

Grand Junction, Colorado

February 7th, 1934

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

The minutes of the regular meeting held January 17th, and the regular adjourned meeting January 24th were read and approved.

The City Council proceeded to canvass the returns of the special election held February 6th, 1934.

TALLY SHEET

We, the undersigned, acting as canvassing board, hereby certify that we have canvassed the returns of the Special Municipal Election held in the City of Grand Junction, Colorado, on February 6th, 1934, and from said canvass find the results to be as follows:

That 64 ballots were cast in District "A"

That 79 ballots were cast in District "B"

That 82 ballots were cast in District "C"

That 90 ballots were cast in District "D"

That 204 ballots were cast in District "E"

That a total of 519 ballots were cast in all the Districts at said election.

The votes were as follows:

"Shall the City Council of the City of Grand Junction contract an indebtedness on behalf of the City and upon the credit thereof, by issuing the negotiable coupon bonds of the City in the aggregate amount of Sixty Thousand Dollars, for the purpose of constructing and erecting a concrete structure to be used as a Settling Basin and Reservoir in the waterworks system now owned and operated by the City?"

DISTRICT		"A"	"B"	"C"	"D"	"E"	TOTAL MAJORITY
FOR THE WATER BONDS	47	56	60	73	144	380	241

AGAINST THE
WATER BONDS 17 23 22 17 60 139

/s/ Allen Holcombe
/s/ Frank R. Hall
/s/ Porter Carson

/s/ David M. Roberts
/s/ O. E. Boston
/s/ George W. Oates

CANVASSING BOARD

The following resolution was presented:

"RESOLUTION

WHEREAS, on the 6th day of February, A. D. 1934, there was submitted to the qualified taxpaying electors of the City of Grand Junction, the question of issuing bonds of the said City in the sum of Sixty Thousand (\$60,000) dollars for the purpose of constructing and erecting a concrete structure to be used as a Settling Basin and Reservoir in the waterworks system now owned and operated by the City: and

WHEREAS, on the 7th day of February, 1934, the City Council duly canvassed the results of said election which were as follows, to-wit:

FOR THE WATER BONDS 380

AGAINST THE WATER BONDS 139

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That said bond election was held in strict conformity with the laws of the State of Colorado and the Charter and ordinances of said City, and it is hereby declared that more than a majority of the votes cast at said election were for the issuance of the reservoir bonds in the sum of Sixty thousand dollars (\$60,000).

ATTEST:

City Clerk

/s/

President of the Council."

It was moved by Councilman Roberts, seconded by Councilman Carson that the resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE: Carson, Oates, Boston, Roberts, Hall and Holcombe. Councilmen

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

A petition was presented by W. C. Bush, signed by practically all Master Plumbers in the City, requesting that the City Council repeal Ordinance No. 484 relating to plumbing. It was moved by Councilman Hall, seconded by Councilman Roberts, that the petition be referred to the City Manager and the City Attorney to report back to the Council at an early meeting. Motion carried.

A letter from Mr. H. B. Chessher, President of the Fulton Petroleum Company was read, in which he acknowledges failure to meet the requirements of the franchise extension. The following resolution was presented and read:

"RESOLUTION

WHEREAS, it appears to the City Council, and the Council finds that the Fulton Petroleum Corporation has defaulted conditions and terms of the escrow agreement made between that corporation and the City on the 12th day of June, 1933; as supplemented by an amended escrow agreement made between that corporation and the City on the 1st day of November, 1933; in that neither said corporation nor its assignee has actually commenced further construction or installation of the gas plant therein mentioned, on or before the 1st day of February, 1934; all of which it acknowledges by a communication received by the City Council from Mr. H. B. Chessher, President of said corporation, which communication is dated February 1st, 1934.

IT IS THEREFORE RESOLVED by the City Council that by reason of such default the City shall proceed, through its City Manager and City Attorney, to collect the escrow funds mentioned in such agreements and to take any and all further action that may be necessary and advisable for such purpose."

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

L. Cook Sporting Goods Company filed an application for Pawn Broker's License. Their bond was presented, having the approval of Mr. Bowie, City Attorney, as to form. It was moved by Councilman Roberts, seconded by Councilman Hall that the application of L. Cook Sporting Goods Company for Pawn Broker's license be granted. Motion carried.

Mr. Amore Raso filed an application for retail liquor license, his State license having been granted. It was moved by Councilman Roberts, seconded by Councilman Hall that the application of Amore Raso for a retail liquor license be granted. Motion carried.

At this time the ordinance entitled: "An ordinance relating to the engaging in the business of selling and/or delivering coal, coke or wood within the City of Grand Junction and providing

for a license therefor, and for an occupation tax to be paid for such license, and for giving of bond by such licensee, and providing exemption from the provisions hereof, and penalties for the violation hereof" was brought up before the session. It was moved by Councilman Hall, and seconded by Councilman Roberts that the ordinance be passed and adopted. Roll was called on the motion with the following result: Councilmen voting AYE: None. Councilmen voting NO: Councilmen Carson, Oates, Boston, Holcombe and Hall. President declared the motion lost.

The following bonds were presented, having been approved as to form subject to proof of power of Attorney by City Attorney Bowie:

Hale and Elston, Auctioneers,
F. S. Carpenter and Son, Auctioneers,
P. C. Lowe, Plumber,
J. A. Cox, Cement Contractor,
Clarence Mapes, Cement Contractor,
Joe Leff, Junk Dealer,
Winterburn Electric Company, Electrician,
John Kendall, Electrician (continuation of bond).

It was moved by Councilman Roberts and seconded by Councilman Carson, that the bonds be accepted and filed. The motion carried.

An ordinance entitled:

"AN ORDINANCE REGULATING THE BUSINESS OF SELLING AND/OR DELIVERING COAL, COKE, AND CHARCOAL WITHIN THE CITY OF GRAND JUNCTION; REGULATING THE TIME AND METHOD OF DELIVERY AND THE WEIGHING THEREOF; DEFINING GRADES OF COAL; PROVIDING FOR A LICENSE FOR THOSE ENGAGED IN THE BUSINESS OF SELLING AND DELIVERING COAL, COKE AND CHARCOAL WITHIN THE CITY OF GRAND JUNCTION, AND FOR AN OCCUPATION TAX TO BE PAID FOR SUCH LICENSE AND FOR GIVING OF BOND BY SUCH LICENSEE, AND PROVIDING EXEMPTION FROM THE PROVISIONS HEREOF, AND PENALTIES FOR THE VIOLATION HEREOF."

was presented. After some discussion in which Mr. Zimmerman and Mr. George Tilton spoke from the coal haulers' standpoint, it was decided to see that various interested people receive copies of the proposed ordinance before any action is taken by the Council.

A letter from Dean C. G. Houston expressing the appreciation for the Council's cooperation in connection with Junior College matters was read and filed.

Various C. W. A. projects were discussed, no action being taken.

The following resolution was presented and read:

RESOLUTION

Whereas Section 72 of the Charter of the City of Grand Junction contains the following provisions:

"The cash balance of the city in the hands of the City Treasurer shall be deposited by the same in each of the banks of the City of Grand Junction, without discrimination, in proportion to their capital stock and surplus as far as possible. Such banks shall pay interest on the average daily balances at the rate of two per cent per annum and shall credit the same monthly to the account of such treasurer; provided, however, that such banks shall be required to furnish a good and sufficient surety bond for the securing of such deposits. Nothing herein shall prevent said treasurer, under the orders of the City Council, from temporarily having such funds otherwise deposited; provided that, as soon as practicable, he shall re-deposit such deposits."

Whereas, on the 24th day of November, 1931, the City Council of said City adopted a certain Resolution, whereby its City Treasurer was authorized to deposit funds of said City in the Grand Valley National Bank of Grand Junction, Colorado, up to the sum of \$30,000.00, pursuant to plans and agreements set forth in such Resolution, and for reasons of necessity explained therein, to which reference is hereby made for greater particularity; and deposits of funds of said City were made in accordance therewith until such arrangements were terminated by reason of facts hereinafter mentioned;

Whereas, on the 3rd day of March, 1933, The Grand Valley National Bank of Grand Junction suspended its business under moratorium, and was thereafter placed under the control and management of a Conservator appointed pursuant to the "Bank Conservation Act" of the United States of America; and on the 23rd day of December, 1933, pursuant to agreements theretofore effected between the parties in interest, The Grand Valley National Bank of Grand Junction was succeeded in such banking business by The First National Bank in Grand Junction, a national banking association, and the Conservatorship of such former bank was thereupon terminated:

Whereas, The First National Bank in Grand Junction and The United States Bank of Grand Junction, the only banks in said City, have advised said City that they are not able to obtain and furnish good and sufficient surety bonds for the securing of deposits of funds of said City, as required by the provisions of its Charter;

Whereas, The First National Bank in Grand Junction has since proposed to said City that it is willing to secure deposits of said City up to the sum of \$35,000 under the same plan and arrangements as were formerly effected between said City and The Grand Valley National Bank of Grand Junction, but that The United States Bank of Grand Junction has not proposed to the City any such plan or other arrangement to secure deposits of said City;

Whereas, It is therefore impossible for said City to deposit its funds in said banks, without discrimination in proportion to their capital stock and surplus, and with good and sufficient surety bonds securing the same;

Whereas it is essential to the proper conduct of the business of said City that its funds be deposited temporarily otherwise than under surety bond security, as above mentioned, until such time as said banks, or either of them, are able to furnish good and sufficient surety bonds to secure payment of such deposits;

Whereas, it appears to the City Council, and it finds, that the above mentioned proposal of The First National Bank in Grand Junction affords the only practicable arrangement for deposit of its funds now available, and that an emergency exists which justifies the acceptance of such proposal;

Whereas, the plan and agreements proposed by The First National Bank in Grand Junction provide that said bank will secure deposits of funds of said City to the amount above mentioned by its pledge of bonds and/or notes of the United States of America, as hereinafter mentioned, in lieu of a surety bond; and, to accomplish such purposes, said bank has submitted the following duly certified instruments of its proceedings in such matter, to-wit:

RESOLUTION BY BOARD OF DIRECTORS

At a meeting of the Board of Directors of the First National Bank in Grand Junction, Colorado, held on the 3rd day of January, 1934, a quorum of the Directors being present, the following resolution was adopted, to-wit:

BE IT RESOLVED, That the Directors of the First National Bank in Grand Junction do hereby authorize and empower A. E. Torgeson, Vice-President, and E. R. Thomas, Cashier, officers of said bank, for and on behalf thereof, to execute a bond aggregating the sum of THIRTY-FIVE THOUSAND dollars, to the City of Grand Junction, Colorado, to secure certain funds described in said penal bond, which are to be deposited in said bank, by the Treasurer of the City of Grand Junction, Colo.; and said officers are duly authorized to bind said Bank, to a full and complete performance of any and all obligations contained therein; and to pledge certain United States Government bonds/notes as security to said penal bond; and they are further authorized to execute any and all other papers required by the said City of Grand Junction, Colo., in connection with the execution of said bond and the deposit of the collateral security.

We, A. E. Torgeson, Vice-President, and E. R. Thomas, Cashier, of The First National Bank in Grand Junction, do hereby certify under its corporate seal, that the foregoing is a true and correct transcript of the minutes of a meeting of the Board of Directors of said bank, held at Grand Junction, Colorado, on the date first above named.

/s/

A. E. TORGESON

Vice-President

/s/

E. R. THOMAS

Cashier

BOND

KNOW ALL MEN BY THESE PRESENTS, That The First National Bank, a corporation duly organized and existing under and by virtue of the laws of the United States, having its office and principal place of business at Grand Junction, in the State of Colorado, as obligor, is held and firmly bound unto the City of Grand Junction, a municipal corporation, in the State of Colorado, in the penal sum of Thirty-five Thousand (\$35,000.00) Dollars, lawful money of the United States, for the payment of which well and truly to be made, it binds itself, its successors and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the said City of Grand Junction has deposited, and will continue to deposit to its credit certain funds of said City in The First National Bank, subject to withdrawal on demand by check, conditioned that said Bank shall furnish satisfactory bonds to guarantee the safety of such deposits; and

WHEREAS, A. E. Torgeson, Vice-President, and E. R. Thomas, Cashier of said Bank, by resolution of the Board of Directors thereof adopted on the 3rd day of January, 1934, a copy of which is hereto attached and made a part hereof, were duly authorized and empowered to enter into this obligation;

NOW THEREFORE, If the above bounden The First National Bank shall well and truly account for all such deposits now in said Bank, and which may be hereafter made therein, and shall hold the City of Grand Junction, Colorado, and the officers thereof, harmless from all loss by reason of such deposit or deposits, and shall well and truly pay over the same, to the person or persons entitled thereto on demand by check of the depositor, then the foregoing obligation shall be void, and otherwise to remain in full force and effect.

The above bounden obligor, in order the more fully to secure the City of Grand Junction, Colorado, in the payment of the aforementioned sum, hereby pledges as security therefor bonds and/or notes of the United States in the principal sum of Thirty-five Thousand (\$35,000.00) Dollars, as more particularly described in a schedule attached hereto.

Contemporaneously herewith the undersigned has also executed and delivered a power of attorney and agreement in favor of the City of Grand Junction, Colorado, authorizing and empowering the Manager of the Denver Branch, Federal Reserve Bank, at Denver, Colorado, to collect or sell the above described bonds and/or notes so deposited, or any part thereof, in case of any default in the performance of any of the above named

conditions or stipulations.

In Witness Whereof, this bond has been signed and sealed in duplicate by the above named obligors, this 3rd day of January, 1934.

FIRST NATIONAL BANK (SEAL)
By A. E. TORGESON
Vice-President

Bank Seal

Attest:
E. R. THOMAS
Cashier

Signed and sealed in the presence of:

/s/
DALE E. BEBEE

/s/
E. H. MULFORD

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the First National Bank, a corporation duly organized under the laws of the United States, and having its principal office in the City of Grand Junction, State of Colorado, in pursuance of a resolution of the Board of Directors of said corporation, passed on the 3rd day of January, 1934, a duly certified copy of which resolution is hereto attached, does hereby constitute and appoint

The City Treasurer of Grand Junction, Colorado

and his successors in office, as attorney for said corporation, for and in the name of said corporation, to collect or to sell, assign and transfer, certain United States Bonds, Treasury Notes, or other United States bonds or notes, described as follows:

Treasury Bonds of 1941, 3 1/4%, due 8/1/41, in the amount of \$35,000.00

such bonds or notes having been deposited by it as security for the faithful performance by it of any and all of the conditions and stipulations of a certain obligation entered into by it with the City of Grand Junction, in the State of Colorado, under date of January 3, 1934, which is hereby made a part hereof, and the undersigned agrees that, in case of any default in the performance of any of the conditions and stipulations of such undertaking, its said

attorney shall have full power to collect said bonds, notes, or any part thereof, or to sell, assign and transfer said bonds, notes, or any part thereof, without notice at public or private sale, free from any equity of redemption and without appraisalment or valuation, notice and right to redeem being waived, and to apply the proceeds of such sale or collection, in whole or in part, to the satisfaction of any damages, demands, or deficiency arising by reason of such default as its said attorney may deem best.

And said corporation hereby for itself, its successors and assigns ratifies and confirms whatever its said attorney shall do by virtue of these premises.

In Witness Whereof the First National Bank, the corporation hereinabove named, by A. E. Torgeson, Vice-President, and E. R. Thomas, Cashier, duly authorized to act in the premises, has executed this instrument and caused the seal of its corporation to be hereto affixed, this 3rd day of January, 1934.

FIRST NATIONAL BANK
By A. E. TORGESON
Vice-President

(BANK SEAL)
Attest:
E. R. THOMAS

Cashier

STATE OF COLORADO)
) SS
COUNTY OF MESA)

Before me, the undersigned, within and for the County of Mesa, in the State of Colorado, personally appeared A. E. Torgeson, Vice-President and E. R. Thomas, Cashier, and for and in behalf of said the First National Bank, a corporation, acknowledged the execution of the foregoing power of attorney.

Witness my hand and Notarial seal this 5th day of February, 1934.

My commission expires September 11, 1935

/s/
DOROTHY M. OTTMAN
Notary Public

Whereas, said bank has deposited such securities with the Federal Reserve Bank of Kansas City under such pledge arrangement, and has submitted the following instrument of acknowledgment thereof:

JOINT CUSTODY RECEIPT

FEDERAL RESERVE BANK OF KANSAS CITY

To First National Bank, Grand Junction, Colorado Number --J 2785

For Account
City Treasurer, Grand Junction, Colorado. Kansas City Missouri

February 8, 1934
R-76143

The FEDERAL RESERVE BANK OF KANSAS CITY has received and is holding for your account and risk, subject to your order and our terms and conditions as stated in our General Letters governing such deposits, the following described securities:

DESCRIPTION	No. of Pieces	Denomination	Following & Subsequent			Par
			Mo.	Day	Yr.	
Treasury Bonds of 1941	1	5,000	8	1	34	\$5,000
3 1/4% Due 8-1-41	3	10,000	8	1	34	\$30,000

(THIRTY-FIVE THOUSAND DOLLARS PAR)

Total Par value \$35,000

THE FEDERAL RESERVE BANK OF KANSAS CITY will give to property left in its custody the same care it gives its own property, but beyond that will not assume responsibility. The above mentioned securities will be surrendered only upon return of this receipt officially signed by TWO authorized officers of the member bank, and the public officer concerned, accompanied by appropriate instructions.

THIS RECEIPT IS NOT NEGOTIABLE AND NO ASSIGNMENT THEREOF WILL BE RECOGNIZED.

FEDERAL RESERVE BANK OF KANSAS CITY
By G. H. Pipkin
Assistant Cashier

Checked
WRC

(The release of this receipt must be executed jointly by the member bank and the public officer herein named (under his seal of office) and the signature of such public officer shall be acknowledged on the form below, and this receipt returned, before delivery of securities may be made. Proceeds of matured coupons, when collected, will be credited to the reserve account of the above named member bank.

TO THE FEDERAL RESERVE BANK OF KANSAS CITY: Date _____ 19_____

The foregoing Custody Receipt is hereby surrendered and you are requested to release the above described securities and make disposition as follows: _____

SEAL OF PUBLIC OFFICER

/s/

_____ SIGNATURE AND TITLE OF PUBLIC OFFICER

This space for signatures of two officers of member bank

/s/

_____ Bank City State

/s/

_____ President Cashier

By

_____ Cashier President

STATE OF _____)SS
COUNTY OF _____)

On this _____ day of _____, 19_____, before me personally appeared _____, to me known to be the City Treasurer of Grand Junction, Colorado, and as the person described in and who executed the above release and request and such person duly acknowledged the execution by him of the same.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal the day and year above written.

My term expires _____

/s/

Notary Public

IT IS THEREFORE HEREBY RESOLVED by the City Council of the City of Grand Junction that the City Treasurer be and is hereby authorized, directed and ordered to deposit funds of said City up to the sum of \$35,000.00 in The First National Bank in Grand Junction under and pursuant to the aforesaid plan and agreements, temporarily until the further order of the City Council relative thereto; and that in the event that the City Treasurer has funds for deposit at any time in excess of the sum of \$35,000.00 he is directed and ordered to report such situation to the City Council for further instructions and orders relative to excess deposits.

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

It was regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk