

Grand Junction, Colorado

June 20, 1951

The City Council of the City of Grand Junction met in regular session at 7:30 o'clock. Councilman present and answering roll call were Carson, Harper, Walt, Ela and President Hanson. Councilmen Colescott and Hoisington were absent. Also present were City Manager Toyne, City Attorney Banks and City Clerk Tomlinson.

It was moved by Councilman Harper and seconded by Councilman Walt that the minutes of the regular meeting held June 6th be approved as written. Motion carried.

ZONING ORDINANCE FOR 5TH TO 6TH ON GRAND AVE. CHANGE PASSED. A proposed ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 755 AND THE ZONING MAP INCORPORATED THEREIN," was introduced and read. (Changing Grand Ave. from 5th to 6th from Residence E to Business A.) It was moved by Councilman Carson and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

RENEW TRUST AGREEMENTS WITH BANKS. Extensions of trust agreements with the U. S. Bank of Grand Junction for "City of Grand Junction Special Improvement District Bond and Interest Fund" and First National Bank "City of Grand Junction General Obligation Bond and Interest Fund" were presented and read. It was moved by Councilman Walt and seconded by Councilman Ela that these agreements be approved and signed by the President of the Council and attested by the City Clerk. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

GRANT INDEPENDENT LUMBER CO. LAY BACK CURB. The Independent Lumber Co. requested that they be allowed to install a lay-back curb around their premises at Main and Spruce. They have a number of drive-ways at the present time and the City Engineer and Chief of Police recommended that these be eliminated and the lay-back curb allowed. It was moved by Councilman Walt and seconded by Councilman Carson that the request be granted. Motion carried.

GRANT WATER BILL ADJUSTMENTS.

(a) Mrs. Carmino Phillips at 205 Hale Avenue received a water bill for 83,800 gallons of water, amounting to \$22.71. A year ago she used 38,900 gallons of water, amounting to \$12.38. A leak was repaired as quickly as possible. It was moved by Councilman Carson and seconded by Councilman Ela that Mrs. Phillips' water bill be adjusted to the amount of \$12.38. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

(b) R. J. Blaney, 848 Third Avenue, had a broken water line and lost an estimated 11,300 gallons of water. This amount would be equal to \$1.70. It was moved

by Councilman Carson and seconded by Councilman Walt that R. J. Blaney be given credit for \$1.70 on his water bill. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

(c) Thos H. Christy, 704 Elm Avenue, had a leak for over a year but apparently could not find same. They are asking for an adjustment on their bill to cover this period of time. The Water Department, however, recommends that their last quarter's bill which was for 83,700 gallons of water in the amount of \$15.71 be adjusted to 30,000 gallons at a rate of \$9.65. It was moved by Councilman Carson and seconded by Councilman Harper that the bill of Thomas H. Christy be adjusted at \$9.65. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

ACCEPT SANITARY SEWER DIST. NO. 15. The following Statement of Cost for Sanitary Sewer District No. 15 and Resolution were presented:

The Statement of Cost for Sanitary Sewer District No. 15 was presented by John Burton, City Engineer, as follows:

STATEMENT showing the whole cost of the improvements in Sanitary Sewer District No. 15, including 6 per centum additional for cost of collections and incidentals, and including interest at the rate of 5 per cent per annum to February 28, 1952, and apportioning the same on each lot or tract of land to be assessed for the same. The sum of \$7,542.50 is to be apportioned against the owners thereof in the following proportions and amounts, to-wit:

Cost of construction	\$6,776.73
Interest for 19 months at 5 per cent per annum	338.84
6 per cent for cost of collections and incidentals	426.93
	\$7,542.50

Assessment \$0.01796 per square foot

/s/ J. A. Burton

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J. A. Burton  
City Engineer

## RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Sanitary Sewer District No. 15, and

WHEREAS, the City Council has caused to be prepared a statement showing the whole cost of the improvements of Sanitary Sewer District No. 15, including therein six per cent additional for cost of collection and other incidentals and including interest to and including the 28th day of February, 1952, and apportioning the same upon each lot or tract of land or other real estate, to be assessed for the same;

THEREFORE, BE IT RESOLVED, That the improvements connected therewith in said district be and the same are hereby accepted; that said statement be and the same is hereby approved and accepted as the statement of the whole cost of the entire improvements of said Sanitary Sewer District No. 15, including six per cent additional for cost of collection and other incidentals and including interest to and including the 28th day of February, 1952; and

BE IT FURTHER RESOLVED, That the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, and that the same be certified by the President of the Council and filed in the office of the City Clerk; and

BE IT FURTHER RESOLVED, That the City Clerk shall immediately advertise for three days in the Daily Sentinel, a newspaper of general circulation published in said City, notice to the owners of the real estate to be assessed, and to all persons interested generally without naming such owner or owners; that said improvements have been completed and accepted, specifying the whole cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty days from the first publication of said notice; that the same may be heard and determined by the Council at their first regular meeting after said thirty days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Ordinance No. 178 of said City, as amended.

## NOTICE

OF THE COMPLETION OF A LOCAL IMPROVEMENT IN THE CITY OF GRAND JUNCTION, COLORADO, AND APPORTIONMENT OF THE COST THEREOF.

NOTICE IS HEREBY GIVEN To the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Sanitary Sewer District No. 15, and to all persons interested therein as follows:

That the improvements in and for said district, which are authorized by and are in accordance with the terms and provisions of a resolution passed and adopted on the

21st day of June, 1950, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local improvement district to be known as Sanitary Sewer District No. 15; with the terms and provisions of a Resolution passed and adopted on the 21st day of June, 1950, adopting details and specifications for said District; and with the terms and provisions of a Resolution passed and adopted on the 2nd day of August, 1950, creating and establishing said District, all being in accordance with the terms and provisions of Ordinance No. 178 of said City, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction.

That the whole cost of the improvements has been definitely ascertained and is in the sum of \$7,542.50, said amount including six per centum additional for cost of collection and incidentals and also including interest to and including February 28, 1952, at the rate of five per centum per annum on the bonds issued from time to time in payment of the cost of said improvements; that the part apportioned to and upon each lot and tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty days after the final publication of the assessing ordinance, assessing the real estate in said District for the cost of said improvements, and that the owner so paying would be entitled to an allowance of six per centum for all payments made during said period, and of interest from date of payment to the date the first installment becomes due.

That any complaints or objections that may be made in writing by the said owner or owners of land within said District and assessable for said improvements, or any person interested, made to the City Council and filed in the Office of the City Clerk of said City within thirty days from the first publication of this Notice, to-wit: On or before and up to 5:00 o'clock P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 1951, will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively as by law provided.

That the said sum of \$7,542.50 for improvements is to be apportioned against real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to-wit:

June, 1951

ASSESSMENT ROLL

SANITARY SEWER DISTRICT NO. 15

<spc;1>	<u>Eastholme-in-Grandview</u>
Block 1	Lots 1 to 4, inclusive, and Lots 17 to 20, inclusive, \$131.84; Lot 5, \$116.67; Lots 6, 7, 8 and Lots 13, 14, 15, \$107.83; Lots 9 to 12, inclusive, \$107.33; Lot 16, \$91.15
Block 3	Lots 1 to 4, inclusive, and Lots 6 to 10, inclusive, \$116.33; Lot 5, \$115.64

<spc;1>	<u>North Sunnyvale Acres</u>
Block 1	Lot 1, \$221.59; Lot 2, \$276.31; Lots 3 and 4, \$180.49; Lot 5, \$191.31; Lot 6, \$185.51; Lot 7, \$193.50; Lot 8, \$259.56; Lot 9, \$142.91; Lot 10, \$142.26; Lot 11, \$140.14; Lot 12, \$138.47; Lot 13, \$135.20; Lot 14, \$131.93; Lots 15 and 16, \$157.10; Lots 17 and 18, \$218.82
Beginning 210 feet south of the Northeast corner of Section 15, Township 1 south, Range 1 West, Ute Meridian; thence west 195 feet; thence south 220 feet; thence east 195 feet; thence north 220 feet to point of beginning	\$770.48

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

I, Oscar Hanson, President of the Council and Ex-Officio Mayor of the City of Grand Junction, Colorado, do Hereby certify that the above and foregoing is the statement showing the whole cost of the improvements in Grand Junction Sanitary Sewer District No. 15, and includes interest to and including the 28th day of February, 1952, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same, all in accordance with the terms and provisions of Ordinance No. 178, as amended.

/s/

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President of the Council  
ATTEST:

/s/

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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 present voting "AYE." The President declared the motion carried.

TO MEET WITH STATE HIGHWAY ON PROPOSED AGREEMENTS.

a. East-West Expressway Route. The State Highway Department has presented an agreement which they are asking the City to sign for the "East-West Expressway Route." In this agreement the City is to secure and clear to foundation level all right-of-ways required within the city limits. Also to declare Pitkin and Ute Avenues as major one-way streets and First Street as a major two-way street and route from First Street and Grand Avenue to the west city limits a four-lane expressway route.

It was moved by Councilman Walt and seconded by Councilman Carson that the Council hold a meeting with Mr. Miles and Mr. Gray of the State Highway Department as soon as possible so that the Council might become familiar with the estimated cost of securing these right-of-ways for this expressway. Motion carried.

b. Width of North Avenue. There was also an agreement presented by the State Highway Department covering the width of North Avenue which widens it from 36 feet to 56 feet and providing for parallel parking between the west city limits and 8th St. and prohibits parking between 8th St. and the east city limits.

It was moved by Councilman Walt and seconded by Councilman Carson that this matter be considered at the same time the East-West Expressway Agreement is discussed with members of the State Highway Department as most of the Councilmen present felt that parking privileges should be uniform along the entire length of North Avenue. Motion carried.

GRANT STANDARD OIL CO. REQUEST. The Standard Oil Co. is asking for permission to construct a porcelain enameled metal prefabricated building manufactured by the Chicago Vitreous Enamel Products Company at 1st and Main St. This building is similar to the one recently constructed by the Continental Oil Co. at 7th & Main Sts., and does not conform to the present code for buildings constructed within the fire limits. It was moved by Councilman Carson and seconded by Councilman Walt that the request be granted. Motion carried.

APPROVE RESOLUTION TO W. L. & BELLE FELMLEE. The following resolution was presented and read:

RESOLUTION

WHEREAS, THE City of Grand Junction did on February 5, 1947, authorize the sale and conveyance of a portion of Lot 12 in Block 2 of South Fifth Street Subdivision to W. L. Felmlee and Belle Felmlee; and

WHEREAS, the deed of conveyance contained a minor discrepancy in the description of the real estate so conveyed and the purchasers thereof now desire to have the City of Grand Junction execute a correction deed thereto;

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

That a correction deed be executed conveying to W. L. Felmlee and Belle Felmlee all of Lot 12, Block 2, South Fifth Street Subdivision in the City of Grand Junction except the South 195.75 feet thereof; that W. D. Toyne, the City Manager, shall be and he is hereby appointed as Commissioner to convey and is authorized, empowered and instructed to execute and deliver on behalf of the City of Grand Junction a special Warranty Deed conveying the said property to the said grantees; and that the City Clerk shall affix thereto the seal of this City.

It was moved by Councilman Harper and seconded by Councilman Walt that the City Manager be authorized to sign the corrected deed. Motion carried.

GRANT LAYBACK CURB TO SALT LAKE HARDWARE CO. The Salt Lake Hardware Co. asked for permission to enlarge a drive-way on South 7th St. They are building additional storage sheds and one of their driveways will need to be changed. City Engineer Burton and Chief of Police Joe Keith both were of the opinion that a lay-back curb on the east side of So. 7th south of South Avenue would solve a number of traffic problems in that end of town and that an effort should be made to get the property owners to put in lay back curbs. It was moved by Councilman Carson and seconded by Councilman Walt that the request of Salt Lake Hardware be granted. Motion carried.

DENY H. WAID JOHNSON REQUEST FOR y" TAP. H. Waid Johnson requests permission to install a 2" tap on the water line on 15th and Orchard to serve eight outside users. It was moved by Councilman Carson and seconded by Councilman Ela that the request be denied. Motion carried.

FILE BOND LEONARD S. BEARD. A bond for Leonard S. Beard, Electrical Contractor, was presented having been approved as to form by the City Attorney. It was

moved by Councilman Carson and seconded by Councilman Walt that the bond be accepted and filed. Motion carried.

DENY FANNIE BELCASTRO RETAIL LIQUOR STORE LICENSE. City Manager Toyne made a report on the application of Mrs. Fannie Belcastro for a retail liquor store license at 804 North Avenue. It was moved by Councilman Walt and seconded by Councilman Harper that the request of Mrs. Fannie Belcastro for a retail liquor store license be denied. Motion carried.

TO APPEAL PATTY LASHMETT CASE. City Attorney Banks reported that the jury in the case of Patty Lashmett against the City had awarded her \$12,500, and he asked if the Council wanted him to appeal the case to the Supreme Court.

It was moved by Councilman Carson and seconded by Councilman Walt that the City Attorney be instructed to appeal the Lashmett case to the Colorado Supreme Court. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

DISCUSS GARBAGE CONTRACT WITH WALTER KROGH. Mr. Walter Krogh appeared before the Council in connection with his garbage contract which expired on May 1st. He complained about the cooperation of the public in putting garbage and trash in the garbage cans and about other garbage haulers stealing garbage from the grocery stores and restaurants and stated that unless the Council made some drastic improvements and enforced their regulations, he was not interested in hauling garbage. He also stated that he would continue to take care of the garbage until the 1st of January and would then like a six months period to move his buildings and equipment from the city's premises. When asked finally under what terms he would continue to haul garbage, he stated that he would not be interested unless the City would pay him in the neighborhood of \$3,000 for hauling the garbage.

The Council asked Mr. Krogh to write a letter to Mr. Toyne, City Manager, stating exactly under what terms he would accept the garbage contract again and then they would know what they could do in this connection.

It was moved by Councilman Carson and duly seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson  
City Clerk