

Grand Junction, Colorado

February 7, 1940

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, Garrison, Campbell, Luebbert, Carson, Treece, and President Boston. Councilman Ross was absent. City Manager Brownson, City Attorney Hinman, and City Clerk Tomlinson were present.

The minutes of the regular meeting held January 17th and the regular adjourned meeting held January 24th were read and approved.

The proposed ordinance concerning the licensing of building contractors was brought up and discussed. Several carpenters were present and spoke against the passage of the ordinance. After considerable discussion, it was moved by Councilman Carson and seconded by Councilman Luebbert that the proposed ordinance be tabled indefinitely. Motion carried.

The Proof of Publication to the proposed ordinance entitled, "AN ORDINANCE RELATING TO SLOCOMB'S ADDITION TO THE CITY OF GRAND JUNCTION", was introduced and read. It was moved by Councilman Campbell and seconded by Councilman Carson that the Proof of Publication be accepted and filed. Motion carried.

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

The ordinance was then read, and upon motion of Councilman Carson seconded by Councilman Luebbert the ordinance was passed and adopted, numbered 622 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

It was reported by Mr. Brownson that the City had received a check in the amount of \$1,015.64 as a final dividend in payment of the Kountze Brothers, bankrupt matter; also a statement from Cleason, McLangan, Merritt and Ingraham, New York Attorneys, in the amount of \$544.60 in full payment for their services in this matter. It was moved by Councilman Carson and seconded by Councilman Campbell that the bill be approved and the City Clerk authorized to draw a warrant in the amount of \$544.60 to the attorneys. Roll was called on the motion with all members present voting AYE. The President declared the motion carried.

About 8:30 the meeting was then adjourned to the home of C. E. Ross and convened for the purpose of discussing various matters with Councilman Ross. At 9:30 P.M. the Council re-convened in regular session at the City Hall, all members being present

excepting Councilman Ross.

The Mesa Lumber Co. made a request for a revocable permit for the use of the parking area in front of their building on South Seventh Street for parking cars. They wish to have this area graveled and oiled. They have been using this space for years, but before improving it, they wished to have authority for its use. It was moved by Councilman Campbell that the request be granted. After considerable discussion, and when the motion was not seconded, Mr. Campbell withdrew his motion. It was then moved by Councilman Carson and seconded by Councilman Luebbert that permission be granted to the Mesa Lumber Co. to construct a lay-back curb and grant permission to pave the parking space thereby created. Motion carried.

Mr. L. W. Anderegg requested permission to install outdoor telephones in storm-proof boxes at Twelfth and Gunnison and Fifth and Gunnison, these telephones to be connected directly to the office of the 57 Cab Service at 655 Rood Ave. They are to be used by their drivers and the public for ordering taxi cabs.

It was moved by Councilman Carson and seconded by Councilman Treece that the following revocable permit be granted.

#### REVOCABLE PERMIT

Permission is hereby granted to L. W. Anderegg to install outdoor telephones in storm proof boxes at 12th and Gunnison and 5th and Gunnison, which permission shall be revocable at the will of the Council.

Roll was called on the motion with all members present voting AYE. The President declared the motion carried.

The Proof of Publication to the proposed ordinance entitled, "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR COMBINED SEWER DISTRICT NO. 6 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 Luebbert that the Proof of Publication be accepted and filed. Motion carried.

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

The ordinance was then read, and upon motion of Councilman Campbell and seconded by Councilman Luebbert was passed and

adopted, numbered 623 and ordered to be published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

The following resolution was presented and read:

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 COMBINED SEWER DISTRICT NO. 7, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, on the 7th day of February, A. D. 1940, there was presented to the City Council of the City of Grand Junction, Colorado, petitions for the construction of a combined sanitary sewer and storm sewer for North Avenue Addition to the City of Grand Junction, and

WHEREAS, the City Council has found and determined, and hereby finds and determines, that said petition was signed and acknowledged by the owners of more than a majority of the property in the area to be served, to be assessed with the cost of the proposed improvements; and

WHEREAS, The City Council deems it advisable to take the necessary preliminary proceedings for the creation of the combined sewer 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 sewer improvements shall be included within the following boundaries, to-wit:

Beginning at a point 40 feet north and 174.4 feet east of the southwest corner of Section 11, T.1 S., R. 1 W., Ute Meridian, thence east 1610.1 feet to the west line of 5th Street extended north, thence north 360 feet, thence west 1504.5 feet, thence S. 44 degrees 27 1/2 minutes W. 146.5 feet, thence south 255.4 feet to the point of beginning, which includes all of Blocks 4, 5, & 6 of Shafroth-Rogers Subdivision.

Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans and specifications for the construction of a combined sewer, 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 comes 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 7th day of February, A. D. 1940.

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

Plans, maps, specifications, etc. for Combined Sewer District No. 7 were filed.

The following resolution was then presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A COMBINED SEWER DISTRICT IN THE CITY OF GRAND JUNCTION, COLORADO, IN COMBINED SEWER DISTRICT NO. 7; 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 7th day of February, A. D. 1940, 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 the construction of a combined sewer service within Combined Sewer District No. 7, 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 a combined sewer be constructed in the following streets, to-wit:

4. Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

5. The assessments to be levied against the property in said District to pay the cost of such improvement, 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 combined sewer district, and of 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 COMBINED SEWER DISTRICT NO. 7 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 Combined Sewer District No. 7 in said City for the purpose of constructing a combined sewer service in the following streets, to-wit:

North Avenue from Second Street to Fifth Street;  
Second Street from Belford Avenue to North Avenue.

Said Combined Sewer District shall include all of the real property within the following boundaries, to-wit:

North Avenue from Second Street to Fifth Street;  
Second Street from Belford Avenue to North Avenue.

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

Beginning at a point 40 feet north and 174.4 feet east of the southwest corner of Section 11, T. 1 S., R. 1 W., Ute Meridian, thence east 1610.1 feet to the west line of Fifth Street extended north, thence north 360 feet, thence west 1504.5 feet; thence south 44 degrees 27 1/2 minutes, west 146.5 feet, thence south 255.4 feet to the point of beginning, which includes all of Blocks 4, 5, and 6 of Shafroth-Rogers Subdivision.

Beginning at a point 40 feet north and 174.4 feet east of the southwest corner of Section 11, T. 1 S., R. 1 W., Ute Meridian, thence east 1610.1 feet to the west line of 5th Street extended north, thence north 360 feet, thence west 1504.5 feet, thence south 44 degrees 27 1/2 minutes, W. 146.5 feet, thence south 255.4 feet to the point of beginning, which includes all of Blocks 4, 5, and 6 of Shafroth-Rogers Subdivision.

Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

The probable total cost of said improvement, as shown by the estimate of the City Engineer is \$2,502.51.

The maximum share of said total cost to be assessed per square foot of area is \$0.005141.

To all of said estimated costs there shall be added two per cent for cost of collection and other incidentals, and also interest at the rate borne 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 March, A. D. 1940, 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 7th day of February, A. D. 1940.

BY ORDER OF THE CITY COUNCIL

                      
City Clerk

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

The bond of Pysher and Krug was presented, having been

approved as to form by City Attorney Hinman. It was moved by Councilman Carson and seconded by Councilman Campbell that the bond be accepted and filed. Motion carried.

The Lincoln Park Grocery made an application for the renewal of their 3.2 beer license. It was moved by Councilman Carson and seconded by Councilman Luebbert that the license be granted. Motion carried.

It was moved by Councilman Carson and seconded by Councilman Garrison that the Council rescind the action taken at the meeting held January 24th authorizing Bruce Brownson, City Manager, to sell Lots 31 and 32, Block 5, Dundee Place, for the sum of \$575.00. Roll was called on the motion with all members of the Council 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 Bruce Brownson, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 31 and 32, Block 5, Dundee Place, 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 \$450.00, 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 Garrison that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council 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 Bruce Brownson, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell the south seventy-five feet of Lots 28 and 32 inclusive in Block 123 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 \$500.00, 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 Campbell and seconded by Councilman Carson that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council 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 Bruce Brownson, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 11 and 12, Block 147 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 \$200.00, 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 Treece that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Several matters pertaining to tax matters were brought up and discussed. Mr. Brownson explained to the Council that the City had sold nearly all of the desirable building sites upon which they had acquired title during the past few years. There are a number of available building sites upon which the taxes are delinquent, and if they were cleared up, no doubt could be sold. People who are in the market for lots are usually hesitant about buying tax property and having to clear the title.

It was moved by Councilman Carson and seconded by Councilman Garrison that the City Manager be authorized to bid for the general taxes on 30 properties, and proceed to clear the title on them, so that they can be sold. 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 Garrison that the meeting adjourn until February 14th at 7:30 o'clock P. M. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk