

Grand Junction, Colorado
March 6, 1957

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. Councilmen answering roll call were Shults, Harper, Colescott, Emerson, and Wright. Councilmen Orr and Pres. Lowe were absent at the opening of the meeting but arrived about ten minutes later. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson. It was moved by Councilman Shults and seconded by Councilman Wright that Councilman Harper act as President Pro Tem until President Lowe arrived. Motion carried, and Councilman Harper took the chair and presided until President Lowe arrived.

It was moved by Councilman Colescott and seconded by Councilman Shults that the minutes of the regular meeting held Feb. 20th be approved as written. Motion carried.

POSTPONE HEARING BOSMA LIQUOR LICENSE. This was the date set for hearing on the application of Pete Bosma to move his retail liquor store from 443 Rood Ave. to 801 North Avenue. The building at 801 North Ave. is not completed to the extent that a liquor license can be issued at this location. It was moved by Councilman Shults and seconded by Councilman Emerson that the hearing on the application of Pete Bosma to move his retail liquor store license be postponed until the next regular meeting of the City Council. Motion carried.

DENY GEO. BLACK LIQUOR LICENSE. The application of Mr. Geo. Black for a retail liquor store license at 502 Colorado was advertised for hearing at this date. Petitions in favor of the granting of this license and against the issuance of this license had been filed with the City Clerk, and a map was presented showing the signers in the immediate neighborhood of 502 Colo.

Mr. Dick Stranger asked whether or not the question of premises might become an issue in the granting of this license as often times minors are permitted on the premises of a filling station, and as the two businesses would be operated from the same building with only the building itself being partitioned off, there was a question that the Council decided should be referred to the Attorney General. It was moved by Councilman Orr that the application be granted conditioned upon a favorable ruling from the Attorney General's office on the definition of premises. There was no second to this motion and Councilman Orr withdrew the motion. It was moved by Councilman Emerson that in view of the question of the premises and after considering the reasonable requirements of the neighborhood and desires of the inhabitants as evidenced by petitions presented, he would move that the application of Mr. Geo. Black for a retail liquor store license at 502 Colorado be denied. Councilman Orr seconded the motion. Motion carried.

ORD. 998 - POLICE BLDG. & SEWER BONDS. The following entitled ordinance was introduced and read: AN ORDINANCE AUTHORIZING THE CONTRACTING OF

AN INDEBTEDNESS ON BEHALF OF THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, AND UPON THE CREDIT THEREOF, BY ISSUING THE NEGOTIABLE COUPON BONDS OF SAID CITY IN THE PRINCIPAL AMOUNT OF \$240,000, FOR THE PURPOSE OF ERECTING AND EQUIPPING A PUBLIC BUILDING IN SAID CITY, AND IN THE PRINCIPAL AMOUNT OF \$460,000, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE SEWER SYSTEM OF SAID CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS AND THE INTEREST THEREON; and DECLARING AN EMERGENCY.

It was then moved by Councilman Colescott and seconded by Councilman Harper that all rules of the Council which, unless suspended, might prevent the final passage and adoption of said emergency Ordinance at this meeting, be and the same are hereby suspended.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting AYE: Councilmen: Warren D. Lowe
Harry O. Colescott
John S. Emerson
John C. Harper
William W. Orr
Harold H. Shults
Herbert M. Wright

Those voting NAY: none

All members of the City Council having voted in favor of said motion, the President declared said motion carried and the rules suspended.

Councilman Wright then moved that said Ordinance be finally passed and adopted as introduced, read and ordered published. Councilman Emerson seconded the motion.

The question being upon the final passage and adoption of said Ordinance, the roll was called with the following result:

Those voting AYE: Councilmen: Warren D. Lowe
Harry O. Colescott
John S. Emerson
John C. Harper
William W. Orr
Harold H. Shults
Herbert M. Wright

Those voting NAY: none

The President, as presiding officer, thereupon declared that all the members of the City Council duly elected, qualified and acting as such, having voted in favor thereof, the said motion was carried and the said Ordinance finally passed and adopted.

On motion duly adopted, it was then ordered that said Ordinance be numbered 998; that said Ordinance be published in the Daily Sentinel, the official newspaper of the City, in its issue of March 8th, 1957, and be recorded and authenticated as required by law.

ORD. 999 - VACATING ALLEYWAYS CARPENTER'S SUB. The Proof of Publication to the following proposed ordinance entitled AN ORDINANCE VACATING ALLEYWAYS IN CARPENTER'S SUBDIVISION NO. 1 was presented and read. It was moved by Councilman Orr and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Wright and seconded by Councilman Colescott that the Ordinance be called up for final passage. Motion carried.

The Ordinance was then read and upon motion of Councilman Emerson and seconded by Councilman Harper was passed, adopted, numbered 999 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1000 - CONTRACTOR'S ORD. The Proof of Publication to the following proposed ordinance entitled AN ORDINANCE REGULATING THE LICENSING OF CONTRACTORS AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS was introduced and read. It was moved by Councilman Shults and seconded by Councilman Emerson 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 Ordinance be called up for final passage. Motion carried.

A letter was then read from the Brotherhood of Painters, Decorators and Paper Hangers of America in which they protested the passage of any ordinance which would affect the painting industry. Several contractors were present and stated that they were in favor of the passage of the ordinance. The following amendments to the ordinance were presented:

Sub sub Sec. d of Sub Sec 3 of Sec. 3 entitled "Definitions"--
Delete (Sec 3 A 3 d)
Sub Sec D of Sec 7 -- change City Engineer to Building Inspector.
(Sec 7 D)

Sec. 8 be amended to read as follows:

"SECTION 8. SAFETY MEASURES AND INSURANCE COVERAGE.

A. All state laws and municipal ordinances dealing with measures for the safety of workmen and of the public shall be observed in addition to any requirements contained within this ordinance. Every contractor granted a license under the terms of this ordinance shall be required to maintain at all times Employees Liability or Workmen's Compensation Insurance, Public Liability Insurance with minimum limits of not less than Fifteen Thousand (\$15,000) Dollars for one person and Thirty Thousand (\$30,000) Dollars for any one accident, and Property Damage Insurance with a minimum limit of not less than Ten Thousand (\$10,000) Dollars for any one accident.

B. At any time application is made for examination, and before a license can be issued, the contractor shall file with the City Clerk certificates of insurance for Employees Liability or Workmen's Compensation Insurance and Public Liability and Property Damage Insurance, showing the required minimum limits as set out above, the policy number or numbers the name or names of the companies writing said insurance, the effective date of each policy, the expiration date of each policy, together with a statement and a copy of an indorsement placed on each policy or policies requiring ten (10) days notice in writing by registered mail to the City Clerk in the event of cancellation of the policy or policies for any reason. In the event of a cancellation of a policy, the City Clerk shall immediately notify the licensee and the Building Inspector, in his capacity as secretary of the Building and Contractor's Licensing Board, and the licensee shall be required to furnish a new certificate in full compliance with the terms of this ordinance within the ten-day period; otherwise, the license shall automatically be revoked. The license shall be reinstated by the Board when the licensee has furnished a certificate of insurance in compliance with this ordinance, unless such license is suspended for reasons other than the failure to file a proper certificate of insurance."

"SECTION 9. BOND. Before any license, as provided by this ordinance, shall be issued for engaging in business as a contractor, such applicant shall file with the City Clerk a good and sufficient surety bond in the sum of Five Thousand (\$5,000) Dollars, payable to the City of Grand Junction, to be approved by the City Council, conditioned that he will save and keep harmless the City of Grand Junction and all persons therein of and from all damages on account of the failure of such contractor properly to build, construct, alter, repair, remodel or demolish any size or type of structure within the City of Grand Junction in a manner provided by the uniform building code or any amendments thereto which have been or may be adopted by the City of Grand Junction.

"Liability shall not extend to the contractor where plans and specifications are prepared by others, are approved by the Building Inspector and stamped or marked to show such approval, and the contractor conforms to such plans in his work, even though the building code is thereby violated."

It was moved by Councilman Harper and seconded by Councilman Emerson that the foregoing amendments be passed and adopted. 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 it was moved by Councilman Orr and seconded by Councilman Harper that the Ordinance be passed and adopted as amended, numbered 1000 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

OUTSIDE WATER TAPS - RESOLUTION. The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction has heretofore expressed its desire to assist in the orderly development of Mesa County outside of the City of Grand Junction; and

WHEREAS, the issuance or refusal of permits for water taps or water service outside of the City can be used to aid the County Planning Commission in securing such orderly development;

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

That hereafter all applications for water taps or water service outside of the City of Grand Junction first be referred to the Mesa County Planning Commission for its consideration and recommendation.

PASSED AND ADOPTED THIS 6th day of March, 1957.

It was moved by Councilman Wright and seconded by Councilman Harper 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.

OFF-STREET PARKING LOTS. City Attorney Ashby stated that Lots 17 to 20 in Block 97 except the corner thereof and Lot 21 and the East 15 feet of Lot 22 in Block 97 are ready to have parking meters installed and to be used as off-street parking lots. It was moved by Councilman Harper and seconded by Councilman Orr that Lots 17 to 20 in Block 97 except the southeast corner thereof, occupied presently by a building, and Lot 21 and the East 15 feet of Lot 22 Block 97 be established as an off-street parking area and that parking meters be installed in this area. Motion carried.

JAROS ZONING HEARING APR. 3. Mr. E. A. Jaros presented before the Planning Commission a petition to amend the zoning map changing the zoning of Lot 16 in Grandview Subdivision except the South 125 feet thereof and except the east 125 feet thereof from Residence "A" and Residence "B" Districts to Business "A" District. This property is owned by Mr. Frank Jaros and is located between Mesa and Orchard Ave. and 12th and 13th Streets. The Planning Commission considered this petition and

recommended that the change in zoning be approved. It was moved by Councilman Shults and seconded by Councilman Emerson that hearing on the application of Mr. Jaros for changing the zoning on his property be set for April 3rd. Motion carried.

ANNEXATION PETITION FAIRMOUNT SUBDIV. The following petition for annexation was presented and read:

PETITION FOR ANNEXATION

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

The undersigned (hereinafter called "petitioners"), being the owners of more than fifty per cent (50%) of the area of the territory hereinafter described and who comprise a majority of the landowners residing in the territory at the time of the filing of this petition, hereby petition the City Council of the City of Grand Junction, Colorado, to annex the following described property to said City:

All of Lot One (1) and Lot Four (4), Block 1 Fairmount Subdivision, Mesa County, Colorado. (the above described property hereinafter called "said territory.")

As grounds for this petition, petitioners state and show to the Council that the said territory is eligible for annexation for the reasons:

(1) That said territory is not embraced within any city, city and county, or incorporated town;

(2) That said territory abuts upon or is contiguous to the City of Grand Junction (or if deemed to be noncontiguous to said City, is noncontiguous solely because streets lie between said City and the said territory), in a manner which will afford reasonable ingress thereto and egress therefrom;

(3) That more than one sixth (1/6th) of the aggregate external boundaries of the said territory coincide with existing boundaries of the City of Grand Junction; and,

(4) That the noncontiguous boundary of said territory coincides with existing block lines or center lines of an established street.

This petition is accompanied by four (4) copies of a map or plat of said territory showing the boundaries thereof and its relationship to the established corporate limits of the City of Grand Junction, which copies of said map or plat are upon material and of a suitable size for recording or filing in the requisite offices.

This petition is submitted by petitioners upon the express condition that the property comprising the said territory retain the same or comparable zoning designation as it now has under the Fruitvale Planning Commission, Mesa County, Colorado, if such territory is annexed to the City of Grand Junction. That part of the said territory

owned by Continental Oil Company is presently zoned "Business A" and the remainder of said territory is zoned "Residence A" by the Fruitvale Planning Commission, Mesa County, Colorado.

Wherefore the petitioners pray that this petition be accepted and that the said annexation be approved by ordinance.

The undersigned petitioner, Joe L. Wheeler, respectfully requests that all of Block 1, Fairmount Subdivision presently designated as "Business A" by the Fruitvale Planning Commission retain the same or comparable zoning designation following said annexation.

/s/ Joe L. Wheeler

Name	Resident Address & Property Description	Date	Elector	Owner
John L. Lesher Matilda Lesher	1275 Pinyon - Beg 125' N & 100' W of SE Cor Lot 4 Block 1, Fairmount Sub., Sec. 12, T1S, R1W, W 49.3' N 125', E 49.3', South to Beg	2-14-57	yes	yes
Virgil M. Horton Alice F. Horton	1210 Orchard Avenue - Beg 28' E of SW Cor Lot 4 Bl 1, Fairmount Sub., N 145.2' E 92', S 145', W to beg	2-18-57	yes	yes

<p>D.G. Sampson Juul D. Sampson</p>	<p>1224 Orchard Avenue - Beg. at point 100' W, SE Cor Lot 4, BI 1 Fairmount Sub., Sec. 12, T1S, R1W, W 50', N 125', E 50', S 125' to beginning</p>	<p>2-19-57</p>	<p>yes</p>	<p>yes</p>
<p>A. J. Letey Lottie M. Letey</p>	<p>1240 Orchard Avenue - Beg. 50' W of SE Cor Lot 4 BI 1 Fairmount Sub., Sec. 12, T1S, R1W, W 50', N 125' E 50' South to beginning</p>	<p>2-19-57</p>	<p>yes</p>	<p>yes</p>
<p>(not signed) Sidney M. & Martha G. Edmondson</p>	<p>1245 Pinyon Avenue - Beg. 145' N and 249.3' W., of SE Cor Lot 4 BI 1 Fairmount Sub., Sec 12 T1S, R1W, N 125, W to W line SD, Lot 4 S to a point W of beginning to E to beginning.</p>			

(Signed) Mrs. D. W. Wonders Donald O. Wonders	1255 Pinyon Avenue - Beg. 145' N & 199.3' W of SE Cor Lot 4, Block 1, Fairmount Sub., Sec. 12, T1S, R1W, N 125', W 50', S 125' East to beginning	2-14-57	yes	yes
Dave H. & Ella Mae Ziegs c/o Don Wonders	2881 U.S. Highway 50 - Beg. 150' W of SE Cor Lot 4 Block 1, Fairmount Sub., N 125', E 50', N 20', W 103.8', S 145', E 53.8', to beginning			
(not signed) L. W. Burkey G. Keith Krepps Mildred C. Krepps	1250 Orchard Avenue - Beg. at SE Cor Lots 4, Blk 1 Fairmount Sub., Sec. 12, T1S, R1W, W 50', N 125' E 50', south to beginning	2-18-57	yes	yes
James Wilson Anne Wilson	1295 Pinyon Avenue - Beg. 125' N of SE Cor Lot 4, Blk 1 Fairmount Sub., Sec 12, T1S, R1W, W 50', N 145', E 50' south to beginning	2-19-57	yes	yes

M.T. Swanson Continental Oil Company	1755 Glenarm Place, Denver, Colorado, Lot 1, Blk 1 Fairmount Subdivision	1-12-57	no	yes
Ralph W. Wobick Bonnie J. Wobick	1285 Pinyon Avenue, - Beg. 125' N and 50' W of SE Cor Lot 4, Blk 1 Fairmount Sub, Sec 12, T1S, R1W, W 50' N 145', E 50', south to beginning	2-14-57	yes	yes
Joe L. Wheeler	Mountain Reality - all of Block 1 in Fairmount Sub except Lot 1 in Block 1, Fairmount Sub.	2-19-57	yes	yes

AFFIDAVIT

State of Colorado)	
)	ss
County of Mesa)	

WAYNE F. NEIL, being 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.

/s/ Wayne F. Neil

Subscribed and sworn to before me this 20th day of February, 1957.

My commission expires: Sept. 20, 1957

/s/ Edra L. Braund

Notary Public for the State of Colorado Residing at: Grand Junction, Mesa Co., Colorado

SEAL

RESOLUTION

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

All of Lots 1 and 4 in Block 1, Fairmount Subdivision, Mesa County, Colorado.

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 more than 50 per cent of the owners of the area of such territory to be annexed and that the persons signing such Petition also comprise a majority of the land owners residing in the territory at the time said Petition was filed with the City Clerk; 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:

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.

PASSED AND ADOPTED THIS 6th day of March, 1957.

It was moved by Councilman Shults and seconded by Councilman Orr that the Resolution be passed and adopted, and that hearing on this proposed annexation be set for April 17th. Motion carried.

ZONING HEARING. It was moved by Councilman Wright and seconded by Councilman Shults that April 17th be set as the date for hearing on the zoning on Lots 1 to 4 in Block 1 of Fairmount Subdivision which has been requested as Business "A" and Residence "A". Motion carried.

ACCEPT & APPROVE WATER SURVEY. Plans and maps of the water system survey made by Mr. W. F. Turney have been presented to the Council. It was moved by Councilman Wright and seconded by Councilman Orr that the City Council accept the

survey made by Mr. Turney, approve it and make every effort to follow the master plan as made by him. Motion carried.

DIRSCHEDL SUIT. City Attorney Ashby told the Council that a suit had been filed by Mr. Haynie, Attorney, on behalf of Mrs. Dirschedl, who had fallen on an icy sidewalk at 1034 Colorado and had broken her ankle. Mrs. Dirschedl is suing the City for the sum of \$19,000.00.

RENEW WIEKER 3.2 BEER. Robert C. Wieker and George H. Wieker dba Wieker's Cigar Store, 541 Main St., presented an application for the renewal of their 3.2 beer license. It was moved by Councilman Colescott and seconded by Councilman Wright that the application be approved and license granted. Motion carried.

PLANNING COMMISSION. City Manager Cheever reported on several items that had come before the Planning Commission but had not been reported upon favorably so that they were not referred to the City Council.

SALES TAX ORD. Several matters pertaining to the sales tax Peoples Ordinance which will be voted on by qualified electors of the City at the general municipal election to be held April 2nd were discussed. It was decided to refer the measure as a Peoples Ordinance in line with the Council's action on February 20th.

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

/s/ Helen C. Tomlinson
City Clerk