

Grand Junction, Colorado

December 16, 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: Holcombe, Groves, Boston, Carson, Enstrom, and President Oates. Councilman Ross was absent. City Attorney Bowie and City Clerk Tomlinson were present. City Manager Soderstrum was absent.

The minutes of the regular meeting held December 2nd and the special meeting held December 9th were read and approved.

The Avalon Cafe presented an application for a restaurant beer, wine, and spirituous liquor license for 609-611 Main St.

It was moved by Councilman Holcombe and seconded by Councilman Boston that a beer, wine, and spirituous liquor license be granted to Harry Mallot for the Avalon Cafe, when the State license has been granted. Motion carried.

The following entitled proposed ordinance was presented: "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 34 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 Groves and seconded by Councilman Carson that the proposed ordinance be passed for publication. Motion carried.

Petitions for improving the alleys in the following blocks, with a gravel base and oil-treated surface were presented:- all being signed by more than 50% of the property owners -

Block 27 - Block 30 - Block 35 - Block 36 - Block 48 - Block 49 - Block 72 - Block 73 - Block 74 - Block 82 - Block 83 - Blocks 85 to 88 - Block 128 - Block 148 & 149 - Block 2, Dundee Place - Block 3, Dundee Place, Block "E", Keith's Addition - Block "H", Keith's Additions.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the petitions be accepted and filed. Motion carried.

The following resolution was presented:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY, A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS PAVING DISTRICT NO. 38, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, on the 2nd day of December, A. D. 1936, there was presented to the City Council of Grand Junction, Colorado, petitions for the paving of the following alleys in said City, to-wit:

The north and south alley and the east and west alley between Seventh and Eighth Streets and Hill and Teller Avenues.

The alley between Fourth and Fifth Streets and Hill and Teller Avenues.

The alley between Second and Third Streets and Gunnison and Hill Avenues.

The alley between Third and Fourth Streets and Gunnison and Hill Avenues.

The alley between Eighth and Ninth Streets and Chipeta and Gunnison Avenues.

The north and south alley and the east and west alley between Seventh and Eighth Streets and Gunnison and Chipeta Avenues.

The alley between Sixth and Seventh Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and Grand and Ouray Avenues.

The alley between Fourth and Fifth Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Sixth and Seventh Streets and Grand and White Avenues.

The alley between Eighth and Twelfth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Seventh and Eighth Streets and Colorado and Ute Avenues.

The alley between Fifth and Seventh Streets and Pitkin and South Avenues.

The alley between Thirteenth and Fourteenth Streets and Ouray and Chipeta Avenues.

The alley between Fourteenth and Fifteenth Streets and Ouray and Chipeta Avenues.

The alley between Thirteenth and Fourteenth Streets and Rood and White Avenues.

The alley between Thirteenth and Fourteenth Streets and Main Street and Rood Avenue.

WHEREAS, the City Council has found and determined, and hereby finds and determines, that said petitions are signed and acknowledged by the owners of more than a majority of the property abutting on said alleys, to be assessed with the cost of the proposed paving; and

WHEREAS, The City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement paving district; and

WHEREAS, the paving requested in said petitions is substantially the same, and the Council has determined that it will be an advantage and benefit to include all of said improvements in one paving district;

THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Junction, and State of Colorado:

1. That the district of lands to be assessed with the cost of the proposed paving improvements shall be included within the following boundaries, to-wit:

Lots 1 to 28, Block 27.

Lots 1 to 32, Block 30.

Lots 1 to 32, Block 35.

Lots 1 to 32, Block 36.

Lots 1 to 32, Block 48.

Lots 1 to 29, Block 49.

Lots 1 to 31, Block 72.

Lots 1 to 32, Block 73.

Lots 1 to 32, Block 74.

Lots 1 to 32, Block 82.

Lots 1 to 32, Block 83.

Beginning at the Northwest corner of Lot 1, Block 85; thence east to the northeast corner of Lot 17, Block 88; thence south to the southeast corner of Lot 18, Block 88; thence west to the southwest corner of Lot 32, Block 85, thence north to the point of beginning.

Lots 1 to 28, Block 128.

Lots 1 to 32, Block 148 and Lots 1 to 30, Block 149.

Lots 1 to 32, Block 2, Dundee Place.

Lots 1 to 26, Block 3, Dundee Place.

Lots 1 to 32, Block "E", Keith's Addition.

Lots 1 to 32, Block "H", Keith's Addition.

3. Said district shall be divided into five equal zones paralleling the alleys to be improved and the estimated cost of such improvements shall be apportioned as follows: 32% of the cost on the first zone; 26% on the second zone; 20% on the third zone; 14% on the fourth zone; and 8% on the fifth zone.

2. That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans and specifications for such paving, an estimate of the total cost thereof, exclusive of the percentum for cost of collection and other incidentals, and of interest to the time the first installment becomes due, also a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by the Petition therefor and the requirements of Ordinance No. 178, as amended, of said City.

ADOPTED AND APPROVED, this 16th day of December, A. D. 1936.

/s/  
President of the Council

ATTEST:  
City Clerk

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

Mr. Soderstrum, City Engineer presented plans, maps and specifications for Paving District No. 38.

The following Resolution was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR PAVING ALLEYS IN THE CITY OF GRAND JUNCTION, COLORADO, IN PAVING DISTRICT NO. 38, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on the 2nd day of December, A. D. 1936, the City Council of said City of Grand Junction, Colorado, by Resolution authorized the City Engineer to prepare and file full details, plans and specifications for paving certain alleys in said City, within proposed Paving District No. 38, together with an estimate of the total cost of such improvement, and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution, and the requirements of Ordinance No. 178, as amended, of said City;

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

1. That said details, plans, specifications, estimates and map be, and the same are hereby approved and adopted.

2. That said alleys to be paved are as follows:

The north and south alley and the east and west alley between Seventh and Eighth Streets and Hill and Teller Avenues.

The alley between Fourth and Fifth Streets and Hill and Teller Avenues.

The alley between Second and Third Streets and Gunnison and Hill Avenues.

The alley between Third and Fourth Streets and Gunnison and Hill Avenues.

The alley between Eighth and Ninth Streets and Chipeta and Gunnison Avenues.

The north and south alley and the east and west alley between Seventh and Eighth Streets and Gunnison and Chipeta Avenues.

The alley between Sixth and Seventh Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and Grand and Ouray Avenues.

The alley between Fourth and Fifth Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Sixth and Seventh Streets and Grand and White Avenues.

The alley between Eighth and Twelfth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Seventh and Eighth Streets and Colorado and Ute Avenues.

The alley between Fifth and Seventh Streets and Pitkin and South Avenues.

The alley between Thirteenth and Fourteenth Streets and Ouray and Chipeta Avenues.

The alley between Fourteenth and Fifteenth Streets and Ouray and Chipeta Avenues.

The alley between Thirteenth and Fourteenth Streets and Rood and White Avenues.

The alley between Thirteenth and Fourteenth Streets and Main Street and Rood Avenue.

3. That the District of lands to be assessed with the cost of said improvements, is described as follows:

Lots 1 to 28, Block 27.

Lots 1 to 32, Block 30.

Lots 1 to 32, Block 35.

Lots 1 to 32, Block 36.

Lots 1 to 32, Block 48.

Lots 1 to 29, Block 49.

Lots 1 to 31, Block 72.

Lots 1 to 32, Block 73.

Lots 1 to 32, Block 74.

Lots 1 to 32, Block 82.

Lots 1 to 32, Block 83.

Beginning at the northwest corner of Lot 1, Block 85; thence east to the northeast corner of Lot 17, Block 88; thence south to the southeast corner of Lot 18, Block 88; thence west to the southwest corner of Lot 32, Block 85; thence north to the point of beginning.

Lots 1 to 28, Block 128.

Lots 1 to 32, Block 148 and Lots 1 to 30, Block 149.

Lots 1 to 32, Block 2, Dundee Place.

Lots 1 to 26, Block 3, Dundee Place.

Lots 1 to 32, Block "E", Keith's Addition.

Lots 1 to 32, Block "H", Keith's Addition.

4. That said District shall be divided into five equal zones paralleling the alleys to be improved, and the cost of the improvement shall be apportioned to such zones as follows: 32% of the cost on the first zone; 26% of the cost on the second zone; 20% on the third zone; 14% on the fourth zone; and 8% on the fifth zone.

5. The assessments to be levied against the property in said District to pay the cost of such improvements, shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten equal installments, the first of which shall be payable at the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases on unpaid principal, payable annually at a rate not to exceed six (6) per centum per annum.

6. Notice of intention to create said Paving District, and a hearing thereon, shall be given by an advertisement in one issue

of The Daily Sentinel, a newspaper of general circulation published in said City, which notice shall be in substantially the following form, to-wit;

NOTICE

OF INTENTION TO CREATE PAVING DISTRICT NO. 38 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Paving District No. 38 in said City for the purpose of improving the following alleys therein, by excavating and constructing a pavement with a four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, and that said work be done under W.P.A. project with labor furnished by, and under the terms of the Works Progress Administration, to-wit:

The north and south alley and the east and west alley between Seventh and Eighth Streets and Hill and Teller Avenues.

The alley between Fourth and Fifth Streets and Hill and Teller Avenues.

The alley between Second and Third Streets and Gunnison and Hill Avenues.

The alley between Third and Fourth Streets and Gunnison and Hill Avenues.

The alley between Eighth and Ninth Streets and Chipeta and Gunnison Avenues.

The north and south alley and the east and west alley between Seventh and Eighth Streets and Gunnison and Chipeta Avenues.

The alley between Sixth and Seventh Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and Grand and Ouray Avenues.

The alley between Fourth and Fifth Streets and Grand and Ouray Avenues.

The alley between Fifth and Sixth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Sixth and Seventh Streets and Grand and White Avenues.



The alley between Eighth and Twelfth Streets and White and Grand Avenues.

The east and west alley and the north and south alley between Seventh and Eighth Streets and Colorado and Ute Avenues.

The alley between Fifth and Seventh Streets and Pitkin and South Avenues.

The alley between Thirteenth and Fourteenth Streets and Ouray and Chipeta Avenues.

The alley between Fourteenth and Fifteenth Streets and Ouray and Chipeta Avenues.

The alley between Thirteenth and Fourteenth Streets and Rood and White Avenues.

The alley between Thirteenth and Fourteenth Streets and Main Street and Rood Avenue.

3. Said Paving District shall include all of the real property within the following boundaries, to-wit:

Lots 1 to 28, Block 27.

Lots 1 to 32, Block 30.

Lots 1 to 32, Block 35.

Lots 1 to 32, Block 36.

Lots 1 to 32, Block 48.

Lots 1 to 29, Block 49.

Lots 1 to 31, Block 72.

Lots 1 to 32, Block 73.

Lots 1 to 32, Block 74.

Lots 1 to 32, Block 82.

Lots 1 to 32, Block 83.

Beginning at the northwest corner of Lot 1, Block 85; thence east to the northeast corner of Lot 17, Block 88; thence south to the southeast corner of Lot 18, Block 88; thence west to the southwest corner of Lot 32, Block 85; thence north to the point of beginning.

Lots 1 to 28, Block 128.

Lots 1 to 32, Block 148 and Lots 1 to 30, Block 149.

Lots 1 to 32, Block 2, Dundee Place.

Lots 1 to 26, Block 3, Dundee Place.

Lots 1 to 32, Block "E", Keith's Addition.

Lots 1 to 32, Block "H", Keith's Addition.

Said district shall be divided into five equal zones paralleling the alleys to be improved and the cost of said improvements, (excluding that part to be paid by said City) shall be assessed on the following basis: 32% of the cost on the first zone; 26% on the second zone; 20% on the third zone; 14% on the fourth zone; and 8% on the fifth zone.

The probable total cost of said improvements, as shown by the estimate of the City Engineer is \$7,601.97. Of said total cost the said City of Grand Junction shall pay the sum of \$54.47 for paving and improving the intersections of alleys.

The maximum share of said total cost to be assessed per front foot is \$.3908645. The estimated cost for an ordinary lot of 25 ft. x 125 ft. is \$9.77.

To all of said estimated costs there shall be added 2% for cost of collections, and also interest at the rate born by the special assessment bonds of said District to the next succeeding date upon which general taxes, or the first installment thereof, are, by the laws of the State of Colorado, made payable.

On the 20th day of January, A. D. 1937, at the hour of 7:30 o'clock P.M., in the Council Chamber in the City Hall of said City, the Council will consider the ordering of the proposed improvements, and will hear all complaints and objections that may be made in writing, concerning the proposed improvements, by the owner of any real estate to be assessed or by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 16th day of December, A. D. 1936.

BY ORDER OF THE CITY COUNCIL:

/s/

City Clerk

It was moved by Councilman Holcombe and seconded by Councilman Groves that the Resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE - Holcombe, Groves, Boston, Carson, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

Whereas, on August 27th, 1936, the City of Grand Junction, issued to James McGillis a license to sell fermented malt beverages at retail at the premises numbered 101 North First St., in said City, then known as the Tavern Inn and now known as the Log Cabin Inn, which license was issued subject to the laws of the State of Colorado, especially as set forth in House Bill No. 953 of the 30th General Assembly of said State (Chapter 82, Session Laws of Colorado, 1936), and subject to the ordinances and police power of said City;

Whereas, said laws of the State of Colorado, then and now in effect, provide, among other things, that the licensee, to be entitled to such license, shall be of good character and reputation and shall never have been convicted of a felony or crime in any Court of the United States or any Court of record in any state of territory of the United States;

Whereas, said James McGillis represented to said City and the Secretary of State of the State of Colorado, in his written applications for license to sell fermented malt beverages at said premises, that he had never been convicted of a felony or crime in any court of the United States or any court of record in any state or territory of the United States, and further represented that he was of good character and reputation;

Whereas, the City Council of said City, has received a report from the Chief of Police that said James McGillis had been convicted of a crime in a court of record in the State of Utah prior to and at the time when he made application for such license, that he was not then, and is not now, a person of good character and reputation, and that he has been and is operating said premises under said license in a manner which is detrimental to the preservation of the public peace, health and safety of the inhabitants of said City;

It Is Therefore Resolved by said City Council that a hearing be

held by and before it at the City Hall in said City on Friday, the 18th day of December, 1936, at 7:30 o'clock P. M., to determine whether such license issued to said James McGillis should be suspended or revoked for any of the above-mentioned reasons, or for any other reasons then shown, and to take such action in the premises as it may then determine; and

It Is Further Resolved that the City Clerk of said City shall cause written notice of the aforesaid hearing to be served upon said James McGillis at lease twenty-four hours before the time thereof, which notice shall be accompanied by a certified copy of this resolution, and shall require said James McGillis to appear at said hearing and show cause, if there be any, why said license should not be suspended or revoked.

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

It was moved by Councilman Carson and seconded by Councilman Groves that the meeting adjourn until Friday, December 18th at 7:00 o'clock P.M.

/s/ Helen C. Tomlinson  
City Clerk