

Grand Junction, Colorado

February 25, 1948

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: Harper, Hoisington, Bagby, Colescott, Martin, Harris and President Carson. Also present were City Manager Moore, City Clerk Tomlinson, and City Engineer, Bennett. John Banks, City Attorney was absent.

The Forest Service had requested that they be allowed to appear before the Council and present their data which had been collected during the past year concerning the Kannah Creek Watershed. Mr. D. E. Loback, Stenographer, was present and took the reports in shorthand, which report is in the files of the City Clerk. Forest officials present were Messrs.: Kirby, Stewart, Anderson, Roetzer, Thornock, and Henderson. State Game and Fish Department officials were Messrs. Brown, Kennell, and Ray Peck. Members of the Trades and Labor Assembly and Cattle men from Kannah Creek were also present. The report was made by reference to maps which had been prepared by the Forest Service. Mr. Roetzer explained 10 of the maps and spoke on soils, erosion, ditches, gullies and slope. Mr. Anderson spoke on the relationship between soils and vegetation and the trend in the change of vegetation on the water shed and stated that they were of the opinion that approximately 2170 cow months was the maximum which could be supported on the Kannah Creek watershed. (This is approximately 930 head of cattle). Mr. Brown of the State Game and Fish Department told of the number of deer, and stated that the Department were trying to decrease the number wintering on the slopes of Grand Mesa. Mr. Kirby summarized the report, and Mr. Carson appointed the Water Committee (Councilmen Harris, Martin and Carson) and City Manager Moore to attend the meeting to be held Thursday morning in the Federal Court Room, at which time the report of the Forest Service will be given to the cattle men and others who may be interested.

A group from Wilcox-Bigby Subdivision appeared before the Council and requested that their streets be fixed so that they could get to their homes. It was explained to them that Mr. Houdashelt who resides at 23rd and Elm Street would not dedicate sufficient land for 23rd street to be laid out, and that the City could not do anything until this matter was straightened out. City Manager Moore promised to send a grader to this locality to grade the streets as soon as the mud has dried up enough so that the grader can operate.

It was moved by Councilman Harper and seconded by Councilman Harris that the City Manager and City Attorney be authorized to condemn land belonging to Mr. Houdasheld so that streets and sewers may be constructed. Motion carried.

It was moved by Councilman Bagby and seconded by Councilman

Hoisington that sidewalks in Slocombs' Addition be placed 3 1/2 feet from the face of the curb, except on 15th Street from Grand Avenue to Ouray Avenue, where, because of the narrow right-of-way, the location must be two feet back of the face of the curb. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

It was reported by the City Clerk that no protests had been filed in connection with the construction of San. Sewer Dist. No. 11.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 11 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 7th day of January, A. D. 1948, 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. 11 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, 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 7th day of January, A. D. 1948, 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 Improvements Bonds of said Sanitary Sewer District No. 11, dated the 1st day of March, 1948, in the denomination of \$500.00 each, numbered 1 to 33 inclusive, due and payable on the 1st day of March, 1959, subject to call and payment, however, at any time prior to the maturity of said bonds, to be interest at the rate of four per centum per annum, payable semi-annually on the first day of March and the first day of September of each year, as evidenced by coupons to be attached to said bond 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. 11, 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. 11

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 March, 1959, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of four per centum per annum, payable semi-annually on the first day of March and the first day of September 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. 11, 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. 11, 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. 11 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 March, A. D. 1948.

President of the City Council

ATTEST:

City Clerk

(FORM OF COUPON)

No. _____

\$10.00

On the _____ day of _____, A. D. 19_____, The City of Grand Junction will pay the bearer Ten 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. 11, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated March 1, A. D. 1948.

(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. 1948.

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 _____ day of _____, A. D. 1948.

President of the Council

ATTEST:

City Clerk

(SEAL)

It was moved by Councilman Bagby and seconded by Councilman Hoisington 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.

The following resolution was presented and read:

RESOLUTION

RESOLUTION AMENDING THE RESOLUTION DATED OCTOBER 1, 1947, CREATING AND ESTABLISHING SIDEWALK DISTRICT NO. 12, IN GRAND JUNCTION, COLORADO, AS SAID RESOLUTION WAS AMENDED ON JANUARY 28, 1948.

WHEREAS, the Resolution adopted on October 1, 1947, creating and establishing Sidewalk District No. 12, in the City of Grand Junction, Colorado, provided that the Public Improvement Bonds to be issued in payment for the construction of the improvements in said District should be due and payable on October 1, 1958, subject to call prior to maturity, and should bear interest at the rate of 3% per annum, payable semi-annually on the first day of April and the first day of October of each year;

WHEREAS, the delay in the issuance of said bonds necessitated a change in the due date and the interest payment dates; and

WHEREAS, after public advertisement for bids for the purchase of said bonds, the lowest bid received by said City was the bid of Otis & Company of Denver, Colorado, for bonds bearing interest at the rate of 4% per annum; and

WHEREAS, the amending Resolution, adopted and approved January 28, 1948, provided that said bonds should be due and payable on the first day of February, 1959, subject to call, and should bear interest at the rate of 4% per annum, payable semi-annually on the first day of February and October of each year,

and that the form of bond set forth in said Resolution adopted and approved October 1, 1947, should be amended to provide for such changes; and

WHEREAS, said Otis and Company has requested that the interest on said bonds shall be evidenced by two sets of coupons to be attached thereto, which request has been granted by the City Council of said City:

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That said Resolution adopted and approved October 1, 1947, as amended by a Resolution adopted and approved January 28, 1948, be amended to provide that the bonds of Sidewalk District No. 12 of said City be dated February 1, 1948, shall be due and payable on February 1, 1959, subject to call and payment at any time prior to the maturity of said bonds, and shall bear interest at the rate of 4% per annum, payable semi-annually on the first days of February and August each year, such interest to be evidenced by two sets of coupons to be attached to said bonds one set numbered 1 to 22, inclusive, and the other set numbered A-1 to A-22, inclusive, such coupons to be at the rates and to be attached to bonds numbered as follows:

Bond Numbers	Interest Rates Coupons 1-22 Inclusive	Interest Rates Coupons A-1 - A-22, inclusive
1-2	2%	2%
3-8	2 1/2%	1 1/2%
9-14	2 3/4%	1 1/4%
15-20	3%	1%

BE IT FURTHER RESOLVED, that the first paragraph of the bond form set forth in said Resolution, dated October 1, 1947, be and the same is hereby amended to read as follows:

"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

IN LAWFUL money of the United States of America, on the first day of February, 1959, subject to call and payment, however, at

any time prior thereto, with interest thereon from date until payment as evidenced by interest coupons hereto attached, said interest being 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."

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict hereto are hereby repealed.

It was moved by Councilman Bagby and seconded by Councilman Harris 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.

An emergency ordinance entitled, "AN ORDINANCE AMENDING SECTION 8 OF ORDINANCE NO. 310 CONCERNING GREASE TRAPS", was introduced and read. It was moved by Councilman Harris and seconded by Councilman Bagby that the ordinance be passed and adopted as an emergency ordinance, numbered 764 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Hallam and Boggs request permission to place pile caps on the alley side of their lots 13- 24, Block 122 in connection with the construction of their new building. Six caps are involved projecting approximately 18" and 20" below the alley surface. It was moved by Councilman Harris and seconded by Councilman Hoisington that the request be granted. Motion carried.

City Manager Moore reported that he had advertised for bids for the property on West Grand Avenue formerly used as a dump site, and that he had received two bids - one from Biggs Kurtz Co. for \$1,250.00 and the other from Eben Scharf, 415 Grand Ave. for \$531.00.

The following resolution was presented and read:

RESOLUTION

IT IS RESOLVED by the City Council of the City of Grand Junction, Colorado, that Thomas I. Moore, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell the following described property in Carpenter's Subdivision No. 2, City of Grand Junction, Mesa County, Colorado, lying South and East of the right-of-way of the Grand Avenue viaduct driveway, North and East of the East line of the County Road (also known as Crosby Avenue), North of Lots 24 and 25 in Block 8, of said Carpenter's Subdivision No. 2, and North and west of the Little Bookcliff Railroad Yards, to-wit: Fractional lots 5, 6, 7, 12, 14, 15 and 16 in Block 5; Fractional Lots 20, 21, and 22 in Block 6; Fractional Lots 1, 2 and 3, all of Lots 4, 5, 6, 7, 8, 9 and 10 and fractional lots 11, 12, 13, 14,

15, 16, 17, 18, and 19 in Block 8 owned by said City and not used or held by it for any park or governmental purpose, for not less than \$1,250.00 upon such terms and conditions as he, in his discretion may determine, and to execute and deliver a good and sufficient quit claim deed 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 Bagby and seconded by Councilman Harris 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.

City Manager Moore presented an agreement between the City of Grand Junction and the Grand Valley Irrigation Co. for the ditch around the Veterans Hospital Tract. Mr. Banks, City Attorney had approved the agreement. It was moved by Councilman Martin and seconded by Councilman Hoisington that the City Manager be instructed to sign this agreement. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

It was reported that W. H. Bishop and R. J. Tipton had reported on the recent geophone inspection at the City Reservoirs and had found no leaks excepting in the 10" valve the south side of No. 3 basin.

C. E. McCormick requested permission to erect a trailer as a business building on a temporary basis at 614 Rood Ave. This is contrary to ordinances controlling the fire limits, but Mr. McCormick expects to construct a modern building within the next six months, and would then move the trailer. It was moved by Councilman Hoisington and seconded by Councilman Harris that the request be granted for a period of six months. Motion carried.

Mr. Mike King and Toivo Keinonen requested permission to move their liquor license from the Quincy Restaurant at 609 Main to the Rainbow Grill and 443 Main St. It was moved by Councilman Martin and seconded by Councilman Bagby that the application be advertised and hearing held on March 17th. Motion carried.

Several complaints had been made concerning the bus service furnished by Wesley Hayden. After discussion it was moved by Councilman Colescott and seconded by Councilman Harris that the City Manager be instructed to write to a Colorado Springs bus Co. who had been interested in furnishing transportation service in Grand Junction, and see if they would still be interested. Motion carried.

A request for a street light at 17th and Orchard was made and granted.

It was moved by Councilman Bagby and seconded by Councilman Colescott that the City Manager be authorized to sign a lease with

the U.S. Navy for a plot of ground at the Airport. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

It was regularly moved, seconded and carried that the meeting adjourn.

/s/Helen C. Tomlinson
City Clerk