

Grand Junction, Colorado
April 3, 1957

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. It was moved by Councilman Colescott and seconded by Councilman Wright that Councilman Shults act as President Pro Tem until President Lowe arrived which was in a few minutes. Roll was called with the following Councilmen answering: Shults, Harper, Orr, Colescott, Emerson and Wright. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

It was moved by Councilman Harper and seconded by Councilman Emerson that the minutes of the regular meeting held March 20th and the regular adjourned meeting held March 21st be approved as written. Motion carried.

ELECTION RETURNS. The following members of the Council: Shults, Emerson, Harper and Lowe and Gerald Ashby and Helen C. Tomlinson, Notaries Public, proceeded to canvas the election returns from the municipal election held April 2nd. The following report was presented:

ELECTION APRIL 2nd, 1957

TALLY SHEET

We, the undersigned, acting as canvassing board, hereby certify that we have canvassed the returns of the General Municipal Election held in the City of Grand Junction, Colorado, on April 2nd, 1957, and from the said canvass find the results to be as follows: that 354 ballots were cast in District "A"; that 592 ballots were cast in District "B"; that 577 ballots were cast in District "C"; that 393 ballots were cast in District "D"; that 488 ballots were cast in District "E"; making a total number of 2404 ballots cast in all the districts in said election.

The votes for the various candidates are as hereinafter set forth:

<spc;6>						<u>FOR COUNCIL MAN FROM DISTRICT "A"</u>
CANDIDATES	DIST "A"	DIST "B"	DIST "C"	DIST "D"	DIST "E"	TOTAL
Harry O. Colescott	301	488	482	329	430	2030
Harold H. Shults		1				1

Claude Baker			1			1
Thomas Golden					1	1
<spc;6>						<u>FOR</u> <u>COUNCIL</u> <u>MAN</u> <u>FROM</u> <u>DISTRIC</u> <u>T "D"</u> 2033
William W. Orr	254	385	357	258	372	1626
Frank T. Peep	97	193	201	131	111	733
<spc;6>						<u>FOR</u> <u>COUNCIL</u> <u>MAN</u> <u>FROM</u> <u>DISTRIC</u> <u>T "E"</u> 2359
Earl E. Covington	152	225	196	139	163	875
Ed Strnad	184	339	350	229	321	1423
<spc;6>						<u>FOR</u> <u>COUNCIL</u> <u>MAN</u> <u>FROM</u> <u>CITY AT</u> <u>LARGE</u> 2298
Ernest Filosa	126	141	142	111	123	643
Herbert M. Wright	214	425	421	274	364	1698

Total of all votes for all Councilmen

Harry O. Colescott	District "A"	2030
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Harold H. Shults	District "A"	1
Claude Baker	District "A"	1
Thomas Goldman	District "A"	1
William W. Orr	District "D"	1626
Frank T. Peep	District "D"	733
Earl E. Covington	District "E"	875
Ed Strnad	District "E"	1423
Ernest Filosa	City at Large	643
Herbert M. Wright	City at Large	1698

PROPOSED PEOPLE'S ORDINANCE

AN ORDINANCE LEVYING A ONE PER CENT CITY RETAIL SALES AND USE TAX WITHIN THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE COLLECTION THEREOF AND ESTABLISHING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

	DIST. "A"	DIST. "B"	DIST. "C"	DIST. "D"	DIST. "E"	TOTAL
FOR THE ORDINA NCE	97	256	257	105	208	923
AGAINST THE ORDINA NCE	253	331	319	284	278	1465

/s/ John S. Emerson

/s/ Harold Shults

John Harper

H.D. Lowe

Gerald J. Ashby

Canvassing Board

It was moved by Councilman Harper and seconded by Councilman Emerson that the report of the Canvassing Board be accepted, and the following Councilmen declared elected to office:

District A	Harry O. Colescott
District D	William W. Orr
District E	Ed Strnad
City at Large	Herbert M. Wright

The proposed Peoples Ordinance providing for a one cent sales and use tax was declared lost. Motion carried.

DENY JAROS ZONING CHANGE. This was the date set for hearing on the zoning of the Jaros property between 12th and 13th and Mesa and Orchard Avenue, excepting the south 155 feet thereof and the east 150 feet thereof, from Residence A and B use to Business A use. This matter had been considered by the Planning Commission and recommended for the change in zoning to Business A.

All of the neighbors in the vicinity, who own homes on Mesa and Hall and 13th Street were present, most of them protesting the change in the zoning, led by Dr. and Mrs. J. J. Merrill, who voiced the opinion that the change in zoning would be detrimental to their property. Dr. E. A. Jaros spoke to the Council asking for the zoning change so that he might be permitted to construct an office on this property.

Mr. Gene Allen spoke to the Council concerning the ethics of planning and showing that shopping centers should be built not less than one-half mile apart. Councilman Emerson was opposed to the change of zoning.

Mr. Frank Jaros, Sr. told the Council the entire history of his asking for changing the zoning which had been in progress now for several years. He stated that he was perfectly willing that 125 feet on Mesa and 125 feet on 13th Street remain as a Residence A district and the use of this district be entirely restricted to Residence A purposes. After a long discussion and argument, it was moved by Councilman Emerson and seconded by Councilman Orr that the request for the change in zoning be denied. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1001 - SAN. SR. DIST. #16. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER DISTRICT NO. 16, 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, was presented and read. It was moved by Councilman Shults and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Wright and seconded by Councilman Orr 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 Shults was passed and adopted, numbered 1001 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1002 - ZONING SMITH ET AL RES. A. 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 INCLUDED THEREIN 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 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 Orr and seconded by Councilman Emerson was passed and adopted, numbered 1002 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

GRANT BOSMA TRANSFER LIQUOR LICENSE. The hearing on the transfer of the retail liquor store license of Pete Bosma from 443 Rood Ave. to 801 North Ave., having been continued to this meeting, was brought up for discussion. It was moved by Councilman Colescott and seconded by Councilman Wright that Mr. Bosma be given permission to move his retail liquor store license from 443 Rood Avenue to 801 North Avenue when permission has been granted by the State Liquor Licensing Authority. Motion carried.

PROP. ORD. VACATING NYLA DR & WANDA AVE. The following proposed ordinance was introduced and read: AN ORDINANCE VACATING PORTIONS OF NYLA DRIVE AND WANDA AVENUE IN BAILEY'S SUBDIVISION IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Harper and seconded by Councilman Orr that the ordinance be passed for publication. Motion carried.

APPOINT EVERETT DANIELS CONTRACTORS LICENSING BOARD. It was reported that Mr. Al Cornelison did not care to qualify for membership on the

Contractors Licensing Board. It was moved by Councilman Wright and seconded by Councilman Emerson that Mr. Everett Daniels be appointed to serve until Jan. 1, 1959. Motion carried.

SAN. SR. DIST. #17. Petitions for sewers on Lots 2 to 6, Block 4, Regent Subdivision and Lots 1 to 18 Block 1 Linda Lane Subdivision, Lots 1 to 20 Block 2, Linda Lane Subdivision, Lots 1 to 4 Block 3 Linda Lane Subdivision were presented. The following Resolution was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION,
COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT
DISTRICT TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 17, AND
AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND
SPECIFICATIONS FOR THE SAME.

WHEREAS, a petition has been filed with the City Council of the City of Grand Junction, Colorado, asking for the construction of a sewer and appurtenances for sanitary drainage in the district hereinafter described; and

WHEREAS, the said City Council has found and determined, and does hereby find and determine, that the construction of a sanitary sewer drainage system within the said described area is necessary for the health and safety of the residents of the territory to be served, and would be of special benefit to the property included within the said district; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement sanitary sewer district to be known as Sanitary Sewer District No. 17;

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

1. That the district of lands to be assessed with the cost of the proposed sanitary sewer improvement shall be as follows:

Lots 2 to 6, both inclusive, in Block 4, Regent Subdivision; and

Lots 1 to 18, both inclusive, in Block 1; Lots 1 to 20, both inclusive, in Block 2; and Lots 1 to 4, both inclusive, in Block 3 of Linda Lane Subdivision; all in the City of Grand Junction.

2. That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans, and specifications for such sewer construction, an estimate of the total cost thereof, exclusive of the per centum for cost of collection and other

incidentals, and of interest to the time the first installment becomes due, and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed, upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178 as amended of said City.

Adopted and approved, this 3rd day of April, A. D. 1957.

W. D. Lowe
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.

The Plans and Specifications from the City Engineer were presented, and the following Resolution was presented and read:

RESOLUTION

RESOLUTION ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SANITARY SEWER DISTRICT NO. 17, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND A HEARING THEREON.

WHEREAS, on the 3rd day of April, A. D. 1957, the City Council of said City of Grand Junction, Colorado, by Resolution authorized the City Engineer to prepare and file full details, plans and specifications for construction of a sanitary sewer within proposed Sanitary Sewer District No. 17, together with an estimate of the total cost of such improvement, and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City;

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

1. That said details, plans, specifications, estimates and map be, and the same are hereby approved and adopted.

2. That the District of Lands to be assessed, with the cost of said improvement, is described as follows:

Lots 2 to 6, both inclusive, in Block 4, Regent Subdivision; and

Lots 1 to 18, both inclusive, in Block 1; Lots 1 to 20, both inclusive, in Block 2; and Lots 1 to 4, both inclusive, in Block 3 of Linda Lane Subdivision; all in the City of Grand Junction.

3. That the cost of the said improvement shall be assessed upon all the real estate in the said district, in proportion as the area of each piece of real estate in the said district, is to the area of all of the real estate in the District, exclusive of public highways.

4. The assessments to be levied against the property in said District to pay the cost of such improvement, shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at the rate of six (6) per centum per annum.

5. Notice of intention to create said Sanitary Sewer District, and of a hearing thereon, shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which notice shall be in substantially the following form, to-wit:

NOTICE

OF INTENTION TO CREATE SANITARY SEWER DISTRICT
NO. 17, IN THE CITY OF GRAND JUNCTION, COLORADO,
AND A HEARING THEREON.

Public Notice is hereby given to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Sanitary Sewer District No. 17 in said City for the purpose of constructing a sanitary sewer to serve the property hereinafter described.

The said Sanitary Sewer District shall include all of the following described real estate:

Lots 2 to 6, both inclusive, in Block 4, Regent Subdivision; and

Lots 1 to 18, both inclusive, in Block 1; Lots 1 to 20, both inclusive, in Block 2; and Lots 1 to 4, both inclusive, in Block 3 of Linda Lane Subdivision; all in the City of Grand Junction.

The probable total cost of said improvement, as shown by the estimate of the City Engineer, is \$10,700.00, exclusive of costs of collection, interest and incidentals.

The maximum share of said total estimate shall be \$0.025 per square foot or \$78.13 for an ordinary lot of twenty-five by one hundred twenty-five feet.

To all of said estimated cost there shall be added six per centum for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said District to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. The said assessment shall be due and payable, without demand, within thirty days after the final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided that all such assessments may, at the election of the owners of property in said district, be paid in ten equal annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest at the rate of six per centum per annum shall be charged on unpaid installments.

On the 15th day of May, A. D. 1957, at the hour of 7:30 o'clock P. M. in the Council Chambers in the City Hall of said City, the Council will consider the ordering of the proposed improvements and will hear all complaints and objections that may be made in writing concerning the proposed improvements, by the owner of any real estate to be assessed, or by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, on this 3rd day of April, A. D. 1957.

BY ORDER OF THE CITY COUNCIL

City Clerk

(SEAL)

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

PAINTERS APPROVE CONTRACTORS ORDINANCE. A letter from the Western Slope Chapter, Painting and Decorating Contractors of America, was read stating that they had voted unanimously in favor of the recently passed ordinance licensing all building trade contractors and sub-contractors. There were a few painters and contractors in the audience and one or two of the painters stated that they were having trouble getting bonds to conform with the way the ordinance is written. Mr. Ashby, City Attorney, stated that he had met with some of the members of the Painters Union who had requested that a few changes be made in the ordinance and that he would be ready to bring these amendments to the Council at the next meeting.

REV. PERMIT G.J. STEEL FABRICATING CO. The Grand Junction Steel Fabricating Company requested a revocable permit for the use of 4th Avenue between 11th and 12th Street for use as storage space. It was moved by Councilman Wright and seconded by Councilman Orr that the following Revocable Permit be approved:

REVOCABLE PERMIT

WHEREAS, Grand Junction Steel Fabricating Company has made application to the City of Grand Junction for permission to utilize Fourth Avenue between 11th and 12th Streets as storage space in connection with its operations; and

WHEREAS, the said portion of Fourth Avenue has not been opened as a street, nor is it being so utilized by any of the public; and

WHEREAS, the City Planning Commission and the City Engineer have approved such use, and the City Council is of the opinion that such use would not be detrimental to the City or to any inhabitants of the City at this time and has directed the City Engineer to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted a revocable permit to the Grand Junction Steel Fabricating Company permitting such company to utilize Fourth Avenue, between 11th

and 12th Streets in the City of Grand Junction, as storage space in connection with the operation of its business; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; and provided further that the Grand Junction Steel Fabricating Company shall agree to indemnify the City and save it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use.

Dated this _____ day of April, 1957. (Recorded at 10:56 am. 9/3/63, Reception No. 847682, Bk 854, Pg 235.)

City Manager

ATTEST:

City Clerk

We hereby agree that we will abide by the conditions contained in the above permit and that we will indemnify the City and hold it harmless from all claims as recited in the foregoing revocable permit.

GRAND JUNCTION STEEL FABRICATING COMPANY

By

Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

WATER BILL ADJUSTMENT. The following request for a water bill adjustment was presented: Halverson Motors, 332 South 5th St., used 544,200 gallons of water for the quarter ending April 1, 1957 costing \$91.67. A year ago, at this same time, 11,400 gallons of water were used amounting to \$6.65. This loss of water was due to a service line leak which was repaired. It was moved by Councilman Orr and seconded by Councilman Shults that the Halverson Motors water bill be adjusted at \$6.65. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

NATIONAL GUARD ARMORY LAND. The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction has heretofore authorized the City Manager to negotiate for the purchase of a site for an armory for the National Guard; and

WHEREAS, the City Manager has completed his negotiations and desires to purchase the following described property, situate in the County of Mesa, State of Colorado, to-wit:

Commencing at a point 752.80 feet South of the Northwest Corner of Section Eighteen (18), Township One (1) South, Range One (1) East, Ute Meridian, thence East 329.9 feet, thence South 376.40 feet, thence West 329.9 feet, thence North 376.40 feet to the point of beginning,

for the sum of nine thousand five hundred (\$9,500.00) Dollars;

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

1. That the City Manager be authorized to purchase the above-described property for the aforementioned sum of money.

2. That the City Manager be authorized, on behalf of the City, to deed the said property by warranty deed to the National Guard, or to whom it may direct.

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

City Manager Cheever reported that the property which the City had purchased from Mr. Barbour and deeded to the National Guard could be returned to the City as the deed had not been recorded. It was, therefore, moved by Councilman Orr and seconded by Councilman Shults that this property be put back on the list of property for sale by the City of Grand Junction and efforts made to dispose of same. Motion carried.

CAA AIRPORT IMPROVEMENTS. City Manager Cheever reported that Mr. Turney would be here next Monday with the complete plans for the continuation and reconstruction of the East-West Runway at Walker Field, and that the City had received notice of a grant from the Government in the amount of \$140,163. At the present time, he did not know what funds this matched but would continue to make the necessary arrangements to go ahead with as much of the construction at the airport as possible.

It was moved by Councilman Shults and seconded by Councilman Orr that the City Manager be granted authorization to go ahead with the plans for the improvements at Walker Field so that the work can be started as quickly as possible. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

CAFE AT AIRPORT. City Manager Cheever suggested that it might be possible to find someone who would be willing to build onto the Administration Building at Walker Field for a coffee shop. The City will have no money available for this project for sometime and the facilities are badly needed. A deal could possibly be worked out that whoever built the building would get their rent free for a time until the building costs could be amortized. Councilman Wright stated that the City had been looking for someone who would be interested in putting in a coffee shop for sometime, and he would move that City Manager Cheever be authorized to go into this matter and see if it would be possible to find someone who would be interested to build his own building and put in such facilities. Motion was seconded by Councilman Orr and carried.

TO PAY \$6,000 MANTEY HTS LOCATION. It was moved by Councilman Shults and seconded by Councilman Orr that the City Manager and City Clerk be authorized to pay the balance due in the amount of \$6,000 for land on Mantey Heights upon which the water tank is to be constructed. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

BOYS & GIRLS CITY-COUNTY DAY. It was reported that Boys & Girls City-County Day would be held Apr. 17, and that the usual cooperation from City Officials had been requested. It was moved by Councilman Colescott and seconded by Councilman Harper that the sum of \$50 be allowed in payment for lunches. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried. President Lowe appointed Councilman Colescott and City Attorney Ashby as a committee to work with those interested in this project to make Boys & Girls City-County Day successful.

ZONING HEARING 5-1-57. Mr. Hugh Pinger presented to the Planning Commission a petition to change the zoning of the northeast corner of 7th and Belford from Business A to Business B use district. The Planning Commission denied Mr. Pinger's request. It was moved by Councilman Shults and seconded by Councilman Orr that this change of zoning be advertised for hearing on May 1, 1957. Motion carried.

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

/s/ Helen C. Tomlinson
City Clerk