

Grand Junction, Colorado
December 3, 1958

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., December 3, 1958. Councilmen present and answering at roll call were Emerson, Orr, Harper, Colescott, Strnad, Wright and President Shults. Also present were City Attorney Ashby, City Manager Cheever and City Clerk Tomlinson.

MINUTES.

It was moved by Councilman Strnad and seconded by Councilman Colescott that the minutes of the regular meeting held November 19, 1958, be approved as written. Motion carried.

3.2 BEER LICENSE not granted to Mrs. Naomi Wade, Circle Cafe, 319 So. 2nd St.

This was the date set for hearing on the application of Naomi Wade for a 3.2 beer license for the Circle Cafe at 319 So. 2nd Street. The following letter from Chief of Police Johnson was presented and read:

CITY OF GRAND JUNCTION
POLICE DEPARTMENT
GRAND JUNCTION, COLORADO

December 3, 1958

Grand Junction City Council
Grand Junction, Colorado

Gentlemen:

My investigation concerning the application of Mrs. Naomi Wade for a license to sell 3.2% beer at the Circle Cafe indicates that she has been a resident of Mesa County for several years. She has worked in several of the cafes and bars locally and for some time operated a business in Gateway. This business was similar to that which she intends to operate at the Circle Cafe if the application is approved.

My information from the State Liquor Enforcement Office is that she was never charged with a violation of the law while she had her license at Gateway. However, they state that the general operation of the business left much to be desired.

The location of the Circle Cafe is such that it attracts a segment of the population that is not usually found in other establishments. This factor alone would require, as was true previously, that a very tight control be maintained on the operation of such a business.

In view of these factors and our previous experience with such a business at this location, I cannot recommend the granting of this license.

Respectfully,

(Signed) Karl M. Johnson
Chief of Police

A petition supporting Mrs. Wade's application was also presented, and Mr. Albin Anderson, Attorney, and Mrs. Wade were present.

Councilman Harper stated that he did not believe it was advisable to grant a license immediately where a license has been suspended; that if the people whose license has been suspended thought they could turn around and sell and the Council would grant a new license, it would establish a precedent; that there has been considerable trouble at this place, and that the type of violation made showed that the owners had not considered their business investment.

Councilman Wright stated he felt that each application should be judged on its own merits; that a new owner might not operate in the same manner, but, in view of the Police Chief's report, the Council might be justified in not granting this application.

Attorney Anderson spoke on behalf of Mrs. Wade, stating that it was not feasible for her to operate this cafe without a beer license. He stated that Mrs. Wade had operated a place with her son in Gateway and had not been cited for any violation; that Gateway was a mining town and a rough clientele frequented the establishment. He stated that Mr. and Mrs. Aragon would lose all of their investment if they could not sell; that Mr. and Mrs. Lehn, previous owners of the Cafe, had operated this establishment without trouble.

Mrs. Wade spoke in her own behalf stating she wished to run the Cafe in a commendable manner and not as just a beer joint, but without beer, she could not make it pay. She said she did not want to run a rambunctious or fighting place.

President Shults stated that there was nothing against Mrs. Wade personally, but that there had been lots of trouble in this place-more trouble than with any other place in town.

Councilman Emerson again brought out that the State Liquor Inspector had advised that the operation of Mrs. Wade's place in Gateway left much to be desired, and as the Circle Cafe attracts a clientele different from that in many other establishments, it is going to take some good operation to hold it in check. It was brought out that the needs of the neighborhood were served by eight establishments within two blocks.

It was moved by Councilman Harper and seconded by Councilman Emerson that this application be denied. Roll was called on the motion with the following result: Councilmen voting "AYE:" Emerson, Orr, Harper, Colescott and Pres. Shults. Councilmen voting "NAY:" Strnad and Wright. A majority of Councilmen voting "AYE," the President declared the motion carried and license denied.

Mrs. Wade then asked the Council if she could re-apply for a license at the next meeting. She was advised that another hearing would have to be set and application for license re-advertised.

ZONING CHANGE Denied - Lots 4 & 5 Blk 1 Bookcliff Park from Bus "A" to Bus. "AR"

This was the date set for hearing on the change of zoning of Lots 4 and 5 Block 1 Bookcliff Park from Business "A" to Business "AR" district. The Planning Commission considered this matter at its meeting on November 26th at which time Mr. Watson, owner of the building on the corner of 7th and Walnut, and his attorney, Mr. Williams, were present. A petition signed by several of the property owners along Walnut Avenue was presented at that time asking that the Council deny the request to zone the lots as Business "AR." The Planning Commission recommended that it be changed to Business "AR." Petitions were presented to the Council both supporting the change and in protest thereof. Mr. Albertson spoke in favor of the change in zoning as he owns property directly across the street and is possibly more vitally interested should Mr. Watson build to the property line on Walnut Ave.

A 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 presented and read. It was moved by Councilman Strnad and seconded by Councilman Orr that the proposed ordinance be passed for publication. Roll was called on the motion with the following result: Councilman voting "AYE:" President Shults. Councilmen voting "NAY:" Emerson, Orr, Harper, Colescott, Strnad and Wright. A majority of Councilmen voting "NAY," the President declared the motion lost.

REPORT ON OCCUPATIONAL TAX

City Manager Cheever made a report, as requested by the Council, of fees charged in other cities in the State of Colorado for a liquor occupational tax. It was moved by Councilman Wright and seconded by Councilman Orr that this report be accepted. Motion carried.

Councilman Harper stated that he thought some study should be given to the amount of occupational tax charged for establishments selling beer.

ORD. 1057 - PASSED Zoning North Monterey Park Subdivision

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 presented 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 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 Harper and seconded by Councilman Orr was passed, adopted, numbered 1057 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1058-PASSED USE CATEGORIES IN Bus. "AR"

The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING SUBSECTION 1 OF THE BUSINESS "AR" DISTRICT (RESIDENTIAL BUSINESS) SUBSECTION OF SECTION 2 OF CHAPTER 83, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, CLARIFYING THE SAME AS IT CONCERNS REGULATIONS OTHER THAN USE CATEGORIES WITHIN SUCH DISTRICT was presented and read. It was moved by Councilman Harper and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Strnad and seconded by Councilman Harper 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 Wright was passed, adopted, numbered 1058 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

Instr # Vacating

PROP. ORD.-VACATE ALLEY - MILLDALE SUB. Requested by Salt Lake Hardware Co.

A proposed ordinance entitled AN ORDINANCE VACATING AN ALLEY IN MILLDALE SUBDIVISION IN THE CITY OF GRAND JUNCTION, COLORADO, was presented and read. It was moved by Councilman Wright and seconded by Councilman Orr that the ordinance be passed for publication. Motion carried.

POLICE BUILDING FUND To appropriate \$8,770 to

At the time the bid was let for the construction of the Police Building, it was agreed among the members of the Council that the interest which had been earned on the bonds from the time they were sold should be turned over to the Police Building account. This amounts to \$8,770.00 to date. It was moved by Councilman Wright and

seconded by Councilman Harper that the City Attorney be authorized to draw up an ordinance to appropriate this money from the General Fund to the Police Building Fund. Motion carried.

LEGAL PRINTING-Daily Sentinel Letter

A letter from the Daily Sentinel was read stating that they would print City legal publications at the regular legal rate of 13¢ per line for the first insertion and 9¢ per line for each subsequent insertion with a ten per cent reduction on any and all legal publications over \$2,000 annually. Mr. Walker called attention to the fact that the Daily Sentinel was the only medium in Grand Junction that reached 98% of the residents of the corporate limits of the City of Grand Junction.

Councilman Wright suggested that the City use both newspapers alternating in use. Councilman Harper stated that bids were submitted in good faith, and the Morning Sun was the low bidder. That possibly the mistake which had been made in publishing the notices for the annexation of the Fruitvale area would cost the City of Grand Junction considerable money should an election be held to determine whether or not the area would be annexed and this expense should be borne by the Morning Sun.

Councilman Wright stated that he thought the City should go along with the Morning Sun for another six months and then next year have the Daily Sentinel do the legal printing.

APPOINT KENT WEBSTER JUDGE OF MUN. COURT

Councilmen Emerson and Wright had been appointed as a committee to secure possible candidates for the office of Judge of the Municipal Court. Councilman Emerson reported that Mr. Kent Webster, local attorney, would accept the position, and that his partner, Attorney Tom Elder, would be available for vacations and for times when it would be impossible for Mr. Webster to be present in court. It was moved by Councilman Orr and seconded by Councilman Emerson that Mr. Kent Webster be appointed as Judge of the Municipal Court, his appointment to become effective January 2, 1959. Motion carried. City Manager Cheever stated that he would appoint Tom Elder as Vacation Judge.

PLANNING COMMISSION. Appoint Vic Colony as member to 8-1-63

President Shults appointed Mr. Vic Colony as a member of the Planning Commission to take the place of Mr. M. A. Cornelison who recently resigned and whose term was to expire August 1, 1963. It was moved by Councilman Emerson and seconded by Councilman Harper that the Council confirm the appointment of Mr. Vic Colony as a member of the Planning Commission, his term of office to expire as of August 1, 1963. Motion carried.

PLANNING COMMISSION. Strnad to attend meetings

In compliance with the request of Mr. Hopper and other members of the Planning Commission that a member of the City Council attend as many meetings of the Planning Commission as possible, President Shults appointed Councilman Strnad as the Council member to attend these Planning Commission meetings.

WAIVE BLDG PERMIT FEES 1st Southern Baptist Church

The First Southern Baptist Church presented a request that the Council waive all building and inspection fees for their church to be built at 17th and Elm Ave. It was moved by Councilman Orr and seconded by Councilman Wright that the request be granted. Motion carried.

FRIENDSHIP FESTIVAL Committee appointed to work with re use of Lincoln Park

The committee for the 1959 Friendship Festival, which is to be held in Grand Junction from June 9 to 14, with Mr. Cecil Walt as chairman appeared before the Council and requested that they be allowed to hold all of their events for this celebration in Lincoln Park. This celebration will be held in connection with the Colorado Centennial celebration, and their special request was to use the football field at Lincoln Park for a horse show and rodeo for two of the days of the celebration.

In previous year, the Council has denied all requests for the use of the field for rodeos as the expense of replacing the turf after a rodeo is a large item.

Mr. Jim Kurtz, one of the members of the Committee, had letters from other cities where they hold similar events, and he stated that he was sure something could be worked out so that the sod could be replaced immediately after the rodeo. Some discussion was had as to whether it would be establishing a precedent to allow the Festival Company to hold a rodeo in Lincoln Park, and the Council was assured that there would not be any other requests for rodeos out there as the Sheriff's Posse and Horse Show Organization were entering into the program for the festival.

President Shults appointed a committee of Councilman Wright, City Manager Cheever, Park Superintendent Ralph Stocker and Mrs. W. D. Ela, as Representative of the Grand Junction Garden Club, to work with the Festival Company to see if details can be worked out for the use of Lincoln Park for all of the festival activities which would be economical and feasible.

It was moved by Councilman Orr and seconded by Councilman Emerson that the Council adjourn until December 10th at 7:00 P. M. Motion carried.

/s/ Helen C. Tomlinson
City Clerk