

Grand Junction, Colorado

July 18, 1962

### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. July 18, 1962. Councilmen present and answering roll call were Meacham, Hadden, Love, Colescott, Wright and President McCormick. Councilman Lowe was absent. Also present were City Attorney Ashby and City Clerk Tomlinson. City Manager Lacy was absent.

### INVOCATION

The invocation was given by Rev. Howard L. Manning, Presbyterian Board of National Missions.

### MINUTES

It was moved by Councilman Hadden and seconded by Councilman Love that the minutes of the regular meeting held July 5, 1962 be approved as written. Motion carried. (6 voted AYE)

### HEARING

Creation of I.D. #58

This was the date set for hearing on the creation of Improvement District No. 58. A petition opposing the paving of North 25th Street from North Avenue to the alley north of Bunting Avenue was presented. Owners of 50% of the eligible frontage filed the petition opposing the paving as compared with 42% who signed a petition in favor of the improvements.

Mr. Ed Foos, Portland, Oregon, wrote a letter protesting the paving of the alley between Elm Avenue and Kennedy Avenue from 19th to 22nd Street. Owners of 74% of the frontage affected by the paving of this alley had already signed the petition for the improvements. The Council has the authority to go ahead and order alleys of this nature improved.

John D. and Dorothy A. Hart requested that sidewalk repairs on Lots 4 to 6 inclusive, Block 3, Slocomb's Addition be included in the district.

It was moved by Councilman Wright and seconded by Councilman Colescott that the request of Mr. and Mrs. Hart be granted. Motion carried. (6 voted AYE)

It was moved by Councilman Love and seconded by Councilman Meacham that Mr. Foos' letter be noted and filed but that this alley remain in the district because of other factors involved. Motion carried. (6)

It was moved by Councilman Colescott and seconded by Councilman Wright that 25th Street from North Avenue to the alley north of Bunting Avenue be deleted from the district. Motion carried. (6 AYE)

There being no further objections or comments, President McCormick closed the hearing. It was reported that bids for the construction of I.D. No. 58 had been opened at 10 a.m.

### HEARING

Annexation KSL (45 Acre tract No. of Orchard near Indian Wash)

This was the date set for hearing on the annexation of a 45 acre tract of land north of Orchard Ave. near Indian Wash (KSL). As there was no one present to object to this annexation, President McCormick closed the hearing.

### 3.2 BEER RENEWAL

Harold T. Sommers, Lincoln Park Golf Club

Mr. Harold T. Sommers presented an application for renewal of his 3.2 beer license. There were no objections to renewal of this license, and it was moved by Councilman Hadden and seconded by Councilman Love that the license be granted when State license has been received. Motion carried. (6 voted AYE)

### BONDS APPROVED

The following bonds, being on the approved form, were presented for approval:

#### Special Contractors

Construction Specialties, 2625 Walnut St., Denver, Travelers #971187  
Chester Jennings, Royal Indemnity Co. #592891  
Elmer Larson Western Surety Co. #3014706-62

#### Cement Contractor

Joe J. Robinson, State Auto & Casualty Underwriters #31-27434

It was moved by Councilman Wright and seconded by Councilman Colescott that the bonds be approved and filed. Motion carried. (6 voted AYE)

### C OF C

Special Meeting-W.G. Barr, Natl Parking Assn on parking problems

It was announced that on Tuesday, July 24th, there will be a luncheon at the La Court Hotel Green Room at which time Mr. William G. Barr, Executive Director, National Parking Association will speak concerning downtown parking in Grand Junction. All members of the Council are urged to attend this luncheon.

### CITY TREAS. APPTD

Chas. E. Green, Mexico, Mo. - effective 8-1-62

Councilman Love stated that after considering a number of applications for the position of Finance Director, the Council had decided upon Charles E. Green who is at present the Finance Director at Mexico, Missouri. Mr. Green is 27 years old; is married and has one child. He is a graduate of the University of Missouri with a Bachelor's degree in business administration and major in accounting. It was moved by Councilman Love and seconded by Councilman Hadden that Mr. Green be appointed to the office of City Treasurer (Finance Director) for the City of Grand Junction beginning August 1, 1962. Motion carried. (6 voted AYE)

### PROP. ORD.

Annexing KSL Subdiv.

The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO 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. (6 voted AYE)

### ORD. 1159

Pres of Council to sign Improvement District Bonds

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 40 OF CHAPTER 81 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, TO PROVIDE THAT THE PRESIDENT OF THE COUNCIL SHALL SIGN IMPROVEMENT DISTRICT BONDS OF THE CITY. It was moved by Councilman Colescott and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried. (6 voted AYE)

It was moved by Councilman Meacham and seconded by Councilman Hadden that the ordinance be called up for final passage. Motion carried. (6 voted AYE)

The ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Colescott that the ordinance be passed and adopted, numbered 1159 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried. (6 voted AYE)

#### ORD. 1160

#### CURFEW IN PUBLIC PARKS AFTER MIDNIGHT

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 14 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO BY ADDING THERETO A SECTION 12 PROHIBITING THE USE OF THE PUBLIC PARKS IN THE CITY DURING CERTAIN HOURS. It was moved by Councilman Colescott and seconded by Councilman Meacham that the Proof of Publication be accepted and filed. Motion carried. (6 voted AYE)

It was moved by Councilman Love and seconded by Councilman Hadden that the ordinance be called up for final passage. Motion carried. (6 voted AYE)

The ordinance was then read, and it was moved by Councilman Meacham and seconded by Councilman Hadden that the ordinance be passed and adopted, numbered 1160 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried. (6 voted AYE)

#### ORD. 1161

#### Zoning Ord. Text changes - setbacks

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SUBSECTIONS 3 b. (7) E., 3 b. (9) D, 3 b. (10) D, 6 i. AND 6 n. (5) ALL OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO; CHANGING THE SETBACK REGULATIONS IN THE LIMITED BUSINESS, RETAIL BUSINESS AND LIGHT COMMERCE ZONING CATEGORIES, AND AMENDING THE SUPPLEMENTARY REGULATIONS ON SETBACKS AND PROJECTION OF BUILDINGS INTO SIDE YARDS IN RESIDENTIAL DISTRICTS. It was moved by Councilman Colescott and seconded by Councilman Meacham that the Proof of Publication be accepted and filed. Motion carried. (6 voted AYE)

It was moved by Councilman Hadden and seconded by Councilman Love that the ordinance be called up for final passage. Motion carried. (6 voted AYE)

The ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Colescott that the ordinance be passed and adopted, numbered 1161 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried. (6 voted AYE)

#### RESOL-

Creating I.D. #58

Councilman Colescott introduced and there was read in full the following Resolution:

RESOLUTION

CREATING AN IMPROVEMENT DISTRICT IN THE CITY OF GRAND JUNCTION, COLORADO, TO BE KNOWN AS IMPROVEMENT DISTRICT NO. 58; ORDERING THE CONSTRUCTION THEREIN OF STREET, ALLEY AND SIDEWALK IMPROVEMENTS; PROVIDING FOR PAYMENT FOR SAID IMPROVEMENTS; AND PROVIDING FOR NOTICE TO BIDDERS FOR SPECIAL IMPROVEMENT DISTRICT BONDS OF SAID CITY.

WHEREAS, the City Council of Grand Junction, Colorado, pursuant to the Charter and Ordinance No. 178, as amended,

of said City and the laws of the State of Colorado, hereby finds and determines that there exists a necessity for the creation of Improvement District No. 58, in said City, and the construction therein of certain street, alley and sidewalk improvements; and

WHEREAS, The City Council has heretofore directed the City Engineer to prepare plans, specifications, maps and schedules in accordance with said laws; and

WHEREAS, the City Engineer has made his report in the premises and has filed with the Clerk of said City all the maps and certificates of his survey, as well as schedules, plans, specifications, approximations of cost, and all other matters and things in complete form and substance as by law required; and

WHEREAS, the said report so made and filed, together with details, specifications, estimates, maps and schedules, are hereby approved and adopted by said City Council; and

WHEREAS, the City Council directed the City Clerk to publish in the Daily Sentinel, a newspaper of general circulation in said City, Notice of a proposition to create said District, and that on July 18, 1962, at 7:30 o'clock P. M. all complaints and objections that might be made in writing concerning the proposed improvements by the owner or owners of any real estate to be assessed, or any person or persons interested generally, would be heard and determined by the City Council of said City of Grand Junction, before final action of said Council thereon, and that after the determination of all complaints and objections was made, said City Council would take up and consider a Resolution creating said District and ordering the proposed improvements; and

WHEREAS, the City Clerk has heretofore given Notice in form and substance of the matters and things above mentioned as ordered to be given, in all respects in accordance with law, by publication thereof in THE DAILY SENTINEL, not less than thirty days prior to said hearing and by mailing a copy of such Notice to each property owner within the District; and

WHEREAS, the City Clerk has mailed to each known owner of real property to be assessed with the cost of said improvements a Notice of Intention to create said District, as provided by the Resolution adopted by the City Council on June 6, 1962; and

WHEREAS, at the time and place specified in said Notice, the City Council met in open session for the purpose of hearing any objections or protests that might be made against said improvements; and

WHEREAS, no written objections were filed and no oral inquiries and objections were made at said meeting, except for the following:

1. A letter of opposition to the proposed alley paving in Arcadia Village Subdivision by Edward Foos, owner of Lot 22 in Block 2 of such subdivision, who stated no reasons for such opposition.

2. A remonstrance petition against the paving of North 25th Street from North Avenue to the alley North of Bunting Avenue, which petition was signed by owners of 50% of the frontage to be assessed, this being a greater percentage than those signing for such improvement.

3. A remonstrance petition against the paving of the alley between North 21st and North 22nd Street from Orchard Avenue to Walnut Avenue, which alley enters upon paved streets at both of its ends, such petition being signed by the owners of 40% of the frontage on such alley while the petition for such improvement was signed by 45% of the owners of such frontage.

4. A request by John D. Hart and Dorothy A. Hart, owners of Lots 4 to 6 inclusive in Block 3, Slocombs Addition that sidewalk repair on such lots be included within the Improvement District.

WHEREAS, the City Council hereby finds and determines that a general public benefit will accrue to the City from the proposed improvements;

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

Section 1. Said Improvement District No. 58 is hereby created and the street, alley and sidewalk improvements as specified in the Resolution and Notice of Intention are duly ordered after Notice duly given and hearing duly held, all as required by law.

Section 2. Said District shall be known as and the same is hereby designated "Improvement District No. 58," Grand Junction, Colorado.

Section 3. The construction of said improvements in and for said District, as shown by the plans, specifications and maps thereof, prepared by the City Engineer and approved by the City Council of said City, be and the same is hereby authorized and approved, with the following deletions or additions:

1. The paving of North 25th Street from North Avenue to the alley North of Bunting Avenue, shall be withdrawn from the District.

2. There shall be added to the District the sidewalk reconstruction on Lots 4 to 6 inclusive in Block 3 of Slocombs Addition.

3. The alley paving in Arcadia Village Subdivision shall remain within the District as the owners of the majority of the frontage to be assessed desire such improvement.

4. The paving of the alley between North 21st Street and North 22nd Street from Orchard Avenue to Walnut Avenue shall remain in the District for the following reasons:

a. The alley involved enters upon paved streets at either of its ends.

b. A drainage problem exists on the lands abutting such alley, which problem the City Engineer believes will be alleviated by reconstruction and paving of the alley. The material to be used in the construction of the improvements in the District to be in accordance with the aforesaid maps, plans and specifications.

Section 4. By virtue of and in pursuance of the aforesaid laws and the Charter and Ordinance No. 178, as amended

of said City, local improvement bonds of the City shall be issued for the purpose of paying for the local improvements in this Resolution described and provided to be constructed in said District, as in said laws, Charter and Ordinance provided.

Section 5. Said bonds shall be authorized by a Resolution later to be passed in accordance with the laws of the State of

Colorado, the Charter and said Ordinance No. 178, as amended, of said City.

Section 6. That the City Manager is hereby authorized to enter into a contract for the construction of said improvements under Schedule I (Sidewalks) with Theron L. Benson of Grand Junction, Colorado, and under Schedule II (Street and Alley Paving) with Corn Construction of Grand Junction, Colorado, the apparent low bidders for said construction, in accordance with the recommendation of the City Engineer, the bids submitted having been as follows:

<u>Bidder:</u>	<u>Bids Schedule I:</u>	<u>Bids Schedule II:</u>
T. L. Benson	\$7,683.00	
Charles Pender	\$9,130.00	
Raymond Huerta	\$11,700.00	
Elam Construction Co.		\$32,845.35
Corn Construction Co.		\$31,644.83
Engineer's Estimate	\$9,745.00	\$31,910.95

Section 7. That the City Manager be authorized to advertise for bids for bonds of Improvement District No. 58, said bids to be opened on the fifteenth day of August, 1962.

PASSED AND APPROVED This 18th day of July, 1962.

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Charles E. McCormick  
President of the City Council

ATTEST:

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City Clerk

It was thereupon moved by Councilman Colescott and seconded by Councilman Hadden that the foregoing Resolution, read in full at this meeting as aforesaid, be passed and adopted as presented and read.

The question being upon the adoption of said motion, the roll was called with the following result:

Those voting AYE:

President of the Council: Charles E. McCormick

Councilmen: Arthur Hadden  
Harry O. Colecott  
Charles H. Love  
Ray A. Meacham  
Herbert N. Wright

Those voting NAY: None

All members of the City Council present having voted in favor of said motion, the presiding officer thereupon declared said motion carried, and directed that said Resolution be recorded as ordered.

#### I.D. #58

Protest against paving of alley - by J. W. Robbins

Mr. J. W. Robins, 1950 No. 21st Street, was present and asked about the protest for paving the alley between 21st and 22nd Streets from Orchard to Walnut Avenues. He was advised to get in touch with Jerome Fossenier, City Engineer, and work out the problems of the drainage in the alley in question.

#### D&RG R.R.

Protest closing of Hump Yard-to consider Findings of President's R.R. Comm. later

Mr. Bob Rose and Mr. John Schoening appeared before the Council with requests concerning employment on the D.&R.G.W. Railroad. The hump yard in east Grand Junction was closed about a week ago. Mr. Rose requested that the City Council write a letter to Mr. Aydelott, President of the Railroad, and ask if they would not reconsider the matter of keeping the hump yard open. A large number of employees are out of work because of the closing of yard.

Mr. Schoening presented facts and figures concerning the President's Railroad Commission report concerning the number of employees who operate the diesel units on all railroads. He asked the Council to go into this matter and if it considers it at all advisable to enter a protest against the decision of the Commission.

The general opinion of the Council was that possibly a letter requesting the Railroad to reconsider the matter of closing the hump yard would be advisable; however, they felt that they would like to take more time to consider the evaluation of the Railroad Commission's findings and that they would bring this matter up at their informal meeting to be held on July 25th.

#### SIDEWALKS

Investigate removal of-Mrs. DeRose, 505 W. Main

Councilman Colecott stated that it had been reported to him that the City had required Mrs. DeRose, 505 W. Main St., to have a new sidewalk constructed. This was done at considerable cost and now the City had torn up all of the new sidewalk to put in the sewer line in Operation Foresight. Mrs. DeRose was wondering about the City paying for the replacement of the sidewalk and reimbursing her for the amount of money she had spent to put in the new sidewalk. This matter was referred to City Engineer Fossenier.

#### PARKING METER

3rd & Colo. - referred to C.E. & Chief of Police

Mr. Bond asked if the corner meter at 3rd and Colorado Ave. could be taken out so that a loading zone for a laundromat could be established at this location. This matter was referred to City Engineer Fossenier and Chief of Police Karl Johnson.

A.M.A. CONVENTION

Pres. McCormick to attend

President McCormick state that he had been urged to attend the American Municipal Association convention August 25 to 29th in Philadelphia. Mr. McCormick is a member of the Executive Board of the Colo. Municipal League and all of these officials are urged to attend the Convention. The Council felt that if Mr. McCormick wished to attend this conference, he should go with the City paying his expenses if the money is available in the budget.

C.M.L. MEETING IN G.J.

President McCormick was requested to arrange a meeting with J. Bell, Executive Director, Colo. Municipal League, when he is in this vicinity during the next week.

ADJOURNMENT

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

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Helen C. Tomlinson\City Clerk