

January 15, 1947

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Councilman present and answering at roll call were: Treece, Hoisington, Boston, Day, Harris and President Carson. Also present were City Manager Fritz, City Clerk Tomlinson, & City Attorney Banks. Carl Bennett, Chief of the Department of Public Works and Planning was absent. The minutes of the regular meeting held January 8, 1947 were read and approved.

Mr. E. H. Carter of R. J. Tipton & Associates was present and reported that bids for Schedule No. 5, construction of the distribution system in the water improvement program, were opened on Tuesday morning at 10:00 o'clock. A low bid of \$145,204.50 was submitted by J. B. Claybaugh and Peter Seerie. It was moved by Councilman Harris and seconded by Councilman Boston that the bid of J. B. Claybaugh and Peter Seerie be accepted. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The matter of Claybaugh and Seerie letting subcontracts on total units on any contract was brought up and discussed. It was moved by Councilman Day and seconded by Councilman Treece that Claybaugh and Seerie be given permission to subcontract any portion of any schedule or total unit of any contract to another contractor who is responsible and would construct the work in accordance with specifications. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

A proposal of R. J. Tipton & Associates to supply the services of E. H. Carter as a resident engineer for the duration of the water improvement work was discussed. Their offer was to the effect that the City would pay at the rate of \$750.00 per month for this service. This is to be \$500.00 for salary, \$150.00 for living expenses and \$100.00 for office overhead. It was moved by Councilman Harris and seconded by Councilman Treece that the contract with R. J. Tipton & Associates be amended to include a resident engineer's service in the person of Mr. Carter at a fee of \$750.00 per month for the construction of the water works improvement program. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

At this time Councilman Boston was excused from the meeting.

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 9
WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION,
COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER

THEREIN, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 6th day of November, A. D. 1946, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 9 within the 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, no protests or remonstrances have been made concerning the proposed improvements by any interested person;

WHEREAS, the sanitary sewers requested in the petitions filed therefor are substantially the same and the said improvements may be included in one District:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Junction:

1. That the said Sanitary Sewer District No. 9 be and the same is hereby created and established, and that the construction of the sanitary sewers is 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 remonstrance, protest or objection was 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.

3. That the boundaries of said Sanitary Sewer 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 6th day of November, A. D. 1946, and 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 Sanitary Sewer District No. 9, dated the 1st day of February, A. D. 1947, in the denomination of \$500.00 each, numbered 1 to 54 inclusive, due and payable on the 1st day of February, A. D. 1957, subject to call and payment, however, at any time prior to the maturity of

said bonds, to bear interest at the rate of five per centum per annum, payable semi-annually on the first day of February and the first day of August 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 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 the registration certificate 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
SANITARY SEWER DISTRICT NO. 9

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 February, 1957, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of five per centum per annum, payable semi-annually on the first day of February and the first day of August 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 Sanitary Sewer District No. 9, 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 levied upon real estate situate in the City of Grand

Junction, in said Sanitary Sewer District No. 9, 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 said Sanitary Sewer District No. 9 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 facsimile signature of the City Treasurer, this 1st day of February, A. D. 1947.

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 Sanitary Sewer District No. 9, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated February 1, A. D. 1947.

(Facsimile 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. 1947.

City Treasurer

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.

ADOPTED AND APPROVED this 15th day of January, A. D. 1947.

President of the Council

(SEAL)

ATTEST:

City Clerk

It was moved by Councilman Treece and seconded by Councilman Day that the Resolution Creating Sanitary Sewer District No. 9 as read be passed and adopted. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Further consideration to the changing of voting districts was had and the matter tabled until a later meeting.

Several petitions for sanitary sewers in the recently annexed areas were presented. It was moved and seconded that these petitions be placed on file.

It was moved by Councilman Harris and seconded by Councilman Hoisington that the City Manager be instructed to go ahead and compile plans, specifications, etc. for a new sewer district. Motion carried.

Plats on the following subdivisions were presented:

A. Borschell, Porter and Kane Subdivision in the Northeast Addition.

B. Lots 1 to 4, Block 8, Slocomb's Addition (reverse frontage requiring easement strip).

C. Northwest corner of First and Rood which is the east 70 feet of the south one-half of Block 3, Mobley's Subdivision.

D. East Main Street Subdivision.

E. Mesa College Campus.

It was moved by Councilman Hoisington and seconded by Councilman Harris that a date of hearing be set for February 5 when all of these plats will be considered and that due notice be given to property owners. Motion carried.

The LaCourt Hotel made application for a dance license to enable them to dine, dance, and serve liquor in the Green Room. It was moved by Councilman Harris and seconded by Councilman Hoisington that the request of the LaCourt Hotel be granted. Motion carried.

Mr. J. W. Roessler made a request for an adjustment on his water bill for 757 Hill Avenue. It appeared that during the quarter ending September 30 he used \$36.52 more water than was usual, and he requested an adjustment on this bill. It was moved by Councilman Treece and seconded by Councilman Harris that the water bill of Mr. Roessler be settled for 50 per cent of the overage. Motion carried.

An increase in golf dues was considered and held over until after the regular meeting of the Golf Association in February.

Councilman Day stated that the Lions Club desired permission to put up a banner across Main Street at Fifth Street advertising the Passion Play which would be in Grand Junction January 27-30. It was moved by Councilman Day and seconded by Councilman Hoisington that permission be granted to the Lions Club to put up such a banner. Motion carried.

The Council directed Mr. Fritz, City Manager, to proceed at once to purchase and install proposed traffic lights.

Construction of houses made from adobe brick was discussed, but no action taken. It is to be further investigated by City Manager Fritz.

The matter of improvement of a hard ball diamond was also considered, and it was moved by Councilman Hoisington and seconded by Councilman Day that the City Manager be instructed to proceed to provide some means of seating facilities for hard ball

spectators. Motion carried.

A letter of application from Richard E. Kirk and Raymond A. Hawk, who have purchased the Valley Employment Service from Jim Kyle, for an employment service license was presented. It was moved by Councilman Harris and seconded by Councilman Hoisington that the request be granted. Motion carried.

It was regularly moved, seconded and carried that the meeting adjourn until January 16, 1947.

/s/Helen C. Tomlinson
City Clerk