

Grand Junction, Colorado

October 1st, 1947

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: Harper, Hoisington, Bagby, Colescott, Martin, Harris and President Carson. Also present were City Manager Fritz, City Attorney Banks and City Clerk Tomlinson.

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

The Proof of Publication to the proposed ordinance entitled, "An Ordinance Providing for Zoning the City of Grand Junction, Colorado; Regulating and Restricting the Height and Sizes of Buildings and other Structures, the Percentage of Lot that may be Occupied, the Size of Yards, Courts and Other Open Spaces, the Density of Population, and the Location and Uses of Buildings, Structures, and Land for Trade, Industry, Residence, and Other Purposes; and Providing for the Appointment of a Board of Adjustment", was introduced and read. It was moved by Councilman Bagby and seconded by Councilman Harper that the Proof of Publication be accepted and filed. Motion carried.

A petition was filed requesting that Lots 1 to 10, Block 50 be left in Residence "B" District instead of being changed to Residence "C" District. It was moved by Councilman Hoisington and seconded by Councilman Bagby that Lots 1 to 10, Block 50 and Lots 22 to 31, Block 39 be left in Residence "B" District. Motion carried.

It was moved by Councilman Bagby and seconded by Councilman Martin that Section 8 (d) 1 be amended so that as amended it read as follows:

Section 8. AREA REGULATIONS

(d) SIDE YARDS IN RESIDENCE DISTRICTS. In Residence Districts there shall be a side yard on each side of a building along each lot line other than a street, alley or rear line as follows:

1. In a Residence "A" or Residence "B" District the width of each side yard for any building other than a dwelling shall be not less than one-sixth of the height of such building. For a single-family dwelling the width of each side yard shall be not less than three feet and the sum of the widths of the two side yards shall be not less than 20 per cent of the width of the lot for any lot under fifty feet in width, nor less than ten feet for any lot fifty feet or more in width. In a Residence "B" District the width of each side yard for a two-family dwelling shall be not less than five feet. For a multiple dwelling, the width of each side yard shall be not less than three feet multiplied by the number of family units.

Motion carried.

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

The ordinance was then read as amended and upon motion of Councilman Harper and seconded by Councilman Harris was passed, adopted, numbered 755 and ordered published. 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 Approving the Whole Cost of the Improvements Made in and for Sanitary Sewer District No. 9 in The City of Grand Junction, Colorado, pursuant to Ordinance No. 78, 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 Prescribing the Manner for the Collection and Payment of Said Assessments", was introduced and read. It was moved by Councilman Hoisington and seconded by Councilman Harris that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Harper and seconded by Councilman Bagby that the proposed ordinance be called up for final passage. Motion carried.

The ordinance was then read and it was moved by Councilman Harper and seconded by Councilman Martin that the ordinance be passed and adopted, numbered 756 and published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The City Clerk reported that no protests had been filed for Sanitary Sewer District No. 10. A request was made that the South 134.5 feet of the west one-half of Lot 11 of Grand View Subdivision, be included in the district.

It was moved by Councilman Bagby and seconded by Councilman Colescott that the following resolution be passed and adopted as read:

RESOLUTION

WHEREAS the owners of the following-described property have petitioned the City Council of the City of Grand Junction to include the South 134.5 feet of the West one-half of Lot 11 of Grand View Subdivision, within Sanitary Sewer District No. 10, and have waived all notice in respect to the inclusion of the said property within said district; and

WHEREAS the City Engineer has approved the inclusion of the above-described property and recommends that it be included within the district:

AND WHEREAS the said Council does find that the said recommended changes in the district is not substantial and does not increase the proportionate cost to be assessed against the property in said district;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction that said Sanitary Sewer District No. 10 shall be and the same is hereby amended so and to include the property hereinabove first described.

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

The following resolution was presented and read.

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 10 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 20th day of August, A. D. 1947, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 10 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, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Sanitary Sewer District No. 10 be and the same is hereby created and established, and that the construction of the sewer therein be and the same is hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the construction of the said Sanitary Sewer shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or

otherwise, and by purchasing all necessary material, supplies and equipment;

3. That the improvements in said District were duly ordered, after Notice duly given; 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;

4. That the description of the sewer to be constructed, the boundaries of said Sanitary Sewer District, the amounts to be assessed, the number of installments and 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 20th day of August, A. D. 1947, as amended, and in accordance with the published notice of intention to create said District;

5. That for the purpose of paying the cost and expenses of constructing said improvements in said District, including engineering, inspection, and other incidental expenses, the City shall issue Public Improvement Bonds of said Sanitary Sewer District No. 10, dated the 1st day of October, 1947, in the denomination of \$1,000.00 each, numbered 1 to 100 inclusive, due and payable on the 1st day of October, 1958, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of three per centum per annum, payable semi-annually on the first day of April and the first day of October 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.

6. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sanitary Sewer District No. 10, especially benefited by said improvement, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds.

7. 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. 10

No.

\$1,000.00

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

ONE THOUSAND DOLLARS

lawful money of the United States of America, on the first day of October, 1958, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of three per centum per annum, payable semi-annually on the first day of April and the first day of October 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. 10, 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 Sanitary Sewer District No. 10, especially benefited by said improvement, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest, shall be 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.

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. 10 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 October, A. D. 1947.

/s/

\_\_\_\_\_  
President of the City Council.

ATTEST:

/s/

\_\_\_\_\_  
City Clerk

(FORM OF COUPON)

No. \_\_\_\_\_

\$15.00

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_\_, The City of Grand Junction will pay the bearer Fifteen 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. 10, provided the bond to which this coupon is attached shall not have been paid.

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

/s/(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.

/s/

\_\_\_\_\_  
City Treasurer

8. 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 1st day of October, A. D. 1947.

/s/

\_\_\_\_\_  
President of the Council.

(SEAL)

ATTEST:

/s/

\_\_\_\_\_  
City Clerk

It was moved by Councilman Bagby and seconded by Councilman Colescott 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 Hoisington and seconded by Councilman Bagby that bids for the construction of Sanitary Sewer District No. 10 be advertised and received at 11 o'clock A. M. on October 15th, 1947. Motion carried.

It was moved by Councilman Harper and seconded by Councilman Colescott that the City Manager be authorized to advertise for bids for \$100,000 Sanitary Sewer District No. 10 bonds to be opened on October 15th at 7:30 o'clock P. M. Motion carried.

Several property owners were present in regard to Sidewalk District No. 12. From Slocomb's Addition they requested that sidewalks be placed on the curbs. After considerable discussion it was decided to check further on this matter and decide at the next meeting of the Council.

The following resolution was presented and read: No protests having been made to the creation of the district.

RESOLUTION

CREATING AND ESTABLISHING SIDEWALK DISTRICT NO. 12 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SIDEWALKS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 20th day of August, A. D. 1947, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sidewalk District No. 12 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, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Sidewalk District No. 12 be and the same is hereby created and established, and that the construction of the sidewalks therein be and the same is hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the construction of the said sidewalks shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment;

3. That the improvements in said District were duly ordered, after Notice duly given; 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;

4. That the description of the sidewalks to be constructed, the boundaries of said Sidewalk District, the amounts to be assessed, the number of installments and 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 20th day of August, A. D. 1947, and in accordance with the published notice of intention to create said District;

5. That for the purpose of paying the cost, and expenses of



constructing said improvements in said District, including engineering, inspection, and other incidental expenses, the City shall issue Public Improvement Bonds of said Sidewalk District No. 12, dated the 1st day of October, 1947, in the denomination of \$1,000.00 each, numbered 1 to 20 inclusive, due and payable on the 1st day of October, 1958, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of three per centum per annum, payable semi-annually on the first day of April and the first day of October 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.

6. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sidewalk District No. 12, especially benefited by said improvement, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds.

7. 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  
SIDEWALK DISTRICT NO. 12

No.

\$1,000.00

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

ONE THOUSAND DOLLARS

lawful money of the United States of America, on the first day of October, 1958, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of three per centum per annum, payable semi-annually on the first day of April and the first day of October 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 Sidewalk District No. 12, 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 Sidewalk District No. 12, especially benefited by said improvement, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest, shall be 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.

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 Sidewalk District No. 12 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 October, A. D. 1947.

/s/

\_\_\_\_\_  
President of the City Council

ATTEST:

/s/

\_\_\_\_\_  
City Clerk

(FORM OF COUPON)

No. \_\_\_\_\_

\$15.00

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 194\_\_\_\_\_, The City of Grand Junction will pay the bearer Fifteen 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 Sidewalk District No. 12, provided the bond to which this coupon is attached shall not have been paid.

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

/s/(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.

/s/

\_\_\_\_\_  
City Treasurer

8. 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 1st day of October, A. D. 1947.

/s/

\_\_\_\_\_  
President of the Council

(SEAL)

ATTEST:

/s/

                      
City Clerk

It was moved by Councilman Harris and seconded by Councilman Martin 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 Harper and seconded by Councilman Hoisington that bids be accepted for the construction of Sidewalk District No. 12 to be opened at 10 o'clock A. M. on October 15th, 1947. Motion carried.

It was moved by Councilman Bagby and seconded by Councilman Colescott that the City Manager be authorized to advertise for bids on \$20,000 Sidewalk District No. 12 bonds, to be opened at 7:30 o'clock P. M. Wednesday, October 15th. Motion carried.

Mr. E. H. Carter, Resident Engineer for R. J. Tipton & Associates made a report on the progress which has been made on the construction of Hog Chute Reservoir and told the Council that labor trouble and lack of co-operation of the business establishments selling materials were making the costs higher than had been anticipated.

The following entitled emergency ordinance was introduced and read: "An Ordinance Amending Ordinance No. 742 Concerning Parking Meters." It was moved by Councilman Hoisington and seconded by Councilman Harper that the ordinance be passed and adopted as an emergency ordinance, numbered 753 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

City Manager Fritz reported that Glen A. Smith is in town, preparing to make his on-the-spot survey of the watershed. The Forest Service field data will be ready for this study on October 6th, according to present schedules.

Several conferences have been held with United Air Lines on the use of facilities in Walker Field. A proposal was received from Leigh Fisher, an airport economic consultant who would make a study of all terminal facilities, including anticipated revenue, etc. This survey would cost around \$4600. It was decided to not hire Mr. Fisher to make this study.

The American Legion, through Mr. R. Susman reported on the recent carnival held in the City and requested that the Council remit all license fees excepting \$160.00 which would be a flat \$2.50 per day for the sixteen rides and concessions. It was moved by Councilman Hoisington and seconded by Councilman Harper that the City accept \$160.00 for license fees for the carnival. Roll

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

Mrs. W. S. Kinnaman, acting for Mr. Cecil J. Callinan, has requested consideration of an adjustment of an excessive water bill for the property located at 1121 South Fifth Street. An adjustment of an earlier bill which was excessive due to a break in the service line was made by the Council on April 6, 1947 in the amount of \$22.58. Failure of the plumbing in the service line in this property was purported to be the cause of the waste of water. It was decided to defer action on this matter until the next meeting of the Council so that the City Manager could determine whether or not this plumbing failure had been corrected.

A 3.2 beer license application for Teresa and James Pantuso at 727 Noland Ave. was presented, having been advertised in accordance with State law. It was moved by Councilman Martin and seconded by Councilman Hoisington that the license be granted. Motion carried.

Miss Higgins requested that the President of the Council be authorized to sign a proclamation for Business and Professional Women's week October 5th to 12th. President Carson was authorized to sign such proclamation.

A note of thanks from the Civil Air Patrol was read, for the cooperation given during the recent air show.

Iseminger Machine Shop requested permission to put footers for their building 25 inches into the alley. It was moved by Councilman Harper and seconded by Councilman Colescott that the request be granted. Motion carried.

City Manager Fritz reported that it would be necessary to make the levy for next year by October 15th and outlined the financial situation of the City at this time.

It was moved by Councilman Bagby and seconded by Councilman Harper that the meeting adjourn until Wednesday, October 8th, at 7:30 o'clock P. M. to consider the 1948 budget. Motion carried.

/s/Helen C. Tomlinson  
City Clerk