

Grand Junction, Colorado
August 21, 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, Orr, Harper, Colescott, Strnad, Wright and President Emerson. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

It was moved by Councilman Shults and seconded by Councilman Orr that the minutes of the regular meeting, July 17th; regular adjourned meeting August 1st; regular (without quorum) meeting Aug. 7th; and special meeting Aug. 19th be approved as written. Motion carried.

3.2 BEER VIOLATION -- PARKER HOUSE CAFE. Chief of Police Karl Johnson had previously reported that Mr. Duane Lumbardy, Proprietor of the Parker House Cafe at 326 Main Street, and Miss Jennie Vigil, a waitress in the same cafe, had been cited into Municipal Court and charged with selling and serving 3.2 beer to John Calvin Hienecke age 14 years. The beer had been paid for by Richard L. Carmichael who was of legal age to make the purchase. Mr. Lumbardy had pled "not guilty" but had been found guilty and had been fined \$50.00. Miss Vigil had pled "not guilty" but had been found guilty and was assessed a fine of \$25.00 but the fine had been suspended. John Calvin Hienecke had been taken into juvenile court and charged with having obtained 3.2 beer illegally at the Parker House Cafe and had pled guilty and was fined \$25.00. Richard L. Carmichael was charged with having purchased beer for a person under the age of 18 years and was fined \$35.00 upon entering a plea of guilty.

It was moved by Councilman Orr and seconded by Councilman Shults that Mr. Lumbardy's license be suspended for ten days. Councilman Wright stated that he thought that ten days was not long enough for a suspension of this sort, and upon the motion voted "NAY." All other Councilmen voting "AYE," on the motion, it was declared carried by the President of the Council.

FRUITVALE WATER & SANITATION DISTRICT. Mr. Miles Kara, Attorney, and members of the Fruitvale Water and Sanitation District spoke concerning the formation of the Fruitvale District and their plans for providing water and sanitation facilities to the Fruitvale area. He stated that they had considered the area from Indian Wash to 30 Road, which is the road going north from Huckaby's Grocery to Johnson's corner; the south boundary was practically the Railroad right-of-way and the northerly boundary followed along the Grand Valley Canal excepting a tract of ground north of the Canal 660 feet which would take in the Fruitvale School. Two tracts had been excepted -- that of Higgins, which is 20 acres near 30 Road; and the South one-half of an 80 acre tract owned by Mr. Files on the Southwest Corner upon which the Speedway Race track is located.

When the district was first considered, there were 230 persons in the district for the project and only 30 against. Engineering plans have been drawn up and a \$650,000

bond issue to provide funds for the construction of the project were voted upon favorably. The district would like to negotiate with the City for both water and sewage facilities. The Board of the Fruitvale Water and Sanitation District is a regularly elected official Board and is acting as such and is representing all areas in the District.

Mr. Kara stated that the Board feels that it would be rather foolish to build two sewage treatment plants adjacent to each other, if some co-operative plan could be worked out.

The matter of annexing this area to the City was discussed by Mr. Kara, and he stated that he doubted, if, at the present time, a large enough percentage of the residents in the area would be in favor of annexation, so that a petition could be presented for annexation. Those people living closer to the City limits would be favorable for annexation and those further from the City having a less favorable feeling toward annexation.

A formal request that the City of Grand Junction establish a policy favoring the furnishing of water and sewer treatment services to the Fruitvale Water and Sanitation District and that the City Manager and City Attorney be authorized to negotiate with said District, a contract for such services and the respective rates to be charged therefor was made by Mr. Kara on behalf of the District -- Mr. F. S. Clodfelter, President.

Discussion concerning the annexation of the District and comparative costs of living inside the City limits and in an area outside of the City limits was had. Matters concerning assessing were also discussed.

Councilman Shults stated that the Regional Planning Commission had already started to make a survey to see how much it would cost the City to annex the Fruitvale area. Also, what it will cost the Fruitvale area residents to be annexed.

President Emerson and City Manager Cheever both stated that this survey has been started by Gene Allen, and that in a short time the Council will meet as a Committee, of the whole, with the Regional Planning Commission to consider the facts and figures, costs, etc. Mr. Emerson suggested that the Board also arrange a meeting with the Planning Commission and discuss their problems.

Councilman Colescott suggested that the Council instruct the City Manager and Mr. Burton and Engineering Dept. to find out where the taps for both sewer and water are to be made and the estimated cost of same. It was reported that the Engineers for the District have already submitted their plan to Mr. Burton and have been working with him.

Mr. Cheever also stated that the Annexation Committee of the City Planning Commission is working on the problem.

SIDEWALK SALE OF PICTURES. Mr. Al Nestler requested permission to hold the annual sidewalk sale of pictures on the City Hall lawn on Sept. 21st in accordance with their procedure for the past several years. It was moved by Councilman Shults and seconded by Councilman Colescott that the request be granted. Motion carried.

MOTEL LICENSE. Mack R. and Lilah M. Sarles dba Star Motel, 240 North Avenue, made application for a motel license. It was moved by Councilman Orr and seconded by Councilman Shults that the request be granted. Motion carried.

PROP. ORD.--MOTELS ETC. It was moved by Councilman Shults and seconded by Councilman Strnad that the City Attorney be instructed to draw up an ordinance covering hotels, motels and rooming house licenses wherein it will not be necessary for the applications to be brought before the Council. Motion carried.

ORD. 1016--STATE HWYS-NORTH AVE. The following entitled emergency ordinance was presented and read: AN ORDINANCE RELATING TO STATE HIGHWAYS WITHIN THE CITY OF GRAND JUNCTION: PROVIDING FOR CERTAIN TRAFFIC REGULATIONS THEREON: AND PARTICULARLY RELATING TO STATE HIGHWAY NO. 6 ALONG NORTH AVENUE BETWEEN FIRST STREET AND EIGHTH STREET IN THE CITY OF GRAND JUNCTION, COLORADO: DEDICATING THE SAME TO THE PEOPLE OF THE STATE OF COLORADO AS A PART OF STATE HIGHWAY NO. 6, AND RECOGNIZING THE RIGHT OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF COLORADO TO CONSTRUCT AND MAINTAIN THE SAME, AND DECLARING AN EMERGENCY.

It was moved by Councilman Shults and seconded by Councilman Orr that the ordinance be passed and adopted as an emergency, numbered 1016 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RESOL--SEWER ON NORTH AVE. The following Resolution was presented and read:

Instr # State Hwy

RESOLUTION

WHEREAS, in conjunction with project U 001-1 (14), the widening and improving of North Avenue between First and Eighth Streets in the City of Grand Junction, the State Highway Department is willing to install a storm sewer line approximately 2840 feet in length along the center line of North Avenue in the City from First to Eighth Street, connecting there with a 24 inch concrete sewer now in place, including the necessary manholes and connections; and

WHEREAS, such installment of a storm sewer is urgently needed by the City and the installation by the State Highway Department at the time of its working on the State project will save the City some cost on the project; and

WHEREAS, although the City is to pay for the cost of installation of the storm sewer line, the State will accept payment of the actual cost in three (3) equal annual installments, the first payment to be paid May 1, 1958, with the two subsequent payments on May 1 in each of the succeeding two years;

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

1. That the Agreement between the State Highway Commission of Colorado and the City of Grand Junction, providing for the installation of such storm sewer line by the State Highway Department, be, and the same is, hereby approved.

2. That the City Manager and the President of the City Council be, and they hereby are, authorized to enter into such an Agreement on behalf of the City of Grand Junction, Colorado.

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

RENEW 3.2 BEER GILBERTS MARKET. An application for the renewal of 3.2 beer license was presented by Carroll N. & Vera J. Gilbert for Gilberts Market at 1625 No. 15th. It was moved by Councilman Colescott and seconded by Councilman Wright that the application be approved. Motion carried.

WATER BILL ADJUSTMENTS. The following requests for water bill adjustments due to service line breaks were presented.

			1957		1956	
Name	Address	Gallons	Amt	Gallons	Amt	Dif.
J. C. Schmidt	734 South Ave.	143,500	\$41.36	30,600	\$11.72	\$29.64
F. C. Carpenter	1040 Hill Ave.	89,100	19.87	44,900	12.24	7.63

It was moved by Councilman Shults and seconded by Councilman Colescott that the adjustments be made on the same basis as water used in the same quarter in

1956. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

RETAIL BEVERAGE DEALERS ASSN. Messrs. Benton, Retolaza, Cully and Austin of the Mesa County Retail Beverage Dealers Association were present, and requested the Council to give consideration to adopting some resolution or recommendation wherein the ratio of liquor outlets in Grand Junction would be regulated in accordance with the population. They recommended that there be only one license for the sale of intoxicating liquor for consumption on the premises for every 2,500 people in the City and one license for the sale of intoxicating liquor for consumption off the premises for every 3,500 people.

After discussion with the liquor dealers, the Council felt there was nothing that they could do in regard to taking a definite stand on controlling the number of liquor outlets, as, according to the State law, it is necessary that each application be considered upon its own merit.

CITY PLANNING COMMISSION. City Manager Cheever reported that one committee had been appointed by the new City Planning Commission - that on annexation - which consists of Laird Smith, Robt. Van Deusen and Mrs. F. A. Brumbaugh, and that their first duty would be to consider the annexation of the Fruitvale area.

REGIONAL PLANNING COMMISSION. City Manager Cheever also stated that the Regional Planning Commission did not receive any funds for their operation from the Federal Government and were asking the City Council to increase their budget to \$10,000 for the year 1958.

WATER SHED TRIP. Mr. Andy Wright of the Forest Service, who had invited the Council to take an all day trip over Grand Mesa, the first week of September advised that he would not be able to go on Thurs., Sept. 5th, so the Council decided to make the trip on Wednesday, Sept. 4th, starting from the City Hall at 9:00 A.M. Transportation will be furnished by the Forest Service.

MESA GARDENS PETITION ON GUNNISON AVE. A petition from residents of Mesa Gardens asked that Gunnison Avenue be paved before winter weather sets in. City Manager Cheever explained that they did not want to do any more paving out there until the sewer lines have been put in. The property owners have consented to the creation of a sewer district and the Engineering Dept. is now working on plans and details for the construction of such a district.

LINCOLN PARK POOL. A petition which had been formerly sent in by Mr. Garcia concerning the operation of Lincoln Park Pool was reported on by Mr. Cheever, and Mr. Garcia was requested to get an appointment with City Manager Cheever and go over the various items with him.

It was moved by Councilman Orr and seconded by Councilman Colescott that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk