

Grand Junction, Colorado

June 17, 1959

ROLL CALL.

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., June 17, 1959. Councilmen present and answering roll call were Meacham, Hadden, Dean, Colescott, Strnad, Wright and President Orr. Also present were City Attorney Ashby, City Manager Cheever 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.

ORD. 1078 PASSED Annexing 28 & 28 1/4 Road (Barbour) S. of Orchard East of Indian Wash - Instrument #3988

This was the date set for hearing on the annexation of a tract of land between 28 and 28 1/4 Roads, which is south of Orchard Avenue. Mr. Barbour had asked that this tract of land be annexed to the City, and it had been approved by the Planning Commission. No opposition or counter-petition had been filed.

The following entitled emergency ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION AND DECLARING AN EMERGENCY. It was moved by Councilman Wright and seconded by Councilman Meacham that the ordinance be passed and adopted as an emergency ordinance, numbered 1078 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ACCEPT 5% IN CASH in lieu of land.

The matter of taking either the land or 5% of the cash value of the land for park and recreational purposes was discussed. It was moved by Councilman Wright and seconded by Councilman Meacham that the City accept 5% cash in lieu of the land. Motion carried.

ORD. 1079-PASSED. Annexing Teller Arms - east of Veterans Hospital - Instrument #3987

This date was set for hearing on the annexation of the Teller Arms tract which is located east of the Veterans Hospital and which was requested by Dale Luke. The Planning Commission had approved this annexation. The following entitled emergency ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION AND DECLARING AN EMERGENCY. It was moved by Councilman Strnad and seconded by Councilman Meacham that the ordinance be passed and adopted as an emergency ordinance, numbered 1079 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ACCEPT 5% IN CASH in lieu of land

As this tract of land is just east of Lincoln Park, it was moved by Councilman Strnad and seconded by Councilman Wright that the City accept 5% of the land value in cash in lieu of the land for park and recreational purposes. Motion carried.

ACCEPT PLAT OF Teller Arms Subdiv.

This was the date set for hearing on the plat for Teller Arms Subdivision. Councilman Strnad stated that this was a very well planned subdivision and Mr. Luke was to be complimented on the planning and presentation. There being no protests, it was moved by Councilman Wright and seconded by Councilman Hadden that the plat of Teller Arms Subdivision be accepted and that the President of the Council and the City Clerk be instructed to sign same; that the plat be made of record in the office of the County Clerk and Recorder and in the office of the City Engineer. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1080-PASSED ZONING TELLER ARMS

This date was also set for hearing on the zoning of Teller Arms Subdivision. A map was presented showing the zoning plan of this subdivision. Part will be Residence A, B, and C and part will be Business A and Business AR. The Planning Commission had approved of this zoning, and no opposition was presented. The following entitled emergency ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCLUDED THEREIN AND DECLARING AN EMERGENCY. It was moved by Councilman Wright and seconded by Councilman Strnad that the ordinance be passed and adopted as an emergency ordinance, numbered 1080 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1081 PASSED Permit for driveways, curb cuts, abandoned driveways

The Proof of Publication to the proposed ordinance entitled AN ORDINANCE REQUIRING A PERMIT AND PAYMENT OF PERMIT FEES FOR THE CONSTRUCTION, RECONSTRUCTION, ALTERATION OR REPAIR OF DRIVEWAYS, PROVIDING STANDARDS AND SPECIFICATIONS FOR SAID WORK, PROVIDING FOR THE RECONSTRUCTION OF ABANDONED DRIVEWAYS, AND PROVIDING PENALTIES FOR VIOLATION OF SAID ORDINANCE was introduced and read. It was moved by Councilman Colescott and seconded by Councilman Hadden that the Proof of Publication be accepted and filed. Motion carried. It was then moved by Councilman Colescott and seconded by Councilman Wright that the ordinance be called up for final passage. Motion carried.

The ordinance was then read. It was moved by Councilman Meacham and seconded by Councilman Wright that the ordinance be passed and adopted, numbered 1081 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

ORD. 1082-PASSED Zoning 1st & Orchard (Brach) Res. A & Bus. AR

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 Hadden 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 Strnad and seconded by Councilman Hadden that the ordinance be passed and adopted, numbered 1082 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

COMMUNITY TV OF G.J. request for cable TV system tabled till July 15, 1959

Mr. William Nelson, Attorney, representing Albert M. Carollo, I. E. Shanan, Gene W. Schneider and Richard C. Schneider collectively doing business as

Community TV of Grand Junction, was present together with Mr. Carollo of Rock Springs, Wyo. and Mr. Schneider of Casper, Wyo. They asked for a permit to install and maintain television equipment in the streets and alleys of Grand Junction necessary to provide a cable television system.

Mr. Lincoln Coit, Attorney, was present representing Mr. Rex Howell, President of Western Slope Radio and Television Network, Inc. Mr. Howell had presented a letter in which he requested that the Council renew consideration of their cable TV application.

On Nov. 6, 1957, KREX had made application for a franchise to operate a cable system of television. This application was tabled at that time. He stated that while they remained committed to the principle of free service and would prefer to operate as they do without charge, they also realized that the existence of cable TV by any other operator in Grand Junction would jeopardize the continuation of free service which they have been supplying and the alternative would be to operate a cable system themselves.

After considerable discussion, it was moved by Councilman Meacham and seconded by Councilman Strnad that action on this matter be tabled until the meeting of July 15th so that the City Manager may collect pertinent data in order to give the Councilmen a chance to make a more detailed study of all aspects of this matter. Motion carried.

#### WATER BILL ADJUST. Walter E. Barrett 602 Teller-granted

City Manager Cheever made a report on the request of Walter E. Barrett, owner of property at 602 Teller, for a water bill adjustment on his May 1 bill due to a service line leak. One adjustment had already been made on his Feb. 1, 1959 bill. During the quarter ending May 1, 1959, 46,000 gallons of water went through the meter amounting to \$10.05. A year ago during this same period 11,100 gallons of water went through the meter amounting to \$4.82. City Manager Cheever stated that there was apparently a misunderstanding by Mr. Barrett when it was explained to him at first, and, as soon as it was understood, he had had the leak fixed. He recommended that this adjustment be made. It was moved by Councilman Colescott and seconded by Councilman Hadden that this adjustment be granted. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

#### WATER BILLING

Councilman Colescott brought up the matter of the way water bills were being made. He said that he had had many calls from people who were not able to understand why they were receiving two bills for June. City Manager Cheever explained this and stated that the difficulties were being ironed out and things would move smoothly from now on.

#### WATER POLICY West of 30 Road - no taps to be granted

City Attorney Ashby reported that in serving water patrons west of 30 Road, it was a matter of policy rather than a matter of legality; that anyone served on the west side of 30 Road must be charged at double the city rate. City Manager Cheever stated that there were a number of people on the west side of 30 Road who desired to be served from the Clifton district, some of them being within the Fruitvale Water and Sanitation District and some of them were not in the district.

Some members of the Council stated that there had been complaints that the City was not consistent in furnishing water in this area. It was determined that everyone would have to be treated alike and that the charge would have to

be double the City rate plus the additional cost which Clifton makes for service.

Councilman Wright suggested that a revocable permit be given and that any time the City desired this permit could be revoked.

It was moved by Councilman Hadden and seconded by Councilman Meacham that everyone on the west side of 30 Road who desired to be supplied with City water be given service. Roll was called on the motion with all members of the Council voting "NAY." The President declared the motion lost.

PROP. ORD.-SHOPPING CENTERS

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING TO SAID CHAPTER 83 A SUBSECTION 14 PROVIDING FOR A SHOPPING CENTER DISTRICT UNDER THE REGULATIONS OF CHAPTER 83, ESTABLISHING USES IN SUCH DISTRICT AND REGULATIONS THEREUNDER.

Councilman Strnad stated that he thought this ordinance should go to the Planning Commission for approval before being passed by the Council. The Planning Commission has been working on a new zoning ordinance which incorporates regulations concerning shopping centers but no action had been taken on this new ordinance at this time. It was discussed that passage of this ordinance would be a stop-gap measure until such time as the new zoning ordinance is passed.

It was moved by Councilman Colescott and seconded by Councilman Wright that the proposed ordinance be passed for publication and referred to the Planning Commission at its regular meeting on June 24th for consideration and recommendations. Motion carried.

SAT. CLOSING FOR CITY HALL

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, most governmental offices have adopted the closing of such offices on Saturdays, with the offices working a five-day week; and,

WHEREAS, under the previously established policy of the City of Grand Junction, setting up a 40-hour week for its employees, the City could better perform its weekly services with a Saturday closing;

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

That the offices of the City Hall of the City of Grand Junction be closed on Saturdays until further order of the City Council.

PASSED AND ADOPTED this 17th day of June, 1959.

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President of the City Council

ATTEST:

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City Clerk

It was moved by Councilman Hadden and seconded by Councilman Dean that the resolution be passed and adopted as read and the all-day Saturday closing of the City Hall should be effective immediately. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

### 3.2 BEER RENEWAL Colescott's

Mr. H. E. Colescott dba Colescott's at 551 South Ave., presented an application for renewal of his 3.2 beer license. Chief of Police Karl Johnson had no objections to the renewal of this license. It was moved by Councilman Wright and seconded by Councilman Strnad that Mr. Colescott's application for renewal of 3.2 beer license be approved and license granted when the State license has been received. Motion carried.

### FIRE SUBSTATION BIDS to be advertised

City Manager Cheever stated that he had two sets of plans for the fire substation ready to be advertised for bids. It was moved by Councilman Strnad and seconded by Councilman Hadden that the City Manager be authorized to advertise for bids for the construction of the fire substation on the two sets of plans which he has had drawn up, it being understood that no training tower would be included in this building as it would not fit in with the architecture of the surrounding area. Motion carried.

### WATER PIPE BIDS July 8, 1959 10:00 AM

Mr. Turney, Special Engineer, was present and told the Council about plans for constructing the proposed water main from 5th Street Bridge to the water tank on Mantey Heights and stated that they would need 20,000 feet of pipe and would like to ask for bids for all types of pipe meeting AMA specifications, the Council to determine the type of pipe when the bids are analyzed.

Mr. Burton stated that he had built a ditch and Corn Construction Co had laid 765 feet of pipe so water will be available from the North Fork of Kannah Creek to Hallenbeck Reservoir this year.

It was moved by Councilman Strnad and seconded by Councilman Wright that the City Manager be authorized to advertise for bids for 20,000 feet of 24 inch cast iron, steel, concrete cylinder or approved water supply line pipe as specified by the Engineer; bids to be opened July 8, 1959 at 10:00 A. M. Motion carried. Mr. Turney suggested that a special meeting of the Council be called to consider these bids.

### TO RENEW CONTRACT WITH W. F. TURNEY & ASSOCIATES FOR WATER IMPROVEMENT ENGR. Instr #3896

City Manager Cheever reported that the contract with W. F. Turney & Associates for special engineering services for Water Improvements has expired. It was moved by Councilman Meacham and seconded by Councilman Strnad that the City Manager be authorized to renegotiate with Mr. Tourney for a new contract for future water developments on the same basis as the former contract. Motion carried.

### SIDEWALKS ON CITY PROP. to be included in Impr. Dist. #56

City Manager Cheever asked the Council about repairing the sidewalks around the City Hall. He suggested that the repairs be made and charges included in the special sidewalk repair district which is to be started in the near future. He asked the Councilmen to meet with him to make an on-the-spot investigation so they would know just what is planned. The engineer's estimate for putting in the sidewalks is 50¢ per square foot, and the total estimate

would be approximately \$13,000. This could be included in Improvement District No. 56 and paid off in installments over a ten-year period, or faster, if the City should have available funds for that purpose.

It was moved by Councilman Strnad and seconded by Councilman Hadden that the City Manager be authorized to include all City properties in Improvement District No. 56. Motion carried.

#### CITY TREAS. OFFICE.

City Manager Cheever asked for permission for the City Treasurer, Fred E. Hagie, to hire an additional clerk for the balance of 1959 start-in July 1st, and to buy a desk, chair and adding machine for his office; and that an appropriation ordinance to cover the necessary amount be drawn up. He stated that this would amount to approximately \$1,850.

City Manager Cheever presented Mr. Hagie with a certificate for completion of a course taken under the auspices of the Municipal Finance Officers' Association in municipal finance.

#### OBNOXIOUS ODORS.

City Manager Cheever reported that he had found, on an inspection trip around the City, that raw sewage was going into an open ditch on the south side of North Avenue west of First Street. He showed the council pictures of some of the places which had been discovered. He stated that they were hoping to get the situation taken care of through the Mesa County Health Department; that this was a very bad situation and was causing odors for which the City was being blamed.

7TH ST. WATER LINE. Holly Builders, Inc. (Potarf) Denver to donate line to City

Councilman Wright reported that Mr. Potarf of Holly Builders, Inc. a Denver subdivider who had put in an eight inch cast iron water pipe line on North Seventh Street north of Patterson Road, would like to donate this line to the City. It is worth between \$45,000 and \$50,000. It was explained that Mr. Potarf cannot get F.H.A. commitments for houses when the water line is owned by an individual and he does not care to form a water company. The only concession involved would be the requirement that Mr. Potarf would be given taps off the line as required in the development of his subdivision. Councilman Wright also stated that this line met City specifications and had a pump; that probably sooner or later this area will be annexed to the City so that it would be a benefit to the City to have this line.

#### SALE OF WATER (outside City Limits)

Councilman Strnad stated that he thought the City should not sell any more water outside the City limits until it can furnish those inside the City adequately. It was explained that with installation of the new water main to the water tank, the matter of pressure in the north part of the City should be taken care of.

FOX ALLEY bet. 15th & 17th, Elm & Texas - referred to C.A.

Councilman Wright made a report on the matter of the alley back of the Fox property, which is the alley between 15th and 17th and between Elm and Texas Avenues. This alley is open from 17th Street west to Dr. Fox's property and the people living along Elm and Texas desire to have the alley opened up clear through to 15th Street so trash and garbage can be picked up from the alley.

Councilman Wright stated that, in his opinion, there were two courses of action open to the City and explained each. It was decided there was a legal problem in this matter, and it was moved by Councilman Colescott and seconded by Councilman Strnad that the City Attorney be instructed to look into this matter of the legality involved and report back to the Council. Motion carried. Councilman Wright was relieved of any further duties as a committee to check into this matter.

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

/s/Blanche Stringer  
Acting City Clerk