

MINUTES OF COUNCIL

September 25, 1916.

Special meeting of the Council of Canby called to order by the Mayor, W. H. Bair, on September 25, 1916.

On roll call the following were present, Mayor, W. H. Bair, Recorder P. L. Hammond, Councilmen, White, Graham, Dedman, Wang, Bates, Combs; absent, Councilmen Slyter and Stacy.

In the presence of the Council, the Recorder P. L. Hammond, canvassed the votes cast at the special election held on September 23, 1916 and made the following report: -

"In the presence of W. H. Bair, Mayor of Canby in Clackamas County, State of Oregon, and of the Council of Canby, I, Philip L. Hammond, recorder of Canby, canvassed the votes of the special election held in Canby on September 23, 1916, at which time there was voted on a measure 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 same; to take immediate possession and operation thereof upon payment therefor." which act appeared on the official ballot at said election and was designated by the following ballot title:

1, Referred to the people of Canby by the Council of Canby,

2, Ordinance authorizing the purchase of the Canby Water Works.

3, Purpose; Shall Canby purchase the Canby Water Works including its franchises, distributing system, lots 11 and 12 in Block 16 of Canby and all other property of every kind and character, and shall Canby issue bonds to the amount of \$6500.00 at a rate of interest not greater than six per cent, for the purpose of purchasing said Canby Water Works.

I find that the votes cast thereon at said special election are as follows:

Total number of votes cast at said election,
206,

Total number of votes cast for said act 107

Total number of votes cast against said act,
99,

Defective ballots thrown out Nil

Majority of votes for said act, 8

Dated at Canby, Clackamas County, Oregon, September 25, 1916.

P. L. Hammond, Recorder."

On motion duly made and seconded, the Council then declared the measure submitted at the said election held on the 23rd day of September, 1916, as above set forth, duly carried.

The Mayor then made the following proclamation:

"I, W. H. Bair, Mayor of Canby, in Clackamas County, State of Oregon, do hereby proclaim and declare that an act 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 same, to take possession and operation thereof, upon payment therefor.'

which was submitted to a vote of the legal voters of Canby in Clackamas County, State of Oregon, for their adoption or rejection, at a special election held for that purpose in Canby on September 23, 1916, which act appeared upon the official ballot at said special city election and was designated by the following ballot title:

1, Referred to the people of Canby by the Council of Canby.

2, Ordinance authorizing the purchase of the Canby Water Works and the issuing of bonds.

3, Purpose; Shall Canby purchase the Canby Water Works including its franchises, distributing system, Lots 11 and 12 in Block 16 of Canby, and all other property of every kind and character, and shall Canby issue bonds to the amount of \$6500.00 at a rate of interest not greater than six per cent, for the purpose of purchasing said Canby Water Works.

was adopted and approved, passed and carried by the legal voters of Canby.

"That at said special election the total number of votes cast was 206, that of said total number of votes so cast, there were cast for said act 107, against said act 99 votes, that the majority of votes cast at said election for said act were 8 votes, that there were no defective ballots not counted.

"I therefore proclaim and declare said act adopted, approved, passed and carried by the legal voters of Canby, and that said act or ordinance is now in full force and effect and is an ordinance of Canby.

"Done at the Council Chambers of Canby in Clackamas County, State of Oregon, this 25th day of September, 1916.

W. H. Bair,

MAYOR OF CANBY."

Whereupon, the following resolution was introduced by Councilman Wang:-

"A resolution directing the Recorder of Canby to advertise for bids for \$6500.00 worth of bonds of Canby, providing for the manner of the sale of the same, and setting forth an emergency to make this resolution immediately operative,

"Whereas, the Council of Canby was authorized by vote of the people at an election held for that purpose to issue bonds of Canby, in the amount of \$6500.00, at a rate of interest not greater than 6 percent, NOW THEREFORE:

"Be It Resolved by the Council of Canby, that the Recorder of Canby shall and he is hereby directed to and in behalf of Canby, to advertise for bids for the sale of bonds of Canby, in the amount of \$6500.00, in at least two publications of general circulation, most likely, in his discretion, to bring the sale of said bonds to the attention of those most likely to purchase the same, provided at least one advertisement shall be published in a newspaper of general circulation in the County of Clackamas, State of Oregon; all of said advertisements shall direct that bids for said bonds shall be mailed or delivered to the Recorder of Canby, and must reach him not later than six P. M. Monday, October 16, 1916, each of said bids shall be enclosed in an envelope securely sealed and marked "Bids for the Bonds of Canby", each bid shall be on the rate of interest to be paid for said bonds, and shall specify the number of bonds the bidder will purchase, at said rate of interest, also provided, that any number of bonds may be sold to one or more of said bidders.

"That on the 16th day of October, 1916, at eight o'clock or the earliest time thereafter, the Council of Canby shall meet in the Council Chambers of said Council in Canby, and open said bids and award the purchase thereof to the best bidder or bidders therefor. Provided the Council shall have power and authority to reject any or all bids. When the purchase of said bonds shall have been awarded as above set forth the Mayor and Recorder shall issue said bonds at the rate of interest provided for at the time said bids are let, said interest to run from the date of acceptance of said bonds by the successful bidder or bidders therefor. Upon the execution of said bonds the Recorder shall deposit the same with the Treasurer of Canby to be delivered to the successful bidder or bidders, upon receipt of the money or moneys bid therefor. Said bonds shall be issued in an aggregate amount of \$6500.00 and shall consist of thirteen bonds of Five Hundred (\$500.00) Dollars each, numbered from one up, in order of issuance, dated as hereinbefore provided, payable in not more than twenty years after date, and to bear interest at a rate to be specified at the time said bids are let, payable semi-annually, the full installment of interest to be evidenced by sufficient coupons attached to each of said bonds, both principal and interest to be payable at the First National Bank of Canby, Oregon, or at such place designated by the successful bidder or bidders for said bonds, in Gold Coin of the United States of America, said bonds shall be in lawful form, and the full faith and credit of Canby shall be pledged for the payment thereof. Provided Canby may call in said bonds or any part thereof, at any time after ten years from the date of issuance, by giving notice of said call by

publication in a newspaper of general circulation in Canby, most likely to give notice to said bond holders sixty days before the date of said call, and that interest shall cease upon said bonds so called, upon the date set for said call.

Upon presentation of said interest coupons to the Treasurer of Canby at or after maturity, he shall pay the same out of any funds he may have applicable thereto, and they shall take precedence over and be paid before any outstanding city warrant or other obligation of the City of Canby or other obligation of the City of Canby, except bond issues heretofore made.

Every bid for said bonds shall be accompanied by a certified check for five per cent of the amount of bonds bid for. Said check shall be made payable to the Treasurer of Canby, and shall be the property of Canby, as soon as the bid accompanying the said check shall have been accepted by the Council. The amount of the check shall be applied on the purchase price of said bonds as above provided; provided, however, that if any bidder or bidders shall fail or neglect to complete the purchase of said bonds within thirty days from the date of the acceptance of said bid by said Council, as above provided, the said check and the money represented thereby shall be forfeited to Canby, provided, further that all checks received from the bidders whose bids are not accepted shall be returned by the Recorder forthwith to said bidders, provided also that if said bonds shall prove to be illegal, then all of said checks shall be returned forthwith to said bidders.

And provided, further, whereas, the health and safety of the citizens of Canby are endangered by a lack of pure and wholesome water for household and fire protection, an emergency is hereby declared in order

to preserve the peace, health and safety of Canby, and this resolution shall go into full force and effect as soon as it is passed by the Council and approved by the Mayor. "

Motion made that said resolution be adopted as read. Carried. On roll call the vote was as follows:

AYES: Councilmen, White, Graham, Dedman, Wang, Bates, Combs.

NOES: None.

Whereupon, a copy of said resolution was submitted to the Mayor for his approval. and the mayor immediately approved said resolution and declared the same to be in full force and effect.

The following communication was received from the Molalla Electric Company, and was ordered laid on the table:-

"Canby, Oregon, 9/25/;6.

City of Canby,

Canby, Oregon.

Gentlemen:

We have the following proposition to make to the City of Canby in the matter of motor prices, power rates, and the installation of lines and transformer.

1, 10 H. P. Motor complete with pulley, base, switch, Automatic starter and cut off - - - - - \$343.85
General Electric Motor.

15 H. P. with pulley and base with straight switch, G. E. Motor, - - - - - \$328.25.

2, As to power rates:

1, We will install a meter and give the city a flat rate of $2\frac{1}{2}$ c. each K. W.

2, We will install a meter and what the meter reads for the month we will make this rate the flat rate for each month.

3, Or, we will make a flat rate of \$25. per month for such power as the city will use

3, We will make all line extensions up to the pump house and instal transformer without cost to City of Canby.

Yours very truly,

Molalla Electric Co.

Geo. Bendshadler,

C. R. Gunzel."

Whereupon, the Recorder read an ordinance entitled: "An ordinance appropriating the sum of \$965.00 to purchase an oil engine for the Canby Water Works, directing the Mayor and Recorder to enter into a contract therefor, and declaring an emergency."

Said ordinance was read for the first time at the meeting of the council held on September 5, 1916, and ordered posted for the reason that charges of publication thereof were, in the judgment of the council, excessive, and the publication was dispensed with. Said ordinance was ordered posted and to come up for final passage at a special meeting of the Council to be held on the 25th day of September, 1916.

Attached to said ordinance was the following affidavit:

"STATE OF OREGON)
 SS
COUNTY OF CLACKAMAS)

I, P. L. Hammond, Recorder of Canby, in Clackamas County, Oregon, being first duly sworn, depose and say that I posted the foregoing ordinance in three public and conspicuous places within Canby, to-wit: One on the window of the Recorder's office; one on a bulletin board at the City Hall and one in the window of Wang's store, on First Street. Said copies were true, full and correct copies and remained continuously posted for more than

fourteen days.

P. L. Hammond,

Subscribed and sworn to before me this 25th day of Sept.
1916.

Wm. Hammond.

Notary Public in and for Oregon

My Commission expires Mar. 31, 1917. "

Motion made that said ordinance be placed on its
final passage. On roll call the vote was as follows:

AYES: Graham, Dedman, Wang, Bates, Combs.

NOES: White.

Whereupon, the Mayor declared said ordinance carried,
but that said emergency clause would not take effect.

The Recorder then read the following ordinance:

ORDINANCE No. 133

An ordinance appropriating the sum of Four Hundred
and Eighty (\$480.00) Dollars to purchase a fir tank for
Canby Water Works, directing the Mayor and recorder to enter
into a contract therefor and declaring an emergency.

CANBY DOES ORDAIN AS FOLLOWS:

Section 1; That the sum of Four Hundred and Eighty
(\$480) Dollars be and the same is hereby appropriated from
the water fund of Canby to purchase;

75,000 gal. Fir tank, made up from 3" rough to a
2 5/8" finish, size 26' x 19' with bottom fully milled, and
with 29 5/8" hoops with lugs.
Price, f. o. b. cars, Canby, Oregon. - - - - - \$480.00,

Section 2, The Mayor and Recorder are hereby
instructed to enter into a contract with Crane Company for
the purchase of said water tank, a copy of which said con-
tract is filed in the Recorder's office, September 25, 1916

Section 3, Whereas, Canby is constructing a municipal
water system, and it is necessary to purchase a tank there-
for, and in order to preserve the health and safety of Canby
and the citizens thereof, it is necessary to supply said town
with pure and wholesome water, and to furnish fire protection

therefor, an emergency is hereby declared, and this ordinance shall go into full force and effect as soon as passed by the Council and approved by the Mayor.

Motion made and seconded that said ordinance be posted for the reason that the cost of publication thereof was, in the judgment of the Council, excessive, said publication was dispensed with, and the same shall be posted in three public places for a period of two full calander weeks and to come up for final passage at a special meeting of the Council to be held on the 16th day of October, 1916 at eight o'clock P. M.

Motion made that said reading be considered the first and said ordinance to come up for final passage at a meeting to be held on the 16th day of October, 1916.
Carried.

The Recorder then read the following ordinance:

ORDINANCE NO. 134

An ordinance appropriating the sum of \$125.00 to purchase a pump for the Canby Water Works, directing the Mayor and Recorder to enter into a contract therefore, and declaring an emergency.
CANBY DOES ORDAIN AS FOLLOWS:

Section 1, That the sum of \$125.00 be and the same is hereby appropriated from the Water Fund of Canby to purchase:

1- 3 $\frac{1}{2}$ " B-J Glass BB Horizontal Centrifugal Pump with 10" diamater pulley.

Section 2, The Mayor and Recorder of Canby are hereby instructed to enter into a contract with Fairbanks, Morse & Co. for the purchase of said pump, a copy of which contract was filed in the Recorder's office Sept. 25, 1916.

Section 3, Whereas, Canby is constructing a municipal water system and it is necessary to purchase a pump therefore in order to preserve the health and safety of Canby and the citizens thereof, an emergency is hereby declared and this ordinance shall go into full force and

effect as soon as passed by the Council and approved by the Mayor.

Motion made and seconded that said ordinance be posted for the reason that the cost of publication thereof was in the judgment of the Council, excessive, said publication was dispensed with, and the same shall be posted in three public places for a period of two full calendar weeks, and to come up for final passage at a meeting of the Council to be held October 16, 1916, at eight o'clock. "

Motion made that this was considered the first reading of said ordinance, and the same to come up for final passage at a meeting of the Council to be held on the 16th day of October, 1916. Carried.

Motion duly made and seconded that meeting adjourn.

Approved, October 2, 1916.


RECORDER


MAYOR