

Grand Junction, Colorado
February 5, 1958

The City Council of the City of Grand Junction met in regular session on February 5, 1958. 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 Strnad that the minutes of the regular meeting held January 15th be approved as written. Motion carried.

BIDS FOR LEGAL ADVERTISING. Bids were opened for City legal advertising. The Morning Sun presented a bid of eight cents per line for the first insertion of all legal publications and six cents per line for all subsequent insertions and stated the legal notices would be run in the Western Colorado Reporter, a weekly legal newspaper in Mesa County, and also run in the Morning Sun without charge until such time as the Morning Sun is a legal newspaper which will be in May of 1958. After that date, all legals would be run in the Morning Sun at the above charges. Copy must be in the office at least one full day before publication which is on Fridays.

Mr. Walker, Publisher of the Daily Sentinel, stated that he would continue to print City legals on the same basis as for the past seven or eight years which is ten cents per line per insertion. He stressed the point that the Sentinel was the only medium that could give the City Administration proven coverage of more than 96% of the residents and homes within the corporate limits of the City. He stated that the City legal business last year totaled \$1,200 and in 1956, it was \$1,900. He also stated that the City had often-times asked that the Sentinel crews work overtime in order to get the legals published according to the City ordinances and charter.

It was stated that it would be impossible to get all of the copy to the Western Colorado Reporter after a council meeting in time for the publication on Friday of that week which would necessitate holding some ordinances an extra two weeks before they could finally be passed.

It was moved by Councilman Shults and seconded by Councilman Strnad that in view of the fact that it was impossible for the City to use a weekly newspaper for publication, no decision should be made on this matter until the Morning Sun becomes a legal daily in May 1958, and that this matter be again brought up on May 7th; in the meantime, legals be published in the Daily Sentinel as in the past. Motion carried.

ORD. 1034 - CHARGES FOR SEWER SERVICES. The following entitled emergency ordinance was presented and read: AN ORDINANCE AMENDING SECTION 1 OF CHAPTER 20, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, CHANGING THE CHARGES FOR SEWER SERVICES OR RENTAL AND DECLARING AN EMERGENCY. It was moved by

Councilman Orr and seconded by Councilman Strnad that the emergency ordinance be passed and adopted as an emergency ordinance, numbered 1034 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1035 - RESTRICTIONS ON USE OF STREETS. The following entitled emergency ordinance was presented and read: AN ORDINANCE AMENDING SECTION 183 OF CHAPTER 47 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION IMPOSING RESTRICTIONS UPON USE OF STREETS AND DECLARING AN EMERGENCY. It was moved by Councilman Colescott and seconded by Councilman Strnad that the emergency ordinance be passed and adopted as an emergency ordinance, numbered 1035 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

MODEL TRAFFIC CODE SCHEDULE 8 ART. 21. The City Attorney read an amended Schedule 8 of Article 21 of the "Schedules of Designated Streets" referred to in the Model Traffic Code. This concerns the operation of farm tractors, trailers, semi-trailers, trucks and commercial vehicles to certain streets. It was moved by Councilman Shults and seconded by Councilman Orr that Schedule 8 of Article 21 as read by the City Attorney and as established by the Traffic Engineer be approved as the designated streets. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

PROP. ORD. - BUILDING OF CHURCHES. The following proposed ordinance amending the zoning ordinance was presented and read: AN ORDINANCE AMENDING RESIDENCE "A" DISTRICT CLASSIFICATION UNDER CHAPTER 83 IN THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, CONCERNING THE BUILDING OF CHURCHES. It was moved by Councilman Shults and seconded by Councilman Strnad that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD. BUILDING FILLING STATIONS. The following proposed ordinance amending the zoning ordinance was presented and read: AN ORDINANCE AMENDING BUSINESS "A" DISTRICT CLASSIFICATION UNDER CHAPTER 83 IN THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, CONCERNING THE BUILDING OF FILLING STATIONS. It was moved by Councilman Colescott and seconded by Councilman Strnad that the proposed ordinance be passed for publication. Motion carried.

3.2 BEER EASTSIDE GROCERY. This was the date set for hearing on the application of Mr. Frank Marquis for a 3.2 beer license for the Eastside Grocery, 741 Main Street. It was moved by Councilman Colescott and seconded by Councilman Orr that the application be approved and license granted when the state license has been received. Motion carried.

COUNCILMAN WRIGHT left the meeting at this time.

SAFEWAY STORES INC. 3.2 BEER LIC. Safeway Stores, Inc. 217 No. 7th Street, presented an application for the renewal of their 3.2 beer license. It was moved by Councilman Shults and seconded by Councilman Strnad that the application be granted. Motion carried.

PANTUSO LIQUOR APPL DENIED. This was the date set for hearing on the application of Mr. James Pantuso for a retail liquor store license at 101 No. 1st Street. Petitions for and against the granting of this liquor license were presented and considered. Mr. John Rice, Attorney, spoke on behalf of Mr. Griffin who opposed the granting of the license stating that he felt the needs of the neighborhood were pretty well cared for by the many liquor establishments in this area. Mr. Bill Pantuso spoke in favor of granting the license. Councilman Shults stated that, as he had stated many times before, he was not in favor of granting a lot more liquor outlets unless the needs of the neighborhood and the desires of the inhabitants show necessity. Councilman Colescott stated that he felt the same way as Councilman Shults, and he thought the Council should be more particular in their consideration of future liquor outlets.

Councilman Orr stated that he was not in favor of restricting the number of outlets as that placed a premium on the licenses which were already granted. It was moved by Councilman Orr and seconded by Councilman Strnad that the application of Mr. James Pantuso for a retail liquor store license at 101 No. First Street be approved and license granted when the State license has been received. Roll was called on the motion with the following results: Councilmen voting "AYE:" Orr, Harper and Strnad - Councilmen voting "NAY:" Shults, Colescott and Emerson. As a majority of the Council did not vote "AYE," on the motion, the motion was declared lost and license not granted.

Instr #3961

ANNEXATION - SCHOOL DIST. 51 (GRAND AVE.) The following petition for annexation of property was presented, signed by School District No. 51:

ANNEXATION PETITION

To the City Council, the City of Grand Junction, Mesa County, Colorado:

Mesa County Valley School District No. 51, having offices at 543 Rood Avenue, Grand Junction, Colorado, hereby petitions the City Council of the City of Grand Junction to annex to the City of Grand Junction, the following described real property, to-wit:

A tract of land in the SE1/4 of Section 13, Township 1 South, Range 1 West, Ute Meridian, description as follows: Beginning at a point 1429.4' West of the Northeast corner of the SE1/4, Section 13, Township 1 South, Range 1 West,

Ute Meridian, thence South 431.74', thence West 520' to the East line of 21st Street, thence North along the East line of 21st Street of the City of Grand Junction, 431.74', thence East to the point of beginning.

As grounds therefor, the petitioner would respectfully show that the said territory is eligible for annexation in that it is not embraced within any city or town, that it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford reasonable ingress and egress thereto, that more than one-sixth of the aggregate exterior boundary of the territory proposed to be annexed coincides with the existing boundary of the said City of Grand Junction, and that the non-contiguous boundary of the said territory coincides with the existing block lines, street lines, or governmental subdivision lines.

This petition is accompanied by four copies of a map or plat of the said tract, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioner states that it is the sole owner of the entire area or tract herein sought to be annexed to the City of Grand Junction, and which area or tract is above described, the petitioner being the sole owner of said tract, no other persons having signed this petition.

It is the desire of the petitioner that if this petition be granted, said property be zoned as a Business A zone, it being the purpose and intention of your petitioner to devote said property to uses and purposes contemplated by the zoning regulations established by the City of Grand Junction, and designated as "Business A" zone purposes.

WHEREFORE, your petitioner prays that this petition be accepted, and that the annexation herein requested be approved and accepted as by law required.

MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

/s/ John W. Burkey
President

Attest:

/s/ H. V. Zimmerman
Secretary

STATE OF COLORADO)	
)	ss <u>AFFIDAVIT</u>

COUNTY OF MESA)
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Hazel O. Flanders, having been first duly sworn, on oath deposes and states that the foregoing annexation petition was signed by John W. Burkey and Harold V. Zimmerman, as President and Secretary respectively of Mesa County Valley School District No. 51.

Subscribed and sworn to before me this 20th day of January, 1958 by

/s/ Hazel O. Flanders
Notary Public

My commission expires
Dec. 1, 1959

The following Resolution was presented and read:

RESOLUTION

WHEREAS, a Petition For Annexation of the following described property, to-wit:

A tract of land in the Southeast quarter of Section 13, Township 1 South, Range 1 West, Ute Meridian, description as follows: Beginning at a point 1429.4 feet West of the Northeast corner of the Southeast quarter, Section 13, Township 1 South, Range 1 West, Ute Meridian, thence South 431.74 feet, thence West 520 feet to the East line of 21st Street, thence North along the East line of 21st Street of the City of Grand Junction, 431.74 feet, thence East to the point of beginning.

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 5th day of February, 1958.

President of the Council

ATTEST:

City Clerk

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 present voting "AYE." The President declared the motion carried.

Instr #3935

W. R. HALL STORAGE TANKS. Mr. Ashby, City Attorney, reported that he and Mr. Cheever, City Manager, had written a letter to Mr. W. R. Hall, 6th and North Ave., concerning the gasoline storage tanks at 6th and Glenwood. Mr. Kreps, Fire Chief, had made an inspection of these premises and had determined what was necessary to bring the plant up to the standards set by the National Board of Fire Underwriters. In their letter they requested that Mr. Hall immediately take the necessary steps to bring his premises into conformity with this set of standards; otherwise, appropriate legal action would be taken to require him to do so.

ZONING CHANGE DENIED. This was the date set for hearing on the change of zoning on Lots 1 to 4 and Lots 21 to 24, Block 33, located on First Street at Hill Avenue. The change to be from Business "A" to Business "B". The Planning Commission had recommended that this change not be made. Mrs. Grasso, who owns property in this location, had presented a petition protesting the changing of this zoning and which had been signed by many of the residents in the locality. Mrs. Grasso was present and spoke against the change in zoning. It was moved by Councilman Shults and seconded by Councilman Orr that the proposed change of zoning on Lots 1 to 4 and Lots 21 to 24 Block 33 be not granted. Motion carried.

ZONING CHANGES. Mr. Richard Zollner, representing the Planning Commission, was present to report on the meeting of the Planning Commission held on January 29th. A petition was filed asking that the zoning on Grand Avenue from First to Fourth Streets, being the S1/2 of Blocks 75 and 76 and the N1/2 of Block 79, Lots 1 to 12 in Block 80, Lots 5 to 12, Block 78 and Lots 13 to 20 inclusive Block 77, be changed from Residence "E" and "D" Districts to Business "A" District. The Planning Commission recommended to the Council that this zoning change be granted. It was moved by Councilman Harper and seconded by Councilman Orr that the change of zoning be advertised for hearing on March 5th. Motion carried.

There were three petitions presented and considered by the Planning Commission, and it was recommended that the change of zoning request be denied. These were as follows:

The property of Mrs. Nellie Walker, 1944 Grand, which is an area 80 feet by 120 feet at the southeast corner of Block A, Mesa Gardens. She asked that it be changed from Residence "A" to Business "A".

Mr. Oliver Wood requested that the N 1/2 of Block O and the S1/2 of Block L, Keiths' Addition be changed from Residence "A" and "B" districts to Business "B" and Lots 19 to 32 inclusive Block O Keiths' Addition be changed from Residence "C" to Business "A". This property is located on Colorado Avenue (both sides) between 14th and 15th Streets and the north side of Ute Avenue between 14th and 15th Streets.

It was moved by Councilman Strnad and seconded by Councilman Shults that hearing be set on these proposed zoning changes on March 5th and that they be advertised in the manner prescribed by law. Motion carried.

CONTRACTORS BOARD. It was moved by Councilman Shults and seconded by Councilman Orr that Mr. Tom Bliska and Mr. Fred Sperber be appointed as members of the Contractors' Board to replace Messrs. H. S. Day and Art Phipps whose terms expired on January 1st and who are not eligible for reappointment. Motion carried.

BONDS APPROVED AND FILED. The following bonds were presented, having been approved as to form, by the City Attorney:

Bond File See Cards for Nos

<u>Cement Contractors</u>	
J. Earl Barbour dba Barbour Construction Co.	Bond

O. L. Hermanns	Bond
E. C. Huff	Bond
Chas. C. Pender	Bond
Earl C. Manspeaker	Bond
Jas. C. Terry	Bond
<u>Contractors (General)</u>	
H. E. Anderson	Cont.
Mathew H. Carroll	Cont.
Corn Construction	Bond
E. T. Dunn & Standley R. Hogan	Bond
Clarence Edmonds dba Edmonds Constr. Co.	Bond
Lee B. Ford & Blaine D. Ford dba Ford Const. Co.	Cont
J. C. Fulfer	PD & PL
Arthur L. Gilbert	Bond
Wm. F. Harwood	Cont
David C. Heatherington	Bond
E. C. Huff	Cont
Wm. P. Knock	Cert of Ins
Ted G. Morrison	Cont
Merl Leroy Parmiter	Cont
W. J. Pray	Cont
J. Clarence Ritchey	Cont

S & M Supply Co.	Cont
Jas. J. Sloggett	Cont & Bond
Fred W. Sperber	Cont
Geo. Tilton	Bond
Western Steel Structures	Cont
Earl C. Manspeaker	Bond
Chas. Pender	Cont
Jas. C. Terry	Bond
<u>Contractors (Special)</u>	
Harlon B. Cowan	Cont
First St. Cabinet Shop	Cont
J. T. Haworth	Cont
Don Lichtenberg	Cont
Markins & Ryan	Cont & Bond
Frank W. Mueller	Bond
Valley Fence Inc	Cont
Valley Fence Inc Steel Erection	Bond & Cont
D. V. Watson dba Watson Paint Co.	Cont
T. E. Lent	Bond
<u>Electrical Contractors</u>	
Gleason Electric	Bond
Geo. D. Lynch	Bond

<u>Gas Installer</u>	
W. H. Bettis dba Bettis Plumbing Co.	Bond
<u>Junk Dealer</u>	
V. L. Ethington dba Ethington Iron & Metal	Bond
<u>Pawn Broker</u>	
Albert Ecker	Bond
Harold H. Shults dba Harold Shults Sporting Goods	Bond
<u>Plumbing</u>	
W. H. Bettis dba Bettis Plumbing Co.	Bond

It was moved by Councilman Shults and seconded by Councilman Harper that the bonds be accepted and filed. Motion carried.

WATER BILL ADJUSTMENT. Mr. H. R. Post, 901 North First Street, requested a water bill adjustment on his Feb. 1, 1958 bill due to a service line leak. During this quarter, 328,200 gallons of water went through the meter amounting to \$83.32. Two years ago, at this same time, 119,300 gallons of water were used amounting to \$35.22. It was moved by Councilman Harper and seconded by Councilman Orr that the water bill be adjusted at \$35.22. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

LINCOLN PARK BLEACHERS. City Manager Cheever reported on the Lincoln Park bleacher project which was started last fall by the Grand Junction High School students. They set out to raise \$9,000 toward the payment of new bleachers on the west side of the football field and, with the assistance of the Lions Club, expect to have their money available in the near future.

City Manager Cheever stated that they had one estimate on the cost of bleachers which was \$17.50 per seat. This did not include any extras such as ramps, or concession and other facilities underneath the bleachers. The Grand Junction Steel Fabricating Company has been working on a design for these bleachers and the estimated cost would be 1,100 seats for \$22,000. City labor would participate in putting the bleachers together. The Grand Junction Steel Fabricating Company would not require payment in full for the material until the 1959 budget could be prepared. This amount would be approximately \$8,500.

It was moved by Councilman Colescott and seconded by Councilman Orr that the bid of the Grand Junction Steel Fabricating Company for construction of the student stadium at Lincoln Park be accepted; and that the City Manager act to determine what portions of the work under the bid can be performed by the City of Grand Junction at a saving to the City; and determine the amount of money that will have to be appropriated in succeeding budgets to defray the costs of the City; and that he determine the proposed method of payment for the erection of the student stadium, reporting back to the Council his findings as soon as is practicable. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

NOT TO RAISE WATER RATES. Councilman Harper stated that in regard to the Turney report, which had recently been completed and delivered to the Council concerning the improvements to be made in the Grand Junction water system, he felt that Mr. Turney's report was entirely in line with the Council's thinking as to what should be done and moved that the water report submitted by W. F. Turney and Associates be approved; that the City Manager and the Director of Public Works use the water report as a guide for the future expansion of the water system of the City of Grand Junction; and that, until such time as the water consumption necessitates the installation of arterial mains or an additional filter plant, the water rates remain as they now are. This motion was seconded by Councilman Strnad. Motion carried.

FRUITVALE ANNEXATION. The Western Colorado Regional Planning Commission presented a report on questions and answers concerning the Fruitvale annexation. It was moved by Councilman Shults and seconded by Councilman Orr that this report be accepted and filed. Motion carried.

BASEBALL COMMITTEE. Mr. James Colliton, a member of the Baseball Committee, presented a check to the City in the amount of \$1,200 for their share of the gate receipts for the baseball season of 1957. The Council thanked Mr. Colliton for the check.

It was regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk