

SPECIAL MEETING OF THE COUNCIL OF CANBY

June 16, 1921.

Special Meeting of the Council was called to order by the Mayor, due notice of the time and place and purpose of meeting having been given.

Motion made and seconded, that the City Attorney act as temporary City Recorder. Carried:

On roll call the following officers were present: The Mayor, W. S. Maple, City Attorney, Philip Hammond, Chief of Police, George F. Meeks; Councilmen, Bair, Evans, Eid, Shull and Sandsness.

M. J. Lee handed to the Acting Recorder at this time a Remonstrance against the proposed Improvement of D Street, which was read to the Council and contained the following names:

A. F. Knight, Lots 11 and 12, Block 4;
William and Martha Knight, Lots 6, 7,
and 8, Block 3.
Veromka Astmann, Lot 1, Block 4.

There were no other or further signers.

The Recorder was instructed not to file the proposed Remonstrance for the reason that it did not contain sufficient signatures, and was not presented at the proper time.

At this time the Recorder read to the Council the following affidavit:

STATE OF OREGON)
 : ss.
County of Clackamas)

I, Clarence Eid, Recorder of Canby, being first duly sworn, depose and say, that I posted three copies of the attached Resolution of Intention to improve E Street from the center line of First Street to the Westerly line of Second Street, in three public and conspicuous places in Canby, to-wit: one copy on the bulletin board in the City Hall, one copy on the bulletin board on C Street opposite the post-office, and one copy in the lobby of the United States post-

office on the bulletin board; all of said copies were full, true and correct copies of said Resolution of Intention and were posted in public view of passers-by and remained continuously posted for more than fifteen days.

Clarence Eid
Clarence Eid

Subscribed and sworn to before me this 16th day of June, A. D. 1921.

Philip Hammond,
Notary Public for Oregon.

(Seal of Notary)

My comm. expires Dec. 18, 1922.

The Recorder then also read the following Affidavit:

STATE OF OREGON)
 : ss.
County of Clackamas)

I, Clarence Eid, Recorder of Canby, being first duly sworn, depose and say, that I posted three copies of the attached Resolution of Intention to improve D Street from the easterly line of First Street to the westerly line of Second Street, in three public and conspicuous places in Canby, to-wit: one copy on the bulletin board in the City Hall, one copy on the bulletin board on C Street opposite the postoffice, and one copy in the lobby of the United States postoffice on the bulletin board; all of said copies were full, true and correct copies of said Resolution of Intention and were posted in public view of passers-by and remained continuously posted for more than fifteen days.

Clarence Eid
Clarence Eid

Subscribed and sworn to before me this 16th day of June, A. D. 1921.

Philip Hammond
Notary Public in and for Oregon.

(Seal)

My comm. expires Dec. 18, 1922.

Whereupon the following Ordinance was read:

ORDINANCE NO. 166.

Whereas, heretofore on the 23rd day of May, 1921, the Council of the City of Canby duly passed a resolution declaring its purpose of making the hereinafter described improvement, which said resolution directed that copies of the resolution be posted and approved and adopted the plans and specifications and the estimates of the City Surveyor therefore; and

Whereas, said resolution has been kept in the office of the Recorder and has been duly posted by three copies thereof being posted in three public places in Canby, for more than fifteen days, before the time set by the said resolution as the last day on which remonstrance against the said proposed improvement could be filed; and

Whereas, no remonstrance against the said proposed improvement has been filed; and

Whereas, the Council of Canby has acquired jurisdiction to order the proposed improvement to be made, now then:

To provide for the said improvement and to declare an emergency,

CANBY DOES ORDAIN AS FOLLOWS:

Section 1. That E Street from the center line of First Street to the Westerly line of Second Street, shall be improved by grading, draining, shouldering and paving the same with hard surface pavement 16 feet in width and by doing such other work as will be necessary to make a full and complete improvement.

Section 2. Said improvement to be made in accordance with the plans and specifications of the City Surveyor, heretofore adopted by the Council.

Section 3. That upon the approval of this ordinance the Recorder of Canby, shall give notice, by publication for not less than two weeks, which length of time is hereby declared to be sufficient, calling for bids for making the said improvement.

Section 4. All persons bidding on said improvement shall do so in strict accordance with the plans and specifications and on forms provided by the City Surveyor. Each bidder shall accompany such bid with a certified check or draft for 20% of the amount of such bid, which check or draft shall be for the purpose of guaranteeing Canby that such bidder will faithfully enter into the contract provided in such bid, if given to such bidder by Canby, and which check or draft shall be payable to Canby.

Section 5. That the contract shall be let to the lowest responsible bidder therefore, either for the whole of such improvement or any part thereof, but the Council hereby reserves the right to reject any and all bids submitted therefore.

Section 6. If such bids are rejected by the Council then Canby may proceed to make such improvement under the supervision of the Street Superintendent, which work, shall be done in the same manner as if the improvement has been let by contract, and the Street Superintendent is hereby authorized and instructed to proceed to make such improvement with all convenient speed, and to do whatever acts and things that may be necessary, convenient and proper in the premises.

Section 7. Insomuch as there is urgent need of the aforesaid improvement to be made at as early a date as possible during the dry season, an emergency is hereby declared and to exist, and this Ordinance shall go into force and effect upon its adoption and approval.

~~Read for the first time and ordered posted, for the reason that in the judgment of the Council the cost of publication thereof, is excessive, and to come up for final passage at a regular meeting of the City Council to be held on July 5th, 1921, at eight o'clock P. M.~~

It was thereupon moved and seconded that said reading would be considered the first reading, and said ordinance was ordered posted for the reason that the charge of publication, was in the judgment of the council excessive; said ordinance to come up for final passage at a regular

meeting of the Council of Canby, to be held July 5, 1921, at eight o'clock P. M. Motion Carried.

Also the following Ordinance was read:

ORDINANCE NO. 167

Whereas, heretofore on the 23rd day of May, 1921, the Council of the City of Canby, duly passed a Resolution declaring its purpose of making the hereinafter described improvement, which said resolution directed that copies of the resolution be posted and approved and adopted the plans and specifications and the estimates of the City Surveyor therefore; and

Whereas, said resolution has been kept in the office of the Recorder and has been duly posted by three copies thereof being posted in three public places in Canby, for more than fifteen days, before the time set by the said resolution as the last day on which remonstrance against the said proposed improvement against the said proposed improvement could be filed, and

Whereas no remonstrance against the said proposed improvement has been filed; and

Whereas the Council of Canby has acquired jurisdiction to order the proposed improvement to be made, now then;

To provide for the said improvement and to declare an emergency;

CANBY DOES ORDAIN AS FOLLOWS;

Section 1. That D Street from the easterly line of First Street to the westerly line of Second Street shall be improved by grading, draining, shouldering and paving the same with hard surface pavement 16 feet in width and by doing such other work as will be necessary to make a full and complete improvement.

Section 2. Said improvement to be made in accordance with the plans and specifications of the City Surveyor,

heretofore adopted by the Council.

Section 3. That upon the approval of this ordinance the Recorder of Canby, shall give notice, by publication for not less than two weeks, which length of time is hereby declared to be sufficient, calling for bids for making the said improvement.

Section 4. All persons bidding on said improvement shall do so in strict accordance with the plans and specifications, and on forms provided by the City Surveyor. Each bidder shall accompany such bid with a certified check or draft for 20% of the amount of such bid, which check or draft shall be for the purpose of guaranteeing Canby that such bidder will faithfully enter into the contract provided in such bid, if given to such bidder by Canby, and which check or draft shall be payable to Canby.

Section 5. That contract shall be let to the lowest responsible bidder therefore, either for the whole of such improvement or any part thereof, but the Council hereby reserves the right to reject any and all bids submitted therefore.

Section 6. If such bids are rejected by the Council, then Canby may proceed to make such improvement under the supervision of the Street Superintendent which work, shall be done in the same manner as if the improvement has been let by contract, and the Street Superintendent is hereby authorized and instructed to proceed to make such improvement with all convenient speed, and to do whatever acts and things that may be necessary, convenient and proper in the premises.

Section 7. Insomuch as there is urgent need of the aforesaid improvement to be made at as early a date as possible during the dry season, an emergency is hereby declared and to exist, and this Ordinance shall go into force and effect upon its adoption and approval.

It was thereupon moved and seconded that said reading would be considered the first reading, and said ordinance was ordered posted for the reason that the charge of publication, was in the judgment of the council excessive;

said ordinance to come up for final passage at a regular meeting of the Council of Canby, to be held July 5, 1921, at eight o'clock P. M. Motion Carried.

Whereupon the Council adjourned.

APPROVED:

July 5th 1921.

W S Mape
MAYOR.

[Signature]
RECORDER.