

Grand Junction, Colorado  
April 21, 1954

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. Councilmen present and answering roll call were McCormick, Harper, Wright, Severson, Walt, Lowe and President Colescott. Also present were City Manager Toyne, City Attorney Groves, and City Clerk Tomlinson.

It was moved by Councilman Wright and seconded by Councilman Walt that the minutes of the regular meeting held April 7, 1954 be approved as written. Motion carried.

IMPROVEMENT DISTRICT #52. This was the date set for hearings on the proposed Improvement District No. 52. There were no written complaints or petitions filed in connection with this district. It was reported that Pearle Larson would give fifteen feet along the north side of her property on Glenwood Avenue which would make the street fifteen feet narrower than it should be and would place the curb on the property line. The Council did not feel that this would give them sufficient control over the placing of buildings should Miss Larson sell and a business building be placed on these lots.

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. 52 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS AND PAVING ON STREETS THEREIN, AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 17th day of March, A. D., 1954, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. 52 and authorizing notice of intention to create said District, and

WHEREAS, Notice of Intention to create said District was duly published, and

WHEREAS, the City does not have and cannot acquire sufficient right of way to construct the proposed improvements on Glenwood Avenue from Twelfth Street to Thirteenth Street, and it is therefore necessary to omit such improvements from said Improvement District No. 52, and

WHEREAS, no written complaints or objections, except that concerning Glenwood Avenue, have been made concerning the proposed improvements;

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

1. That the details, plans and specifications for Improvement District No. 52, adopted on the 17th day of March, A. D., 1954, be and the same are hereby amended by deleting from the proposed improvements, the improvements to be made on Glenwood Avenue from Twelfth Street to Thirteenth Street, and by deleting from the said Improvement District No. 52 the district of lands to be assessed for the cost of the proposed improvements on Glenwood Avenue, such lands being described as follows, to-wit:

Lots 7 to 10, inclusive, Lots 21 to 30, inclusive, and the South 17.12 feet of Lot 6, Block 1; and Lots 6 to 10, inclusive, Block 2, DeVoe's Subdivision; Beginning 184 feet North of the Southwest Corner of Section 12, Township 1 South, Range 1 West, Ute Meridian, thence East 660.4 feet, thence North 145 feet, thence West 660.4 feet, thence South 145 feet to the point of beginning, except that part lying within the street right of way; and also beginning 359.05 feet North and 661.8 feet East of the Southwest Corner Section 12, Township 1 South, Range 1 West, Ute Meridian, thence North 125 feet, thence West 46.8 feet, thence South 125 feet, thence East to the point of beginning.

2. That said Improvement District No. 52 be and the same is hereby created and established, and that construction of curbs and gutters and paving therein be and the same is hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor, as amended by the preceding paragraph;

3. That the construction of paving 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;

4. 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, except that the City does not have and cannot acquire sufficient right of way for the proposed improvements on Glenwood Avenue from Twelfth Street to Thirteenth Street, 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, being Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, have been strictly complied with;

5. That the description of the curbs and gutters and paving to be constructed, the boundaries of said Improvement 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 Resolution adopted for said District on the 17th day of March, A. D., 1954, and in accordance with the published Notice of Intention to create said District, except that the proposed improvements on Glenwood Avenue from Twelfth Street to Thirteenth Street shall not be made and the district of lands to be assessed for such improvements on Glenwood Avenue shall be excluded from said Improvement District;

6. That, after the contract for the construction of curbs and gutters and paving has been let, the Council shall, by a resolution, provide for the issuance of public improvement bonds for said Improvement District No. 52 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED this 21st day of April, 1954.

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President of the Council

ATTEST:

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City Clerk

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

CITY CLERK TO ADV. FOR BIDS. It was moved by Councilman McCormick and seconded by Councilman Walt that the City Clerk be authorized and instructed to give proper notice that the City of Grand Junction will receive sealed bids for the sale of bonds for Improvement District No. 52, such bids to be opened on Wednesday evening, May 19, 1954 at 7:30 P.M.

It is further moved that the City Clerk be authorized and instructed to give proper notice that the City of Grand Junction will receive sealed bids on the contract for the construction of Improvement District No. 52, such bids to be opened on Friday morning, May 14, 1954 at 10:00 o'clock A. M. Motion carried.

C. H. JEX ON WATER. Mr. C. H. Jex appeared before the Council upon their invitation and explained the organization of the Western Colorado Water Association Agency. He told the Council that they were trying to organize one agency that would perform the duties of the Colorado River Water Conservancy District, the Middle Park Water Conservancy District, the Southwestern Water Conservation District and several other Western Colorado organizations who now control water problems. The Agency would be set up under the same law and be similar to the one now under consideration for the Collbran Project. It would include twenty-three counties in Western Colorado.

The purpose would be to protect Western Colorado water, assist in water development, give counsel on water matters.

Funds for the operation would be on an ad valorem tax basis similar to those received for the Colorado River Conservation District. Tentatively, they are set for a levy of from fifteen hundredths to two tenths mills which would provide between \$40,000 to \$65,000. Mr. Jex was asked whether or not the levy for the other districts would be abolished, and he said that in his opinion as soon as the present litigation was settled, at least the levy for the Colorado River Conservation District would be dispensed with. Some of the Directors of the other districts felt that it might be well to continue their present district for the time being but eventually it was planned that there would be only one agency handling Western Slope water. It was moved by Councilman Walt and seconded by Councilman McCormick that the Council report favorable to Mr. Jex on this movement to organize the Western Colorado Water Association, water being of such importance to this area, if the present district is disbanded. Motion carried.

Mr. Jex then went on to talk about his work in making a long range plan of water development for the City of Grand Junction. He stated he would like to work on the organization of the Western Colorado Water Association Agency and would continue working on the long range planning for the City with the anticipation of having his report to the Council within sixty days. At this time, he did not feel that he had time to work out the details of pumping water out of either the Gunnison or Colorado rivers for an emergency operation for the City. Mr. Jex was asked to go to his office and get charts which he had prepared showing the anticipated water usage for the year 1954.

PASS ORD. #892 - UNZONED AREAS. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING SECTION 1 OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCORPORATED THEREIN was introduced and read. It was moved by Councilman Harper and seconded by Councilman Walt that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Walt and seconded by Councilman Lowe that the Ordinance be called up for final passage. Motion carried.

The Ordinance was then read and upon motion of Councilman Severson and seconded by Councilman Lowe was passed, adopted, numbered 892 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO MEET WITH BOARD OF ADJUSTMENT RE RESIGNATION. The Board of Adjustment consisting of Cecil Haynie, Thos. J. Clark, Earle Barbour, Mary Rait and Frank R. Hall presented their resignation to become effective immediately. Councilman Wright thought that the Board should be asked to reconsider their resignation as he felt they were a very capable Board and that the action of the Council in not changing the zoning on North Avenue and on Main Street as recommended by the Board did not

mean that the Council did not stand behind the Board. A majority of the members had voted to go along with the recommendations of the Board of Adjustment but the ordinance requires that a three-fourths majority vote of the Council members be given before a change can be made.

Councilman Lowe stated that he had talked to Mr. Haynie and that Mr. Haynie had expressed a desire to have the Board of Adjustment meet with the Council and talk the matter over before its resignation is finally accepted and effective. It was moved by Councilman Lowe and seconded by Councilman Walt that this matter be tabled until a special meeting can be held as quickly as possible and a better understanding is achieved. Motion carried.

City Attorney Groves commented that he thought there was a defect in the zoning procedure which is patterned after the state law; that the Board of Adjustment should have an opportunity to see the same picture on zoning matters as the Council. As it now stands, the Board of Adjustment does not hear any protests or conduct a hearing on any zoning matter. They merely consider the petition for the change as it is presented by those who desire to have the change made.

DENY U.S. BANK REQUEST. The U. S. Bank of Grand Junction presented a petition asking that they be granted permission to place coins in expired meters on Saturdays, Dollar Days and other important trade days. Attorney Charles Holmes was present on behalf of the U.S. Bank. City Attorney Groves stated that the ordinance concerning regulation of parking meters makes it the duty of the operator of the car to pay the parking meter fees to the City.

It was also explained that the reason for having parking meters is so there will be more room for cars to be parked on the streets for people who wish to do business in the metered area. It was moved by Councilman Walt and seconded by Councilman Harper that in view of the present City ordinance and the obvious violation which would be caused if permission were granted to the U. S. Bank to place coins in the expired meters that the request be denied. Motion carried.

FORGET-ME-NOT DAY APRIL 24. The Disabled American Veterans requested permission to sell Forget-me-nots on the streets April 24th. It was moved by Councilman Harper and seconded by Councilman Walt that the request be granted. Motion carried.

WATER BILL ADJUSTMENTS. The following water bills were presented for consideration:

a. Mrs. John O. Hiatt, 449 Chuluota Avenue, requested a water bill adjustment due to a service line leak which was repaired as soon as discovered. On April 1, 1954, her bill was \$13.73 for 53,500 gallons of water as compared with 8,200 gallons for \$6.10 for the same quarter last year. It was moved by Councilman Lowe and seconded by Councilman Harper that the water bill for Mrs. John O. Hiatt, 449 Chuluota Avenue,

be adjusted for the minimum charge of \$6.10. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

b. The Independent Lumber Company requested an adjustment as they had a leak in their tap at 140 Crosby Avenue which leads to the sawmill and box factory due to malfunction of an underground valve which failed to shut off thereby causing the pipes to freeze and break. Their bill April 1, 1954 showed 135,600 gallons of water used amounting to \$38.52. Last year for the same quarter, they used 31,900 gallons amounting to \$12.95. It was moved by Councilman Lowe and seconded by Councilman Harper that since the leak of water on the Independent Lumber Company tap did not come from a service line leak but was due to negligence on the part of the customer, that the request be denied. Motion carried.

APPROVE BONDS. The following bonds were presented, having been approved as to form by the City Attorney:

Ralph H. Spence	Cement Contractor
Richard C. Bauman	Cement Contractor
Ralph G. Botkin & Chas. L. Green dba Valley Gas & Electric Co.	Electrical Contractor
Warren C. Bush	Plumbing Contractor
Carl E. Bean	Plumbing Contractor

It was moved by Councilman McCormick and seconded by Councilman Harper that the bonds be accepted and filed. Motion carried.

TO PAY CML \$1,160. A communication from the Colo. Municipal League concerning the interest of Grand Junction in the Public Service Company's application before the P.U.C. to participate in a joint presentation in connection with the proposed raise in electrical rates throughout Colorado was read. A bill for \$1,160 was presented which is an eight cent per capita tax for all cities who are served by the Public Service Company within the City.

It was moved by Councilman Walt and seconded by Councilman Lowe that the City Clerk be instructed to pay the Colo. Municipal League the sum of \$1,160 for participation in presenting evidence to the P.U.C. for the Public Service Company hearing. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO INVESTIGATE SALE OF TAX PROPERTY. President Colescott stated that he thought the County Commissioners had not been following through on tax delinquent

property, and that it would be well if the City investigate property which had been sold for taxes to see whether or not it was back on the tax roll.

FREE METHODIST CHURCH REQUEST RE SPECIALS DENIED. City Manager Toyne reported that on the church property of the Free Methodist Church at 9th and Third Avenue there is about \$500 interest due. The total special assessments including Paving Dist. #50 against these lots and including interest and penalties would amount to \$750.00. It was moved by Councilman Walt and seconded by Councilman Lowe that the City Manager and City Attorney investigate and take whatever action is necessary against lots upon which special assessments are delinquent. Motion carried.

It was moved by Councilman Walt and seconded by Councilman McCormick that the request of the Free Methodist Church to waive interest on the special assessments at 9th and Third Avenue be denied. Motion carried.

BOYS COUNTY. President Colescott also reported on developments in Boys' County which is to be held on May 5th and asked that the Council help with the financial arrangements of the lunch. It was moved by Councilman Walt and seconded by Councilman Lowe that the City spend up to \$50 for luncheon tickets if necessary. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO PAY \$1,000 TO G. J. DRAINAGE DIST. City Attorney Groves reported that an agreement had been reached with the Grand Junction Drainage District which would require an expenditure of \$1,000. This amount had been appropriated in the 1953 Budget but had not been spent. It was moved by Councilman Walt and seconded by Councilman Harper that the Council approve an expenditure of \$1,000 to the Grand Junction Drainage District when they have completed the installation of a 16 inch concrete tile line from 23rd Street to the Indian Wash. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

MEETING WITH POLICE & FIRE DEPTS. RE PENSION. City Manager Toyne was instructed to set up a meeting of the Council with the Police and Fire Department in connection with their pension plan.

CONTINUE WATER DISCUSSION WITH MR. JEX. Mr. Jex continued the discussion on the water survey which he has been making in the past few months and especially showed charts on the anticipated use of water during the coming summer months. He still recommended the placing of a pump in either the Gunnison or Colorado rivers for emergency use should it be necessary to have a larger supply of water this summer than could be brought down from Kannah Creek through the present flowline. He recommended also that 23,000 feet of steel flowline be replaced with cast iron so that nine million gallons daily of Kannah Creek water could be delivered to the filter plant.

It was moved by Councilman Walt and seconded by Councilman Wright that the City Manager and City Attorney be instructed to proceed with a study and estimate of costs for putting in a pump and delivering river water into the Grand Junction water system with the object in mind of putting in the pump; also study the cost of increasing the capacity of the flowline. Motion carried.

City Manager Toyne asked the Council if they wished for him to hire outside engineering help in making this study and the estimate of cost for such a pumping system, and was advised to make just a tentative cost for the project without outside help.

It was moved by Councilman Harper and seconded by Councilman Severson that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk