

Grand Junction, Colorado

March 3, 1937

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

It was moved by Councilman Groves and seconded by Councilman Holcombe that Councilman Ross act as President Pro-tem. Motion was carried, and Mr. Ross took the chair.

The minutes of the regular meeting held March 17th were read and approved.

The Forbush Co. made an application to increase the driveway into their filling station at 3rd and Rood Ave. They have recently purchased more property, and would like to have twenty-five feet more of driveway. It was moved by Councilman Carson and seconded by Councilman Boston that the request be granted, and that the additional driveway be constructed under the supervision of the City Manager. Motion carried.

A letter from F. W. de Friess, Supt. of C.C.C. Camp DG-2-c, was read in which he requested the use of five acres or more of land adjoining Camp DG-2 on the south and east for the use of agriculture and educational ground. The above request was endorsed by Lieut. LeBarron, Commanding Officer.

It was moved by Councilman Holcombe and seconded by Councilman Carson that the request be granted. Motion carried.

Bonds for J.W. Faubion and Va.A. Green, house movers, John Fuite, Plumber, Corson, electrician, and W. J. Fountain and Ralph H. Spence, cement contractors, having been approved as to form by City Attorney Bowie, were presented. It was moved by Councilman Carson and seconded by Councilman Groves that the bonds be accepted and filed. Motion carried.

Raber Bros. requested that they be allowed to put a ditch across the ground above the intake about one-half mile, in order to get the water onto their property. It was decided that they could put in a temporary ditch and if they wished to apply for a permit later, the Council might grant them a revocable permit.

The following Resolution was presented:

RESOLUTION

RESOLVED, that for and in consideration of the Federal funds made available through the Works Progress Administration under Official

Project No. 65-84-1570, for the improvement of our municipal airport and landing facilities, we pledge that said airport will at all times be operated and maintained as a municipal airport for the public benefit, without unjust discrimination against or in favor of any aircraft operator, including any scheduled airline operator.

It is further certified that the fee simple title to the land utilized as the municipal airport is in the City of Grand Junction.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the resolution be passed and adopted as read. Roll was called and all members present voted Aye. The resolution was declared passed and adopted.

A proposed ordinance entitled, "AN ORDINANCE RELATING TO THE DISPOSAL OF ASHES AND RUBBISH AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH", was introduced and read. It was moved by Councilman Carson and seconded by Councilman Holcombe that the ordinance be passed for publication. Motion carried.

A proposed ordinance to be submitted to the vote of the electors

providing for a street lighting contract with the Public Service Co. was submitted. This proposed ordinance had been submitted previously, and one or two matters taken up with the Public Service Co. for revision. Mr. Soderstrum explained the revisions, and stated that Mr. Bowie had drawn up the paragraphs that were changed.

It was moved by Councilman Holcombe and seconded by Councilman Enstrom that the proposed ordinance entitled, "AN ORDINANCE CONTRACTING FOR MUNICIPAL STREET LIGHTING SERVICE TO BE FURNISHED BY PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS TO THE CITY OF GRAND JUNCTION, COLORADO", be passed for publication as a People's Ordinance. Motion carried.

The Proof of Publication to the ordinance entitled, "AN ORDINANCE PROVIDING AN APPROPRIATION FOR THE SPECIAL CONTINGENT FUND", was introduced and read. It was moved by Councilman Carson and seconded by Councilman Boston that the Proof of Publication be accepted and filed. Motion carried.

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

Councilman Enstrom then moved and Councilman Carson seconded the motion that further action on this ordinance be deferred. Motion carried.

The report of Mr. Ragan covering the audit of the books of the

City Treasurer and Auditor was filed. Councilman Holcombe moved and Councilman Carson seconded the motion that the report be accepted and placed on file. Motion carried.

Owing to the fact that President Oates was ill, it was moved by Councilman Carson and seconded by Councilman Enstrom that the Council adjourn to Mr. Oates' home for the consideration of an emergency ordinance. Motion carried.

Therefore, the Council adjourned to 619 Grand Avenue, Mr. Oates' home, and were called to order by President Oates. Roll was called and all members of the Council were present.

Thereupon Councilman Carson introduced an ordinance entitled, "An Ordinance Providing for the Submission to the duly qualified taxpaying electors of the City of Grand Junction, at the general municipal election to be held April 6, 1937, the question of authorizing the City Council of said City to contract an indebtedness on behalf of said City and upon the credit thereof by issuing the negotiable coupon bonds of said City in an amount not exceeding \$50,000 for the purpose of constructing, furnishing and equipping a Library Building," which Ordinance was thereupon read in full by the Clerk:

It was then moved by Councilman Holcombe and seconded by Councilman Carson, that all rules of the Council which might prevent, unless suspended, the final passage and adoption of said ordinance at this meeting, be and the same are hereby suspended, for the purpose of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called, with the following result:

Those voting AYE: Councilmen Ross, Holcombe, Groves, Boston, Enstrom, Carson and Oates.

Those voting Nay: None.

All the members of the City Council having voted in favor of said motion, the President declared said motion carried and the rules suspended.

Councilman Groves then moved that said ordinance be now placed upon its final passage.

Councilman Boston seconded the motion.

The question being upon the placing of said ordinance upon its final passage, the roll was called, with the following result:

Those voting aye: Councilmen Holcombe, Ross, Groves, Boston,

Carson, Enstrom and Oates.

Those voting nay: None.

The presiding officer then declared the motion carried and the ordinance placed upon its final passage.

Councilman Holcombe thereupon moved that said ordinance be finally passed and adopted as introduced and read.

Councilman Carson seconded the motion.

The question being upon the final passage and adoption of said ordinance, the roll was called, with the following result:

Those voting aye: Councilmen Ross, Holcombe, Groves, Boston, Carson, Enstrom, and Oates.

Those voting nay: None.

The presiding officer thereupon declared that all the members of the City Council, duly elected, qualified and acting as such, having voted in favor thereof, the said motion was carried and said ordinance finally passed and adopted.

On motion duly adopted, it was then ordered that said ordinance be numbered 566; that said ordinance, after approval by the President, be published in The Daily Sentinel, an official newspaper of the City, in its issue of March 4, 1937; and said ordinance be recorded and authenticated as required by law.

It was then moved by Councilman Enstrom and seconded by Councilman Carson that the Council adjourn to the City Hall for the balance of the meeting. Motion carried.

The City Council thereupon met in the City Hall with all members present excepting President Oates. President Pro-tem Ross presided.

The following entitled proposed ordinance was presented and read: "AN ORDINANCE CHANGING THE WIDTH OF THE ROADWAY ON FIRST STREET BETWEEN MAIN STREET AND UTE AVENUE". It was moved by Councilman Holcombe and seconded by Councilman Groves that the proposed ordinance be passed for publication. Motion carried.

Mr. Soderstrum presented the petition Mrs. Chiesman had filed for changing the zoning on Ouray Ave. between 7th and 9th Streets, and also a petition protesting the change in the zoning. It was moved by Councilman Enstrom and seconded by Councilman Carson that the petitions be referred to the Board of Adjustment for recommendation. Motion carried.

The City Clerk reported that petitions had been presented signed

by various citizens of the City, requesting that Sections 18 and 22 of Article II, of the Charter of the City of Grand Junction be amended, and requesting that the proposed amendment be submitted to a vote of the qualified electors of the said City at the General Municipal election to be held on Tuesday, April 6th, 1937, in accordance with the provisions of Article XX of the Constitution of the State of Colorado. She also stated that she had checked the signatures of the qualified electors signing the petition.

The following resolution was then introduced and read:

#### RESOLUTION

WHEREAS, Qualified electors residing in the City of Grand Junction, Colorado, comprising 5.2% of the last gubernatorial vote in said City, as shown by the City Clerk, have petitioned the City Council of said City to submit to the qualified electors of said City, for its adoption or rejection, at the General Municipal election of said City, to be held on Tuesday, April 6th, 1937, in accordance with the provisions of Article XX of the Constitution of the State of Colorado, a proposed amendment to Sections 18 and 22 of Article II of the Charter of the City of Grand Junction, amending said sections to read as follows, to-wit:

SECTION 18. Form of Ballot. The City Clerk shall cause ballots for every general and special election to be printed, bound, numbered, endorsed, and authenticated, as provided by the laws of the State of Colorado, except as otherwise provided by this Charter. Every ballot intended for the use of voters, shall contain the full list and correct name of all the respective offices to be filled, and the names of all candidates nominated therefor whose nominations have been duly made as provided by this Charter and Ordinances pursuant thereto, and who have not died or withdrawn, and shall contain no other names of persons. The ballots shall be so printed as to give each voter a clear opportunity to designate by cross mark (X) in a sufficient margin at the right of the name of each candidate, and of each question submitted, his choice of candidates, and his answer to the questions submitted; and on the ballot may be printed such words or instructions as will aid the voter to do so.

SECTION 22. Canvass and Election. As soon as the polls are closed the election judges shall immediately open the ballot boxes, take therefrom and count the ballots, and enter the total number thereof on the tally sheet provided therefor. They shall then carefully enter the number of votes for each candidate on said tally sheet and make return to the City Clerk as provided by law. No vote shall be counted for any candidate more than once on any ballot. The person receiving the highest number of votes cast at such election for any office shall be elected to that office. A tie between two or more candidates shall be decided by lot, under direction of the canvassing board.

WHEREAS, the City Council finds that such proposed amendments have not been submitted to the qualified electors of the City of Grand Junction within two years preceding April 6th, 1937, the date of such General Municipal Election, and further finds that

Such proposed charter amendments do not diminish the tax rate for state purposes fixed by act of the General Assembly of the State of Colorado, and do not interfere in any way with the collection of State taxes.

It Is Therefore Resolved, by the City Council of said City that said proposed amendments be and the same are hereby submitted to the qualified electors of the City of Grand Junction for adoption or rejection at the General Municipal election to be held on Tuesday, the 6th day of April, 1937, and that the City Clerk cause notice thereof to be given as required by law.

It was moved by Councilman Holcombe 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 - Ross, Holcombe, Groves, Boston, Enstrom, Carson, Councilmen voting no - None. All of the Councilmen present voting aye, the President declared the motion carried.

G. Kay Reece presented an offer to purchase tax sale certificates against Lots 8 & 9, Block 1, Grand River Subdivision. The face value of the City special certificates is \$168.18 and the County generals \$25.68. He offered \$26.03 for the City certificates and \$3.97 for the County generals, plus the 1936 generals, \$3.16 and the 1937 specials, \$3.16. This offer is 15.48% of the face value of the certificates.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 29520-21 -29794-5 - 29891-2, and 4270 for the sum of \$26.03, plus \$3.16, 1937 assessment, 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 present voting AYE. The President declared the motion carried.

Mr. J. G. McKinney made an offer for the tax certificates against Lots 20 and 21, Block 5, Crawfords Add. He offered \$22.68 for the City specials and \$89.08 for the County generals, plus \$12.08, 1936 taxes. The face value of the County certificates are \$148.47 and the City specials \$37.80. This property is located at 413 Park Ave.

It was moved by Councilman Enstrom and seconded by Councilman Groves that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 28102-3 and 28256

for the sum of \$22.68, 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 present voting AYE. The President declared the motion carried.

Mr. C. E. Childress made an offer for the tax sale certificates against Lots 25, 26, 27, and 28, Block "D", Keith's Addition. The face value of the general tax sale certificates is \$1,382.68 and of the City special certificates is \$257.68. Mr. Childress offers \$640.44 for the general certificates, plus \$57.25 for the 1936 assessments; and \$119.37 for the City special certificates, plus \$40.49 current assessment.

It was moved Councilman Carson and seconded by Councilman Enstrom that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 20591-2-3-4; 26780-81-82-83; 42998; 43369; for the sum of \$119.37, plus the 1937 assessment of \$40.49. 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 present voting AYE. The President declared the motion carried.

Mr. V. C. Garms made an offer for the City tax sales against the North 51 feet of the South 201 feet of Lot 21, Capitol Hill. He offered \$55.00 for the certificates, the face value of which is \$119.88.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates, Nos. 18405 -20652 -26934 for the sum of \$55.00, at any time within thirty days from and after this date. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Two offers were made for the tax sale certificates against Lots 27, 28, and 29, Block 120. Chas. A. Willsea offered \$30.90 for the City specials and \$300.00 plus the 1936 generals, \$59.87 for the certificates. The face value of the general certificates is \$749.49 and of the special certificates \$77.22. Antonio Retolaza offered \$374.74 for the generals and \$38.59 for the special certificates.

It was moved by Councilman Enstrom and seconded by Councilman Groves that both offers be rejected, and that the City Treasurer be authorized to sell and assign Special Assessment Tax Sale Certificates Nos. 29400-1-2; 29612-13-14; 29843-44-45 for the sum of \$50.87, 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 present voting AYE. The President declared the motion carried.

L. C. Nowlan presented an offer for the tax sale certificates against Lots 5, 6, and 7, Block 43, located at 1025 Hill Avenue. The face value of the certificates is \$183.71 for the City specials and \$350.65 for the general certificates. Mr. Nowlan offered \$162.82 for the specials plus the 1937 assessment of \$20.89 and \$295.50, plus the 1936 taxes of \$55.15, for the generals.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 39609 -40070 -40635 -40762 for the sum of \$162.82, plus the 1937 assessments, \$20.89, 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 present voting AYE. The President declared the motion carried.

Mr. Silmon Smith presented an offer to purchase the tax sale certificates against Blocks "T" -"U", "V", "W", "X", and Lots 17 to 24 Inc., lying S. of r.o.w. Block "S", Keith's Addition for 10% of the face value. The County certificates amount to \$3,485.86 and the City certificates to \$2,044.87.

It was moved by Councilman Enstrom and seconded by Councilman Groves, that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 15370-71-72-73-74; 14017-18-19-20-21 to 30- 31-32 33-34-35-36; 14037 to 14049; 14050 to 14065; 39872; 14066 to 14081; 14082 to 14095, for 10% of the face value of the certificates, \$204.49, 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 present voting AYE. The President declared the motion carried.

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

/s/ Helen C. Tomlinson  
City Clerk