

Grand Junction, Colorado  
February 15, 1956

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 Pres. Wright. Also present were City Manager Toyne, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Lowe and seconded by Councilman Emerson that the minutes of the regular meeting held February 1st be approved as written. Motion carried.

TO ADV. JORDAN 3.2 BEER APPLICATION. An application for a 3.2 beer license for Jordan's Grocery at 451 So. 5th was made by Sidney E. and Elizabeth Jordan. This place was formerly known as the Warren Grocery. It was moved by Councilman Colescott and seconded by Councilman Orr that this application be advertised for hearing on March 7th and Chief of Police be instructed to inquire into the character and references of the Jordans. Motion carried.

RENEW SAFEWAY BEER LICENSE 525 OURAY. Safeway Stores, Inc. requested the renewal of their 3.2 beer license for their store at 525 Ouray Ave. It was moved by Councilman Lowe and seconded by Councilman Emerson that the application be approved. Motion carried.

WATER BILL ADJUSTMENTS. The following requests for water bill adjustments were presented:

(a) Mrs. Mable Smith, 345 Grand Ave. due to a service line break. Water used Feb. 1, 1956: 138,100 gallons, \$40.19; last year, 45,400 gallons amounting to \$15.67, a difference of \$24.52.

(b) Mr. A. W. Patterson, 515 No. 1st, requested an adjustment on his water bill. His meter was not registering for the Feb. 1st billing. The Water Department used the same bill as last year which was \$45.83. A year ago at this time, Mr. Patterson was installing a new coil in the boiler at his property and the whole water system for three houses was drained which made his water bill at that time excessive. The average use for this quarter, going back to 1952 and 1953, is 57,400 or \$20.12.

It was moved by Councilman Colescott and seconded by Councilman Emerson that Mrs. Smith's water bill be adjusted on the basis of \$15.67 and Mr. Patterson's for \$20.12. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

GRANT 2" WATER TAP TO HOME GAS & APPL. Home Gas and Appliance Co. requested a two inch water tap at 2525 North Avenue. It was moved by Councilman Shults and seconded by Councilman Lowe that this request be granted. Motion carried.

DAYS. The following requests were made for selling on the streets:

Spanish American War Veterans - Carnation Day	May 5, 1956
Salvation Army Girl Guards to sell chocolates	Feb. 18, 1956
Daughters of Union Veterans, Flag Day	May 19, 1956

It was moved by Councilman Harper and seconded by Councilman Orr that the requests be granted. Motion carried.

MEMORIAL DAY REQ. TO C OF C. The Veterans Allied Council asked that the Council assist in the project of observing Memorial Day by asking the businessmen to close on that day, at least between the hours of 10 A. M. and Noon. It was moved by Councilman Orr and seconded by Councilman Shults that this request be referred to the Chamber of Commerce retail committee. Motion carried.

TABLE ANNEXATION CATHOLIC CHURCH ADDN. ON NO. 7TH ST. A letter from Mr. Anthony W. Williams was read concerning the annexation of the Immaculate Heart of Mary Church Addition to the City of Grand Junction. He stated that the Immaculate Heart of Mary Church desired to annex their property on North 7th but at the present time found it impossible to consider the covering of the drainage ditch between the southern boundary of their property and the City limits of the City of Grand Junction. If the Council insists on the ditch being covered, they felt they must remain outside the City limits.

It was moved by Councilman Shults that the City reject the plan for annexation for the Immaculate Heart of Mary Addition. This motion was later withdrawn. 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 Shults and seconded by Councilman Lowe that this matter be tabled. Motion carried.

TRANSFER CABIN TO LAWRENCE MASH. City Manager Toyne read a memorandum from City Engineer John A. Burton stating that at the Flowing Park Reservoir camp there is a cabin about 10 x 14' which in the past few years has been rented out to Kannah Creek farmers who use that locality for ranging cattle. The City still holds the permit from the Forest Service and at this time the Forest Service is requesting that title be given to the stockmen if they are to use this cabin so that the Forest Service permit can be issued directly to the people using the cabin.

It was moved by Councilman Orr and seconded by Councilman Lowe that the Council transfer the title of this cabin to Lawrence Mash and waive the special use permit. Motion carried.

SWIMMING POOL. City Manager Toyne explained plans for developing and improving Moyer Pool to fit in with the proposed new pool development plan and showed plans for the reconstruction of the inside of the Moyer Pool building. He stated that if the Moyer Pool was to be rebuilt and improvements made so that it would be completed before May 30th, the usual time of opening the pool, plans should be made for starting the project immediately.

The following proposed emergency ordinance was presented and read: AN ORDINANCE PROVIDING FOR A SPECIAL APPROPRIATION FROM THE MOYER POOL UNAPPROPRIATED FUNDS AND DECLARING AN EMERGENCY. It was moved by Councilman Harper and seconded by Councilman Orr that the Ordinance be passed, adopted as an emergency ordinance, numbered 947 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO NEGOTIATE GARBAGE CONTRACT. City Manager Toyne also stated that he had been talking with Mr. Rex Phelps, who hauls the garbage for the City, in connection with renegotiating or revamping the garbage agreement, which is a five year agreement with one year to run but the amendment which provided that the City pay Mr. Phelps \$900 a month expired on January 1st. Mr. Phelps asked that the Council cancel the present agreement and write a new agreement along the same lines as the old one with the 1955 amendment, making it effective Jan. 1, 1956 and for five years.

It was moved by Councilman Orr and seconded by Councilman Harper that the City Manager be authorized to negotiate a new garbage contract with Mr. Phelps and that he be authorized to sign the agreement. Motion was carried with Councilman Shults voting "NAY."

NATIONAL GUARD ARMORY SITE. Councilman Emerson reported that a verbal agreement had been entered into with the Voice of Western Colorado (KEXO) for a right of way into a tract of land which the City is contemplating purchasing from Barbour Brothers for a site for a new National Guard Armory. It was moved by Councilman Emerson and seconded by Councilman Harper that the City Manager be authorized to purchase from Barbour Brothers for the amount of \$5,000 property described as follows:

Beg. at SW cor. Lot 11, Blk 2, Houlton's 2nd Resubdivision thence E along the south line of Lots 11, 12, 13, Block 2, 180' to the SE Cor of said Lot 13 thence South 250', thence West 259.77', (thence to the SE Cor of said Lot 13 thence South 250', thence West 259.77') thence North 171' to SW Cor Lot 9, thence NEly along SEly line of Lot 9, 112.3 to P.O.B.

After this agreement with KEXO is signed and providing that Barbour Brothers give a deed to the City for the South 10 feet of Lots 7 and 8 of Houlton Resubdivision

for an easement for a street. 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 Orr and seconded by Councilman Harper that the City Manager be authorized to sign the agreement with the Voice of Western Colorado (KEXO). Motion carried.

TO DRAFT ORD. ON INFLAMMABLE LIQUIDS. Councilman Colescott reported that his committee had held several meetings concerning the regulations for the storage and handling of gasoline and inflammable fluids. It was moved by Councilman Colescott and seconded by Councilman Orr that the Chief of the Fire Department and City Attorney draw up an ordinance based on information furnished by the National Fire Protection Association concerning the regulations for handling of inflammable fluids. Motion carried.

It was also suggested that after the traffic survey is made, that some regulations for the routing of transport trucks be made. It was moved by Councilman Colescott and seconded by Councilman Orr that the City Attorney and Chief of Police formulate an ordinance on the parking of all vehicles transporting inflammable liquids. Motion carried.

Councilman Colescott stated that further recommendations would be made concerning the zoning for bulk plants in the near future.

INSURANCE SCHEDULES TO BE CHECKED. City Manager Toyne reported that the schedules on the insurance policies which we have at the present time do not agree with the buildings which the City now owns and uses. He requested that a committee be appointed to work with him and go over these schedules and bring them in line with property as it now exists and with present valuations. President Wright appointed Councilmen Shults, Harper and Lowe to work with the City Manager on this insurance project.

WATER STATEMENT. City Attorney Groves stated that there were several water conservancy districts being formed throughout the valley and that the Water Committee had recently held a meeting to discuss the possible ramifications of the districts to be formed. The Water Committee's attention was drawn particularly to a petition filed in the District Court on Jan. 12th in the matter of the Ute Conservancy District which was signed by four couples who own ranches north of Mack, Colorado. The area of this proposed district embraces all of the land between the Highline Canal and the Colorado River and from Cameo to West Salt Creek except areas in and around Palisade and except Grand Junction and a very small area surrounding it. In several places the boundaries of this District touch the present City boundaries. It also takes in Orchard Mesa from 29 Road east.

The Council decided that it would issue a statement concerning the lack of information which has been put out in connection with the Ute Conservancy District. The following statement was presented and read:

## STATEMENT

of the

### CITY COUNCIL OF GRAND JUNCTION

February 15, 1956

This statement is issued because the Grand Junction City Council believes that there is some lack of information concerning the proposed Ute Water Conservancy District and that it has a duty, not only to the citizens of Grand Junction but to the surrounding areas, to call attention to the following matters.

The City Council and previous City Councils have realized that the water problems of the City have not involved supplying adequate water for all uses within the corporate limits of the City. During the past several years, considering the substantial amounts of water that the City has sold to out-of-town customers, it has been apparent that the City has had sufficient water to satisfy its needs within the City limits as they have existed if no water was delivered outside those limits. Therefore, the problem has been to supply water to the areas surrounding Grand Junction, a portion of which probably will be annexed to the City sometime. Therefore the City of Grand Junction participated actively in the planning of the Collbran Project with the thought that there might thereby be obtained additional water, not only for the areas surrounding Grand Junction, but for other areas of this Valley.

Further investigation convinced the City Council in 1954 that the financial burden of participation in the Collbran Project would be too great for the City to undertake, and in November, 1954, the Council announced that it was withdrawing from the Collbran Project and was obtaining additional water supply in the Kannah Creek area. Since the City was convinced that the other areas in the Valley could not undertake and finance more than one-third of the cost of the domestic end of the Collbran Project, and probably would be able to undertake even a less percentage, the City believed when it withdrew from the Project that its action would prevent the domestic end of the Collbran Project from coming into being. Feeling considerable responsibility to the rest of the Valley, particularly since it had participated in the Project planning, at the time of such withdrawal the City announced several matters of policy and planning, to the following effect:

1. That the City was acquiring additional Kannah Creek water, nearly doubling its supply, at a cost of approximately \$2,000,000.00 (including interest), for the benefit of the areas outlying Grand Junction, the residents of which have been referred to as the City's out-of-town customers.

2. That as part of such acquisition it was procuring and would have available a million gallons of water per day for sale to water districts, having a tax levying power, lying beyond the area served and to be served by the City for its out-of-town customers.

3. That if permitted by law to do so, it would be willing to enter into long-term contracts with such districts for the sale of water at a price comparable to that which would have been paid by the districts under the Collbran Project, so that the areas within these districts would not be prejudiced by the City's withdrawal from the Project and could have water many years sooner than would have been the case under the Project.

4. That the City shortly would establish the areas to be embraced within the category of out-of-town customers.

5. That the City would cooperate and render assistance to Plateau Valley in connection with the modified Collbran Project and to other areas of the Valley in connection with the procurement of an economical domestic water supply.

Shortly thereafter the City concluded that the area of out-of-town customers should be bounded on the east by 30 Road and on the west by 24 Road. It acquired the additional water in Kannah Creek and has installed an additional flow line at a cost of approximately \$2,000,000.00, including interest. At the time these things were taking place there was a minority sentiment in Grand Junction that there was no obligation upon the City to provide water for the outlying areas and that the City should not incur this indebtedness nor go into the Collbran Project nor do anything else to provide more water. The prevailing sentiment was that the City would and did have an obligation to the outlying areas and that its own economy was involved. Therefore, the people voted bonds and it incurred this indebtedness solely for the benefit of present and future out-of-town residents, some of course being in areas which undoubtedly will be annexed to the City in the future.

During the past several months the Clifton Water District, availing itself of the announcement of City policy, has negotiated with the City for the purchase of water for its district on a long-term basis. The City Council is proposing an amendment to the Charter, to be submitted at an election in April, permitting such a contract and other similar contracts.

On January 12, 1956 there was filed in the District Court of Mesa County a petition signed by four couples for the organization of the Ute Water Conservancy District. A hearing on this petition has been set for March 16th. Roughly, the area of this proposed district embraces all the land between the Highline Canal and the Colorado River from Cameo to West Salt Creek (west of Mack), except areas in and around Palisade and except Grand Junction and a very small area surrounding it. In several places the boundaries of this proposed district touch the present City boundaries. Specifically, the proposed district embraces practically all of the area for which Grand

Junction created the \$2,000,000,000 indebtedness for additional water, and it embraces all of the Clifton Water District.

The City Council has some appreciation of the great need and desire of the residents in this Valley, who do not now have domestic water, to have the same, and certainly does not wish to impede any reasonable plan by which they can be provided with water. It is not the Council's province to advise the residents of the rural areas as to economy of their proposed obligations, but the thought cannot help but enter the Council's mind that, with the City of Grand Junction having withdrawn from the Collbran Project, the distribution of water from some source of supply not now tapped throughout the rural areas will involve very serious financial problems.

In the event that sufficient signatures are obtained upon further petitions for creation of the Ute Water Conservancy District and as a result such District is created, the District may levy an annual tax of 1/2 mill until such time as the District obtains water. Thereafter it may levy a one mill tax for administrative purposes and a greater tax for the payment of indebtedness. The Council believes that there is not a general public understanding of the fact that a resident buying water from the City or from a district that has contracted with the City will be obliged to pay any such tax levied in the event that his land is within the Ute Water Conservancy District. Aside from any motive Grand Junction may have to sell water, the Council thinks there is a fundamental unfairness in including its out-of-town customers in this conservancy district and forcing them into it. The same applies to residents of areas which now have a water district or may have a water district desiring to obtain water from the City. It is a puzzling matter to the Council that the persons who defined the territory to be included in this district apparently disregarded the expensive enlargement of the City's water system and the reasons therefor and did not contact anyone in an official capacity with the City with respect to the boundaries of the District - not even with respect to including the City's airport in this district.

If the residents of all of the areas embraced within the conservancy district realize the situation above outlined and still wish to be in the conservancy district, with its boundaries as now planned, the City of Grand Junction cannot complain of their decision. Believing that there are areas whose residents will not wish both to be purchasing water from the City and paying taxes for this conservancy district, most particularly areas that undoubtedly will be annexed to the City within the next few years, and that these residents are not acquainted with the facts, this statement is issued. While the City might appear in this proceeding for the creation of the Ute Water Conservancy District to satisfy itself that all the requirements of the statute are being complied with, the City will not take any part in the promotion or circulation of objecting petitions to the district.

It was moved by Councilman Lowe and seconded by Councilman Orr that it be adopted and published in the Daily Sentinel. Motion carried.

BOYS-GIRLS CITY-COUNTY DAY. The Council was reminded that there would be a special meeting of the Council on February 29th for the Boys and Girls City-County Day.

SWIMMING POOL BONDS. A Memorandum from City Treasurer Fred E. Hagie was read concerning the sale of swimming pool bonds. This letter was accepted and ordered filed.

FIRE ESCAPES. President Wright stated that it had been brought to his attention that recently constructed fire escapes on public buildings have not been built in accordance with any accepted standards. The City does not have any regulations concerning the construction of fire escapes. Pres. Wright appointed Councilmen Emerson, Orr and Lowe as a committee to work with City Attorney Groves, City Manager Toyne and City Engineer Burton to draw up regulations concerning the construction of fire escapes.

COLO. WATERSHED CONSERVATION ASSN. The Colo. Watershed Conservation Association asked that the City Council appoint a representative to serve on their committee. This Association is endeavoring to establish one organization to gather data concerning water. Mr. Woodfin, County Agent, addressed the letter to the Council. Pres. Wright appointed Councilman Orr to serve on this committee.

REPORT ROCKY MT. INSPECTION BUREAU. President Wright stated that the recent report of the Rocky Mountain Inspection Bureau was a little unrealistic and wondered what could be done to forestall any increase in insurance rates in the City until some time had been given for the City Manager to study the report. City Manager Toyne stated that this report had been referred to the Fire and Police Committee and a meeting of the committee with the City Manager, the Fire and Police Chiefs and City Engineer Burton would be held in the near future and then their report would be brought to the Council for authorization to make protests to the Underwriters Association.

TO PURCHASE DRUNKOMETER. Chief of Police Johnson reported that the demonstration of the Drunkometer had been held and that the Medical Association gave their approval and endorsed the machine and urged that the City purchase the machine for use in determining the degree of intoxication of people whom the Police Department might pick up. Chief Johnson asked permission to purchase the machine and train three members of the Police Department to operate it. The cost of the machine with sufficient kits and the training of three men would be \$300.00.

It was moved by Councilman Orr and seconded by Councilman Lowe that the City Manager be authorized to purchase the Drunkometer and sufficient kits for operating the machine and that three men be sent to Salt Lake City for training in the operation of the machine and proper certification for completing the course. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.



COUNTY TO HELP SUPPORT AIRPORT. President Wright reported that the Airport Committee, himself, City Manager Toyne, Deputy City Attorney Turner and City Engineer Burton had met with the County Commissioners in regard to having Walker Field become a City-County airport. Certain improvements are needed at the Airport and it was felt that if the commissioners accepted half of the airport and it was considered a joint city-county operation these improvements could be more easily made. The proposition was to make the improvements over a three year period; to extend the east-west runway 1,300 feet and to reconstruct this runway to give a heavy base and a new surface, which it needs to conform to present accepted standards, and to build a restaurant building. It was felt that the Federal Government might give 54.23% participation. It would be recommended that these improvements be done over a period of three years; the first year, the runway would be extended and the restaurant building built at a cost of \$150,000, the cost to the City and County would be \$30,000 each. The second and third years the runway would be reconstructed in two stages at a cost of \$240,000, \$26,500 each year to be paid by the City and \$26,500 by the County.

In addition the County would share in the annual deficit in the operation of the Airport which amounts to approximately \$15,000. There would be a working agreement between the City and County with a county representative on the Airport Committee. The County Commissioners had approved this proposed plan and the City had been advised that funds were still available for federal participation but that the City of Grand Junction would need to get the application in immediately for participation in this money allotted.

The City Attorney suggested that the matter of giving the County one-half interest in the Airport be referred to a vote of the people in the next election.

It was moved by Councilman Harper and seconded by Councilman Lowe that this proposal of the joint operation of the City and County for Walker Field be approved and that accurate cost estimates for the improvements be made as quickly as possible. Motion carried.

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

/s/ Helen C. Tomlinson  
City Clerk