

Grand Junction, Colorado
December 1, 1954

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 McCormick, Severson, Harper, Colescott, Wright, Lowe and President Walt. Also present were City Manager Toyne, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Lowe and seconded by Councilman Harper that the minutes of the regular meeting held November 17th and the special meeting held November 23rd be approved as written. Motion carried.

TO ADVERTISE J. F. RITTER LIQUOR APPLICATION. Mr. J. F. Ritter presented an application for a restaurant liquor license for Ro-Vey's at 122 So. 5th Street. It was moved by Councilman Colescott and seconded by Councilman Lowe that the application be advertised for hearing and that the Chief of Police check the character of the applicant; that hearing be held on January 5th, 1955. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Lowe that a special meeting be held on December 22, 1954 at 4:30 P. M. in order that the Council could pass on Mr. Ritter's application and he could secure his state license before January 1st if the City granted the request for the license. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Colescott, Wright and Lowe

Councilmen voting "NAY:" McCormick, Severson, Harper and President Walt

A majority of Councilmen voting Nay, the President declared the motion lost and the hearing not held on December 22nd. The Council then concluded to hold such hearing on January 5th, 1955.

ORD. APPROVING COST OF IMPR. DIST. #52. The following proposed ordinance was introduced and read: AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. 52, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED: APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; AND APPROVING THE APPORTIONMENT OF SAID COST; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS.

It was moved by Councilman Wright and seconded by Councilman Harper that the ordinance be passed for publication. Motion carried.

RENEW LIQUOR LICENSE FOR CULLEY'S. W. T. and Verna I. Culley dba Uranium Club, 215 No. 5th Street, presented an application for renewal of their restaurant liquor license. It was moved by Councilman Lowe and seconded by Councilman Severson that the application be approved. Motion carried.

RENEW RETTIG'S 3.2 BEER LICENSE. Mr. W. A. Sowell, dba Rettig's, 755 No. 12th Street, presented an application for the renewal of his 3.2 beer license. It was moved by Councilman Severson and seconded by Councilman Lowe that the application be approved. Motion carried.

APPROVE AGREEMENT WITH STATE HWY ON E/W EXPRESSWAY LIGHTING. An agreement between the State Highway Commission of Colorado and the City of Grand Junction for the installation of lighting equipment on the East-West Expressway was presented and read. This is a plan for a modern street lighting system for the Expressway and would cost between \$35,000 and \$40,000. The State Highway will furnish the poles and standards and the City will be responsible for the installation and the lighting after the installation. The Public Service Company in accordance with their franchise have agreed to install the system without cost to the City.

Councilman McCormick moved and Councilman Harper seconded the motion that the following resolution be passed and adopted:

RESOLUTION

BE IT RESOLVED by the City Council of the City of Grand Junction that the City Manager and City Clerk be and they are hereby instructed to execute and deliver the agreement with the State Highway Department on the street lighting system for the East-West Expressway for and on behalf of the City.

Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO RAISE PRICE OF WATER TAPS. City Manager Toyne presented a letter to the Council concerning the revision of rates for water services. The cost of materials has increased since the established price was made a number of years ago and beginning on January 1st labor costs will be increased. The following Resolution was presented and read:

RESOLUTION

FIXING THE RATES TO BE CHARGED FOR INSTALLATION OF WATER SERVICES

WHEREAS: Section 20 of Chapter 19 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, provides in part that the rates to be charged for furnishing, constructing and laying service pipes of not exceeding one inch in size by

the Water Department shall be fixed and established by the City Council by Resolution and a schedule of said rates shall be posted in the City Hall. Said rates shall be subject to change by resolution of the Council whenever necessitated by the change in the cost of labor and materials; provided, however, that any change necessary on account of an increase or decrease of the market price of such pipe or of labor shall not be made until after five day's notice thereof has been given, said notice to be published two consecutive times in the official newspaper of said City, and the time of said notice shall commence to run from the date of the first publication thereof, and,

WHEREAS: The cost of labor and materials has increased to a point where a change in rates is necessary:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that the rate to be charge for the installation of a 5/8-inch and/or 3/4-inch water service be fixed at \$45.00; and that the rate to be charged for the installation of a one-inch water service be fixed at \$55.00; that the rates shall apply only upon unpaved streets; and that if constructed on paved streets, an additional charge for replacement of the pavement shall be made, based upon the cost plus 10% for overhead expenses; and

BE IT FURTHER RESOLVED, that the City Clerk be authorized and instructed to cause notice of such changes in rates to be published as required by Section 20, Chapter 19 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado.

Adopted and passed this 1st day of December, 1954.

C. A. Walt, President of the Council

ATTEST:

City Clerk

It was moved by Councilman Harper and seconded by Councilman Wright 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.

TO EMPLOY TALLMADGE ON BOND ISSUE. City Attorney Groves reported that there had been no formal reply as yet from the Anderson interests in regard to the City's purchasing their water rights on the North Fork of Kannah Creek but that he was under the impression that papers were being prepared and a formal action would be made as soon as Dr. E. H. Munro returns to town and signs his portion of the papers. Mr. Groves also stated that his office had been in contact with the office of Myles P. Tallmadge, Bond Consul, in Denver, and had made arrangements with Mr. Tallmadge to supervise the legal proceedings in connection with a special election and the

issuance of \$1,500,000 bonds for the purpose of purchasing the Anderson and Hallenbeck water rights. The following emergency ordinance was presented and read:

ORDINANCE NO. _____

AN ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION, TO BE HELD JANUARY 11TH, 1955, AT WHICH ELECTION THERE SHALL BE SUBMITTED TO A VOTE OF THE QUALIFIED TAXPAYING ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, THE QUESTION OF ISSUING NEGOTIABLE COUPON BONDS OF THE CITY FOR THE PURPOSE OF INCREASING THE WATER SUPPLY AND EXTENDING AND IMPROVING THE WATERWORKS SYSTEM OF THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Grand Junction, Colorado, has heretofore constructed and acquired and is now operating a municipal waterworks system; and

WHEREAS, it is necessary that the water supply be increased and that needed extensions and improvements be made to said system in order that the same may adequately supply said City and its inhabitants with water; and

WHEREAS, the City does not have in its treasury sufficient money available for such purposes; and

WHEREAS, the City Council of said City deems it necessary and desirable to issue bonds of the City in the sum of \$1,500,000.00, for said purposes, subject to the approving vote of the qualified taxing electors of said City;

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

Section 1. That a special municipal election is hereby called to be held in the City of Grand Junction, Colorado, on the eleventh day of January, 1955, at which the following question shall be and is hereby submitted to a vote of the qualified taxing electors of the City, to wit:

"Shall the City Council of the City of Grand Junction, Colorado, contract an indebtedness on behalf of the City and upon the credit thereof, by issuing the negotiable coupon bonds of the City in the aggregate amount of \$1,500,000.00, payable over a period of 15 years, for the purpose of increasing the water supply and extending and improving the waterworks system of the City?"

Section 2. Only qualified registered taxing electors of the City shall be permitted to vote upon the question hereby submitted.

Section 3. The question so submitted shall be voted on at said election by voters qualified as aforesaid, at the following polling places, in the City of Grand Junction, Colorado, to wit:

<u>Ward or Precinct</u>	<u>Polling Place</u>
A	City Hall
B	Hawthorne School
C	Orchard Avenue School
D	Lowell School
E	Washington School

The vote shall be taken by ballot in the form hereinafter set forth, and such election shall in all respects be held and conducted as nearly as may be in the manner prescribed by law for elections of municipal officers.

Section 4. The ballots to be used in voting upon the question above submitted shall be prepared and furnished by the City Clerk to the judges of election, to be by them furnished to the voters, and they shall be in substantially the following form:

OFFICIAL BALLOT

City of Grand Junction, Colorado
Special Municipal Waterworks Bond Election
Held January 11, 1955

QUESTION:

Shall the City Council of the City of Grand Junction, Colorado, contract an indebtedness on behalf of the City and upon the credit thereof, by issuing the negotiable coupon bonds of the City in the aggregate amount of \$1,500,000.00, payable over a period of 15 years, for the purpose of increasing the water supply and extending and improving the waterworks system of the City?

FOR THE BONDS

AGAINST THE BONDS

INSTRUCTIONS TO VOTERS:

The voter shall prepare his ballot, indicating his approval or disapproval of the foregoing proposition by placing a cross (x) opposite the group of words above which expresses his choice and shall then deposit his ballot in the ballot box provided for such purpose.

Section 5. The judges and clerks for said election shall be as follows:

POLLING PLACE:	City Hall
Judges:	Mrs. Frieda Fortney, Mrs. Ila McCarrie, Mrs. Rebecca Starks
Clerks:	Mrs. Faye Elsberry, Mrs. Lela Zimmerman
POLLING PLACE:	Hawthorne School
Judges:	Mrs. Estelle Brumbaugh, Mrs. Myrtle Kendall, Mrs. Leonard White
Clerks:	Mrs. Lucile Craft, Mrs. Edna McElvain
POLLING PLACE:	Orchard Avenue School
Judges:	Mrs. Fred Coe, Mrs. C. A. Hanchett, Mrs. Caroline Peach
Clerks:	Mrs. Richard Bauman, Mrs. Miles Kane
POLLING PLACE:	Lowell School
Judges:	Mrs. Blanche Culhane, Mrs. Nona Bliss, Mrs. Olga Oliver
Clerks:	Mrs. Agnes Goodrich, Mrs. Dorothy Evans
POLLING PLACE:	Washington School
Judges:	Mrs. Clara Charles, Mrs. Maude Coe, Mrs. Mary Anderson
Clerks:	Mrs. Leta Sykes, Mrs. Fern Ponsford

Section 6. The vote cast at said election on the question aforesaid shall be returned and canvassed and the result declared in the same manner as nearly as may be provided by law for the return, canvass and the declaration of the result of votes cast at an election of municipal officers.

Section 7. A notice of the time and place of said election shall be published on three successive days during the ten-day period prior to such election in The Daily Sentinel, a newspaper of general circulation published in the City of Grand Junction, Mesa County, Colorado, and also a copy of such notice shall be posted at each place of voting at least fifteen (15) days before such election, announcing the time, place and object of the election and the Clerk of the City of Grand Junction is hereby charged with the duty of effectuating this provision.

Said notice to be published and posted as aforesaid shall be in substantially the following form:

CITY OF GRAND JUNCTION, COLORADO

NOTICE OF SPECIAL MUNICIPAL WATERWORKS BOND ELECTION OF
TAXPAYING ELECTORS TO BE HELD ON TUESDAY, THE 11th DAY OF
JANUARY, 1955.

Pursuant to Ordinance No. 901 of the City of Grand Junction, Colorado, adopted and approved the 1st day of December, A. D., 1954, PUBLIC NOTICE IS HEREBY GIVEN that a special municipal election will be held on Tuesday, the 11th day of January, 1955, at the polling places hereinafter designated, in the City of Grand Junction, Colorado.

At said election there shall be submitted to the vote of the qualified taxpaying electors of the City of Grand Junction, Colorado, the following question:

"Shall the City Council of the City of Grand Junction, Colorado, contract an indebtedness on behalf of the City and upon the credit thereof, by issuing the negotiable coupon bonds of the City in the aggregate amount of \$1,500,000.00, payable over a period of 15 years, for the purpose of increasing the water supply and extending and improving the waterworks system of the City?"

That said election will be held at the following polling places, in the City of Grand Junction, Colorado, to wit:

<u>Ward or Precinct</u>	<u>Polling Place</u>
A	City Hall

B	Hawthorne School
C	Orchard Avenue School
D	Lowell School
E	Washington School

Upon the date and at the places designated, the polls will be open continuously from the hour of seven o'clock A. M. to and until the hour of seven o'clock P.M..

The ballots to be used in voting upon the question submitted will be prepared and furnished by the City Clerk to the judges of election, to be by them furnished to the voters.

The election will be held and conducted, as nearly as may be, in the manner prescribed by law for elections of municipal officers.

Registration for said election will take place in the manner now provided by law. Any person possessing qualifications to vote at said election but whose name does not appear on the official registration list, may register with the City Clerk of Grand Junction, Colorado, at any time during business hours up to and including Monday, the 27th day of December, 1954, fifteen days before said election.

IN WITNESS WHEREOF, The City Council of the City of Grand Junction, Colorado, has caused this notice to be published and posted as required by law, and dated this 1st day of December, A. D., 1954.

City Clerk

(SEAL)

Section 8. By reason of the fact that the City is not adequately supplied with water and that it is imperative to remedy the situation at the earliest possible moment, it is hereby declared that a special emergency exists, that this Ordinance is necessary for the preservation of the public peace, health and safety, and that it shall take effect upon passage and shall be published in THE DAILY SENTINEL on the day following its passage.

ADOPTED AND APPROVED this 1st day of December, 1954.

President of the Council

(SEAL)

ATTEST:

City Clerk

It was moved by Councilman Harper and seconded by Councilman Wright that all rules of the Council which might prevent, unless suspended, the final passage and adoption of said emergency ordinance at this meeting be and the same are hereby suspended for the purpose of permitting the final passage and adoption of said ordinance at this meeting. The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Councilmen voting "AYE:" McCormick, Severson, Harper, Colescott, Wright, Lowe and President Walt.

Councilmen voting "NAY:" None

All of the members of the City Council having voted in favor of said motion, the President declared said motion carried and the rules suspended.

Councilman Severson then moved that said ordinance be finally passed and adopted as introduced and read and ordered published. Councilman Harper seconded the motion. The question being upon the final passage and adoption of said ordinance, the roll was called with the following result:

Those voting "AYE:" McCormick, Severson, Harper, Colescott, Wright, Lowe and President Walt

Those voting "NAY:" None

The President as presiding officer thereupon declared that all of the members of the City Council, duly elected, qualified and acting as such having voted in favor thereof, the said motion was carried and the said ordinance finally passed and adopted.

On motion duly adopted, it was then ordered that said ordinance be numbered 901; that said ordinance be published in the Daily Sentinel, the official newspaper of the City within three days of its passage and be recorded and authenticated as required by law.

It was moved by Councilman Colescott and seconded by Councilman Harper that the City Clerk be authorized to publish such notices as necessary and advisable and in accordance with legal requirements to notify the people of the election and of registration and that the expense of the election be paid by the Water Department. Roll

was called on the motion with all members of the Council voting "Aye." The President declared the motion carried.

The City Clerk was also instructed to see to the advertising concerning all phases of the election.

It was moved by Councilman Severson and seconded by Councilman Wright that the firm of Myles P. Tallmadge, Attorney, be secured to supervise the legal work in connection with the \$1,500,000 water improvement bond election and bond issue. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO MEASURE WATER IN HALLENBECK RESERVOIR. Mr. C. H. Jex reported that he felt that the Hallenbeck water rights should be purchased on a measurement basis. They had already measured one reservoir at a cost of about \$700 and the other one would cost a similar amount, Mr. Hallenbeck paying one-half the cost.

Councilman Lowe stated that he was in favor of buying the water on a measurement basis and he moved that the City proceed to measure the Hallenbeck Reservoir as a basis for the payment of the contracted amount for Mr. Hallenbeck's water rights in the event the option is later exercised. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

AIRPORT HANGAR FOR FISH & GAME DEPT. City Attorney Groves reported that the State Game and Fish Department had bargained for one of the airport hangars but could not sign the lease with the indemnity clause in it. This indemnity clause has been included in all of the other leases which have already been signed and the rentals paid beginning November 1st.

City Attorney Groves asked the Council if they would approve inserting an insurance coverage clause instead of the indemnity clause. Considerable discussion on this matter was had and Councilman McCormick stated that he had several other people who were anxious to be permitted to lease hangar space and would be glad to pay the fee and include the indemnity clause. It was moved by Councilman Wright that the Colorado Fish and Game Department be granted a lease leaving out the indemnity clause but requiring insurance with the premium paid by the State Fish and Game Dept. and with the rental charge starting as of Nov. 1, 1954. Councilman Severson seconded the motion and the motion was carried.

It was decided that if the Fish and Game Department did not want the hangar under these terms, that someone else should be given the privilege of leasing it.

CITY SHOP COMMITTEE. Councilman Lowe reported that the City shop committee was not quite ready to make a report to the Council.

CONTRACTORS ASSN. MEETING. The Contractors Association meeting is Friday, December 3rd at 6:30 P.M. at the La Court Hotel when all members of the City Council, the City Attorney, the City Manager are invited to be present. The dinner is free.

FINANCE COMMITTEE. Councilman Wright reported that the Finance Committee had met and discussed some phases of increasing revenue but they were not ready to make a comprehensive report at this time. If the Council wanted a partial report, they could decide on golf fees, occupational liquor taxes, milk producer's fees and possibly traffic fines by the next meeting of the Council.

C. M. TOYNE REPRESENTATIVE CML. President Walt stated that the Colo. Municipal League expected to play a very important part in the 1955 municipal program in the State and that they were desirous that someone be appointed as a go-between between the Council and the League; that inasmuch as Mr. Toyne was an officer of the League he would recommend that he fill the position acting as an intermediary making recommendations to the Council in regard to the League works.

S-D DAY. President Walt also stated he had been contacted with reference to the Safety Driving Day which had been proclaimed by President Eisenhower as December 15th and that he had appointed Councilman Severson as S-D Day Director to work with Sheriff Redmon who is the County S-D Day Director. The County Commissioners have requested that the City join with them in issuing a proclamation that Dec. 15th be proclaimed Safety Driving Day.

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

/s/ Helen C. Tomlinson
City Clerk