

October 3-1927-

The Council sat in regular session, October 3-1927 at 8 o'clock P.M. On roll call there were present: Mayor Bair, City Attorney Wait, Chief of Police Lent, Recorder H.B.Evans and Councilmen Dedman, Garrett, Graham, Koehler Shewey and Zimmerman. Councilman White reported later and Councilman Patch was absent.

The records of the previous meetings of Sept. 6 and 9 were read and approved.

The following claims against the City were presented:

Water Fund		General Fund	
Mrs. Waldron	\$ 2.73	Canby State Bank	\$ 50.40
O.M.Ogle	5.06	Louis Lent	17.65
Wilson Evans	2.69	City ( Lights )	50.00
A. Stefani	9.50	C.N.Wait	7.50
W.R.Telford	6.91	H.B.Evans	9.70
H.J.Garness	4.11	W.S.Maple	15.00
Andy Knight	3.53	Canby Herald	15.00
C.V.Prouty	4.06	State Ind. Acc. Com.	.60
Mrs. C.L.Bates	6.75		-----
M.P.Sailor	3.00		\$ 165.85
Canby State Bank	9.19		
E.D.Blackman	6.45	Light Fund	
John Samuelson	2.82	Graham Drug Co.	2.75
Mrs. Tremayne	2.25	Louis Lent	130.45
Mrs. Amy Roberts	3.63	M. Ferguson	2.50
Mrs. W. McFarland	7.75	Hurst Truck Lines	7.98
W.A.Cross	12.00	Fobes Supply Co.	124.09
Canby Coop Telph. Assc.	2.28	State Ind. Acc. Com .	3.41
Eva Board	5.19	Canby H. & I. Co.	36.06
Krueger Bros.	6.85	Portland Elect. Power Co.	6.65
Masonic Lodge	4.71	Molalla Electric Co.	321.02
B.P.Pfister	2.25		-----
First Nat. Bank	2.25		634.91
Mrs. Clarence Nelson	1.50	Road Fund	
Carrie I. Seaton	3.00	R.W.Zimmerman	8.80
John Koehler	2.25	Ralph Koehler	16.00
Judith Nelson	2.25	Aug. Rothenberg	10.60
Bertha Smith	2.25	State Ind. Acc. Com.	.52
Henry Kraft	2.83		-----
L.M.Larson	2.25		\$ 35.92
E.E.Bradtl	2.50		
E. Bowlsby	3.47		
Louis Lent	78.32		
C.E.Bowman	2.50		
So. Pacific Co.	1.00		
State Ind. Acc. Com.	1.36		
R.W.Atwood	3.50		
Canby Hdw. & Impl. Co.	3.45		
First Nat. Bank	169.00		
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	\$ 397.39		

On motion, seconded and carried, the above claims were allowed. Roll call Yeas 7-nays 0.

Whereupon the Recorder read a communication from The Southern Pacific Company regarding the closing of the road leading to the old Barlow Road bridge and the opening of a new street to the garbage dump.

Whereupon the following Resolution was introduced by Graham:

*See back of this page*

On motion of Graham, seconded by Dedman and carried, the foregoing Resolution was adopted.

### Reports

The Committee on the matter of adjusting water and light rates reported that no action had been taken, and committee was given another month.

The Committee on Streets and Public Property reported various streets in need of improvement, and asked for advice as to the new street leading from Weed street to the Union High School grounds.

Was instructed to proceed to build a gravel road into school grounds and also improve shoulders on Goods Bridge road.

Mr. Lent reported that it seemed necessary to do considerable work on the power lines, by installing heavier wires, etc., and asked for privilege of spending \$ 200 or \$ 300. Granted.

Whereupon the following Ordinance was introduced:

#### ORDINANCE NO. <sup>(221)</sup> 24

An Ordinance for the purpose of levying a tax on all taxable property, both real and personal, within Canby, Clackamas County, Oregon.

#### CANBY DOES ORDAIN AS FOLLOWS:

SECTION 1- The Council of the City of Canby, Oregon does hereby levy a tax of \$ 7580.00 on all the taxable property, both real and personal, which is taxable for County and State purposes within the corporate limits of Canby, and which is to be collected as other taxes are collected in the State of Oregon, by the Sheriff and Tax Collector of Clackamas County, Oregon, during the year 1928, with taxes commonly known as the taxes of 1927

SECTION 2- Said levy shall consist of \$ 2860.00 known as the regular City tax; \$ 770.00 known as Bond Fund #1 ; \$ 650.00 known as Bond Fund #2 , and \$ 3300.00 special tax for the purchase price of the Nelson tract for High School purposes, said special tax having heretofore been approved and voted by the legal voters of Canby at a special election held for that purpose.

Read for the first time at a meeting of the City Council held on October 3-1927 and ordered posted for the reason that, in the opinion of the Council, the cost of publication thereof is excessive, and to come up for final action at the regular meeting of the Council to be held on November 7-1927.

Whereupon the following Ordinance came up for final action:

#### ORDINANCE NO. <sup>(225)</sup> 1927-22

An Ordinance declaring and designating the Pacific Highway a through Highway along its entire route through the city limits of Canby, Oregon, and notifying drivers of all vehicles to come to a full stop before entering or crossing such designated Highway.

#### CANBY DOES ORDAIN AS FOLLOWS:

SECTION 1- Whereas Section 28 of Chapter 218, Laws of Oregon, 1927; provides as follows; " The State Highway Commission, with reference to state highways, and local authorities with reference to highways under their jurisdiction, are hereby authorized to designate main-traveled or through highways by erecting at the entrance thereto from intersecting highways, signs, notifying drivers of vehicles to come to a full stop before entering or crossing such designated highways, and whenever any such signs have been so erected, it shall be unlawful for the driver of any vehicle to fail to stop in obedience to said sign."

SECTION 2- Now therefore in compliance with said Law, the City Council of Canby, Oregon, does hereby declare and designate the Pacific Highway a through Highway along its entire route through the city limits of Canby, and hereby designates and declares all roads and streets within the City limits of Canby that intersect or cross said Pacific Highway, to be "Stop" roads or streets, and does hereby notify all drivers of vehicles to come to a full stop before entering or crossing such designated highway, and whenever " Stop" signs have been erected, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto.

SECTION 3 - The driver of any vehicle who shall violate any of the provisions of this Ordinance shall be punished by a fine of not more than fifty dollars ( \$50.00 ) or by imprisonment of not exceeding twenty five days, or by both fine and imprisonment.

Read for the first time at a meeting of the City Council held on Sept. 6-1927 and ordered posted for the reason that, in the opinion of the Council, the cost of publication thereof is excessive, and to come up for final action at the regular meeting of the Council to be held on Monday, October 3, 1927.

On motion, seconded and carried, the above Ordinance was placed on its final passage. Roll call. Yeas 7-Nays 0.

Whereupon the Mayor announced the Ordinance duly passed.

STATE OF OREGON )  
CLACKAMAS COUNTY ) ss.  
CANBY )

I, H.B.Evans, being duly sworn, depose and say, that I duly posted in three conspicuous places in Canby, three true and correct copies of the foregoing Ordinance, certified to by me, as correct copies of such original, and which copies were posted in plain view of all passersby, and remained posted for more than fourteen continuous days, and were so posted on the 16th day of September, 1927, at the following places: one on the bulletin board in the Postoffice; one on W.H.Bair's warehouse, and one on the front of the City Hall, all in Canby, Oregon.

Subscribed and sworn to before me a  
Notary Public, this 3rd day of Nov. 1927

*H.B. Evans*  
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City Recorder.

*Eleanor Lent*  
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Notary Public for Oregon

My commission expires July 26, 1930

Whereupon the following Ordinance came up for final action:

ORDINANCE NO. <sup>(226)</sup> 1927-23

An Ordinance of the City of Canby, Oregon, granting unto the Portland Electric Power Company, the right to construct, maintain and operate an electrical transmission line in, over and upon certain streets and public ways of the said City of Canby.

CANBY DOES ORDAIN AS FOLLOWS:

SECTION 1- Unto the Portland Electric Power Company, a corporation of Oregon, and unto its successors and assigns, is hereby granted the right and privilege to construct, maintain and operate an electrical transmission line, together with the necessary poles, cross arms, wires, andhorns and other appurtenances, in, upon and over the public streets and highways of the City of Canby, Oregon, upon a location described as follows, to-wit:



From the easterly city limits of the City of Canby, southwesterly following the southerly side of the Pacific Highway to the easterly side of Molalla Road; thence following the easterly side of Molalla Road to the southerly side of Maple Street; thence following the southerly side of Maple Street to the easterly side of Street, 100 feet, more or less, east of Weed Street; thence crossing to and following the northerly side of Maple Street to the easterly side of Weed Street; thence following the easterly side of Weed Street to the southerly terminus thereof.

If and when a street may be dedicated from the southerly terminus of Weed Street in a southwesterly direction to the Pacific Highway, the franchise herein granted for the construction, maintenance and operation of said transmission line, and its appurtenances, shall be extended, without further action on the part of the City of Canby or the Grantee, to the construction, maintenance and operation of said transmission line, with its appurtenances, in and upon said street as dedicated from the southerly terminus of Weed Street to the Pacific Highway.

The location of said transmission line over said streets and proposed street is shown in red upon the attached Blue Print marked E.B. 457.

SECTION 2- The said electrical transmission line shall be located, constructed, extended, re-located and re-constructed subject to the approval of the City Engineer of said City of Canby.

SECTION 3- The Grantee hereunder will save and hold harmless the said City, its officers, agents or employees, from any injury to persons, or damage to property arising or growing out of the negligent construction, maintenance or operation by the Grantee of said electrical transmission line.

SECTION 4- This franchise is granted on the express condition that the Grantee will not, except with the permission of the Council of said City, serve any customers within said City of Canby with any electrical energy from said transmission line.

SECTION 5- This franchise shall be in force and effect on and after the filing by the Grantee with the City Clerk of said City of Canby of its unconditional acceptance hereof.

Read for the first time at a meeting of the City Council held on Tuesday, , Sept. 6, 1927 and ordered posted for the reason that, in the opinion of the Council, the cost of publication thereof is excessive, and to come up for final action at the regular meeting of the Council to be held on Monday, October 3, 1927.

On motion, seconded and carried, the above Ordinance was placed on its final passage. Roll call. Yeas 7-Nays 0.

Whereupon the Mayor announced the Ordinance duly passed.

STATE OF OREGON )  
CLACKAMAS COUNTY ) ss.  
CANBY )

I, H. B. Evans, being duly sworn, depose and say, that I duly posted in three conspicuous places in Canby, three true and correct copies of the foregoing Ordinance, certified to by me, as correct copies of such original, and which copies were posted in plain view of all passersby, and remained posted for more than fourteen continuous days, and were so posted on the 16th day of September, 1927, at the following places: one on the bulletin board in the Postoffice; one on W.H.Bair's warehouse and one on the front of the City Hall. all in Canby, Oregon.

Subscribed and sworn to before me a  
Notary Public, this 3rd. day of Nov. 1927.

*H.B. Evans*  
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City Recorder.

*Eleanor Lent*  
Notary Public for Oregon.

My commission expires July 26, 1930.

Whereupon the report of the City Treasurer for the quarter ending Sept. 30, 1927 was read and ordered audited by the Finance Committee.

Whereupon on motion, seconded and carried, the Council adjourned.

Approved-Nov. 7-1927

*W.H. Bair*  
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Mayor

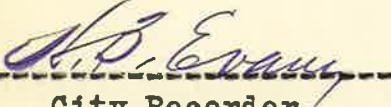
*H.B. Evans*  
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City Recorder

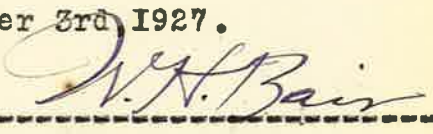
RESOLUTION.

Whereas, in duplicate Agreements made by and between the Southern Pacific Co, and the City of Canby, Oregon, the said Southern Pacific Co in consideration of the certain agreement made by said City of Canby, and hereinafter set forth, does grant to the said City of Canby the right to construct and maintain a highway upon and across that certain parcel of land situate in the County of Clackamas, State of Oregon, and lying within the railroad right of way, and property of said Southern Pacific Co, as fully described in said agreement; And in consideration thereof the said City of Canby agrees to close and abandon for highway purposes, and public use, and to release ~~the~~ to the grantor the portion of that certain highway located upon the right of way of said Southern Pacific Co, and more particularly described on exhibit "A" attached to said duplicate agreement heretofore mentioned, and being used by the City of Canby, by virtue of an indenture dated <sup>June</sup> January 26th, 1913, Recorded July 31st, 1913, in Book 45 page 20 Records of Clackamas County, Oregon;

NOW THEREFORE, <sup>that</sup> be it Resolved by the City Council of Canby, Oregon, hereby does ratify said Agreement heretofore and herein set forth, and authorizes and directs the Mayor and City Recorder of Canby to enter into and execute the said Agreement on behalf of said Canby, and hereby gives notice that it proposes by Ordinance to vacate and turn back to the grantors the said public road mentioned in the indenture of June 26th, 1913 heretofore referred to.

Passed by the Council of Canby, October 3rd 1927.

  
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City Recorder.

  
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Mayor.