

Grand Junction, Colorado
February 4, 1953

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 Severson, Harper, Colescott, Walt and President Ela. Councilmen Hanson and Hoisington were absent. Also present were City Attorney Groves and City Clerk Tomlinson. City Manager Toyne was absent.

It was moved by Councilman Harper and seconded by Councilman Walt that the minutes of the regular meeting held January 21st be approved as written. Motion carried.

HOWARD WOLFE'S REQUEST FOR DRIVE-IN RESTAURANT. Mr. Howard Wolfe appeared before the Council and stated that he owned lots on the corner of 12th and Teller which were in a Business AR District. He had talked to the Building Department about building a drive-in restaurant and had been told that this use would not be permitted in an AR District.

A restaurant not exceeding thirty-five feet frontage would be permissible but nothing larger could be built. City Attorney Groves stated that the ordinance was a bit ambiguous but that the regular channel for Mr. Wolfe to use would be to apply for a building permit for this drive-in and if turned down by the building department to appeal to the Board of Adjustment. The Council could amend the ordinance but it could be taken care of in case the Board of Adjustment would uphold the decision of the building department.

ZONING CHANGE DENIED FOR PETE BOSMA. This was the date set for hearing on zoning of lots from 1 to 5 inclusive block 1 of High School Addition. A petition had been presented signed by a large number of property owners north of the area upon which the change is requested. Several residents on No. 6th were present and spoke against the changing of the zoning from Residence A to Residence B and Mr. Bosma, owner of the lots, spoke concerning his plans for constructing duplexes on these five lots making them available as reasonably priced housing for teachers, nurses, etc.

After considering carefully the desires of the people in the neighborhood, it was moved by Councilman Walt and seconded by Councilman Harper that the application for changing the zoning on Lots 1 to 5 Block 1 High School Addition from Residence A to Residence B be denied. Motion carried.

GRANT MRS. CLAUDE BASQUETTE'S REQUEST FOR 3.2 BEER. This was the date set for hearing on the application of Mrs. Claude Basquette for a 3.2 beer license for Longo's Grocery at 322-324 South Second Street. No petitions were filed against the issuance of this license, and it was moved by Councilman Walt and seconded by Councilman Colescott that the license be granted. Motion carried.

RENEW BEER LICENSES FOR SAFEWAY STORES. Safeway Stores presented applications to renew their 3.2 beer licenses for both Safeway Stores, 525 Ouray Ave. and 212 No. 7th Street. It was moved by Councilman Colescott and seconded by Councilman Walt that these licenses be renewed. Motion carried.

GRANT REBATE TO MARCH OF DIMES. Mr. Dick Parsons appeared before the Council and asked that the charges for the auditorium for the March of Dimes dance on January 31st be rebated. It was moved by Councilman Walt and seconded by Councilman Colescott that the only charge for the auditorium for the March of Dimes dance be for lights and the necessary expenses. Motion carried.

TABLE U.S.V. REQUEST FOR VACATING SO. 7th ST. The U.S.V. Co. requested that a plot of ground 8 ft. by 35 ft. in front of property which they have purchased on So. 7th St. be vacated. It was requested that this matter be tabled until the next meeting of the Council so that the City Attorney's office can check vacating ordinances already effective.

PROPOSED ORDINANCE ON INTERSECTION BONDS. The following entitled proposed ordinance was introduced and read: "AN ORDINANCE SUBMITTING TO A VOTE OF THE QUALIFIED TAXPAYING ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD APRIL 7, 1953, THE QUESTION OF ISSUING NEGOTIABLE COUPON BONDS OF THE CITY FOR THE PURPOSE OF PAVING STREET AND ALLEY INTERSECTIONS IN THE CITY."

A memorandum written by City Manager Toyne concerning intersection bonds was also read. It was thereupon moved by Councilman Harper and seconded by Councilman Walt that the foregoing ordinance read in full at this meeting as aforesaid be passed on first reading and be published in full in the Daily Sentinel, a daily newspaper of general circulation published in the City of Grand Junction in the issue of February 6, 1953, and that said ordinance after its publication as aforesaid be considered for final passage at a regular meeting of the City Council to be held in the Council chambers on the 18th day of February, 1953 at the hour of 7:30 o'clock P. M. The question being upon the adoption of said motion, the roll was called with the following results:

Those voting "AYE:" Councilmen Severson, Harper, Colescott, Walt and Ela.
Councilmen voting "NAY:" None

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

It was the opinion of President Ela and Councilman Walt that in the future whenever new territory is annexed to the City, it would be well to have an understanding that money for paving for intersections would have to be furnished by the owners of the property annexed. Councilman Harper opposed this plan as he felt that any paved

streets or intersections in the City benefited the whole City. No action was taken and the matter was left for future discussion when all members of the Council are present.

SEMI-PRO BASEBALL COMMITTEE REQUEST. Members of the Grand Junction Semi-Pro Baseball Committee with Mr. Tom Younge as Chairman appeared before the Council and asked for assistance in their 1953 Semi-Pro Baseball program. They asked that the 10% which is paid to the City from the concession be donated to the baseball committee, and that they be allowed to sell advertising and have signs painted on the inside of the baseball park fence, the proceeds to go to the baseball committee. This would give merchants some advantage in advertising rather than making a plain donation toward this baseball project.

It was pointed out that Section 10 of Ordinance #221 would have to be amended to permit advertising in Lincoln Park. It was moved by Councilman Harper and seconded by Councilman Walt that the matter be referred to the City Manager and City Attorney and that they confer with the baseball committee and that a report be made at the next meeting of the Council. Motion carried.

RESOLUTION - AMENDMENTS TO CHARTER. The following Resolution was presented and read:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION that in the manner provided by law there be severally submitted to the voters at the general municipal election of the City of Grand Junction, Colorado, to be held on April 7, 1953, the following proposed amendments to the Charter of the City of Grand Junction, Colorado, for decision by the voters as to whether such amendments should be adopted, to wit:

I.

That Section 17 of Article II of the Charter of the City of Grand Junction be amended to read as follows:

17. ELECTION NOTICES. -- The City Clerk shall, on the tenth day before every city election, certify a list of the candidates so nominated for office at such election, whose names are entitled to appear on the ballot, as being the list of candidates nominated as required by this Charter, together with the offices to be filled at such election, designating whether such election is for a full or unexpired term; and he shall file in his office said certified list of names and offices so to be filled, and he shall cause to be published in a notice calling such election, for any three successive days during the ten-day period prior to such election, in at least one daily newspaper of general circulation published in the City of Grand Junction, an election notice, which said notice shall contain a list of said names

of candidates, the offices to be filled, and the time when and the places of holding such election.

The question of adoption of the foregoing amendment shall be placed upon the ballot at such election in the following manner:

"FOR AN AMENDMENT amending Section 17 of Article II of the Charter of the City of Grand Junction relating to publication of election notices."

"AGAINST AN AMENDMENT amending Section 17 of Article II of the Charter of the City of Grand Junction relating to publication of election notices."

II.

That Section 24 of Article II of the Charter of the City of Grand Junction be and the same is hereby repealed.

The question of adoption of the foregoing amendment shall be placed upon the ballot at such election in the following manner:

"FOR AN AMENDMENT REPEALING Section 24 of Article II of the Charter of the City of Grand Junction relating to use of carriages on day of election."

"AGAINST AN AMENDMENT repealing Section 24 of Article II of the Charter of the City of Grand Junction relating to use of carriages on day of election."

III.

That Section 51 of Article VI of the Charter of the City of Grand Junction be and it is hereby amended to read as follows:

51. PUBLICATION OF ORDINANCES. -- Every proposed ordinance shall be published once in full in a daily newspaper of the city, at least ten days before its final passage; and, after such final passage, it again shall be published once in a daily newspaper as amended and completed, except that an emergency ordinance passed as heretofore provided shall take effect upon passage and be so published within three days; provided that, in lieu of publication of an ordinance in a newspaper both prior to and after passage thereof, by authority of the Council it may be published in book or pamphlet form available for public inspection. There shall be no final passage of an ordinance so placed in book or pamphlet form until hearing thereon by the Council with notice of such hearing published once in a daily newspaper at least ten days prior thereto. Such notice shall state the time and place of such hearing, a description which the Council deems sufficient to apprise interested persons of the purpose of the ordinance, and the place at which the ordinance is available for inspection. Such an ordinance shall be subject to protest under Section 136 of Article XVI of this

Charter and "final passage and final publication" thereof shall be deemed to be the time of passage of the ordinance following such hearing.

The question of adoption of the foregoing amendment shall be placed upon the ballot at such election in the following manner:

"FOR AN AMENDMENT amending Section 51 of Article VI of the Charter of the City of Grand Junction relating to publication of ordinances and providing for the adoption and publication of ordinances by reference."

"AGAINST AN AMENDMENT amending Section 51 of Article VI of the Charter of the City of Grand Junction relating to publication of ordinances and providing for the adoption and publication of ordinances by reference."

IV.

That the Charter of the City of Grand Junction be and the same is hereby amended to include the following:

ARTICLE XI.

PENSIONS

88. The City Council by ordinance may continue, alter, establish and provide for pensions for any class of employees of the City, by continuation or amendment of the present pension plan of the City or otherwise, and may provide for the manner, method and funds under and with which any pension plan may operate. Any such pension plan may require contributions from employees, may provide for benefits arising out of employment prior to the adoption or amendment thereof, may be made of a permanent character as to any class of employees, and may be in conjunction with any pension or security arrangement of the United States of America, the State of Colorado or any agency of either of them.

The question of adoption of the foregoing amendment shall be placed upon the ballot at such election in the following manner:

"FOR AN AMENDMENT adding Article XI, Section 88, to the Charter of the City of Grand Junction relating to pensions for employees of the City of Grand Junction."

"AGAINST AN AMENDMENT adding Article XI, Section 88, to the Charter of the City of Grand Junction relating to pensions for employees of the City of Grand Junction."

With respect to each of the foregoing amendments, voters wishing to vote in the affirmative shall place a cross (x) in the space opposite the sentence commencing with

"FOR AN AMENDMENT," and those wishing to vote in the negative shall put a cross (x) in the space opposite the sentence commencing "AGAINST AN AMENDMENT."

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

RESOLUTION - CODES ADOPTED BY REFERENCE. The following Resolution was presented and read:

RESOLUTION

WHEREAS the City Council has submitted to vote of the electors at the election to be held on April 7, 1953, the question of amending the City Charter so that ordinances may be adopted by reference; and

WHEREAS the City Council believes that there should be a declaration of its intent to which it and succeeding Councils may refer in the event that such amendment is adopted;

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

It is the conviction of the City Council that the entire text of most ordinances should be published in order that the citizens of the City of Grand Junction may have the fullest opportunity to read their contents. In the event that the proposed Charter amendment is adopted, it is the thought of the Council that adoption of ordinances by reference should be limited to codes, rules and regulations, such as building codes which embrace construction, alteration, repair, removal, demolition, equipment, use, occupancy, location and maintenance of buildings and other structures, to codifications and compilations of existing ordinances, to compilations of statutes, ordinances, rules, regulations and standards adopted by the Federal Government or the State of Colorado, or by any agency of either of them, and to other voluminous and detailed matters, the cost of publication of which would make adoption thereof impracticable and with respect to which adequate notice can be given by publication so that those interested may inspect the proposed enactment and be heard with respect thereto. All other ordinances should be published as the Charter now requires.

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

WATER BILL ADJUSTMENTS. a. The D. & R.G.W. R.R. asked for a refund on their water rent for the Durham Stock Yards. There was apparently a break in this line

causing 970,000 gallons of water to be used costing \$341.06. It was moved by Councilman Walt and seconded by Councilman Harper that since this request does not conform to the established policy of the City Council to grant reductions in water rent for property outside the city limits, that this request be denied. Motion carried.

b. Mr. Geo. E. Cochran, 218 No. 2nd, requested a reduction in his water bill, A service line leak caused 103,200 gallons of water to be used costing \$30.92. A year ago they used 11,100 gallons of water costing \$6.42. It was moved by Councilman Colescott and seconded by Councilman Harper that Mr. Cochran's water bill be adjusted at \$6.42. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

REBATE PERMIT FEES TO BAPTIST CHURCH. Mr. John Therrell, Chairman of the Board of Trustees of the Baptist Church, requested that building, electrical and plumbing permit fees paid for the parsonage at 1315 College Place and the addition being built at 7th & Grand be refunded to the First Baptist Church Building Fund. It was moved by Councilman Walt and seconded by Councilman Colescott that the request be granted. Roll was called on the motion with all members of the Council present voting "AYE." The President of the Council declared the motion carried.

C. M. TO REPORT ON PARSONAGES PAYING WATER RENT. Councilman Walt requested that City Manager Toyne make a report at the next meeting of the Council on water rents paid by various church parsonages and preachers' homes in the City.

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

Tony Perry	Auctioneer
Lane & Co.	Plumbing Contractor
Charles F. Weems	Plumbing Contractor
Theo L. Theising	Cement Contractor
E. A. Wills, Palisade	Cement Contractor

It was moved by Councilman Harper and seconded by Councilman Walt that the bonds be approved and filed. Motion carried.

RESOLUTION - HOISINGTON EXCUSED FROM MEETING. The following Resolution was presented and read:

RESOLUTION

BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that due to the service rendered in the State Legislature by Councilman Frank A. Hoisington that he be excused from this meeting.

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

CML LEGISLATIVE MEETING IN DENVER. It was requested that City Manager Toyne get in touch with Mr. Hoisington and see if he will be present at a meeting of the Colo. Municipal League legislative committee meeting in Denver on Tuesday, Feb. 17th. It is expected that City Manager Toyne will also attend this meeting.

COLLBRAN WATER PROJECT DISCUSSED. Councilman Walt reported that he had attended a meeting of the eleven-man committee appointed to continue to plan and study the Collbran Project to determine whether or not the plan is feasible. Mr. Bill Tupper of Collbran is Chairman and R. B. Williams, Secretary. Mr. Tupper reported that a recent meeting held in the Plateau Valley area had shown that approximately 80% of the people in that area are in favor of the Collbran Project and would like to proceed with the development of a Conservancy District. A report from Fruita and the lower valley showed that they would like to see the Collbran Project go through. Gene Hansen had reported that Fruitvale was in favor of continuing the study.

A six-man committee has now been appointed with Mr. Hinshaw as Chairman to study the development of a distribution system and the cost. It had been reported that the Clifton Water District had hired an engineer from Denver who had made a survey for them for \$300.00. The main question being asked at the present time is what the Collbran project will cost each individual. The Reclamation Bureau is developing maps showing the boundaries of the district and the distribution system cost.

The opinion was expressed that public sentiment for the Collbran Project is much more favorable than had been supposed. Mr. Jex of the Bureau of Reclamation was present and stated that in the next thirty days to six weeks, they will have their maps ready showing boundaries of the Conservancy district.

A number of meetings have been held recently of an educational nature called and promoted by the Farm Bureau with the County Agent spear heading them. These meetings have been attended by representatives of the Bureau of Reclamation who have given all the information they could on the project.

City Attorney James Groves reported that he had attended the meeting in Plateau Valley and also the one held Wednesday afternoon. He also stated that one question frequently asked in these meetings was concerning the attitude of the City of Grand Junction and the Conservancy District; whether the Water Companies in the

outside area would buy water directly from the large Conservancy District or if the City of Grand Junction would enter into an agreement for all the water and then sell to the separate entities. They were interested in knowing how the City felt about going along with the outlying districts in creating the large Conservancy District. Mr. Groves also stated that the Committee is quite encouraged by the sentiment expressed at the various meetings and feels that the Collbran Project is more popular now than it has been in the past.

Councilman Walt asked City Engineer Burton if it would be possible to prepare a brochure of facts and figures so that the Council could review all the details concerning the project. Mr. Burton stated that he could prepare facts and figures on a sliding scale to show what the cost would be under the various plans.

It was moved by Councilman Walt and seconded by Councilman Harper that the Council believes that the investigation of boundaries and areas of the Conservancy District of the Collbran Project should proceed; that the Council believes that it would be well for measures to be continued to achieve the creation of this Conservancy District; and that the United States Senators from Colorado and the Congressman from the 4th Congressional District of Colorado be advised of this intent by this Council. Motion carried.

Councilman Walt expressed the appreciation of the City Council in having Mr. Clifford Jex present at this meeting.

It was regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk