

Grand Junction, Colorado

February 28, 1940

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

The minutes of the regular meeting held February 7th, the regular adjourned meeting held February 14th, and the regular meeting held February 21st were read and approved.

The proof of publication to the proposed ordinance entitled, "AN ORDINANCE AMENDING ARTICLE III, SECTION 29 (a) of ARTICLE VI, AND SECTION 39 (b) and SECTION 63 (a) and (b) OF ARTICLE VII OF ORDINANCE NO. 529", was read. It was moved by Councilman Ross and seconded by Councilman Treece that the proof of publication be accepted and filed. Motion carried.

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

The ordinance was then read and upon motion of Councilman Ross and seconded by Councilman Carson the ordinance was passed and adopted, numbered 624 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Bonds, as follows, were presented, having been approved as to form by City Attorney Hinman:

George Unfred - Plumber
Hale & Jordan - Auctioneers
Preston H. Dean - Photographer
George Tilton - Cement Contractor
Wesley P. Cornell - Electrical contractor.

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

The following resolution was presented and read:

RESOLUTION

Whereas Section 72 of the Charter of the City of Grand Junction contains the following provisions:

"The cash balance of the city in the hands of the City

Treasurer shall be deposited by the same in each of the banks of the City of Grand Junction, without discrimination in proportion to their capital stock and surplus as far as possible. Such banks shall pay interest on the average daily balances at the rate of two per cent per annum and shall credit the same monthly to the account of such treasurer; provided, however, that such banks shall be required to furnish a good and sufficient surety bond for the securing of such deposits. Nothing herein shall prevent said treasurer, under the orders of the City Council, from temporarily having such funds otherwise deposited; provided that, as soon as practicable, he shall redeposit such deposits."

Whereas, The First National Bank in Grand Junction and The United States Bank of Grand Junction, the only banks in said City, have advised said City that they are not able to obtain and furnish good and sufficient surety bonds for the securing of deposits of funds of said City, as required by the provisions of its Charter;

Whereas, First National Bank in Grand Junction has proposed to said City that it will especially secure deposits of its funds in said bank up to \$70,000.00 in addition to that covered by Federal Deposit Insurance, under the same plan and arrangements as have been formerly effected between said City and said bank, but that United States Bank of Grand Junction has not proposed to the City any such plan or other arrangement to secure deposits of said City;

Whereas, It is therefore impossible for said City to deposit its funds in said banks without discrimination, in proportion to their capital stock and surplus, and with good and sufficient surety bonds securing the same;

Whereas, it is essential to the proper conduct of the business of said City that its funds be deposited temporarily otherwise than under surety bond security, as above mentioned, until such time as said banks, or either of them, are able to furnish good and sufficient surety bonds to secure payment of such deposits;

Whereas, it appears to the City Council, and it finds, that the above mentioned proposal of First National Bank in Grand Junction affords the only practicable arrangement for such deposit of its funds now available, and that an emergency exists which justifies the acceptance of such proposal;

Whereas, the plan and agreements proposed by First National Bank in Grand Junction provide that said bank will secure deposits of funds of said City in its General Account, Sewage Construction Fund, Water Filtration Fund, Firemen's Pension Fund and Perpetual Care Fund, Orchard Mesa Cemetery, to the amount above mentioned by its pledge of bonds and/or notes of the United States of America, as hereinafter mentioned, in lieu of a surety bond; and, to accomplish such purposes, said bank has submitted the following

executed and certified instruments of its proceedings in such matter, to-wit:

RESOLUTION

IT IS HEREBY RESOLVED, by the Board of Directors of The First National Bank in Grand Junction that it does hereby authorize and empower John J. Bridges as President and Dale E. Bebee as Cashier of said Bank for and on behalf of said Bank to execute and deliver to the City of Grand Junction, Colorado, a bond in the penal sum of Seventy Thousand (\$70,000.00) Dollars to secure certain funds which have been and which may be hereafter deposited in said bank, said deposits being designated as follows:

City of Grand Junction, General Account
City of Grand Junction, Sewage Construction Fund
City of Grand Junction, Water Filtration Fund
City of Grand Junction, Firemens Pension Fund (Savings Acct.)
City of Grand Junction, Perpetual Care Fund, Orchard Mesa Cemetery (Savings Account)

and that said officers be and the same are hereby duly authorized and empowered to bind said Bank to a full and complete performance of any and all obligations contained therein, and to pledge certain United States Bonds to the aggregate amount and value of said bond obligation as security therefor; and they are further authorized and empowered to execute any and all instruments in writing required by said City in connection with the execution of said bond and the deposit of such collateral as security therefor and to deliver same, together with as many duly executed counterparts thereof as may be required, to the order of said City in consummation and performance of the purposes herein authorized.

We, John J. Bridges, President, and Dale E. Bebee, Cashier, of the First National Bank in Grand Junction, do hereby certify that the foregoing is a true and correct copy of a certain Resolution duly adopted by the Board of Directors of said Bank at a meeting thereof held at Grand Junction, Colorado, on the 23rd day of February, 1940.

John J. Bridges
President

Dale E. Bebee
Cashier

BOND

KNOW ALL MEN BY THESE PRESENTS, That the First National Bank in Grand Junction, Colorado, a corporation duly organized and existing under and by virtue of the laws of the United States of America, having its office and principal place of business at the City of Grand Junction, in the State of Colorado, as obligor, is

held and firmly bound unto said City of Grand Junction, a municipal corporation, in the penal sum of Seventy Thousand Dollars (\$70,000.00) lawful money of the United States, for the payment of which, well and truly to be made, it binds itself, its successors and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the City has deposited in said Bank various funds of said City in the following designated accounts:

City of Grand Junction, General Account
City of Grand Junction, Sewage Construction Fund
City of Grand Junction, Water Filtration Fund
City of Grand Junction, Firemens Pension Fund
(Savings Account)
City of Grand Junction, Perpetual Care Fund, Orchard Mesa Cemetery
(Savings Account)

which said deposits will be subject to withdrawal and the further deposit of funds therein as may be provided by said City, and will be deposited under the condition that said Bank shall furnish satisfactory security to guarantee the safety of such deposits and the day to day balances therein; and

WHEREAS, John J. Bridges, President, and Dale E. Bebee, Cashier, of said Bank, were duly authorized and empowered to enter into this obligation by a certain resolution of the Board of Directors of said Bank, adopted the 23rd day of February, 1940;

NOW THEREFORE, If the above bounden, the First National Bank in Grand Junction, shall well and truly account for all such deposits of the aforesaid funds and all additional deposits made in said accounts, and shall hold said City of Grand Junction and the officers thereof, including the City Treasurer of said City and his successors in office, harmless from all loss by reason of such deposits, and shall well and truly pay over the same to the person or persons entitled thereto on demand by check of said depositor, then the foregoing obligation shall be void, otherwise it shall remain in full force and effect.

The above bounden obligor, in order to more fully secure said City of Grand Junction in the payment of the aforesaid sum, hereby pledges as security therefor certain bonds of the United States of America in the aggregate principal sum of \$70,000.00, as more particularly described in a schedule thereof which is hereto attached and made a part hereof.

Contemporaneously herewith the undersigned has also executed and delivered a power of attorney and agreement in favor of said City of Grand Junction, also attached hereto and made a part hereof, authorizing and empowering the City Treasurer of said City to collect or to sell, assign and transfer said bonds, or any part thereof, in case of any default in the performance of any of the

above stated conditions or stipulations.

IN WITNESS WHEREOF, This bond has been signed and sealed by the above named obligor this 23rd day of February, 1940.

FIRST NATIONAL BANK IN GRAND JUNCTION

By John J. Bridges
President

ATTEST:

Dale E. Bebee
Cashier

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the First National Bank in Grand Junction, Colorado, a corporation duly organized under the laws of the United States of America and having its principal office in the City of Grand Junction, State of Colorado, in pursuance of a resolution of the Board of Directors of said Bank, adopted the 23rd day of February, 1940, does hereby constitute and appoint the City Treasurer of the City of Grand Junction, Colorado, and his successor in office, as Attorney for said corporation, for and in its name, to collect, or to sell, assign and transfer, certain United States Bonds, described as follows:

\$10,000.00 par value Home Owners' Loan Corporation Series A
3% Bonds, due 5/1/44-52

\$15,000.00 par value U. S. Treasury
2 1/2% Bonds, due 9/15/50-52

\$15,000.00 par value Home Owners' Loan Corporation Series G 2
1/4% Bonds, due 7/1/42-44

\$30,000.00 par value U. S. Treasury 2 1/2% bonds, due 1948.

such bonds having been deposited and pledged by it as security for the faithful performance by it of any and all the conditions and stipulations of a certain depository bond obligation entered into by it with said City on the 23rd day of February, 1940, which said bond is hereby made a part hereof, and the undersigned agrees that in case of any default in the performance of any of the conditions and stipulations of such undertaking its said attorney shall have full power to collect said bonds or to sell, assign and transfer the same or any part thereof without notice, at public or private sale, free from any equity of redemption and without appraisalment of valuation, notice of right to redeem being waived, and to apply the proceeds of such sale or collection, in whole or in part, to the satisfaction of any damages and/or deficiencies arising by reason of such default, as its attorney may deem best; and said corporation, for itself,

its successors and assigns, hereby ratifies and confirms whatever its said attorney shall do by virtue of these presents.

IN WITNESS WHEREOF, The First National Bank in Grand Junction by John J. Bridges, its President, and Dale E. Bebee, its Cashier, duly authorized to act in the premises, have executed this instrument, and caused the seal of the said corporation to be hereto affixed, this 23rd day of February, 1940.

FIRST NATIONAL BANK IN GRAND JUNCTION

BY John J. Bridges
President

Attest:

Dale E. Bebee
Cashier

STATE OF COLORADO)
: ss
COUNTY OF MESA)

Before me, the undersigned Notary Public within and for the County of Mesa, in the State of Colorado, personally appeared John J. Bridges, President, and Dale E. Bebee, Cashier of the First National Bank in Grand Junction, a Banking Corporation, and for and in behalf of said bank, duly acknowledged the execution of the foregoing power of attorney.

Witness my hand and seal this 23rd day of February, 1940.

My commission expires November 20, 1943.

SEAL Dorothy M. Ottman, Notary Public

RECEIPT

The undersigned, as City Treasurer of the City of Grand Junction, Colorado, hereby acknowledges that he has received from the First National Bank in Grand Junction, Colorado, Joint Custody Receipts as follows:

Receipt No. JD 914:
Covering ten 3% Home Owner's Loan Corporation
\$1,000.00 Bonds, Series A, due 5/1/44/-52 -
Par Value, \$10,000.00

Receipt No. J 10404:
Covering five \$1,000.00 and one \$10,000.00
2 1/2% U. S. Treasury Bonds, due 9/15/50-52 -
Par Value, \$15,000.00

Receipt No. J 913;

Covering one \$5,000.00 and one \$10,000.00
2 1/4% Home Owner's Loan Corporation Bonds, Series G,
due 7/1/42-44,
Par Value \$15,000.00

Receipt No. JD 938:
Covering three \$10,000.00 2 1/2% U. S. Treasury Bonds,
due 1948
Par Value \$30,000.00

which said bonds have been deposited with the Federal Reserve Bank of Kansas City by the First National Bank in Grand Junction, Colorado, for the account of the City of Grand Junction, Colorado, as security for the performance of the terms and conditions of a bond and obligation entered into between the said First National Bank in Grand Junction and the City of Grand Junction, Colorado, with respect to the deposit of money of the said City of Grand Junction, Colorado, in the First National Bank in Grand Junction, Colorado, according to the Resolution of the Board of Directors of the First National Bank in Grand Junction, dated February 23rd, 1940.

In Witness Whereof, I have hereunto set my hand this 1st day of March, 1940.

Francis I. Stringer
City Treasurer of Grand Junction, Colorado

It Is Therefore Hereby Resolved by the City Council of the City of Grand Junction that the City Treasurer be and is hereby authorized, directed and ordered to deposit funds of said City in the several accounts or funds above designated up to the sum of \$70,000.00, exclusive of the amount covered and guaranteed by the Federal Deposit Insurance Corp., in First National Bank in Grand Junction under and pursuant to the aforesaid plan and agreements, temporarily until the further order of the City Council thereto; and that in the event that the City Treasurer has funds for and on deposit at any time in excess of the sum of \$75,000.00, he is directed and ordered to report such situation to the City Council for further instructions and orders relative to excess deposits.

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.

It was moved by Councilman Campbell and seconded by Councilman Ross that the City Treasurer be authorized to cancel and return power of attorney, bond and joint custody receipts formerly pledged to protect City deposits, upon delivery to him of \$70,000.00 in joint custody receipts as provided in foregoing power of attorney. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Applications for water connections outside the City limits were made by Frank Jaros and Biggs-Kurtz Co. Mr. Jaros applied for a 3-inch tap at 12th and Orchard Ave. for a private line running east on Orchard Ave. He agreed to guarantee a minimum water rental of \$20.00 for such service. Biggs-Kurtz Investment Co. desire a 1 1/2 inch tap at Eighth and Orchard and a 1 1/2-inch tap at Ninth and Orchard. They agree to guarantee a minimum of \$40.00 per month for such service. It will be necessary for the City to construct a water main from Elm Avenue to Orchard Avenue on Twelfth St and from 12th Street to Seventh Street on Orchard Ave. The estimate for the cost of this extension is \$4,807.74.

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

The Western Slope Radio Club, through their convention secretary, H. E. Clark, requested the free use of the Lincoln Park Auditorium on July 6 and 7, 1940, during the convention of the Rocky Mountain Division of The American Radio Relay League. It was moved by Councilman Carson and seconded by Councilman Treece that the request be granted subject to the rules and regulations for the use of the auditorium.

The City has been awarded the bid of furnishing approximately 3,500 square feet of warehouse space to W.P.A. at a monthly rental of \$50.00. This is approximately one third of the space in Warehouse No. 3. Mr. Brownson reported that he had signed a lease on this basis, and asked the Council to ratify his action in so doing. It was moved by Councilman Campbell and seconded by Councilman Carson that Mr. Brownson's action in signing the lease with the W.P.A. be ratified. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

L. W. Anderegg requested permission to install an outdoor telephone at 11th and Grand instead of 12th and Gunnison. It was moved by Councilman Garrison and seconded by Councilman Campbell that the revocable permit granted to L. W. Anderegg for the installation of outdoor telephones be amended and that Mr. Anderegg be allowed to install a telephone at 11th and Grand instead of 12th and Gunnison. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The Hotel deHamburger applied for the renewal of their beer license. It was moved by Councilman Campbell and seconded by Councilman Garrison that the request be granted. Motion carried.

A petition calling for the construction of curb and gutter on North Avenue between First and Eighth Streets is being circulated at this time. The plan being to assess the cost of the curb and

gutter to the abutting property, and to pave the strip on each side of the existing paving with 3% gas tax money. As the North side of North Avenue is practically all a business district, consideration was given as to the width of North Avenue, between First and Seventh. It was moved, seconded, and carried that the street be widened as much as possible.

Some matters pertaining to zoning, etc. were brought up and discussed.

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

/s/ Helen C. Tomlinson
City Clerk