

Grand Junction, Colorado
June 17, 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 McCormick, Severson, Walt, Wright, Lowe and President Colescott. Councilman Harper was absent. Also present were City Manager Toyne, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Wright and seconded by Councilman McCormick that the minutes of the regular meeting held June 3, 1953 be approved as written. Motion carried.

FRUITRIDGE WATER CO. REQUEST FOR WATER ADJUSTMENT. Messrs. Sullivan and Kister appeared before the Council in behalf of the Fruitridge Water Supply Company. A letter had been mailed to all of the Councilmen requesting an adjustment in their last quarterly water bill. A leak under the Grand Valley Irrigation Canal on North Seventh Street caused a tremendous loss of water and the bill for the quarter was over \$7,400. Mr. Kister stated that after further investigation they had decided that the Fruitridge Water Supply Company would assume the responsibility of the leak; that it had already been repaired and methods of checking the meters and the reading of the meters had been decided upon so that a recurrence of such a large bill would hardly be possible; however, it had been determined that when the smaller of the two meters which measure the flow used on the Fruitridge Water Supply Company's water line had been out of order in March, the City Meter Reader at that time estimated the usage for the quarter and the meter was repaired by a City meter repairman. Apparently the meter was not properly repaired as a check showed that water was being measured on a ten to one basis, ten times more water being measured than was going through the meter. Their conclusions were that inasmuch as there had been no complaints on the pressure on the further end of the line that the record of the exorbitant usage was caused by the faulty meter rather than by leaks in the pipeline.

Mr. Reeves, the bookkeeper in the Water Department, had refigured the bill for the last quarter on a basis of the faulty meter and found a difference of \$3,306.44. Mr. Kister asked that the bookkeeping department go back to the time when the meter was first found to be out of order and make the adjustment to the Fruitridge Water Supply Company on that basis.

It was moved by Councilman Walt and seconded by Councilman McCormick that action be deferred until the next meeting so that the City Manager could study the books to determine the actual amount of water used and measured through the faulty meter. Motion carried.

PENSION PLAN. The following resume of Ballots of City Employees on pension and Social Security was presented to the Council:

RESUME OF BALLOTS OF CITY EMPLOYEES

ON PENSION AND SOCIAL SECURITY

There were 79 City Employees who voted on the questions submitted on the ballot (form attached hereto) as presented to them at the meeting May 27th. All employees who were not in attendance at that meeting, and who would come under a pension plan or social security were subsequently furnished with ballots.

Results were as follows:

11 voted to retain the pension plan in its present form and without Social Security

2 voted for the present pension plan as 1st choice and Social Security as second choice

11 voted for a combination form of pension and Social Security with 2 preferring Social Security and 2 preferring the present pension plan if the combination form were not feasible.

6 designated that if a combination form were decided upon, Social Security should be retroactive to Jan. 1, 1951.

30 voted for Social Security only with

17 voting Jan. 1, 1951 as the starting date

1 voting Jan. 1, 1953 as the starting date

12 voting no starting date, therefore would not be opposed to Jan. 1, 1951 as the starting date.

19 voted for Social Security and voted against the present pension and against a combination plan

10 were in favor of Jan. 1, 1951 as starting date for Social Security

4 were in favor of July 1, 1953 as starting date

5 designated no date for starting Social Security

6 voted against any form of pension or Social Security.

It would appear that all but 17 of the employees would be in favor of Social Security with 5 being opposed to going back to Jan. 1, 1951 as a starting date. Eleven would like to see a supplemental pension plan in addition to Social Security. 15 would prefer the present pension plan.

Respectfully submitted,

Helen C. Tomlinson
City Clerk

It was moved by Councilman McCormick and seconded by Councilman Severson that the City Attorney be instructed to write to the Attorney General getting a

plan approved by his office for establishing Social Security for City employees retroactive to January 1, 1951 and to have a proper form drawn up to get the reaction of the employees to Social Security. Motion carried.

DISCUSS TRAFFIC LIGHT FOR LOWELL SCHOOL. A committee from the Lowell School P.T.A. was present concerning the school traffic light between White and Grand Avenues on Seventh Street. Mrs. R. C. Hutton was Chairman of the Committee and told the Council that cars go through this light every day. The light is now operated by the school patrol, but it was her opinion that it would be more satisfactory if it would be operated automatically the same hours as the lights downtown.

There was considerable discussion on whether or not it would be more satisfactory to have a four-way traffic light at Seventh and Grand. Chief of Police Joe Keith was present, and it was his opinion that there were other intersections within the City where it was far more necessary that traffic lights be installed. The traffic count is far greater on the south end of Fifth Street than any place on Seventh Street. He did not consider that a traffic light was a safety measure for school children crossing Seventh Street. Councilman McCormick brought out the fact that overhead traffic lights similar to the one in question were recommended by traffic experts and are in use for the protection of school children in many parts of the U.S.

Councilman Severson suggested again that a traffic officer be stationed at Seventh and Grand during the time when the school children are crossing Seventh Street. He also suggested that it might be well if the center parkings between Grand and Ouray were removed to speed up the flow of traffic down Seventh Street. It was moved by Councilman Walt and seconded by Councilman Severson that this situation be investigated and if the light does not need to be as high as it now is, that it would be lowered. In view of the fact that traffic studies indicate that lights in the middle of the street are better than intersection lights, that the one on Seventh between Grand and White be left, and that it be put on automatic control from 7:00 a. m. to 7:00 p. m. during the school term, and that in order to keep traffic moving, eliminate accidents and protect the school children that double lanes be marked in this block to facilitate the flow of traffic. Motion carried.

CENTER PARKINGS ON 7TH ST. It was moved by Councilman Severson and seconded by Councilman Walt that studies should be made of the center parkings on 7th Street and a report made to the Council showing the cost of removing them. Motion carried.

CURFEW ORDINANCE AMENDED. City Attorney Groves made a report on the so-called curfew ordinance as contained in Chapter 36 of the 1953 Compiled Ordinances. The first three sections apply to minors frequenting bar-rooms, pool halls, etc. and the selling of malt beverages to minors and in Mr. Groves' opinion are legal, but on the balance of the Ordinance, Sections 4 to 7 inclusive, he reported as follows:

"In my opinion the remainder of the ordinance is so defective that it cannot validly be enforced for the following reasons:

1. The placing of a child under custody and release of a child to the person having custody amounts to depriving a child of his liberty without any court procedure. This constitutes an unconstitutional arrest.
2. The prosecution of an action against a person having custody under Section 6 is predicated upon a former violation of the ordinance by the child, but, insofar as the curfew provisions are concerned, it appears that Section 5 makes it mandatory that the child not have any hearing in court and, in the absence of a judicial determination, no 'violation' can be shown."

He also stated that he thought it would be well that the age limit be established at 16 years instead of 17 if a curfew ordinance was passed inasmuch as a child of 16 is eligible for a driver's license.

It was moved by Councilman Wright and seconded by Councilman Lowe that the following proposed ordinance be passed for publication: "AN ORDINANCE REPEALING SECTIONS 4 to 7 INCLUSIVE OF CHAPTER 36 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLO., PROHIBITING MINORS UNDER THE AGE OF 17 YEARS FROM LOAFING OR LOITERING ABOUT THE STREETS AND ALLEYS." Motion carried.

MILITARY APPROPRIATIONS NOT JUSTIFIED FOR AIRPORT. A letter from Senators Johnson and Milliken and Representative Aspinall to City Manager Toyne states that the Navy and Air Force do not foresee sufficient need for the use of Walker Field to justify the spending of military appropriations for improvements.

TO AMEND FIREWORKS ORDINANCE. Petitions signed by fireworks dealers in the City asked the Council to rescind the ban on the selling of caps for cap guns and sparklers. It was moved by Councilman Lowe and seconded by Councilman Walt that the City Attorney be instructed to draw up an ordinance amending the present fireworks ordinance to comply with the state law which allows the sale of caps and sparklers in the state. Motion carried.

FIELD TRIP ON MESA JUNE 26. A letter from C. S. Thornock, Forest Supervisor, regarding a trip over Grand Mesa on Friday, June 26th, was read. Councilmen are to notify City Manager Toyne by Wednesday, June 24th, if they can participate in this field trip.

GARBAGE TO BE COOKED. A letter from the State Veterinarian concerning the cooking of garbage was read. President Colescott suggested that the City might go to a sanitary fill for the disposal of garbage. City Manager Toyne stated that it would be far more expensive for the City to collect the garbage than to consider the proposal made

by Mr. Phelps a few weeks ago when it was first contemplated that garbage would have to be cooked. It was moved by Councilman Walt and seconded by Councilman McCormick that the letter be accepted and filed for future reference. Motion carried.

CIVIL DEFENSE - ON STANDBY BASIS. A letter from Governor Dan Thornton concerning Civil Defense for peace-time and war-time disasters was read. It was moved by Councilman Walt and seconded by Councilman McCormick that City Manager Toyne be instructed to write a letter informing Governor Thornton that Civil Defense in Grand Junction has been placed on a standby basis. Motion carried.

HOLD UP PETITION FOR PAVING 1700 TO 1900 ON GRAND. A petition signed by 58.2% of the frontage between 17th and 19th on Grand Avenue was presented to the Council asking that the street be widened to 36 feet and that curbs and gutters be constructed. It was moved by Councilman Walt and seconded by Councilman McCormick that the Council accept the petition and hold it in abeyance until sufficient petitions are on file that a new district can be created. Motion carried.

KOREAN RELIEF DRIVE. Another letter was read concerning the Korean Relief Drive and announcing that the period for the drive is extended at the discretion of local authorities. It was moved by Councilman Walt and seconded by Councilman Lowe that action be deferred until a later meeting. Motion carried.

SO. 7TH ST. R. R. CROSSING. A letter was read from the Minerals Engineering Company concerning the crossing of the D.&R.G. railroad tracks on South Seventh Street. On several occasions, trains have blocked the crossing for many minutes thus causing people who work on the south side of the tracks to be late to work. Mr. Keith, Chief of Police, stated that he had contacted Mr. Moran and that Mr. Moran had issued an order that all trains were to stop east of Ninth Street, and it was believed that as soon as the hump yard is put into use that a great deal of this difficulty will be automatically eliminated.

PETITIONS CIRCULATED ON COLLBRAN PROJECT. City Attorney Groves reported that petitions were going out for circulation on the Collbran Project to establish the Conservancy District and a set of instructions is being prepared to be given to those who are circulating the petitions. In this set of instructions, there is a sketchy outline of figures for the cost of the project, as it must be realized there will be further study before there is any accuracy in the estimates, and two more statements are to be added to those already made:

- (1) That the City would take a substantial part of the water and would not expect the rural areas to swing the whole thing, and
- (2) That if the project comes into being that domestic water would be sold to one or more agencies besides the City and that the City would not take all of the water. At this point it is impossible to tell just what percentage of water the City would want.

MEETING WITH DEPT. OF REVENUE. City Attorney Groves also reported that a meeting had been held with Judge Finnessey, Chief of Police Keith and Mr. Heley of the Department of Revenue relative to the liaison between the City and the State on motor vehicle violations and enforcement.

Mr. Heley stated that the Grand Junction Police Department and Police Magistrate's office are tops in the State on the handling of traffic matters and cooperation with the State Department.

W. KROGH LEASE NOT SIGNED. Sometime ago the City Attorney's office was instructed to draw up a contract with Mr. Walter Krogh for the use of city land upon which his house is located near the Gunnison River. Such a contract was written up and submitted to Mr. Krogh who did not approve of the terms of the contract and has made no further effort to contact the City Attorney's office. Mr. Krogh's present contract expires on July 1st.

It was moved by Councilman Walt and seconded by Councilman Wright that the City Attorney be instructed to proceed with the foreclosing of the present contract with Mr. Krogh unless he signs a new contract by the first of July. Motion carried.

TO SELL 1953 COMPILED ORDINANCES FOR \$7.50. It was moved by Councilman Wright and seconded by Councilman McCormick that the City Clerk be instructed to sell the 1953 Compiled Ordinances of the City of Grand Junction for the sum of \$7.50. Motion carried.

TRAFFIC LIGHTS. Councilman Walt brought up the matter of traffic lights and asked the City Manager if he would have any money available in the 1953 budget to install traffic lights. The City Manager replied that possibly installations could be made at two intersections. The approximate cost per intersection is \$3,500. It was agreed that a study would be made to see which two intersections should be taken care of first.

TO ARRANGE FOR MEETING WITH STATE HWY JUNE 24. City Manager Toyne was instructed to arrange for a meeting with the State Highway Department concerning the proposed truck highway at 4:00 P. M. on Wednesday, June 24th.

GASOLINE TRANSPORTS. Some discussion was had on transports delivering gasoline. Councilmen Wright and Severson had learned of several technical points which should be included in an ordinance if the Council decides to pass such an ordinance regulating the use of gasoline transports. City Manager Toyne reported that there were forty-one filling stations in the City at the present time and that only six receive their gasoline supply directly from the large transport trucks.

RENEW C.A.A. LEASE. City Manager Toyne reported that most of the leases at the airport with federal agencies are long term leases renewable by thirty days' written notice on the part of the federal agency to the City. United and Frontier have

renegotiation clauses at rather longer intervals. The C. A. A. occupies two rooms and pays the regular \$1.00 per square foot rental. Their lease is not renewable by notice but is renewable at the present time by renegotiation. It was moved by Councilman Walt and seconded by Councilman Lowe that the lease with C.A.A. be renewed at the present rental price of \$1.00 per square foot. Motion carried.

MAIL BOXES. It was reported that a great many families, some 930, in fact, within the corporate limits of the City, don't receive mail delivered at their residences. Boxes are erected several blocks from the residences. There is one corner at 5th and Orchard where there are 39 separate boxes with a post for each box. At 1441 No. 18th, there are 20 boxes in front of a residence. City Attorney Groves had written to Senators Johnson and Milliken and Representative Aspinall to see if it is possible to set up more delivery routes in the City.

C. H. JEX APPOINTED. City Manager Toyne reported that Mr. Clifford H. Jex had been appointed as Water Production Engineer to start on June 24th on a temporary basis until a coordinated report on the water supply can be drawn up.

It was moved by Councilman Severson and seconded by Councilman McCormick that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk