

Grand Junction, Colorado

June 20, 1923

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

The minutes of the regular sessions of May 16th, and June 6th, the adjourned sessions of May 23rd and June 13th and of the special session of May 29th were read and approved.

The following resolution was introduced and read:

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A COMBINED SEWER DISTRICT, TO BE KNOWN AS COMBINED SEWER DISTRICT NO. 1; AUTHORIZING THE CONSTRUCTION IN SAID DISTRICT OF A SYSTEM OF DISTRICT SEWERS AND APPURTENANCES FOR STORM AND SANITARY DRAINAGE, ALL IN STRICT CONFORMITY WITH FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICES AND ORDER HERETOFORE ADOPTED, BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, IN THE PREMISES, DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT AND TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENT, PROVIDING FOR THE MANNER OF ASSESSING THE COST THEREOF, AND THE PAYMENT THEREOF; PROVIDING FOR THE ISSUE OF PUBLIC IMPROVEMENT BONDS TO PROVIDE FUNDS TO PAY FOR SAID LOCAL IMPROVEMENT, GUARANTEEING THE PAYMENT OF SAME BY THE CITY, PRESCRIBING THE FORM OF SAID BONDS.

WHEREAS, 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, as amended, the City Council of the City of Grand Junction, by resolution duly adopted and approved the 16th day of May A. D. 1923, which declared the intention of the City Council to create a local improvement district, in the City of Grand Junction, to be known as Combined Sewer District No. 1; and

WHEREAS, by resolution duly adopted and approved the 16th day of May A. D. 1923, details and specifications for the construction of a system of district sewers and appurtenances for storm and sanitary drainage within said proposed Combined Sewer District were duly adopted and approved, and provisions made for the requisite notice to all persons interested in the improvement proposed, the number of installments, and the time in which the cost of the 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 that will be assessed upon any lot or lands included in the district and the time when the Council will consider the ordering of the proposed improvement, and hear all complaints and objections that may be made in writing concerning the proposed improvements; and that all maps and estimates and all proceedings of the Council in the premises were on file and could 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 persons interested; and

WHEREAS, at the time and place specified in said resolution and in said notice no complaints or objections, in writing or otherwise were made concerning the proposed improvements, and all conditions having now transpired authorizing said City Council to create said Combined Sewer District No. 1, and construct therein the said proposed improvements.

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

Section 1. That on due consideration, the Council hereby finds that by virtue of the authority conferred upon it by the laws of the State of Colorado, the charter of the City of Grand Junction, and ordinance No. 178 of said City, as amended, the said improvements, consisting of district sewers and appurtenances for storm and sanitary drainage in said Combined Sewer District No. 1, were duly ordered and notice given; that there were no complaints or objections filed concerning the same; that the City Council of the City of Grand Junction, in creating said Combined Sewer District No. 1, and ordering the construction thereon of district sewers and appurtenances for storm and sanitary drainage, has in all things complied with the laws of the State of Colorado, and the requirements of the charter of the City of Grand Junction, and said ordinance thereof designated as ordinance No. 178 approved June 11th, A. D. 1910, as amended.

Section 2. That a local improvement District be and the same is hereby established and created out of that portion of the City of Grand Junction, Colorado, bounded and described as follows, to-wit: 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 2407.1 feet to an intersection with the center line of Seventh Street; thence North along the center line of Seventh Street 1097.8 feet to an intersection with the center line of Grand Avenue; thence West along the center line of Grand Avenue 2407.1 feet to an intersection with the center line of First Street; thence South along the center line of First Street 1079.8 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.

Description of the real estate within said Combined Sewer District No. 1 and to be assessed for the cost of said improvements:

Block 100--Lots 1 to 24 inclusive.

Block 101--Lots 1 to 32 inclusive.

Block 102--Lots 1 to 32 inclusive.

Block 103--Lots 1 to 32 inclusive.

Block 104--Lots 1 to 32 inclusive.

Block 105--Lots 1 to 30 inclusive.

Block 94--Lots 1 to 30 inclusive, which includes the Congregational Church lots.

Block 95--Or what is known as Central School Block.

Block 96--Lots 1 to 32 inclusive.

Block 97--Lots 1 to 32 inclusive.

Block 98--Lots 1 to 32 inclusive.

Block 99--Lots 1 to 24 inclusive.

Block 78--Lots 1 to 24 inclusive.

Block 79--Lots 1 to 32 inclusive which includes the African M. E. Church lots.

Block 80--Lots 1 to 32 inclusive, which includes the Catholic Church lots.

Block 81--Lots 1 to 32 inclusive, which includes the Episcopal Church lots.

Block 82--Lots 1 to 32 inclusive which includes the Methodist Church lots.

Block 83--Lots 1 to 30 inclusive which includes the Presbyterian Church lots.

Section 3. That said district shall be known as and the same is hereby designated as, COMBINED SEWER DISTRICT NO. I.

Section 4. That the construction of district sewers and appurtenances for storm and sanitary drainage within said district, all strictly in accordance with the full details, plans, specifications, maps, estimates, notices and orders, heretofore adopted by said Council, in the premises, be, and the

same is, hereby authorized and ordered, and the City Clerk is hereby directed to advertise for bids for the construction of the said improvements, ordered by and in conformity with this resolution and the charter of the city of Grand Junction, provided however, that the cost of the same, including general expenses, shall not exceed the estimates of the Engineer, viz. \$6416.47.

Section 5. That said amount viz. \$6416.47, or so much thereof as may be required to pay the actual cost of said improvements, together with two per cent additional for the cost of collection and other incidentals, and the cost and interest on the bonds to be issued from time to time to raise funds for the payment of said actual cost, said interest to run from time of issue of said bonds to the time the first installment will be due, shall be assessed wholly upon the said real estate hereinbefore described, and the manner of apportioning the cost and collecting the assessment and all other matters incidental to said improvements shall be as heretofore prescribed and set forth in previous resolutions adopted by the Council.

Section 6. That by virtue of and in pursuance of the charter of the City of Grand Junction, and ordinance No. 178 thereof, approved June 11th, 1910, as amended, public improvement bonds of the City shall be issued for the purpose of raising funds to pay cash for the local improvements in this resolution described, authorized, and provided to be constructed in said Combined Sewer District No. 1, in an amount not to exceed the whole cost of said improvements, including engineering, inspection, collection and other incidental expenses, and in no event to exceed the estimates of the cost of said improvements made by the Engineer of the said City pursuant to the preliminary order of the said Council adopted May 16th 1923, to-wit, \$6416.47 with two per cent additional for the cost of collection and other incidentals, and interest.

Section 7. That said bonds shall be dated July 1st A. D. 1923, shall bear the name of the district improved, shall be payable to the bearer twelve years from and after the date thereof, subject to call and prior payment, as by law provided; shall be subscribed by the president of the Council, attested by the Clerk, and the seal of the City thereunto affixed, and registered by the Treasurer; the said bonds shall be payable out of the moneys collected on account of assessments made for said improvements, shall bear interest at the rate of not exceeding six per cent per annum payable semi-annually on the first days of January and July in each year; shall have twenty-four coupons thereto attached, subscribed by the fac-simile signature of the City Treasurer evidencing said interest, shall be in denominations of \$250.00 each, and shall be numbered consecutively from one (1) upward. Both principal and interest shall be payable at the office of the City Treasurer in the City of Grand Junction, Colorado, or at the Banking House of Kountze

Brothers in the City of New York, U. S. A. at the option of the holder.

Section 8. That said bonds and the coupons thereto attached shall be in substantially the following form:

UNITED STATES OF AMERICA

State of Colorado

CITY OF GRAND JUNCTION

Public Improvement Bond

COMBINED SEWER DISTRICT NO. I.

No. _____

\$250.00

The City of Grand Junction, in the County of Mesa, and State of Colorado, for value received, acknowledges itself indebted, and hereby promises to pay to the bearer hereof the sum of Two Hundred Fifty Dollars in lawful money of the United States of America on the first day of July A. D. 1935, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of 5 1/2 per cent per annum, payable semi-annually on the first days of January and July in each year, both principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, or at the Banking House of Kountze Brothers, in the City of New York, U. S. A. at the option of the holder, upon presentation and surrender of the attached coupons as they severally become due.

This bond is issued for the purpose of paying the cost of local public improvements in Combined Sewer District No. 1, in the City of Grand Junction, by virtue of and in full conformity with the constitution and laws of the State of Colorado, the charter of the City of Grand Junction, and the requisite resolutions and ordinances of the said City of Grand Junction, duly adopted, approved, published and made laws of the said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Combined Sewer District No. 1, especially benefited by said improvements, and the amount of the assessment upon the real estate in said district for the payment thereof, with accrued interest, is a lien upon said real estate and assessed under the charter and ordinances of said city, said lien having priority over all other liens except other bonds heretofore issued by said City and the lien of general taxes. And it is hereby certified and recited that the total issue of the bonds of said City for said District, including this bond does

not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further certified and recited that every requirement of law relating to the creation of said Combined Sewer District No. 1, the making of said improvements, and the issue of this bond, have been fully complied with by the proper officers of said City, and that all the conditions required to exist and things required to be done precedent to and in the issue of this bond to render the same lawful and valid have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the president of the City Council, attested by the City Clerk, under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, this 1st day of July A. D. 1923.

/s/

President of the Council

Attest:

City Clerk.

(FORM OF COUPON)

No. _____ \$ _____

On the _____ day of _____ A. D. 19_____, the City of Grand Junction will pay the bearer _____ Dollars in lawful money of the United States of America at the office of the City Treasurer in Grand Junction, Colorado, or the Banking House of Kountze Brothers in the City of New York, U. S. A. at the option of the holder, being six months interest on its local public improvement bond issued for the construction of local improvements in Combined Sewer District No. 1, providing the bond to which this coupon is attached shall not have been paid. Attached to bond dated July 1st 1923 No. _____.

/s/ (Fac-Simile signature)

City Treasurer.

(REGISTRATION CERTIFICATE)

It is hereby certified that the within and foregoing bond has been duly registered in a suitable book kept for that purpose in the office of the City Treasurer of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____
A. D. 1923.

/s/

City Treasurer.

(GUARANTY CERTIFICATE)

Payment of the within bond is guaranteed by the City of Grand Junction, Colorado.

/s/

President of the Council.

Attest:

City Clerk.

Section 9. That pursuant to the authority vested in the City Council of the City of Grand Junction by the charter and ordinances thereof, the City of Grand Junction does hereby guaranty the payment of all the local public improvement bonds of Combined Sewer District No. 1, which bonds are particularly described in and authorized by this resolution, and the president of the Council and City Clerk are hereby authorized and directed to endorse on each of the aforesaid bonds the following guaranty:

(GUARANTY CERTIFICATE)

Payment of the within bond is guaranteed by the City of Grand Junction, Colorado.

/s/

President of the Council.

Attest:

City Clerk.

Said guaranty on said bonds may be authenticated by the engraved, printed, stamped or lithographed signatures of the President of the City Council and City Clerk.

Section 10. The City Clerk is hereby authorized and directed to have printed the bonds authorized by this resolution, and when said bonds are prepared to deposit the same with the City Treasurer to be issued and sold as authorized by the City Council, provided however, that if the City Council shall so direct, the successful bidder for said bonds shall pay the expense of the printing of said bonds.

Section 11. When said bonds are ready for delivery, they shall be delivered to the highest reliable and responsible bidder for said bonds after payment by said bidder of the purchase price therefor, the Council however reserve the right to reject any or all bids.

It was moved by Councilman Dowrey, seconded by Councilman Miller 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 President declared the motion carried and the resolution duly passed and adopted.

C.P. Bliss appeared before the Council in regard to the cutting down of cottonwood trees on his property at Third and Main Streets. It was agreed that the remainder of the trees be left to stand until the matter could be further considered.

The Clerk opened bids for bonds for Paving District No. 8 and Combined Sewer District No. 1. The following bids were tabulated.

	5%	5 1/2%	6%
Boettcher, Porter & Co.			
Paving Dist. No. 8	\$971.80	\$985.70	\$1005.30
Comb. Sewer No. 1	971.80	985.70	1005.30
Newton & Co. Inc.			
Paving Dist. No. 8	\$983.00	\$1,001.70	1018.30
Sewer Dist. No. 1	983.00	1,000.00	
Take all or none.			
Antonides & Co			
American Bank and Trust Co.			
Paving Dist. #8	\$982.70	\$1,000.00	
Comb. Sewer No. 1.	982.70	1,000.00	1017.80
Sidlo, Simon, Fels & Co.			
Comb. Sewer No. 1	\$	\$982.70	

It was moved by Councilman Murr, seconded by Councilman Hampson that Newton and Co. Inc being the highest and best bidder on bonds for Paving District no. 8 and Combined Sewer Dist. No. 1 that they be sold the bonds for said districts and that the President of the Council and the City Clerk be authorized to enter into a contract for the sale of said bonds in accordance with the notice of the sale. Upon which motion the following votes were cast. Councilmen voting YEA: Hirons, Marshall, Miller, Dowrey, Hampson and Murr. Councilmen voting NAY: None. All the Councilmen present voting yea, the president declared the motion carried.

It was moved by Councilman Murr, seconded by Councilman Hampson that the Grand Junction Concert Band be employed to give a series of ten concerts beginning July 8th and ending Sept 9th, 1923. Said concerts to be given each Sunday afternoon during said period and the total sum to be paid for each concert shall not exceed \$60.00. 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 voting YEA, the motion was declared carried.

Communications from the management of the Avalon and Majestic Theaters were read. Said communications requested the Council to consider the raising of the license fee charged for tent shows, carnivals ect. Acting on this request the President of the Council instructed the City Attorney to prepare an ordinance amending the present license ordinance as to the fees charged.

It was moved by Councilman Miller, seconded by Councilman Hampson that the City Manager and the Chief of Police be authorized to purchase either a Ford car or a motorcycle for the use of the Police Department. 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 voting YEA; the President declared the motion carried.

The resignation of Mrs. Ruth Newton-Reeds from the Office of City Treasurer was read. It was moved by Councilman Dowrey, seconded by Councilman Murr that her resignation be accepted as of July 1st 1923. Motion carried.

It was moved by Councilman Dowrey, seconded by Councilman Marshall that the meeting adjourn until Monday, June 25th at the hour of 7:30 o'clock. Motion carried.

/s/ Fred A. Peck

City Clerk