

Grand Junction, Colorado

July 20, 1949

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, Carson, Dufford, Colescott, Martin, Hanson and President Hoisington. Also present were City Manager Moore, City Attorney Banks and City Clerk Tomlinson.

The minutes of the regular meeting held July 6th were read and corrected in the paragraph pertaining to using \$26,000 of water bond money for installing meters. A notation was made that the \$26,000 be returned as soon as the bond money is received.

The matter of the beer license for Phyllis Parker Craddock at the Tex House, 326 Main Street, was again brought up. It was moved by Councilman Martin and seconded by Councilman Hanson that the license be granted. Roll was called on the motion with the following result: Councilmen voting "AYE", Dufford, Colescott, Martin, Hanson; Councilmen voting "NAY", Harper, Carson and President Hoisington. A majority of the members of the council having voted "AYE," on the motion, it was declared carried and the license granted.

A request from Helman & Younge on behalf of the Public Service Co. of Colorado, Standard Oil of Indiana and Grand Valley Water Users Association was presented asking that the council vacate that portion of South Avenue between 10th and 12th St. It was moved by Councilman Carson and seconded by Councilman Hanson that the request be granted and the City Attorney be instructed to prepare an ordinance vacating this portion of South Avenue and that the ordinance be presented at the next meeting of the council. Motion carried.

Application for the renewal of a 3.2 beer license for Thomas C. Golden, Senate Cigar Store, 413 Main St. was presented. It was moved by Councilman Carson and seconded by Councilman Martin that the license be granted. Motion carried.

The matter of the charge of \$50.00 for the carnival which was recently held at the Armory grounds in Crawford Addition and which had been tabled from July 6th was again brought up. After considerable discussion, it was moved by Councilman Carson and seconded by Councilman Martin that it again be tabled until the next meeting and that Mr. Rudy Susman be requested to attend the next meeting of the Council. Motion carried.

The Proof of Publication to the proposed Ordinance entitled, "An Ordinance Providing for a Special Appropriation to the Moyer Pool Fund," was presented and read. It was moved by Councilman Carson and seconded by Councilman Harper that the Proof of Publication be accepted and filed. Motion carried.

On motion of Councilman Harper and seconded by Councilman Colescott and duly carried, the ordinance was called up for final passage. The ordinance was then read and upon motion of Councilman Martin and seconded by Councilman Colescott was passed, adopted, numbered 793 and ordered published. Roll was called on motion with all members of the council voting "AYE." The President declared the motion carried.

The cash bond for Carl J. Treece and Ted Treece dba Treece Rod & Gun Shop, Pawnbroker, was presented having been approved as to form by City Attorney Banks. It was moved by Councilman Colescott and seconded by Councilman Martin that the bond be accepted and filed. Motion carried.

An emergency ordinance entitled, "An Ordinance Amending Section 30 of Ordinance #321 concerning the use of Moyer Pool," and granting a free day on Monday between 9:30 and 5:30 was presented and read. It was moved by Councilman Carson and seconded by Councilman Martin that the ordinance be passed and adopted as an emergency ordinance, numbered 794 and published in the Daily Sentinel on July 21. Roll was called on motion with all members of the council voting "AYE". President declared motion carried.

It was moved by Councilman Dufford and seconded by Councilman Hanson that the City advertise for bids on \$17,500.00 worth of Sidewalk and Paving District No. 14 bonds to be opened at 7:30 P. M. on August 3rd. Motion carried.

A petition for a Sanitary Sewer signed by 73.6% of the property owners in the East 1/2 of Block A and all of Blocks B & C College Addition was presented. It was moved by Councilman Carson and seconded by Councilman Martin that the petition be accepted and filed. Motion carried. The following resolution was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 14, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, a petition has been filed with the City Council of the City of Grand Junction, Colorado, asking for the construction of a sewer and appurtenances for sanitary drainage in the district hereinafter described; and

WHEREAS, the said City Council has found and determined, and does hereby find and determine, that the construction of a sanitary sewer drainage system within the said described area is necessary for the health and safety of the residents of the territory to be served, and would be of special benefit to the property included within the said district; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement sanitary sewer district to be known as Sanitary Sewer District No. 14;

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

1. That the district of lands to be assessed with the cost of the proposed sanitary sewer improvement shall be as follows:

Lots 13 to 21, both inclusive, in Block A;

Lots 1 to 23, both inclusive, in Block B; and

Lots 1 to 7, both inclusive, in Block C; all in College Subdivision, in the City of Grand Junction.

2. That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans, and specifications for such sewer construction, an estimate of the total cost thereof, exclusive of the per centum for cost of collection and other incidentals, and of interest to the time the first installment becomes due, and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178 as amended of said City.

Adopted and approved, this 20th day of July, A. D. 1949.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Carson and seconded by Councilman Harper that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the council voting "AYE". President declared motion carried.

Maps, plans, details and specifications for Sanitary Sewer District No. 14 were presented by the City Engineer and the following resolution was presented and read:

RESOLUTION

RESOLUTION ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SANITARY SEWER DISTRICT NO. 14, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND A HEARING THEREON.

WHEREAS, on the 20th day of July, A. D. 1949, the City Council of said City of Grand Junction, Colorado, by Resolution authorized the City Engineer to prepare and file full details, plans and specifications for construction of a sanitary sewer within proposed Sanitary Sewer District No. 14, together with an estimate of the total cost of such improvement, and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution, and the requirements of Ordinance No. 178, as amended of said City;

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

1. That said details, plans, specifications, estimates and map be, and the same are hereby approved and adopted.

2. That the District of Lands to be assessed with the cost of said improvement, is described as follows:

Lots 13 to 21, both inclusive, in Block A;

Lots 1 to 23, both inclusive, in Block B; and

Lots 1 to 7, both inclusive, in Block C; all in College Subdivision, in the City of Grand Junction.

3. That the cost of the said improvement shall be assessed upon all the real estate in the said district, in proportion as the area of each piece of real estate in the District is to the area of all of the real estate in the District, exclusive of public highways.

4. The assessments to be levied against the property in said District to pay the cost of such improvement, shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at

the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at the rate of six (6) per centum per annum.

5. Notice of intention to create said Sanitary Sewer District, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which notice shall be in substantially the following form to-wit.

NOTICE

OF INTENTION TO CREATE SANITARY SEWER DISTRICT NO. 14 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

Public Notice is hereby given to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Sanitary Sewer District No. 14 in said City for the purpose of constructing a sanitary sewer to serve the property hereinafter described.

The said Sanitary Sewer District shall include all of the following-described real estate:

Lots 13 to 21, both inclusive, in Block A;

Lots 1 to 23, both inclusive, in Block B; and

Lots 1 to 7, both inclusive, in Block C; all in College Subdivision, in the City of Grand Junction.

The probable total cost of said improvement, as shown by the estimate of the City Engineer, is \$5,032.28, exclusive of costs of collection, interest and incidentals.

The maximum share of said total estimate shall be \$0.015 per square foot or \$46.875 for an ordinary lot of twenty-five by one hundred twenty-five feet.

To all of said estimated cost there shall be added six per centum for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said District to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. The said assessment shall be due and payable, without demand, within thirty days after the final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided that all such assessments may, at the election of the owners of property in said district, be paid in ten equal annual installments which become due upon the same date upon which

general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest at the rate of six per centum per annum shall be charged on unpaid installments.

On the 7th day of September, A. D. 1949, at the hour of 7:30 o'clock P.M. in the Council Chambers in the City Hall of said City, the Council will consider the ordering of the proposed improvements and will hear all complaints and objections that may be made in writing concerning the proposed improvements, by the owner of any real estate to be assessed, or by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, on this 20th day of July, A. D. 1949.

BY THE ORDER OF THE CITY COUNCIL:

(SEAL)

City Clerk

It was moved by Councilman Harper 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." President declared the motion carried.

It was moved by Councilman Colescott and seconded by Councilman Dufford that the City Clerk be instructed to advertise for bids on \$100,000 worth of water revenue bonds; bids to be received at 7:30 P.M. August 3. The money from these bonds is to be used to purchase and install meters. Motion carried.

President Hoisington appointed Councilmen Martin, Colescott and Carson as judges for the American Legion parade on Thursday July 21.

A note from the Municipal League of Colorado stating that John C. Banks had been re-appointed as legislative representative was read.

John Taylor presented a request to build an open air fruit stand on the north side of North Avenue within the City Limits across from the Veteran's Hospital. This property is unzoned and building permits cannot be issued without special action of the Council. No special permission was granted by the Council.

Dale Luke presented a request to purchase Lots 17 & 18 in Block 151 located on the northwest corner of 9th and South. It was moved by Councilman Harper and seconded by Councilman Martin that the City Clerk be instructed to advertise for bids for these lots to be opened August 3rd. Motion carried.

City Manager Moore reported that the following bids had been received on the Lincoln Park stadium:

W. L. White Construction Company \$52,953.75
Walker Lybarger 68,599.45
Otto J. Bauman 68,950.00

It was moved by Councilman Martin and seconded by Councilman Carson that the bid of White Construction Co. for \$52,953.75 be accepted and that the contract be awarded to Mr. White for construction of Lincoln Park Stadium. Roll was called on the motion with all councilmen voting "AYE." President declared the motion carried.

Mr. Tom E. Moore, Architect, and two of his assistants were present and spoke to the Council on the advisability of constructing the Lincoln Park Stadium as designed and as one unit. It was the unanimous opinion of the City Council that no changes should be made in the plans for the stadium as one unit had been advertised at the time the bonds were voted upon and was considered the most feasible way of taking care of the situation at the park.

Mr. Wagner of the Macongan Lounge asked for permission to build a canopy in front of his building at 2nd & Main St. This would require the use of supporting posts to be placed in the sidewalk. It was moved by Councilman Harper and seconded by Councilman Martin that a revocable permit be granted to the Macongan Lounge giving permission to build a canopy over the front of the building, subject to the owner and applicant agreeing to hold the City harmless for any claim for damages. 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 Colescott and seconded by Councilman Martin that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk