

Grand Junction, Colorado

October 17, 1951

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

It was moved by Councilman Colescott and seconded by Councilman Hoisington that the minutes of the regular meeting held Oct. 3rd be approved as written. Motion carried.

PASS RESOLUTION CREATING PAVING DISTRICT NO. 50. The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING PAVING AND SIDEWALK DISTRICT NO. 50 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SIDEWALKS, CURBS AND GUTTERS, AND PAVING ON STREETS AND ALLEYS THEREIN, AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 5th day of September, A. D. 1951, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Paving and Sidewalk District No. 50 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 Paving and Sidewalk District No. 50 be and the same is hereby created and established, and that the construction of paving and sidewalks 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 paving, sidewalks and curbs and gutters 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 paving and sidewalks to be constructed, the boundaries of said Paving and Sidewalk 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 5th day of September, A. D. 1951, 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 Improvement Bonds of said Paving and Sidewalk District No. 50, dated the 1st day of November, 1951, in the denomination of \$1,000.00 each, numbered 1 to 122 inclusive, due and payable on the 1st day of November, 1962, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of _____ per centum per annum, payable semi-annually on the first day of May and the first day of November 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 Paving and Sidewalk District No. 50, 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

PAVING AND SIDEWALK DISTRICT NO. 50

No. _____ \$1,000.00

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 ONE THOUSAND DOLLARS in lawful money of the United States of America, on the first day of November, 1962, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the first day of May and the first day of November 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 Paving and Sidewalk District No. 50, 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 Paving and Sidewalk District No. 50, 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 Paving and Sidewalk District No. 50 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 November, A. D. 1951.

/s/

President of the City Council

ATTEST:

/s/

City Clerk

(FORM OF COUPON)

No. _____

On the _____ day of _____, A.D. 19_____, the City of Grand Junction will pay the bearer _____ Dollars in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, being interest on its local public improvement bond of Paving and Sidewalk District No. 50, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated November 1, A. D. 1951, and No. _____.

/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. 1951.

/s/

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 17th day of October, A. D. 1951.

/s/

President of the Council

(SEAL)

ATTEST:

/s/

City Clerk

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

REJECT BIDS FOR \$122,000 BONDS ON PAV. DIST. #50. This was the date set for receiving bids for \$122,000 for Paving District No. 50 bonds. Mr. Dave Lawrence of Boettcher & Co., Denver, Colo. was present and presented the only bid for the bonds. This bid was as follows:

"Boettcher & Company

828 17th Street

Denver, Colorado

Honorable Mayor & City Council

Grand Junction, Colo.

Gentlemen:

In full accordance with your Notice of Sale inviting bids for \$122,000 Grand Junction, Colorado, Paving and Sidewalk District #50 Improvement Bonds, to be dated November 1, 1951 and due November 1, 1962, we will pay you \$973.00 for each

\$1,000 bond issued and accrued interest from date of issue to date of delivery to us, said bonds to be numbered and to bear interest as follows:

<u>Amount</u>	<u>Bond Numbers</u>	<u>Interest Rate %</u>
11,000	1-11	3
11,000	12-22	3 1/4
11,000	23-32	3 1/2
11,000	33-44	3 3/4
78,000	45-122	4

In addition to the interest rates set forth above, these bonds are to have attached a separate and additional set of coupons evidencing interest thereon at the rate of 2% per annum from the date of issue to and including No. 1, 1954.

This bid is made upon the understanding that said bonds will be delivered to us in Denver, Colorado on or before November 16, free of exchange and delivery charges and accompanied by the unqualified approving opinion of Tallmudge and Tallmudge, Attorneys at Law, Denver, Colorado, stating that these bonds are secured by a special assessment to be levied upon the property within said District and by a lien upon the annual one mill tax to be levied upon all of the property within the City, pursuant to People's Ordinance #27, and that the ordinance authorizing these bonds shall provide that said one mill tax shall be levied each year so long as any of these bonds of this issue are outstanding.

This bid is submitted for immediate acceptance.

Respectfully yours,

Boettcher & Co. & Associates
By D. F. Lawrence (Signed)"

Some discussion was had between the Council and Mr. Lawrence and most of the Council felt that the interest rate was rather high; however, Mr. Lawrence explained that there are only three cities in the State of Colorado who can sell special assessment bonds at any price and he felt that this was a very fair interest rate.

It was moved by Councilman Hoisington and seconded by Councilman Carson that this bid be rejected and that it be re-advertised later in the winter as work on the District could not be started this fall anyway; that a vote of thanks be tendered to Mr. Lawrence for coming over from Denver and submitting this bid. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

SUSPEND TEX HOUSE AND COLESCOTT BEER LICENSES 10 DAYS. Before the Council meeting, a meeting had been held with Mrs. Wright and her daughter Gay, Mr. and Mrs. Cook and their daughter Kay Jean. These girls were 16 and 15 years of age respectively and had purchased beer from the Tex House and Colescott's. The proprietors of these establishments had been cited into Municipal Court and had been fined \$50 each for selling beer to minors. Mrs. Henderson, Proprietor of the Tex House, and Mr. Colescott of Colescott's were present at the Council meeting and stated that they had tried to run their establishments according to law and to be careful to not sell to teenagers under 18 but that in these instances, an error had been made and they were guilty. Mr. Colescott stated that he had had numerous boys under 18 who had attempted to buy beer but this was the first experience with a girl. There were reports both that the girl had been asked her age and she had said she was 18 and that no injury was made as to her age.

The girls who went to the Tex House claimed to be 18 and it was reported that they showed college cards to the effect that they were 18. After considerable discussion, it was moved by Councilman Hoisington and seconded by Councilman Carson that the beer licenses of the Tex House and Colescotts be suspended for ten days. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

ACCEPT AND FILE MINISTERIAL ALLIANCE RESOLUTION. A Resolution from the Ministerial Alliance was read asking that all civic officials and citizens exercise alertness in protecting teenagers. It was moved by Councilman Carson and seconded by Councilman Walt that this resolution be received and filed. Motion carried.

DISCUSS JAS. P. RIGG LEASE AT AIRPORT. A lease with Jas. P. Rigg, Jr. for facilities at Grand Junction Municipal Airport was presented after it had been discussed by a committee of Councilmen, Porter Carson, John Harper, Oscar Hanson, City Attorney John Banks, City Engineer John Burton, Jas. Rigg, Jr. and his attorney, Jas. Dufford. Some of the Council who were not on the Committee thought there were several items which should be included in the lease. It was decided to refer the lease back to the City Attorney to have him go over it very carefully and incorporate in it a paragraph permitting the re-negotiation of the rental terms of the lease on thirty days notice of either party. This could be done once a year if either party thought it advisable. Also, a paragraph to be put in the lease providing that the City could take over the sale of gasoline at any time they might wish to.

After the City Manager returns from his vacation, he is to review the lease and furnish every member of the Council with a copy of the revised lease for their consideration. Mr. Rigg was assured that by the first of next week he should be able to go ahead with his proposed improvements and the lease would be in satisfactory form.

COUNCIL ASKED TO ATTEND MEETING WITH COUNTY COMMISSIONERS ON HEALTH DEPARTMENT BUDGET. A letter was read from the Board of County Commissioners of Mesa County in which they asked for the President of the Council or for any one he might designate to attend a meeting at 9:00 o'clock on Friday, Oct. 19th to consider the Mesa County Health Unit Budget. Members of the School Board will also be present and the whole health program will be decided upon. President Hanson asked that all members who could possibly attend this meeting to do so.

STOCKER TO PRESENT PLANS FOR IMPROVEMENTS AT MOYER POOL. A letter from the State Department of Public Health concerning the wading pool at Moyer Pool was read and it was moved by Councilman Carson and seconded by Councilman Hoisington that the letter be accepted and filed and that Mr. Stocker be instructed to map out a plan of improvements for Moyer Pool which are needed at this time. Motion carried.

CITY MANAGER TO FIND OUT ABOUT LICENSE FOR GAS PUMPS. It was moved by Councilman Walt and seconded by Councilman Ela that City Manager Toyne be instructed to check with other cities and see whether they charge a tax on gasoline dispensing pumps in filling stations, and if so, to bring back a report and his recommendations to the Council regarding this proposed form of revenue. Motion carried.

TO CORRECT CITY HALL POOL HAZARD. Recently a child fell into the pool at the City Hall but was rescued before suffering any ill effects. Some of the Councilman were of the opinion that the beauty of the pool was not sufficient to off-set the hazards and also that it was not possible to keep the pool as clean as it should be to be attractive. It was moved by Councilman Walt and seconded by Councilman Carson that this matter be turned over to the City Manager, City Engineer and Superintendent of Parks to bring back to the Council ideas on what might be worked out to landscape this area into a rose garden or flower beds or something attractive to eliminate the water hazard. Motion carried.

ACCEPT AND FILE LETTER COLO. MUN LEAGUE. A letter from Mr. Grelle, Executive Director, of the Colorado Municipal League, was read in which he stated that the Glenwood Springs area desired to form a separate district league based on the factor of convenience of traveling to night dinner meetings but indorsed the idea of occasional joint meetings between districts. It was moved by Councilman Hoisington and seconded by Councilman Carson that the letter be filed. Motion carried.

TO SIGN AGREEMENT WITH STATE HIGHWAY DEPT. A letter from the State Highway Dept. asking that a change in a Resolution passed by the City Council on July

11, 1951 relative to parking on North Ave. be approved. The Highway Department is requesting that there be no parking between 11th and 12th on North Ave. in order to carry out their plans for improving the 12th St. intersection. It was moved by Councilman Carson and seconded by Councilman Hoisington that the City Manager and City Clerk be authorized to sign the agreement with the State Highway Department prohibiting parking between 11th and 12th. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

WATER BILL ADJUSTMENTS. It was moved by Councilman Colescott and seconded by Councilman Ela that the following water bill adjustments be made:

a. Mr. Alphonse DeRose, 505 W. Main Street, used 89,600 gallons of water and was billed \$19.94. A leak was discovered by the City and reported to him and was fixed immediately. Last year his total water consumption was 63,300 gallons. This bill was adjusted to 63,300 gallons or \$17.40

b. J. S. Gormley, agent for 415 South Ave. requested an adjustment due to a service line leak which was corrected by them immediately upon discovery. 133,000 gallons of water amounting to \$38.82 was charged for on this bill. This property has never used more than 22,000 gallons of water in any quarter. This bill was adjusted to 22,000 or \$9.44.

c. Mrs. Dora Getty, 618 W. Colo. requested an adjustment on her Oct. 1st bill due to a leak in the service line which was corrected upon discovery. She used 124,600 gallons or \$36.59. Her previous bills have never exceeded 80,000 gallons. This bill was adjusted to an 80,000 gallon usage amounting to \$24.78.

d. C. E. Mattingly, 1007 No. 7th St., requested an adjustment on his water bill for Sept. 1st due to a service line leak. For the quarter ending Sept. 1, 1950, they used 91,000 gallons. The water usage for Sept. 1, 1951, quarter was 119,900 gallons. This bill was adjusted to 91,000 gallons or \$20.85.

e. Carl C. Cass, 847 and 847 1/2 Ute requested an adjustment on his Oct. water bill due to a service line leak. 73,000 gallons of water went thru the meter during this period and the bill amounted to \$25.60. A year ago this same time, 27,7000 gallons of water was used and it was adjusted to 27,700 gallons amounting to \$12.86.

Roll was called on the motion with all Councilmen present voting "AYE." The President declared the motion carried.

f. Mr. H. D. Rodgers, 1211 So. 5th St., requested an adjustment on his Oct. 1st Water bill due to a leak. There is a difference of only 3,200 gallons between this year's bill and last year's bill. It was moved by Councilman Colescott and seconded by Councilman Ela that this bill be referred to the City Manager for further study and

recommendation. Roll was called on the motion with all Councilmen present voting "AYE." The President declared the motion carried.

RECREATION DEPT. TO USE INCOME FOR PROGRAM. Councilman Colescott reported that the Recreation Department would possibly exceed their Budget for the year 1951 but if they were allowed to use all of the receipts for funds collected they would be able to operate until the end of the year as their program was set up. It was moved by Councilman Walt and seconded by Councilman Hoisington that this matter be referred to the City Manager for checking and a report back to the City Council. Motion carried.

TO REDECORATE INSIDE LINCOLN PARK AUD. IF POSSIBLE. President Hanson stated that he thought somehow funds should be provided to improve the inside of the Lincoln Park Auditorium. It was moved by Councilman Walt and seconded by Councilman Hoisington that the City Manager and Superintendent of Park make a study of the needs of the Lincoln Park Auditorium and an estimate of what it would cost to redecorate and report back to the Council. Motion carried.

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

/s/ Helen C. Tomlinson
City Clerk