

Grand Junction, Colorado

August 5, 1959

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M., August 5, 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 City Clerk Tomlinson.

MINUTES

It was moved by Councilman Strnad and seconded by Councilman Hadden that the minutes of the regular meeting held July 15th be approved as written. Motion carried.

BIDS FOR FIRE SUB-STATION - R. C. Bauman low - \$21,026 deleting Alternates, 1, 4, 5, 8 - Instr #3994 Contract & Bond

Bids had been opened on Tuesday, August 4th, for the construction of the fire substation building and the following bids tabulated:

Mr. Van Deusen appeared before the Council and explained that to get within the budget of \$21,400, alternates Nos. 1, 4, 5, and 8 could be deleted from the building at the present time and the money provided in the 1960 budget to pay for them. He stated that he thought the bid of R. C. Bauman, who was low bidder, was a very good bid as it provided for the construction of the building at a price of \$8.10 per square foot.

It was moved by Councilman Wright and seconded by Councilman Meacham that the City Manager be authorized to sign a contract with R. C. Bauman for \$21,026 for the construction of the fire substation deleting alternates Nos. 1, 4, 5, and 8. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

3.2 BEER LICENSE granted to H. T. Sommers at Lincoln Park Golf Club

This date was set for hearing on the application of Harold T. Sommers for a 3.2 beer license for the Lincoln Park Golf Course. There were no objections filed, and it was moved by Councilman Wright and seconded by Councilman Strnad that the request be granted and the license issued when the state license has been received. Motion carried.

IMPR. DIST. #56 - Resol. Creating District

This date was set for hearing on creation of Improvement District No. 56. There was one protest filed on Lot 1 Block 1 Linda Lane Subdivision by Roger C. and Beverly J. Mead. The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. 56 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS AND PAVING ON STREETS THEREIN AND THE CONSTRUCTION OF SIDEWALKS AND PROVIDING FOR THE PAYMENT THEREFOR

WHEREAS, on the first day of July, 1959, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. 56 and authorizing notice of intention to create said District; and,

WHEREAS, Notice of Intention to create said District was duly published; and,

WHEREAS, no written complaints or objections have been made concerning the proposed improvements except by Roger C. Mead and Beverly J. Mead, owners of Lot 1, Block 1, Linda Lane Subdivision;

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

1. That said Improvement District No. 56 be, and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks and paving therein be, and the same is hereby, authorized and directed, in accordance with the resolution adopting the details, plans and specifications prepared and filed therefor, except as follows:

a. That Lots 21 and 22 in Block 51 of the City of Grand Junction, which appear in Paragraph 12 of the Resolution adopting the details, plans and specifications be deleted from the District;

b. That Lots 13 through 20, inclusive, Block 8, Bookcliff Park Subdivision, which appear in Paragraph 9 of the Resolution adopting the details, plans and specifications be deleted from the District.

2. That the construction of paving, sidewalks and curbs and gutters shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it

be determined by the City Council that the bids are too high and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise and by purchasing all necessary material, supplies and equipment.

3. That the improvements in said District were duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, except the protest above referred to, which was considered and found to be without merit, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, have been strictly complied with;

4. That the description of the curbs and gutters, sidewalks and paving to be constructed, the boundaries of said Improvement District, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 1st day of July, A. D. 1959, and in accordance with the published Notice of Intention to create said District, except as to the alterations hereinbefore provided;

5. That, after the contract for the construction of curbs and gutters, sidewalks and paving has been let, the Council shall, by a resolution, provide for the issuance of public improvement bonds for said Improvement District No. 56 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED this 5th day of August, 1959.

President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Strnad and seconded by Councilman Colescott that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

C.E. authorized to advertise for bids

It was moved by Councilman Strnad and seconded by Councilman Hadden that the City Engineer be authorized to advertise for bids for the construction of Improvement District No. 56. Motion carried.

FIRE SIREN - not necessary to turn off water when siren sounds

Discussion of the use of the fire siren brought forth the explanation from Fire Chief Frank Kreps that its primary purpose at the present time is to call in the off-duty firemen whenever there is an alarm within the City limits. He stated that this was the only way they had of letting the off-duty men know that they were needed when an alarm came in. Some years ago, people were required to shut off water being used for sprinkling purposes whenever a fire alarm was sounded so that pressure could be built up for fire fighting purposes but that is no longer a requirement so that the use of the siren when the department returns to the station is not necessary.

Mr. Kreps explained the manner in which the department is operated, and also the need for more men in the department. Councilman Hadden stated that he thought it was a matter the Council should consider when making up the budget as to whether or not men should be called back on their off-duty time. It was agreed that the cooperation of the people in getting out of the way of the trucks and in not following them to fires should be requested but that the "sound off" signal would no longer be used.

TEAMSTERS UNION re being bargaining agent for city employees

A letter from Mr. A. J. Stucker, representing Teamsters Local Union No. 16, was read in which he stated that he had cards from 93 City Employees requesting that he act as Business Agent for the Teamsters, Chauffeurs, Warehousemen and Helpers Union Local No. 16, be recognized as the bargaining agent in the matter of wages, hours, etc. for the said employees.

City Attorney Ashby read portions of opinions written by previous City Attorneys, John Banks and James K. Groves. They both called attention to the fact that governmental units are not recognized under the Labor Peace Act and that the Industrial Commission would not conduct elections for a union contract.

Councilmen Meacham and Wright felt that the City employees had a right to representation whether by union representation or by members of their own group but if by union, it should be done by democratic process of election to select a bargaining agent, if the employees so desired, to meet with City Manager Cheever or

the Council to change conditions which the employees felt might not be right.

City Manager Cheever stated that the labor survey committee's report would be ready to be given to the Council within the next few days. Councilman Dean explained some of the technicalities involved in union representation and appointment of a bargaining agent, and that it was legal for a municipality to organize; however, the employees would not be regulated by the Industrial Commission or National Labor Relations Board in the conduct of an election or otherwise and that a contract would probably not be binding upon a new Council.

Councilman Strnad stated that the Labor Survey Committee was appointed over eight months ago, and that the City employees had voted for one member of the committee as a representative on this board, and he would move to table Mr. Stucker's request until the next meeting of the Council. Councilman Colescott seconded the motion stating that he thought the employees should have representation and he did not blame them for wanting to organize. Councilman Dean expressed the opinion that it would be better to have someone, not an employee of the City, to represent the employees.

Councilman Meacham stated that he hoped the impression would not be given that the Council was going ahead to speed up the report of the Labor Survey Committee because of Mr. Stucker's request. Motion carried.

WATER TAP - 2" tap to C.C. Talbott, 2695 B1/2 Road, Orchard Mesa

Mr. C. C. Talbott of 2695 B1/2 Road on Orchard Mesa made a request for a two inch water tap on the City flowline on Orchard Mesa to replace a line nearly fifty years old. This line will service six houses. Mr. Allen, Director of the County Planning Commission, stated in a letter to City Manager Cheever that Mr. Talbott had discussed the matter with his office and had agreed to comply with the necessary county subdivision regulations in developing his land. He had, however, requested that the contracts for tapping the line, and for others owning land adjacent to this land, not be issued taps for more than one dwelling on each tract of five acres or less unless and until the land is platted and recorded as a subdivision as provided by the Mesa County subdivision regulations.

It was moved by Councilman Wright and seconded by Councilman Dean that the request for a water tap be granted. Motion carried.

3.2 BEER LICENSE - City Market, 865 North Ave.

The City Market at 865 North Avenue presented an application for renewal of their 3.2 beer license. It was moved by Councilman Colescott and seconded by Councilman Meacham that the request be granted and license issued when the State license has been received. Motion carried.

LEGAL ADVERTISING - Contract granted to Daily Sentinel fr 9-1-59 to 12-31-60 - Instr #3992 Agreement

The Western Slope Publishing Company, Publishers of the Morning Sun, and the Daily Sentinel presented bids for publishing the legal advertising. The Western Slope Publishing Co. stated that inasmuch as the Daily Sentinel had submitted a proposition to do the printing for seven cents per line for the first insertion and five cents per line for each repeat insertion through December 31, 1960, that the Morning Sun felt the City Council had an obligation to the taxpayers to accept this economical offer. The Daily Sentinel repeated its bid of seven cents per agate line for the first insertion and five cents for each subsequent insertion beginning Sept. 1, 1959 and for the entire calendar year of 1960.

It was moved by Councilman Meacham and seconded by Councilman Dean that the City accept the bid of the Daily Sentinel for publishing legals and that the City Manager be authorized to sign a contract for the publication of these legals for the period from Sept. 1, 1959 to December 31, 1960. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

LIQUOR APPLICATION - Craig Taylor dba North Ave. Liq. Store & Earl E. Fix for 8 Ball Drive In Liquor

Application for a retail liquor store license for Craig Taylor dba North Avenue Liquor Store, 801 North Ave., which he is purchasing from Pete Bosma, was presented and also one for Earl E. Fix for the 8 Ball Drive In Liquor Store at 240 S. 5th which he is purchasing from Robert J. Coates and Ambrose McCoy. It was moved by Councilman Colescott and seconded by Councilman Strnad that hearings on these two liquor store applications be set for September 2, 1959. Motion carried.

WATER BILL ADJUSTS.

Two applications for water bill adjustments due to service line leaks were presented; one from Mrs. J. L. Lowery, owner of the property at 1260 Colorado Avenue on her July 8, 1959 bill. During this period a year ago, 27,600 gallons of water went through the meter amounting to \$5.21. There was 49,000 gallons of water went through the meter during the period ending July 8, 1959 amounting to \$14.11. The other, from Mrs. James Carter, owner of the

property at 576 No. 24th Street, for her July 9, 1959 bill. During this period ending July 9, 1959, 36,000 gallons of water went through the meter amounting to \$6.45. A year ago during this same period, 18,300 gallons of water went through the meter amounting to \$2.80.

It was moved by Councilman Colescott and seconded by Councilman Strnad that the adjustments be allowed on the basis of water used in the corresponding month of 1958. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

NOISY MUFFLERS to be prosecuted as nuisance rather than under traffic code

President William Orr reported that a number of complaints had been made to him caused by the special mufflers put on cars. Karl Johnson, Chief of Police, was requested to comment on this situation. He stated he had been conferring with the Judge of the Municipal Court and also with City Attorney Ashby and they had decided that as it was impossible to get a conviction under the ordinance requiring a muffler not to be unduly noisy, they would try to handle the situation on a disturbance level and complaining witnesses can testify as to the noise caused by these mufflers.

AWARDS

City Manager Cheever presented an award to Chas. Weir, operator at the Filter Plant, from the United States Public Health and Welfare and wished him success in his new position in Utah. He also presented a plaque to Earl Williams who had just returned from a Parking Meter Attendant's School in Colorado Springs.

SCHOOL DIST. 51 LOT - 6th & Pitkin CM authorized to bid on lot

City Manager Cheever also stated that bids were to be opened on August 11th on two lots on the corner of 6th and Pitkin which are owned by School District 51, and in which the City has been interested and wished to purchase for use when the new fire station is built adjacent to the Police Administration Building. To this date, a price agreement has not been reached and the School District is placing the land up for public bid. It was moved by Councilman Strnad and seconded by Councilman Dean that City Manager Cheever be authorized to submit a bid for this property. Motion carried.

CITY PROPERTY Used by Clymers Dairy on O. M. - Committee apptd to investigate

City Manager Cheever stated that Clymer's Dairy had been using land on Orchard Mesa for years which belongs to the City and the City has not been getting any compensation for the use of this land. He suggested that a committee be appointed to determine whether the City has any future use for this land or whether it should be sold, or just what solution should be taken for the use of this land. It was moved by Councilman Colescott and seconded by Councilman Strnad that the President appoint such a committee. Motion carried. President Orr appointed Councilmen Colescott and Dean with the City Manager to act in this matter.

PARKING LOT AT 7th & COLO

Councilman Wright stated that Mrs. Gilbert Limberg, one of the owners of the lots at 7th and Colorado, had informed him that this lot, which is now used as a parking lot, was for sale. It was suggested that City Manager Cheever get in touch with the Chamber of Commerce Off-Street Parking Committee to see what their plans are for acquiring off-street parking in the downtown area before anything further is done towards the purchasing of property for parking lots.

WATER LINE ON NO. 7TH - CM, CA & Mr. Turney to investigate contract and agreement and report back

Councilman Wright stated that he had an agreement and contract from the Plaza Company asking that the City take over the water line and distribution system which they own on North 7th Street. In their contract, over a three year period, the City would put in distribution lines which would amount to 1,160 feet of four inch pipe and 4,500 feet of three inch pipe. Councilman Wright suggested that this contract and agreement be turned over to the City Manager, City Attorney and to Mr. Turney to make a study and report back to the Council. It was moved by Councilman Strnad and seconded by Councilman Meacham that Councilman Wright's suggestion be followed, and that the City Manager, City Attorney and Mr. Turney be requested to make such study and report back to the Council. Motion carried.

AETNA SUIT & OVERHILL SUIT

City Attorney Ashby reported that he was sure that the suit in regard to the performance on the Aetna bond for work in Mesa Gardens would reach a satisfactory conclusion in the near future. He also reported that Overhill Corporation was suing the City, and that he was preparing to defend it to the utmost.

RECREATION PROGRAM

Councilman Hadden stated that the Recreation Commission was having a struggle with their finances, and that the members had taken a tour of the City and had hoped that if the City acquired the land at the corner of 6th and Pitkin, the quonset hut now on these lots can be used for a meeting place for the people of the Spanish Alliance; that there was a need for a building on the playgrounds behind the Goodwill Industries building. He felt that the Council should definitely get behind the young people of the City and try to work out some more means of recreation for them. He also asked if the unoccupied apartments were getting reductions in water bills and it was explained to him that unless the water is actually shut off, there is no provision made for reductions in the amount of the minimum charge. He again brought up the matter of the odor from the west side sewage disposal plant.

DELINQUENT WATER ACCTS.

Councilman Meacham brought up the matter of collection of delinquent water bills.

SCHOOL PROPERTY DIST. 51 - 6th & PITKIN - CM says costly to try to move quonset hut

City Manager Cheever stated that they had investigated the matter of moving the quonset hut from 6th and Pitkin, if the City should get title to this property, and stated that it would be a very expensive operation to tear it down and rebuild it.

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

/s/Helen C. Tomlinson
City Auditor & Ex-Officio City Clerk