

Grand Junction, Colorado

July 22, 1936

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session at 7:30 o'clock P. M. Councilmen present and answering at roll call were: Ross, Holcombe, Groves, Boston, Carson, Enstrom, and President Oates. City Manager Soderstrum, City Clerk Tomlinson were present. City Attorney Bowie was absent during the first part of the meeting, but came in before the meeting was over.

The minutes of the regular meetings held July 1st and July 15th were read and approved.

The City Clerk reported that there had been no protests against the assessments in Paving Districts Nos. 30 and 31.

The following proposed ordinance was presented and read - AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 30 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.

It was moved by Councilman Carson and seconded by Councilman Holcombe that the ordinance be passed for publication. Motion carried.

The following entitled proposed ordinance was presented and read- AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 31 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.

It was moved by Councilman Boston and seconded by Councilman Groves that the proposed ordinance be passed for publication. Motion carried.

The City Clerk reported that no protests had been filed in connection with the proposed Paving District No. 34.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING PAVING DISTRICT NO. 34 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE PAVING OF CERTAIN STREETS AND AVENUES THEREIN, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 17th day of June, A. D. 1936, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans, and specifications for Paving District No. 34 within said City and authorizing Notice of Intention to create said District, and

WHEREAS, Notice of Intention to create said District was duly published, and

WHEREAS, At the time and place specified in said Resolution and said Notice, no complaints or remonstrances in writing or otherwise were made concerning the proposed improvements, and

WHEREAS, the paving specified in the petitions filed therefor, is substantially the same and the improvements therein may be included in one District:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Junction:

1. That said Paving District No. 34 be and the same is hereby created and established, and that the paving and other improvements therein be and the same are hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the improvements in said District were duly ordered, after Notice duly given; that petitions therefor, duly subscribed and acknowledged by the required number of property owners, were duly filed; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178 as amended, of said City have been strictly complied with.

3. That the streets and avenues to be paved and improved, the boundaries of said Paving District, the amounts to be assessed, the number of installments of assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolutions adopted for said District on the 17th day of June, 1936, and in accordance with the published Notice of Intention to create said District. That the following type of pavement shall be used, to-wit:

A four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, with a portland cement concrete curb and gutter, said work to be done under a W.P.A. project, using relief labor furnished by, and under the terms of the Works Progress Administration.

That all lots fronting on the streets and avenues to be improved be connected with the City water mains with lead pipe where necessary.

4. That for the purpose of paying the cost and expenses of constructing said improvements in said District, including engineering, inspection, collection and other incidental expenses (excluding the amount to be paid by the City of Grand Junction for the paving of intersections), the City shall issue Public Improvement Bonds of said Paving District, dated the 1st day of July, A. D. 1936, in the denomination of \$500.00 each, numbered 1 to 23 inclusive, due and payable on the 1st day of July, A. D. 1948, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of six percentum per annum, payable semi-annually on the first day of July and the first day of January of each year, as evidenced by coupons attached to said bonds, principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, Colorado. Said bonds and the guaranty certificate endorsed thereon, shall be signed by the President of the City Council and attested by the City Clerk; the coupons shall be signed with the original or facsimile signature of the City Treasurer and when so executed, said bonds shall be registered by the City Treasurer.

5. Said bonds, the coupons to be attached thereto, and the registration and guaranty certificates to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND

PAVING DISTRICT NO. 34

No. _____

\$500.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of

FIVE HUNDRED DOLLARS

lawful money of the United States of America, on the first day of

July, 1948, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of six percentum per annum, payable semi-annually on the first day of July and the first day of January each year, both principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, upon surrender of the attached coupons and this bond as they severally become due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Paving District No. 34, in the City of Grand Junction, by virtue of and in full conformity with the Constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and ordinances of said City, duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Paving District No. 34, especially benefited by said improvement, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest is a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City, on a parity with the lien of general taxes.

It is hereby certified and recited that the total issue of bonds of said City for said District, including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said Paving District No. 34 and the making of said improvements and the issue of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issue of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, The City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, this 1st day of July, A. D. 1936.

/s/

President of the City Council

ATTEST:

City Clerk

(FORM OF COUPON)

No. _____

\$ _____

On the _____ day of _____, A. D. _____ The City of Grand Junction will pay the bearer _____ Dollars in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Paving District No. 34, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated July 1, A. D. 1936.

/s/ (Facsimile signature)

City Treasurer

No. _____

(REGISTRATION CERTIFICATE)

It is Hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the office of the City Treasurer of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, A. D. 1936.

/s/

City Treasurer

(GUARANTY CERTIFICATE)

Payment of the within bond is guaranteed by the City of Grand Junction, Colorado.

/s/

President of the City Council

ATTEST:

City Clerk

6. The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Treasurer, who shall deliver them to the lawful purchaser thereof, on receipt

of the purchase price.

7. The City Council finds and determines that all said improvements can be efficiently made by the City; therefore it is hereby provided that all said improvements shall be made under the direction and control of the City Manager with work done under a W.P.A. project, using relief labor furnished by and under the terms of the Works Progress Administration, and by the purchase of all necessary material, supplies, and equipment, and subject to the further supervision of the City Council, as provided in Section 2, Ordinance No. 178, as amended.

ADOPTED AND APPROVED this _____ day of _____ A. D. 1936.

/s/

President of the Council

SEAL

ATTEST:

City Clerk

It was moved by Councilman Groves and 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 - Ross, Holcombe, Groves, Boston, Carson, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried, and the resolution duly passed and adopted.

It was moved by Councilman Holcombe and seconded by Councilman Boston that Paving District No. 34 bonds be sold to C. J. Bradfield at par value for 6% bonds. Roll was called on the motion, and all members of the Council voted AYE. The motion was declared carried.

An application for Thomas S. Golden for a beer license at the Senate Cigar Store was presented. It was moved by Councilman Carson and seconded by Councilman Ross that a license be granted to Thomas S. Golden, when his State license has been granted. Motion carried.

Applications for 20-foot driveways at 1059 Ouray and 1060 Grand and for an 18-foot driveway at 1060 Ouray were presented. It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the requests be granted. Motion carried.

The Proof of Publication to the Proposed Ordinance entitled, "AN ORDINANCE REGULATING THE SALE OF MALT, VINOUS AND SPIRITUOUS LIQUORS WITHIN THE CITY OF GRAND JUNCTION, COLORADO: ESTABLISHING RULES AND REGULATIONS FOR CONSUMPTION IN PUBLIC PLACES: THE

LICENSING OF PLACES: FOR SALE OF SUCH LIQUORS: AND PRESCRIBING PENALTIES FOR VIOLATIONS", WAS PRESENTED. It was moved by Councilman Holcombe and seconded by Councilman Ross that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Ross and seconded by Councilman Holcombe that the proposed ordinance be brought up for final passage. Motion carried.

The proposed ordinance was then discussed in detail, and the following motion was made by Councilman Ross and seconded by Councilman Groves that the proposed ordinance, passed for publication by the City Council at its regular meeting on the 17th day of June, 1936, entitled, "An Ordinance Regulating the Sale of Malt, Vinous and Spirituous Liquors Within the City of Grand Junction, Colorado, **", be hereby amended in the following particulars and respect, to-wit:

In Section 5, be deleting "lawful age", and inserting in place thereof "the age of twenty-one (21) years, or more,";

In Section 6, by deleting "as follows: To sell, serve or distribute any malt, vinous or spirituous liquors", and inserting in place thereof, "by the drink for consumption on the premises between the hours of 8 o'clock A.M. and 8 o'clock P.M.; or", and by deleting "or on Sundays and Christmas prior to 8 o'clock A.M. and after 8 o'clock P.M.";

In Section 9, by inserting "hereunder" after "licenses" and before "required,", and by deleting "hereunder of him or its" and inserting "therefor" in place thereof;

In Section 14, by deleting "his" and inserting in place thereof "the" and by adding as the concluding words of said section, "of any person so doing".;

In Section 20, by deleting "and/", and by inserting, after "revoked", "or suspend and revoke", preceded and followed by commas;

In Section 28, by inserting, at the beginning thereof, "In addition to the privileges above provided in Section 27, hotels", by changing the capital letter R of the word "Restaurants" to a small letter R, and adding a comma after the word restaurants, as so corrected; by changing "Section 10" to "Section 27"; and by adding at the end of said section "Such license shall be in lieu of that provided by Section 27 thereof.";

In Section 31, subdivision (g), by deleting "/or" and inserting after "restaurants" the words "or either", preceded and followed by commas;

In Section 31, subdivision (o), be deleting "manufacturer or";

In Section 34, be deleting the word "or", and inserting "and" in place thereof;

In the subject titles and sub-titles of the several articles and sections of said ordinance, as follows:

By inserting, above Section 1, "I ACTS PROHIBITED":

By deleting "GENERAL PROVISIONS", following Section 1;

By inserting, as the title of Section 1, "CONSTRUCTION":

By changing the titles of the next mentioned sections to read as follows:

"Section 2. IN GENERAL."
"Section 3. SALE TO OR BY MINORS."
"Section 4. PURCHASE BY MINORS."
"Section 5. MISREPRESENTATION OF AGE."
"Section 6. DAYS AND HOURS."
"Section 7. SALE FOR CONSUMPTION ON PREMISES."
"Section 8. SALE IN CONTAINERS."
"Section 10. SALE EXCEPT BY LICENSEE."
"Section 11. SALE EXCEPT IN LICENSED LOCATION."
"Section 12. POSSESSION OF LIQUOR NOT LICENSED."
"Section 13. CONSUMPTION ON PREMISES."
"Section 15. PURCHASE EXCEPT FROM LICENSEE."
"Section 17. POSSESSION IN OPENED CONTAINERS."
"Section 18. NEIGHBORHOOD REQUIREMENTS."
"Section 19. TERMS."
"Section 23. SEPARATE AND DISTINCT."
"Section 24. KINDS."
"Section 25. RETAIL LIQUOR STORES."
"Section 26. DRUG STORES."
"Section 27. BEER AND WINE."
"Section 28. HOTELS AND RESTAURANTS."
"Section 29. CLUBS".
"Section 30. FORM AND DISPLAY."
"Section 32. PENALTIES."
"Section 33. LIMITATIONS."

and by changing "IV PENALTIES", to "IV PENALTY AND LIMITATION."

Roll was called on the motion, with the following result: All Councilmen voting AYE, the President declared the motion carried.

It was then moved by Councilman Ross and seconded by Councilman Groves that the ordinance entitled, "AN ORDINANCE REGULATING THE SALE OF MALT, VINOUS AND SPIRITUOUS LIQUORS WITHIN THE CITY OF GRAND JUNCTION, COLORADO: ESTABLISHING RULES AND REGULATIONS FOR CONSUMPTION IN PUBLIC PLACES: THE LICENSING OF PLACES FOR SALE OF SUCH LIQUORS: AND PRESCRIBING PENALTIES FOR VIOLATIONS", be passed

and adopted as amended, numbered 550 and published. Roll was called on the motion, and all members of the Council voted AYE. The President declared the motion carried, and the ordinance duly passed and adopted as amended.

William W. Guthrie made application for use of the airport for commercial purposes, and a lease was read, which had been drawn up by City Attorney Bowie covering the matter.

It was moved by Councilman Holcombe and seconded by Councilman Groves that the President of the Council and the City Clerk be authorized to sign and attest the lease with Mr. Guthrie, for the use of the airport. Roll was called on the motion, and all members of the Council voted AYE. The President declared the motion carried.

Some time past Mr. Harry Bennett presented an offer to purchase the tax sale certificates for the Josephine DeLong property at 645 Grand Ave. The Council had taken no formal action on the matter. It was therefore moved by Councilman Carson and seconded by Councilman Holcombe that the offer be rejected. Motion carried.

Mr. McKinney, acting as agent for Marvin Lehman made an offer of face value for the tax sale certificates against Lots 15 and 16, Block 151. The assessed valuation is \$65.00. There are delinquent taxes amount to \$73.25 principal and interest - \$41.30 general, plus \$11.75 interest and penalties, and specials of \$13.10, plus \$7.10, interest and penalties.

It was moved by Councilman Carson and seconded by Councilman Enstrom that the City Treasurer be authorized to sell and assign Special Assessment Tax Sale Certificates Nos. 39813-40232 for face value, 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 such period. Roll was called on the motion with the following result: All Councilmen voted AYE. The President declared the motion carried.

Mr. Borschell offered face for Tax Sale Certificates #37196-9; 39750 and 40172 against the L. W. Henderson property, Lots 11 and 12, Block 112, being on Main Street between 10th and 11th Streets, amounting to \$197.30. He also offered the County face for the general taxes amount to \$197.85. The assessed valuation is \$430.00.

He also offers face of \$267.86 for Lots 21 and 22, Block 71, owned by the Church of Nazarene at the NW corner of 8th and Grand Avenue. The offer also includes face for the generals amounting to \$141.87. The assessed valuation is \$430.00.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the City Treasurer be authorized to sell and assign Special Assessment Tax Sale certificates Nos. 37196-9; 39750 and

40172 for face value, plus the 1936 specials in full, 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 such period. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

It was moved by Councilman Enstrom and seconded by Councilman Ross that the City Treasurer be authorized to sell and assign Special Assessment Tax Sale Certificates Nos. 39667 - 40338 - 40517 and 45136 for face value, plus the 1936 specials in full, 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 such period. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

A request to construct a Neon sign V-shaped or a marquee at 524 North First St. was presented. It was moved by Councilman Enstrom and seconded by Councilman Ross that the request be denied. Motion carried.

It was moved by Councilman Groves and seconded by Councilman Carson that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk