

Grand Junction, Colorado

February 6, 1952

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

It was moved by Councilman Hoisington and seconded by Councilman Colescott that the minutes of the regular meeting held January 16th be approved as written. Motion carried.

TO HOLD HEARING ON PESCKO LIQUOR APPLICATION MARCH 5TH. An application for a liquor license was presented for Walter J. and Alma D. Pescko who have purchased the Quincy Restaurant and Lounge at 609 Main St. It was moved by Councilman Carson and seconded by Councilman Hoisington that this application for license be advertised for hearing on March 5th in accordance with State Law. Motion carried.

GRANT RENEWAL OF SAFEWAY BEER LICENSE. An application for renewal of 3.2 Beer License for Safeway Stores, Inc., 217 No. 7th was presented. It was moved by Councilman Colescott and seconded by Councilman Carson that the license be granted. Motion carried.

PROPOSED ORDINANCE TO REPEAL OLD ORDINANCES OR PARTS. The following proposed ordinance was presented and read: "AN ORDINANCE TO REPEAL SECTIONS 3, 4, 5, 9, 17, 19, 22 and 24 OF ARTICLE VIII OF ORDINANCE 83; SECTIONS 4, 5, 6, 8 and 9 OF ARTICLE III OF ORDINANCE 83; ORDINANCE 163; ORDINANCE 28; ORDINANCE 119; AND SUBSECTION 2 OF SECTION 8 OF ORDINANCE 238." It was moved by Councilman Colescott and seconded by Councilman Walt that the proposed ordinance be passed for publication. Roll was called on the motion with all members of the Council voting "AYE." The president declared the motion carried.

NORTH AVENUE RIGHT-OF-WAY. City Attorney Banks reported that he had been working on securing the 20 foot right-of-way for the North Avenue widening for the State Highway. An appraisal of the property had been made by Mr. Jas. Gormley and Mr. H. H. McMullin.

The Council was of the opinion that if North Ave. was to be widened it would be necessary to pay the four property owners for the right-of-way. All other property owners from 12th to 25th St. had contributed this right-of-way for the highway. It was suggested that in the future when new annexations to the City are made, that all possible care be exercised to protect the city on right-of-ways for streets and highways. The following resolution was presented:

RESOLUTION

WHEREAS, the State Highway Department requires the City of Grand Junction to furnish an additional right of way 20 feet in width along the north side of North Avenue from the intersection of Twelfth Street eastward, and the City has already procured such right of way except along the west 549.48 feet thereof; and

WHEREAS, the City has had an appraisal of the value of the said property and the damages and benefits to the property not taken made by James S. Gormley and Howard H. McMullin:

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

That the said right of way be purchased from the following persons at the amounts fixed by the said appraisers, to-wit:

<u>Seller</u>	<u>Description</u>	<u>Cost</u>
Ruth Larson & Pearle Larson □	South 20 feet of the West 2 acres of the South Half of Lot 1 of Grandview Subdivision in the City of Grand Junction.	\$2547.76
Delbert S. Gilbert & Shirley L. Gilbert □	Beginning at a point 321.4 feet East and 30 feet North of the Southwest Corner of Sec. 12, T. 1 S., R. 1 W., of the Ute Meridian, thence North 20 feet, thence East 60 feet, thence South 20 feet, thence West 60 feet to point of beginning in the City of Grand Junction.	\$600.00

A. M. Vale <input type="checkbox"/>	Beginning at a point 381.4 feet East and 30 feet North of the Southwest Corner of Sec. 12, T. 1 S., R. 1 W., of the Ute Meridian, thence North 20 feet, thence East 94.44 feet, thence South 20 feet, thence West 94.44 feet to point of beginning in City of Grand Junction.	752.00
Forrest M. Willhite & Alma Willhite	Beginning at a point 30 feet North and 475.84 feet East of the Southwest Corner of Sec. 12, T. 1 S., R. 1 W., of the Ute Meridian, thence North 20 feet, thence East 110 feet, thence South 20 feet, thence West 110 feet to point of beginning in City of Grand Junction.	\$866.08

It was moved by Councilman Carson and seconded by Councilman Harper that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORDINANCE NO. 848 APPROPRIATION FOR NORTH AVENUE WIDENING.
 An emergency ordinance entitled "AN EMERGENCY ORDINANCE PROVIDING AN APPROPRIATION FOR STREET WIDENING," was presented and read. It was moved by Councilman Ela and seconded by Councilman Walt that the ordinance be passed and adopted as an emergency ordinance, numbered 848 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

BONDS ACCEPTED AND FILED. The following bonds having been approved as to form by the City Attorney were presented:

A. R. Allison & John C. Bauman dba Allison & Bauman	Cement Contractor
Ralph H. Spence <input type="checkbox"/>	" <input type="checkbox"/>

Stanley E. White dba Mt. Garfield Plumbing Co.	Plumbing Contractor
Annie Leff Executrix Estate of Joe Leff dba Western Auto Wrecking & Junk Co. <input type="checkbox"/>	Junk Dealer <input type="checkbox"/>
V. L. & H. T. Ethington dba Ethington Brothers <input type="checkbox"/>	Junk Dealer <input type="checkbox"/>
LaVerne M. Beard <input type="checkbox"/>	Electrical Cont. <input type="checkbox"/>
Sam Courtney <input type="checkbox"/>	" <input type="checkbox"/>

It was moved by Councilman Colescott and seconded by Councilman Ela that the bonds be accepted and filed. Motion carried.

LET CONTRACT ON PAV. DIST. #50 TO SCHMIDT CONSTRUCTION CO.
Bids were opened for the construction of Paving and Sidewalk Dist. #50 on Feb. 5th at 10:00 A. M. An abstract of bids was presented. This district consists of curb and gutter, sidewalks and paving. The engineer's estimate was \$83,798.00 for the District. It was moved by Councilman Carson and seconded by Councilman Hoisington that the City accept the bid of Schmidt Construction Co. of \$68,697.75 and enter into a contract with them for the work. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ZONING CHANGE. The Columbine Company presented a request to amend the Zoning Map and change the classification of the property listed below from Residence A to Residence B use district:

Lots 1 to 5, inclusive, Block 1, High School Addition (East side of 6th St. from Hall to Orchard)

Lots 10 to 18, inclusive, Block 2, High School Addition (North side of Hall Avenue from 5th to 6th)

The zoning board had met on Feb. 5th and recommended that the change of zoning be allowed.

Councilman Harper reported that he had received numerous telephone calls in regard to these zoning changes. It was moved by Councilman Carson and seconded by Councilman Walt that the zoning of Lots 1 to 5, inclusive, Block 1 High School Addition and Lots 10 to 18, inclusive, Block 2, High School Addition be advertised for hearing on Feb. 20th and that all persons owning property in this locality be notified by letter of the proposed change and hearing. Motion carried.

GRANT CHAS. J. WEBER REQUEST. A letter from Charles J. Weber, 1321 Kennedy Ave., requesting permission to rent part of his house as an apartment was read. This is located in a section which is not zoned but which is considered for building purposes as Residence A. The Council was of the opinion that this request would not conflict with nor detract from adjoining property. It was moved by Councilman Carson and seconded by Councilman Walt that the request be granted. Motion carried.

DEFER GUY WALLACE REQUEST FOR LAYBACK CURB. A letter from Guy's Automotive Service, 730 Main St., was read in which a request was made for a layback curb at 208 So. 7th St. which would be 25 feet along the East side of 7th St. It was moved by Councilman Hoisington and seconded by Councilman Walt that this request be referred to the City Engineer, City Manager and Chief of Police for investigation and report back to the Council at the next meeting. Motion carried.

LANG REQUEST REFERRED TO CITY MANAGER. A letter from E. Gene Lang, 350 Gunnison, protesting the construction of a two-car garage facing a residential street was referred to the City Manager for investigation.

KROGH REQUEST REFERRED TO CITY ATTORNEY. Mr. Walter Krogh appeared before the Council in regard to his status on the City owned property on the Gunnison River. Since Jan. 1st, Mr. Krogh no longer has the garbage contract. He has built a house and made improvements on the City-owned property during his tenancy which he values at approximately \$20,000. He would like to buy the property or have some assurance that he would not be put out on short notice. The Council expressed appreciation to Mr. Krogh for having served the City so well and having been fair with them and they wished to be fair with Mr. Krogh. The Council does not have the power to sell the land, a vote of the people being necessary. It was moved by Councilman Hoisington and seconded by Councilman Walt that the City Attorney be instructed to draw up a lease with Mr. Krogh allowing him to use the property until May of 1953 on a \$1.00 a year basis with the City reserving the right to terminate the lease if they need the property and Mr. Krogh to pay his own water bill. Motion carried.

DISCUSS JAROS WATER LINE. City Manager Toyne reported that he had received a number of requests from property owners living on the north side of Orchard Ave. outside the city limits to tap on a new water main which the City is putting in between 13th and 15th Streets. These people are being supplied water from the Jaros line.

Councilman Harper stated that at the time the northeast section came into the City, the people living along the north side of Orchard Ave. were given a chance to come into the City but declined to do so.

City Attorney Banks stated that he had not been able to reach a settlement with Mr. Jaros on a bill which he owes the City. He stated that he would arrange a meeting of the City Manager, Mr. Jaros, and Bill Reeves, of the Water Dept. to discuss these matters and reach some decision. It was also agreed that they discuss the City's policy as to outside users tapping onto the new City main.

COLLBRAN PROJECT. City Attorney Banks reported on his trip to Salt Lake City and his conference with Reclamation Officials pertaining to the Collbran Project. Considerable discussion was had as to whether the City wishes to enter into a Conservancy District.

WALTER ANDERSON PROPERTY. City Engineer Burton was present and reported to the Council that Mr. Walter Anderson had been in to see him and that he definitely was going to sell his place. He would like to give The City first change to buy it and his price is still \$250,000 with payment to be made over a period of years at 2% interest. This property consists of approximately 1,500 acres of land with water rights on the North Fork of Kannah Creek which with the expenditure of approximately \$300,000 could be used to supplement the present water system by nearly a million and a half gallons. The Council was of the opinion that this should be investigated fully by the City Manager and City Engineer and report back to the Council.

RENT CONTROL. Councilmen had received copies of the survey conducted by the Rent Control Office, but some had not had time enough to study the report. City Attorney Banks asked permission of the Council to release the report of the survey to the public which was granted. The Council will discuss the report at a later meeting.

REPORT ON COLO. MUN. LEAGUE CONFERENCE. Councilman Hoisington, Councilman Colescott and City Manager Toyne reported on the meeting of the Colo. Municipal League which they attended in Denver on Jan. 29th. They reported that the League was doing a great deal to keep city officials informed on proposed legislation, the long-range highway program, telephone rate increases, etc. They stated the meeting was well attended and the influence of the League is being felt. President Hanson thanked Councilmen Hoisington and Colescott for attending the meeting and representing Grand Junction.

PARKING. Councilman Colescott stated he had had some complaints about the Police Dept. giving tickets for parking in restricted parking places where it wasn't possible to see the yellow paint because of the mud and dirt. City Manager Toyne and Chief of Police Keith were asked to check into this.

It was moved by Councilman Ela and seconded by Councilman Walt that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
Helen C. Tomlinson
City Clerk