

Grand Junction, Colorado

May, 27, 1935

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

City Manager Soderstrum reported that the Soft Ball League is about ready to start its season and has requested that the lighting system in Lincoln Park be changed to meet with soft ball lighting standards. This will necessitate the installation of three poles, at an additional cost of \$150.00. A written report with recommendations from the committees of the Soft Ball organization, was read to the Council.

After considerable discussion, it was moved by Councilman Hall and seconded by Councilman Roberts that the City Manager be directed to provide additional lighting facilities for the soft ball field, for an amount not to exceed \$150.00. Roll was called on the motion, 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.

The following resolution was presented and read:

Whereas, M. A. Wilder, who for many years past served the City of Grand Junction efficiently and faithfully in its Police Department, died on the 6th day of February, 1935;

Whereas, the City Council of said City desires to and does hereby express its appreciation of the services rendered by him, and its respect for his memory;

Whereas, at that time, M. A. Wilder did not complete the then current month of service, but the City Council desires that his widow be paid the full amount of compensation due him and which would have been paid him except for his untimely death;

It Is Hereby Resolved by the City Council of said City that Mrs. M. A. Wilder, his widow, be paid the sum of \$110.00 by said City, and that the City Council hereby expresses to Mrs. Wilder its deepest sympathy in her bereavement.

It was moved by Councilman Oates and seconded by Councilman Carson that the resolution be passed and adopted as read. 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.

It was reported by City Attorney Bowie that the Western Walkathon Producers, Carl W. Rabbe, Mgr. had filed a suit in the District Court against the City of Grand Junction. The

Court had granted a temporary restraining order to the Walkathon, which hearing will be held on the 1st day of April. This restraining order prevents the City from enforcing Ordinance No. 533, or taking any action to force the Walkathon to discontinue.

It was understood and agreed by the Council that Mr. Bowie should endeavor to get an earlier hearing on this matter, probably Friday, March 29th.

The following resolution was presented and read:

RESOLUTION

WHEREAS, On March 20, 1935, the City Council of the City of Grand Junction passed and adopted Ordinance No. 533, entitled, "AN ORDINANCE PROHIBITING EXHIBITION OR CONTESTS OF HUMAN PHYSICAL ENDURANCE IN DANCING, RACING OR WALKING, OR OF SIMILAR NATURE, WITHIN THE CITY OF GRAND JUNCTION FOR MORE THAN ONE WEEK AND PROVIDING PENALTIES FOR ENFORCEMENT THEREOF", as an emergency ordinance, which became effective on that date, and which provided in Section 1 thereof:

Section 1. No public exhibition or contests of human physical endurance in dancing, racing or walking, or of similar nature, within said City shall continue for more than one week from and after the commencement thereof; and any person, association or firm of persons, or corporation who or which promotes, sponsors, conducts, manages, operates, participates in or otherwise maintains such an exhibition or contest for more than one week from and after the commencement thereof, or who or which rents or otherwise provides any room or building for such purpose for more than the period of time hereinbefore specified, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished for each such offense by a fine in the sum of not less than three hundred dollars or by imprisonment in the City Jail for not more than thirty days or by both such fine and imprisonment; and each day that any violation of the provisions hereof shall continue shall be deemed a separate offense and punishable as such."

WHEREAS, Carl W. Rabbe, doing business under the name and style of the Western Walkathon Producers, was on March 20th, 1935, promoting, sponsoring, conducting, managing and operating a contest or exhibition of human endurance in walking, known as a "Walkathon", in the Margery Hall, 525 1/2 Main Street, in said City, and has continued so to do for one week from and after that date;

WHEREAS, said City issued to said Western Walkathon Producers, its Licenses Nos. 4295, 4317, and 4325, under Ordinance No. 238, as amended by Ordinances Nos. 397 and 510;

WHEREAS, said Carl W. Rabbe, doing business under the name and style of The Western Walkathon Producers, has on this date commenced a suit against said City in the District Court of Mesa County, Colorado, to enjoin said City from enforcing aforesaid Ordinance No. 533, alleging that said ordinance is unconstitutional and void, and in such suit has obtained

a temporary restraining order preventing enforcement of such ordinance, which has been set for hearing before said Court on the 1st day of April, 1935;

WHEREAS, such action on the part of said licensee amounts to a defiance and violation of said Ordinance No. 533;

IT IS RESOLVED by the City Council of said City that it hereby revokes forthwith the aforesaid licenses granted to said Western Walkathon Producers.

It was moved by Councilman Ross and seconded by Councilman Oates that the resolution be passed and adopted as read. Roll was called on the motion, 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. J. H. Litton wrote a letter to the Council relative to tax sale certificates that the city holds against Lots 27 and 28, in Block B, Keith's Addition. He claims that through no fault of his, these taxes were not paid, and that he did not know that they were outstanding. He is ready to pay them, but feels that the interest and penalties should not be charged. The numbers of the certificates are 40826, 40834, 40836, and 40837, in the amount of \$127.87, face value.

It was moved by Councilman Hall and seconded by Councilman Roberts that the City Treasurer be instructed to well and assign to J. H. Litton, Treasurer's Certificates of Purchase Nos. 40826, 40834, 40836, and 40837, on Lots 27 and 28, Block B, Keith's Addition, in the amount of \$127.87, at any time within 30 days from and after this date. 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.

Two letters from Dr. Feldman were read, offering to purchase the tax sale certificates on Lots 1 to 12, inc. in Block 2, Dundee Place. The total face value of special tax sale certificates against this property is \$2,256.16. Dr. Feldman offered \$550.00 for these certificates; \$390.00 for general tax certificates which the County holds. There are also tax deeds against this property prior to 1925, and also some claim in the Klien Land Co. suit.

It was moved by Councilman Ross and seconded by Councilman Hall that the offer of Dr. Feldman be rejected and no further certificates be sold until after April 2nd. Motion carried. The following resolution was presented and read:

RESOLUTION

Whereas, many properties within the corporate limits of the City of Grand Junction are considerably delinquent in their special assessment taxes, and

Whereas, a number of such properties are occupied by old dilapidated buildings, no longer

fit for human habitation or other use, and which cannot be restored to proper condition by a reasonable expenditure, and

Whereas, the continued existence of such unsightly structures is a detriment to the City as a whole, therefore

Be It Resolved, that the City Manager be instructed to proceed forthwith to secure title to such properties, by foreclosure of tax liens or otherwise, and immediately upon securing such title to wreck such buildings, (rather than permit same to be moved) in the most economical manner possible.

It was moved by Councilman Hall and seconded by Councilman Boston that the resolution as read be passed and adopted. Roll was called on the motion 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.

The following resolution was presented and read:

RESOLUTION

It Is Hereby Resolved by the City Council of the City of Grand Junction that said City give all reasonable and proper support to the program of the Grand Mesa Winter Sports and Recreational Club, to create and establish a suitable place and improvements for its recreational purposes within the Grand Mesa area in this County.

It was moved by Councilman Carson and seconded by Councilman Roberts that the resolution be passed and adopted as read. Roll was called on the motion 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.

Bonds for P. C. Low, John Fuite, and W. C. Bush, plumbers, and J. C. Carson, electrician, having been approved as to form by City Attorney Bowie, were present. It was moved by Councilman Hall and seconded by Councilman Carson, that the bonds be accepted and filed. Motion carried.

Mr. Geo. O. Wilson applied for a license for plumber. He had just moved to Grand Junction from Denver, and holds a State of Colorado Master Plumber's license. He has paid his City license and applied for his bond, which bond should be delivered in a day or so. It was moved by Councilman Hall and seconded by Councilman Ross that a Plumber's License be granted to Mr. Geo. O. Wilson. Motion carried.

It was moved by Councilman Ross and seconded by Councilman Boston that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk