

Grand Junction, Colorado
June 15, 1955

The City Council of the City of Grand Junction, Colorado met in regular session at 7:30 o'clock P. M. Councilmen present and answering at roll call were: Shults, Harper, Colescott, Emerson, Lowe, and President Wright. Councilman Orr was absent at roll call, but came to the meeting a little later. Also present were City Manager Toyne, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Colescott and seconded by Councilman Lowe that the minutes of the regular meeting of the City Council held on June 1st be approved as written.

BEER LICENSE APPLICATION. This was the date set for hearing on the application of Valey Coster for a beer license for the South Seventh Street Grocery at 811 South Seventh Street. Mr. Coster was represented by Attorney Cecil Haynie, who spoke to the Council on behalf of Mr. Coster's application, and also presented a petition signed by approximately 250 people who were in favor of the granting of the license. A petition, signed by about 57 names, was presented; these people opposing the granting of the license. Chief of Police, Karl Johnson, again stated that in checking Mr. Coster, he had found nothing concerning his character that was against him. Councilman Harper stated that it was his opinion that in the past a beer garden had been operated at this location, and the inhabitants in this neighborhood were not in favor of that sort of a license being granted. It was moved by Councilman Colescott and seconded by Councilman Lowe that the application be approved and license granted when approved by the State. Roll was called on the motion with all members of the Council voting "AYE", and the President declared the motion carried.

ORD. 917 -- DEL REY SUB. The Proof of Publication to the proposed ordinance entitled "AN Ordinance Annexing Territory to the City of Grand Junction (Del Rey Subdivision)" was presented and read. It was moved by Councilman Lowe and seconded by Councilman Colescott that the proof of publication be accepted and filed.

Upon motion of Councilman Lowe and second by Councilman Emerson, the Ordinance was called up for final passage. Motion carried.

The ordinance was then read and upon motion of Councilman Lowe and second by Councilman Harper, was passed, adopted, numbered 917, and ordered published. Roll was called on the motion with all members of the Council present voting "AYE". The President declared the motion carried.

ORD. 918 -- ZONING ORD. AMENDED. The Proof of Publication to the proposed ordinance entitled "An Ordinance Amending the Zoning Ordinance, Being Chapter 83 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, to Permit Dry Cleaning Plants Using Non-explosive and Non-combustible Substances in a Business "A" District" was presented and read. It was moved by Councilman Harper

and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Colescott and seconded by Councilman Lowe that the ordinance be called up for final passage.

The Ordinance was then read, and upon motion of Councilman Emerson, and seconded by Councilman Shults, was passed, adopted, numbered 918 and ordered published. Roll was called on the motion with all members of the Council voting "AYE". The President declared the motion carried.

ORD. 919 -- PARKING METER ORD. AMENDED. The Proof of Publication to the proposed ordinance entitled, "An Ordinance Amending Chapter 46 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, Relating to Parking Meters", was presented and read. It was moved by Councilman Colescott and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. It was then moved by Councilman Lowe and seconded by Councilman Shults that the ordinance be called up for final passage. Motion carried.

The Ordinance was then read and upon motion of Councilman Colescott and seconded by Councilman Lowe was passed and adopted, numbered 919, and ordered published. Roll was called on the motion, with all members of the Council voting "AYE". The President declared the motion carried.

EMERGENCY ORD. 920 -- RELATING TO PARKING METERS AROUND P. O. Councilman Harper stated that it was his opinion that the parking meters around the Post Office should operate 24 hours a day, as there is a parking problem at this location, especially in the evening.

The following entitled emergency ordinance was presented and read -- "AN ORDINANCE AMENDING CHAPTER 46 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, RELATING TO PARKING METERS".

It was moved by Councilman Harper and seconded by Councilman Orr that the emergency ordinance be passed and adopted, numbered 920, and ordered published. Roll was called on the motion, with the following result: Councilmen voting "AYE" -- Shults, Orr, Harper, Colescott, Lowe, Emerson, and Wright. Councilmen voting "NAY" -- None. All of the Councilmen voting "AYE", the President declared the motion carried.

ORD. 921 -- DOG LEASH. The Proof of Publication to the proposed ordinance entitled, "An Ordinance Amending Section 59 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, and Making it Unlawful for any Person Owning or Possessing a Dog to Permit it to be at Large (And Providing for the Impounding and Disposition of any Dog Found at Large)" was presented and read. It was moved by Councilman Lowe and seconded by Councilman Shults that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Shults and seconded by Councilman Colescott that the ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Shults and seconded by Councilman Lowe that it be passed and adopted, numbered 921 and ordered published.

There were a number of people in attendance at the Council meeting who spoke concerning the passage of this Ordinance. Among those present and presenting their views were the following: George Todd, 2133 N. 21st St., Dr. Charles Lumley, Veterinarian, who presented a petition signed by approximately 180 residents of the City who protested the passage of the ordinance, stating that it was too drastic; Mrs. Pedigo; Clarence LeMoine, who was opposed to dogs running at large through town and causing traffic hazards; John Schmidt, 734 South Avenue; Mrs. Giebler, 7th & White; Mrs. Kay Hutchinson, who was formerly a member of the Mesa County Humane Society; Mrs. Needham; Arthur Fash, who stated that he had lived in Illinois for nine years where they operated under a leash law, but in a modified form; Harold Daniels, who stated that he wanted his dog for a watch dog and therefor wanted him to bark whenever there were strangers on his property; Mrs. R. C. Hutton; Bill Jarvis, and Mrs. Leslie Dunlap.

Councilman Shults, with the consent of Councilman Lowe, withdrew the motion to pass the ordinance.

It was then moved by Councilman Shults and seconded by Councilman Lowe that Section 2 of the proposed ordinance be stricken from said ordinance.

Section 2. It shall be unlawful for any person to harbor or keep within the limits of the City of Grand Junction, any dog which by barking, howling or otherwise disturbs the peace and quiet of the neighborhood or any inhabitants.

Roll was called on the motion with all members of the Council voting "AYE". The President declared the motion carried.

A letter from Dr. Margaret Beaver was read asking that the Council consider adoption of an ordinance requiring that all dogs be vaccinated for rabies.

Councilman Harper stated that he was opposed to such a program. Our present ordinance provides that in an emergency the City Manager could immediately require all dogs to be vaccinated for rabies. There has been no rabies in this part of the State for many years.

Councilman Emerson suggested that more study be given to this ordinance, and possibly a new ordinance written which would be less drastic.

It was then moved by Councilman Harper and seconded by Councilman Shults that Section 1 of said ordinance be amended to read as follows:

Section 1. It shall be unlawful for any person owning or possessing a dog to permit it to be at large within the limits of the City of Grand Junction, from May 1st to October 1st of each year, commencing on May 1, 1956, and during such periods every person owning or having a dog shall confine it to his or her premises when not on leash and under the immediate control of a competent and responsible attendant. The head of any household having a dog in its possession shall be presumed to be the owner or possessor of such dog.

Roll was called on the motion with all members of the Council voting "AYE". The President declared the motion carried.

Councilman Colescott suggested that the ordinance be given a trial and then referred to the electors of the City to vote at the next election.

The following resolution was presented and read:

RESOLUTION

BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that there be submitted to electoral vote for adoption or rejection at the next general municipal election of this City, the following proposed ordinance:

PEOPLE'S ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 59 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND MAKING IT UNLAWFUL FOR ANY PERSON OWNING OR POSSESSING A DOG TO PERMIT IT TO BE AT LARGE (AND PROVIDING FOR THE IMPOUNDING AND DISPOSITION OF ANY DOG FOUND AT LARGE)

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF GRAND JUNCTION:

Section 1. It shall be unlawful for any person owning or possessing a dog to permit it to be at large within the limits of the City of Grand Junction from May 1st to October 1st of each year, commencing on May 1st, 1956, and during such periods every person owning or having a dog shall confine it to his or her premises when not on leash and under the immediate control of a competent and responsible attendant. The head of any household having a dog in its possession shall be presumed to be the owner or possessor of such dog.

Section 2. Any violation of the preceding section shall be punished by fine of not less than \$1.00 nor more than \$300.00. Each day any violation continues shall constitute a separate offense.

Section 3. Section 5 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado (Section 5 of Ordinance No. 774) is hereby amended to read as follows:

Section 5. IMPOUNDING. It shall be the duty of every police officer or dog-catcher appointed by the Chief of Police to catch and impound any dog not wearing a license tag, or any dog being or running at large, in a pound to be designated by the City Manager for such purpose. Upon impounding any dog, a record shall be made of the breed, color and sex of such dog, where it was caught, and whether licensed.

Section 4. Section 6 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado (Section 6 of Ordinance No. 774) is hereby amended by striking therefrom the last sentence which reads as follows:

"The method of killing any such dog shall be determined by the City Veterinarian".

Section 5. Section 7 of Chapter 59 Compiled Ordinances of the City of Grand Junction, Colorado (Section 7 of Ordinance No. 774) is hereby amended to read as follows:

Section 7. REDEMPTION. The owner or person entitled to possession of any dog impounded for failure to have a license, or for having been found running or being at large, may reclaim such dog upon payment of a license fee, if unpaid, and paying all costs and charges incurred by the City of Grand Junction for impounding and maintaining the said dog. The following charges shall be paid to the Police Department: For impounding any dog, \$1.00; for keeping any dog, \$.50 per day; for giving notice, \$1.00.

Section 6. Section 1 hereof shall be designated as Section 11 of said Chapter 59.

It was moved by Councilman Harper and seconded by Councilman Shults 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.

It was moved by Councilman Harper and seconded by Councilman Colescott that the following amendment be added to the ordinance.

Section 7. Sections 1, 2, 3, 5 and 6 hereof shall remain in force and effect until and only until October 1, 1956; provided that from and after October 1, 1956, the provisions of Sections 5 and 6 of said Chapter 59 as in effect immediately prior to the adoption of this ordinance, shall remain in force and effect after October 1, 1956.

Roll was called on the motion, with all members of the Council voting "AYE". The President declared the motion carried.

The Ordinance entitled, "AN ORDINANCE AMENDING SECTION 59 of the 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND MAKING IT UNLAWFUL FOR ANY PERSON OWNING OR POSSESSING A DOG TO PERMIT IT TO BE AT LARGE (AND PROVIDING FOR THE IMPOUNDING AND DISPOSITION OF ANY DOG FOUND AT LARGE)" was then read as amended. It was moved by Councilman Shults and seconded by Councilman Lowe that the Ordinance as amended be passed and adopted as amended, numbered 921, and ordered published. Roll was called on the motion with the following result: Councilmen voting "AYE" -- Shults, Harper, Colescott, Emerson, Lowe, and Wright. Councilmen voting "NO" -- Orr. A majority of the Councilmen voting "AYE" the President declared the motion carried.

HOTCHKISS TO SERVE ON BOARD OF ADJUSTMENT. President Wright reported that he had contacted Attorney Norman Hotchkiss and asked him to serve as a member of the Board of Adjustment, and that Mr. Hotchkiss had stated that he would serve on this Board. It was moved by Councilman Lowe and seconded by Councilman Colescott that Attorney Norman Hotchkiss be appointed to serve on the Board of Adjustment for a period of three years. Motion carried.

CEMENT CONTRACTOR BONDS APPROVED. The following cement contractor's bonds were presented, having been approved as to form by the City Attorney:

L. Virgil Wolfe
O. W. Glasgow
Charles C. Pender

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

COLO. MUN. LEAGUE CONF. IN GLENWOOD SPGS. City Manager Toyne reported that the annual conference of the Colorado Municipal League would be held in Glenwood Springs on Wednesday, Thursday, and Friday, June 22nd, 23rd, and 24th, and suggested that as many of the Councilmen as could, attend part of the meetings. He stated that the City of Grand Junction would receive a plaque in connection with traffic safety.

IMPR. DIST. NO. 53. Mr. Toyne also reported that the Corn Construction Company had signed all contracts in connection with Improvement District No. 53 and had a good start on the construction of this District.

CARTER OIL CO. LEASES. The Carter Oil Co. has been signing leases east of town and wondered if the City would care to sign a lease on the airport. The City Manager had suggested that inasmuch as part of the ground was leased from the U. S. Government, the City would not be interested.

SITES FOR NEW ARMORY. Major Irving O. Schaefer, who is Adjutant General of the National Guard, was in the City and looked over various sites suitable for the location of a new armory. Suitable locations were noted as follows: 12th and Orchard on the southwest corner of the street, and between 8th and 9th and Gunnison and Hill. He stated that they would be willing to give back to the City ground on the west side of the City which they were not now using in connection with the present Armory.

SPEEDING ON G. J. STREETS. Councilman Emerson brought up the matter of speeding and irresponsible driving on the streets of Grand Junction. Councilman Harper stated that he expected to have a meeting of the Fire and Police Committee in the very near future and to come up with some recommendations for these departments.

C. M. GIVEN AUTHORIZATION TO INCREASE POLICE DEPT. It was moved by Councilman Shults and seconded by Councilman Harper that the City Manager be authorized to purchase one more car for the Police Department, to be un-marked and to be used for traffic patrolling, and to increase the personnel of the Police Department by one man. Roll was called on the motion, with all members of the Council voting "AYE". The President declared the motion carried.

SWIMMING POOL FOR SHERWOOD PARK CONSIDERED. Councilman Harper stated that about a year ago he had requested that plans and estimates be made for a swimming pool to be located in Sherwood Park and thought that the Council should consider the construction of another swimming pool as quickly as details can be worked out.

CM TO LOOK FOR ADDITIONAL HELP. The Council also stated that the City Manager should be looking around for either a City Engineer or a Water Works Superintendent, so that the additional load of work now on Mr. Toyne and Mr. Burton could be relieved and the projects which are continually being presented could be diligently continued.

WATER COMMITTEE RECOMMENDATION RE: STOCK. City Attorney Groves stated that the Water Committee had held a meeting and recommended that in the acquisition of stock for Hallenbeck Reservoir No. 2 and Grand Mesa Reservoir Company which was included in the recently completed Hallenbeck transaction, part of it should be transferred to individuals so that the City could be represented on the Board of Directors of these Water Companies.

It was moved by Councilman Orr and seconded by Councilman Shults that in conformance with the recommendation of the Water Committee one share of Hallenbeck Water Reservoir No. 2 stock be transferred to Mr. Toyne as City Manager and one share to Mr. John A. Burton, as Water Superintendent, and that one share of stock in the Grand Mesa Reservoir Company be transferred to Mr. Burton, as Water Superintendent, the remainder of the stock to be held by the City of Grand Junction. That at the termination of office of either Mr. Burton or Mr. Toyne, the stock be transferred to their successor in office. Roll was called on the motion, with all members of the Council voting "AYE". The President declared the motion carried.

It was moved by Councilman Colescott and seconded by Councilman Shults that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk