

Grand Junction, Colorado

April 1, 1931

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Those present and answering at roll call were: Councilmen Bear, Glassford, Hall, Hirons, Penberthy, Sievert, Rogers. City Manager Soderstrum, City Attorney Adams, and City Clerk Tomlinson were present.

The minutes of the regular meeting held March 18th and the regular adjourned meeting held March 25th were read and approved.

The City Clerk reported that no protests had been filed against Curb and Gutter District No. 1.

The following resolution was presented and read:

Creating Curb & Gutter Dist. No. 1

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AN IMPROVEMENT DISTRICT TO BE KNOWN AND DESIGNATED AS "CURB AND GUTTER DISTRICT NO. 1", AUTHORIZING THE IMPROVEMENT OF A CERTAIN STREET THEREIN: ALL IN STRICT CONFORMITY WITH THE DETAILS, MAPS, ESTIMATES, NOTICES AND ORDERS HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO IN THE PREMISES: DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT AND TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENTS, AND PRESCRIBING THE FORM OF SAID BONDS, ALL OF SAID PROCEEDINGS BEING IN CONFORMITY WITH ORDINANCE NO. 178 OF THE CITY OF GRAND JUNCTION, COLORADO, ADOPTED AND APPROVED THE 11th DAY OF JUNE, A. D. 1910, AS AMENDED.

WHEREAS, In conformity with the Charter of the City of Grand Junction and Ordinance No. 178, entitled "AN ORDINANCE PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT DISTRICTS: THE CONSTRUCTION OF CERTAIN LOCAL IMPROVEMENTS: PROVIDING A METHOD OF PAYMENT THEREFOR", adopted and approved the 11th day of June, A. D. 1910, as amended, the City Council of the City of Grand Junction, Colorado, by resolution duly adopted and approved the 24th day of February, A. D. 1931, declared the intent of the City Council to create a local improvement district in the City of Grand Junction, Colorado, to be known and designated as Curb and Gutter District No. 1; and

WHEREAS, By resolution duly adopted and approved the 24th day of February, A. D. 1931, adopting details and specifications for the construction of a Portland Cement Concrete curb and gutter, and excavation necessary for the construction of same, in said proposed curb and gutter district within the corporate limits of the City of Grand Junction, Colorado, to be known and designated

as Curb and Gutter District No. 1, a provision was made for the requisite notice to all persons interested in the improvement proposed; the number of installments; the time in which the cost of the improvement will be payable; the rate of interest on unpaid installments; extent of the district to be assessed, by setting forth the boundaries thereof; including a description of the street to be improved; the probable cost of said improvements as shown by the estimates of the Engineer; the maximum share of said total estimate per front foot that will be assessed upon any lots or lands included within the district; the time when the Council will consider the ordering of the proposed improvements, hear all complaints or objections that may be made in writing concerning the proposed improvements; and that all maps and estimates and proceedings of the Council in the premises were on file and could be seen and examined at the office of the City Clerk during business hours at any time on or before 7:30 o'clock P. M. on Wednesday, the 1st day of April, A. D. 1931, by any person interested; and

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

THEREFORE, 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 the construction of a Portland Cement concrete curb and gutter, and excavation necessary for the construction of same, in said Curb and Gutter 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 Curb and Gutter District No. 1 and ordering the construction therein of a Portland Cement concrete curb and gutter and excavation necessary for the construction of same, 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 northeast corner of Lot 17, Block 1;
thence south to the southeast corner of Lot 18, Block

44; thence west to the southwest corner of Lot 21, Block 44; thence north to the northwest corner of Lot 14, Block 1; thence east to the northeast corner of Lot 17, Block 1, the place of beginning.

DESCRIPTION OF STREET TO BE IMPROVED IN THE PROPOSED CURB AND GUTTER DISTRICT NO. 1.

North Twelfth Street from the North line of Gunnison Avenue to the South line of North Avenue.

THAT THE MANAGER OF ASSESSMENT TO BE ADOPTED IN SAID DISTRICT IS AS FOLLOWS:

The method of assessment to be adopted in said district shall be an assessment per front foot upon the lots or lands within said district upon said street in which said improvement is to be made. Said lots or lands to be divided into four equal zones paralleling the streets to be improved.

The maximum share of the total estimate per front foot that will be assessed upon the lots or lands within said district abutting upon the street in which said improvement is to be made is \$1.00.

To the above rate, or to so much thereof as may be necessary to pay the actual cost of said improvements and general expenses, there will be added two per centum for cost of collection and other incidentals, and also interest at the rate of not exceeding six per centum per annum on the bonds issued and sold to raise funds for the payment of the total cost hereinafter stated:

Said interest to run from the time of the issue of said bonds to the time of the first installment when the assessment becomes due; the manner of apportioning the cost to each zone will be as follows:

- 40% of the cost per front foot upon the zone immediately adjoining the street to be improved being Zone No. 1.
- 30% upon the next adjoining or Second Zone.
- 20% upon the next adjoining or Third Zone.
- 10% upon the next adjoining or Fourth Zone.

SECTION 3. That the said district shall be known as, and the same is hereby designated as, Curb and Gutter District No. 1.

SECTION 4. That the construction of a Portland Cement concrete curb and gutter, and excavation necessary for the construction of same within said district, all strictly in accordance with the full details, plans, specifications, maps, estimates, notices and orders heretofore adopted and given by said Council in the premises, be and the same are hereby authorized and ordered; Provided, however, that the cost of the same, including general expenses, but excluding cost of said street and alley

intersections to be paid for by the City of Grand Junction, shall not exceed the estimates of the Engineer, viz: \$1,046.80.

SECTION 5. That the City Council, has heretofore, under and by virtue of the authority given by the qualified electors of said city at an election held therein, issued and sold bonds for the improving of street and alley intersections in said city, and funds for such purpose are now available; that the total estimate of the City Engineer for the cost of improving the street and alley intersections of the street to be improved in Curb and Gutter District No. 1 is \$675.95. That so much thereof as may be necessary for the cost of improving the street and alley intersections in the street to be improved in Curb and Gutter District No. 1 shall be paid by the City of Grand Junction, out of funds from bonds heretofore sold for the purpose of improving intersections and now available.

SECTION 6. That of said total amount of the cost of construction of the improvements heretofore set forth, the sum of \$1,046.80, or so much thereof as may be required to pay the actual proportionate cost of said improvements, plus two percentum additional for the cost of collection and other incidentals, and the cost of and interest on the bonds to be issued from time to time to raise funds for the payment of said actual proportionate cost, said interest to run from the time of the issue of said bonds to the time the first installment will be due, shall be assessed wholly upon the real estate hereinbefore described; the manner of apportioning the cost and collecting the assessments and all other matters incidental to said improvements shall be as heretofore and herein specified and as set forth in previous motions and resolutions adopted by the Council.

SECTION 7. 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 Curb and Gutter District No. 1 in an amount not to exceed the whole cost of said improvements, including engineering inspection, collection and other incidental expenses (excluding the amount to be paid by the City of Grand Junction for the paving of street and alley intersections) and in no event to exceed the estimates of the cost of said improvements made by the Engineer of said city, pursuant to the preliminary order of said Council, adopted February 24th, 1931, to-wit: \$1,046.80, with 2% added for the cost of collection and other expenses, and with interest on the bonds from the date thereof to the date when the first installment of taxes is due.

SECTION 8. That said bonds shall be dated April 1st, 1931, and shall bear the name of the district improved, shall be payable to the bearer on or before 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 City Clerk and the seal of the City thereunto affixed, and registered by the Treasurer; that said bonds shall be payable out of the monies collected on account of assessments made for said improvements; shall bear interest at the rate of not to exceed six per cent per annum; payable semi-annually on the 1st day of April and the 1st day of October in each year, and have twenty-four coupons thereto attached, subscribed by the fac-simile signature of the City Treasurer, and evidencing the semi-annual installments of said interest; shall be in the denomination of \$100.00 each, and shall be numbered consecutively from one upward. Both principal and interest shall be payable at the office of the City Treasurer in Grand Junction, Colorado, or at the banking house of Kountze Brothers in the City of New York, United States of America, at the option of the holder.

SECTION 9. That said bonds and the coupons thereto attached shall be in substance in the following form:

PUBLIC IMPROVEMENT BOND
CURB AND GUTTER DISTRICT NO. 1

No. _____

\$100.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof the sum of One Hundred Dollars, lawful money of the United States of America, on the first day of _____ A. D. 19_____, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of _____ per centum per annum, payable semi-annually on the first day of April and the first day of October of each year, both principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, or the banking house of Kountze Brothers in the City of New York, United States of America, at the option of the holder, upon surrender of the attached coupons as they severally become due.

This bond is issued for the purpose of paying the cost of local improvements in Curb and Gutter District No. 1 in the City of Grand Junction, by virtue of and in full conformity with the Constitution and the laws of the State of Colorado, the Charter of the City of Grand Junction, and the requisite requirements and ordinances of said City duly adopted, approved, published and made laws of 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 Curb and Gutter District No. 1, especially benefited by said improvements, and the amount of the assessments upon the real estate in said district for the payment thereof, with the accrued interest, is a lien upon said real estate in the

respective amounts apportioned to 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 on a parity with the lien of general taxes. And it is hereby certified the issue of this bond has been fully complied with by proper officers of said City, and that all the conditions required to exist and those 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 Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the fac-simile signature of the City Treasurer this 1st day of _____ A. D. 19_____.

/s/

President of the Council

ATTEST:

/s/

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 at 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 of Curb and Gutter District No. 1, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated April 1st, 1931.

(Fac-simile Signature)

City Treasurer

(REGISTRATION CERTIFICATE)

It is hereby certified that the within and foregoing bond has been 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. 1931.

President of the Council

ATTEST:

(GUARANTY CERTIFICATE)

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

President of the Council

ATTEST:

City Clerk

SECTION 11. 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 City Treasurer shall purchase same for investment of various funds of the City.

SECTION 12. It appearing to the said City Council and the City Council doth find and determine that said improvements can be efficiently made by the City, therefore, it is hereby provided that all said improvements shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by the purchase of all necessary material supplies, and equipment, and subject to the further supervision of the City Council, as provided in Section 2, Ordinance No. 178, as amended.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Bear and seconded by Councilman Glassford that the resolution be passed and adopted as read. Upon which motion the following vote was cast: Councilmen voting YEA, Bear, Glassford, Hall, Hirons, Penberthy, Sievert, Rogers.

Councilmen voting NO - None. All the Councilmen voting YEA, the President declared the motion carried.

Plumbing Code

The Proof of Publication to the Ordinance entitled, "AN ORDINANCE REGULATING THE APPOINTMENT OF A PLUMBING INSPECTOR AND PRESCRIBING THE DUTIES THEREOF: THE LICENSING OF PLUMBERS: AND REGULATING THE INSTALLATION, ALTERATION, AND REPAIR OF PLUMBING WORK, AND PRESCRIBING PENALTIES THEREFOR", was introduced and read. It was moved by Councilman Penberthy and seconded by Councilman Bear that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Hall and seconded by Councilman Bear that the above entitled ordinance be called up for final passage. Motion carried.

The following proposed amendments to the above entitled ordinance were proposed:

SECTION 6. It shall be unlawful for any person, firm or corporation to engage in plumbing work, (as defined in Section 20 of this ordinance) as a business, in the City of Grand Junction, Colorado, without first securing from the City Clerk, a plumber's license, or to do any plumbing work as a Master or a Journeyman Plumber as hereinafter specified; provided, that

For the purpose of this ordinance the words and phrases used in this ordinance and in this section set forth, are defined to have the following meaning, to-wit:

A "Master Plumber" is hereby defined to be any person skilled in the planning, superintending and the practical installation of plumbing, and is familiar with the laws, rules and regulations governing the same.

A "Journeyman Plumber" is hereby defined to be any person other than a Master Plumber, who as his principal occupation is engaged in the practical installation, alteration, repair and removal of plumbing.

SECTION 7. BOARD OF EXAMINERS FOR PLUMBERS. There is hereby created a Board of Examiners for plumbers for this city, whose duties shall be to act as a Board of Arbitration on interpretation of this ordinance and to examine, as to their fitness and qualifications, all persons applying to said Board for license to engage in the business, trade or calling of a Journeyman Plumber or a Master Plumber. Such Board shall consist of the City Manager, Plumbing Inspector, two Master Plumbers, and one Journeyman Plumber, said plumbers to be appointed by the City Manager.

The Board may, if it deems it necessary so to do, authorize and empower one member only, of said Board, to hold and conduct a certain examination. A report of the results of all Master Plumber's examinations shall be presented to the City Council before license is granted.

SECTION 9. APPLICATION FOR PLUMBER'S LICENSE. Any person firm or corporation desiring to engage in or work at the business of installing plumbing, or who shall install plumbing in connection with the dealing in or selling of plumbing materials and supplies, shall be required to have a Master Plumber who shall have a Master Plumber's license from the City of Grand Junction, Colorado, in charge at all times, who shall be responsible for the proper installation of such plumbing.

Any person, firm or corporation desiring to engage in the business of plumbing in the City of Grand Junction, Colorado, as above defined, shall first procure a Plumber's license from the City Clerk of said City of Grand Junction to conduct such business, after he shall have first entered into a good and sufficient surety bond in the sum of One Thousand (\$1,000.00) Dollars payable to the City of Grand Junction, to be approved by the City Council, conditioned that he will save and keep harmless the City of Grand Junction, and all persons therein of and from all accidents, damages, and loss which may accrue to the said City or any of its inhabitants by reason of his failure to comply with all the rules and regulations which are now or may be hereafter established by the City Council of the City, or by reason of the carelessness or negligence in connection with any such work; and after the applicant shall have paid to the City Treasurer the sum of Twenty-five (\$25.00) dollars per annum prior to the issuance of said permit.

The City Clerk shall, after the applicant has complied with all conditions precedent to the issuance of a plumber's license, and after the approval of the bond by the City Council, issue to such person, firm or corporation, a plumber's license.

SECTION 10. MASTER PLUMBER'S LICENSE. Licenses will be issued by the City Clerk to all Master Plumbers after a certificate of approval from the board of examiners showing that he has the qualifications of a Master Plumber above defined, together with a receipt for \$2.00 from the City Treasurer for annual license fee.

The following additional paragraph to be added to SECTION 5. Any person, firm or corporation within the City of Grand Junction, Colorado, selling any plumbing fixtures, requiring a proper connection to the waste and vent lines, as provided for in this ordinance, to other than licensed master plumbers for use within the City of Grand Junction, Colorado, must file within thirty days of such sale, number and description of fixtures, and the name and address of person to whom sold

Councilman Bear moved and Councilman Hall seconded the motion that the proposed amendments be adopted. Upon which motion the following vote was cast: Councilmen voting YEA, Bear, Hall, Hirons, Glassford, Penberthy, Sievert, Rogers. Councilmen voting NO - None. All of the Councilmen voting YEA, the President declared the ordinance amended.

Ord. #484 (Plbg.)

It was moved by Councilman Hirons and seconded by Councilman Sievert that the ordinance entitled, "AN ORDINANCE REGULATING THE APPOINTMENT OF A PLUMBING INSPECTOR AND PRESCRIBING THE DUTIES THEREOF: THE LICENSING OF PLUMBERS: AND REGULATING THE INSTALLATION, ALTERATION, AND REPAIR OF PLUMBING WORK, AND PRESCRIBING PENALTIES THEREFOR", be passed and adopted as amended, numbered 484, and published. Upon which motion the following vote was cast: Councilmen voting YEA - Bear, Glassford, Hall, Hirons, Penberthy, Sievert, Rogers. Councilmen voting NO - None. All the Councilmen voting YEA, the President declared the motion carried.

Resolution re plumbers & State Board of Health

The following resolution was presented:

RESOLVED, That in the event of a conflict of jurisdiction between the State Board of Health and Ordinance No. 484, referred to as the Plumbing Ordinance, that the City shall extend its aid to defend any licensed plumber of the City, who has complied in all respects with said ordinance, but who, has failed to comply with any plumbing regulation of the State Board of Health, in conflict with said ordinance, whereby the may be proceeded against by the State Board of Health.

President Rogers was excused at this time & President Pro-tem Glassford took the Chair.)

It was moved by Councilman Hall and seconded by Councilman Bear that the resolution be passed and adopted as read: Upon which motion the following vote was cast: Councilmen voting YEA, Bear, Glassford, Hall, Hirons, Penberthy, Sievert, Councilmen voting NO - None. All of the Councilmen voting YEA, the President declared the motion carried.

Prf. Pbl. Patterson land Ord.

The proof of Publication to the Proposed People's Ordinance concerning the exchange of two parcels of land belonging to the City of Grand Junction and a parcel of land belonging to M. S. Patterson, was presented. Councilman Penberthy moved and Councilman Bear seconded the motion that the Proof of Publication be accepted and filed. Motion carried.

Prf. Pbl. Ord. - Dogs

The Proof of Publication to the proposed ordinance entitled, "AN ORDINANCE RELATING TO DOGS AND PROVIDING FOR THE LICENSING THEREOF, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH", was presented.

It was moved by Councilman Bear and seconded by Councilman Hirons that the Proof of Publication be accepted and filed. Motion carried.

Councilman Penberthy thereupon moved that the ordinance be called up for final passage. Councilman Bear seconded the motion. Motion carried.

Ord. #485 passed (dogs)

It was then moved by Councilman Bear and seconded by Councilman Sievert that the ordinance entitled, "AN ORDINANCE RELATING TO DOGS AND PROVIDING FOR THE LICENSING THEREOF, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH", be passed and adopted, numbered 485, and published. Upon which motion the following vote was cast: Councilmen voting YEA, Bear, Glassford, Hall, Hirons, Penberthy, Sievert. Councilmen voting No - None. President Pro-tem Glassford declared the ordinance duly passed and adopted.

An Emergency Ordinance entitled, "AN ORDINANCE TO REGULATE THE USE OF WATER FROM THE WATER MAINS OF THE CITY OF GRAND JUNCTION, COLORADO, AND TO ESTABLISH RATES THEREFOR" was introduced.

Councilman Hall moved and Councilman Bear seconded the motion that the meeting adjourn until 4:00 O'clock P. M. Thursday, April, 2nd, 1931.

/s/ Helen C. Tomlinson
City Clerk