

Grand Junction, Colo.

August 15, 1962

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. August 15, 1962. Councilmen present and answering roll call were Meacham, Hadden, Love, Colescott and President McCormick. Councilman Lowe arrived a short time after the meeting started. Councilman Wright was absent. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

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

MINUTES

It was moved by Councilman Hadden and seconded by Councilman Love that the minutes of the regular meeting held August 1, 1962 be approved as written. Motion carried. (5 voted AYE)

I.D. #58

Bids on Bonds - Boettcher & Co. Low-\$53,000 Interest 2.5845

Bids had been opened for bonds for Improvement District No. 58 at 2:00 p.m. One bid was received. This was from Boettcher & Company of Denver, Colo. Their bid was for par plus a cash premium of \$59.59 for \$53,000 in bonds. The total interest cost on this issue of bonds is \$13,757.50 less the cash premium would leave a net interest cost of \$13,698; the average interest rate is 2.5845.

City Manager Lacy reported that Mr. Green, Finance Director, had talked to both the First National Bank and the United States Bank of Grand Junction concerning the purchase of these bonds and they did tentatively offer to purchase them at private sale at 4 1/4% interest. Stern Brothers and Company of Denver submitted a bid by "Special Delivery - Airmail;" however, this letter did not arrive until late in the afternoon so it was not opened.

It was moved by Councilman Colescott and seconded by Councilman Meacham that the bid of Boettcher and Company for the purchase of \$53,000 Improvement District No. 58 bonds be accepted and that the bonds be sold to this Company. Roll was called on the motion with the following result:

Councilmen voting AYE: Ray A. Meacham
Arthur Hadden
Chas. H. Love
Harry O. Colescott
President of the Council: Chas. E. McCormick

Councilmen voting NAY: None

All of the Councilmen present having voted AYE, the President declared the motion carried. (5 voted AYE)

It was moved by Councilman Colescott and seconded by Councilman Hadden that the bid of Stern Brothers and Company be returned unopened and a letter be written stating the reason why it was not opened. Motion carried. (5 voted AYE)

I.D. #58

Resolution - Form of Bonds

The following Resolution was presented and read:

RESOLUTION

AUTHORIZING THE ISSUANCE OF CITY OF GRAND JUNCTION, COLORADO, IMPROVEMENT DISTRICT NO. 58 BONDS AND PROVIDING FOR THE PAYMENT OF SAID BONDS AND THE INTEREST THEREON.

WHEREAS, Improvement District No. 58, in the City of Grand Junction, Colorado, has been duly created by a Resolution adopted and approved on the 18th day of July, 1962; and

WHEREAS, Notice to Contractors to submit bids for the construction of the improvements in said District has been duly published and the contracts for such construction has been duly awarded to T. L. Benson and Corn Construction, Co., of Grand Junction, Colorado; and

WHEREAS, Notice of the Sale of approximately \$53,000 of the bonds of said District has been duly published and said \$53,000 of such bonds have been awarded to Boettcher & Company, of Denver, Colorado; and

WHEREAS, it is now necessary to provide for the issuance of said bonds and the form and payment thereof;

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

Section 1. By virtue of and in pursuance of the Constitution and laws of the State of Colorado, the Charter and applicable Ordinances of said City, bonds of Improvement District No. 58 in said City shall be issued for the purpose of paying for local improvements constructed in said District. Said bonds shall be dated as of August 1, 1962, and shall consist of 53 bonds in the denomination of \$1,000 each, numbered 1 to 53, inclusive. Said bonds shall be payable to bearer and shall be absolutely due and payable on August 1, 1972, subject to call and prior payment in direct numerical order at par and accrued interest at any time after the date thereof upon thirty days' notice published in The Daily Sentinel, Grand Junction, Colorado.

Said bonds shall be subscribed by the President of the City Council, attested by the City Clerk, under the seal of the City, and the interest coupons attached to said bonds shall be signed with the facsimile signature of the City Treasurer. When so executed the bonds shall be registered in the office of the City Treasurer. Said bonds shall be payable out of monies collected from assessments to be levied for the improvements constructed in said District and from other funds hereinafter mentioned. Should any officer whose signature or facsimile signature appears on said bonds or the coupons thereto attached cease to be such officer before delivery of the bonds to the purchaser, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes.

Said bonds shall bear interest payable semi-annually on the 1st day of February and the 1st day of August each year as evidenced by two sets of coupons to be attached to said bonds, such coupons to be signed with the facsimile signature of the City Clerk and Treasurer. Said interest coupons shall be designated "A" and "B", respectively.

Coupons shall be attached to bonds numbered as in the following schedule at the rates and from the date of said bonds for the periods set forth therein:

	"A" Coupons	"B" Coupon	
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<u>Bond Nos.</u>	<u>Rate</u>	<u>To</u>	<u>Rate</u>	<u>To</u>
1-10	2 1/4%	2/1/64	3 3/4%	2/1/63
11-18	2 1/2%	8/1/65	3 1/2%	2/1/64
19-24	2 3/4%	8/1/72	3 1/4%	2/1/64
25-34	3%	8/1/72	3%	2/1/64
35-44	3 1/8%	8/1/72	2 7/8%	2/1/64
45-53	3 1/4%	8/1/72	2 3/4%	2/1/64

Principal of and interest on said bonds shall be payable at the office of the City Treasurer.

Section 2. Said bonds and the coupons to be attached thereto shall be in substantially the following form, to-wit:

UNITED STATES OF AMERICA

STATE OF COLORADO
COUNTY OF MESA

CITY OF GRANT JUNCTION
IMPROVEMENT DISTRICT NO. 58
BOND

No. _____
\$1,000

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof out of the funds hereinafter specified but not otherwise, the principal sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, on the 1st day of August, 1972, subject to call and payment, however, at any time prior thereto, with interest thereon as evidenced by interest coupons designated "A" at the rate of _____ per centum (_____ %) per annum from date until _____ 1, 19 _____ and additional interest as evidence by interest coupons designated "B" at the rate of _____ per centum (_____ %) per annum for the period from date to _____ 1, 19 _____, inclusive, payable semi-annually on the 1st day of February and the 1st day of August each year, principal and interest being payable at the office of the City Treasurer, in Grand Junction, Colorado, on presentation and 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 costs of street, avenue, alley and sidewalk improvements in Improvement District No. 58, in the City of Grand Junction, Colorado, by virtue of and in full conformity with the laws

of the State of Colorado, the Charter of said City and a Resolution of said City duly adopted, approved and made a law of said City prior to the issuance hereof.

This Bond is payable out of the proceeds of special assessments to be levied upon real estate situate in the City of Grand Junction, Colorado, in Improvement District No. 58, specially benefited by said improvements, which assessments so to be levied, with accrued interest, will be liens on said real estate in the respective amounts to be apportioned thereto and assessed by an ordinance of said City, and, if necessary, from available proceeds of an annual one mill tax to be levied on all taxable property in said City pursuant to People's Ordinance No. 27 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 amount authorized by law; that every requirement of law relating to the creation of said Improvement District No. 58, the making of said local improvements and the issuance of this Bond has been fully complied with by the proper officers of said City, and that all conditions required to exist, and things required 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.

For the payment of this Bond and the interest thereon, the City pledges all of its lawful corporate powers.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this Bond to be subscribed by the President of its City Council, attested by its City Clerk under the seal of the City, and the interest coupons hereto attached to be signed with the facsimile signature of the City Treasurer, as of the 1st day of August, 1962.

(Do not sign)President of the City Council

(SEAL)

ATTEST

(Do not sign)City Clerk

(Form of Coupon)

No. A _____
\$ _____

No. B _____
\$ _____

February,

On the 1st day of August, 19_____, the City of Grand Junction, in the County of Mesa and State of Colorado, will pay to the bearer, out of the funds referred to in the bond to which this coupon is attached, but not otherwise, the sum of

_____ DOLLARS

_____ DOLLARS

in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, being interest then due on its local improvement bond issued for the construction of local improvements in Improvement District No. 58, Grand Junction, Colorado, provided the Bond to which this coupon is attached shall not have been

theretofore called for payment or paid. Attached to Bond dated August 1, 1962, bearing

No. _____

(Facsimile Signature) City Treasurer

(Form of Registration Certificate)

It is hereby certified that the within Bond has been duly 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, ordinances, and Resolutions under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, 1962.

City Treasurer

Section 3. The proceeds of said bonds shall be applied only to pay the costs and expenses of constructing the improvements in said District and all other costs and expenses incident thereto. In the event that all of the proceeds of said bonds are not required to pay such costs and expenses, any remaining amount shall be paid into the special assessment fund for the purpose calling in and paying the principal of and interest on said bonds.

Section 4. Said bonds and the interest thereon shall be paid from special assessments to be levied on the real property in said District, and, if necessary, from the available proceeds of an annual one mill tax to be levied on all taxable property in said City, pursuant to People's Ordinance No. 27 of said City. when there is on hand a sufficient amount to pay six months' interest on outstanding bonds of said District, the City shall call for payment of outstanding bonds in numerical order with funds available therefor.

Section 5. That in accordance with People's Ordinance No. 27 of said City, whenever there is a deficiency in the fund of said Improvement District to meet payment of outstanding bonds and interest thereon, such deficiency shall be paid out of the available proceeds of an annual one mill tax to be levied on all taxable property in said City, pursuant to People's Ordinance No. 27 of said City.

Section 6. Should any part or provision of the Charter of the City of Grand Junction, Colorado, or this Resolution, or any part or provision of an ordinance or the charter of any other City in the State of Colorado having substantially similar terms and provisions as those contained in the Grand Junction Charter or this Resolution, ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions of the Grand Junction Charter or this Resolution, the intention being that each part and provisions of the Charter and this Resolution is severable.

ADOPTED AND APPROVED This 15th day of August, 1962.

President of the City Council

(SEAL)

ATTEST:

City Clerk

It was thereupon moved by Councilman Love and seconded by Councilman Meacham that the foregoing Resolution be adopted and approved as read. The question being upon the adoption of said motion, the roll was called with the following result:

Councilmen voting AYE: Ray A. Meacham
Arthur Hadden
Chas. H. Love
Harry O. Colescott
President of the Council: Chas. E. McCormick

Councilmen voting Nay:

All members of the City Council present having voted in favor of the motion, the presiding officer thereupon declared said motion carried, and said Resolution Adopted and Approved.

COUNCILMAN LOWE

arrived at the meeting at this time.

1961 AUDIT

John McNulty, Auditor, discusses

Mr. John McNulty, Auditor for the City, appeared before the Council to report that the 1961 audit had been completed. He stated that he did not have a letter of recommendations prepared as yet. His firm is continuing the audit to the date of Fred Hagie's resignation, and they are helping Mr. Green get started in the Finance office. He told the Council that a number of things which had been recommended have been accomplished such as all of the accounting is now being done by machine. He recommended that the Airport Control Tower and Airport Construction Accounts be closed and any balances transferred to the Airport Maintenance Fund. He also explained that although the amount of cash carry-over appears to be large, when reserves for bond payments and for the investments of trust funds are considered this amount is not out of line. President McCormick stated that until Mr. McNulty gets his letter of recommendations prepared, there is not much else for the Council to consider. Mr. McNulty expects to have this letter ready for the Council meeting on September 5th.

POOL HALLS

Report of Committee re minors playing pool

Councilman Meacham reported that while his committee had not actually met, they had discussed the matter of changing regulations so that minors will be allowed to play pool, and that it was his understanding at the present time, the Council did not wish to lower the age restrictions for playing pool.

3.2 BEER APPLICATION

Eugene D. & Mary B. Erickson dba Southside Groc., 832 S 7th St. Hearing 9-5-62

Eugene D. and Mary B. Erickson proposing to dba Southside Grocery, 832 S. 7th Street., presented an application for a 3.2 beer license. It was moved by Councilman Colescott and seconded by Councilman Lowe that this application be advertised for hearing on Sept. 5th. Motion carried. (6 voted AYE)

BEER AND LIQUOR LICENSES

To continue advertising of applications for licenses

City Attorney Ashby reported that the State Liquor Inspector, Robert E. Pond, had commented on the policy of the City of Grand Junction of advertising changes in ownership for hearing on all beer and liquor applications. Mr. Pond stated that it was not necessary to advertise for hearing if there is no change in location. Mr. Ashby stated that the state law requires this and inasmuch as the Council has very little control over licenses after they are once issued, it was his opinion, and the opinion of the Chief of Police, that the City of Grand Junction should continue to advertise all applications.

PROP. ORD.

To Clarify Restrictions on Minors in Barrooms & Pool Halls

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 1 OF CHAPTER 36 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, TO CLARIFY THE RESTRICTIONS AS TO MINORS FREQUENTING BAR-ROOMS AND POOL HALLS. It was moved by Councilman Love and seconded by Councilman Hadden that the proposed ordinance be passed for publication. Motion carried. (6 voted AYE)

CAT CONTROL

Discussed

City Manager Lacy reported that he had received a petition signed by 24 names and representing about 20 families asking that the Council make arrangements through the local veterinary hospitals for the people who do not want cats to have them disposed of without cost to the individual. He also had received a letter from Mrs. Louis Brach suggesting that some organization set up a Dumb Friends League where all pets could be taken.

Mr. Lacy stated this left the matter about where it was a year and a half ago. The most practical solution seems to be to have some sort of Dumb Friends League established, although this has been tried before, and funds were never forthcoming to the point where it could be established. Unless cats could be disposed of county-wide as well as in the City, the plan would not work. County officials do not seem to be very enthusiastic about assisting with the plan. The amount of cash necessary to take care of all cats would be prohibitive for the City alone. There would also be a legal difficulty so far as the City and the individual is concerned if someone's prize cat were disposed of.

Financially a Dumb Friends League would be more practical, as the City might be able to participate through budgeting an amount each year to help the plan be successful.

Dr. Charles Lumley, Veterinarian, spoke concerning the doctor's viewpoint. He felt that part of the problem would be solved automatically when the cat population gets to be too great as disease usually enters into the picture. Cats being different from dogs, it is hard to pick them up or trap them, but it is possible to put a collar on a cat.

After discussion, the matter was left for some future time when an individual or organization would become interested in forming some sort of humane society for the protection or disposal of unwanted pets.

1963 BUDGET

Sept. 5 set for hearing suggestions from public

City Manager Lacy stated that the 1963 budget is not as far along as he had hoped it would be at this time. He would like to set the next Council meeting, September 5th, as a date when anyone interested could appear before the Council and make suggestions as to what they might like or not like in the budget for the coming year.

ADJOURNMENT

It was moved by Councilman Lowe and duly seconded and carried that the meeting adjourn.

Helen C. Tomlinson\City Clerk