

Regular Meeting, City Council of Canby

March 1-1926

Council called to order at 8 o'clock P. M. by Mayor Bair. Upon roll call there were present, Mayor Bair, City Attorney Wait, Recorder H. B. Evans, Chief of Police Lent, and Councilmen Bowlsby, Dedman, Graham, Patch, Shewey, Swanby, Wang and White.

The minutes of the last regular meeting of February first, adjourned to Febr. 3rd. were read and approved.

Communications.

A letter from the Southern Pacific Company with reference to the closing of the old Barlow road was then read, and the matter was referred to the Committee on Streets and Public Property, and the City Attorney.

Bills.

The following claims against the City were then presented to the Council for their consideration:

General Fund		Electric Light Fund	
Canby Herald	\$ 12.00	Louis Lent	\$114.36
Louis Lent	21.79	Do	3.00
City of Canby (Lites)	50.00	A. W. Faulkner	18.20
Canby State Bank	7.50	Francis Skinner	3.20
P.L.Hammond	10.00	Molalla Electric Co.	251.94
Ore. City Enterprise	3.50	Canby Hdw. & Impl. Co.	8.00
H. B. Evans	16.92	Fobes Supply Co.	16.82
C.N.Wait	10.00	Do	15.84
W.S.Maple	15.00	R.R.Poppleton	11.70
	-----	S. W. Bany	3.00
Total	\$ 146.71	State Ind. Acc. Com.	3.44

		Total	\$ 449.50
Water Fund		Road Fund	
Wm. S. Turner	51.60	Clackamas County	45.00
Stefani Lbr. Co.	47.36	Do	14.40
Louis Lent	70.35	Canby Hdw. & Impl Co	2.30
A.W.Faulkner	8.40	August Rothenberg	17.25
Graham Drug Co.	9.10	Wilson Evans	.75
Canby Hdw. & Impl. Co.	28.74	Henry Wolfer	4.50
Do	154.85	Martin Danielson	1.50
State Ind. Acc. Com.	4.68		-----
Canby State Bank	38.00	Total	\$ 85.70
E. Bowlsby	16.40		
H. Kuehl	9.40		
C. Bates	15.80		
John Stuwe	15.00		
Chas. O. Thomas	20.60		
Wm. Wehner	8.00		
Chas. Harshman	12.80		
M. Mooney	1.60		
Warren Kendall	15.35		
John W. Koehler	50.75		
M. Mahlum	6.00		
S. W. Bany	116.25		
Frank Dodge	25.00		
R. W. Atwood	1.25		

Total	\$ 727.28		

It was moved, seconded and carried that the above bills be allowed. Roll call, ayes 8- Nos 0.

Reports

City Attorney Wait informed the Council as to the liability of the City in respect to sidewalks, crossings, etc. out of repair, reading extracts from the City of Portland charter and that of our own, showing much similiarity.

It was moved, seconded and carried that the Committee on Streets and Public Property acting in conjunction with the Supt. of Streets be instructed to post notices where walks are out of repair, and to notify owners to comply with Article 4 of the City Charter.

Street Supt. Rothenberg reported the necessity of two new crossings, one between the Pfister and Zollner properties, and the other at the Seaton corner.

On motion of White, seconded by Graham and carried, he was instructed to have the olds ones replaced.

Whereupon Mr. Huston, a representative of Hill, Hubbell & Co. (dealers in paints etc.) being in waiting was invited to address the Council. He urged the necessity of painting the inside of the new tank with a special preparation furnished by his company, stating that the cost would approximate 11c per square foot, with a three year guarantee. No action taken.

Whereupon the Finance Committee was instructed to investigate thoroughly the advisability of refunding at a later date, the \$ 18000 bond issue of the City, and if in their opinion it would save money for the City by calling in the present issue and putting out a new issue at a lower rate of interest, to take the necessary preliminary steps and report at the next regular meeting.

Whereupon on motion, seconded and carried, the Recorder was instructed to advertise the old tank and tower for sale, with exception of two riser pipes. Ads to run in Canby and Oregon City papers. Bids to be in by April 15, and right to reject any or all bids. Tank not to be removed until new one completed but must be removed by successful bidder within sixty days after acceptance of bid.

Whreupon the Supt. was instructed to purchase necessary pipe for connection with new tank when completed.

Whereupon the following Ordinance was read for final action:

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ORDINANCE NO. *** 1926 - one

An Ordinance ratifying the contract heretofore made with the Pittsburgh, Des Moines Steel Company, for the constructing and erecting of a steel water tank and tower, for the water system of Canby, Oregon, and declaring an emergency:

Canbydoes ordain as follows:

Section 1- Whereas, by reason of an Ordinance duly passed by the City Council of Canby and approved by the Mayor, the City Recorder of Canby duly advertised for bids for the construction and erection of a steel water tank and tower for the water system of Canby, and whereas, pursuant to said advertisement, the City Council did, within the specified time named in said advertisement, receive several bids for the construction and erection of said tank and tower, and whereas the said bids so received were duly opened, considered and passed upon by the City Council of Canby, within the time required by law, and whereas the City Council of Canby did at a special meeting of said City Council accept the bid of the Pittsburgh, Des Moines Steel Company for the construction and erection of said tank and tower at the specified and agreed price of seven thousand one hundred and twenty five dollars (\$7125.00), and did at said meeting of the City Council of Canby pass a resolution instructing the Mayor and City Recorder of Canby to enter into and sign on behalf of the City of Canby, an agreement and contract with the said Pittsburgh, Des Moines Steel Company for the construction and erection of said steel water tank and tower for the water system of Canby, the said water tank to

be constructed of steel, and to be of the capacity of one hundred thousand gallons, and the tower for said tank to be of steel and to be seventy five feet in heighth, and the agreed price to be paid for the construction and erection of said steel tank and tower to be seven thousand one hundred twenty five dollars, (\$7125.00), THEREFORE IT IS ORDAINED; that the City Council of Canby do, and hereby does accept and ratify said contract with the Pittsburgh, Des Moines Steel Company so entered into and signed by the Mayor and City Recorder in accordance with the Resolution to ~~that~~ effect heretofore passed by the City Council of Canby.

SECTION 2- WHEREAS, It is necessary that said water tank and tower be constructed and erected at once, for the reason that the present tank and tower is believed to be in a dangerous condition, and for the immediate preservation of the peace, health and safety of Canby, an emergency is hereby declared, and this Ordinance shall become immediately in force and effect upon it's passage by the Council, and approval by the Mayor.

Whereupon it was moved and seconded that said Ordinance be placed on its final passage. On roll call, Ayes 8-Nos 0.

Whereupon the Mayor declared said Ordinance duly passed.

STATE OF OREGON)
COUNTY OF CLACKAMAS) ss
CANBY)

I, H. B. Evans, being first 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 8th day of February, 1926, at the following places towit:

One on bulletin board in lobby of Postoffice; one on the south side of W.H. Bair's warehouse, and one on front of City Hall, all in Canby-Oregon.

H. B. Evans

Recorder.

Subscribed and sworn to before me this 1st. day of March, 1926.

Amelia Kraft

Notary Public for Oregon.

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES OCT. 9th, 1927

Whereupon the following Ordinance was read for final action:

ORDINANCE NO. ²⁰⁵ ~~1926~~ - two

An Ordinance providing for the construction of the necessary foundation for the steel water tank and tower to be constructed and erected by the Pittsburgh, Des Moines Steel Company for the City of Canby water system, pursuant to the contract made by said Company, with the City Council of Canby, and empowering the Committee on Fire and Water of Canby to appoint a Superintendent of said foundation construction work, and authorizing them to purchase the necessary material, and hire the necessary labor for the proper construction of said foundation, and authorizing the City Recorder to see that the Industrial Accident Commission service is extended to the laborers who are employed on said foundation work, and declaring an emergency;

CANBY DOES ORDAIN AS FOLLOWS:

SECTION 1- That the Committee on Fire and Water of the City of Canby is directed and empowered to construct the necessary foundation for the steel water tank and tower which the Pittsburgh, Des Moines Steel Company is under contract to construct and erect for the water system of Canby, and to undertake and carry on the construction of said foundation and to appoint a proper person as Superintendent of said construction work, and is hereby authorized and empowered to purchase the necessary material and hire the necessary labor and to do everything necessary for the proper construction of said foundation.

SECTION 2- That the City Recorder shall immediately notify the State Industrial Accident Commission of the State of Oregon, that Canby contemplates making such an improvement, and he shall take all steps necessary to see that Canby gives notice of the intention of having each and every employe engaged in labor on said foundation come under the benefit of said act.

SECTION 3- Whereas it is necessary for Canby to construct said water tank foundation immediately, so as not to retard the erection of said steel water tank and tower, for the reason that the present tank and tower is believed to be in a dangerous condition, and 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 it's passage by the Council and approval by the Mayor.

Whereupon it was moved and seconded that said Ordinance be placed on its final passage. On roll call, Ayes 8-Nos 0.

Whereupon the Mayor declared said Ordinance duly passed.

STATE OF OREGON)
COUNTY OF CLACKAMAS) ss
CANBY)

I, H. B. Evans, being first 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 8th day of February, 1926, at the following places to wit:

One on the bulletin board in lobby of the Postoffice; one on the south side of W.H.Bair's warehouse, and one on front of City Hall, all in Canby, Oregon.

H. B. Evans

Recorder

Subscribed and sworn to before me this 1st. day of March, 1926.

Amelia Kraft

Notary Public for Oregon.

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES OCT. 9th, 1927

Whereupon the following resolution was introduced:

WHEREAS, Heretofore the City Council of Canby passed an Ordinance authorizing the Mayor and Recorder of Canby to enter into and sign a contract with the Pittsburgh, Des Moines Steel Company for the construction of a steel water tank and tower for the City of Canby at the agreed price of \$ 7125.00, and WHEREAS Canby by Ordinance heretofore duly passed by the City Council ratified the contract with the said Pittsburgh-Des Moines Steel Company, and WHEREAS by the terms of the contract so made, Canby was to pay the said Pittsburgh-Des Moines Steel Company 60% of the entire cost price of the said Tank and Tower whenever the material for said tank and tower should be delivered on the place at Canby where said Tank and Tower are to be erected and constructed, and WHEREAS THIS clause of said contract has been complied with, and said material is now delivered at the place of erection and construction of said tank and tower, according to the terms of said contract;
NOW THEREFORE BE IT RESOLVED by the City Council of Canby, that a payment of \$ 4275.00 to said Pittsburgh-Des Moines Steel Company is due and payable, and that Canby do pay the Pittsburgh-Des Moines Steel Company the sum of \$ 4275.00, and that an Ordinance be passed to that effect.

Whereupon it was moved and seconded that the resolution be adopted. Yeas 8 Nos 0 .

Whereupon the Mayor announced the adoption of the resolution.

Whereupon the following Ordinance was read:

An Ordinance appropriating the sum of Four thousand two hundred seventy five dollars (\$4275.00) out of the sinking fund of the Water Department of Canby, as a first payment on the Steel Tower and Tank being constructed for the Water Department of Canby, by the Pittsburgh-Des Moines Steel Company, and declaring an emergency.

CANBY DOES ORDAIN AS FOLLOWS: *no. 206 1926-27*

SECTION 1- That pursuant to a Resolution passed by the City Council of Canby on March 1-1926, the sum of \$4275.00 being 60% of the total amount of \$ 7125.00, which the City Council of Canby heretofore contracted to pay the Pittsburgh-Des Moines Steel Company for the construction and erection of a steel water tank and tower for the water department of Canby, and said sum of \$ 4275.00 being the amount agreed upon in said contract, to be paid when the material for said tank and tower should be delivered at the place in Canby where said tank and tower are to be constructed, and the said material being at this time delivered according to the terms of said contract, the said sum of \$ 4275.00 is hereby appropriated out of the sinking fund of the water department of Canby as a payment to said Pittsburgh-Des Moines Steel Company in accordance with the terms of said contract and Resolution aforesaid.

SECTION 2- Whereas it is necessary that said water tank and tower be immediately constructed for the use and convenience of the citizens of Canby, and in order to protect the peace, health and safety of Canby, and emergency is hereby declared, and this Ordinance shall go into full force and effect as soon as it is passed by the Council and approved by the Mayor.

On motion duly made, seconded and carried, said reading was considered the first reading of said Ordinance, and for the reason that charges for publication thereof were, in the opinion of the Council, excessive, publication was ordered dispensed with, and the Recorder was ordered to post said Ordinance in three public and conspicuous places in Canby for a period of two calendar weeks.

Said Ordinance to come up for final action at the regular meeting of the City Council to be held on April 5-1926 at 8 O'clock P.M.

Whereupon it was moved and seconded that the Council adjourn.
Motion carried.

Approved-April 5-1926

W. H. Bair

Mayor.

H. B. Evans
Recorder