

Grand Junction, Colorado

February 19, 1936

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

The minutes of the regular meeting held February 5th, were read and approved.

Messrs. L. E. Storm and L. P. Eagan appeared before the Council and requested that the City construct a lay back curb on Pitkin Avenue between Sixth and Seventh Streets, or at least in front of the 250 feet owned by The Premium Investment Co. during the construction of Paving District No. 31.

It was moved by Councilman Enstrom and seconded by Councilman Oates that the request of the Premium Investment Co. be granted and that a lay back/curb be constructed along Lots 1 to 10, Block 149 (250 feet), in Paving District No. 31, and that the additional cost be paid by the property owners. Motion carried.

It was reported that, owing to a leak in the pipe in the building located at 523 Colorado Avenue and owned by Mr. C. J. Roentgen, the water bill was \$56.34 for the quarter ending December 31st, 1935. The leak was not discovered until the City Water Department read the meter. Mr. Roentgen requested an adjustment of his water bill.

It was moved by Councilman Holcombe and seconded by Councilman Roberts that the water rental of Mr. Roentgen for the quarter ending Dec. 31, 1935 be adjusted by reduction thereof to the amount of the rental for the corresponding quarter for the year 1934, and that he be permitted to settle same by payment of that amount, being \$11.47. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Oates, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Bonds for John Fuite, Plumber; Jas. Cox, cement contractor; J. C. Corson, electrician; Cook Wrecking Co; were presented, having been approved as to form by City Attorney Bowie. It was moved by Councilman Holcombe and seconded by Councilman Roberts that the bonds be accepted and filed. Motion carried.

A letter from the County Treasurer was read requesting that Tax sale No. 40496 for the 1932 installment of Paving No. 11 in the sum of \$56.00 be assigned for face value, on account of the fact that an error was made in their office and this assessment was

omitted from the statement sent out.

It was moved by Councilman Holcombe and seconded by Councilman Oates that Tax Sale Certificate No. 40496 be assigned for face value. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Oates, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

A proposed ordinance entitled, "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 26 IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED JUNE 11, 1910, AS AMENDED: APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: AND APPROVING THE APPORTIONMENT OF SAID COST: AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS." was introduced and read. It was moved by Councilman Ross and seconded by Councilman Enstrom that the ordinance be passed for publication. Motion carried.

The Proof of Publication to the ordinance entitled, "An ORDINANCE AMENDING ARTICLE VI OF ORDINANCE NO. 529" was presented and read. It was moved by Councilman Oates and seconded by Councilman Boston that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Roberts and seconded by Councilman Enstrom that the ordinance be called up for final passage. Motion carried.

After which, it was moved by Councilman Holcombe and seconded by Councilman Ross that the ordinance entitled, "AN ORDINANCE AMENDING ARTICLE VI OF ORDINANCE NO. 529", be passed and adopted, number 542 and published. Upon which motion the following vote was cast. Councilmen voting AYE - Ross, Oates, Holcombe, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

A letter from Mr. Osterhout, attorney in the Kountze Bros. matter was read in which he suggested that the City Council authorize him to settle the case out of court for not less than 75% of the amount involved. A letter from Mr. Osterhout to Mr. Bowie, explaining all the latest developments in the case was read to the Council. It was moved by Councilman Holcombe and seconded by Councilman Ross that the City Council hereby authorized Mr. Burgess Osterhout, as its attorney, to effect a compromise settlement of the City's claim in the Kountze Bros. bankruptcy matter, on the basis of not less than 75% of the total amount of its claim, and that the City Attorney is directed to so instruct Mr. Osterhout. Roll was called on the motion with the following

result: Councilmen voting AYE - Ross, Holcombe, Oates, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Petitions were filed with the Board of Adjustment to change Block 141 of the City of Grand Junction from Residence "D" use District to Business "B" use District.

Petitions were also filed with the Board of Adjustment to change the zoning map so as to change the South half of Block 85 and the north half of Block 92 from Residence "B" use District to Residence "D" use District.

After consideration of these two petitions by the Board of Adjustment at its regular meeting held February 18th, 1936, a motion was made that the Board of Adjustment do not recommend to the City Council favorable action upon said petitions.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that they follow the advice of the Board of Adjustment and do not grant the petitions. Motion carried.

Mr. McDonald offered eight dollars for tax sale certificates against Lots 14 and 15, Block 6 Carpenter's #2 Addition. The face of this certificate is \$21.30 and is for watermain frontage tax. This property is located in what is known as "alkali flats".

It was moved by Councilman Enstrom and seconded by Councilman Roberts that the City Treasurer be authorized to sell and assign Special Assessment tax sale certificate No. 24739-40 for the sum of \$8.00, at any time within thirty days from and after this date, providing the purchaser and assignee thereof pay or settle the general taxes on the property in question within said period. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Oates, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. Fender offered face value for tax certificates against Lots 16 & 17, Block 18, in the amount of \$32.54.

It was moved by Councilman Roberts and seconded by Councilman Oates that the City Treasurer be authorized to sell and assign Special Assessment tax sale certificates 39560 - 40024 - 40773 for the sum of face value - \$32.54 at any time within thirty days from and after this date, providing the purchaser and assignee thereof pay or settle the general taxes on the property in question within said period. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Oates, Boston, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. W. R. Johnson presented an application to construct one 18-foot and one 30-foot driveway on North Avenue at 1103 North 7th Street. This building is being remodeled for a drive-in filling station.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that Mr. Johnson be permitted to construct the two driveways as specified, upon the condition that curbing is placed in conformity with the City Manager's recommendations. Motion carried.

The matter of the delinquent special assessment taxes on Lots 29 to 32, Block 79, being the A.M.E. Church was brought up. There are delinquent special assessments in the amount of \$83.10 on this property. Interest and penalties amount to \$16.11.

It was moved by Councilman Roberts and seconded by Councilman Enstrom that the City Treasurer be authorized to sell and assign Special Assessment tax sale certificates no. 45148 and 45194 for face value, being \$83.10. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Boston, Oates, Roberts, Enstrom, and Carson. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

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

/s/ Helen C. Tomlinson
City Clerk