

Grand Junction, Colorado

May 16, 1923

The City Council of the City of Grand Junction met in regular session at 8:00 o'clock P.M. with President Hiron presiding. Those present and answering to roll call were: Councilmen Hiron, Marshall, Miller, Dowrey, Hampson and Murr. City Manager Garrett, City Clerk Peck and City Attorney Jordan. City Engineer Thompson was present.

The minutes of the last regular session and of the adjourned sessions of April 25, 27, May 2nd and May 3rd were read and approved.

F.A. Hosington appeared before the Council declaring that the irrigation ditch on Rood Ave. between 13 & 14th Streets was a nuisance as the water was very apt to seep into the cellars along that street. Acting upon this matter it was moved by Councilman Murr, seconded by Councilman Marshall that old 6" water pipe be placed in this block to carry the water now carried by the open ditch. Upon which motion the following vote was cast: Councilmen voting YEA: Hiron, Marshall, Dowrey, Miller, Hampson and Murr. All the Councilmen present voting Yea the motion was declared carried.

It was moved by Councilman Hampson, seconded by Councilmen Dowrey that the City Council extend to the G.A.R. a cordial invitation to hold their 1924 convention in the City of Grand Junction. The motion carried unanimously.

The following resolution was read.

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE A LOCAL PUBLIC IMPROVEMENT DISTRICT, SAID DISTRICT TO BE KNOWN AS COMBINED SEWER DISTRICT NO. 1.

WHEREFORE, it appears to the City Council of the City of Grand Junction, and the Council so finds that there exists an immediate necessity for the creation of a Combined Storm and Sanitary Sewer District therein, to be known as Combined Sewer District No. 1, within the boundaries hereinafter described and of the construction therein of District sewers and appurtenances for Storm and Sanitary drainage therein.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That the City Engineer of the City of Grand Junction be and he is hereby ordered and directed to prepare full details and specifications for the construction of a system of District sewers and appurtenances for Storm and Sanitary drainage

within the following described boundaries, which boundaries shall include territory to be known as Combined Sewer District No. 1, and said Engineer shall make and furnish an estimate of the total cost of said improvement exclusive of the percentum for the cost of collection and other incidentals and of interest to the time the first installment of the cost becomes due, and furnish a map of the District from which map the approximate share of the total cost that will be assessed upon each piece of real estate in the District may be readily ascertained.

Section 2. The boundaries of the said proposed Combined Sewer District No. 1 shall be substantially as follows; to-wit:

CITY OF GRAND JUNCTION

COMBINED SEWER DISTRICT NO. 1

Beginning at the intersection of the center line of First Street and the center line of Main Street; thence east along the center line of Main Street 2,407.1 feet to an intersection with the center line of Seventh Street; thence north along the center line of Seventh Street 1,097.8 feet to an intersection with the center line of Grand Avenue; thence west along the center line of Grand Avenue, 2,407.1 feet to an intersection with the center line of First Street; thence south along the center line of First Street 1,079.8 feet to the center line of Main Street, the place of beginning; all of the land lying and being within the above boundaries as described is within the present corporate limits of the City of Grand Junction.

It was moved by Councilman Murr, seconded by Councilman Marshall that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting, YEA: Hirons, Marshall, Miller, Dowrey, Hampson and Murr. All the Councilmen voting YEA the motion was declared carried.

The City Engineer presented maps, plans ect. of Combined Sewer Dist. # 1.

The following resolution was introduced and read.

A RESOLUTION ADOPTING DETAILS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SYSTEM OF COMBINED STORM AND SANITARY SEWERS WITHIN A PROPOSED COMBINED SEWER DISTRICT IN THE CITY OF GRAND JUNCTION, COLORADO, TO BE DESIGNATED AS COMBINED SEWER DISTRICT NO. 1, DESIGNATING THE MATERIALS TO BE USED, ASCERTAINING THE COST THEREOF, AND DETERMINING THE NUMBER OF INSTALLMENTS, AND THE TIME IN WHICH THE COST THEREOF SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LAND TO BE ASSESSED FOR THE SAME.

Whereas, by resolution passed and adopted at a lawful meeting of the City Council of the City of Grand Junction on the 16th day of May, A. D. 1923, it was found and declared that the

establishment of a Combined Sewer District, and the construction therein of a system of Combined Storm and Sanitary sewers, for storm and sanitary drainage, was and is a necessity, said District to be known as Combined Sewer District No. 1, and

Whereas, by said resolution, the City Engineer was directed to make and furnish an estimate of the total cost of said improvement, and a map of the District to be assessed; and

Whereas, T. E. Thompson, the City Engineer of the City of Grand Junction, in pursuance of the order in said resolution made as reported to the council the completion of all of the matters and things in said resolution enjoined upon him, in the form and manner as therein directed, and as filed with the City Clerk all the maps and certificates of survey of said proposed Combined Sewer District No. 1 as well as all schedules, plans, specifications and approximates of cost, and all other matters and things required of him in and by said resolution, in such form and substantially as therein required; and

Whereas, it appears to the Council, and the City Council of the City of Grand Junction doth hereby find from said map certificates or survey, schedules, plans, specifications and approximations of cost so prepared and filed, by said Engineer as aforesaid, that said proposed Combined Sewer District No. 1 is composed of all the lots and parcels of land embraced within the boundaries hereinafter and in said map and surveyor's certificate described as follows, to-wit:

CITY OF GRAND JUNCTION

COMBINED SEWER DISTRICT NO. 1

Beginning at the intersection of the center line of First Street and the center line of Main Street; thence east along the center line of Main Street 2,407.1 feet to an intersection with the center line of Seventh Street; thence north along the center line of Seventh Street 1,097.8 feet to an intersection with the center line of Grand Avenue; thence west along the center line of Grand Avenue, 2,407.1 feet to an intersection with the center line of First Street; thence south along the center line of First Street 1,079.8 feet to the center line of Main Street, the place of beginning; all of the land lying and being within the above boundaries as described is within the present corporate limits of the City of Grand Junction, Colorado.

Whereas, it further appears from said Engineer's report that the estimated and probable total cost of said Combined storm and sanitary Sewer System, exclusive of the per centum of the cost of collection and other incidentals, and of interest to the time the first installment of said cost becomes due is \$6,416.47; that the method of assessment to be adopted in the District shall be an assessment according to area; that the maximum share of said total estimate per square foot of an ordinary lot of 25 feet x

125 feet that will be assessed upon the respective lots and parcels of land in said proposed District is estimated to be as follows:

Per square foot of superficial area of each lot or parcel of land	\$.0037
Per lot 25 x 125 feet	\$11.66

All other lot or tract of land of greater or less dimension and superficial area in proportion to the respective areas.

That all of said estimates of cost are exclusive of the per centum of cost for collection and other incidentals, and of interest to the time the first installment of said cost becomes due; that the schedule showing the approximate amount to be assessed upon the several lots or parcels of property within the District is as follows:

SCHEDULE OF ASSESSMENTS

ASSESSIBLE AREA, COMBINED SEWER DISTRICT NO. 1

Grand Junction, Colorado, 1923

Total estimated cost	\$6,416.47
Total assessible area 1,766,036 square feet.	
Cost estimated per square foot of area	\$.0037

Therefore be it resolved by the City Council of the City of Grand Junction, Colorado:

Section 1. That the report so made by T. E. Thompson, Engineer of said City, with respect to said proposed Combined Sewer District No. 1, be and the same is hereby approved, ratified and confirmed; that the said report together with details, specifications, estimates, maps, and schedules prepared and filed with the Clerk, and the recommendation of said Engineer as to the kind of material to be used in the construction of said Sewer System be, and the same are hereby approved, ratified, confirmed and adopted by the Council as the details, plans, specifications, estimates and materials for use in the construction of said Sewer system; and that the survey and map of said proposed Combined Sewer District No. 1 by the survey and map of said district.

Section 2. That to the total amount of \$6,416.47, and respective portions thereof to be assessed upon the respective lots and lands of said District, as aforesaid, or so much thereof as may be necessary to pay the actual cost of said improvements and the general expenses, there will be added two per cent, for the cost of collection and other incidentals, and that there also be added an amount sufficient to pay the interest to the next

succeeding date upon which general taxes or the first installment thereof are, by the laws of the State of Colorado, made payable.

Section 3. That the said assessment shall be due and payable within thirty days of the final publication of the assessing ordinance assessing the whole actual cost of said improvements against said real estate without demand, provided, however, that any owner who shall pay his full assessment within the period of thirty days after the final publication of the assessing ordinance without demand shall be entitled to an allowance of the per cent added for the cost of collection and other incidentals, and of interest from the date of payment to the time when the first installment becomes due on all payments made during said period of thirty days, or in case any owner of real estate shall fail to pay the whole of said assessment against his property within said thirty days from and after the final publication of the assessing ordinance, assessing the same, then the whole cost of said improvement so assessed against his property shall be payable in ten equal annual installments of the principal with interest upon unpaid installments, payable semi-annually, at the rate of not exceeding six per cent per annum; the first of said installments of said principal shall be due and payable upon the next succeeding date after the final publication of the assessing ordinance assessing the same, upon which date the first installment of the general taxes is, by the laws of the State of Colorado now in force made payable, and the remainder of said installments shall be due and payable successively on the first day in each year thereafter until all are paid in full.

Section 4. That the City Attorney be, and he is hereby directed to prepare a resolution in conformity with the Charter of the City of Grand Junction and Ordinance No. 178, adopted and approved the 11th day of June A. D. 1910, and as amended; which resolution when duly adopted and enforced shall create within the corporate limits of the City of Grand Junction, a Combined Sewer District to be known as Combined Sewer District No. 1, with the same territory and boundaries as hereinbefore set forth; and providing in and by said resolution and the order of the City Council for the construction in said District of a system of storm and sanitary drainage as contemplated by said Charter and City Ordinance No. 178, as amended, and in accordance with the plans, maps, specifications, details and estimates of the Engineer of said City, hereinbefore referred to, and now on file in the office of the City Clerk.

Section 5. That the said proposed resolution creating said Combined Sewer District and ordering the proposed improvements therein, be considered for passage and adoption by the City Council on Wednesday the 20th day of June, A. D. 1923, at the hour of eight o'clock P. M.

Section 6. That a notice be issued by the City Clerk and published for two days each week for two consecutive weeks, in the Daily Sentinel, a daily newspaper of general circulation,

published in the City of Grand Junction, therein giving notice to the owners of real estate in the said proposed Combined Sewer District No. 1, and to all persons interested generally of the improvements proposed, the number of installments and the time at which said cost of improvements will be payable, the rate of interest on unpaid installments, the extent of the District to be assessed by setting forth the boundaries thereof, the probable cost as shown by the estimate of the Engineer, the maximum share of said total estimate per square foot and per lot of 25 feet by 125 feet, the said assessment being made according to area that will be assessed upon any lot or land included in the District and the time as hereinbefore set forth, to wit: on Wednesday the 20th day of June, A. D. 1923, at the hour of eight o'clock P. M. or as soon thereafter as the matter can be taken up when the Council will consider the ordering of the proposed improvement, and hear all complaints and objections that will be made in writing concerning the proposed improvements by the owners of any real estate to be assessed or any person interested and that said map and estimates, and all proceedings of the Council in the premises are on file and can be seen and examined in the office of the City Clerk during business hours at any time prior to eight o'clock P. M. on Wednesday the 20th day of June A. D. 1923 by any person interested.

Section 7. That said Notice hereinbefore provided for shall be in words and figures as follows, to-wit:

NOTICE

Of a proposition to create a Combined Sewer District in the City of Grand Junction, Colorado, to be known and designated as Combined Sewer District No. 1, and to construct therein a system of Combined storm and sanitary sewers for storm and sanitary drainage, as provided by Ordinance No. 178, of the City of Grand Junction, as amended.

All owners of real estate which is included within the boundaries hereinafter described, and all persons interested generally, are hereby notified that the City Council of the City of Grand Junction has adopted full details and specifications for the construction of a system of sewers and appurtenances for storm and sanitary drainage in and for a proposed Combined Sewer District, within the corporate limits of the City of Grand Junction, to be known and designated as Combined Sewer District No. 1, said District being described as follows, to-wit:

CITY OF GRAND JUNCTION

COMBINED SEWER DISTRICT NO. 1

Beginning at the intersection of the center line of First Street and the center line of Main Street; thence east along the center line of Main Street 2,407.1 feet to an intersection with the center line of Seventh Street; thence north along the center

line of Seventh Street 1,097.8 feet to an intersection with the center line of Grand Avenue; thence west along the center line of Grand Avenue, 2,407.1 feet to an intersection with the center line of First Street; thence south along the center line of First Street 1,079.8 feet to the center line of Main Street, the place of beginning; all of the land lying and being within the above boundaries as described is within the present corporate limits of the City of Grand Junction.

That the probable cost of said sewers, sewer system and appurtenances in said proposed Combined Sewer District No. 1, as shown by the estimate of the Engineer of the City of Grand Junction is \$6,416.47; the maximum share of said amount that will be assessed upon any lot of 25 feet by 125 feet, and upon the respective lot or parcel of and in said proposed District being estimated as follows to-wit:

Per square foot of superficial area of each lot or parcel of land.	\$.0037
Per lot of 25 feet by 125 feet.	\$11.66

And all other lots or parcels of land of greater or less dimensions and superficial area in proportion to their respective areas.

That to the said total estimate and respective share thereof there will be added two per cent for cost of collection and other incidentals, and also interest at the rate of not exceeding six per cent per annum, on the bonds that will be issued and sold from time to time to raise funds for the payment of cost of said improvements, said interest to run from the time of the issue of said bond to the time the first installment of the assessment becomes due; that the total cost of said sewers and appurtenances together with interest at the rate of not exceeding six per cent per annum on the bonds issued to raise funds for the payment therefor, and the per cent added for the cost of collection and other incidentals, as aforesaid, will be assessed against the aforesaid real estate in said District in proportion to the area of each piece of real estate in the district is to the area of all the real estate in the District exclusive of the public highways.

That the said assessment shall be due and payable without demand within thirty days from and after the final publication of the assessing ordinance assessing the whole cost against said real estate, provided, however, that any owner who shall pay his full assessment within said period of thirty days may receive a discount of the two per centum added for cost of collection and other incidentals, and also a discount on such payment at not exceeding six per cent per annum from the date of said payment to the time the first installment is payable, or in default thereof, in ten equal annual installments of principal, with interest

thereon at not exceeding six per cent per annum on unpaid installments and the first of said installments shall be due and payable upon the next succeeding date after the final publication of said assessing ordinance, upon which the first installment of general taxes is, by the laws of the State of Colorado made payable, and the remainder of the said installments shall be due and payable successively on the same day in each year thereafter until paid in full.

That a map of said proposed Combined Sewer District No. 1, showing the proposed Sewer and appurtenances, and the boundary lines of said District, and also each and every lot and tract of land to be assessed for the cost of said improvements, the estimate of the Engineer and the proceedings of the Council in the premises are on file and can be seen and examined by any person interested, at the office of the City Clerk, during the business hours at any time on or before eight o'clock P. M. on Wednesday the 20th day of June, A. D. 1923, on which day and at said hour the Council will hear in the Council Chamber in the City Hall in the City of Grand Junction all complaints and objections concerning the proposed improvements that may be made in writing by the owner of any real estate to be assessed or by any person interested.

Dated at Grand Junction, Colorado, May 16th, 1923.

By order of the City Council.

/s/

Fred A. Peck

City Clerk.

It was moved by Councilman Marshall, seconded by Councilman Miller that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting, YEA: Hiron, Marshall, Miller, Dowrey, Hampson and Murr, Councilmen voting Nay: None. All the Councilmen present voting YEA the motion was declared carried and the resolution duly passed and adopted.

An ordinance entitled "AN ORDINANCE AMENDING SECTIONS 1, 3, and 10 OF ORDINANCE NO. 245, PASSED AND ADOPTED THE 18TH DAY OF JANUARY A.D. 1916" was introduced and read. It was moved by Councilman Marshall, seconded by Councilman Hampson that the ordinance as read be passed for publication, Motion carried unanimously.

Estimate No. 1 of the Orman Construction Company on the construction of the water works improvements in the sum of \$1,080.00 was presented. Under contract said company are entitled to payment of 90%. It was moved by Councilman Dowrey, seconded by Councilman Hampson that the sum of \$972.00 be paid the Orman Construction Company on estimate # 1, upon which motion the

following vote was cast: Councilmen voting YEA; Hiron, Marshall, Miller, Dowrey, Hampson and Murr. Councilmen voting NAY: None. All the Councilmen voting YEA, the motion was declared carried.

A communication from the Home Loan Investment Company regarding liability insurance was read. It was moved by Councilman Hampson, seconded by Councilman Dowrey that the communication be referred to the City Attorney for his advisement. Motion carried.

A petition calling for the paving of North Seventh Street from the south side of Grand Ave to the North side of Teller Ave. and Chipeta Ave. from the East side of North Seventh Street to the West side of North Eight Street was presented and read. It was thereupon moved by Councilman Murr, seconded by Councilman Dowrey that the petition be accepted and filed. Motion carried.

A petition calling for the paving of North Seventh Street from the North side of Hill Ave. to the North side of Teller Ave. was presented and read. It was moved by Councilman Murr, seconded by Councilman Dowrey that the petition as read be accepted and filed. Motion called.

The following resolution was introduced and read:

WHEREAS, School District No. 1 has by mutual agreements between the County of Mesa and the City of Grand Junction, become the owner of the S.W. 1/4 and the South 75 feet of the N.W. 1/4 of Block 84 in the City of Grand Junction, Colorado; and

WHEREAS there are unpaid assessments for paving in Paving District No. 3, which said School District No. 1 claims should be paid by the County of Mesa and which said County of Mesa refuses to pay; and

WHEREAS said assessments have to be paid in order to uphold the credit of the City and to meet the obligations of the City for bonds issued in said Paving District No. 3, and

WHEREAS said School District No. 1 agrees to pay said unpaid assessments in Paving District No. 3, and other special assessments providing that the City of Grand Junction will consent that the penalties and interest on said unpaid assessments in Paving District No. 3 be waived, and also consent to not enforce collection of water main frontage assessments against said School District for the year of 1922 and 1923.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION.

Section 1. That in consideration of the paying by School District No. 1, of the 1922 and 1923 assessments in Paving District No. 3 on the South 75 feet of the N.W. 1/4 of Block 84 and on the S.W. 1/4 of Block 84 and the payment of the unpaid special assessments on property of said School District for Sewer

District No. 6 and Paving District No. 2, and the payment of the special assessments on what is known as the Nursery Tract for Sewer District No. 6 and Sidewalk Dist. No. 1, the City of Grand Junction will consent that the interest and penalties thereon be waived and further that the City of Grand Junction will not enforce collection of the 1922 and 1923 water main frontage tax against said School District. However in consenting to said offer of School District No. 1 the City of Grand Junction in no manner waives it's right to levy and assess water main frontage assessments against said School District No. 1 or it's right to enforce collection of water main frontage assessments against said School District No. 1, which may be levied from time to time, but in order to assist said School District No. 1, the City Council consents that said interest and penalties and water main frontage assessments for the years 1922 and 1923 as aforesaid will not be required.

Section 2. The City Treasurer of the City of Grand Junction is hereby instructed to advise the County Treasurer of Mesa County, Colorado that on tender by said School District No. 1 to the said County Treasurer of Mesa County, Colorado on or before June 1st 1923 of \$728.29 in payment of the special assessments against said School District No. 1, as per attached statement of taxes be accepted.

It was moved by Councilman Murr, seconded by Councilman, Marshall that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting YEA: Hirons, Marshall, Miller, Dowrey, Hampson and Murr, Councilmen voting NAY; None. All the Councilmen present voting YEA, the motion was declared carried and the resolution duly adopted.

There being no further business to come before the Council the meeting adjourned until 8:00 o'clock P.M. May 23 1923 upon motion of Councilman Marshall, seconded by Councilman Dowrey.

/s/ Fred A. Peck

City Clerk