

Grand Junction, Colorado
August 5, 1953

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. Councilmen present and answering roll call were McCormick, Harper, Severson, Wright, Lowe and President Colescott. Councilman Walt was absent. Also present were City Manager Toyne, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Harper and seconded by Councilman McCormick that the minutes of the regular meeting held July 15th be approved as written. Motion carried.

GRANT 3" WATER TAP TO WESTLAKE PARK. At the last Council meeting, City Manager Toyne was requested to investigate the advisability of building a three inch water line at First and Mesa to supply a new development known as Westlake Park which lies west of First Street along Mesa Avenue. City Manager Toyne had made a written analyses of this situation and had sent copies to each member of the Council. It would seem that by the time this forty acre tract would be improved, there would possibly be seventy-five or eighty taps necessary for new homes to be constructed. This would take place possibly within five or six years.

Mr. Bert Hitt and Mr. W. C. Rump were present in the interest of the Westlake Park Development. They stated that they had consulted with the city officials in laying out the streets and that the homes were being constructed in compliance with building code regulations and that undoubtedly before too many years this area would petition for annexation to the City.

It was moved by Councilman Harper and seconded by Councilman Severson that on the basis of the analyses as presented by the City Manager, permission to install a three inch tap at First and Mesa Avenues be granted. Roll was called on the motion with the following results:

Councilmen voting "AYE:" Severson, Harper, Wright, Lowe and Pres. Colescott
Councilman voting "NAY:" McCormick

A majority of Councilmen present voting "Aye," the President declared the motion carried.

COLLBRAN PROJECT. There was some discussion on the Collbran Project and the circulation of petitions and information which should be necessarily given out to the people who are contacted to sign the petitions.

DEFER ACTION JAROS DETACHMENT. A report from the City Attorney was made concerning the detachment of land owned by Frank Jaros at 12th and Orchard Avenue. A letter from Mr. Burt Myers was read protesting the detachment from a zoning standpoint. There were a number of people present who live in the area close to the

Jaros property and who were not in favor of the detachment. In his letter, City Attorney Groves called attention to several legal angles and especially stated that if the City Council concludes that the best interest of the City will not be prejudiced by the detachment of this property from the City, all holders of bonds upon which this property might be liable for payment should be notified and be given a chance to appear before the Council before the passage of a detachment ordinance or at least until written opinion be obtained with respect to rights and liabilities from bond counselors.

It was moved by Councilman Severson and seconded by Councilman McCormick that action on this matter be deferred until the first meeting in September giving Mr. Jaros' attorney and Mr. Groves a chance to confer on the legal aspects of the case. Motion carried.

Councilman Walt arrives at the meeting.

PASS ORD. 879 - REPEAL PENSION PLAN. The Proof of Publication to the proposed ordinance entitled "AN ORDINANCE REPEALING SECTIONS 8 TO 24, INCLUSIVE, OF CHAPTER 18 OF THE 1953 COMPILED ORDINANCES AS AMENDED BY ORDINANCE NO. 867) AND PROVIDING FOR RETURN OF MONEY CONTRIBUTED TO THE EMPLOYEES PENSION FUND THEREUNDER" was introduced and read. It was moved by Councilman Harper and seconded by Councilman Walt that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Walt and seconded by Councilman Wright that the ordinance be called up for final passage. It was then moved by Councilman McCormick and seconded by Councilman Wright that Section 1 of the proposed ordinance be amended to read as follows:

"Section 1. The City Treasurer as treasurer of the Employees Pension Fund created by such ordinance forthwith shall pay to each employee of the City the amount which he or she has heretofore contributed to the Employees Pension Fund together with interest that has been earned thereon and which heretofore has not been repaid, and the balance remaining in such Fund shall be paid to and be and become a part of the General Fund of said City. Any sum contributed to such Pension Fund by any employee is hereby declared and found to be the property of such employee, no longer a part of such Fund and, until payment is made to such employee as above provided, is held by the Treasurer of the City of Grand Junction solely for the use and benefit of such employee. In the event that any employee entitled to repayment as provided herein becomes deceased or incompetent prior to payment of any such sum to which he or she is entitled, payment thereof shall be made to the person legally entitled thereto."

Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried. The ordinance was then read as amended, and it was moved by Councilman Harper and seconded by Councilman Walt that it be passed, adopted as amended, numbered 879 and ordered published. Roll was called on the

motion with all members of the Council voting "Aye." The President declared the motion carried.

ORD. 880 SOCIAL SECURITY. The Proof of Publication to the proposed ordinance entitled "AN ORDINANCE PROVIDING FOR COVERAGE OF EMPLOYEES AND OFFICERS OF THE CITY OF GRAND JUNCTION UNDER THE FEDERAL OLD-AGE AND SURVIVORS' INSURANCE SYSTEM AND APPROPRIATING FUNDS THEREFOR," was introduced and read. It was moved by Councilman Harper and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Wright and seconded by Councilman Harper that the ordinance be called up for final passage. It was moved by Councilman McCormick and seconded by Councilman Wright that Section 2 of the proposed ordinance be amended to read as follows:

"Section 2. The City Clerk is hereby authorized to establish a system of pay roll deduction to be matched by payments by the City of Grand Junction to be made into the Contribution Fund of the Social Security Act through the Department of Employment Security, and to make charges of this tax to the fund, or funds, from which wage or salary payments are issued, to employees of the City of Grand Junction. Such payments are to be made in accordance with the provisions of Section 1400 of the Federal Insurance Contribution Act on all services which constitute employment within the meaning of that Act. Payments made to the Department of Employment Security, State of Colorado, shall be due and payable on or before the 18th day of the month immediately following the completed calendar quarter, and such payments which are delinquent shall bear interest at the rate of 1/2 of 1% per month until such time as payments are made." Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

The Ordinance was then read as amended and it was moved by Councilman Severson and seconded by Councilman Wright that it be passed, adopted, numbered 880 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

PASS ORD. 881 - APPROP. FOR SOCIAL SECURITY. The following proposed emergency ordinance was introduced and read: "AN ORDINANCE APPROPRIATING FUNDS FOR THE PAYMENT OF EMPLOYEES' CONTRIBUTIONS UNDER THE FEDERAL OLD-AGE AND SURVIVORS' INSURANCE SYSTEM AND PROVIDING FOR THE TRANSFER OF FUNDS REMAINING IN THE GENERAL FUND FROM THE FORMER CITY PENSION SYSTEM." It was moved by Councilman Harper and seconded by Councilman Wright that the emergency ordinance be passed, adopted, numbered 881 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried and the ordinance duly carried as an emergency measure.

PROPOSED TRAILER ORD. City Manager Toyne and City Attorney Groves had drawn up an ordinance regulating trailers in the City which had been submitted to each member of the Council for his study. Several pertinent facts and features of the ordinance were discussed and different members of the Council disapproved of some of the regulations so it was moved by Councilman McCormick and seconded by Councilman Lowe that this proposed ordinance be tabled until a future meeting and a committee be appointed to study the proposed ordinance and report back to the Council on the changes they recommend as suitable for the City of Grand Junction. Motion carried.

President Colescott appointed Councilmen McCormick, Severson and Lowe to act on this Committee.

ACCEPT REVISED PLAT SHERWOOD ADDN. This was the date set for hearing on the revised plat of Blocks 6 to 14 Sherwood Addition and the subdivision of Blocks 6 and 7 in Sherwood Addition. A letter was read from City Attorney Groves in which he stated "--there is considerable question in my mind that the execution, approval and filing of the revised plat will validly accomplish the vacation intended. In other words, after approval of the revised plat, there is a strong possibility that portions of streets shown on the original plat which are not embraced within streets on the revised plat will still be dedicated to public use." However, he stated there was no reason why the revised plat should not be approved. It was moved by Councilman Wright and seconded by Councilman Walt that the revised plat of Sherwood Park be accepted and signed by the President of the City Council, attested by the City Clerk, that it be approved and filed with the Mesa County Clerk and Recorder and that a copy thereof be placed on file in the office of the County Assessor and the City Engineer. Roll was called on the motion with all members of the Council voting "Aye." The President declared the motion carried.

ROADSIDE FIREPLACE. Mrs. McKibben and Mrs. Donaldson representing the Grand Junction Garden Club appeared before the Council regarding the placing of a memorial fireplace along Highway 24. Mrs. McKibben is a member of the Blue Star Memorial Highway Association and through Mrs. Ruby Neal, who has sponsored memorial fireplaces all over the State, has received assurance that such a fireplace will be built somewhere between Grand Junction and Palisade. She suggested that an area north of the ball park on state highway right-of-way be used for this purpose. It was moved by Councilman Harper and seconded by Councilman Walt that the City Manager and Park Superintendent negotiate with Mrs. McKibben for an area along Lincoln Park for this memorial fireplace and also work with the State Highway Department securing their approval of the location. Motion carried.

DISCUSS SWIMMING POOL FOR SHERWOOD PARK. It was moved by Councilman Harper and seconded by Councilman Walt that the City Manager, City Engineer and Park Superintendent be instructed to investigate the possibility of constructing a swimming pool in Sherwood Park and start plans for such a pool. It was reported that Moyer Pool is inadequate for the number of swimmers who wish to take

advantage of the facilities. In 1950 there were 42,000 swimmers and this year there will be approximately 82,000. The filters are not large enough to provide the proper filtration of water for this great number of swimmers. Motion carried.

HEARING FOR ZONING CHANGE ON NORTH AVE. Petitions had been filed asking that the zoning on the south side of North Avenue from Third Street east to a point 125 feet west of North Fifth Street be changed from Residence "B" District to Business "A" District. This request was considered by the Board of Adjustment and approved and referred to the Council. It was moved by Councilman Harper and seconded by Councilman Wright that a hearing be set for September 2 and the interested property owners be notified as usual of this proposed change. Motion carried.

RENEW 3.2 BEER LICENSE - SENATE CIGAR STORE. Mr. Thos Golden applied for renewal of his 3.2 beer license at the Senate Cigar Store, 413 Main Street. It was moved by Councilman Walt and seconded by Councilman Lowe that the request be granted. Motion carried.

CITY STREET SYSTEM MAP. A City Street System map has been prepared in accordance with the requirements of Senate Bill #170. This law requires that Notice of Intention to approve the System Map shall be published once a week for two successive weeks preceding the date of such hearing and adoption. It was moved by Councilman Harper and seconded by Councilman Walt that the next Council meeting be set as the date for hearing on this map and that notice be given by advertisement in accordance with law. Motion carried.

DRAINAGE ON 19TH & GRAND. Councilman Severson brought up the matter of drainage at 19th and Grand. Mr. Fred Oliver asked that a manhole be constructed there to carry off the water which collects from the area north of Grand Ave. on 19th Street as it has no way of getting into the sewer on Grand. This matter was referred to the City Manager and City Engineer for investigation.

TO MAKE REPORT ON UNZONED PROPERTY. It was moved by Councilman Walt and seconded by Councilman Harper that the Board of Adjustment be requested to make a report to the Council on all property not presently zoned so that the Council can proceed to set a date for hearing and go ahead with the zoning of these locations.

RYUKICHI IMIA AT COUNCIL MEETING. Mr. Ryukichi Imia who is a visitor of the Christian Science Monitor's Youth Forum visited the Council with several members of the Forum. He stated that he was enjoying his visit in Grand Junction and was happy to have the opportunity to visit the Council meeting.

REBATE TO KIWANIS CLUB. The Kiwanis Club requested that the 10% of the gate receipts received for the Koshare Indian Dancers with the exception of the cost of the lights be refunded to them. This was a program from which the proceeds were to go

to their Youth Camp operation and due to the bad weather a small crowd was present so that they barely made expenses.

It was moved by Councilman McCormick that the request be denied. As there was no second, the motion was declared lost. It was moved by Councilman Walt and seconded by Councilman Lowe that the City Manager find out the amount of the lights and whatever the balance between the expenses and the 10% be divided in half. Roll was called on the motion with the following result:

Councilmen voting "Aye:" Severson, Harper, Walt, Wright, Lowe and Pres. Colescott

Councilmen voting "Nay:" McCormick

A majority of Councilmen voting "Aye," the President declared the motion carried.

REQUEST R.R. CROSSING BE FIXED. Councilman Walt suggested that the City Manager ask the D.&R.G. Railroad Superintendent to have the crossing on South Seventh Street improved now that South Seventh Street is widened and about to be paved.

JUNK AT ARTISTIC FURNITURE. Councilman Walt also requested that the City Attorney see whether or not the junk has been moved from back of the Artistic Furniture Store by the W & M Supply Company.

MRS. BOND BEFORE COUNCIL. Mrs. Bill Bond of 1020 Texas Ave. was again before the Council regarding the installation of water and sewer taps after the streets have been paved.

It was moved by Councilman Harper and seconded by Councilman Walt that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk