

Grand Junction, Colorado  
September 7, 1955

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 Shults, Orr, Harper, Colescott, Emerson, Lowe and President Wright. 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 held August 17th and the special meeting held August 25th be approved as written. Motion carried.

REPORT ON NEW SWIMMING POOL. A committee representing various clubs who have organized to assist in building a community swimming pool was present. Mr. Claude Smith, Chairman, spoke to the Council. Mrs. Frieda Harris, Mr. Mike Douglas and Mr. Ralph Stocker were the Committee. Mr. Smith stated that the Lions Club and other service clubs in the City felt that there is a need for a new swimming pool and have organized with representatives from practically all of the service clubs with a seven member committee to investigate and assist the Council in designing and financing a new pool for the community. After organizing, a committee of the four persons was selected to act in behalf of the swimming pool organization and the City. Their aim is to have a new swimming pool in operation by Memorial Day of 1956. The proposed project will cost in the neighborhood of \$150,000 and of this amount this committee proposes to raise \$50,000 as financial assistance to the City in the construction of a new pool.

City Manager Toyne gave a few estimates on the cost of constructing and operating a municipal swimming pool. It was moved by Councilman Lowe and seconded by Councilman Orr that the City Manager be instructed to go ahead with plans and specifications for a new swimming pool with the full intent of getting the project underway and going along with the committee on the construction of a new pool; the City Manager to get such costs and estimates as soon as possible. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 927 - USE OF PARKING SPACE. The proposed ordinance entitled AN ORDINANCE RELATING TO USE OF PARKING SPACE DURING CONSTRUCTION OR REMODELING AND RESTRICTING THE PRIVILEGES GRANTED BY SECTION 40, CHAPTER 84 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, was brought up and considered for final passage. Messrs. Fred Sperber, Stanley White, Coe Van Deren and Nelson, representing the contractors, were present and read a letter in which they stated that the Western Colo. Contractors Association opposed the fee of \$1.00 per day for each meter involved. They suggested a fee of 50¢ per day or a minimum of \$5.00 per month per meter with a \$1.00 minimum charged per meter, and where a long job would keep meters tied up for a considerable

time that Ordinance 481 would still apply; that is, no charge for spaces for materials and equipment.

It was moved by Councilman Harper and seconded by Councilman Colescott that the proposed ordinance be amended so that "the sum of \$1.00 per day for each meter involved" would read "the sum of 50¢ per day for each meter involved." 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 upon motion of Councilman Shults and seconded by Councilman Harper was passed, adopted, numbered 927 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 928 - ZONING. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCLUDED THEREIN was presented and read. It was moved by Councilman Colescott and seconded by Councilman Shults that the Proof of Publication be accepted and filed. Motion carried.

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

A petition signed by nine property owners surrounding Block 132 was presented. Mr. and Mrs. Bielack, 1160 Colorado, were present and spoke in protest to this change of zoning.

It was moved by Councilman Emerson and seconded by Councilman Colescott that due to the apparent confusion concerning the change of zoning in Block 132 that paragraph c. of the proposed ordinance be stricken. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Colescott and Emerson  
Councilmen voting "NAY:" Shults, Orr, Harper, Lowe and Pres. Wright.

A majority of the Councilmen voting "NAY," the motion to amend the ordinance by striking paragraph c was declared lost. The ordinance was then read and upon motion of Councilman Lowe and seconded by Councilman Shults was passed, adopted, numbered 928 and ordered published. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Shults, Orr, Harper, Lowe and Pres. Wright  
Councilmen voting "NAY:" Colescott and Emerson

A majority of Councilmen voting "AYE" the President declared the motion carried and the ordinance duly passed and adopted.

ORD. 929 - SPEED LIMITS. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 47 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO was presented and read. It was moved by Councilman Lowe and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

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

PROP. ORD. - 2 AM CLOSING FOR BARS. A letter was read from Mr. John Vogel asking that the City ordinance be brought into conformance with the state law concerning the closing hours for liquor establishments. He desired to keep his business, the Cafe Caravan, open until 2 A.M. It was moved by Councilman Shults and seconded by Councilman Harper that the City Council reject the request of Mr. Vogel. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Shults and Harper  
Councilmen voting "NAY:" Orr, Colescott, Emerson, Lowe and Pres. Wright

A majority of Councilmen voting "NAY," the motion was declared lost.

A proposed ordinance entitled AN ORDINANCE AMENDING SECTION 6, CHAPTER 34 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO RELATING TO THE DAYS AND HOURS FOR THE SALE OF LIQUOR was introduced and read. It was moved by Councilman Lowe and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Orr and Colescott, Emerson, Lowe and Pres. Wright  
Councilmen voting "NAY:" Shults and Harper

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

WEED ENFORCEMENT. Mr. John Schmidt stated that there were a number of places around town where the weeds had not been cut. City Manager Toyne stated that personal notices had been sent out after advertisement in the paper for all property owners to cut their weeds, and that follow up work was being done at the present time.

ADV. BEER LIC. DAVID HATCHER. An application for David Hatcher for a 3.2 beer license for Anderson's Grocery at 539 No. 1st was presented. It was moved by Councilman Lowe and seconded by Councilman Colescott that this beer license be advertised for hearing on October 5th. Motion carried.

WATER BILL ADJUSTMENTS. Mr. R. W. Hoover, 616 W. Colo. and Mr. S. J. Miller of the Miller Packing Co. requested water bill adjustments due to broken service lines which were replaced as soon as discovered.

		Last year		This year
R. H. Hoover	54,200 gallons	\$13.83	160,800 gallons	\$32.22
S. J. Miller Packing Co.	48,200 gallons	13.70	225,400 gallons	50.48

It was moved by Councilman Shults and seconded by Councilman Harper that the Council allow adjustments in these water bills in accordance with the gallonage used a year ago. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RESOLUTION - CONDEMNATION FOR SIDEWALK. City Manager Toyne stated that the Planning Commission had considered the plat of Weaver Subdivision, which is land lying north of Orchard Ave. and east of 15th Street, part of which is inside the City limits and part outside. The owners of property along Orchard Avenue signed petitions to put in sidewalks, paving, curbs and gutters and it was included in Improvement Dist. #53. The property owner at 17th and Orchard refuses to allow the sidewalk to be placed at the proper location so it was suggested that the City condemn the full width of the street in order that the sidewalk might be put in the proper location. The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City of Grand Junction, Colorado, finds it necessary in the public interest to install sidewalks upon the North side of Orchard Avenue between 15th Street and 17th Street in said City; and

WHEREAS, certain property owners abutting the North side of said street between 15th and 17th Street have objected to the installation of said sidewalk across their respective properties;

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

That the City Attorney in and for the City of Grand Junction shall be and is hereby authorized to file and prosecute to completion any action or actions necessary to condemn and take rights of way for the purposes aforesaid, and that the City Attorney is authorized to cease prosecution of any, all or any part of any actions commenced under this Resolution upon effecting a reasonable settlement with any of the owners of said lands providing that such settlement is approved by the City Manager and the City Engineer.

PASSED AND ADOPTED this 7th day of September, 1955.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

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

RESOL. - ANNEXATION VAN DEREN-FORD HTS. The following petition for annexation of Van Deren-Ford Heights Subdivision was presented and the following resolution presented and read:

PETITION FOR ANNEXATION

To THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

The undersigned hereby petitions the City Council of the City of Grand Junction, Colorado, to annex the following described property to said city:

Beginning at a point on the North line of Section 11, 1580.5' West of the Northeast Corner of the Northwest Quarter of Section 11, Township 1 South, Range 1 West Ute Meridian, thence South 637.4 feet, thence South 65° 30' East 725.9 feet, thence North 0° 32' West 937.5 feet to the North line of said Section 11, thence West along said North line of Section 11, 651.8 feet to point of beginning:

all in Mesa County, State of Colorado.

As grounds for this petition, petitioner respectfully shows to the Council that the said territory is eligible for annexation in that it is not embraced within any city or town; that it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford reasonable ingress thereto and egress therefrom; that more than one-sixth of the aggregate external boundaries of the territory proposed to be annexed coincide with existing boundaries of the City, and that the non-contiguous boundaries of the said territory coincide with existing block lines, street lines, or governmental subdivision lines.

This petition is accompanied by four copies of a map or plat of such territory showing its boundaries and its relation to established city limit lines, which said map is prepared upon a material suitable for filing.

Your petitioner further states that it is the owner of all of the area of the territory sought to be annexed; that there are no people presently residing in said territory.

WHEREFORE, this petitioner prays that this petition be accepted and that the said annexation be approved by said ordinance.

<u>Date Signed</u>	<u>Name</u>	<u>Address</u>	<u>Are you a Land Owner</u>	<u>Description of Property</u>
Sept. 6, 1955	Mesa College	Grand Junction, Colorado	Yes	Beginning at a point on the North line of Section 11, 1580.5' West of Northeast corner of the Northwest Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence South 637.4 feet, thence South 65° 30' East 725.9 feet, thence North 0° 32' West 937.5 feet to the North line of Said Section 11, thence West along said North line of Section 11, 651.8 feet to point of beginning.

President (Signed) G. H. McNew  
Secretary (Signed) Claud Smith

AFFIDAVIT

STATE OF COLORADO,	)	
	)	ss
COUNTY OF MESA,	)	

Coe Van Deren, being first duly sworn, upon his oath deposes and says: that he is the person who circulated the foregoing petition for annexation; that each signature thereon was signed in his presence; and that each signature thereon is the signature of the person whose name it purports to be.

(Signed) Coe Van Deren

Subscribed and sworn to before me this 7th day of September, 1955.

Witness my hand and notarial seal.

(Signed) Warren L. Turner  
Notary Public

(SEAL) My commission expires September 23, 1957.

RESOLUTION

WHEREAS, a Petition to annex the following described property, to wit:

Beginning at a point on the North line of Section 11, 1580.5' West of the Northeast Corner of the Northwest Quarter of Section 11, Township 1 South, Range 1 West, Ute Meridian, thence South 637.4 feet, thence South 65° 30' East 725.9 feet, thence North 0° 32' West 937.5 feet to the North line of said Section 11, thence West along said North line of said Section 11, 651.8 feet to point of beginning;

has been filed with the City Clerk and is now presented to the City Council; and

WHEREAS, upon examination of the said Petition and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the Petition is signed by the owners of more than fifty per cent of the area of the territory sought to be annexed; that it appears

from said Petition that there are no residents of said territory; that there is attached to the said Petition four copies of a map or plat of such territory which is suitable for filing; that the said Petition and maps are sufficient and substantially meet the requirements of Section 2, of Chapter 314, Session Laws of Colorado, 1947;

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

That the said Petition for annexation shall be and the same is hereby accepted and approved, and that notice of the filing of the said Petition shall be published once each week for four publications in The Daily Sentinel, the official newspaper of the said City of Grand Junction.

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

RECLASSIFICATION FILES JUNK YARD. City Manager Toyne reported that the Planning Commission had met and consideration had been given to the reclassification of land use on North Avenue where the Files Junk Yard is now located. The Commission recommended that inasmuch as this land had never been subdivided and streets dedicated that 20 feet on North Ave. be dedicated for street use and 30 feet along the east edge of the property for 21st St. and also some means of ingress and egress for 22nd St. Mr. Saltz, who is interested in developing this area, was present and stated that he had had no idea that it would be necessary for them to dedicate streets in this location and would like to have a little time to work out a reasonable solution to the problem.

It was moved by Councilman Harper and seconded by Councilman Lowe that this matter be tabled until the next meeting of the Council. Councilman Harper with the consent of Councilman Lowe withdrew his motion.

ZONING CHANGES. It was moved by Councilman Shults and seconded by Councilman Colescott that the following changes in zoning be advertised for hearing on October 5th:

That part of the W1/2 SE1/4 SW1/4 SE1/4 of Section 12, T 1 S, R 1 W, Ute Meridian that lies North of the South line of Bunting Avenue in Arcadia Village produced be changed from Res. B. district to Business A District.

That part of the W1/2 SE1/4 SW1/4 SE1/4 of Section 12, T1S, R 1 W, Ute Meridian that lies South of the south line of Bunting Avenue in Arcadia Village produced and North of a line 330 feet North and parallel to the South line of Section 12, T1S, R1W, Ute Meridian be changed from Res. C. District to Business A District. Motion carried.



ZONING CHANGES. Petitions for zoning changes on the southwest corner of 11th and Colorado and on the northwest corner of 11th and Colorado were presented: Lots 17 and 18 Block 112 to be changed from Residence B to Residence C. and Lots 15 and 16 Block 131 to be changed from Residence B to Business AR. It was moved by Councilman Shults and seconded by Councilman Emerson that hearing on these zoning changes be advertised. Motion carried.

TO LEASE RESTAURANT AT AIRPORT. Mrs. Irene Felmlee has expressed a desire to lease the kitchen and east room at the Airport for restaurant facilities with the following conditions: that she be allowed the commission on the vending machines; that the City change the doors on the restrooms and the windows on the north side of the east room so that she would have more available space for booths and tables. She would pay at the rate of 2 1/2% on the first \$1,000 gross business, 3% on the second thousand, 4% on the third and 5% on anything over \$4,000 gross per month; the City would furnish the water, the heat, air-conditioning and Mrs. Felmlee to furnish her own lights and cooking power. She would like a five year lease with a five year option and would also make application to the County Commissioners for a liquor license.

It was moved by Councilman Orr and seconded by Councilman Harper that the City Attorney draw up a lease with Mrs. Felmlee covering the operation of a restaurant at Walker Field and present it to the Council at its meeting on Sept. 21st. Motion carried.

PROP. ORD. PARKING TRAILERS. The following proposed ordinance was introduced and read: AN ORDINANCE PROHIBITING THE PARKING OF UNATTACHED TRAILERS HAVING AN OVER ALL LENGTH OF 18 FEET OR MORE ON THE STREETS OF THE CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Lowe that the proposed ordinance be passed for publication. Motion carried.

REVISED ELECTRICAL CODE. Councilman Lowe presented a revised electrical code and stated that it was the opinion of the City Attorney that it might be adopted by reference. Each Councilman was presented with a copy of the code for his study, and it was moved by Councilman Lowe and seconded by Councilman Harper that the City Attorney be instructed to prepare an ordinance to adopt the code by reference after reports by the City Manager and city officials at the next council meeting. Motion carried.

CLEANING STREETS. President Wright brought up the matter of clearing the streets in the downtown area so that a better job of sweeping and flushing could be done but it was finally considered that an ordinance might be drawn up to aid in keeping the downtown streets cleaner.

NORTH AVE. TRAFFIC. He also discussed traffic on North Avenue and left-hand turns into business across the center yellow lines.

\$75,000 FOR R/W FOR EXPRESSWAY. It was moved by Councilman Shults and seconded by Councilman Harper that the City Manager be instructed to write to the State Highway Department and propose to them that the City of Grand Junction pay \$75,000 to purchase right of way for the East-West Expressway from 1st and Main to the highway west of town. They would pay this at the rate of \$15,000 per year for a period of five years if the State would assume the cost of the rest of the right of way. Motion carried.

NATIONAL GUARD ARMORY. Pres. Wright also stated that immediate action was necessary in providing a site for the National Guard Armory or this building will be constructed in some other city in Colorado. He appointed a committee consisting of Councilman Emerson, Chairman, Shults and Harper to attempt to find a location for this Armory. Mr. Kellogg will be back in town shortly and a meeting should be held with him immediately.

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

/s/ Helen C. Tomlinson  
City Clerk