

Grand Junction, Colorado

June 21, 1950

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P. M. Councilmen present and answering roll call were Hoisington, Hanson, Dufford, Colescott, Carson, and President Martin. Councilman Harper was absent. Also present were City Attorney Banks, City Manager Toyne and City Clerk Tomlinson.

The minutes of the regular meeting of June 7th were approved as read.

PAVING DISTRICT NO. 49 BONDS. This was the date set for receiving bids for \$145,000 Paving and Sidewalk District No. 49 bonds. Mr. Dave Lawrence representing Boettcher & Co. was present and Otis & Co. were represented by Attorney Lincoln Coit. The following bids were opened and tabulated:

a. Otis & Co. - Par plus accrued interest on bonds bearing interest for the first twelve months at 6% and 4% annually thereafter represented by two sets of coupons payable semi-annually and distributed as they might later determine. Total interest and cost - \$34,800.00.

b. Boettcher & Co. - Presented three proposals.

1. Par at 4 1/4% Bonds - total - \$33,893.75

2. 4% for Bonds at the rate of \$986.30 for each \$1,000 bond issued. - Total cost, \$33,886.50

3. 3 3/4% bonds at the rate of \$973 for each \$1,000 bond issued - total cost \$33,821.25.

Mr. Coit raised some question about the bond bid, and the Council requested that the City Treasurer be called to come down and go over the bids with Mr. Lawrence and Mr. Coit and see which one was the best for the Council to accept, if any. Mr. Hagie reported that it was decided the bid of Boettcher & Co. of \$973.00 for each \$1,000 bond at interest rate of 3 3/4% would be the most satisfactory to accept. It was moved by Councilman Carson and seconded by Councilman Dufford that the bid of Boettcher and Co. for \$973 for \$1,000 bond, interest at 3 3/4% be accepted. Roll was called on the motion with the following results:

Councilmen voting "AYE": Hanson, Hoisington, Carson, Colescott, Dufford and Martin

Councilmen voting "NO": None

All of the Councilmen present voting "AYE", the President declared the motion carried.

PAVING AND SIDEWALK DISTRICT NO. 49. Bids were opened for the construction of Paving and Sidewalk District No. 49 on June 21st at 10:00 A.M. The following bids were tabulated:

Walker & Harris . . . .	\$56,570.55
Thornberg Construction Co. . . . .	64,257.10
Otto J. Bauman . . . .	52,299.90
Read Construction Co. . . . .	62,089.25
Engineer's Estimate . . . .	60,547.25

These bids covered sidewalks, curbs and gutters, the City to do the paving themselves with the Engineer's estimated cost of \$83,000. It was moved by Councilman Hanson and seconded by Councilman Hoisington that the City accept the bid of Otto J. Bauman of \$52,299.90 and enter into a contract with him for the work. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

SALE OF LAND - LOT 14 and W. 127.56 FT. OF LOT 19. Bids were accepted for the sale of Lot 14 and W. 127.56 ft. of Lot 19 Block 1, South 5th St. Subdivision. There was one bid received from the Sterling Co. for \$5,532.00 cash. There had been some publicity given to the fact that the Southside does not have any playground excepting these lots, and it was pointed out by Councilman Carson that the property should not be sold until another playground is found for this community. It was moved by Councilman Carson and seconded by Councilman Colescott that the bid be rejected. Motion carried.

BASEBALL FENCE AT LINCOLN PARK. Messrs. Sid Hoel, Jim Gormley and C. M. Mendenhall appeared before the Council in regard to a fence around the baseball field. Some of the baseball enthusiasts of the City think a fence around the field a very good idea. Others are opposed to any construction that would detract from the beauty of the park. President Martin stated that the fence would be constructed at no cost to the City and that they would submit a plan to the Council for their approval. It was moved by Councilman Carson and seconded by Councilman Dufford that the plan for the fence be submitted to the Council at the next regular meeting. Motion carried.

BEER LICENSE - B. V. WARREN. B. V. Warren had made application for a 3.2 beer license at 727 Third Avenue. This was advertised and was ready for hearing. It was moved by Councilman Carson and seconded by Councilman Dufford that the license be granted. Motion carried.

ZONING - NORTH AVE. FROM 7TH TO CANNELL. This was the date set for hearing for changing the zoning along North Avenue from 7th to Cannell Avenue and all of the property owners had been notified to appear at this meeting if they had any

objections to the zoning being changed from Residence A to Business A. Mrs. Nellie Jones stated that she was expecting to build out there and had hoped to let the contract on July 1st and she would appreciate the Council taking immediate action on the final change of this zoning. It was explained to Mrs. Jones that all members of the Council would have to be present to pass an emergency ordinance but that the Council would adjourn until Monday, June 26th, at 10:00 A. M. and meet then to pass an emergency ordinance if all members of the Council can be present at that time.

HOULTON ANNEXATION. Mr. Houlton wrote a letter withdrawing his request for annexation of his property at 23rd and Texas. It was moved by Councilman Dufford and seconded by Councilman Carson that the letter be accepted and filed. Motion carried.

ZONING ORDINANCE. The Proof of Publication to the Proposed Ordinance Amending Ordinance No. 755 and the Zoning Map Incorporated therein was introduced and read. It was moved by Councilman Carson and seconded by Councilman Dufford that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Hoisington and seconded by Councilman Colescott that the ordinance be called up for final passage. Motion carried. The Ordinance was then read and upon motion of Councilman Dufford, seconded by Councilman Hanson, was passed, adopted, numbered 807 and ordered published. Roll was called on the motion with all members of the Council present voting "AYE". The President declared the motion carried.

PROPOSED ORDINANCE VACATING PORTION OF NOLAND AVE. A proposed ordinance entitled "AN ORDINANCE VACATING A PORTION OF NOLAND AVENUE AND A PORTION OF THE ALLEY BETWEEN LOT 19 AND LOT 20 OF THE SOUTH FIFTH STREET SUBDIVISIONS," was introduced and read. It was moved by Councilman Carson and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

SAN. SEWER DISTRICT NO. 15. Petitions were presented for a Sanitary Sewer to serve the area between Hall and Orchard from 13th to 17th and on the west side of 1st Street from Teller to Belford. 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. 15, 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. 15;

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 1 to 18, inclusive, Block 1, North Sunnyvale Acres;
- Lots 1 to 20, inclusive, Block 1, Eastholme-in-Grandview;
- Lots 1 to 10, inclusive, Block 3, Eastholme-in-Grandview;

Beginning at a point 210 feet south and 30 feet west of the Northeast corner of Section 15, T1S, R1W, of the Ute Meridian; thence West 195 feet; thence south 220 feet; thence east 195 feet; thence North 220 feet to the point of beginning; all 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 21st day of June, A. D. 1950.

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

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 present voting "AYE." The President declared the motion

carried. Plans, Details and Specifications were presented for San. Sewer Dist. No. 15. 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. 15, 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 21st day of June, A. D. 1950, 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. 15 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 1 to 18, inclusive, Block 1, North Sunnyvale Acres;  
Lots 1 to 20, inclusive, Block 1, Eastholme-in-Grandview;  
Lots 1 to 10, inclusive, Block 3, Eastholme-in-Grandview;

Beginning at a point 210 feet south and 30 feet west of the Northeast corner of Section 15, T1S, R1W, of the Ute Meridian; thence west 195 feet; thence south 220 feet; thence east 195 feet; thence north 220 feet to the point of beginning; all 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. 15, 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. 15 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 1 to 18, inclusive, Block 1, North Sunnyvale Acres;  
Lots 1 to 20, inclusive, Block 1, Eastholme-in-Grandview;  
Lots 1 to 10, inclusive, Block 3, Eastholme-in-Grandview;

Beginning at a point 210 feet south and 30 feet west of the Northeast corner of Section 15, T1S, R1W, of the Ute Meridian; thence west 195 feet; thence South 220 feet; thence east 195 feet; thence north 220 feet to the point of beginning; all in the City of Grand Junction.

The probable total cost of said improvement, as shown by the estimate of the City Engineer, is \$7,867.92, exclusive of costs of collection, interest and incidentals.

The maximum share of said total estimate shall be \$0.02 per square foot or \$62.50 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 2nd day of August, A. D. 1950, 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 21st day of June, A. D. 1950.

BY THE ORDER OF THE CITY COUNCIL:

(SEAL)

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

It was moved by Councilman Colescott 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 present voting "AYE." The President declared the motion carried.

CURB PLAN - CITY MARKET NO. 2. Prinster Brothers have requested that they be allowed to build curbing in the location of the proposed widening on North Avenue, with the intervening space graveled, and with practically the same proposal on the 9th St. side. It was moved by Councilman Carson and seconded by Councilman Hoisington that the request be granted. Motion carried.

BERYL DELP'S REQUEST ON PENSION PLAN. Mr. Beryl Delp wrote a letter to the Council asking that he be allowed to pay up the amount of pension in cash which he would owe the City should he work until Jan. 1, 1953 when the pension plan will again come up for consideration. He would like for the City to pay in an equal amount and then he could retire at this time and his pension would be available for him when he becomes 65 years old which will be in 1960. Mr. Delp has worked over twenty years for the City at this time. Mr. Banks was not familiar with Mr. Delp's request so could not give an approving opinion. Councilman Carson moved and Councilman Hanson seconded the motion that the matter be referred to the City Attorney for checking. Motion carried. The Pension Board and most of the Council were of the opinion that if this were legal, it would be well to comply with Mr. Delp's request.

LAY BACK CURB - 457 SO. 5th City Manager Toyne reported on the curb cuts at 457 So. 5th. Mr. Martin who owns the Chevron Gas Station and Mr. Moffitt who operates it, requested that a lay-back curb be allowed them on 5th & South Avenue that would be 120 ft. on 5th and 68 ft. on South. The island protection at the corner would be left as it is. It was moved by Councilman Colescott and seconded by Councilman Hoisington that the request be granted. Motion carried.

TRAILER ORDINANCE. It was moved by Councilman Carson and seconded by Councilman Hanson that City Manager Toyne be instructed to go out to the trailer courts and see what their re-action is to the proposed ordinance regulating trailers in the City which was submitted to them last week. Motion carried.

BOND - WALKER-HARRIS. A bond for Walker & Harris was presented. Having been approved as to form by the City Attorney, it was moved by Councilman Carson and seconded by Councilman Hanson that the cement contractor's bond be accepted and filed. Motion carried.

RURAL FIRE AGREEMENT. A proposed agreement with the Rural Fire Department was presented. This agreement was drawn up by City Attorney Banks who is also attorney for the Rural Fire Department and provided for the payment of 1 3/4 mills to the City of Grand Jct. for manning the Rural Fire trucks. The provisions of this agreement are very similar to those of the agreement which was previously passed in 1945 and which has been effective since that time but which has expired. It was moved by Councilman Hoisington and seconded by Councilman Colescott that the City Manager and City Clerk be authorized to sign the Agreement with the Rural Fire Department. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

PETITIONS AGAINST GAY JOHNSON'S LUG WRENCH. Petitions were presented by residents of North Avenue in the vicinity of the Gay Johnson Service Station protesting the use of an air lug wrench which is very noisy and disturbs the rest of the people in that neighborhood as they use it both day and night. This matter was referred to the City Attorney who volunteered to contact Mr. Johnson to see if some arrangement could be made so as not to disturb people during the night.



ALLEY BETWEEN TEXAS AND ELM. A number of people from the vicinity of Elm Avenue between Cannell and 12th were present and presented petitions requesting that the alley between Texas and Elm be opened up. This matter has been before the Council before and the Engineering Department has tried to get a plat signed dedicating streets and alleys but so far have not been able to get Dr. and Mrs. Waldaphel to sign any suggested plat mapping out an alley back of their property on Elm. It was moved by Councilman Hoisington and seconded by Councilman Dufford that the matter of the alley between Texas and Elm, Cannell and 12th and the ditch which serves the Waldaphel property be investigated by the City Attorney and City Manager and that they bring back something concrete to the Council at the next meeting so that this alley and ditch can be taken care of. There are also some weeds along Cannell on property which will be designated as Cannell Avenue when a plat is signed, but at the present time, still belong to the original owner, Mr. Cannell. The property owners would like to have these willows and weeds cleaned up too.

JAYCEES REQUEST FOR POLE AT 5th & NORTH. Mr. Kopanos, President of the Jaycees, asked for permission to put in a 22 ft. pole on the southwest corner of 5th & North so that a sign can be hung across the street advertising their information booth on North Avenue. He stated that he had not gotten permission from others to use the pole across the street or from the state highway to put the sign across the street but that this would be taken care of. The matter was referred to the City Manager for checking and report back.

PUBLIC SERVICE FRANCHISE. A letter from the Public Service Company in which they presented an application for a franchise, a certificate from the City Treasurer to the effect that payment had been made to him of the sum of \$2,500 for the purpose of defraying expenses of a special election to be called on August 22, 1950. The application for the franchise was read and a proposed people's ordinance entitled, "AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF FURNISHING ELECTRICITY AND ELECTRIC SERVICE AND GAS AND GAS SERVICE TO THE CITY OF GRAND JUNCTION AND ITS INHABITANTS AND TO AUTHORIZE SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH SAID CITY OF GRAND JUNCTION, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, DISTRIBUTE AND SELL SAID ELECTRICITY AND GAS TO THE CITY OF GRAND JUNCTION, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF GRAND

JUNCTION, AND AUTHORIZING SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, TO USE CERTAIN STREETS AND PUBLIC PLACES FOR THE PURPOSE OF FURNISHING SAID SERVICES; AND FIXING THE TERMS AND CONDITIONS THEREOF, AND PROVIDING FOR RATES AND STANDARDS OF SERVICE THEREFOR," was read. The following resolution was then read:

### RESOLUTION

WHEREAS, a proposed Ordinance granting a franchise to the Public Service Company of Colorado, to locate, build, construct, acquire, purchase, extend, maintain and operate a plant or plants, substations and works for the purchase, manufacture, generation, transmission and distribution of electricity and gas, and to furnish, distribute and sell the same to the City of Grand Junction and its inhabitants, for light, heat and power and other purposes was presented and read in full to the Council of the City of Grand Junction at a regular meeting of said Council in legislative session this 21st day of June, 1950; and

WHEREAS, said proposed Ordinance must be submitted to the electoral vote of the qualified taxpaying electors of the City for adoption or rejection; and

WHEREAS, the City Treasurer has determined that the sum of \$2500.00 will be adequate to defray all of the expenses of the submission of the proposed ordinance at a special municipal election, and the Public Service Company of Colorado has deposited said sum with the City Treasurer therefor;

NOW, THEREFORE, BE IT RESOLVED:

1. That the said proposed Ordinance be given PEOPLE'S ORDINANCE NO. 29.
2. That the said proposed Ordinance as read be and the same is hereby introduced, passed and adopted by the City Council on the first reading thereof.
3. That said proposed Ordinance be published and submitted to a vote of the qualified taxpaying electors of the City for adoption or rejection at a special municipal election to be held August 22, 1950, and that at the regular meeting of the Council to be held September 6, 1950 said proposed Ordinance shall be taken up by the Council for final consideration as to its final adoption and passage, all in accordance with the law and the provisions of the Charter of the City of Grand Junction.
4. That the ballot to be used at said special municipal election shall be prepared in due form and furnished by the City Clerk in accordance with the provisions of the law and the City Charter.
5. All persons who are qualified taxpaying electors within the City of Grand Junction, under the registration and election laws of the State of Colorado and of the City of Grand Junction, shall be entitled to vote on said question so submitted to them.

Section 6. Said election shall be held at the several polling places in the several districts and voting precincts of the City of Grand Junction, as follows:

DISTRICT A	Old City Hall, Sixth and Colorado Ave.
DISTRICT B	Hawthorne School
DISTRICT C	Orchard Avenue School
DISTRICT D	Richard Warren Motor Co. Garage
DISTRICT E	High School Gymnasium

pursuant to the general laws of the State of Colorado and Charter of the City of Grand Junction.

Section 7. That the City Clerk give such notice of registration and the time and polling places of said election and such other notices as may be required by law.

It was moved by Councilman \_\_\_\_\_ and seconded by Councilman \_\_\_\_\_ that the Resolution as read be passed and adopted.

Roll was called with the following result:

Councilmen voting AYE: \_\_\_\_\_

Councilmen voting NAY: \_\_\_\_\_

The President declared the motion carried and the Resolution duly passed and legally adopted.

It was moved by Councilman Carson and seconded by Councilman Hanson that the resolution be adopted. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

It was moved by Councilman Carson and seconded by Councilman Hanson that the meeting adjourn until 10:00 A. M., Monday, June 26.

/s/ Helen C. Tomlinson  
City Clerk