

Grand Junction, Colorado

April 20th, 1932

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

The minutes of the regular meeting held April 6th were read and approved.

Bonds filed

Bonds for J. W. Cox and W. J. Fountain, Cement Contractors, and I. W. Patterson, Electrician, having been approved as to form, were presented. It was moved by Councilman Bear and seconded by Councilman Holcombe that the bonds be accepted and filed. Motion carried.

Fulton Pet. Co. Indemnity bond

The Fulton Petroleum Co. filed their \$25,000 Union Indemnity Co. bond, as per the requirements of their proposed franchise. Councilman Holcombe moved and Councilman Roberts seconded the motion that the bond be accepted as to form and referred to the City Attorney and City Manager to ascertain the legal status and financial stability of the Surety.

Roll was called with the following result: Councilmen voting AYE - Bear, Hall, Hirons, Holcombe, Roberts, Sievert, and Glassford.

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

Charter Amendment presented

Mr. J. P. Helman, Attorney, presented petitions signed by various citizens of the City, requesting that Section 74, Article IX, of the Charter of the City of Grand Junction be amended, and requesting that the proposed amendment be submitted to a vote of the qualified electors of the said City at the special election to be held on Tuesday, May 31st, 1932, in accordance with the provisions of Article XX of the Constitution of the State of Colorado.

The petitions were referred to the City Clerk to be checked and to be referred back to the Council Saturday evening, April 23rd, 1932, at 7:30 o'clock P. M.

Coal truckers protest Fulton franchise

Mr. Thomas Allen and various coal truckers, miners, and others interested in the Coal industry were present. Mr. Allen appeared before the Council on behalf of the Coal Industry being jeopardized by the bringing in of natural gas, should the Fulton Petroleum Company franchise be granted and their project completed. Mr. Allen presented considerable data on the amount of business done by the various mines, their payroll, etc.

Mr. Glassford, President of the Council, explained that it was impossible for the Council to take any further action so far as the Fulton Petroleum Co. franchise was concerned. That it was altogether up to the taxpayers of Grand Junction, whether a franchise was granted to them or not.

Paving C.D.'s

A letter from Sidlo, Simons, Day & Co., Denver, was presented. This letter concerned the completion of the transaction in which the City cashed the Certificates of Deposit which it held for paving intersection bonds sold to Sidlo, Simons, Day & Co. in 1929.

Councilman Holcombe moved and Councilman Roberts seconded the motion that the City Manager be instructed to write a letter to Silo, Simons, Day & Co. thanking them for the courteous and excellent treatment in the above transaction. Motion carried.

Klein Land suit hearing

It was brought to the attention of the Council that the suit in the State Supreme Court - Taxpayers vs. Klein Land Co. would be heard on May 16th. A letter from Mr. Aupperle was read, in which he reported that the firm of Pershing, Nye, Tallmadge & Bosworth, would appear in person to plead the case.

Councilman Hall moved and Councilman Hiron seconded the motion that the City Attorney be authorized to appear before the Supreme Court on the 16th of May, 1932, on behalf of the City, and that he be requested to go over to Denver in time to enable him to prepare the case in co-operation with the firm of Pershing, Nye, Tallmadge & Bosworth.

Roll was called with the following result: Councilmen voting AYE - Bear, Hall, Hiron, Holcombe, Roberts, Sievert, and Glassford. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Water from artesian well

Mr. J. A. Hammer presented a request to be allowed to sell water from the artesian well to various customers in the City. The matter was referred to the City Physician.

Kountze Bros. & Sackett suit dismissed

Councilman Holcombe proposed the following, which was duly seconded by Councilman Sievert:

In the Matter of the suit of the City against W. L. Sackett and the United States Fidelity & Guaranty Co., now pending in the District Court of Mesa County.

IT Appearing that on March 2nd, 1932, the City Attorney was directed to enter into a stipulation with the Attorneys for the Surety Company and the City Treasurer to preserve the case in its present status until otherwise directed by the Council,

And It Further Appearing that notice of the action of the Council in this respect was given due publicity in the Daily Sentinel,

And It Further Appearing to the Council that no tax-payer or other interested party had requested or urged the further prosecution of said suit,

And It Further Appearing to the Council that under all the circumstances it is desirable and not against the interests of said City to order at this time the dismissal of this action, by the City Attorney.

Accordingly, It is Hereby Ordered that the City Attorney take the necessary steps to bring about the dismissal of said action, with prejudice.

Roll was called on the above motion, with the following result;

Councilmen voting AYE - Bear, Hall, Hirons, Holcombe, Roberts, Sievert, Glassford.

Councilmen voting NO - None.

All of the Councilmen voting AYE, the President declared the motion carried.

Councilman Hall moved and Councilman Sievert seconded the motion that the City Manager be requested to submit to the Council such comments on the remarks of the Auditor in his audit made as of December 31st, 1931, as will enable the Council to judge fairly and impartially and dispassionately, the merits of the criticisms made by the said Auditor in said audit. Motion carried.

On motion duly made, seconded and carried, the meeting adjourned until Saturday evening, April 23rd, at 7:30 o'clock P. M.

/s/ Helen C. Tomlinson
City Clerk