

Grand Junction, Colorado
September 17, 1958

ROLL CALL.

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., September 17, 1958. Councilmen present and answering at roll call were Emerson, Orr, Harper, Colescott, Strnad, Wright and President Shults. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

MINUTES.

It was moved by Councilman Strnad and seconded by Councilman Orr that the minutes of the regular meeting held September 3rd be approved as written. Motion carried.

IMPR. DIST. #55 Engineer's estimate

Improvement District No. 55 was considered. Mr. Carl Alstatt, City Engineer, reported that after considering the bids for construction of Improvement District No. 55, he had consulted with the Corn Construction Company and gone over the petitions for South Avenue from 9th to 10th and Tenth Street from Pitkin to South Ave. The petition for Tenth Street was not signed by one-third of the property owners if the City of Grand Junction was eliminated. Two property owners on South Avenue, who own the greater majority of the property along the street, were opposed to the paving of this street. A petition protesting the paving of the alley between 6th and 7th and Walnut and Orchard Ave. had also been considered. This petition was signed by a majority of the property owners adjoining the alley. He recommended that these streets and alleys be deleted from the district.

City Engineer Alstatt's estimate for the cost of Improvement District No. 55 was:

Corn Construction Company	\$126,056.75
For materials to be furnished by the City, engineering, incidentals, etc.	<u>20,746.58</u>
making the total cost of the District	\$146,803.33

Of this total cost, the City of Grand Junction would pay \$17,000 as its share for rebuilding North First Street.

It was moved by Councilman Colescott and seconded by Councilman Strnad that Tenth Street from Pitkin Avenue to South Avenue and South Avenue from 9th Street to 10th Street and the alley between 6th and 7th Streets and Walnut and Orchard Avenues be eliminated from Improvement District No. 55; that Section 8 of the 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 Improvement District No. 55 and Authorizing the City Engineer to Prepare Details and Specifications for the Same be amended to read the same as paragraph 8 in the Resolution Creating and Establishing Improvement District No. 55 within the corporate limits of the City of Grand Junction, Colorado, authorizing the construction of Curbs and Gutters and Paving on Streets Therein and the Construction of Sidewalks and Providing for the Payment therefor. Motion carried.

IMPR. DIST. #55 Resol. Creating district

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. 55 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS AND PAVING ON STREETS THEREIN AND THE CONSTRUCTION OF SIDEWALKS AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 16th day of July, 1958, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. 55 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 Improvement District No. 55 be, and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks and paving therein be, and the same is hereby, authorized and directed, in accordance with the resolution adopting the details, plans and specifications prepared and filed therefor, except as follows:

a. Paragraph 8 of the Resolution adopting details, plans and specifications is amended to read as follows:

8. That the district of lands to be assessed with the cost of the proposed Hollywood-type curb, gutter, sidewalk and 33-foot paving with 6-inch gravel base is described as follows:

Block 1, Lots 7 through 9 inclusive, Linda Lane Subdivision
Block 2, Lots 8 through 13 inclusive, Linda Lane Subdivision
Block 3, Lots 1 through 4 inclusive, Linda Lane Subdivision
Block 1, Lots 1 to 6 inclusive, Mesa Gardens Subdivision
Block 2, Lots 1 to 4 inclusive, Mesa Gardens Subdivision
Block B, Lots 9 to 12 inclusive, Park Terrace Heights
Block C, Lots 6 to 11 inclusive, Park Terrace Heights

b. Paragraph 24 of such Resolution and the improvements listed thereunder are deleted from the Improvement District.

c. Paragraph 25 of such Resolution is amended to read as follows:

25. That an alley paving 16 feet in width is to be constructed with a 6-inch gravel base and a 2-inch asphalt mat in the following locations:

Alley from 14th Street to 15th Street between Ouray Avenue and Grand Avenue

Between North Avenue and Glenwood Avenue from alley east of Seventh to Cannell Avenue; also, alley east of Seventh from Glenwood to North Avenue

Alley between Elm and Texas from 12th to 14th Street

Alley north of North Avenue from Houston to College Place

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, being Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, have been strictly complied with;

4. That the description of the curbs and gutters, sidewalks 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 16th day of July, A. D. 1958, and in accordance with the published Notice of Intention to create said District, except as to the alterations hereinbefore provided;

5. That, after the contract for the construction of curbs and gutters, sidewalks and paving has been let, the Council shall, by a resolution, provide for the issuance of public improvement bonds for said Improvement District No. 55 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED THIS 17th day of September, 1958.

Harold H. Shults
President of the Council

ATTEST:

City Clerk

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

IMPR. DIST. #55 Bonds-to be purchased by City Treas.

City Treasurer Fred E. Hagie wrote a letter to the Council stating that it has been his policy in past years to purchase Grand Junction Special Improvement Bonds whenever he had money available for investment; that he would like to purchase the entire issue of Improvement District No. 55 bonds at a rate of 4% interest, a few of these bonds to be sold to local individuals. It was moved by Councilman Harper and seconded by Councilman Orr that the City Treasurer be authorized to purchase \$130,000 worth of Improvement District No. 55 bonds. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

IMPR. DIST. #55-Contract to Corn Construction Co.

City Manager Cheever explained that the reason the City was participating in the cost of rebuilding North First Street was because of the fact that when this street was originally paved years ago, the cost on the east side was assessed against the property owners, and that now this street has been designated as a truck route, and that it is necessary that a heavier base be used thus making the cost of refinishing the street more expensive. He also stated that First Street would be the first street to be constructed, and that it should be finished within about three weeks so that the street would not be torn up all winter.

It was moved by Councilman Harper and seconded by Councilman Strnad that the City Manager be authorized to sign a contract with the Corn Construction Company for the

construction of Improvement District No. 55 in the amount of \$126,056.75. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

FRUITVALE ANNEXATION. Petitions for

Petitions for annexing the following described property to the City limits were presented: (See Instrument File # _____ for petitions) also maps in accordance with the laws on annexation:

Instr. #3982

All that part of Sec. 13, T1S, R1W, U.M. lying East of present Grand Junction City Limits, and all that part of SE1/4 and S1/2 NE1/4 Sec 12, T1S, R1W, U.M. lying East of present Grand Junction City Limits, and NE1/4 NE1/4 of Sd Sec 12.

All that part of Sections 17 & 18, T1S, R1E, U.M. lying North of D&RGW R.R. right-of-way; the S1/2, the SE1/4 NE1/4, and the SE1/4 NE1/4 NE1/4 Sec. 8, T1S, R1E, U.M.; the S1/2, the NW1/4, the W1/2 NW1/4 NE1/4, the W1/4 E1/2 NW1/4 NE1/4, and the S1/2 NE1/4 Sec 7, T1S, R1E, U.M. except therefrom the following: Beg at the NE cor of said SE1/4 NE1/4 Sec 7, thence South 766.4'; thence N 58⁰ 15' W 288'; thence N 59⁰ 15' W 25'; thence W 260'; thence N 87⁰ 15' W 165'; thence N 79⁰ 20' W 150'; thence N 72⁰ 30' W 500'; thence N 47'; thence S 72⁰ 30' E 100'; thence N 42⁰ 40' E 543'; thence East 856' to point of beginning; also described by perimeter as follows:

Beg at NW cor of NE1/4 NE1/4 Sec 12, T1S, R1W, U.M.; thence south to SW corner of sd NE1/4 NE1/4 Sec 12; thence, following the present Grand Junction East City Limits to the South line of Sec 13, T1S, R1W, U.M.; thence East to SE cor of sd Sec 13; thence North to the North boundary of the D&RGW R.R. right-of-way; thence along sd R.O.W. line to its intersection with the East line of Sec. 17, T1S, R1E, U.M.; thence North to the NE cor of SE1/4 NE1/4 NE1/4, Sec 8, T1S, R1E, U.M.; thence West to NW cor said SE1/4 NE1/4 NE1/4 Sec. 8; thence South to SW cor of said SE1/4 NE1/4 NE1/4 Sec 8; thence West to NW cor of SE1/4 NE1/4 sd Sec 8; thence South to SW cor of sd SE1/4 NE1/4 Sec 8; thence West to SW cor NW1/4 sd Sec 8; thence North to a point 766.4 feet South of NE cor SE1/4 NE1/4 Sec 7, T1S, R1E, U.M.; thence N. 58⁰ 15' W 288'; thence N 59⁰ 15' W 25'; thence West 260'; thence N. 87⁰ 15' W 165'; N 79⁰ 20' W 150'; thence N 72⁰ 30' W 500'; thence North 47'; thence S 72⁰ 30' E 100'; thence N 42⁰ 40' E 543 feet to a point on the N line of sd SE1/4 NE1/4 Sec 7 which point is 856' West of NE cor sd SE1/4 NE1/4 Sec 7; thence West to the SE cor of W1/4 E1/2 NW1/4 NE1/4 sd Sec 7, T1S, R1E; thence North to NE cor of said W1/4 E1/2 NW1/4 NE1/4 Sec 7; thence West to point of beginning.

It was reported that the Planning Commission had held a meeting at 8:00 A.M. on September 17th and had approved and recommended to the City Council that the Fruitvale area be annexed to the City.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, a Petition to annex the following-described property, to-wit:

All that part of Sec. 13, T1S, R1W, U.M. lying East of present Grand Junction City Limits, and all that part of SE1/4 and S1/2 NE1/4 Sec 12, T1S, R1W, U.M. lying East of present Grand Junction City Limits, and NE1/4 NE1/4 of Sd Sec 12.

All that part of Sections 17 & 18, T1S, R1E, U.M. lying North of D&RGW R.R. right-of-way; the S1/2, the SE1/4 NE1/4, and the SE1/4 NE1/4 NE1/4 Sec. 8, T1S, R1E, U.M.; the S1/2, the NW1/4, the W1/2 NW1/4 NE1/4, the W1/4 E1/2 NW1/4 NE1/4, and the S1/2 NE1/4 Sec 7, T1S, R1E, U.M. except therefrom the following: Beg at the NE cor of said SE1/4 NE1/4 Sec 7, thence South 766.4'; thence N 58⁰ 15' W 288'; thence N 59⁰ 15' W 25'; thence W 260'; thence N 87⁰ 15' W 165'; thence N 79⁰ 20' W 150'; thence N 72⁰ 30' W 500'; thence N 47'; thence S 72⁰ 30' E 100'; thence N 42⁰ 40' E 543'; thence East 856' to point of beginning; also described by perimeter as follows:

Beg at NW cor of NE1/4 NE1/4 Sec 12, T1S, R1W, U.M.; thence south to SW corner of sd NE1/4 NE1/4 Sec 12; thence, following the present Grand Junction East City Limits to the South line of Sec 13, T1S, R1W, U.M.; thence East to SE cor of sd Sec 13; thence North to the North boundary of the D&RGW R.R. right-of-way; thence along sd R.O.W. line to its intersection with the East line of Sec. 17, T1S, R1E, U.M.; thence North to the NE cor of SE1/4 NE1/4 NE1/4, Sec 8, T1S, R1E, U.M.; thence West to NW cor said SE1/4 NE1/4 NE1/4 Sec. 8; thence South to SW cor of said SE1/4 NE1/4 NE1/4 Sec 8; thence West to NW cor of SE1/4 NE1/4 sd Sec 8; thence South to SW cor of sd SE1/4 NE1/4 Sec 8; thence West to SW cor NW1/4 sd Sec 8; thence North to a point 766.4 feet South of NE cor SE1/4 NE1/4 Sec 7, T1S, R1E, U.M.; thence N. 58⁰ 15' W 288'; thence N 59⁰ 15' W 25'; thence West 260'; thence N 87⁰ 15' W 165'; N 79⁰ 20' W 150'; thence N 72⁰ 30' W 500'; thence North 47'; thence S 72⁰ 30' E 100'; thence N 42⁰ 40' E 543 feet to a point on the N line of sd SE1/4 NE1/4 Sec 7 which point is 856' West of NE cor sd SE1/4 NE1/4 Sec 7; thence West to the SE cor of W1/4 E1/2 NW1/4 NE1/4 sd Sec 7, T1S, R1E; thence North to NE cor of said W1/4 E1/2 NW1/4 NE1/4 Sec 7; thence West to point of beginning, all lying and being in Mesa County, Colorado,

has been filed with the City Clerk and is now presented to the City Council; and,

WHEREAS, upon examination of the said Petition and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the Petition is signed by more than 50 per cent of the owners of the area of such territory to be annexed and that the persons signing such Petition also comprise a majority of the landowners residing in the territory at the time said Petition was filed with the City Clerk; that there is attached to the said Petition four copies of a map or plat of such territory which is suitable for filing; that the

said Petition and maps are sufficient and substantially meet the requirements of Section 2, of Chapter 314, Session Laws of Colorado, 1947;

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

That the said Petition for annexation shall be, and the same is hereby, accepted and approved; and that notice of the filing of the said Petition shall be published once each week for four publications in the Morning Sun, the official newspaper of the said City of Grand Junction.

PASSED AND ADOPTED THIS September 17, 1958.

Harold H. Shults
President of the Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman Orr that the Resolution be passed and adopted as read. Roll was called on the motion with the following Councilmen voting "AYE:" Emerson, Orr, Harper, Colescott, Strnad and Wright. Councilman voting "Nay:" President Shults. A majority of Councilmen voting "AYE," the President declared the motion carried. The hearing on the Fruitvale annexation was set for November 5, 1958.

Mr. Cameron Grant and several other residents of Fruitvale were present to protest the legality of the petitions, and they were informed that all of the matters pertaining to the annexation would be considered on November 5th. President Shults stated that everyone would have ample opportunity to be heard at that time.

It was moved by Councilman Colescott and seconded by Councilman Wright that the maps for the Fruitvale district be turned over to the Engineering Department for study, and motion was carried with Councilman Orr voting "NAY."

3.2 BEER LICENSES Waddell's Quality Mkt., 2231 N 7th & Southside Market at 832 S 7th renewed

Applications for the renewal of 3.2 beer licenses were presented by Mrs. Mildred Waddell, dba Waddell's Quality Market at 2231 North 7th Street and Frances Mark dba Southside Market at 832 So. 7th Street. It was moved by Councilman Colescott and seconded by Councilman Wright that the applications be approved and licenses granted when the State licenses have been received. Motion carried.

WATER BILL ADJUST. Mrs. Edna Frecker, 774 Elm

Mrs. Edna Frecker, owner of the property at 774 Elm Avenue, requested a water bill adjustment on her Sept. 1, 1958 bill, due to a service line leak. During this quarter, 92,800 gallons of water went through the meter amounting to \$17.07. A year ago at this same time, 74,300 gallons of water were used amounting to \$14.30. It was moved by Councilman Wright and seconded by Councilman Harper that the request be granted and water bill adjusted on the basis of water used in the corresponding quarter of last year. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

LIQUOR LICENSE Hearing - Mrs. Mary Hayden for Royal Grill, to be Oct. 15

Mrs. Mary Hayden presented an application for a hotel and restaurant liquor license for the Royal Grill at 209 Colorado. It was moved by Councilman Emerson and seconded by Councilman Orr that this application be advertised for hearing on October 15th. Motion carried.

Instr #3969

PARKING METERS to install on Courthouse annex lot-sign lease

A letter from the Mesa County Commissioners was read asking that the City take over the parking area immediately east of the Courthouse Annex and install parking meters. It was moved by Councilman Wright and seconded by Councilman Harper that this area be designated as an official off-street parking area, and that parking time on meters be designated the same as on the streets. Motion carried.

It was moved by Councilman Strnad and seconded by Councilman Orr that City Manager Cheever be authorized to sign a lease with the County Commissioners for this parking lot. Motion carried.

LIBRARY Mesa Co. Library moving out by 1-1-59

City Manager Cheever reported that the Mesa County Library was moving out of the City Library building as of January 1st.

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

/s/ Helen C. Tomlinson
City Clerk