

Grand Junction, Colorado  
December 16, 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, Severson, Harper, Walt and President Colescott. Councilmen Wright and Lowe were absent. Also present were City Attorney Groves, City Manager Toyne and City Clerk Tomlinson.

It was moved by Councilman Harper and seconded by Councilman Walt that the minutes of the regular meeting held December 2nd be approved as written. Motion carried.

GRANT PERMISSION TO F. JAROS FOR OIL MAT ON ORCHARD AVE. Mr. Frank Jaros appeared before the Council concerning the paving of Orchard Avenue between 12th and approximately 13th Street. This street is owned by both City and County and Mr. Jaros would like to have an oil mat placed on the street to control the dust and mud.

It was decided that either the County or the City should do the work and Mr. Jaros and the other property owners in that area would pay for the pavement. It was agreed that so long as this property is still a pear orchard and not subdivided into building lots, it would not be necessary to put in curb and gutter.

It was moved by Councilman McCormick and seconded by Councilman Harper that Mr. Jaros be granted permission to make whatever arrangements he can to pave Orchard Avenue from 12th to the adjacent pavement so long as the City does not bear the expense or have any liability connected with the pavement. Motion carried.

DENY O. K. LYBARGER LIQUOR LICENSE. This was the date set for hearing on the application of O. K. Lybarger for a liquor store license at 1122 South Fifth Street. A letter was read from Mr. Lybarger telling the Council of the manner in which he expected to operate his place of business.

Councilman McCormick stated that investigations he had made showed that good government practice calls for only one outlet per 1,000 population. It was called to the Council's attention that there are now twenty-six outlets for liquor in the City.

Councilman Harper stated that the Council had been opposed to granting any liquor licenses on highways leading into the City from any direction. He did not believe that this was the proper place for a liquor establishment. He stated that he had nothing against Mr. Lybarger nor his ability to operate a first-class place but felt that a liquor store on a state highway was not a good policy. Councilman Harper then moved that the request of Mr. Lybarger for a retail liquor store license be denied. Councilman Walt seconded the motion stating that South Fifth Street has the highest traffic count of any place in the City. He stated that he had nothing personal against Mr. Lybarger but felt that it was not the place for a liquor store. Motion carried.

TO CONTINUE HEARING ON BENTON LIQUOR APPLICATION. This was the date set for hearing on the application of R. J. and Helen Marie Benton for a restaurant liquor license for Jolly Jim's Cafe at 1720 North Avenue. Mr. Cecil Haynie, attorney for Mr. Benton, stated that Mr. Benton was not sure of his plans for the alteration of his building and would therefore like to ask that the hearing on the application be continued until the next meeting of the Council.

It was moved by Councilman Harper and seconded by Councilman Walt that the request be granted. Motion carried.

NO REDUCTION OF AUCTIONEER'S LICENSE. City Manager Toyne reported that he had contacted the local auctioneers concerning the present auctioneer's license fees and found that Mr. Rowland was the only one who favored a reduction in the license fees.

A letter from the Retail Merchants' Committee of the Chamber of Commerce was read stating that they favored the fees remaining the same, and also, if possible, would propose that these fees be for a resident auctioneer and a resident auctioneer be classified as a person living in the City limits at least six months. The Committee also proposed that a license fee of \$1,000 a year be charged to all non-resident auctioneers.

RENEW TEX HOUSE 3.2 BEER LICENSE. Mrs. Gertrude Henderson, dba Tex House, 326 Main Street, applied for renewal of her 3.2 beer license. It was moved by Councilman Walt and seconded by Councilman Severson that the application for this license be approved. Motion carried.

PROP. ORD. - CORRECTING DESCRIPTION R/W.-ELM AVENUE HEIGHTS. A proposed ordinance entitled "AN ORDINANCE VACATING A PORTION OF AN EASEMENT FOR RIGHT OF WAY, SITUATE IN EAST ELM AVENUE HEIGHTS" was introduced and read. It was moved by Councilman Walt and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

PASS RESOLUTION - CITY ATTORNEY'S SALARY. The following Resolution was presented and read:

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, that effective January 1, 1954, the salary of the City Attorney shall be \$5,400.00 per annum, payable monthly, excluding services rendered with respect to matters incident to the acquisition of additional domestic water.

It was moved by Councilman Harper and seconded by Councilman Walt that the Resolution be passed and adopted as read. Councilman McCormick thought consideration of this Resolution should wait until all members of the Council were

present. Councilman Lowe arrived at the meeting at this time. Roll was called on the motion with the following results:

Councilmen voting "AYE:" Severson, Harper, Walt, Lowe and President Colescott

Councilman voting "NAY:" McCormick

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

TO GET BIDS TO REMOVE HOUSE 1ST & UTE. City Manager Toyne reported that there is an old house located on the property which the City purchased at the southeast corner of 1st and Ute Avenue. This property was purchased for right of way for the new truck highway. The house is in very poor condition and should be moved. The tenant has now moved out and the property does not attract desirable tenants. He recommended that the house be either torn down or moved outside the City limits.

It was moved by Councilman McCormick and seconded by Councilman Lowe that the City Manager be instructed to advertise for sealed bids for tearing down or moving this old house, the bids to be opened at the next regular meeting of the City Council. Motion carried.

It was moved by Councilman McCormick and seconded by Councilman Lowe that the meeting adjourn.

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City Clerk