

MINUTES OF COUNCIL MEETING.

Regular Meeting of the City Council called to order at 8 o'clock, P.M., August 7, 1916, by W. H. Bair, Mayor.

On roll call the following were present:

Mayor, W. H. Bair, Recorder, P. L. Hammond, Councilmen Slyter, Graham, Dedman, Combs, Wang and Bates.

The minutes of the previous meetings were read and approved.

The following bills were then read:

Canby Water Works,	\$5.00
Library	5.00
Clem Dollar	10.00
Chief of Police	15.00
Transcript of bond proceeding,	50.00
S. A. Cobb,	100.00
Portland Daily Abstract	1.85
C. & R. Co.	5.97
Journal Publishing Co.	1.35
Recorder,	13.25
Standard Oil Co.	4.00
Canby Electric Supply Co.	5.80
Molalla Electric Co.	47.00
C. D. Bowlsby,	11.25
H. C. Gillmore	6.25
Antone Zec	5.00
Wilson Evans	.50
	<u>280.22</u>

Motion made and seconded that said bills be paid and warrants be drawn therefor. Carried.

On roll call: Ayes: Slyter, Graham, Dedman, Combs, Wang, Bates.

Noes: None.

Whereupon the Recorder read an Ordinance entitled "An Ordinance appropriating the sum of \$228.00 for the purpose of purchasing or building a ferry boat," read for the first time July 3rd, 1916, ordered posted for the reasons that the charges of publication thereof were in the judgment of the Council excessive, and therefore said publication was dispensed with, and the Recorder was instructed to post said Ordinance in three public and conspicuous places for a period of two full calendar weeks, to come up for final passage at a regular meeting of the Council held on the 7th day of August, 1916, at 8 o'clock. Said Ordinance had attached thereto the following affidavit:

STATE OF OREGON,)
) SS.
COUNTY OF CLACKAMAS,)

I, P. L. Hammond, Recorder of Canby, being first duly sworn, depose and say that I posted the foregoing ordinance in three public and conspicuous places within Canby, towit: The window of the Recorder's office, on the bulletin board of the City Hall, on the bulletin board of the U. S. Postoffice. Said copies were full, true and correct copies and remained continuously posted for more than fourteen days.

P. L. Hammond.

Subscribed and sworn to before me this 7th day of August, 1916.

Wm. Hammond,

(Seal of Notary)

Notary Public for Oregon.

My commission expires March 31, 1917.

Motion made and seconded that said Ordinance be placed on its final passage. Carried.

On roll call: Ayes: Slyter, Graham, Dedman, Combs, Wang, Bates.

Noes: None.

Whereupon the Mayor declared said Ordinance carried.

The following resolution was proposed by Councilman Wang:

RESOLUTION.

A Resolution to provide for the issuance of bonds of Canby, Oregon, in the sum of eighteen thousand dollars (\$18,000.00) for the purpose of building and maintaining a water works system in said Canby, providing and approving the form of the bonds to be issued and the coupons attached thereto, authorizing and approving the sale of said bonds and the delivery thereof, and declaring an emergency.

WHEREAS Section 140 of the charter of Canby provides for the issuance of improvement bonds for the purpose of building and maintaining a water works system in said Canby in a sum not to exceed eighteen thousand dollars (\$18,000.00); and

WHEREAS no bonds have been issued for said purposes; and

WHEREAS in order to obtain funds for the purposes above enumerated it has become necessary for Canby to borrow money

in the sum of eighteen thousand dollars (\$18,000.00) and to issue its bonds therefor; and

WHEREAS all of the conditions and requirements of the charter of Canby precedent to the issuance, advertisement and sale of said bonds have been regularly done and performed in full compliance therewith, NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF CANBY: That Canby do issue bonds in the name of and under the corporate seal of said Canby in the sum of eighteen thousand dollars (\$18,000.00) in denominations of five hundred dollars (\$500) each, numbered consecutively from No. 1 to No. 36 inclusive, said bonds to be dated August 1, 1916, payable twenty years after date, Canby, however, reserving the right to call in said bonds upon sixty days' notice at any time after the expiration of ten years from date, the entire issue of \$18,000.00 bonds aforesaid to bear interest at the rate of six (6) per cent. per annum, payable semi annually, both principal and interest to be payable at the Fiscal Agency of the State of Oregon in New York City, said bonds to be signed by the Mayor and countersigned by the Recorder of Canby, and the corporate seal of said Canby to be affixed thereto whereby Canby shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay to the bearer of each of said bonds at the expiration thereof the sum therein named in gold coin of the United States together with interest thereon in like gold coin at the rate of six per cent. per annum, payable semi-annually, which bonds shall be known as CANBY WATER BONDS, the interest on said bonds being represented by coupons annexed thereto and each of said coupons shall have the signature of the Mayor and Recorder of Canby engraved thereon.

BE IT FURTHER RESOLVED that the said Canby Water Bonds hereby authorized to be issued shall be substantially in the following form:

No. _____

\$500.00

UNITED STATES OF AMERICA

STATE OF OREGON

CANBY WATER BOND.

Canby, Clackamas County, Oregon, for value received acknowledges itself indebted and hereby promises to pay to the bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the present standard of weight and fineness on the first day of August, 1936, together with interest thereon in like gold coin at the rate of six (6) per cent. per annum, payable semi annually on the first day of February and the first day of August of each year upon presentation and surrender of the interest coupons hereto annexed as they severally become due, Canby hereby expressly reserving the right to redeem this series of bonds upon sixty days' notice at any time after the expiration of ten years from the date hereof; principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds of Canby, Clackamas County, Oregon numbered consecutively from 1 to 36 inclusive, aggregating not to exceed \$18,000.00, issued for the purpose of building and maintaining a water works system in Canby under and in full compliance with all of the provisions of the charter of Canby.

And it is hereby certified and recited that all acts and things required to be done precedent to the issuance of said bonds have been properly done and performed in regular and due time, form and manner as required by law, and that the total debt of Canby, including this bond, does not exceed the constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of Canby, and the corporate seal of Canby hereto affixed this first day of August, 1916.

Mayor.

Countersigned:

Recorder.

(COUPON)

Coupon No. _____ \$15.00

February
On the first day of August Canby, Clackamas
County, Oregon, will pay the bearer fifteen dollars (\$15.00)
in gold coin of the United States of America at the Fiscal
Agency of the State of Oregon in New York City, being six
months' interest on its Water Bond No. _____.

Countersigned:

Mayor.

Recorder.

BE IT FURTHER RESOLVED that the Mayor and Recorder
be and they hereby are authorized and instructed to prepare,
execute and deliver the Canby Water Bonds to Crane & Company
in accordance with the terms and conditions of the bid of
said Crane & Company heretofore made and accepted for said bonds;

BE IT FURTHER RESOLVED that inasmuch as the charter of
Canby provides for the issuance of these bonds for the purpose
of building and maintaining water works in Canby, and inasmuch
as Canby at the present time is without a system of water
works, and inasmuch as a contract has been entered into for the
purpose of erecting and building a system of water works to
supply Canby and its inhabitants with an adequate supply of
good, pure and wholesome water, and by reason of the want there-
of the health and safety of Canby and its inhabitants are in
danger, an immediate emergency is declared to exist and this
resolution shall take and be in full force and effect from and
after its approval by the Mayor, and the same is hereby
excepted from the effect of the referendum.

Motion made that said resolution be adopted. Carried.

On roll call: Ayes: Slyter, Graham, Dedman, Combs, Wang, Bates.

Noes: None.

Whereupon the Mayor declared said Resolution adopted and immediately approved a copy of the same, and declared the same in full force and effect.

The Recorder instructed to note the arrival of Councilman White.

Whereupon the Recorder read the following Ordinance:

ORDINANCE NO. ____.

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An Ordinance directing the treasurer of Canby to keep in a separate fund all moneys received from the use and consumption of water by the sale of bonds or otherwise from the waterworks of Canby.

Canby does ordain as follows:

Section 1. That the treasurer of Canby shall keep all moneys collected or received from the use and consumption of water^{or} by the sale of bonds for the waterworks or otherwise, derived from or for the Canby waterworks' system, which said fund shall be separate and apart from the other funds of the city. That said money shall be paid out only on warrants drawn on the water fund of Canby and not otherwise.

Section 2. That the interest coupons of the \$18,000.00 issue of bonds dated August 1st, 1916, and the principal thereof shall be paid from said fund; provided, however, that if there is not sufficient money therein to pay the same, the treasurer of Canby is hereby directed to transfer from the general fund to the water fund of Canby such sums as may be necessary from time to time to pay the interest on said bonds.

Motion made and seconded that said reading be considered the first reading and that said Ordinance be posted for the reason that the charges of publication thereof are in the judgment of the Council excessive, and that said publication be dispensed with, and the same be posted in three public and conspicuous places for a period of two full calendar weeks

and to come up for final passage at a special meeting of the Council of Canby to be held on the 23rd day of August, 1916, at 8 o'clock P. M. Carried.

Motion made that an Ordinance be prepared to purchase M. J. Lee's waterworks system for \$6500.00, and bonds be issued therefor, the said Ordinance to be submitted to the people at a special election. Carried.

On demand of Councilman Bates the roll was called on said motion:

Ayes: Slyter, Graham, Dedman, Combs, Wang, Bates, White.

Noes: None.

The Council having listened to an address by Charles Latourette and William U'Ren, after which the Recorder read the following Ordinance prepared by William U'Ren:

ORDINANCE NO. _____.

An ordinance to provide for buying, building in, maintaining and operating as a part of the municipal water works system of the City of Canby what is known as the "Canby Water Works"; to authorize the issue and sale of bonds by the City of Canby for payment for same; to take immediate possession and operation thereof upon payment therefor.

Canby does ordain as follows:

Section 1. That we, the legal voters of Canby, do hereby authorize and instruct the mayor and recorder of Canby to buy, build in, maintain and operate, as a part of the municipal water works system of Canby, what is known as the "Canby Water Works", including its franchises, distributing system, and all its property of every kind and character, and also Lots 11 and 12 in Block 16 in Canby, and that Canby shall take possession of and operate the property and receive all its revenue for the City of Canby from and after the Twenty Fifth day of September, 1916, or as soon thereafter as payment can be made therefor.

Section 2. That we do authorize and instruct the mayor and recorder of Canby to pay Sixty-five Hundred Dollars in lawful money of the United States for the said Canby Water Works, and to sell sufficient bonds of Canby to provide said funds, and at

a rate of interest not exceeding 6% per annum, it being understood that the owners of said property shall furnish an abstract showing a good title to all of said property free from incumbrance, before payment is made for the same. Said bonds shall be issued in such sums and for such time as may be ordered by resolution of the city council, provided this Ordinance shall not go into force and effect until approved by the people at an election to be held therefor.

Motion made and seconded that said reading be considered the first reading and that said Ordinance be posted for the reason that the charges of publication thereof are in the judgment of the Council excessive, and that said publication be dispensed with, and the same be posted in three public and conspicuous places for a period of two full calendar weeks and to come up for final passage at a special meeting of the Council of Canby to be held on the 23rd day of August, 1916, at 8 o'clock P. M. Carried.

Whereupon the Recorder read the following ordinance prepared by William U'Ren:

ORDINANCE NO. _____

An ordinance calling a special election to be held in the City of Canby on the 23rd day of September, 1916, for the purpose of submitting to the legal electors of the said City of Canby an ordinance entitled "An ordinance to provide for buying, building in, maintaining and operating as a part of the municipal water works system of the City of Canby what is known as "The Canby Water Works"; to authorize the issue and sale of bonds by the City of Canby for payment for same; to take immediate possession and operation thereof upon payment therefor," and declaring an emergency.

Canby does ordain as follows:

Section 1. That a special election be and the same hereby is called to be held in the City of Canby on the 23d day of September, 1916, for the purpose of submitting to the legal

electors of the City of Canby, for their adoption or rejection, an ordinance entitled "An ordinance to provide for buying, building in, maintaining and operating as a part of the municipal water works system of the City of Canby what is known as the "Canby Water Works"; to authorize the issue and sale of bonds by the City of Canby for payment of the same; to take immediate possession and operation thereof upon payment therefor."

Section 2. That the recorder of the City of Canby be and he hereby is directed to give notice of such election in the manner provided by the charter; that the polling place shall be the City Hall, and that the Council shall by resolution provide for appointment of judges and clerks of election.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health and safety of the City of Canby, because it is necessary that said City shall have control of the water and an additional supply of water as soon as possible for the purposes of fire protection and domestic use, and whereas the date of holding said election has been fixed for the 23rd day of September, 1916, therefore an emergency is hereby declared, and this ordinance shall go into force and effect from and after its approval by the Mayor.

Motion made and seconded that said reading be considered the first reading and that said Ordinance be posted for the reason that the charges of publication thereof are in the judgment of the Council excessive, and that said publication be dispensed with, and the same be posted in three public and conspicuous places for a period of two full calendar weeks and to come up for final passage at a special meeting of the Council of Canby to be held on the 23rd day of August, 1916, at 8 o'clock P. M. Carried.

Whereupon the Recorder read the following Ordinance:

ORDINANCE NO. ____.

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An Ordinance instructing the Mayor and Recorder of Canby to enter into a contract with S. A. Cobb, whereby the said S. A. Cobb is hired by Canby as engineer and superintendent of the construction of the waterworks system of Canby, and providing for his compensation and declaring an emergency.

Canby does ordain as follows:

Section 1. That the Mayor and Recorder of Canby be and they hereby are directed to enter into an agreement with S. A. Cobb whereby the said S. A. Cobb shall become Engineer and superintendent on the construction of the waterworks' system for Canby.

Section 2. That S. A. Cobb shall receive as compensation for said services so to be performed and for said superintendence and labor thirty per cent of the difference between the actual cost of construction and the lowest bid therefor as received July 17, 1916, on the waterworks' system and tank and tower, and further shall receive ten per cent of the cost of labor on the building of the pumphouse and the installation of the machinery therein, and shall further furnish necessary tools for said work, and shall direct the boring of wells for said waterworks' system. Canby to furnish the materials to be used in said system and said work to be done by day labor as heretofore provided in Ordinance No. 126.

Section 3. Whereas it is necessary to build and maintain a water system in Canby to preserve the peace, safety and health of Canby and the citizens thereof, an emergency is hereby declared and this ordinance shall go into full force and effect immediately upon its passage and approval by the mayor.

Read for the first time August 7, 1916, and ordered posted for the reason that the charges of publication thereof are in the judgment of the Council excessive, and said publication is hereby dispensed with, and the same shall be posted in

three public and conspicuous places for a period of two full calendar weeks and to come up for final passage at a special meeting of the Council of Canby to be held on the 23rd day of August, 1916, at eight o'clock P. M.

The following committee was appointed to draw up the budget: Dedman and Wang; who were instructed to work with the treasurer and recorder of Canby and report at the next meeting.

The matter of an engine for the Canby waterworks was taken up, the mayor appointing the following committee to investigate this matter: Councilmen Slyter, Dedman and Bates. The matter was laid on the table for further consideration.

Motion made that Council meet on August 23, 1916.

Carried.

Motion made that we do adjourn. Carried.

APPROVED, ^{Sept}~~AUGUST~~ 5-, 1916.

Philip L. Hammond
RECORDER.

W. H. Bain
MAYOR.