

Grand Junction, Colorado

January 3, 1962

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. January 3, 1962. Councilmen present and answering roll call were Meacham, Hadden, Love, Colescott, Lowe, Wright and President McCormick. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

As Rev. R. Ladd Graham, Pastor, Faith Baptist Church, was unable to be present, President McCormick asked those present to stand in a moment of silent prayer.

MINUTES

It was moved by Councilman Hadden and seconded by Councilman Colescott that the minutes of the regular meeting held December 20, 1961 be approved as written. Motion carried. (7 Councilmen voted AYE)

HEARING

3.2 Violation by Bimbo's Cafe, 727 3rd Ave. - postponed

This date had been set for hearing on a violation of 3.2 beer license held by Steve Foster dba Bimbo's Cafe at 727 3rd Avenue. Hearing was postponed as the case had been appealed to higher court.

HEARING

Liquor Violation, Flamingo Lounge, 201 Colo. Ave.

The hearing as scheduled on alleged liquor license violation (selling to minors) by Flamingo Lounge, 201 Colorado Avenue, was postponed as Counsel for the Flamingo had requested continuance.

SANITATION

To prohibit use of 55 Gal. Drums as refuse containers

The matter of using fifty-five gallon drums for holding trash and garbage was brought up and discussed. City Manager Lacy stated that at the December 6th meeting he had called the Council's attention to the fact that one of the men in the sanitation department had received permanent injuries caused from lifting the fifty-five gallon containers. He noted, also, that many cities have the same problem and have outlawed the use of fifty-five gallon drums as trash containers. The drums themselves usually weigh from 38 to 55 pounds when they are empty. Our ordinance has from the beginning of the present system prohibited the use of any container which one man could not lift when it is full.

At the December 6th meeting, the public was requested to state opinions on the use of these large containers. So far as the City Manager's office is concerned, no one called in about the containers. During Christmas week, there were two fires inside the trash trucks which necessitated the calling out of the Fire Department and which caused approximately \$300 worth of damage to the hydraulic system of one of the trucks. There are coals left in the large drums which are not noticeable until they are dumped into the trucks. City Manager Lacy stated further that he wished to have the public advised before either the Public Works Department or the City Manager would arbitrarily state that the City would not pick up trash from the large barrels. It was moved by Councilman Wright and seconded by Councilman Colescott that the City Manager be authorized to instruct the Sanitation Department not to pick up trash or whatever might be in fifty-five gallon drums after March 1, 1962. Motion carried. (7 Councilmen voted AYE)

City Manager Lacy stated that printed notices would be attached to the larger drums to give the property owners a chance to get smaller drums as containers, so that they will not be left with a lot of trash that the City will not haul.

LIQUOR LICENSE

Renew Robbins McMullin Post #37 American Legion

Robbins McMullin Post No. 37, American Legion, 2884 North Avenue, presented an application for renewal of their Club liquor license. This area has just recently been annexed to the City and had previously been licensed by the County. It was moved by Councilman Wright and seconded by Councilman Hadden that the application be approved and license granted when the state license has been received. Motion carried. (7 Councilmen voted AYE)

LEGAL ADVERTISING

Renew contract with Daily Sentinel - same basis 1961

City Manager Lacy presented a contract with the Daily Sentinel for legal advertising for the year 1962 with identical rates as has been paid in 1961. It was moved by Councilman Colescott and seconded by Councilman Lowe that the City Manager be authorized to sign this contract. Motion carried. (7 Councilmen voted AYE)

LICENSE BONDS

Accepted and Filed

The following license bonds, being on the approved forms, were accepted and presented for approval:

<u>CONTRACTOR (General)</u>	<u>Company</u>	<u>No.</u>
John D. McAdams	Peerless Ins	251266
Jas. J. Sloggett	“	251252
Arthur Butts	“	251269
Arthur L. Gilbert	Western Surety	487923-62
F.A.Heckendorf, Inc. Littleton	Firemanis Fund	6062512-8
Theron L. Benson	Fidelity & Dep Md	7250786
C. E. Poland	“	7250398
Chas. M. Shaw	“	7523750
Dale T. Luke	“	7250303
Lyll E. Coulter	Fireman's Fund Ins	
 <u>CONTRACTOR (special)</u>		
R.S.Franklin & G. t. Harrison	Natl Surety	607 0058-Q
Elam Constr. Co. Inc.	Natl Surety Corp	LR 6080983
Nair Cabinet Shop	Ohio Farmers Ins	323549
Raleigh Williams	Western Surety	791963
Intermountain Glass & Metal Co	Am Surety of NY	11601351
Hugh A. Larson	Fidelity & Dep Md	7250333
Richard A. Waldref	“	7449735
John H. Tabat	“	7250335
Grand Mesa Roofing Co.(G.A. Yearout)	“	7250315
 <u>CEMENT CONTRACTOR</u>		
Arthur L. Gilbert	Western Surety Co	822761-62
Jas. J. Sloggett	Peerless Ins	251253

Theron L. Benson	Fidelity & Dep Md	709617
Dale T. Luke	Fidelity & Dep Md	4817464

ELECTRICAL CONTRACTOR

Wesco Electric	Royal Indemnity	558441
Cowell Electric (Gunnison)	St.Paul Fire & Marine	400FXO753

GAS INSTALLER

Owen O. Southall	Natl Surety	LR 606 2585
Western Slope Heat & Sheet Metal	Natl Surety	LR 6022030
Public Service Co. of Colo.	Royal Indemnity Co	558450
Chas. E.Osborne Dependable PI & Heat	Fidelity & Dep Md	7381121
Russell R. Beecham	“	5334132
Royce Clayton Hendrix	“	7449765
Clifford Starkebaum	“	5227622
Lee Eby	Peerless Ins	251264

HOUSE MOVER

Carl D. South	Gen Ins Co of Am	330356
Earl Stuller	Western Surety	411547-62

JUNK DEALER

Earl Howard Van Gundy	Am Casualty Reading	Pa 228261
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PLUMBER

Western Slope Heat & Sheet Metal	Natl Surety	LR 6043432
Royce Clayton Hendrix	Fidelity & Dep Md	7449766
Carl B. Stowe	“	4889223
Clifford Starkebaum	“	4889682

SECOND HAND DEALER

Frank Dunn Co.	Mid-Continent Cas	12399
G J Army Store	Fid & Dep of Md	7450438
Colo Auction	“	74 50 62 8

PLUMBER

Chas. E. Osborne Dependable PI & Heat	Fid & Dep of Md	73 8i 12 0
Frank C. Hill Jr	Peerless Ins	251265
Saddoris Plumb & Heat	Royal Indemnity	574327

It was moved by Councilman Wright and seconded by Councilman Love that the bonds be accepted and filed. Motion carried. (7 Councilmen voted AYE)

PROP. ORD.

Repealing Chapt. 79 Comp. Ord. - Sidewalk & curb Construction

The following entitled proposed ordinance was presented and read:

AN ORDINANCE REPEALING CHAPTER 79 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BEING ORDINANCE 167 AS AMENDED, SUCH CHAPTER BEING-ENTITLED] SIDEWALK AND CURB CONSTRUCTION AND PROVIDING FOR WIDTHS AND SPECIFICATIONS FOR CONSTRUCTION OF SIDEWALKS AND CURBS WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Wright and seconded by

Councilman Colescott that the proposed ordinance be passed for publication. Motion carried. (7 Councilmen voted AYE)

ORD. 1144 PASSED

Assessing I.D.#57

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. 57, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178 ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED, APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Colescott and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried. (7 voted AYE)

It was moved by Councilman Hadden and seconded by Councilman Love that the ordinance be called up for final passage. Motion carried. (7 voted AYE)

The matter of the assessment distribution on the T alley between 18th and 19th between Elm Avenue and Bunting Avenue was discussed. City Manager Lacy stated that the people back from the T alley between 18th and 19th and Elm and Bunting Avenues were involved in assessments on both sides of the Alley. Where it fell toward the lots that ran all the way through from the alley to the street, they absorbed the whole assessment for the alley, but the people who had side lots the side of which came on the alley, paid only a portion. Part of the assessment fell on the abutting property, a portion on the next property and a third portion on the third property. People didn't understand why they should have to absorb some of this cost. City Manager Lacy explained that there were other ways that assessments could be made. One way would be to determine an average assessment for all people in the district for the same kind of improvement. For that portion that falls on corner lots where there is two assessments the assessment could be divided in half and the other half spread over the whole district. An improvement district is not a geographical district. The Courts seem to have held that reasonableness in assessments is a major factor in trying out assessment procedures.

The ordinance was then read, and it was moved by Councilman Colescott and seconded by Councilman Lowe that the ordinance be passed, adopted, numbered 1144 and ordered published. Roll was called on the motion with the following result: Councilmen voting AYE; Hadden, Love, Colescott, Lowe, Wright and President McCormick; Councilman voting NAY.; Meacham. Councilman Meacham explained that he voted NAY, as he wished to have more investigation as to the manner of assessments on property of this kind so that something could be done to equalize assessments for similar improvements in the future. President McCormick declared the motion carried. (6 voted AYE - Meacham voted NAY)

ORD. 1145 PASSED

Appointment of Recreation Bd - 7 members

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 3 OF CHAPTER 9 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION., COLORADO, PROVIDING FOR AN ALTERATION IN THE MANNER OF THE APPOINTMENT OF THE RECREATION BOARD. It was moved by Councilman Wright and seconded by Councilman Meacham that the Proof of Publication be accepted and filed. Motion carried. (7 voted AYE)

It was moved by Councilman Colescott and seconded by Councilman Lowe that the ordinance be called up for final passage. Motion carried. (7 voted AYE)

The ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Meacham that the Ordinance be passed and adopted, numbered 1145 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 voted AYE)

#### WATER BILL

Mesa Co. Canning Corp. Accept partial payment \$72.55 - bal. due \$588.76

City Manager Lacy reported that another payment of \$72.55 on the Mesa County Canning Corporation's water bill had been received leaving a balance of \$588.76 owing on the bill. It was moved by Councilman Wright and seconded by Councilman Lowe that this check be accepted as another partial payment on the obligation. Motion carried. (7 voted AYE)

#### BOYS & GIRLS

Attend Council Meeting-mbrs Central HS Am History Class

President McCormick commented upon the large audience of young people present. They stated that they were members of Central High School American History class and that they would attend the Council meetings regularly. President McCormick gave them a warm welcome.

#### ADJOURNMENT

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

/s/ Helen C. Tomlinson  
City Clerk