

Grand Junction, Colorado

July 5, 1933

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Those present and answering at roll call were Councilmen Carson, Ross, Oates, Boston, Roberts, Hall, and President Holcombe. City Manager Soderstrum, City Clerk Tomlinson, and City Attorney Bowie.

The minutes of the regular meeting held on June 21st were read and approved.

The Anderson Furniture Co. paid an auctioneer's license in the amount of \$200.00 for E. M. Hoaglin. The bond in connection therewith was presented. It was moved by Councilman Carson and seconded by Councilman Roberts that the auctioneer's bond of E. M. Hoaglin, made by the St. Paul Mercury Indemnity Co. of St. Paul, Minn., be approved and filed, subject to Mr. McMullin filing a power of Attorney showing his authority to write such bonds for this Company. Motion carried.

City Manager Soderstrum reported that a party had called on him in regard to the license fees on small rides and stands. He has a ferris wheel, small auto ride, pop corn stand, novelty stand, ball game and a corn game. It was explained that the corn game was prohibited, on account of it being in the nature of gambling game. It was moved by Councilman Ross and seconded by Councilman Hall that the City grant licenses for the ferris wheel, auto ride, novelty stand, pop corn stand, and eliminate everything else in the nature of gambling games, for \$15.00 per day. Roll was called on the motion with the following result: Councilmen voting AYE - Hall, Ross. Councilmen voting NO - Carson, Oates, Boston, Roberts, Holcombe. A majority of the Councilmen voting NO, the motion was declared lost.

Councilman Hall then moved and Councilman Roberts seconded the motion that licenses be granted for ferris wheel, small ride, pop corn stand, novelty stand, and ball game for which the license fee shall be \$15.00 per day. Roll was called with the following result: Councilmen voting AYE - Carson, Oates, Boston, Roberts, Hall, Holcombe. Councilmen voting NO - Ross. A majority of the Councilmen voting AYE, the President declared the motion carried.

The County Commissioners, Messrs. Jones, Lambeth, and Hinshaw, and a committee from the Chamber of Commerce - J. W. Milne and Gus Johnson were present and spoke to the Council regarding the foot bridge on the new Fifth Street Bridge. All expressed themselves as being in favor of the bridge, and that it was a necessity. Several members of the Council also expressed their opinion as being favorable to the foot bridge, and that it was very important to try to get this project allowed by the State Highway Department.

Councilman Roberts moved and Councilman Ross seconded the motion that the City Manager, City Attorney, and Mr. Hall meet with the County Commissioners and the committee from the Chamber of Commerce and draw up a resolution in regard to the foot-bridge on the new Fifth Street Bridge and forward same to the State Highway Department. Motion carried.

The City Attorney had prepared an opinion relative to the status of the sale of prescription liquor in the City of Grand Junction, and the Council gave the matter serious consideration.

It was moved by Councilman Ross and seconded by Councilman Hall that in view of the fact that Section 49, of Article VI of our Charter provides that it shall be a good defense in any prosecution under that section, or under any ordinances passed in pursuance thereof, to show that the sale in question was at retail, by a regularly licensed pharmacist or exclusively known medicinal purposes, and that it was sold only in good faith upon written prescription issued by a duly licensed physician in active practice in the City of Grand Junction, and that the prescription was used but once; and in view of the fact that the former laws of this State relating to the sale of liquor for medicinal purposes referred to in Section 368 of our revised General Laws of 1928, have been repealed;

It is the sense of the Council that the City will take no action in regulating the sale of intoxicating liquor for medicinal purposes by regularly licensed pharmacists upon prescriptions issued by duly licensed physicians, as mentioned in Section 49, Article 6 of the Charter, until such matter may be regulated by the Legislature of this State at the approaching Special Session thereof, so long as such sales are made in compliance with the existing laws of the United States. Motion carried.

The matter of selling wine containing only 3.2% alcohol in the City of Grand Junction was also brought up and discussed. The sale of this wine in the State of Colorado having been made legal on the 1st of July, on account of the prohibitory laws being repealed.

It was moved by Councilman Hall and seconded by Councilman Oates that the sense of the Council is that the City will not interfere in the sale of 3.2 wine by anyone having a beer license and also having a Federal Government license - until such time as the State passes laws regulating the sale of 3.2 wine. Motion carried.

Mr. Soderstrum gave a further report on the Industrial Recovery Act, and a report from Mr. Rump and Mr. Vandemoer on the plans for the lining of the dirt reservoir. Mr. Bowie, City Attorney, submitted an opinion on the issuance of bonds for Water Works purposes without a vote of the people.

It was moved by Councilman Hall and seconded by Councilman

Oates that the City Manager proceed to secure necessary information, plans, and data for making application for construction of the concrete lining of the dirt reservoir under the provisions of the Industrial Recovery Act. Motion carried.

It was moved by Councilman Roberts and seconded by Councilman Hall that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk