

Grand Junction, Colorado

September 2, 1959

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., September 2, 1959. Councilmen present and answering roll call were Meacham, Dean, Colescott, Strnad, Wright and President Orr. Councilman Hadden was absent. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

MINUTES

It was moved by Councilman Strnad and seconded by Councilman Colescott that the minutes of the regular meeting held August 19th be approved as written. Motion carried.

IMPR. DIST. #56 - \$64,000 bonds to Dr. A. H. Gould for Saint Mary's group - Resol. Form of bond and coupon

This was the date set to receive bids for \$64,000 Improvement District #56 bonds. A bid of par, \$64,000, plus \$2.00 with interest rate at 4 1/2% per annum was received from Dr. A. H. Gould for the Saint Mary's group. It was moved by Councilman Wright and seconded by Councilman Strnad that this bid be accepted and the bonds sold to A. H. Gould, M. D., for the Saint Mary's group. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

The following resolution was presented and read:

R E S O L U T I O N

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. 56

WHEREAS, on the 5th day of August, 1959, the City Council of the City of Grand Junction, Colorado, adopted a resolution creating Improvement District No. 56 within said City;

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

1. That for the purpose of paying the cost and expenses of constructing improvements in said Improvement District No. 56, including engineering, inspection and other incidental expense, the City shall issue public improvement bonds of said Improvement

District No. 56, dated the 1st day of October, 1959, in the denomination of \$1,000.00 each, numbered 1 to 64 inclusive, due and payable on the 1st day of October, 1969, subject to call and payment, however, at any time prior to the maturity of said bonds, said bonds shall bear interest at the rate of four and one-half per cent (4 1/2%) per annum, payable semi-annually on the 1st day of April and the 1st day of October of each year, as evidenced by coupons to be attached to said bonds. The principal of, and interest on, said bonds being payable at the office of the City Treasurer of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of said City 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.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, 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.

3. 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
IMPROVEMENT DISTRICT NO. 56

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 October, 1969, 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 April and the first day of October each year, both principal and interest being payable at the office of the City Treasurer in Grand Junction, Colorado, 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 Improvement District No. 56 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 Improvement District No. 56, 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 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 Improvement District No. 56 and the making of said improvements and the issuance 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 issuance 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, as of the 1st day of October, 1959.

(SEAL)

President of the City Council

ATTEST:

City Clerk

(Form of Coupon)

No. _____ \$ _____
On the 1st day of April/October, A. D. 19_____, the City of
Grand Junction, Colorado, 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 six
months' interest on its local public improvement bond of
Improvement District No. 56, provided the bond to which this
coupon is attached has not been called for prior payment.

Attached to bond dated October 1, A. D. 1959.

NO. _____ (Facsimile Signature)

City Treasurer

(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. 1959.

City Treasurer

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 _____ day of _____ A. D. 1959.

(SEAL)

President of the Council

ATTEST:

City Clerk

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

RETAIL LIQUOR STORE LICENSES

This was the date set for hearings on the applications for retail liquor store licenses for Craig Taylor dba North Avenue Liquor Store, 801 North Avenue, and Earl E. Fix for the 8 Ball Drive In Liquor Store at 240 S. 5th. Letters from Karl Johnson, Chief of Police, concerning these applicants were read. There were no protests filed in connection with either of these applications.

Craig Taylor dba North Avenue Liquor 801 North Ave. approved

It was moved by Councilman Strnad and seconded by Councilman Wright that the application of Craig Taylor dba North Avenue Liquor Store, 801 North Avenue, for a retail liquor store license be approved and license issued when his state license has been received. Motion carried.

Earl E. Fix dba 8 Ball Drive In Liquor

It was moved by Councilman Strnad and seconded by Councilman Wright that the application of Earl E. Fix dba 8 Ball Drive In Liquor Store at 240 S. 5th be approved and license issued when his state license has been received. Motion carried.

PROP. ORD. Vacate alley 14th bet Elm & Texas - Instr # Alleys QC Deed Joe & Theresa Shaff 14th St. bet Elm & Texas

The following proposed ordinance was presented and read: AN ORDINANCE VACATING AN ALLEY IN BLOCK 3 PROSPECT PARK SUBDIVISION IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Meacham and seconded by Councilman Dean that the proposed ordinance be passed for publication. Motion carried.

It was brought out by the Council that they were cognizant of the fact that this zoning request had not gone to the Planning Commission, but it was not their intention to by-pass them but it was a small matter of trading other land for this alley and a minor detail.

ANNEXATION - Salt Lake Hardware Co. tract - Instr. # 3991

The following petition for annexation of land to the City of Grand Junction was presented:

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

Beginning at a point which is 239.0' South of the Northeast corner of Southeast quarter Southwest quarter of Section 13, Township 1 South, Range 1 West, Ute Meridian, Mesa County, Colo., thence South 72 52' West 673.7' along D & RGW Railway right-of-way, thence North 30 04' West 69.1' thence North 59 56' East 494.7' thence North 73 52' East 464.3', thence North 62 55' East 463.6', thence North 72 52' East 1100', thence South 17 08' East to railway right-of-way, thence South 72 52' West to point of beginning.

Also Highway Right of Way described as follows:

From the Northeast corner of the Southeast quarter Section 13, Township 1 South, Range 1 West, Ute Meridian. South 00 05' West 290.5' South 72 52' West 1077.7' for point of beginning, thence South 17 08' East 200', thence Westerly along South right-of-way line U.S. Highway 6 & 24 to the present East City limits line, thence North along City limits line to the North right-of-way line Main Street, thence Easterly along present City limits line and along North right-of-way line U.S. Highway 6 & 24 to point of beginning.

As grounds therefor, the petitioners respectfully show to the said Council that the said territory is eligible for annexation in that it is not embraced within any city or town, that it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford reasonable ingress and egress thereto, that more than one-sixth of the aggregate exterior boundary of the territory proposed to be annexed coincides with the existing boundary of the said city, and that the non-contiguous boundary of the said territory coincides with the existing block lines, street lines, or governmental subdivision lines.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty per cent of the area of such territory to be annexed and also comprise a majority of the land owners residing in the said territory; that a description of the land owned by each signer, together with his residence address and other descriptive facts are set forth hereafter opposite the name of each signer.

WHEREFORE these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

Date	Signature	Address	Landowner only	Property Description
8-8-59	J. C. Irwin	3212 F Rd Clifton	x	Beg at int of S line State H/W #4 with E line SW1/4 Sec 13, T1S, R1W N 73 52' E 204.7' N 62 55' E 463.6' S 17 08' E 245' to Ry r/w swly along sd r/w to a pt S of beg N to beg.
8-8-59	Evelyn L. Irwin	3212 F Rd Clifton	x	

8-3-59	Bauer Holding & Investment Co.	2135 East Main St.	x	From NE cor SE1/4 Sec 13, T1S, R1W S 0 05' W 395.3' S 72 52' W 1046.9' S 17 08' E 100' for beg S 17 08' E 250' to Ry r/w S 72 52' W along sd r/w 750' N 17 08' W 250' to r/w New Freeway N 72 52' E 750' to beg
	Charles L. Wheeler	President		
	Eugene S. Maier	Secretary		
8-15-59	Jerome W. Ephraim	949 South Ave.	x	Beg 57.7' S of NE cor SE1/4 SW1/4 Sec 13, T1S, R1W S73 52' W 259.5 S 59 56' W 494.7' S 30 04' E 69.1' to D&RGW Ry r/w N 72 52' E 673.7' to E line Sd SE1/4 SW1/4 N 18 to beg
	Muriel A. Ephraim	949 South Ave.		

	(Not signed) Kurtz, W. C. et al c/o Grand Wholesale Grocery			From NE cor SE1/4 Sec 13, T1S R1W S 0 05' W 395.3' S 72 52' W 1796.5' S 17 08' E 100' from beg., S 17 08' E 245' to r/w D&RGW Ry S 72 52' W along sd r/w 350' N 17 08' W 245', N 72 52' E 350' to beg
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STATE OF COLORADO)		
)	SS	AFFIDAVIT
COUNTY OF MESA)		

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

(Signed) Don Warner

Subscribed and sworn to before me this 2nd day of September, 1959.

Witness my hand and official seal.

Signed) Helen C. Tomlinson
Notary Public

My Commission expires: Dec. 9, 1962

The following Resolution was presented and read:

RESOLUTION

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

Beginning at a point which is 239.0 feet South of the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 13, Township 1 South, Range 1 West, Ute Meridian, Mesa County, Colorado, thence South 72 52' West 673.7 feet along the Denver and Rio Grande Western Railroad right-of-way, thence North 30 04' West 69.1 feet, thence North 59 56' East 494.7 feet, thence North 73 52' East 464.3 feet, thence North 62 55' East 463.6 feet, thence North 72 52' East 1100 feet, thence South 17 08' East to the railroad right-of-way, thence South 72 52' West to the point of beginning.

Also highway right-of-way described as follows:

From the Northeast corner of the Southeast Quarter of Section 13, Township 1 South, Range 1 West, Ute Meridian, Mesa County, Colorado, thence South 00 05' West 290.5 feet, thence South 72 52' West 1077.7 feet for the point of beginning, thence South 17 08' East 200 feet, thence westerly along the South right-of-way line of U. S. Highway 6 & 24 to the present East City limits line, thence North along the City limits line to the North right-of-way line of Main Street in the said City, thence easterly along the present City limits line and along the North right-of-way line of U. S. Highway 6 & 24 to the point of beginning.

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% of the owners of the area of such territory to be annexed and that the persons signing such petition are landowners only there being no resident landowners in the area; that there is attached to the said petition four copies of a map or plat of such territory which is suitable for filing; that 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 Daily Sentinel, the official newspaper of the said City of Grand Junction.

PASSED AND ADOPTED this 2nd day of September, 1959.

President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Strnad and seconded by Councilman Colescott 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.

Sewer & water for West. Colo. Publishing Co. before annexation completed

It was moved by Councilman Strnad and seconded by Councilman Wright that the City Manager be authorized to go ahead and grant water and sewer services to the Western Colorado Publishing Company with the understanding that they are to become part of the City as soon as possible. Motion carried.

SUNSET TERRACE WATER Water Line No. 7th no. of Patterson (Plaza Water Co.)

A report was made on the Sunset Water Terrace Company by the City Manager. He stated that he and the City Attorney have been discussing several matters in this connection and that it would take more investigation.

ZONING-NO. MONTEREY PARK SUBDIV. - Hearing 10-7-59 Blks 1 & 2 to Res. C.

A petition was presented by Mr. W. C. Rump to change the zoning on the N1/2 of Lots 5 and 6 Capitol Hill Subdivision (Blocks 1 and 2 North Monterey Park) from Residence A and B districts to S 115' W1/2 Blk 1, Residence A., Blk 1 exc. S 115' and Blk 2 exc S 129.9' to Business AR. The Planning Commission had recommended that the zoning be changed to Residence C. In the new zoning ordinance the Classification which would correspond to Residence

C would be sufficient to permit the construction of the type of building which Mr. Rump contemplates building on these lots.

It was moved by Councilman Wright and seconded by Councilman Meacham that a petition be presented requesting the change in the zoning be to Residence C and that it be advertised for hearing on October 7th. Motion carried.

FESTIVAL COMMITTEE Bill approved for submittal to Com. for \$1,274.66

The bill for the Grand Junction Festival Committee was shown to be \$1,274.66; moving bleachers, \$391.76, cleaning the field after the rodeo, \$44.68; resodding of the football field, \$360.96, lights, \$181.02; supervision, \$79.74 and for preparing the parking lot and getting the airport ready for the air show, \$216.50. This bill was approved for submittal to the Festival Committee.

COLO. MUN. LEAGUE Meeting - 9-10-59 at Montrose

It was announced that the Colorado Municipal League District 11 meeting would be held in Montrose Thursday, September 10th, beginning at 2:00 P. M. All Councilmen were invited to attend.

LABOR UNION CA to prepare statement on Council position re unions, election, etc.

The matter of the election of the City employees specifying whether or not they are in favor of union representation was discussed. It was moved by Councilman Strnad and seconded by Councilman Wright that the City Attorney be instructed to prepare a written statement giving details on where the Council stands should such an election be favorable and all of the details in connection with an election, selection of a bargaining agent, union contract, etc., and that this explanation be given to the City employees, City Council and to the public. Motion carried.

WATER COMMITTEE

Councilman Colescott stated that he would like to meet with the Water Committee as soon as he can get in touch with Mr. Jex.

REV. PERMIT GRANTED to U.S. Bank of G.J. for tunnel from parking lot to bank

The U. S. Bank of Grand Junction requested a revocable permit for a tunnel under the alley between their bank and their parking lot.

Instr No. Rev Pmts

R E S O L U T I O N

WHEREAS, United States Bank of Grand Junction has made application to the City of Grand Junction for permission to construct and maintain a tunnel from the rear or south end of the bank's banking offices on Lots 13, 14, 15 and 16 in Block 119 in the City of Grand Junction, underneath the alley in said Block 119 to the north or rear end of Lots 17, 18, 19, 20 and 21 in said Block 119; and

WHEREAS, the said bank has filed a plat of such construction with the application for revocable permit; and

WHEREAS, THE City Council is of the opinion that the construction of such tunnel would not be detrimental to the use of the alleyway involved and has directed the City Manager to issue a permit for such construction and for the maintenance, use and operation of such tunnel by said bank contingent upon the final approval of the plans submitted by the City Engineer;

NOW, THEREFORE, be it resolved by the City Council of the City of Grand Junction, Colorado:

That upon final approval by the City Engineer of the plans submitted by the said bank, the City Manager, on behalf of the city and as the act of the city, be, and he hereby is, authorized to grant a revocable permit to the United States Bank of Grand Junction, permitting the bank to install and maintain such tunnel in accordance with the plat of such construction as submitted with the Application for Revocable Permit, with a further requirement that the bank indemnify the city and save it harmless from any and all claims of whatever nature arising out of the construction, maintenance, use and operation of said tunnel.

PASSED AND ADOPTED this 2nd day of September, 1959.

President of the City Council

ATTEST: recorded #847674, 9/3/63, book 854, page 218

City Clerk

It was moved by Councilman Wright and seconded by Councilman Strnad that the Resolution be passed and adopted as read, subject to approval of the City Engineer. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

LIQUOR STORE APPL. - Rex McGown & Etta C. McGown dba City Liquor Store, 901 N 1st hearing 10-7-59

Rex McGown and/or Etta C. McGown dba City Liquor Store, 901 No. 1st Street, presented an application for a retail liquor store license. It was moved by Councilman Wright and seconded by Councilman Strnad that this application be advertised for hearing on October 7th. Motion carried.

SEWAGE DISPOSAL PLANT - Mr. Turney to investigate and report on odor

Councilman Dean brought up the matter of the odor from the west side disposal plant, and City Manager Cheever was requested to get in touch with Mr. Turney, if he wasn't to be in Grand Junction soon, and request him to come up to find out just what is wrong with the plant. Councilman Wright suggested that Mr. Turney be advised that if it is a matter of design in the plant, it is Mr. Turney's responsibility to figure out what is wrong, or if it is in the operation, to instruct City employees how to operate it.

AGREEMENT WITH ST. MARY'S HOSP. Care of prisoners - Inst # 3990

The following agreement between the City and the Sisters of Charity of Leavenworth, (Operators of St. Mary's Hospital of Grand Junction) concerning the care of patients in police custody and indigent patients was presented:

A G R E E M E N T

THIS AGREEMENT, Made and entered into this 31st day of August, 1959, between the COUNTY OF MESA, STATE OF COLORADO, (hereinafter called "County"), the CITY OF GRAND JUNCTION, COLORADO, (hereinafter called "City"), and SISTERS OF CHARITY OF LEAVENWORTH, operator of St. Mary's Hospital in Grand Junction, (hereinafter called "Hospital"), WITNESSETH:

That WHEREAS, the Parties wish to define their several responsibilities for payment of the Hospital's charges for the following classifications of patients:

- A. Patients in police custody
- B. Indigent Patients

NOW, THEREFORE, IT IS HEREBY AGREED:

1. That the Mesa County Sheriff's Office and the Grand Junction Police Department will pay to the Hospital its charges for out-

patient services rendered to persons held in custody by the Sheriff or the Police Department, provided that:

(a) At the time the first services are rendered by the Hospital to such a police-custody patient, the Hospital will be notified of the status of the case and the fact that the Sheriff's Office or Police Department is responsible for the charge; and

(b) Unless so notified, the Hospital shall deem the patient to be one the charges for whom are not to be paid by the Sheriff's Office or the Police Department.

2. That the Mesa County Welfare Department will pay to the Hospital for its charges for:

(a) Hospitalization of indigent in-patients (including those held in police-custody); and

(b) For services rendered to indigent out-patients (but not including those held in police-custody);

provided that the Hospital shall properly and promptly notify the Department of such cases so that the Department may follow its established procedure in investigating and certifying said cases as being eligible for welfare assistance.

The Department recognizes that many indigent patients come to the Hospital for hospitalization or treatment as emergency cases and that the Hospital cannot notify the Department of their classification prior to the time hospitalization or treatment commences and the Department therefor agrees that it will make payment to the Hospital for hospitalization or services rendered in such an instance if the patient is ultimately found to be eligible for welfare assistance.

The Hospital recognizes that the Department is required to follow an established procedure of investigation prior to certification that a patient is eligible for welfare assistance and the Hospital therefor agrees to diligently inquire and promptly advise the Department whether patients will require welfare assistance and thereafter to assist the Department by all available means in the Department's processing of assistance cases.

Executed at Grand Junction, Colorado, the day and year first above written.

COUNTY OF MESA

BY R. F. Saunders

Chairman of the Board of County Commissioners

CITY OF GRAND JUNCTION, COLORADO

By. R. E. Cheever
City Manager

SISTERS OF CHARITY OF LEAVENWORTH

By Sister Zita Marie RN BS
Administrator of St. Mary's Hospital of Grand Junction, Colorado

APPROVED AS TO FORM:

Raymond Reese (Signed)
Sheriff of Mesa County, Colorado

Karl M. Johnson (Signed)
Chief of Police of City of Grand Junction

Lew Wallace (Signed)
Director of Mesa County Public Welfare

Gerald J. Ashby (Signed)
Attorney for City of Grand Junction

Thomas K. Younge (Signed)
Attorney for the County of Mesa

It was moved by Councilman Colescott and seconded by Councilman Strnad that the City Manager be instructed to sign the agreement, as proposed, with St. Mary's Hospital and also like agreements with Mesa Memorial Hospital, Lincoln Park Hospital and the Mesa County Medical Association. Motion carried.

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

/s/Helen C. Tomlinson
City Auditor & Ex-Officio City Clerk