an emergency
CANY DOES ORDAIN AS FOLLOWS:
Section 1—It shall be unlawful to play Pool, Billiards, Dice shaking, or any game of chance, or gambling, in any Pool or Billiard Hall or Public Place in Canby, between the hours of twelve o'clock Saturday night, and twelve o'clock Sunday night.
Section 2—The Owners, Proprietors, or Operators of any Pool, Billiard Hall or Public Place, in Canby who allows or permits any such mentioned games of chance, or gambling to be played or carried on in Canby, contrary to the provisions of this ordinance upon being found guilty of a violation of this Ordinance before the Recorder or Mayor of Canby, shall be punished in a sum of not less than five dollars, nor more than fifty dollars, or by being imprisoned in the City Jail not less than two days nor more than twenty five days, or by both fine and imprisonment as in the discretion of the Court.
Section 3—Whereas it is deemed to be best for the immediate preservation of the peace, health and safety of Canby, an emergency is hereby declared, and this Ordinance shall become immediately in full force and effect upon it's passage by the Council and approval by the Mayor.

Ord. 243 (384)

April 7-continued.

Whereupon the following two Ordinances were introduced and on motion, seconded and carried passed on their first reading, ordered published and to come up for final action at the next regular meeting of the Council to be held on May 5, 1930.

ORDINANCE NO.

An Ordinance, entitled an Ordinance, authorizing the purchase of a Pump for the City Water System of Canby, from the Byron-Jackson Company, and appropriating the sum of \$1204.00 out of the Water Fund of the City of Canby, to pay for the same.

WHEREAS; The City Council believes it to be proper and necessary,

to obtain a new and better Pump to supply water for the Water System of Canby, Now therefore:

Canby Does Ordain as Follows, to-wit:

SECTION 1—Canby does hereby authorize and empower the Water Committet to contract with and purchase of the Byron-Jackson Company of Portland, Oregon, a Certain Pump and necessary fixtures for the use of the Water System of Canby.

SECTION 2—The sum of \$1204.00 is hereby appropriated out of the Water Fund of Canby, to be paid to the Byron-Jackson Company, for the above mentioned Pump, said sum of \$1204.00 to be paid in installments, as follows, to wit:

June 1st, 1930	\$304.00
July 1st, 1930	150.00
Aug. 1st, 1930	150.00
Sept. 1st, 1930	150.00
Oct. 1st, 1930	150.00
Nov. 1st, 1930	150.00
Dec. 1st, 1930	150.00

And warrants are hereby ordered to be drawn for these sums as they become due.

ORDINANCE NO.

An ordinance, Entitled an Ordinance, granting a Franchise to the Canby Rivers Irrigation Company, Incorporated, its successors or assigns, to construct, operate and maintain an Irrigation system, and construct the necessary ditches and flumes, and lay the necessary pipes on and through certain Streets and Alleys in the Town of Canby, Oregon.

Whereas the City Council of Canby believes it to be of importance and benefit to Canby and the citizens thereof, to have at hand and usable, more water to control and fight fires in the dry season of the year, and to use in flushing sewers, if necessary; And, Whereas The Canby Rivers Irrigation Company, a Corporation of the State of Oregon is desirous of digging ditches, laying pipes and constructing flumes, on and over certain designated streets of the City of Canby, Now therefore;

Canby Does Ordain as Follows, to-wit:

SECTION 1—Canby does hereby grant to The Canby Rivers Irrigation Company, Incorporated, the right to construct, operate and maintain the necessary ditches, flumes and pipes, upon and through and over the following named streets and alleys of Canby, for the conveyance of water to be used in its Irrigation System in and adjacent to Canby, Oregon, to-wit; To cross First street near E street, to cross Second street near E street, to cross Third street near E street, transverse North side of Third street to F street, and along F street and across Fourth street, transverse F street on East side to and across Fifth street, cross C street and run through alley to B street, cross B street to the Wait Acreage, and if at any time it is deemed necessary to use any other streets, the City Council can if it so wishes, grant the right to their use, and the right so granted shall become part of this Ordinance.

SECTION 2—That the right is hereby reserved by the City of Canby to use water from the ditches, pipes or flumes of said Irrigation System to extinguish any fire in the City of Canby, or may threaten to come within the City limits, or to flush any sewer in the City of Canby, and the City of Canby shall not be indebted in any sum whatsoever, to the Canby Rivers Irrigation Company, its successors or assigns, for any water thus used.

SECTION 3—The term for which this Franchise is granted shall be twenty five years.

SECTION 4—The construction of the Irrigation System shall begin within thirty days from the date of the granting of this Franchise, and it shall have water running through it's ditches and pipes, subject to use by May first 1931.

SECTION 5—Said Irrigation Company shall at all times keep in good order and repair all of it's culverts, ditches and crossings through the City.

SECTION 6—The Irrigation Company agrees to pay all lawful damages that may occur to Public or private property within the City that may result or be caused by water from any part of its system.

SECTION 7—Failure to operate its Irrigation System for one year, shall give the City Council the right and power to Annul and make void this Franchise.

SECTION 8—It is agreed by the Irrigation Company when they accept this Franchise, that they will fill all ditches, remove all culverts, flumes and crossings in a manner satisfactory to the City Council, at time of, or if this Franchise is an-

nulled or operation of said Irrigation System is abandoned.

SECTION 9—That this Franchise shall not be exclusive, or be a bar to any other Irrigation System that Canby may see fit to grant a Franchise to.

SECTION 10—That said Irrigation System shall not sell, nor in any manner dispose of water within the City limits of Canby for any other purpose than irrigation.

SECTION 11—That when and

wherever any part of the Irrigation System crosses or goes upon any street, alley or Public road or highway, within the City limits of Canby, that said Irrigation Company, its successors or assigns shall construct and maintain all such culverts, crossings and operating System in such form and manner as may be deemed proper and sufficient to the City Council of Canby.

SECTION 12—That said Irrigation Company must keep all ditches cul-

verts and flumes free and clear of all noxious weeds and brush.

SECTION 13—Whereas it is deemed to be the best for the immediate preservation of the peace, health and safety of Canby, an emergency is hereby declared, and this Ordinance shall become immediately in full force and operation upon its passage by the Council, its approval by the Mayor, and its written acceptance by the Canby Rivers Irrigation Company.

On motion, seconded and carried the Council then adjourned.

Approved-May 5-1930

H. A. Dedman
Mayor

J. B. Evans
Recorder