

Grand Junction, Colorado

February 7, 1962

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p. m. February 7, 1962. Councilmen present and answering roll call were Meacham, Hadden, Love, Colescott, Lowe, Wright and President McCormick. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Rev. Emil A. Eckert, Pastor, Immaculate Heart of Mary Catholic Church.

MINUTES

It was moved by Councilman Lowe and seconded by Councilman Hadden that the minutes of the regular meeting held on January 17th be approved as written. Motion carried. (7 voted AYE)

HEARING

Creation of San. Sewer Dist. #20 (bet Bookcliff & Orchard & College Pl & 12th St)

This was the date set for hearing on the formation of Sanitary Sewer District No. 20 (between Bookcliff and Orchard Avenue, and College Place and 12th Street). As there was no one in the audience to be heard on this matter and no communications had been filed against it, President McCormick closed the hearing. The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 20 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER WITHIN SAID DISTRICT AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 20th day of December, 1961, the City Council of the City of Grand Junction, Colorado passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 20 and authorizing notice of intention to create said District; and

WHEREAS, Notice 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 Sanitary Sewer District No. 20 be, and the same is hereby, created and established, and that construction of a sanitary sewer 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 the said sanitary sewer will be made by contract let to the lowest reliable and responsible bidder, except that if it be determined by the City Council that the bids are too high, 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 sanitary sewer in said District was 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 sanitary sewer, the boundaries of said Sanitary Sewer 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 20th day of December, 1961, 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 Sanitary Sewer District No. 20, including engineering, inspecting and other incidental expense, the City shall issue public improvement bonds of said Sanitary Sewer District No. 20, dated the 1st day of March, 1962, in the denomination of \$1,000.00 each, numbered _____ to _____ inclusive, due and payable on the 1st day of March 1972, 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 4 per cent per annum, payable semi-annually on the 1st day of September and the 1st day of March 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.

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 Sanitary Sewer District No. 20, 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
SANITARY SEWER DISTRICT NO. 20

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 1st day of March, 1972, subject to call and payment, however, at any time prior thereto with the interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the 1st day of September and the 1st day of March 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 Sanitary Sewer District No. 20 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 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 Sanitary Sewer District No. 20, 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 improvement, 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 Sanitary Sewer District No. 20 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 _____ day of _____, 1962.

President of the City Council

(SEAL)

ATTEST:

City Clerk

(Form of Coupon)

No. _____ \$ _____

On the _____ day of _____, A.D. 196_____, 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 Sanitary Sewer District No. 20, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated _____, A.D. 196_____.

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. 196_____.

\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 purchase thereof, on receipt of the purchase price.

ADOPTED AND APPROVED THIS 7th day of February, A.D. 1962.

\President of the Council

(SEAL)

ATTEST:

\City Clerk

It was moved by Councilman Wright and seconded by Councilman Love that the Resolution be passed and adopted as read. Roll was called on the motion with the following result:

Councilmen voting AYE:

Ray A. Meacham,
Arthur Hadden,
Chas. H. Love,
Harry O. Colescott,
Warren D. Lowe,
Herbert M. Wright
President C. E. McCormick.

Councilmen voting NAY:

None

All of the Councilmen voting AYE, the President declared the motion carried and the Resolution duly passed and adopted.

BID

San. Sewer Dist #20 Award Contract to Corn Constr - \$12,757

Bids were opened at 10 a.m. February 7th for the construction of Sanitary Sewer District No. 20, and the following bids were submitted:

Grand Mesa Construction Co.	\$17,854.00
Elam Construction Co.	13,643.65
Tilton Construction Co.	12,923.50
Corn Construction Co.	12,757.00
Engineer's Estimate	14,950.00

It appearing that Corn Construction Company's bid was the low bid and that it was below the Engineer's Estimate, it was moved by Councilman Wright and seconded by Councilman Meacham that the City accept the low bid submitted by Corn Construction Company and authorize the City Manager to award the contract on the basis of the bid. Roll was called on the motion with the following result:

Councilmen voting AYE:

Ray A. Meacham,
Arthur Hadden,
Chas. H. Love,
Harry O. Colescott,
Warren D. Lowe,
Herbert M. Wright
President C. E. McCormick.

Councilmen voting NAY:

None

All of the Councilmen voting AYE, the President declared the motion carried.

BONDS

San. Sr. #20 Authorize C.T. to buy for City funds-Par and 4% interest

A memorandum was read by City Manager Lacy from City Treasurer Fred E. Hagie stating that he had talked to a bonding firm in Denver and had been informed that on an issue of approximately \$16,000, 4% interest would be a reasonable rate of interest, and it would be doubtful if a bid from bonding companies would carry any lower rate. It was moved by Councilman Colescott and seconded by Councilman Lowe that the bonds for Sanitary Sewer District No. 20

in the amount of \$16,000.00 be sold to the City of Grand Junction at par and 4% interest. Roll was called on the motion with the following result:

Councilmen voting AYE:

Ray A. Meacham,
Arthur Hadden,
Chas. H. Love,
Harry O. Colescott,
Warren D. Lowe,
Herbert M. Wright
President C. E. McCormick.

Councilmen voting NAY:

None

All of the Councilmen voting AYE, the President declared the motion carried.

WATER BILL ADJUST.

Carrie Thomas, 720 W Grand - denied (outside)

Mrs. Carrie Thomas, 720 W. Grand Ave., requested an adjustment in her water bill which was \$16 over the usual amount. She offered to pay one-half of this overage or \$8.00 plus her usual bill which is approximately \$4.50. The City Council had recently re-affirmed its policy in that it would not grant refunds for leaks in water lines outside the City limits. City Manager Lacy stated that he had informed Mrs. Thomas that this was the policy and so far as he was concerned, there was nothing that could be done to adjust her water bill. It was moved by Councilman Colescott and seconded by Councilman Lowe that Mrs. Thomas' request be denied. Motion carried. (7 voted AYE)

3.2 BEER RENEWAL

Dan Williams dba Williams Grocery, 215 Colo. Ave.

An application for renewal of 3.2 beer license was resented by Dan Williams dba Williams Grocery, 215 Colorado Ave. As there were no protests, it was moved by Councilman Meacham and seconded by Councilman Hadden that the application be approved and license issued when the State license has been received. Motion carried (7 voted AYE)

DAYS - CARNATION

5-5-62 Spanish American War Vets Aux - granted

The Spanish American War Veterans' Auxiliary requested permission to sell carnations on the downtown streets on May 5, 1962. It was moved by Councilman Colescott and seconded by Councilman Hadden that the request be granted. Motion carried (7 voted AYE)

BONDS APPRVD & FILED

It was moved by Councilman Lowe and seconded by Councilman Wright that the following bonds, being on the approved form, be accepted and filed: Motion carried. (7 voted AYE)

<u>CEMENT CONTRACTOR</u>		
Clarence Lunsford	Western Surety Co.	481831-57
<u>CONTRACTOR (General)</u>		
Raymond S. McElfresh	Peerless Ins.	251277
<u>CONTRACTOR (Special)</u>		
Mathew Pirofalo	Fidelity Dep of Md	C 72 88 656
Clifford C. Robison dba Robison Roof Co	Fireman's Fund Ins	606 2736 62
Treece Furniture Co.	Connecticut Fire Ins	37512
M. P. Brown	Columbia Casualty	41 69 29
<u>ELECTRICAL CONTRACTOR</u>		
L. E. Tuckness dba Advance Electric	Royal Indemnity	569412
<u>GAS INSTALLER</u>		
Holland Furnace Co.	Maryland Casualty Co	92 734008
<u>PHOTOGRAPHER</u>		
Color Classics, Inc. 1019 E. Colfax	U.S.F.&G.	17469-13-277
<u>PLUMBING CONTRACTOR</u>		
Warren C. Bush	Maryland Casualty Co	92-783967
<u>SECOND HAND DEALER</u>		
C & R Used Furniture, 2863 1/2 North	Columbia Casualty	41 69 25
B. J. Rehder dba North Ave. Bike	Mid-Continent Casualty	12398

Shop		
Treece Furniture Co	Connecticut Fire Ins	37511
<u>SIGN HANGER</u>		
A. L. Allen dba Grand Junction Signs	Royal Indemnity	592890

LIQUOR APPLICATION

Hearing 3-7-62 Richard W. & Vera Ann Baker dba Flamingo Lounge, 201 Colo.

Richard W. Baker and Vera Ann Baker dba Flamingo Lounge, 201 Colorado Ave., made application for a restaurant liquor license. It was moved by Councilman Colescott and seconded by Councilman Lowe that this application for liquor license be advertised for hearing on March 7, 1962. Motion carried. (7 voted AYE)

ORD. 1147 PASSED

Zoning 160' Blks 5, 6, 7 Teller Arms Subdiv to C-1

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE CHANGING THE ZONING MAP, A PART OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY CHANGING THE ZONING OF CERTAIN PROPERTY WITHIN SAID CITY. It was moved by Councilman Meacham and seconded by Councilman Hadden that the Proof of Publication be accepted and filed. Motion carried. (7 voted AYE)

It was moved by Councilman Lowe and seconded by Councilman Wright that the Ordinance be called up for final passage. Motion carried. (7 voted AYE)

The Ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Colescott that it be passed, adopted, numbered 1147 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 voted AYE)

ORD. 1148 PASSED

Storm Sewer Dist. #1 (Operation Foresight)

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ESTABLISHING "SPECIAL STORM SEWER DISTRICT NO. 1, GRAND JUNCTION, COLORADO, A GENERAL IMPROVEMENT DISTRICT" WITHIN A PART OF THE CITY OF GRAND JUNCTION, COLORADO, UNDER THE PROVISIONS OF ARTICLE IV, CHAPTER 89, COLORADO REVISED STATUTES, 1953, AS AMENDED, AND DECLARING AN EMERGENCY. It was moved by Councilman Wright and seconded by Councilman Love that the Proof of Publication be accepted and filed. Motion carried. (7 voted AYE)

It was moved by Councilman Colescott and seconded by Councilman Lowe that the Ordinance be called up for final passage. Motion carried. (7 voted AYE)

The Ordinance was then read, and it was moved by Councilman Hadden and seconded by Councilman Wright that it be passed and adopted as an emergency ordinance, numbered 1148 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 voted AYE)

ORD. 1149 - PASSED

Vacating 3rd St. South of South Ave.

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING THIRD STREET, SOUTH OF SOUTH AVENUE IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Meacham and seconded by Councilman Hadden that the Proof of Publication be accepted and filed. Motion carried. (7 voted AYE)

It was moved by Councilman Hadden and seconded by Councilman Meacham that the Ordinance be called up for final passage. Motion carried. (7 voted AYE)

The Ordinance was then read, and it was moved by Councilman Lowe and seconded by Councilman Wright that it be passed, adopted, numbered 1149 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 voted AYE)

CITY MGR MEMOS

Index for 1960-61 Memos presented to Council

City Manager Lacy stated that an index for his 1960-61 Council Memorandums had been prepared and copies had been given to all members of the Council. He felt that Councilmen could easily refer to matters that had been covered in the Memorandums by means of this index.

BOY SCOUT TROOP

Visit Co. Meeting

President McCormick acknowledged the presence of a Boy Scout Troop and thanked them for attending the meeting.

WALKER FOUNDATION, INC

Presents \$100 ck to Rec Dept to use for Tennis Court Lighting

President McCormick read a letter from Preston Walker, President of the Walker Foundation, Inc. which stated that the sum of \$100 was being donated to the Grand Junction Park Improvement Advisory Board Association for improvements in lighting of the tennis courts at Lincoln Park. Mr. Walker stated that the Foundation hoped to continue to cooperate by providing help with projects of this nature.

RECREATION BOARD

To present names at next Council meeting

President McCormick announced that he hoped to have names to present for members of the Recreation Board at the next meeting of the Council.

ADJOURNMENT

It was moved by Councilman Hadden and seconded by Councilman Lowe that the meeting adjourn. Motion carried. (7 voted AYE)

Helen C. Tomlinson\City Clerk