

Grand Junction, Colorado

November 1, 1933

The City Council of the City of Grand Junction, Colo. met in regular session at 7:30 o'clock P. M. Those present and answering at roll call were: Councilmen Carson, Ross, Oates, Boston, Roberts, Hall, and President Holcombe. City Manager Soderstrum, City Attorney Bowie, and City Clerk Tomlinson were present.

The minutes of the regular meeting held October 18th and the special meeting held October 31st were read and approved.

Mr. Chas. Rump was present and told the Council that some one had dropped a large number of arc lights on Halloween evening. He explained that this was very dangerous, and that publicity should be given so that it would not be repeated in years to come.

Mr. Rump also spoke to the Council in connection with their artificial gas service to the citizens of Grand Junction.

The Council then discussed the proposed extension of time for the Fulton Petroleum Corp. franchise, and after considerable discussion, the following resolution was presented and read:

RESOLUTION

Whereas Section 9 of People's Ordinance No. 25 of the City of Grand Junction, Colorado, provides that the City Council may at its discretion, upon showing of compelling emergency, extend up to six months' time the date for completion of installation of the parts of the gas plant to be constructed and installed by the Fulton Petroleum Corporation, as more particularly set forth therein;

Whereas said Corporation has not completed the work required of it by said Ordinance, and has petitioned the City Council to grant it an extension of six months' time from November 1, 1933;

Whereas the City Council has determined and finds that a compelling emergency exists which justifies the granting of such additional time, and is willing to grant the same upon and subject to conditions hereinafter provided;

Whereas, pursuant to the Escrow Agreement and Release executed by the City and said Corporation on June 12, 1933, the Certificate of Deposit of \$15,000.00 therein mentioned has been deposited with The United States National Bank of Denver, Colorado, as escrow agent; and the said parties desire to amend said Escrow Agreement as set forth in the form of Amended Escrow Agreement attached hereto, to which reference is hereby made for greater particularity;

It Is Therefore Resolved by the City Council of said City

that the Fulton Petroleum Corporation be and is hereby granted an extenuation of six months' time from and after November 1, 1933, within which to complete the construction and installation of said gas plant in compliance with the provisions of said Ordinance, subject to compliance with the following conditions: (a) that, within 30 days after this date, said Corporation shall execute and deliver to the City such Amended Escrow Agreement in the form attached hereto, with a certified copy of a resolution of its board of directors duly authorizing execution and delivery thereof; (b) that said Certificate of Deposit, with accrued interest, shall be cashed by the above named Bank and the proceeds thereof deposited with it as such escrow agent within 30 days after this date, and (c) that said Corporation, or its assignee, shall actually commence further construction and installation of said gas plant on or before February 1, 1934, and shall thereafter prosecute such work continuously, employing and maintaining a sufficient number of men adequately equipped with tools, machinery and other appliances to maintain sufficient progress to complete such work in compliance with said Ordinance within the period of the aforesaid extension of time; and provided that if each and all of the aforesaid conditions are not complied with and fulfilled by said Corporation, or its assignee, within the times so provided, then said City Council shall have the right, at its election, to terminate the extension of time herein granted.

It Is Further Resolved that the President of the City Council and City Clerk of said City be and are hereby authorized and directed to join with said Corporation in the execution and delivery of such Amended Escrow Agreement on behalf of the City, and to deliver a duly executed copy thereof to The United States National Bank, of Denver, Colorado, as escrow agent.

It was moved by Councilman Roberts and seconded by Councilman Ross that the resolution, as read, be passed and adopted. Roll was called with the following result: Councilmen voting AYE, Carson, Ross, Oates, Boston, Roberts, Hall, and Holcombe. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. W. H. Post appeared before the Council and it was suggested that the dog license fee be lowered and a new ordinance be passed before the 1st of 1934.

A rumor to the effect that the Governor of Colorado might ask the Legislature, when it convenes, to pass a bill limiting the amount of the levy for taxation on real estate to 25 mills was discussed. Mr. Soderstrum read an article along the same line, setting forth the conditions in West Virginia caused by a similar law.

Councilman Ross moved and Councilman Oates seconded the motion that the City Manager be instructed to draw up a protest of tax limitation and present same to the Colorado Municipal League, and to Senator Bannister and Representative Aspinall, and others.

Motion carried.

It was moved by Councilman Roberts and seconded by Councilman Hall that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk