

Grand Junction, Colorado

April 19, 1933

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 Glassford, Hirons, Holcombe, Sievert, and President Hall. City Manager Soderstrum, City Attorney Adams, and City Clerk Tomlinson. Councilmen Bear and Roberts were absent.

The minutes of the regular meeting held April 5th and the special meeting held April 7th were read and approved.

A letter from the Druggist's Association of the City, by F. A. Harris, Vice-president and Fred Potter, Secretary, in regard to the payment of the cigarette license tax for the year 1933, was read. A previous communication from them requesting that the license be eliminated or at least lowered, had been received and it had been decided that due to the fact that the receipts from the cigarette tax had been considered in figuring the budget, it would be impossible to do anything at the present time. A letter from Mr. Adams, City Attorney was also read. The City Manager was instructed to follow the outline of the City Attorney's Recommendation.

A request from the White Eagle Oil Co. to break the curb for a distance of thirty-six feet on North Ave. and thirty-six feet on 1st Street, for entrances to the filling station they are construction on the southeast corner of 1st & North, was presented.

It was moved by Councilman Holcombe and seconded by Councilman Glassford that the request of the White Eagle Oil Co. be granted. Motion carried.

Attention had been called to the fact that the present Legislature has reduced the penalty rate on delinquent taxes. The matter was brought up to decide whether or not the City should reduce the penalty on special assessments.

Mr. Adams, City Attorney, was instructed to draw up an ordinance

Mr. Soderstrum reported that The State Highway Department refused to issue a work order to lower the sidewalks on S. 5th as per the request of the City Council. He also reported that the local officials could do nothing further.

It was moved by Councilman Glassford and seconded by Councilman Hirons that the City Manager and the President of the Council be directed to go to Denver and consult with Mr. Chas. Vail, State Highway Engineer, if necessary, in order to get the sidewalks on S. 5th St. lowered in a satisfactory manner. Roll was

called with the following result: All Councilman present voted AYE. Motion was declared carried.

The following resolution was present and read:

RESOLUTION

WHEREAS, Application has been made to the City Council of the City of Grand Junction by the following-named persons, co-partnerships, and corporations: Osburne's Lunch, Sam Pantuso, and James Purcell, for the New World Cafe - for licenses from said City Council to sell beer in said City under the terms of said act:

AND WHEREAS The City Council has investigated each of said applicants, and finds and determines that each of said applicants is qualified under said act to receive such license;

NOW, THEREFORE, BE IT RESOLVED That the City Manager and the City Clerk be and they are hereby ordered and directed to issue licenses to each of the above named persons for the term of one year, upon the payment by each of said applicants of the sum of eighty dollars (\$80.00) to the Clerk of the City, and upon the exhibition of the license of such applicant issued by the Treasurer of the State of Colorado, or upon the production of satisfactory evidence that the annual license fee of twenty-five \$25.00 required to be paid to said State Treasurer, has been transmitted to said official.

That pending the exhibition of such license from the State Treasurer he is hereby authorized and directed to receive from each of said applicants said license fee of \$80.00 and issue his receipt therefor, until such license shall be issued by the Council, upon the production of such license from the State Treasurer. That prior to the issuance of such license, each applicant be required to sign and verify a written application showing that said applicant is duly qualified under said Act, which application shall be filed in the office of the City Manager.

It was moved by Councilman Holcombe and seconded by Councilman Sievert that the resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE - Hiron, Holcombe, Sievert, and Hall. Councilmen voting NO - Glassford. A majority of the Councilmen voting AYE, the President declared the motion carried.

A letter from Mr. Chessher, President of the Fulton Petroleum Corp. was read.

The following letter was read, having been received by City Attorney Adams.

New Orleans, La.

April 10, 1933

Hon. E. B. Adams, Attorney at Law,
Grand Junction, Colorado.

Dear Sir:

We have your letter with respect to the Performance Bond of the Fulton Petroleum Corp. executed by the Union Indemnity Company as surety.

Our investigation shows that the bond in question was executed on the application of the Fulton Petroleum Corp. There are not personal endorsements of the officials of the corporation on either the application or collateral agreement. The original bond dated March 2nd, 1930 and which was cancelled by the ordinance which provided for the present bond did contain personal indemnity agreements of the officials. The only security for the bond which is in force is a certificate of deposit of the First National Bank of Seattle, Washington, Sea Board Branch, No. S39, dated April 16th, 1932 in the amount of \$15,000.00. This certificate of deposit is in the collateral vaults of the office here in New Orleans. We are enclosing you a copy of the form of collateral agreement used.

We took the matter up with Mr. S. Sanford Levy, one of the Receivers, and he advised us that should a claim be made on this bond that the Receivers would immediately place the collateral in the general funds of the Receivership and would not consider the collateral as being a trust fund for the payment of the particular claim. Of course, this form of proceeding would be subject to attack and it is possible that the collateral would eventually be held to apply to the payment of the particular claim. Up to the present time there has been no claim of this kind filed where collateral was claimed as a trust fund.

We trust that this is the information that you require and that you will find the same full and complete. Under this cover we are enclosing our bill for services and ask that you will please put the same in line for payment.

Yours very truly,

St. Clair Adams.

The letter in regard to the "Teller Forty", had been received by each and every member of the Council. The City Manager was instructed to get in touch with Mrs. Teller in regard to getting a title to the property.

Bond for C. J. Mapes, cement contractor, Corson Electric Shop, electrical contractor, and J. W. Rader, plumber, were presented having been approved as to form by Mr. Adams.

It was moved by Councilman Holcombe and seconded by Councilman Glassford that the bonds be accepted and filed. Motion carried.

Letters from Mr. Adams and the U. S. F. & G. Co. in regard to the City Treasurer depositing funds with the Conservator of the Grand Valley Bank were read. The letters were ordered filed.

On motion duly, made, seconded, and carried, the meeting adjourned.

/s/ Helen C. Tomlinson
City Clerk