

Grand Junction, Colorado  
October 1, 1958

ROLL CALL.

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., October 1, 1958. Councilmen present and answering at roll call were Emerson, Harper, Orr, Colescott, Strnad, Wright and President Shults. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

MINUTES.

It was moved by Councilman Wright and seconded by Councilman Orr that the minutes of the regular meeting held September 17th be approved as written. Motion carried.

WEST LAKE PARK ANNEX. Proposed Ordinance

This date was set for hearing on West Lake Park Annexation. No written protests were filed against the annexation of this property; however, Mr. Carl Nixon, who operates a sales yard on Highway 50, appeared before the Council and stated that he was opposed to having the property which he owns along Highway 50 annexed, and that altogether, the people who own the ten acre tract adjoining the lake at the west edge of the proposed area, were opposed to coming into the City. Mr. Nixon stated that the reasons for his opposing the annexation of his property were the increased costs of operating such a business as his. He stated that, as a rule, when a sales yard is within the City limits, restrictions soon become prohibitive to economical operation of such a business. He also protested the fact that he would have to buy a \$200 auctioneer's license for each of the auctioneers who might wish to sell a sale at his auction yard.

The Councilmen discussed the matter of the auctioneer's license, and some felt that possibly some amendment could be made so that this part of Mr. Nixon's opposition could be overcome. Other Councilmen and Mr. Cheever, City Manager, felt that there was some restriction needed concerning the matter of auctions and auctioneer's licenses and that a low fee would not accomplish the purpose which the Council had in mind when the auction control ordinance was passed.

The following proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Wright and seconded by Councilman Orr that the proposed ordinance be passed for publication. Motion carried.

It was moved by Councilman Wright and seconded by Councilman Orr that the usual requirement of 5% of the land or the equivalent cash value be paid to the City upon annexation of territory for park and recreational purposes be waived. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

It was moved by Councilman Wright and seconded by Councilman Orr that a committee be appointed to work out and bring back to the Council a modification of the auctioneers' licensing ordinance. Motion carried, and President Shults appointed Councilman Emerson to work with the City Attorney on this ordinance.

WEST LAKE PARK ANNEX. Zoning referred to Planning Commission

The City Attorney suggested that the zoning in West Lake Park be referred to the City Planning Commission so that it could be zoned in a proper manner at the time of final annexation. Mr. Gene Allen was present at the meeting and stated that he had been working on this matter, and that he would refer it to the zoning committee of the Planning Commission for their approval; that if a special meeting of the Planning Commission could be called before the next meeting of the Council, he thought he could have the proposed zoning plan ready for the next meeting.

WEST LAKE PARK WATER CO. Granted 40 additional water taps

Some years ago, a permit was given to the West Lake Water Company to make a three inch water tap to provide water for from seventy-five to eighty houses. At the present time, they are making a request for forty more taps. When West Lake Park is finally annexed to the City, approximately sixteen of these taps will serve houses outside of the City limits. It was moved by Councilman Wright and seconded by Councilman Orr that permits be granted to the West Lake Park Water Company for forty more taps on their line. Motion carried.

NORTH MONTEREY PARK ANNEX. Prop. Ord.

This was the date set for hearing on the annexation of North Monterey Park. No written protests had been filed against this annexation. Mr. C. E. Fouse and Mr. Geo. Kister appeared before the Council protesting the cost of the trunk line sewer which would be built up 12th Street. They thought that it was not fair for them to have to pay the entire cost of the trunk line when property which would be annexed in the future on the east side would only have to pay to hook on to such sewer line.

It was agreed by members of the Council that construction of a trunk line sewer up 12th Street would not be forced upon the property owners in that area until they petition the Council for same. The following proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Orr and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

Instr #3972

VACATING 5 FT. EACH SIDE NO. 6TH BETWEEN NORTH & GLENWOOD (W.R. Hall-Martins) Ord. 1050 passed

The Proof of Publication to the proposed ordinance entitled AN ORDINANCE VACATING PORTIONS OF A ROADWAY WITHIN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, was presented and read. It was moved by Councilman Wright and seconded by Councilman Strnad that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Orr 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 Colescott and seconded by Councilman Strnad was passed, adopted, numbered 1050 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

### 3.2 BEER VIOLATION Circle Cafe - Hearing 10-15-58

A letter from Karl Johnson, Chief of Police, was presented in which he stated that at approximately 12:20 A.M. on September 29th, two officers of the Police Department witnessed the sale and delivery of beer to Lorenzo Samuel Lobato of Fruita at the side door of the Circle Cafe at 319 So. 2nd Street. The State Liquor Enforcement Officer filed a complaint in Justice of Peace Court against Richard and Mary Aragon, who hold the license for the sale of beer at the Circle Cafe, for sale of beer after the legal closing hour of midnight. The defendants pleaded guilty and were assessed a fine of \$25.00 and costs. Mr. Lorenzo Lobato was fined \$25.00 and costs for purchasing beer after hours.

The Aragon's beer license was suspended for thirty days from June 21, 1956 to July 21, 1956 for selling beer to a minor. It was moved by Councilman Colescott and seconded by Councilman Wright that notice be served upon Mr. and Mrs. Aragon to appear before the Council at its next regular meeting for a hearing on this violation. Motion carried.

### WESTERN COLO. STUDENT COUNCIL ASSN.

A letter from the Western Colorado Student Council Association to the Council inviting them to attend their conference on Oct. 5, 6, and 7th was read.

### 3.2 BEER LICENSE Rettigs Renewal

Mr. W. A. Sowell dba Rettigs' Market, 755 No. 12th, presented an application for the renewal of his 3.2 beer license. It was moved by Councilman Orr and seconded by Councilman Emerson that the application be approved and license granted when the State license has been received. Motion carried.

### VACATE EASEMENT IN MELROSE PARK Proposed Ord.

The following proposed ordinance was introduced and read: AN ORDINANCE VACATING A PORTION OF AN EASEMENT IN MELROSE SUBDIVISION IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Wright and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

PHOTOGRAPHER'S LICENSE Herb Day, 1420 Grand

Mr. Herb Day stated that he had sent in his application for a photographer's license including his check and bond and would like it to be acted upon. It was explained that Mr. Day's application had been returned as his place of business was shown as 1420 Grand Avenue which is in Residence "A" district. This matter was referred to Mr. Ashby, City Attorney, for consideration and referral back to the Council at the next meeting.

ZONING HEARING W. Main St. fr Bus. A to Residence C

At the last meeting of the Planning Commission, approval was given to a change of zoning of Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of Bower's Subdivision and Lots 2, 4, 6 and 8 Block 2 Grand River Subdivision and also a metes and bounds plot of land in the tract known as the "Nursery Tract." This change of zoning is from Business "A" district to Residence "C" district. A petition asking for this change of zoning was presented to the Council. It was moved by Councilman Wright and seconded by Councilman Harper that this change of zoning be advertised for hearing on November 5th. Motion carried.

SWIMMING POOLS Discuss feasibility of heating and enclosing for year-round use

Councilman Emerson brought up the matter of providing some sort of covering for one of the swimming pools so that it might be operated as a year-round pool. He stated that he had recently read that in Utah a pool had been enclosed, and was wondering about the feasibility of such procedure. City Manager Cheever was asked to check and find out whether or not this would be possible with one of the Grand Junction pools.

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

/s/ Helen C. Tomlinson  
City Clerk