

Grand Junction, Colo.

Dec. 21, 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 December 7th were read and approved.

At a special meeting of the Board of Adjustment on December 20th, the Board recommended changing the zoning of the west half of Block 12, Slocum's Addition from Residence A District to Residence C District. This is the east side of 18th Street from Chipeta Ave. to Gunnison Ave. Coe VanDeren was the applicant filing the petition for the change. It was moved by Councilman Carson and seconded by Councilman Dufford that January 4th be set as the date for hearing on this change of zoning and that all property owners in the neighborhood be notified by letter. Motion carried.

This was the date set for hearing on Artificial Lighting District No. 3. No protests had been filed in the City Clerk's office. The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING ARTIFICIAL LIGHTING DISTRICT NO. 3 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION AND INSTALLATION OF ARTIFICIAL LIGHTING THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 2nd day of November, A. D. 1949, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Artificial Lighting District No. 3 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 Artificial Lighting District No. 3 be and the same is hereby created and established, and that the construction and installation of artificial lights 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 and installation of the said artificial lighting 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 artificial lighting to be installed and constructed, the boundaries of said Artificial Lighting District No. 3, 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 2nd day of November, A. D. 1949, 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 artificial lighting improvements in said District, including engineering, inspection, and other incidental expenses, the City shall issue Public Improvements Bonds of said Artificial Lighting District No. 3 in the aggregate amount of \$3,750.00, consisting of seven bonds in the denomination of \$500.00 each and one bond in the denomination of \$250.00, numbered one to eight inclusive, dated January 1, 1950, due and payable on the first day of January, 1960, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of four per centum per annum, payable semi-annually on the first day of July and the first day of January 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 Artificial Lighting District No. 3, 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
ARTIFICIAL LIGHTING DISTRICT NO. 3

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 January; 1960, 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 July and the first day of January of 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 Artificial Lighting District No. 3, 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 Artificial Lighting District No. 3, 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 Artificial Lighting District No. 3 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 January, A. D. 1950.

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 Artificial Lighting District No. 3, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated January 1, 1950.

/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. 1950.

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 21st day of December, A. D. 1949.

President of the Council

(SEAL)

ATTEST:

City Clerk

It was moved by Councilman Carson and seconded by Councilman Hanson 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.

Mr. W. R. Hall appeared before the Council regarding the purchase of Lots 14 and 19 in Block 1, South 5th Street Subdivision. A Board of Realtors had appraised these lots at \$5,000.00. Mr. Hall's property, Lots 13, 14, 15, 16, and 17, in Block 143, was appraised at \$2,500.00. Mr. Hall was not satisfied with the amount of the appraisal on his lots, but offered to purchase Lots 14 and 19. C.D. Smith Drug Co. made an offer for the east thirty feet of Lot 19, Block 1, South 5th St. Sub. It was moved by Councilman Carson and seconded by Councilman Martin that the City Clerk be instructed to advertise for bids to be opened at 7:30 o'clock P.M. January 4th for the sale of these lots, the Council reserving the right to reject any or all bids. Motion carried.

James S. Nothstine made application for a 3.2 beer license for the Interstate Cigar Store, 321 Main Street. He is purchasing this store from Norris Green. It was

moved by Councilman Colescott and seconded by Councilman Martin that a hearing on January 18th be set for protests on this license. Motion carried.

L. C. and Elizabeth Kopanos made application for a restaurant liquor license for the Oasis Grill at 350 North Avenue. It was moved by Councilman Carson and seconded by Councilman Martin that January 18th be set as the date of hearing on this license application. Motion carried.

Mr. Mark Wagner appeared before the Council in regard to closing hours for taverns. The City ordinance provides that they be closed by twelve o'clock, and the State law provides a 2 A.M. closing. Considerable discussion was had on this subject. Chief of Police, Joe Keith, stated that the additional policing would be quite an item. Talk of raising license fees brought out discussion as to how the other tavern owners felt about later closing hours. It was moved by Councilman Dufford and seconded by Councilman Martin that the matter be tabled until a later meeting, for further information. Motion carried.

A proposed ordinance regulating the Water rates was presented and read. The Council decided that for anyone to receive a discount it would be necessary that the parkings be maintained. It was moved by Councilman Carson and seconded by Councilman Martin that the Ordinance entitled, "An Ordinance Concerning Water," be passed and adopted, numbered 802 and published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The proposed ordinance entitled, "An Ordinance to Create and Establish an Employees Pension Fund, To Create a Board of Trustees to Administer the Said Fund, and to Provide for the Collection and Distribution of the Same and for the Management of the said Fund", was introduced and read. It was moved by Councilman Dufford, seconded by Councilman Carson that the ordinance be passed and adopted as an emergency ordinance, numbered 801 and ordered published. 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 Dufford and seconded by Councilman Carson that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk