

Grand Junction, Colorado
December 21, 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, Lowe, Emerson and President Wright. Also present were City Attorney Groves and City Clerk Tomlinson. City Manager Toyne was absent.

It was moved by Councilman Orr and seconded by Councilman Lowe that the minutes of the regular meeting held December 7th be approved as written. Motion carried.

PROP. ORD. IMPR. DIST. #53. The City Clerk reported that there had been no protests filed in connection with the assessments for Improvement District No. 53. The following entitled proposed ordinance was introduced and read: AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. 53, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; AND APPROVING THE APPORTIONMENT OF SAID COST; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Colescott and seconded by Councilman Shults that the proposed ordinance be passed for publication. Motion carried.

ORD. 941 - 2 AM CLOSING FOR BARS. The Proof of Publication to the proposed entitled ordinance, 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 Orr that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read and upon motion of Councilman Orr and seconded by Councilman Lowe was passed, adopted, numbered 941 and ordered published. Roll was called on the motion with the following result:

Councilmen voting "AYE:" Councilmen Colescott, Orr, Shults and Pres. Wright.

Councilmen voting "NAY:" Councilmen Lowe, Emerson and Harper
A majority of Councilmen voting "AYE," the President declared the motion carried.

NOT TO RAISE OCCUPATIONAL TAX. It was moved by Councilman Harper and seconded by Councilman Orr that the City Attorney be instructed to draw up an amendment to the ordinance concerning occupational tax and put in a new classification providing for night clubs and cabarets with an occupational tax charged double that of the present. A majority of Councilmen voting "NAY" the motion was declared lost.

ORD. 942 - ANNEXING 2ND HOULTON RE-SUBDIV. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION was introduced and read. It was moved by Councilman Lowe and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read and upon motion of Councilman Orr and seconded by Councilman Shults was passed, adopted, numbered 942 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 943 - ANNEXING WEAVER SUBDIV. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION was presented and read. It was moved by Councilman Orr and seconded by Councilman Harper that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Orr and seconded by Councilman Lowe that the ordinance be called up for final passage. The Ordinance was then read and upon motion of Councilman Harper and seconded by Councilman Lowe was passed, adopted, numbered 943 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

PROP. ORD. CHANGE OF ZONING NOT PASSED. 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 INCORPORATED THEREIN was presented and read. It was moved by Councilman Harper and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. Motion carried.

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 it was reported that the Chairman of the Planning Commission had written a letter to the Council protesting the changing of the zoning in this block. It was moved by Councilman Orr and seconded by Councilman

Lowe that the Ordinance be passed, adopted, numbered 944 and ordered published. Roll was called on the motion with the following result:

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

A majority of Councilmen having voted "NAY," on the motion, the motion was declared lost and the ordinance not passed.

GRANT ADDITIONAL LEASE TO MONARCH AVIATION. Monarch Aviation, Inc. made application for a lease on the paved tie-down area at the Municipal Airport which is not at the present time leased to Jas. P. Rigg, Jr. and offered to pay \$100 per month for this tie-down area. They also asked that the lease terminate on the same date as the termination of the Rigg lease.

It was suggested that it be included in the lease that in event the City needed to facilitate expansion at the airport or needed this property for any purpose other than a tie-down area that Mr. Davis and Monarch Aviation Inc. would release the ground to the City. Mr. Davis agreed verbally that this would be satisfactory.

THORNBURGS NOT INTERESTED IN LEASE. President Wright stated that he and the Airport Committee had spent a good deal of time trying to work out a deal with the Thornburg Brothers but that they were definitely not interested in any lease at Walker Field under any circumstances. It was moved by Councilman Orr and seconded by Councilman Harper that the offer of Monarch Aviation, Inc. be accepted and that a lease be drawn up by the City Attorney incorporating the stipulations mentioned at this meeting and that the City Manager be authorized to sign same. Motion carried.

It was moved by Councilman Shults and seconded by Councilman Orr that the lease be made retroactive to December 1st. Motion carried.

COMMITTEE ON REGULATING SALE OF GASOLINE FROM TRANSPORTS. A letter from the Chief of Police and the Chief of the Fire Department concerning the delivery of gasoline and fuel oil directly to service stations from large transport trucks was read. President Wright appointed Councilmen Colescott, Emerson and Orr as a committee to investigate this matter and to prepare proper regulations governing the storage and delivery of gasoline.

The City Clerk was requested to notify all of the oil companies that such a study was to be made so that they could act accordingly.

CATHOLIC CHURCH ANNEXATION REQ. A petition for the annexation of the Immaculate Heart of Mary Church addition and a plat showing the proposed area to be annexed was presented. Councilman Shults suggested that the area on the west side of 7th Street should also come into the City and that instead of this small tract of land,

all of the land which the Catholic Church interests purchased recently should come into the City. The following Resolution was presented and read:

RESOLUTION

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

The South 12.67 feet of Lot 2 and all of Lot 3 of Yocum Subdivision, also beginning at the Southwest corner of Lot 3 Yocum Subdivision thence South 353.8 feet to a point 212 feet East of the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence East 300 feet, thence North 353.8 feet to the Southeast corner of said Lot 3, thence West 300 feet to the 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 and by a majority of the landowners residing in the 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 Shults and seconded by Councilman Emerson 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.

TO RELEASE MONEY TO VAN DEREN AS IMPROVEMENTS MADE. Mr. Coe Van Deren stated that he had deposited \$25,000 with the City in lieu of a bond to cover improvements in the Van Deren-Ford Heights Subdivision. He stated that he had already completed the sewer and would like to have a portion of the funds deposited released as he completes various phases of the work in this area.

A portion of the agreement was read stating that "The Company may, from time to time as work is completed in accordance with said agreement to the satisfaction of the City Engineer, submit estimates of the percentage of work completed. With such

estimates the Company shall submit satisfactory evidence that all bills for material and/or labor going into such work have been paid. If the City Engineer shall approve such estimates, the amount of the cash guarantee held by the City shall be reduced by 90% of the City Engineer's estimate of the cost of the completed work. Upon such approval the Company shall submit to the City a certified check for the reduced amount of the cash guarantee required and the check or checks when held by the City shall then be returned to the Company.

"Upon final completion of the work in accordance with said agreement and upon satisfactory proof that all bills in connection therewith have been paid, the City shall return to the Company the check or checks then held by the City. In the event that any default is made in the agreement, the City is authorized to cash the check or checks then held and to use the proceeds thereof to complete the improvements in accordance with said agreement."

It was moved by Councilman Colescott and seconded by Councilman Orr that the Council approve this agreement and that the City Manager be authorized to sign same. Motion carried.

WATER BILL ADJUSTMENTS. The following water bill adjustments were requested due to service line breaks and all of which have been repaired:

| <u>Name</u> | <u>Address</u> | | <u>1955</u> | | <u>1954</u> | <u>Differenc e</u> |
|-----------------|------------------|--------|-------------|--------|-------------|------------------------|
| Ben Marasco | 531 W. Main | 34,200 | 10.28 | 17,500 | \$7.48 | \$2.90 |
| Frank Egley | 1415 Hall | 49,700 | 13.06 | 31,600 | 9.94 | 3.12 |
| William Charles | 1503 No. 7th St. | 41,100 | 13.44 | 8,100 | 6.10 | 7.34 |

It was moved by Councilman Colescott and seconded by Councilman Lowe that the adjustments be granted and Mr. Marasco's bill be adjusted at \$7.48, Mr. Egley's at \$9.94 and Mr. Charles' at \$6.10. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

PRES. WRIGHT ON AIRPORT. President Wright thanked the Airport Committee for their work on the Thornburg and Rigg deals and suggested that the City go ahead and make some improvements at the Airport and consider a long range program for improvements. He first suggested that an addition on the east end of the Administration Building be built in 1956 for a restaurant and a bar if the license could be secured. He then stated that in all probability there would be an increase in airlines service into Grand Junction by both United and Frontier Air Lines and also the Navajo Air Line. The runways at Walker Field are not long enough to accommodate larger planes for daytime

landings and the East-West runway should be extended at least 1,000 feet for safe landing of the larger planes.

He stated that he would like to set up a special meeting sometime in January and tentatively set the date as January 23rd for a meeting of the City Council and a representative of United and Frontier Airlines and the District Engineer of C.A.A. so that future planning could have the guidance of these officials.

RE SALE GASOLINE AT AIRPORT. City Attorney Groves stated that he had received the rules and regulations for the City to purchase gasoline at the Airport, and that he would send copies to the City Manager, Airport Committee and others and complete the details for getting the permit for the City to purchase the gasoline.

It was moved by Councilman Orr, duly seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk