

Grand Junction, Colorado

January 4, 1961

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Councilmen present and answering roll were Ray Meacham, Arthur Hadden, Harry Colescott, Warren Lowe and President C. E. McCormick. Absent was Councilman Wright. Also present were City Manager Joe M. Lacy, City Clerk Helen C. Tomlinson and City Attorney Gerald J. Ashby.

INVOCATION

Invocation was given by Rev. William W. Meyer, Pastor of the First Congregational Church.

RESIGNATION Ed. B. Surface Councilman Dist. C

A letter of resignation from Ed Surface, member of the City Council from District "C", was read. Mr. Surface is moving from the City of Grand Junction, and expressed his pleasure at having been allowed to serve on the Council and his regrets at leaving both the City Council and Grand Junction. It was moved by Councilman Colescott and seconded by Councilman Hadden, that Mr. Surface's resignation be accepted and a letter be written to him conveying the thanks of the City Council for his time and service given while on the Council. Motion carried. (5 members voting "AYE.")

MINUTES

It was moved by Councilman Meacham and seconded by Councilman Hadden that the minutes of the last regular meeting held on December 21, 1960 be approved as written. Motion carried.

BEER APPLICATION Williams Grocery, 215 Colo. Ave. approved

The application of Dan Williams for a 3.2 beer license for Williams Grocery at 215 Colorado was brought up for hearing. There were no protests from the audience or the Police Department. It was moved by Councilman Colescott and seconded by Councilman Meacham that the application be approved and license granted when the State license has been received. Motion carried. (5 members voted "AYE.")

LEGAL ADVERTISING Contract with Daily Sentinel extended to 12-31-61 - 13¢ per agate line - 1st insertion - 9¢

Mr. Preston Walker, Sentinel Publishing Company, presented an agreement for the publication of legal notices for the City of Grand Junction for the period from January 1, 1961 to December 31, 1961. The terms of this agreement would require the City to pay 13 cents per agate line for the first insertion and 9 cents per line for the subsequent insertions. The monthly report of receipts and disbursements would be charged for at the rate of 8 cents per line. It was moved by Councilman Meacham and seconded by Councilman Hadden that the terms of the agreement with the Sentinel Publishing Company be approved and the City Manager authorized to sign the contract. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

SPECIAL ASSESSMENTS Accept offer for - Lot 21, Blk 11 Slocomb's Addn John R. Townsend

City Manager Lacy had received a letter from John R. Townsend proposing to purchase special assessment taxes on Lot 21, Block 11, Slocomb's Addition. Mr. Townsend found that this lot, which he thought he owned, was being sold for taxes, and purchased same at Sheriff's sale. In order to clear the title, he proposed to pay \$150.00 for the specials on the lot. The face value of the certificates amounted to approximately \$140.00 and with interest and penalties is in the neighborhood of \$217.00. It was moved by Councilman Hadden and seconded by Councilman Colescott that the City accept the offer of Mr. Townsend for the special assessment certificates on Lot 21, Block 11, Slocomb's Addition. Roll was called on the motion with all members of the Council present voting "AYE." (5 members) The President declared the motion carried.

3.2 BEER APPL Frank B. & Irene G. Haynes, South Side Groc., 832 S. 7th St. Hearing 2-1-61

Frank B. and Irene G. Haynes made application for a 3.2 beer license at South Side Grocery, 832 South Street, formerly owned by Kenneth and Frances Mark. It was moved by Councilman Lowe and seconded by Councilman Meacham that this beer application be advertised for hearing on Feb. 1, 1961. Motion carried.

RESOL Aetna Casualty & Surety Co. - Assgmt of Claim to Columbia \$3,889.87 (Mesa Gardens)

The following resolution was presented and read:

RESOLUTION

WHEREAS, on July 25, 1955, THE AETNA CASUALTY AND SURETY COMPANY, a Connecticut corporation, made and executed a performance bond,

binding itself to the City of Grand Junction in the penal sum of One Hundred Fifty-Seven Thousand Two Hundred (\$157,200.00) Dollars, insuring performance of a contract between said City of Grand Junction and Western States Construction Corporation, a California corporation, which contract was dated July 25, 1955, and a copy of which is attached to said bond; and

WHEREAS, the said Western States Construction Corporation failed to perform in accordance with said contract; and

WHEREAS, the City of Grand Junction has made demand upon said Aetna Casualty and Surety Company to perform in accordance with said bond; and

WHEREAS, The Aetna Casualty and Surety Company has failed to perform in accordance with said performance bond; and

WHEREAS, the City of Grand Junction caused work to be done which was agreed to be done by Western States Construction Corporation under its contract of July 25, 1955, and has expended therefor, or become obligated to pay, the sum of Three Thousand Eight Hundred and Eighty-Nine and 87/100 (\$3,889.87) Dollars; and

WHEREAS, the City of Grand Junction has made demand upon The Aetna Casualty and Surety Company to pay the said sum in accordance with the terms of the above said performance bond, and said Aetna Casualty and Surety Company has wholly failed and refused to pay said sum; and

WHEREAS, Columbia Savings and Loan Association has paid on the 4th day of January, 1961, to the City of Grand Junction, Colorado, the said sum of Three Thousand Eight Hundred and Eighty-Nine and 87/100 (\$3,889.87) Dollars;

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

That the City of Grand Junction, in consideration of the payment of said sum, sets over and assigns, to Columbia Savings and Loan Association, all of its right, title and interest in and to its claim and demand against the said Aetna Casualty and Surety Company in the said sum of Three Thousand Eight Hundred and Eighty-Nine and 87/100 (\$3,889.87) Dollars; and

BE IT FURTHER RESOLVED that the City Attorney be authorized to execute on behalf of and as the act of the City of Grand Junction the proper assignment of claim to the Columbia Savings and Loan Association.

PASSED AND ADOPTED this 4th day of January, 1961.

President of the City Council

ATTEST:

City Clerk

Roll was called on the motion with all members of the Council present voting "AYE." (5 members) The President declared the motion carried.

RESOL Annexation of McCoy Addn 40 Acre tract So of North bet 28 1/4 & 28 1/2 (Correction of description)

A typographical error on the face of the petition for the annexation of the McCoy annexation, being a tract of land south of North Avenue between 28 1/4 and 28 1/2 Roads containing approximately 40 acres, had been made, and it was therefore necessary to set a new hearing on this annexation.

The following Resolution was presented and read:

See pages 125-126-127 (Correcting description to read:

The Northeast quarter of the Northwest quarter of Section 18, Township 1 South, Range 1 East, Ute Meridian, County of Mesa, State of Colorado

RESOLUTION

WHEREAS, a petition to annex the following-described property, to-wit:

The Northeast quarter of the Northwest quarter of Section 18, Township 1 South, Range 1 East, Ute Meridian, County of Mesa, State of Colorado

has been filed with the City Clerk and is now presented to the City Council; and,

WHEREAS, upon examination of the said petition and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the petition is signed by more than 50% of the owners of the area of such territory to be annexed and that the persons signing such petition also comprise a majority of the landowners residing in the territory at the time said petition was filed with the City Clerk; that there is attached to the said

petition four copies of a map or plat of such territory which is suitable for filing; that the said petition and maps are sufficient and substantially meet the requirements of Section 2, Chapter 314, Session Laws of Colorado, 1947;

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

That the said petition for annexation shall be, and the same is hereby, accepted and approved; and that notice of the filing of the said petition shall be published once each week for four publications in The Daily Sentinel, the official newspaper of the said City of Grand Junction.

PASSED AND ADOPTED this 4th day of January, 1961.

President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Colescott and seconded by Councilman Meacham that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting "AYE." (5 members) The President declared the motion carried.

CLUB 20 MEETING 1-8-61 Cafe Caravan

City Manager Lacy reported that "Club 20" would hold a luncheon meeting at the Cafe Caravan on Sunday, January 8th, and invited and urged all of the Councilmen and the City Attorney to be present. He stated that this was an important organization and hoped that most of the Councilmen would be able to be there.

ZONING ORD. #1126 Passed

The Proof of Notice of Publication of the proposed ordinance entitled AN ORDINANCE ESTABLISHING LAND USE ZONING IN THE CITY OF GRAND JUNCTION, COLORADO, FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY, REGULATING AND RESTRICTING THE USE OF LAND, THE USE AND LOCATIONS OF BUILDINGS, SIGNS, FENCES, AND STRUCTURES; THE SIZE, HEIGHT AND BULK OF BUILDINGS, SIGNS, FENCES, AND STRUCTURES; GOVERNING THE AREA OF YARDS, COURTS AND PLACES SURROUNDING BUILDINGS AND STRUCTURES; CONTROLLING THE DENSITY OF POPULATION; DIVIDING THE ZONED AREA INTO DISTRICTS FOR ZONING PURPOSES; ADOPTING A MAP OF

SAID AREA AND ZONING DISTRICTS THEREIN, SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH DISTRICTS; CREATING AND ESTABLISHING FIRE ZONES; REORGANIZING THE PLANNING AND ZONING COMMISSION AND ESTABLISHING A BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF SAID ZONING PROVISIONS; DEFINING CERTAIN TERMS USED HEREIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS: AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. It was moved by Councilman Meacham and seconded by Councilman Colescott that this Notice of Publication be accepted and filed. Motion carried. (5 members of the Council voting "AYE.")

It was then moved by Councilman Colescott and seconded by Councilman Meacham that the ordinance be called up for final passage and read. Motion carried. (5 members of the Council voting "AYE.")

The President asked for comments from the audience or Council, and as there were none, the Ordinance was then read.

It was moved by Councilman Hadden and seconded by Councilman Meacham that the ordinance be passed, adopted, numbered 1126 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." (5 members) The President declared the motion carried.

The following resolution was read:

RESOLUTION

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

That upon final passage of the ordinance entitled:

AN ORDINANCE ESTABLISHING LAND USE ZONING IN THE CITY OF GRAND JUNCTION, COLORADO, FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY, REGULATING AND RESTRICTING THE USE OF LAND, THE USE AND LOCATIONS OF BUILDINGS, SIGNS, FENCES, AND STRUCTURES; THE SIZE, HEIGHT AND BULK OF BUILDINGS, SIGNS, FENCES, AND STRUCTURES; GOVERNING THE AREA OF YARDS, COURTS AND PLACES SURROUNDING BUILDINGS AND STRUCTURES; CONTROLLING THE DENSITY OF POPULATION; DIVIDING THE ZONED AREA INTO DISTRICTS FOR ZONING PURPOSES; ADOPTING A MAP OF SAID AREA AND ZONING DISTRICTS THEREIN, SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH DISTRICTS; CREATING AND ESTABLISHING FIRE ZONES; REORGANIZING THE PLANNING AND ZONING COMMISSION AND ESTABLISHING A BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF SAID ZONING PROVISIONS; DEFINING CERTAIN TERMS USED HEREIN; PRESCRIBING

PENALTIES FOR THE VIOLATION OF ITS PROVISIONS: AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

commonly denominated the zoning ordinance; the same shall be published in book or pamphlet form in accordance with the charter of the City of Grand Junction with notice being given of such publication by the City Clerk of this City by publishing such notice one time in the Daily Sentinel, the official newspaper of the City of Grand Junction.

PASSED AND ADOPTED this 4th day of January, 1961.

President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Colescott and seconded by Councilman Lowe that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting "AYE." (5 members) The President declared the motion carried.

ADJOURNMENT

It was moved by Councilman Hadden and seconded by Councilman Lowe that the meeting adjourn. Motion carried.

/s/Helen C. Tomlinson
City Clerk