

Grand Junction, Colorado

December 29, 1948

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session at 7:30 o'clock P. M. Councilmen present and answering at roll call were: Hoisington, Bagby, Colescott, Martin, Harris and President Harper. Councilmen Carson was absent. Also present were City Manager Moore, City Attorney Banks and City Clerk Tomlinson.

The Minutes of the regular adjourned meeting held December 8th, the regular meeting held December 15th and the special meeting held December 23rd were read and approved.

This was the date set for the hearing on the issuance of a liquor license to the Macongan Cafe and Lounge, which was recently purchased by Mr. Mark Wagner of Boulder, Colorado, he having purchased the controlling stock in Macongan, Inc. from the Henaghan estate. There were no protests filed in connection with the issuance of this license. It was moved by Councilman Harris and seconded by Councilman Bagby that the license be granted. Motion carried.

A hearing date of Dec. 29th had also been set for issuing a license for the Crown Liquor Store at 119 South 4th to Mrs. Grace E. Finnegan. She is purchasing this store from Mr. and Mrs. Heathington. It was moved by Councilman Bagby and seconded by Councilman Colescott that the license be granted. Motion carried.

A special meeting of the Zoning Board was held on Monday, December 20th, 1948. A petition addressed to the Grand Junction City Council was directed through the Zoning Board for their consideration. The petition, signed by 47 residents living in the general vicinity of Glenwood, Bunting, and Cannell Streets, requested that an application of the Calvary Bible Church for a building permit be denied. The church is being constructed at Glenwood and Cannell. There is also contemplated the construction of a church at Cannell and Bunting. The Board of Adjustment decided that they had no authority to act in the case and referred it to the City Council. Mr. Banks reported in a written opinion that so long as the church was constructed in accordance with the requirements of the Building Code, the Council could not change the zoning requirements prohibiting the construction of churches in any location. The one means of prohibiting churches would be by agreement in deeds to various properties.

A number of residents of this community and neighborhood were present and voiced their protests to the construction of the two churches on the same narrow street.

It was moved by Councilman Bagby and seconded by Councilman Hoisington that the petition be accepted and filed. Motion

carried.

On December 10, 1948 Mr. Alpha Omega Kramer was arrested for violating Section 1 of Ordinance No. 526 which prohibits door-to-door soliciting under the so-called Green River Ordinance. He had been selling Seventh Day Adventist literature and three complaints had been made to the Police Department. He plead guilty in Police Court, and was fined \$25.00, plus \$5.00 costs, and under the direction of Lincoln Coit, appealed the case to the County Court on the grounds that the ordinance is unconstitutional. Rev. Weiss and Lincoln Coit appeared on behalf of the Seventh Day Adventist Church. It was suggested that they use the same system of soliciting as Real Silk Hosiery and Fuller Brush, that of going to homes upon invitation only. Mr. Banks was requested to study the matter a little further and report back to the Council at the next regular meeting.

Messrs. Hensler and Reese appeared before the Council regarding a break in the water main at 1015 North 4th. The matter was referred to the City Manager for checking.

Mr. Hilde representing the Kiwanis Club appeared before the Council and requested that the 10% of the gate receipts for the Peach Bowl football game be waived. He stated that they used all of this money for their Youth camp. It was moved by Councilman Bagby and seconded by Councilman Harris that the City waive the 10% of the gate receipts. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Mr. C. O. Dietrich has made application for a building permit for the construction of a five-unit multiple dwelling on Fourth Street between Chipeta and Ouray. He requests permission to use Romex for the wiring in lieu of Conduit as specified. Similar permission has been granted in other instances, and is provided for in an ordinance now being drawn up. It was moved by Councilman Bagby and seconded by Councilman Harris that Mr. Dietrich's request be granted and that the variance be allowed. Motion carried.

The Proof of Publication to the proposed ordinance entitled, "An Ordinance Regulating Traffic upon the Public Streets and Alleys of the City of Grand Junction, Colorado, and Repealing Ordinance No. 529, as Amended", was introduced and read. It was moved by Councilman Martin and seconded by Councilman Hoisington that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Bagby and seconded by Councilman Martin that the ordinance be called up for final passage. Motion carried.

The following amendments were suggested:

Section 46. delete "and stopping the motor of said vehicle".

Section 97. delete "Section 36 entitled 'Careless Driving'".

Section 104. Change "Two Dollars" to "One Dollar".

It was moved by Councilman Bagby and seconded by Councilman Martin that the foregoing amendments be passed and adopted. Motion carried.

The ordinance was then read and upon motion of Councilman Martin and seconded by Councilman Bagby the ordinance was passed and adopted, numbered 780 and published. Roll was called on the motion with all members of the Council present answering AYE. The President declared the motion carried.

The Proof of Publication to the proposed ordinance entitled, "An Ordinance Relating to Taxicabs and Their Operation and Providing for the Licensing of Taxicab Operators, Taxicab Drivers and Taxicabs, and Repealing Ordinance No. 528 and all Amendments Thereto", was introduced and read. It was moved by Councilman Hoisington and seconded by Councilman Colescott that the proof of publication be accepted and filed.

It was then moved by Councilman Colescott and seconded by Councilman Martin that the ordinance be called up for final passage. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Bagby that the ordinance be amended by changing Section 26 (B) to read - The annual license fee for each driver's license shall be \$5.00. Motion carried.

The ordinance was then read as amended and it was moved by Councilman Harris and seconded by Councilman Hoisington that it be passed and adopted, numbered 781 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

The Proof of Publication to the proposed ordinance entitled, "An Ordinance Appropriation Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, for the Fiscal Year Beginning January 1, 1949, and Ending December 31, 1949." It was moved by Councilman Bagby and seconded by Councilman Harris that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Colescott and seconded by Councilman Bagby that the ordinance be called up for final passage.

The ordinance was then read and upon motion of Councilman Martin and seconded by Councilman Bagby was passed, adopted, numbered 778 and ordered published. Roll was called on the motion

with all members of the Council present voting AYE. The President declared the motion carried.

The Proof of Publication to the proposed ordinance entitled "An Ordinance Authorizing the Leasing of Real Estate to the Colorado National Guard", was introduced and read. It was moved by Councilman Martin and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Bagby and seconded by Councilman Harris that the ordinance be called up for final passage. Motion carried.

The ordinance was then read, and upon motion of Councilman Colescott and seconded by Councilman Martin was passed, and adopted, numbered 784 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

Rankin & Bond made an application to the Board of Adjustment to change Lots 25 to 32 inclusive of Block 2, Craig Subdivision and Lots 17 and 18 of Block 4, Rose Park Subdivision from Residence "C" District to Business "A" District. These lots are on the north side of North Avenue between Seventh and Eighth Streets and abut on a Business "A" area at the present time. It was moved by Councilman Colescott and seconded by Councilman Martin that the City Clerk be requested to publish a notice of hearing on this change of zone, to be held at the next regular meeting of the Council. Motion carried.

Mr. Coe Van Deren has requested an adjustment for a water bill against his property at 418 S. Seventh Street. There was a leak in the plumbing which he failed to have repaired, or his tenant didn't advise him until the water leakage had amounted to a considerable sum. It was moved by Councilman Harris and seconded by Councilman Martin that Mr. Van Deren be given a rebate of \$45.99 on his bill. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

The City now holds tax certificates against property located at 1205 South Fifth Street. Mrs. Ethel McKissen McCarra has requested that she be allowed to purchase these certificates at face value without interest and penalties. This matter was referred to the City manager for more information, to be reported on at the next meeting of the Council.

A letter of resignation from Dr. E. H. Munro, effective January 1st, 1949, was read. It was moved by Councilman Hoisington and seconded by Councilman Bagby that the resignation of Dr. Munro be accepted and that a note of appreciation for his long years of service be sent to him. Motion carried.

The Spanish American War Veterans Auxiliary request

permission to sell carnations on Saturday, April 30, 1949. It was moved by Councilman Colescott and seconded by Councilman Hoisington that the request be granted. Motion carried.

Current policy of City departments connected with emergency work does not provide for overtime pay for foremen. City Manager Moore recommended that when foremen are called out for emergency work they be compensated at regular pay rates. It was moved by Councilman Martin and seconded by Councilman Colescott that foremen be paid regular rate of pay for emergency over time. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

City Manager Moore stated that an increase in salary had not been allowed for Mr. Noble Chalfont, Golf Pro, when the 1949 budget was passed and recommended that he be paid \$2100.00 per year, besides the concessions at the golf course, and that the annual fees be increased \$3.00 per member and the green fees be increased to 50¢ per 9 holes. This matter was tabled until the next meeting of the Council.

An application for a 3.2 beer license for Joseph Simonetti at 226 Pitkin Avenue was presented. It was moved by Councilman Martin and seconded by Councilman Bagby that this license be advertised and a hearing held on January 19th. Motion carried.

Bonds for Joe Leff, Ethinngton Bros. Earl Van Gundy, junk dealers; Stanley White, plumber and A. G. Manchester, cement contractor, were presented, having been approved as to form by the City Attorney. It was moved by Councilman Hoisington and seconded by Councilman Bagby that the bonds be approved and filed. Motion carried.

RESOLUTION

WHEREAS, the Columbine Company is the owner of record of approximately one hundred acres comprising the Shafroth-Rogers tract north of North Avenue and east of First Street, and which it contemplated platting and subdividing, and

WHEREAS, preliminary plans contemplate dedicating or conveying to the City of Grand Junction a park and driveway comprising twenty acres more or less, and

WHEREAS, the Columbine Company is requesting that the City agree to develop said park and driveway for the general benefit of the citizens of Grand Junction:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that they accept the offer of the Columbine Company for the park and that the City Manager and City Clerk be authorized to sign an agreement with the Columbine Company to improve the premises and receive a deed to the Park.

It was moved by Councilman Harris and seconded by Councilman Martin that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present answering AYE. The President declared the motion carried.

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

/s/Helen C. Tomlinson
City Clerk