

Grand Junction, Colorado

May 20, 1959

ROLL CALL.

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., May 20, 1959. Councilmen present and answering roll call were Meacham, Hadden, Dean, Colescott, Strnad, Wright and President Orr. Also present were City Manager Cheever, City Attorney Ashby, and Blanche Stringer. City Clerk Tomlinson was absent.

It was moved by Councilman Colescott and seconded by Councilman Strnad that Blanche Stringer act as City Clerk for this meeting in the absence of City Clerk Tomlinson. Motion carried.

MINUTES.

It was moved by Councilman Strnad and seconded by Councilman Meacham that the minutes of the regular meeting held May 6th and the special meeting held May 12th be approved as written. Motion carried.

ZONING-FREEWAY BOWLING PROPERTY ANNEXATION Referred back to Planning Commission

President Orr stated that it had been a tacit policy of the Council to consider first any matters which members of the audience were interested in so that they would not have to stay through a lengthy agenda. As there were a number of property owners present from the 1800, 1900 and 2000 blocks on Rood Avenue, the matter of the zoning of the Freeway Bowling Alley property was brought up.

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 Strnad that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Colescott and seconded by Councilman Strnad that the ordinance be called up for final passage. Motion carried. The ordinance was then read. It was moved by Councilman Colescott and seconded by Councilman Wright that the ordinance be passed and adopted, numbered 1074 and ordered published.

Councilman Meacham stated that he had met with and talked to some of the residents in this area, and he felt that they had a legitimate question concerning the zoning of this property; that new information had been presented which he thought should receive consideration and further study.

Mr. Caresia, spokesman for the group of residents who were present, stated that they were trying to reach a decision which would protect them and which would also meet with Mr. Oberholtzer's approval, and that they were willing to negotiate.

Mr. Gene Allen, Director of Planning, stated that he and Mr. Warner had met with the residents and felt that a satisfactory compromise could be worked out on the matter of zoning of this property.

Mr. Oberholtzer was present and stated that he was willing to try to work something out which would be agreeable to all concerned.

After considerable discussion, it was the consensus of opinion that this matter should be referred back to the Planning Commission; that the residents and Mr. Oberholtzer should meet with them to see if some compromise arrangement could be made on the zoning of this property whereby a buffer zone could be made to protect the residents. It was suggested that perhaps a strip along the west side of the property on 19th Street and a strip on the north side along Rood Avenue could be zoned as Business "AR"; however, if a compromise could not be worked out, the zoning should be made as originally recommended by the Planning Commission.

Councilman Wright explained to Mr. Oberholtzer that the tract when annexed would come in as Residence "A" district with the present bowling alley as a non-conforming use; that there is a possibility some of the area might be zoned Business "AR" if this recommendation is made when reconsidered by the Planning Commission as it is customarily the policy of the Council to accept the recommendation of the Planning Commission.

Councilman Colescott, with the consent of Councilman Wright, withdrew his motion. It was moved by Councilman Hadden and seconded by Councilman Dean that action on the matter of zoning the Freeway Bowling Alley property be tabled until another meeting of the Planning Commission can be held with the residents and Mr. Oberholtzer given a chance to present both sides of the problem. Motion carried.

ORD. 1074 - ANNEXATION FREEWAY BOWLING ALLEY PROPERTY 19th & Freeway north to Rood Ave. - Instrument #3978

The Proof of Publication to the proposed ordinance entitled AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION was introduced and read. It was moved by Councilman Colescott and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried. It was moved by Councilman Wright and seconded by Councilman Dean that the ordinance be called up for final passage. Motion carried.

The ordinance was then read. It was moved by Councilman Wright and seconded by Councilman Colescott that the ordinance be passed and adopted, numbered 1074 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1075-ANNEXATION 1st & Orchard (Brach) - Instrument #3986

The Proof of Publication to the proposed ordinance entitled AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION was introduced and read. It was moved by Councilman Meacham and seconded by Councilman Hadden that the Proof of Publication be accepted and filed. Motion carried. It was moved by Councilman Colescott and seconded by Councilman Hadden that the ordinance be called up for final passage. Motion carried.

The ordinance was then read. It was moved by Councilman Wright and seconded by Councilman Dean that the ordinance be passed and adopted, numbered 1075 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 LICENSE Renewal West Side Grocery, 505 W. Colo.

An application for renewal of 3.2 beer license for Laurence R. Flanagan dba West Side Grocery, 505 West Colorado, was presented. As there were no objections to this application for renewal, it was moved by Councilman Colescott and seconded by Councilman Meacham that this application be approved and license granted when state license has been received. Motion carried.

LIQUOR LICENSE HEAR. Jas. C. &/or Vivian L. Morris for City Liquor Drive In at 901 No. 1st St. to be June 17, 1959

An application for a retail liquor store license for James C. Morrin and/or Vivian L. Morrin for the City Liquor Drive In at 901 North First Street was presented. The Morrins are purchasing this liquor store from Harold D. and Edith J. Jones. It was moved by Councilman Colescott and seconded by Councilman Wright that the Chief of Police make the customary investigation of the applicants' characters, and that this application for a retail

liquor store license be advertised for hearing on June 17th.  
Motion carried.

FRUITVALE WATER & SEWER To hold another meeting with Fruitvale Board

The letter from the Fruitvale Water and Sanitation District by Miles Kara, Attorney, requesting that the City's policy on sale of water and treatment of sewage be clarified was again considered.

Councilman Wright stated that this was a real hard problem to have to answer because water and sewer are two utilities that are real important, not only to Fruitvale, but to several areas surrounding Grand Junction, but his thought on this matter was that the situation has not changed since the time the Council re-affirmed its policy several months ago. The City has never furnished sewer service out of the City limits and has only sold water to a recognized taxable district which was outside a certain sphere when the Council made its water development plan. That, as hard as it was to say, the Council must stand on that policy if it does its duty and does not take the easy route, as it would be easier to sell water and permit a hook up to the sewer. The Council should think of the future planning for Grand Junction and should retain the policy it has had for some years and insist on annexation where it is possible to receive water, and, of course, even though the City has a sewage disposal plant developed to take care of these people, he thought it would be unwise, and would be like putting a fence around Grand Junction, if sewer taps were ever permitted to be made outside the City.

President Orr stated that more thought and study had been given to this particular problem than to most problems the Council had to consider, and that he was in complete agreement with Councilman Wright's statement. He felt the Council has a distinct obligation to the people of Grand Junction and to the growth of the City.

City Manager Cheever asked that before the Council took official action, he would like to recommend that due to the fact that there has been new information made available recently and this situation is different from anything that has faced the Council, another meeting with the Fruitvale Board be held. He stated he would be glad to make the arrangements as he believed it would be of benefit to the whole community.

Mr. Clodfelter was present and stated that they were certainly willing to cooperate to whatever extent the Council wants; that the picture has changed since the annexation attempt was unsuccessful; that the feeling of his people was that they were

going to go ahead with their sanitation program whether the City was involved or not.

It was moved by Councilman Wright and seconded by Councilman Dean that action be deferred on this matter and that another meeting be held with the Fruitvale Water and Sanitation District Board for further study. Motion carried.

CONTRACTS WITH FESTIVAL COMMITTEE For air show at airport & drag strip For use of Lincoln Park - Instrument #3989

City Attorney Ashby presented two contracts with the Festival Committee, both of which, he stated, had been approved by City Manager Cheever and by Mr. Younge, Attorney, for the Festival Committee. One contract permits the Festival Committee on the 14th of June to use the drag strip and to conduct an air show at the airport. This was done to give them some concession rights, and also to provide the necessary insurance. The other contract is for the use of Lincoln Park, pertaining to concession rights, restoration of park facilities to their original condition, giving the City Manager and the Superintendent of Parks control of locations of functions to be carried on by the Committee and providing for insurance.

It was moved by Councilman Meacham and seconded by Councilman Wright that the contract with the Festival Committee for use of the drag strip and for the airport for an air show be approved, and that the City Manager be authorized to execute this contract. Motion carried.

It was moved by Councilman Wright and seconded by Councilman Hadden that the contract with the Festival Committee for the use of Lincoln Park for the festival events be approved, and that the City Manager be authorized to execute it on behalf of the City. Motion carried.

EMERG. ORD. 1076 Appropriation for Mun. Judge's Office \$2,500 for Clerk, desk & chair for bal. of 1959

The following entitled emergency ordinance was introduced and read: AN ORDINANCE APPROPRIATING MONIES FROM THE CONTINGENT FUND OF THE CITY OF GRAND JUNCTION TO THE MUNICIPAL COURT, AND DECLARING AN EMERGENCY. It was moved by Councilman Hadden and seconded by Councilman Wright that the ordinance be passed and adopted as an emergency ordinance, numbered 1076 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

TELLER ARMS SUBDIV. Hearing on zoning to be June 17, 1959

It was moved by Councilman Wright and seconded by Councilman Meacham that hearing on the zoning of Teller Arms Subdivision be set for June 17, 1959. Motion carried.

WATER BILL ADJUST. Dorothy Davis, 441 N 16th

Mrs. Dorothy Davis, owner of property at 441 No. 16th, requested a water bill adjustment on her May 1, 1959 bill due to a service line leak. During the quarter ending May 1, 1959, 77,600 gallons of water went through the meter amounting to \$14.70. A year ago during this comparable period, 5,300 gallons of water were used amounting to \$4.50. It was moved by Councilman Wright and seconded by Councilman Colescott that this request be granted and adjustment be made on the same basis as water used in 1958. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

SAN. SEWER DIST. #18 Final Estimate on

The following Final Estimate on Sanitary Sewer District No. 18 by the City Engineer was presented:

FINAL ESTIMATE ON SANITARY SEWER DISTRICT NO. 18 Grand Junction, Colorado	
* * * * *	
Contract (F. H. Linneman, Inc.)	\$3,843.62
Printing, Advertising & Misc.	64.32
Bonds	82.54
Attorney	100.00
Engineering & Inspection	<u>209.52</u>
	\$4,300.00
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SANITARY SR. #18

STATEMENT OF THE ENGINEER

Statement showing the whole cost of Sanitary Sewer District No. 18 of Grand Junction, including six percentum additional for cost

of collection and incidentals, and including interest at the rate of four percent per annum to July 1, 1959 and apportioning the same to Lot or Tract to be assessed for same.

The sum of \$4,664.35 is to be apportioned against the real estate in the District and against the owners thereof respectively, as by law in the proportions and amounts, as follows, to-wit:

Total cost of construction	\$4,300.00
Interest for 7 months @ 4%	100.33
6% for cost of collections & Incidentals	<u>264.02</u>
Total	\$4,664.35

Carl A. Alstatt, City Engineer

Resolution accepting, assessing costs

R E S O L U T I O N

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Sewer District No. 18; and

WHEREAS, the City Council has caused to be prepared a statement showing the whole cost of the Sewer District No. 18, including therein six (6%) per cent additional for cost of collection and other incidentals and including interest to and including the 1st day of July, 1959, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same;

THEREFORE, BE IT RESOLVED, That the sewer district be, and the same is hereby, accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the whole cost of the entire Sewer District No. 18, including 6 per cent additional for cost of collection and other incidentals and including interest to and including the 1st day of July, 1959; and,

BE IT FURTHER RESOLVED, That the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, and that the same be certified by the President of the Council and filed in the office of the City Clerk; and,

BE IT FURTHER RESOLVED, That the City Clerk shall immediately advertise for three (3) days in the Morning Sun, a newspaper of

general circulation published in said City, notice to the owners of the real estate to be assessed, and to all persons interested generally without naming such owner or owners, and shall further notify by mail such owner or owners; that said sewer district has been completed and accepted, specifying the whole cost of the sewer district and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty (30) days from the first publication of said notice; that the same may be heard and determined by the Council at their first regular meeting after said thirty days and before the passage of the ordinance assessing the cost of the sewer district, all being in pursuance of the terms and provisions of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

PASSED AND ADOPTED this 20th day of May, 1959.

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President of the City Council

ATTEST:

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City Clerk

The foregoing Resolution was presented and read. It was moved by Councilman Wright and seconded by Councilman Colescott that the Resolution be passed and adopted as read. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

SEWER DISTRICT NO. 18				
<u>A S S E S S M E N T R O L L</u>				
Description		Sq. Ft.	Unit Price	Total Amount
PARKLAND SUBDIVISION			.0136399	
Blk 1 -	Lots 17 & 18	7,500 Ea.		\$ 102.25 Each
	Lot 19	8,421		114.81
MESA GARDENS SUBDIVISION				

Blk A -	Beginning at the SW corner of Blk A, thence N 212' E 100' S 212' W 100' to beg.	12,500		170.42
	Beginning 250' E of the SW corner Blk A, thence N 120' E 80' S 120' W 80' to beg.	9,600		130.89
	Beginning 100' E of the SW corner Blk A, thence N 212' E 150' S 212' W 150' to beg.	18,750		255.64
	Beginning 120' N and 250' E of the SW corner Blk A, thence N 5' E 80' S 5' W 80' to beg.	400		5.45
Blk F		83,263		1,135.21
Blk 1 -	Lot 1	20,000		272.68
	Lot 2 thru 6, inclusive	7,500 Ea.		102.25 Each
Blk 2 -	Lot 1	9,375		127.82
	Lot 2	9,000		122.71
	Lot 3	8,125		110.78
	Lot 4	49,868		679.90

PARK TERRACE HEIGHTS				
Blk C -	Lots 7 thru 10, inclusive	7,204 Ea.		98.22 Each
	The E 5' of Lots 6 & 11	600 Ea.		8.19 Each
Blk B -	The E 60.2' of Lot 9	7,736		105.47
	The E 60.2' of Lot 12	7,228		98.55
	Lot 10	7,550		102.94
	Lot 11	7,780		106.07

ORCHARD MESA CEMETERY Resolution correcting description in Blk H

City Attorney Ashby presented the following Resolution:

R E S O L U T I O N

WHEREAS, the City Council has heretofore approved the platting of an additional Block "H" within the Orchard Mesa Cemetery under authority granted it in the 1953 Compiled Ordinances of the City of Grand Junction; and,

WHEREAS, in the resolution approving such platting an error was made concerning the permissible grave markings in the lots in said block, which error should be corrected;

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

That in Block "H" of the Orchard Mesa Cemetery the markers on the lots from 1-135 be grass or flat markers and that the markers of the lots from 136-266 be optional, either of grass or flat markers or upright markers, of materials as prescribed in the Cemeteries Ordinance No. 701.

PASSED AND ADOPTED this 20th day of May, 1959

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President of the City Council

ATTEST:

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City Clerk

It was moved by Councilman Wright and seconded by Councilman Hadden that the Resolution be passed and adopted. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

APPROVE BOND Maurice Studio Photographer - B-272

A photographer's bond for Maurice Studio and Reynolds Studio was presented, having been approved as to form by the City Attorney. These firms have a contract with Safeway Stores to make photographs in connection with a store sales promotion program to be from May 22nd to the 28th. It was moved by Councilman Colescott and seconded by Councilman Hadden that the bond be accepted and filed. Motion carried.

CONTRACT with V. E. & Cora Fulton for concessions at Lincoln Park - Instrument #3985

City Manager Cheever reported that the contract with the Fultons for the concessions at Lincoln Park had finally been signed. President Orr stated that everybody seemed satisfied and that it was a workable agreement.

PAVING ON GUNNISON AVE.

Councilman Strnad asked what had happened on Gunnison in the 1900 or 2000 block as there was a small portion which was not paved. City Attorney Ashby stated this was purposely left out at the time the rest of the street was paved as it was understood that Mr. Wiseheart intended to put in a sewer line to his property, and they felt it would be better to wait until this was done before paving the street; that this case was still pending in court, but he felt that a decision should be made within a month and that either Aetna Casualty Company or Columbia Savings & Loan Association would have to complete this paving.

SANITATION.

Councilman Meacham stated that it had been called to his attention that out in the area adjacent to Parkland Court on Grand Avenue at about 19th Street, there is an open outhouse and he wondered if such a condition was permitted in the City, or if there was an ordinance under which action could be taken to abate this nuisance. City Manager Cheever stated that he would check and take the necessary action.

SEWAGE DISPOSAL PLANTS to investigate obnoxious odor

Councilman Hadden stated that he would like to know if anything could be done about the obnoxious odor emanating from the sewage disposal plants; that he had personally kept a check at the Railroad Yards where he works and that on 11 out of the 15 days he kept the check the odor was present. City Manager Cheever assured him that the sewage disposal plants were working properly, and that checks had shown there was not enough odor to be causing the complaints; however, that Mr. Turney, Consulting Engineer on the sewage disposal plants from Santa Fe, was present and that he and Mr. Burton would conduct an investigation to see if anything else can be done.

COMMITTEE ON PERSONNEL STUDY

President Orr stated that due to some question among employees about the delineation of duties, he would like to appoint Councilmen Meacham, Strnad and Wright to work with him as a committee to make a general preliminary study of City personnel and how it is being used to see if the maximum use is being made and for the purpose of job evaluation.

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

/s/Blanche G. Stringer  
Acting City Clerk