

Grand Junction Colo. July 23rd A.D. 1907

Roll Call The City Council of the City of Grand Junction convened in second regular monthly session, Mayor Wentworth presiding, upon call of roll the following responded present, ald. Davies, Drew, Flynn, Hertz, Hudson, Matthews, Plank, and City atty Rozzelle, absent ald. Boyer.

The minutes of previous meetings held July 9th, 16th + 19th were read and approved.

Petition for Walks F. E. Dean and the Y. M. C. A. people petitioned for walks to be ordered laid on the west side of 5th St. from the alley north of Main St. to the alley north of White ave

said petition was referred to the S. & A. Com.

Complain against
Blue Barn

Anna Wright petitioned to have Council take some action against the Blue Barn proprietors, as she claimed they kept the barn in an unsanitary condition, this was referred to the Health Com.

J. H. Schicorohle petitioned by affidavit to have Council take his name from the petition presented by W. A. Lynch & Co. for a saloon license, this was referred to the License Com.

Report of
Fire & Police
Committee.

Chairman Thym of the Fire & Police Com. reported that the Com. recommended the purchase of 4 Dg. rubber gaskets 4 Dg. bottles of acid and 50 lbs soda for fire chemicals and one set of harness hangers for the fire dept. said supplies to be purchased by the Purchasing Com. they also reported unfavorable on loaning the safe at the fire hall to the Y. M. C. A. and reported favorable on the application for permit to put in a glass front at Park Hall by Ramsey Bros. thereupon Ald. Matthews made a motion seconded by Ald. Drew that the report of the S. & A. Com. be accepted and affirmed, upon call of motion said motion carried unanimously.

The F. P. Com. were unable to make a complete report on the petition to have special police and lights provided for the City parks. Ald. Matthews made a motion seconded by Ald. Hudson that the Com. be continued, upon call of motion said motion carried unanimously.

Sidewalks
ordered laid.

Chairman Hudson of the S. & A. Com. presented the following, West, your street and alley com. recommend the construction of sidewalks as follows,

4 lots on Road over Bk 91, lots 29-30-31-32

4 " " " " " 92 " 29-30-31-32

Main St from lot ²⁵ 24 Bk 107 to 7th St.

" " lot no. 25 Bk 105

From Main St. to alley on 3rd St. lot 1 Bk 119

Main north side bet 2nd & 3rd Bk 101

West side 2nd St. from Road to alley lot 12 Bk 100

Road lots 10-11-15+16 Bk 101.

Road north side bet 3rd & 4th St. Bk 107

Road both sides bet 4th & 5th Bks 96+103

Fifth St. main to Chipita both sides.

all bet 5th & 6th on Chipita

" " Gunnison & Chipita on 6th

" " Grand & Gunnison west side 6th

West side 5th from old City Hall to Ute

north side Ute from 4th to 5th & from Ute on 4th to Ranch Saloon

North side Colovar bet 1st + 2nd St. BLK 121
 Hood ave lots 15 + 16 BLK 104
 Hood both sides bet 6th + 7th + Hood ave bet 7 + 8 North side
 bet 6th + 7th on white both sides BLKs 83 + 94
 Lots no. 19 + 20 White ave BLK 82
 White bet 3 + 4th BLK 80
 " " 2nd + 3rd " 79
 bet 2nd + 3rd Grand ave both sides BLKs 76 + 79
 " 3rd + 4th " South side BLK 80
 3rd St from Grand ave to alley BLK 80 lot 1
 East side lot 17 BLK 90 Cor. 11th + Hood.

Signed to T. Hudson

J. B. Matthews

ald. Davis made a motion seconded by
 ald. Flynn that the recommendations of the S + A. Com. be accepted
 and sidewalks be ordered laid, upon call of roll vote was as
 follows, ald. Davis yea. Drew yea. Flynn yea. Hertz yea
 Hudson yea, Matthews yea. Plank yea motion carried.

The following bills OK'd by the finance com.
 were read.

Bills allowed	John Webb	391 - S + A.	20.00	Labor on streets
	Western Bank notes + Eng. Co	392 Gen -	25.00	models for bonds

ald. Flynn made a motion seconded by
 ald. Matthews that the bills be allowed and warrants be drawn on
 Treasurer for same, upon call of roll vote was as follows ald.
 Davis yea. Drew yea. Flynn yea. Hertz yea, Hudson yea, Matthews yea,
 Plank yea, motion carried.

Ord. 146 Read
 and laid over

ald. Plank introduced Ordinance no. 146
 An Ordinance concerning Junk Dealers and etc, said Ordinance was
 read at length and ordered laid over until next regular meeting.

Ord. 147 Read
 and laid over.

ald. ~~Drew~~ ^{Matthews} introduced Ordinance no. 147
 An Ordinance concerning and regulating the speed of bicycles, tricycles
 Velocipedes, automobiles, and other riding machines and etc,
 said Ordinance was read at length and ordered laid over until
 next regular meeting.

300 Inches
 of Water
 from Kannah
 Creek

Chairman ~~Drew~~ of the ald. Hudson
 made a motion seconded by ald. Matthews that the Council
 proceed to secure 350 inches of Kannah Creek water by
 condemnation proceedings or otherwise. Ald. Hudson with the
 consent of his second withdrew his motion. He then offered
 a motion to secure 300 Inches of Kannah Creek water by

condemnation proceedings or otherwise, upon call of roll vote was as follows old. Davies yea. Drew yea. Flynn yea. Herty yea. Hudson yea, Matthew yea, Plank yea. motion carried

Chairman Davies of the special water Com. presented a contract for acceptance or rejection by Council as follows.

Contract.

Contract
Between S. M. Logan
J. S. Carnahan
and City of
Grand Junction

This agreement made and entered into this 23rd day of July, A. D. 1907, by and between the City of Grand Junction (a municipal corporation of the State of Colorado,) herein styled party of the first part, and Strand M. Logan and J. S. Carnahan, parties of the second part,

Witnesseth: That the said second parties hereby agree and contract to act as special Counsel in the condemnation proceedings to be instituted by the said first party in the District Court of Mesa County, Colorado for the purpose of obtaining possession of and title to a sufficient quantity of the waters of Kannah Creek and its tributaries in said County to furnish and supply the said City with water for its needs and for the use of its inhabitants upon the following terms and conditions, to-wit:

Said second parties are to take immediate steps in the commencement of said proceedings, and shall prosecute said suit with all due and reasonable diligence; shall give the matter their prompt and personal attention and shall prosecute said proceedings without delay, and shall in all respects use their best efforts, skill and ability on behalf of said City in the prosecution of said suit and proceedings to a final determination.

Said second parties shall meet with the City Council at any and all reasonable times the City Council may desire during the pendency of said condemnation proceedings and give advice and counsel in relation thereto; and said second parties shall also meet with the special water committee at any and all reasonable times wherein the question of the condemnations proceedings is before said committee and shall give advice and counsel to said committee on all matters pertaining to said suit and proceedings, and shall charge no extra compensation therefor.

In consideration of the services of said second parties to be performed as herein provided, said first party shall pay to the said second parties, the sum of (\$2500) Twenty Five Hundred Dollars in the following manner, viz: One-third cash, the receipt of which is hereby acknowledged; One-third when a decree of

the District Court is awarded, and the remainder to be paid on the final determination of said proceedings, provided however, that the said first party reserve its right upon the making of the award for damage to the owner or owners of said water in case the said award is deemed excessive, or for any other reason in the judgement of the first party acting by and through its City Council, to elect to pay the costs in said proceedings and thereby terminate the same as provided in the statutes.

It is further agreed and understood that said second parties are to pay all their own personal expense during the pendency of said proceedings (such as traveling and hotel expenses) it being the intention of the parties hereto that the said sum of \$2500 is to cover any and all fees and expenses to be paid said second parties, but not to cover Court costs and Court expenses such as the necessary printing of briefs and abstracts, the obtaining of evidence, data and other facts and matters necessary in preparing for the trial of and the prosecution of said suit, all of which said costs and expenses are to be born by and advanced by the said first party from time to time as the same become necessary.

In Witness whereof this contract hath been executed on the part of the first party by its duly elected qualified and acting Mayor, attested by the Clerk of said City with the seal thereof authorized by resolution of the City Council duly passed, and by the said second parties the day and year above written.

Contract of
City Council
adopted.

Ald. Plank made a motion seconded by Ald. Hudson that said contract be adopted as read, upon call of roll vote was as follows, Ald. Davies yea, Drew yea, Flynn yea, Hertz yea Hudson yea, Matthews yea, Plank yea motion carried.

Ald. Drew introduced the following resolution,

Resolution.

Be it resolved by the City Council of the City of Grand Junction that it be, and hereby is declared and determined that it is necessary in order to supply the said City of Grand Junction and its inhabitants with a suitable and wholesome supply of water that the said City of Grand Junction take from Kannah Creek, in Mesa County Colorado, at such suitable point or points as the special water Committee shall determine is most practicable 300 inches of the waters of the said stream; and be it further resolved that the

Resolution
authorizing
spl. Council
to condemn
300 inches
Water on
Kannah Cr. etc

special water committee of this City Council attempt to obtain the consent in writing of the persons or corporations who have vested rights therein heretofore acquired residing upon said stream, or doing any milling or manufacturing business thereon, or attempt to settle with the owner of rights that may or will be injuriously effected thereby, and be it further resolved by the City Council that in the event the said special water committee is unable to obtain the consent of the said parties in writing, or settle with the parties that may be injuriously effected by the taking of the said water then and in that case the said committee shall at once notify the City Attorney and special Council for the City who are directed and empowered to at once commence condemnation proceedings in the District Court of Mesa County for the condemnation thereof as provided by law.

Resolution
adopted

Thereupon ald. Hudson made a motion seconded by ald. Plank that said resolution be adopted, upon call of roll vote was as follows, ald. Davies yea, Drew yea, Flynn yea, Hertz yea, Hudson yea, Matthews yea, Plank yea, motion carried.

spl Water Com.
empowered to
employ

ald. Hudson made a motion seconded by ald. Matthews that the special water committee be authorized and empowered to employ someone to gather data for the special Council on Kannah Creek water rights, upon call of roll vote was as follows, ald. Davies yea, Drew yea, Flynn yea, Hertz yea, Hudson yea, Matthews yea, Plank yea motion carried.

To purchase 25"
Water for
Irrigating

ald. Hudson made a motion seconded by ald. Flynn that the street commissioner be authorized to purchase 25 inches of water for ~~the~~ irrigating purpose, upon call of roll vote was as follows, ald. Davies yea, Drew yea, Flynn yea, Hertz yea, Hudson yea, Matthews yea, Plank yea motion carried.

adjourn

ald. Davies made a motion seconded by ald. Plank until next regular meeting upon call of motion said motion carried unanimously.

John M. Conley
City Clerk.