

Grand Junction, Colorado

April 19, 1950

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock. Councilmen present and answering at roll call were Harper, Hanson, Martin, Colescott, Carson, Dufford and President Hoisington. Also present were City Manager Toyne, City Attorney Banks and City Clerk Tomlinson.

The minutes of the regular meeting held April 5th were read and approved.

The final consideration to the application for a retail liquor store license for Mrs. Eugene Longo and Miss Leona Longo was given. A map showing the people who were in favor of the issuance of the license and those opposed to the issuance was presented. Mr. Gene Mast, representing Jean Urruty, spoke against the issuance of any more liquor licenses in this locality. There are already seven liquor outlets and three beer outlets within a very few blocks. Cecil Haynie represented Mrs. Longo and Miss Longo and spoke in favor of the granting of the license. It was moved by Councilman Martin and seconded by Councilman Hanson that the license be granted. Roll was called on the motion with the following results:

Councilmen voting "AYE": Hanson, Martin, Colescott and Dufford

Councilmen voting "NO": Carson, Harper and President Hoisington

A majority of the councilmen voting "AYE", the President declared the motion carried.

Mr. James O. Sparlin made an application for a retail liquor store license for the Grand Liquor Store at 357 Main which he is purchasing from Glen Robb and J. B. Russell. It was moved by Councilman Colescott and seconded by Councilman Martin that the application be advertised for hearing on May 17th in accordance with state laws and regulations of the City Council. Motion carried.

Mr. Rudy Susman appeared before the City Council in regard to a carnival which the American Legion is sponsoring during Band Week. This will be a benefit for the Band Mothers and he asked the City Council to rebate the license fees as has been done for the past several years. This carnival will be set up on the High School property on North Fifth Street. It was moved by Councilman Harper and seconded by Councilman Martin that the request be granted, and that the carnival license fees be rebated to the High School Band Mothers. Roll was called on the motion with all members of the City Council voting "AYE." The President declared the motion carried.

Bids were opened on April 17th for Paving District No. 48 which is the Rood Avenue widening project. One bid from Allison and Bauman in the amount of \$17,917.52 was received. The Engineer's estimate for the job was \$13,581.71. Some discussion was had on whether or not the city should do this work under force account

and the supervision of the City Officials. It was finally moved by Councilman Harper and seconded by Councilman Hanson that the bid be rejected and the City Engineer be authorized to readvertise for bids on this job. Motion carried.

City Engineer Burton reported that there were a number of petitions on file for curb and gutter and paving. A good many of them are in the area north of North Avenue and East of Seventh Street, where there is no provision, at the present time, for taking care of storm drainage. He stated that the paving could be done and the storm drainage program worked out later as very likely there would probably be only one or two bad storms which would cause any inconvenience at the present time. A complete storm drainage system should be provided in the Northeast addition and north of North Avenue between 7th and 12th District. It was moved by Councilman Dufford and seconded by Councilman Martin that all the petitions on file be included in a District and proceedings be started immediately. Motion carried.

Otto Bauman requested permission to construct a lay-back curb at the corner of 1st and Gunnison Ave. It was moved by Councilman Carson and seconded by Councilman Martin that the request be denied. Motion carried.

At the time of the discussion of the set-back for buildings on North Avenue, it was brought to the Council's attention, that the property owners on the corner of 7th and North had be required some years ago to put in their deeds a restriction calling for a 12 1/2 ft. set-back. These property owners now request that they be released from this agreement so that their corner will conform with the set-back on the rest of the street. The release entered into by all of the property owners was presented as follows:

RELEASE OF RESTRICTIONS

This instrument is to witness that,

WHEREAS by agreement with the City of Grand Junction, Colorado, a municipal corporation, dated August 18, 1947, and recorded in the office of the County Clerk and Recorder of Mesa County, Colorado, on August 21, 1947, in Book 476 at Page 245, the then owners of the hereinafter described tracts of land placed building restrictions upon the portions thereof 12 1/2 feet in width adjacent to North Avenue:

WHEREAS it is the desire of the City of Grand Junction and the present owners of such tracts of land to remove such restrictions; and

WHEREAS the present owners of such land the description of the tract owned by each are as follows, to-wit:

<u>Name</u>	<u>Description</u>
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1. Peter G. Joufflas and Dorothy P. Joufflas <input type="checkbox"/>	The South 15 feet of Lot 18 and all of Lots 19 and 20, in Block 2 of Craig's Subdivision of Lot 17 of Capitol Hill Subdivision.
2. George C. Annis <input type="checkbox"/>	Lots 21 to 24, inclusive, in Block 2, of Craig's Subdivision of Lot 17, of Capitol Hill Subdivision. <input type="checkbox"/>
3. Mesa Lodge No. 58, I.O.O.F., Jurisdiction of Colorado	Lots 11, 12, 13 and 14, Block 6, in the City of Grand Junction, Colorado.
4. Helen M. Pinger <input type="checkbox"/>	Lots 9, 10, 11 and 12, Block 5 in the City of Grand Junction, Colorado. <input type="checkbox"/>
5. Alonzo M. Schmidt and Dora J. Schmidt <input type="checkbox"/>	The South 50 feet of Lot 18, Capitol Hill Subdivision.

all of such land lying and being within the City of Grand Junction, Mesa County, Colorado;

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged by each party hereto, IT IS HEREBY AGREED by the City of Grand Junction, Colorado, and the present owners of such tracts of land that such agreement of August 18, 1947, is hereby terminated, cancelled and rendered without further effect, and all restrictions placed upon such tracts of land, all rights granted the City of Grand Junction and all liabilities created against any owners of any interest in such land by such agreement are hereby removed and released with the same effect as if such agreement had not been made; provided, that this instrument shall not affect the existing zoning classification of such property, nor building or zoning restrictions as provided by ordinance. The provisions of this instrument shall inure to the benefit of and be binding upon the signers hereof, their heirs, representatives and assigns.

Dated this 19th day of April, 1950

Attest:

City Clerk

The City of Grand Junction, Colorado, a municipal corporation

By _____
City Manager

(Signed) Helen M. Pinger

Alonzo M. Schmidt
Dora J. Schmidt

Peter J. Jouflas
Dorothy P. Jouflas
George C. Annis
Mesa Lodge No. 58, I.O.O.F.,
Jurisdiction of Colorado
By (Signed) Miles M. Kane
J. C. Seaman
H. V. Zimmerman
Trustees

It was moved by Councilman Carson and seconded by Councilman Hanson that the City Manager and City Clerk be authorized to sign the release of restrictions and that same be made of record in the County Clerk's office. Roll was called on the motion with all members voting "AYE". The President declared the motion carried.

City Attorney Banks presented an agreement which he had drawn up with the Grand Junction Lions Club to take care of the amusement devices or attractions for children which are to be put in Lincoln Park. It was moved by Councilman Colescott and seconded by Councilman Dufford that the agreement be approved and signed by the City Manager and City Clerk. Motion carried.

The following water bill adjustments were presented, having been worked out by the City Manager and Water Department. A letter was also presented to the City Council in a suggested form which was to accompany each of the adjusted water bills which called attention to the fact that when this one adjustment is made because of defective plumbing that from this time on, other water bills will be considered to be just charges and must be paid. It was moved by Councilman Hanson and seconded by Councilman Martin that the City Manager be authorized to adjust the bills in accordance with the foregoing list and that he be authorized to sign the letter to the consumer which will accompany the adjusted bills. Roll was called on the motion with all members of the Council present voting "AYE", Councilman Colescott having been excused from the meeting. Motion carried.

EXCESSIVE WATER BILLS -- ZONE I.

<u>Address</u>	<u>Consumption</u>	<u>1950 Charge</u>	<u>1949 Charge</u>	<u>Adjust to</u>	<u>Remarks</u>
459 Colorado	129,500	33.94	6.75	11.16	Average bill for year

527-29 Colorado	277,400	63.60	44.61	44.61	
1217 Colorado	31,400	10.68	9.65	9.65	
106 Colorado	44,800	13.76	8.65	8.65	
114 Colorado	38,400	12.28	8.65	8.65	
320 Colorado	68,900	19.28	15.19	15.19	
634-38 Colorado	42,800	16.86	17.30	Paid	
724 Colorado	41,400	12.98	9.65	9.65	
1449 Colorado	50,200	14.99	7.60	7.60	
512 W. Ute	88,700	23.84	8.16	8.16	
530 W. Ute	140,800	35.81	9.15	9.15	
479 W. Ute	77,500	21.25	8.10	8.10	
324 Fairview	82,000	22.30	6.05	6.05	
441 Rockaway	51,100	15.17	7.60	15.17	Leak in yard not fixed.
519 Rockaway	107,800	28.21	7.05	10.00	Toilet left running to prevent freezing.
433 Rockaway	49,700	14.89	6.05	6.05	
211 Hale	107,200	28.09	9.65	9.65	
732 W. White	227,900	53.64	7.05	7.05	
327 N. West	138,700	35.34	6.05	6.05	
505 W. Main	90,800	24.31	8.10	8.10	
525 W. Main	53,000	15.71	9.65	9.65	

833 W. Main OS#209	50,800	24.82 (515)	12.60 (8.65)	12.60	Outside--Double Rate
515-519 Lawrence	305,200	69.92	7.05	15.70	2 Houses on Line
537 Lawrence	75,000	20.70	7.05	7.05	
335 N. Spruce	51,400	15.28	10.70	10.70	
352 Pitkin & 352 Pitkin REAR	93,700	25.84	16.75	16.75	
540 Pitkin & Pitkin REAR	52,000	15.40	9.65	9.65	
726 Pitkin & Pitkin REAR	75,600	20.82	8.10	15.00	9 persons--No leak found.
221 Pitkin & Pitkin REAR	37,400	12.03	8.65	10.00	7 persons--leaky faucet.
319 Pitkin & Pitkin REAR	40,800	12.81	8.65	8.65	
421 Pitkin & Pitkin REAR	45,900	13.98	9.65	9.65	
429 Pitkin & Pitkin REAR	99,300	26.26	10.70	10.70	
945 Pitkin & Pitkin REAR	42,100	13.12	10.70	13.12	OK 5 apts. in house
822 Ute	94,300	25.11	9.65	9.65	
1044 Ute	595,600	119.14	54.64	60.00	Convalescent home
225 Ute & 225 Ute REAR	122,300	32.41	18.30	18.30	2 houses on line

509 Ute & Ute REAR	190,200	46.24	15.34	15.34	
803 Ute & Ute REAR	122,800	32.51	9.65	9.65	
1011 Ute & Ute REAR	54,900	16.08	7.05	7.05	
331 South	73,400	21.18	8.65	8.65	
361 South	77,900	21.38	8.65	8.65	
403 South	50,100	14.97	5.40	5.40	
731 South	93,900	25.03	8.65	8.65	
743 South	55,000	15.54	7.05	7.05	
917 South	77,300	21.21	8.65	8.65	
250 South	50,200	14.99 Pd	8.65	8.65	
828 Struthers	61,000	17.25	8.65	8.65	
730 Kimball	79,400	21.68	7.05	7.05	
806 Kimball	138,600	36.17	6.05	6.05	
711 Noland	52,900	15.58	6.05	6.05	
741 Noland	125,300	34.26	6.05	6.05	
803 Noland	83,500	22.65	6.05	6.05	
429 Chuluota	61,800	17.66	7.05	7.05	
412 Chuluota	33,200	11.09	7.05	7.05	
510 Chuluota	55,900	16.28 Pd	8.10	8.10	
324 First Ave.	31,000	10.55	6.05	6.05	
954 Third Ave.	54,900	16.08	7.60	16.08	Irrigated garden with water.

321 Third Ave.	91,900	24.58	8.10	8.10	
812 Third Ave.	47,500	14.35 Pd	9.15	9.15	
739 Third Ave.	39,800	12.61	9.65	9.65	
745 Third Ave.	47,900	14.43	7.60	7.60	
437 S. 3rd St.	189,500	45.87	9.15	9.15	
912 S. 4th St.	41,300	12.96	7.05	12.96	Leak not fixed 4-10
940 S. 4th St.	88,800	23.86	8.10	8.10	
457 S. 5th St.	59,000	17.00	--	17.00	OK--filling station.
917 S. 5th St.	103,700	27.29 Pd	8.65	8.65	
923 S. 5th St.	52,500	15.50	9.65	9.65	
920 S. 5th St.	197,600	47.54	7.05	7.05	
1002 S 5th St.	52,500	15.50	8.10	8.10	
1005 S 5th St.	184,600	44.91	9.65	9.65	
1222 S 5th St.	41,300	12.96 Pd	7.05	7.05	
1207 S 5th St.	129,500	33.20	6.05	6.05	house vacant--water off.
315 S. 6th St.	50,000	14.95	9.65	9.65	
339 S. 7th St.	178,500	43.69	9.65	25.00	Notified previously
230 S. 7th St.	101,400	26.78	17.04	17.04	
901 S. 7th St.	93,900	25.03 Pd	9.11	9.11	

1027 N. 6th St.	167,300	40.48	13.86	20.79	\$13.86 two mos. bill
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A letter from the Military Order of the Purple Heart was read in which they requested permission to display in Grand Junction once and possibly twice their touring exhibit at different periods of time during the coming year. The purpose of these exhibits is to raise funds for the various programs of the military order of the Purple Heart which is a national organization composed wholly of combat-wounded veterans. The exhibit is housed in a 28 ft. trailer unit. Admission is free but contributions are permitted. It was moved by Councilman Carson and seconded by Councilman Harper that the request be granted and that the City Manager notify the organization that they have permission to come to Grand Junction.

A letter was read from the Colorado Municipal League concerning an amendment called the home rule amendment which is being sponsored by the League and which will be especially useful for Denver, in which charter amendments can be initiated by the City Council instead of by petitions if the City Council should so desire. It was moved by Councilman Harper and seconded by Councilman Martin that the City Manager notify the Colorado Municipal League that the City Council is in favor of the program as sponsored by the League and wish them success in putting the program into effect. Motion carried.

At the previous meeting, a report had been prepared and presented by the City Clerk compiled from the letters and cards received from citizens of the Western Slope concerning the abolishment of the Zoo. It was moved by Councilman Martin and seconded by Councilman Carson that it was the concensus of opinion of the City Council that the Zoo is not to be abolished at the present time, and such improvements are to be made as might be possible within the budget. Motion carried.

A report on the Biggs-Kurtz dump was made, City Engineer Burton having inspected it and reported that in his opinion, nothing objectionable was being put down there at the present time. The City Council were still not convinced that the dump was being taken care of properly.

A letter was read from Mr. Bill Grelle thanking the City Council for their cooperation in the dinner meeting which was held March 28th for Western Slope representatives to discuss highway planning. He also thanked various city officials for their cooperation. It was moved by Councilman Harper and seconded by Councilman Carson that the letter be accepted and filed. Motion carried.

A letter was read from Mr. Wayne Aspinall in which he enclosed a letter which he had received from the Office of the Chief of Engineers, Department of Army. This letter was in connection with the Riverside Park wall. The Army Engineers had been requested to check on this as to rebuilding of the wall along the Colorado River, and were here in January and made an inspection of the wall accompanied by Mr. Burton and Mr.

Stocker. They reported that it would not be effective to rebuild only portions of the wall but that practically complete reconstruction would be required. The District Engineer estimated that adequate repairs of the wall would cost in excess of \$100,000 and that to repair the wall from the Delta branch railroad bridge down stream to the Main St. bridge would cost more than \$500,000. This wall was apparently built to prevent erosion of adjoining property and was not a flood control structure so would not be eligible under the flood control authority, and apparently there is no other authority available to the engineers under which this work could be accomplished. Therefore, it would appear that the Corp of Engineers can be of no assistance in the repairing of the wall at this time. It was moved by Councilman Martin and seconded by Councilman Dufford that the City Manager write a letter to Mr. Aspinal expressing the Council's thanks for his cooperation in getting the Army Engineers' to investigate this project.

A letter from Mr. Joe Keith, Chief of Police, was read in which he told of having three teen-age boys in Police Court for creating a disturbance in front of the Cooper Theater on April 14th. Through investigation, he learned that one of the boys had purchased a fifth of whiskey from the State Liquor Store, having presented an army discharge belonging to his brother as identification. One of the clerks of the store owned by Antonio and Richard Stranger sold the liquor. Mr. Stranger was fined \$50 after pleading guilty to selling liquor to a minor. This is the first offense against the State Liquor Store. It was moved by Councilman Carson and seconded by Councilman Harper that Mr. Stranger be notified to appear before the City Council at the next regular meeting, to show cause why his license should not be suspended or revoked and that the boys who created the disturbance and especially the one who purchased the liquor should be asked to appear before the Council.

Mr. Banks read an agreement which he had drawn up with the water users living between 1st and 5th and North and Orchard in which the City asked them to agree to abandon an old ditch which runs through the ground that the Columbine Company gave to the City for a park and in which the City agrees to construct a new ditch for their use. Several of the Councilman were not familiar with the park situation and have never seen the property which was given to the City, so it was decided that the City Manager arrange with Mr. Frank Hall to take his map showing the proposed development for this area, to get all of the Councilmen together and go out and look over this area. Councilman Carson moved and Councilman Dufford seconded the motion that the matter be tabled until next meeting. Motion carried.

The matter of constructing an addition to the Golf Club House was brought up, and the City Manager reported that they estimated an addition such as the Golf Club members wanted would cost \$1,000 to construct. It was moved by Councilman Carson and seconded by Councilman Martin that the City Manager be authorized to proceed with the building of an addition 17 by 25 ft. to the Club House to take care of their caddy carts and storage for \$1,000. If it costs more than \$1,000, he is to advise the Council before the construction starts. Roll was called on the motion with all members of the Council present voting "AYE". The President declared the motion carried.

The lights on the new bridge and Grand Avenue viaduct are mercury-vapor type. There are old-type lights on Northwest St. between the bridge and viaduct and near the recreation building intersection, and it has been suggested that these old-type lights be changed to the new type, mercury-vapor lights to make the whole district conform. It was moved by Councilman Hanson and seconded by Councilman Carson that the City Manager be instructed to get in touch with Mr. Yetter of the Public Service Company and investigate the cost of changing these old-type lights to mercury-vapor. Motion carried.

A report from the Finance Committee suggesting that John A. Burton who was acting City Manager from Jan. 28 to March 20th be paid the sum of \$300.00, was made. It was moved by Councilman Carson and seconded by Councilman Martin that the report of the Finance Committee be accepted and filed, and that a check be made to Mr. Burton for the amount of \$300.00. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

The City Manager was instructed to continue investigation on off-street parking.

Councilman Harper reported that a property owner of North Avenue, Mr. Victor Griffith, had come to him and reported that two years ago when the new water main was laid, Carl Bennett, a former City employee, had come to him and told him if he would pay \$7.50 cash to him, his water line would be hooked up to the new main while the line was open. He claims he never received a receipt for the amount from the City or a receipt from anyone until he had been billed in the amount of \$15.50 for the changeover tap. He had come in and paid \$8.00 balance but had refused to pay the \$7.50 which he claims he paid to Mr. Bennett. He also claims there were three or four of his neighbors who paid Mr. Bennett cash for their water taps. It was moved by Councilman Carson and seconded by Councilman Harper that Mr. Bennett be informed of this accusation and that he be given a chance to make a statement on the subject. Motion carried.

Councilman Harper read a letter from the Mesa County Health Department in which the State Department of Health had written requesting that some regulations be made for sanitary facilities for trailer courts. At the present time, trailer courts are not allowed in the city limits but there are one or two who are operating and are not properly hooked up. This matter was referred to the City Attorney and City Manager.

Councilman Dufford stated that last fall he had been instructed by the Council to proceed to find a veterinarian to take care of the meat inspection for the Mesa County Department of Health. At the time the Council instructed Mr. Dufford to proceed to find a veterinarian it was thought that so long as the Council furnished the money and paid the salaries for the meat inspection that they should have some say as to who was hired to take care of the work. A young man by the name of Jas. Beckley who is graduating in June from Agriculture College in Fort Collins with a degree as a Veterinarian was contacted and came to Grand Junction to see Mr. Dufford and Mr.

Moore. Mr. Moore, then City Manager, told him the job was his as soon as he graduated from College. Apparently there was some misunderstanding on who has the hiring of employees for the Health Department and Mr. Moore did not consult Dr. Margaret Beaver, the head of the Health Unit, before telling Mr. Beckley that the job was his. Councilman Dufford had done considerable checking with the packing houses and felt that the present program is not proving very satisfactory.

Councilman Harper replied with a history of the present Mesa County Health Unit, and, in his opinion, the Health Department functions very satisfactorily and efficiently, but he felt that Mr. Moore had over-stepped his authority in hiring Mr. Beckley without consulting Dr. Beaver. After considerable discussion, it was decided that the City Manager should further investigate the Mesa County Health Unit to determine whether or not the City of Grand Junction is getting value received for the money which they spent to cooperate with the Program.

A map showing the Eastholme-in-Grandview which is on 17th to 15th Sts between Mesa and Orchard was presented. It was moved by Councilman Harper and seconded by Councilman Carson that the plat be advertised for hearing on May 3rd. Motion carried.

It was moved by Councilman Dufford and seconded by Councilman Martin that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk