

Grand Junction, Colorado
July 18, 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 Pres. Lowe. Also present were City Manager Cheever, City Attorney Groves and City Clerk Tomlinson.

It was moved by Councilman Orr and seconded by Councilman Colescott that the minutes of the special meeting held July 3rd and the regular meeting held July 4th be approved as written.

DENY ZONING REQUEST DEL REY SUBDIV. This date was set for hearing on the re-zoning on the South 120 feet of Lot 7 Block 3 Del Rey Subdivision from Residence A to Business AR district. City Attorney Groves reported that there is a document of restriction in the abstract to property located in the Del Rey Subdivision, which states that no lot may be used for anything but residential purposes and only one home may be built on each lot. This document is effective for thirty years with the condition that it may be renewed for a further period of time.

There were several persons present who protested the changing of zoning both verbally and by a letter which was signed by several of the property owners in the area affected. It was moved by Councilman Shults and seconded by Councilman Colescott that the request for change of zoning be denied. Motion carried.

ORD. 966 - CM's SALARY. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE FIXING THE SALARY OF THE CITY MANAGER OF THE CITY OF GRAND JUNCTION was presented and read. It was moved by Councilman Wright and seconded by Councilman Emerson that the Proof of Publication be accepted and filed. Motion carried.

It was 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 Colescott and seconded by Councilman Wright was passed, adopted and numbered 966 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 967 - VACATING KENNEDY LANE. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE VACATING THE ALLEY KNOWN AS KENNEDY LANE was introduced and read. It was moved by Councilman Wright and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Emerson that the ordinance be called up for final passage. The ordinance was then read and

upon motion of Councilman Orr and seconded by Councilman Wright was passed, adopted, numbered 967 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 968 - PERTAINING TO AMENDMENTS & CHANGES IN ZONING. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING SECTION 12 OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, PERTAINING TO AMENDMENTS AND CHANGES IN ZONING was presented and read. It was moved by Councilman Wright and seconded by Councilman Orr 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 it was moved by Councilman Orr and seconded by Councilman Wright that the ordinance be passed and adopted, numbered 968 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 969 - ZONING RES. C TO BUS. A GLENWOOD AVE. The Proof of Publication to the following entitled ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCORPORATED THEREIN. It was moved by Councilman Wright and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Colescott and seconded by Councilman Emerson 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 Orr was passed, adopted, numbered 969 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. - MELROSE ANNEXATION. The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Wright that the ordinance be passed for publication. Motion carried.

RENEW CITY MARKET BEER LICENSE 9TH & NORTH AVE. City Market made application for the renewal of their 3.2 beer license for their market at 9th and North Avenue. It was moved by Councilman Emerson and seconded by Councilman Wright that the license be renewed. Motion carried.

ORD. 970 - RELATING TO MOYER POOL & LINCOLN PARK POOL. The following entitled ordinance was presented and read: AN ORDINANCE RELATING TO MOYER POOL AND LINCOLN PARK POOL. It was moved by Councilman Shults and

seconded by Councilman Orr that the ordinance be passed and adopted as an emergency ordinance, numbered 970 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RESOL. - SIGNING PETITIONS. City Attorney Groves reported on rules and regulations regarding the signing of petitions. He stated that the Colorado State Statute on annexation of property provides, that if one signs petitions for and against the annexation, both signatures must be considered; in signing other types of petitions, where a person signs two or more times, causing an uncertainty of the position of that person, there are several rules which may be followed. The following Resolution was presented and read:

RESOLUTION

WHEREAS, on several occasions, the same person has signed two or more petitions presented to the City Council in matters concerning zoning, liquor licenses and other matters, having a contradictory effect, causing an uncertainty as to the position of such person,

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

Section 1. All petitions presented in the future to the City Council concerning zoning, liquor licenses and other matters, shall show thereon the date of signature opposite each individual's signature.

Section 2. In the event that the same person signs two or more petitions or counter petitions in any matter having a contradictory effect, the signature bearing the first date shall be considered by the Council, and the signature of such person on other petitions or counter petitions shall not be considered. In the event that any signature of a person signing two or more petitions having a contradictory effect shall not be dated, the undated signature or signatures of such person shall not be considered. Nothing in this section shall pertain to petitions or counter petitions for annexation of property to the city or to other matters controlled by state law.

It was moved by Councilman Colescott and seconded by Councilman Shults that the Resolution be passed and adopted as read: Roll was called on the motion with the following result: Councilmen voting "AYE:" Shults, Orr, Colescott and Pres. Lowe. Councilmen voting "NAY:" Harper, Emerson and Wright. A majority of the Councilmen voting "AYE," the President declared the motion carried.

AUTHORIZE CITY MGR TO NEGOTIATE WITH BARBOUR BROTHERS RE PARK SITE. City Manager Cheever reported that he and City Engineer Burton had been considering trading vacant lots which the City owns in Wilcox-Bixby Subdivision for vacant lots in Melrose Subdivision so that a park might be built in the northeast part

of town. Councilman Harper stated that someone had called him and asked if a new park in this area would make any change in the plan for the proposed playground at Orchard Avenue School. It was the feeling of the Council that a playground would be a good thing, but that a park was also needed, and that this might be an opportune time to secure sufficient ground for such a park. It was moved by Councilman Shults and seconded by Councilman Emerson that authority be given to Mr. Cheever to go ahead and negotiate with Barbour Brothers for sufficient land for a park. Motion carried.

TO ADVERTISE FOR BIDS FOR IMPR. DIST. #54. It was moved by Councilman Shults and seconded by Councilman Orr that the City Manager be authorized to advertise for bids for the construction of Improvement District #54 to be opened at 10:00 A.M. on August 8th and also that he be authorized to advertise for the sale of \$137,000 Improvement District #54 bonds, bids to be received and opened at 7:30 P. M. on August 8th at a regular adjourned meeting of the Council. Motion carried.

DEFER ACTION ON SALARY INCREASES. A proposed resolution concerning salaries of City employees was presented, and after discussion, it was moved by Councilman Colescott and seconded by Councilman Shults that action on this Resolution be deferred until the next meeting of the Council when the City Manager can make a report on the cost of the City's going on a 40 hour week; the salary of City Engineer John A. Burton be increased effective July 1st to \$600 per month. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

It was decided that inasmuch as irrigation and drainage ditch interference and lack of sufficient right-of-way for some of the streets in Improvement District No. 54, the following would be eliminated from the District:

15th Street from Pinon to Walnut
17th Street from Orchard to Walnut
23rd Street from Hall to Orchard Ave.
Walnut from 15th to 17th
Orchard Ave. from 22nd to 23rd.

The total cost of the district was, therefore, estimated to be \$137,000.00

TO NOTIFY DITCH USERS TO COVER ALL DITCHES. City Attorney Groves reported that they had a list of all the people who own rights in ditches which run along the streets in the City of Grand Junction and were planning to send out letters informing these people that the ditches must be covered within a reasonable time. This letter would inform the ditch users that the City was going to enforce a Peoples Ordinance which requires ditches to be covered, and that if they were not covered within a reasonable time, court action would be brought to enjoin them from running water in these ditches. It was moved by Councilman Wright and seconded by Councilman Emerson that the City Attorney be instructed to follow through with his proposed plan

requiring ditch users to cover their ditches by March 1, 1957 or court action would be taken. Motion carried.

SPECIAL MEETING TO CONSIDER APPLICATIONS FOR CITY ATTORNEY. It was decided to hold a special meeting some time next week to consider applications for City Attorney.

It was moved by Councilman Harper and seconded by Councilman Wright that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk