

Grand Junction, Colorado

December 21, 1938

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, Enstrom, Boston, Carson, Oates, and President Groves. City Manager Soderstrum, City Attorney Hinman, and City Clerk Tomlinson were present.

The minutes of the regular meeting held Dec. 7th were read and approved.

It was reported that Mrs. Andrews, proprietress of the Peach Bowl Cafe had left town since the last meeting of the Council, and therefore there was no reason for further action on the liquor license application presented Dec. 7th.

It was then moved by Councilman Enstrom and seconded by Councilman Boston that the revised budget for 1939 as presented by City Manager Soderstrum at a previous meeting be adopted. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Enstrom, Boston, Carson, Oates, and Groves. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

An emergency ordinance entitled, "AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1st, 1939, AND ENDING DECEMBER 31st, 1939, AND DECLARING AN EMERGENCY", was introduced and read. It was moved by Councilman Holcombe and seconded by Councilman Ross that the ordinance be passed and adopted, numbered 602 and published. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Enstrom, Carson, Boston, Oates, and Groves. All the Councilmen voting AYE, the President declared the motion carried.

The City Clerk reported that there had been no protests filed against Artificial Lighting District No. 2.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING ARTIFICIAL LIGHTING DISTRICT NO. 2 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE IMPROVING OF CERTAIN STREETS AND AVENUES THEREIN BY INSTALLING ARTIFICIAL LIGHTING EQUIPMENT AND FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 16th day of November, A. D. 1938, the City Council of the City of Grand Junction, Colorado, passed a Resolution

adopting details, plans and specifications for Artificial Lighting District No. 2 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 improvements specified in the petitions filed therefor, are 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 Artificial Lighting District No. 2 be and the same is hereby created and established, and that the installation of artificial lighting and the necessary construction and appliances 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 remonstrances, protests or objections were 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.

That the streets and avenues upon which the installations of artificial lighting and the necessary construction and appliances are to be made, 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 16th day of November, 1938, in accordance with the Published Notice of Intention to create said District.

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, the City shall issue Public Improvement Bonds of said Artificial Lighting District, dated the 1st day of January, A. D. 1939, in the denomination of \$500.00 each, numbered one to eight inclusive, due and payable on the 1st day of January, 1951, subject to call and payment, however, at any time prior to the maturity of the said bonds, to bear interest at the rate of \_\_\_\_\_ per centum

per annum, payable semi-annually on the 1st day of January and the 1st day of July of each year, as evidenced by coupons to be 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, and 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  
ARTIFICIAL LIGHTING DISTRICT NO. 2

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 1st day of January, A. D. 1951, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of \_\_\_\_\_ per centum per annum, payable semi-annually on the 1st day of January and the 1st day of July 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 for the cost of local improvements in Artificial Lighting District No. 2, 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 Artificial Lighting District No. 2, 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 Artificial Lighting District No. 2 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 fac-simile signature of the City Treasurer, this 1st day of January, A. D. 1939.

\_\_\_\_\_  
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 Artificial Lighting District No. 2, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated January 1, 1939.

/s/ (Fac-simile 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 1st day of January, A. D. 1939.

                      
City Treasurer

(GUARANTY CERTIFICATE)

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

                      
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 21st day of December, A. D. 1938.

                      
President of the Council

ATTEST:

                      
City Clerk

It was moved by Councilman Enstrom and seconded by Councilman Oates that the Resolution be passed and adopted as read: Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Matters concerning new lighting districts were brought up and discussed, but no action was taken.

Bonds for Jee Leff, junk dealer; Manchester Bros. cement contractors; Brunner Electric Co. electrical contractors, were presented, having been approved as to form by the City Attorney. It was moved by Councilman Holcombe and seconded by Councilman Enstrom that the bonds be approved, accepted and filed. Motion carried.

Mr. Soderstrum reported that there are two separate accounts for P.W.A. construction purposes set up in the First National Bank - Sewage Construction Fund and Water Filtration Fund. The bank has furnished bonds in the amount of \$110,000.00 to secure these deposits. In the Sewage Construction Fund there is \$135,384.83, and in the Water Filtration Fund, \$98,290.00. The Charter provides that "under orders of the City Council, the City Treasurer may deposit funds otherwise than provided by the Charter. The First National Bank state that they can not, at the present time, secure bonds to secure the entire amount of money, especially as it is on an open checking account, and in all probability will be at least half disbursed within three or four months.

It was moved by Councilman Ross and seconded by Councilman Enstrom that the City Treasurer be authorized to deposit funds in The First National Bank not in accordance with Section 72 of the Charter. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Enstrom, Boston and Groves. Councilmen voting NO - Carson and Oates. A majority of the Councilmen voting AYE, the President declared the motion carried.

Councilman Ross was excused at this time.

It was moved by Councilman Carson and seconded by Councilman Oates that the City Manager write to the Denver banks and also contact the U. S. Bank in Grand Junction to see if they would provide security for the funds of the City. All the Councilmen present voting AYE, the President declared the motion carried.

The following resolution was presented and read;

#### RESOLUTION

IT IS RESOLVED by the City Council of the City of Grand Junction, Colorado, that J. P. Soderstrum, as City Manager of said City, is hereby appointed, authorized, and directed, in its name and behalf, to sell Lots 29 and 30, in Block 138, in the City of Grand Junction, County of Mesa, and State of Colorado, owned by said

City and not used or held by it for any park or governmental purpose, for not less than the sum of \$250.00, upon such terms and conditions as he, in his discretion, may determine, and to execute and deliver a good and sufficient quit claim or special warranty deed of conveyance of said property to the purchaser thereof, and to cause the Seal of said City to be affixed thereto and attested by the City Clerk.

It was moved by Councilman Carson and seconded by Councilman Holcombe that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The provisions of Paragraph (f) of Section 7 of Ordinance No. 601 calls for adequate protection on Public Liability for the Water Department, therefore the City Manager was instructed to secure Public Liability insurance in the amount of \$10/\$20 and Property Damage in the amount of \$5/\$25.

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

/s/ Helen C. Tomlinson  
City Clerk