

Grand Junction, Colorado

May 1, 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. Ross, Garrison, Campbell, Luebbert, Carson, Treece, and President Boston. City Manager Brownson, City Attorney Hinman, and City Clerk Tomlinson were present.

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

Mr. Boston, President of the Council, presented his resignation as President of the Council, pursuant to the general understanding that the term of office of President is limited to one year instead of the 3-year term as provided by the charter. It was moved by Councilman Carson and seconded by Councilman Campbell that the resignation of Mr. Boston be accepted. Motion carried.

Councilman Carson then nominated C. E. Ross as President of the Council. Councilman Luebbert seconded the nomination.

It was then moved by Councilman Garrison and seconded by Councilman Carson that the nominations be closed and that Mr. Ross be unanimously elected to the office of President of the Council for the ensuing year. Motion carried.

Councilman Ross was then sworn into office as President of the Council and presided during the balance of the meeting.

Messrs. DeMerschman, Brunner, and Beyrer appeared on behalf of the Elk's Lodge. They stated that the Elks were having a National Safety Week and requested that the City have an officer stationed on Main Street, especially on Saturdays, between Fourth and Sixth Streets, to help direct traffic, and to assist in educating the motorists on the rules and regulations now in effect on Main Street. They also brought up the traffic situation in front of the Mesa College on North Avenue.

It was moved by Councilman Campbell and seconded by Councilman Carson that the City Manager be instructed to have a policeman stationed at 5th and Main at times to watch left turns and help direct traffic. Motion carried.

This was the date set for remonstrances to Paving District No. 46. A petition signed by 19.5% of the frontage on Main Street between Second and Seventh Streets was presented, remonstrating against the resurfacing of the street. The petition was ordered filed.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING PAVING DISTRICT NO. 46 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE IMPROVEMENT OF STREETS, AVENUES, AND ALLEYS IN THE CITY OF GRAND JUNCTION THEREIN, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 20th day of March, A. D. 1940, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Paving District No. 46 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, a remonstrance, signed by 19.5% of the owners of the frontage of property on Main Street between Second and Seventh Streets was filed; but, as a greater majority of the property owners along said street signed the petition in favor of the improvements, the City Council decided that said improvements should be included within this paving district; and no further 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 Paving District No. 46 be and the same is hereby created and established, and that the paving and other improvements 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 except as hereinbefore set forth; 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.

3. That the streets, avenues and alleys to be paved and improved, the boundaries of said Paving District, the amounts to be assessed, 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 Resolution adopted for said district on the 20th day of March, 1940, and in accordance with the published Notice of Intention to create said district. That the following streets therein be improved by constructing a thirty-six foot pavement with a four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, together with suitable Portland cement concrete curb and gutter, to-wit:

North Sixth Street from the north line of North Avenue to the south bank of the Mesa County Ditch.

South Third Street from South Avenue to Pitkin Avenue.

and that the following alleys therein be improved by excavating and constructing a sixteen-foot pavement with a four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, to-wit:

The east and west alley between Ninth and Tenth Streets and Belford and North Avenue.

The east and west alley between Third and Fourth Streets and Teller and Belford Avenues.

The east and west alley between Sixth and Seventh Streets and Teller and Belford Avenues.

The east and west alley between Eleventh and Twelfth Streets and Teller and Belford Avenues.

The east and west alley between Third and Fourth Streets and Hill and Teller Avenues.

The east and west alley between First and Second Streets and Ouray and Chipeta Avenues.

The east and west alley between Fourth and Fifth Streets and White and Grand Avenues.

The east and west alley between Eighth and Ninth Streets and Colorado and Ute Avenues.

The east and west alley between Second and Third Streets and South and Pitkin Avenues.

and that the north and south alley between Seventh and Eighth Streets and Gunnison and Hill Avenues be improved by excavating and constructing a fifteen-foot pavement with a four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, to-wit:

and that a Portland cement concrete curb and gutter be constructed on North Avenue from the east line of First Street to

the west line of Eighth Street;

and that Main Street from the east line of Second Street to the west line of Seventh Street be improved by laying a one-inch Rock Asphalt surface over the existing pavement which shall first have been built up to the proper sub-surface grade with oil-processed gravel.

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 (excluding the amount to be paid by the City of Grand Junction for the paving of intersections) said City shall issue Public Improvement Bonds of said paving district dated the 1st day of May, A. D. 1940, in the denomination of \$500.00 each, numbered 1 to 39 inclusive, due and payable on the 1st day of May, A. D. 1952, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of 4 1/2 per centum per annum, payable semi-annually on the 1st day of May and the first day of November of each year, as evidenced by coupons 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, the coupons to be attached thereto, and 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

PAVING DISTRICT NO. 46

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 first day of May, 1952, subject to call and payment, however, at any

time prior thereto, with interest thereon from date until payment at the rate of six per centum per annum, payable semi-annually on the first day of May and the first day of November 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 the cost of local improvements in Paving District No. 46, 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 Paving District No. 46, 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 of 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 Paving District No. 46 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 May, A. D. 1940.

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 Paving District No. 46, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated May 1, A. D. 1940.

/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 _____ day of _____ A. D. 1940.

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 Work Projects 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. 78, as amended.

ADOPTED AND APPROVED this _____ day of May, A. D. 1940.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Garrison and seconded by Councilman Luebbert 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.

It was moved by Councilman Carson and seconded by Councilman Luebbert that the bonds for Paving District No. 46 in the amount of \$19,500.00 be sold at 4 1/2%, in accordance with the verbal offer which Mr. Brownson presented. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The Proof of Publication to the proposed ordinance entitled, "AN ORDINANCE CHANGING THE WIDTH OF THE ROADWAY ON NORTH AVENUE BETWEEN FIRST STREET AND TWELFTH STREET", was presented and read. It was moved by Councilman Carson and seconded by Councilman Garrison that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Campbell and seconded by Councilman Boston that the ordinance be called up for final passage.

Mr. Wubben, President of Mesa College wrote a letter protesting on behalf of the College Committee, the widening of North Avenue in front of their new building. City Manager Brownson read Mr. Wubben's letter to the Council.

The proposed ordinance was then read.

It was moved by Councilman Carson and seconded by Councilman Treece that the ordinance entitled, "AN ORDINANCE CHANGING THE WIDTH OF THE ROADWAY ON NORTH AVENUE BETWEEN FIRST STREET AND TWELFTH STREET", be passed and adopted numbered 626 and published.

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

Mr. Burns appeared before the Council and requested that he be allowed to construct a 2-inch water tap on the water main on Orchard Mesa. It was moved by Councilman Carson and seconded by Councilman Campbell that the request of Mr. Burns be granted after the matter has been checked and approved by the City Manager. Motion carried.

Mr. Ollin Wineland wrote a letter requesting permission to connect a proposed business building on North Twelfth Street, opposite the Mesa College to a private sewer which now serves a portion of that area. It was moved by Councilman Carson and seconded by Councilman Luebbert that the request be denied. Motion carried.

A. N. Anderson requested permission to construct three sets of steps for his property at Spruce and Main, which is now under construction, These steps would be on public property between the sidewalk line and the property line. They will have a ten-inch riser at the sidewalk line. It was moved by Councilman Carson and seconded by Councilman Garrison that the request be granted. Motion carried.

City Manager Brownson reported that during the recent shortage of domestic water at Fruita, the Town of Fruita, through Mr. Elmer Smith, requested permission to haul water from Grand Junction in order to meet this emergency. They hauled 120 tanks. It was moved by Councilman Campbell and seconded by Councilman Treece that the City of Grand Junction grant a rebate to the Town of Fruita for tank water supplied to them in their emergency. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The High School Band Mothers organization has again requested that they be given an amount equal to 3-days' license fees for the Monte Young rides, during the National Band Tournament to be held in Grand Junction May 8, 9, 10, 11, to help defray the expenses of the tournament.

It was moved by Councilman Carson and seconded by Councilman Luebbert that an amount equivalent to three-day's license fees for the Monte Young rides be turned over to the Band Mothers from the Miscellaneous funds of the City. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Several matters were brought up and discussed, among them being the water and sewer lines for Slocomb's Addition, and the water filtration plant.

Councilman Carson and City Manager Brownson reported on their trip to Kansas City to attend the American Water Works Association

Convention. They stated that it had been a worth while trip, and that they appreciated the opportunity of attending.

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

/s/ Helen C. Tomlinson
City Clerk