

Grand Junction, Colorado
June 20, 1956

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. Councilmen answering roll call were Shults, Orr, Harper, Colescott, Emerson, Wright, and President Lowe. Also present were Deputy City Attorney Turner and City Clerk Tomlinson. City Manager Toyne and City Attorney Groves were absent.

It was moved by Councilman Orr and seconded by Councilman Colescott that the minutes of the regular meeting held June 6th be approved as written. Motion carried.

R. E. CHEEVER HIRED AS CITY MANAGER. Councilman Shults stated that it had been approximately thirty days since the City Council started looking for a City Manager. Several prospective managers had been contacted and Mr. R. E. Cheever of Cheyenne, Wyoming, was in town and is interested in the position. Personal contacts and telephone calls to Cheyenne have shown a favorable report by at least 98% of the people contacted. Councilman Shults moved that Mr. R. E. Cheever be employed by the City Council as City Manager starting June 25th at 8 A. M. at a salary of \$12,000 annually; Mr. Cheever is to furnish his own car and an agreement on the car expenses will be made at a later date. Mr. W. D. Toyne is to be relieved of his duty on Saturday morning June 23rd; Mr. Toyne to receive a ninety day advance in pay from that date and is to be allowed to purchase the 1951 Oldsmobile which he has been using while City Manager at the blue book price if he so desires. The ninety day advance in pay is to be understood to include any and all vacation pay which Mr. Toyne might have coming to him. Councilman Colescott seconded the motion.

Councilman Wright stated that he wanted to make it clear that he did not question Mr. Cheever's qualifications but that he thought that within the next ten days to two weeks that the City Council would receive many more applications for this position and he was in favor of waiting until the next Council meeting to make the appointment.

Councilman Harper stated that he was not opposed to Mr. Cheever but that he had had no chance to study any other applications.

Roll was called on the motion with the following results: Councilmen voting "AYE:" Shults, Orr, Colescott, Emerson and President Lowe. Councilman Wright stated that in view of the fact that a majority of the Council were in favor of hiring Mr. Cheever at this time that he would go along and vote "AYE." Councilman voting "NAY:" Harper. Councilman Harper then stated that in order to make a unanimous vote for Mr. Cheever that he would change his vote to "AYE." President Lowe declared the motion carried, and Mr. Cheever hired as City Manager.

HEARING - 3.2 BEER SOLD TO MINOR BY ARAGONS. This date was set for hearing on the sale of 3.2 beer to a minor, Leonard Felix Garcia, by Richard and Mary Aragon of the Circle Cafe. They had been ordered to appear before the Council. Karl

Johnson, Chief of Police, re-stated the case which was in Municipal Court whereby Mr. and Mrs. Aragon pleaded guilty to selling 3.2 beer to Leonard Felix Garcia who claimed to be over 18 years old. They were fined \$100 and Leonard Felix Garcia who pleaded guilty to making a false statement concerning his age was fined \$50. It was moved by Councilman Shults that the license of Richard and Mary Aragon dba Circle Cafe be suspended for ten days.

Mr. Andy Williams, attorney, spoke in behalf of the Aragons and some questions were asked Leonard Felix Garcia. It appeared that he did not look to be 18 or over. Councilman Shults withdrew his motion. It was moved by Councilman Wright and seconded by Councilman Shults that the license of Richard and Mary Aragon for the Circle Cafe be suspended for 30 days starting Thursday morning, June 21st, and that they be not allowed to sell 3.2 beer again until July 21st. Motion carried.

ZONING - MELROSE ADDITION. This was the date set for zoning of the Melrose Addition. It had been recommended by the Planning Commission that this area be zoned as Residence "A" district. It was moved by Councilman Shults and seconded by Councilman Wright that the following 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 be passed for publication. Motion carried.

ZONING - DEL REY SUBDIV. An application was filed to change the zoning of the South 120 feet of Lot 7 Block 3 Del Rey Subdivision from Residence "A" District to Business "AR" district. This application was approved by the Planning Commission. It was moved by Councilman Shults and seconded by Councilman Orr that hearing on this change of zoning be set for July 18th. Motion carried.

ORD. 962 - ANNEXING KISTER ADDN. 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 Wright and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Orr 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 Shults and seconded by Councilman Wright was passed, adopted, numbered 962 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 963 - WATER RATES, ZONES. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 19, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO (ORDINANCE 838) WITH RESPECT TO ZONES AND RATES APPLICABLE TO THE SALE OF WATER was presented and read. It was moved by Councilman Wright and seconded

by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Emerson and seconded by Councilman Wright that the 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 963 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 964 - AUTOMOBILE TRAILERS. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 48, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, RELATING TO AUTOMOBILE TRAILERS was presented and read. It was moved by Councilman Shults and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Shults 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 Colescott and seconded by Councilman Emerson was passed, adopted, numbered 964 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 961 - ZONING KISTER ADDN. 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 Shults and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Wright and seconded by Councilman Orr that the proposed ordinance be called up for final passage. Motion carried. Some of the property owners on College Place presented a petition protesting the zoning of this plot of ground as Business "A". It was explained to these people that the Doctors Maynard, Graves, Sanders and Adams could build anything they wanted to on this ground at the present time, until it is legally annexed to the City, and then petition to be annexed, and that any future annexations in this area would have to come before the Planning Commission, and that they would have a chance to protest at that time the construction of any obnoxious buildings.

It was moved by Councilman Shults and seconded by Councilman Wright that the ordinance be passed, adopted, numbered 961 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TO DRAW UP ORD. 36 HOURS ON PETITIONS. It was moved by Councilman Shults and seconded by Councilman Orr that the City Attorney be instructed to draw up an ordinance amending Section 12 of Chapter 83 of the 1953 Compiled Ordinances concerning zoning so that petitions protesting changes in zoning would have to be in the hands of the City Clerk 36 hours before the date of hearing. Motion carried.

TO STUDY COVERING OPEN DITCHES. A petition was presented asking that the City cover the ditch on 19th Street between Grand and Rood Avenues. City Engineer Burton estimated that the cost of covering this ditch would be approximately \$3,312. It was moved by Councilman Emerson and seconded by Councilman Wright that a study be made by the legal department of the City concerning the covering of all ditches in the city limits of the City of Grand Junction; that either the ditches be covered by the owners or abandoned, if this is possible.

Councilman Harper stated that he had been interested for many years in seeing that the irrigation ditches within the city were covered, and that he was glad to see the matter being brought up again and hoped that something could be done about it. Motion carried.

WAIVE PERMITS EPISCOPAL CHURCH. St. Matthews Episcopal Church requested that all permit fees in connection with the building of its new Parish Hall be waived. Roll was called on the motion with all members of the City Council voting "AYE." Motion carried.

SHULTS ON REC. COM. It was announced that Councilman Orr would be unable to attend the Recreation Commission meetings and that someone else should be appointed to take his place. Councilman Shults and City Manager Cheever were appointed as members of the Recreation Commission.

RENEW COLESCOTT BEER LICENSE. Mr. H. E. Colescott applied for renewal of his 3.2 beer license for Colescott's at 551 South Ave. It was moved by Councilman Wright and seconded by Councilman Shults that the license be renewed. Motion carried.

IMPR. DIST. #54 RESOLUTION CREATING. The City Clerk reported that there had been no objections in connection with the creating of Improvement District No. 54. The following resolution was presented and read:

RESOLUTION
CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. 54 WITHIN THE
CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO,
AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS AND
PAVING ON STREETS THEREIN AND THE CONSTRUCTION OF
SIDEWALKS, AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 16th day of May, 1956, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. 54 and authorizing notice of intention to create said District, and

WHEREAS, Notice of Intention to create said District was duly published, and

WHEREAS, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Improvement District No. 54 be and the same is hereby created and established, and that construction of curbs and gutters, sidewalks and paving therein be and the same is hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor;

2. That the construction of paving, sidewalks and curbs and gutters shall be made by contract let to the lowest, reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment;

3. That the improvements in said District were duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, have been strictly complied with;

4. That the description of the curbs and gutters, sidewalks and paving to be constructed, the boundaries of said Improvement District, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 16th day of May, A. D., 1956, and in accordance with the published Notice of Intention to create said District;

5. That, after the contract for the construction of curbs and gutters, sidewalks and paving has been let, the Council shall, by a resolution, provide for the issuance of public improvement bonds for said Improvement District No. 54 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED this 20th day of June, 1956.

President of the Council

ATTEST:

City Clerk

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

WATER BILL ADJUSTMENT. A letter was read from Mr. C. A. Walt, Business Manager, for Minerals Engineering Company asking that their water bills for three previous quarters be adjusted to the average use a year ago, as they had had a bad leak in the water line and had not found this leak until recently. It was moved by Councilman Shults and seconded by Councilman Orr that Minerals Engineering Company be granted a refund based on the average amount of water used in the quarter having the highest consumption of water. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

REFUND \$1,000 TO SUN BLDG. CO. The Sun Building Company (Welbon Foreman) requested that the City return the \$1,000 deposit which they made about a year ago for a water tap on Orchard Mesa to service their Sun Building Development Company project on the Redlands. It was moved by Councilman Wright and seconded by Councilman Shults that the request be granted and the following entitled emergency ordinance was presented and read: AN ORDINANCE PROVIDING FOR A SPECIAL APPROPRIATION FROM THE WATER DEPARTMENT UNAPPROPRIATED FUNDS AND DECLARING AN EMERGENCY. It was moved by Councilman Wright and seconded by Councilman Shults that the ordinance be passed and adopted, numbered 965 and ordered published. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

AIRPORT LEASE WITH WILSON, HAMLIN & EBERHART. Councilman Orr reported that the Airport Committee had met with the County Commissioners and Messrs. Thos. Wilson, Marvin Hamlin and Wm. Eberhart and that they had presented the following as their expected expenditures:

A metal building, Miller or Butler	\$20,000
Gasoline fueling equipment	5,000

Ground improvement	1,000
Tools, in addition to tools now owned by applicants	1,200
Stock, merchandise	2,000
Total	\$29,200

The lease as submitted did not contain all the provisions which the Committee and the County Commissioners had recommended and the following are to be included in the lease: a notarized copy of the intended expenditures; a clause to be added whereby the lessee is to furnish \$2,000 cash or a \$2,000 surety bond to insure the payment of gasoline; that the Airport Committee along with County Commissioners and City Manager have the right and privilege to inspect the buildings at periodic times; that buildings should be built under City inspection and finished by January 1, 1957 or the lease terminated; the rental to be paid the City of \$50.00 per month. Motion carried.

AIRPORT IMPROVEMENT. Councilman Orr also reported that there were several engineers who had applied for the job of designing improvements at the Airport who had not been interviewed and that they expected the last one to be in town on Monday, June 25th. The Airport Committee would be ready with their report shortly after that time. It was agreed that a meeting of the City Council be held on June 27th at 4:30 P. M. to consider these applications.

ORD. CITY MANAGER'S SALARY. It was moved by Councilman Shults and seconded by Councilman Orr that the City Attorney be authorized to draw up an ordinance providing for the salary of the City Manager as set forth in the previous motion. Motion carried.

UNITED AIR REQUEST TO SUBLEASE SPACE. Deputy City Attorney Turner stated that United Airlines had decided to sublet the space in the Administration building which they have been using to Frontier Airlines and asked that final settlement on landing fees be postponed until they resume operations. This was approved by the Council.

REAFFIRM LEASE LOFFLAND, JR. Deputy City Attorney Turner also asked that the Council reaffirm their action on the lease to J. M. Loffland, Jr. concerning the mineral lease on the Anderson property. It was moved by Councilman Wright and seconded by Councilman Shults that the City extend the lease under option under the same terms as expressed in the Resolution which the City Council passed in 1955. Motion carried.

CC TO WRITE LETTERS. It was moved by Councilman Orr and seconded by Councilman Harper that the City Clerk be instructed to write to Senators Milliken, Allott and Representative Aspinall thanking them for their efforts in behalf of the City in

getting the deed to the 16 2/3 acres from the Veterans Hospital and in connection with getting C.A.A. funds for improvements at Walker Field, and also a letter to C.A.A. thanking them for their assistance to the City. Motion carried.

FIRE DEPT. Councilman Wright brought up the matter of the requirements to comply with the Mountain States Inspection Bureau demands and wondered if the LaFrance old fire truck could be put in condition to send as a second truck to fires. This matter was referred to the new City Manager.

TOILETS IN PARKS. Councilman Colescott asked about the construction of the toilet facilities in Hawthorne and Riverside Parks for which money was appropriated in the 1956 budget. This matter was referred to the City Manager for one of the first items to come to his attention.

\$100 FROM CLIFTON FOR NEW POOL. Councilman Harper reported that the Clifton Lions' Club had donated \$100 to the swimming pool.

PARKING & TRAFFIC COMMITTEE. Councilman Harper also stated that his Committee on Parking and Traffic had not held a meeting as yet but that Chief Johnson had made several suggestions which he might present to the Council. The Council suggested that he take these suggestions to the Committee for a full report back to the Council.

PARKING METERS. A letter was read from the A.E.C. in connection with the discontinuance of furnishing parking for federal employees. They stated they would continue to cooperate in any way they possibly could and had instructed their employees to either park where there were no parking fees necessary or to pay the parking meter charges out of their own pockets.

RECREATION BASEBALL PROGRAM. Mr. Bagby, Recreation Director, asked that the City help with the expenses of the Western Slope Baseball League. They are required to pay 10% of the gate and the lights for these games and are not making expenses. It was moved by Councilman Shults and seconded by Councilman Emerson that this matter be referred to the City Manager and that he make a recommendation to the Council at the next meeting. Motion carried.

It was moved by Councilman Orr and seconded by Councilman Shults that the meeting adjourn until Wednesday, June 27th, at 4:30 P. M. Motion carried.

/s/ Helen C. Tomlinson
City Clerk