

Grand Junction, Colorado

May 15, 1963

**ROLL CALL**

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. May 15, 1963 in the Civic Auditorium of the City Hall. Councilmen present and answering roll call were Ray A. Meacham, Arthur Hadden, Chas. H. Love, Harry O. Colescott, Warren D. Lowe, Herbert M. Wright and President Chas. E. McCormick. Also present were City Attorney Ashby and City Clerk Tomlinson. City Manager Lacy was absent.

**INVOCATION**

The invocation was given by Rev. A. J. Finkenbinder, Pastor, Pentecostal Holiness Church.

**MINUTES**

It was moved by Councilman Meacham and seconded by Councilman Lowe that the minutes of the regular meeting of the City Council of the City of Grand Junction held May 1, 1963 be approved as written. Motion carried. (7 AYES)

**MODEL TRAFFIC CODE** - Waive Reading of complete code - Sign affidavit

It was moved by Councilman Meacham and seconded by Councilman Wright that the City Council waive the rules regarding the reading of ordinances and in lieu of same that each Councilman sign an affidavit affirming that he has read the complete Model Traffic Code for Colorado Municipalities 1962. Motion carried. (7 AYES)

STATE OF COLORADO    )  
  )  
COUNTY OF MESA        )                   AFFIDAVIT

We, the undersigned members of the City Council of the City of Grand Junction, Colorado, do hereby affirm that we have read in full the Model Traffic Code for Colorado Municipalities 1962, as the same has been amended for adoption by the City of Grand Junction.

Dated this 15th day of May, 1963.

/s/Herbert M. Wright  
/s/Warren D. Lowe  
/s/Harry O. Colescott

/s/Charles E. McCormick  
/s/Charles H. Love  
/s/Arthur S. Hadden  
/s/Ray A. Meacham

Subscribed and sworn to before me this 15<sup>th</sup> day of May, 1963.

My commission expires: Dec. 10, 1966

/s/Helen C. Tomlinson  
Notary Public

**HEARING** - 3.2 Violation - Dick & Betty's Groc. - Rebuked

This was the date set for hearing on the violation on the part of Mrs. Betty Jo Vincent, owner of Dick and Betty's Grocery at 2851 North Avenue, for selling 3.2 beer to a minor. On Feb. 13, 1963, Mrs. Lucy Derryberry, a clerk at Dick and Betty's Grocery, and Mrs. Vincent were charged in Justice of the Peace Court and found guilty of the violation of selling 3.2 beer to a 17 year old boy. Each was fined \$25 plus costs. Mrs. Vincent and Mrs. Derryberry were present and Mrs. Vincent told the Council that Mrs. Derryberry had asked the boy for identification. He had given her an I.D. card showing that he was over 18. The card had evidently been forged, or changed in some manner so that his correct age was not shown. Both Mrs. Vincent and Mrs. Derryberry told the Council that they had tightened up their proceedings for anyone who buys beer, and that in the seven years that Mrs. Vincent had operated the store, this was only the second violation they had had. Mrs. Vincent stated that she tried to be very strict in allowing younger people to purchase beer.

It was moved by Councilman Meacham and seconded by Councilman Love that Mrs. Vincent be rebuked by the Council and warned to use every effort to operate her beer sales in a legal manner. Motion carried. (7)

**CLMN WRIGHT** - left the meeting at this time.

**CIVIL DEFENSE** - Req Ord to give Shelter Mgrs authority

A letter from Civil Defense Director Clifford Nelson was read in which he asked that an ordinance be drawn to give shelter managers authority for looking after the various shelters and contents. It was suggested that this be discussed at the informal meeting to be held on May 22nd.

**RENEW 3.2 BEER** - Laurence Flanagan dba Westside Grocery, 505 W. Colo. Ave.

An application for renewal of 3.2 beer license for Laurence Flanagan dba Westside Grocery, 505 W. Colorado Ave., was presented. A report by Chief of Police Karl Johnson stated that he knew of no reason why this license should not be renewed. It

was moved by Councilman Hadden and seconded by Councilman Lowe that the application be approved and license granted when the State license has been received. Motion carried. (6 AYES)

**PROP. ORD. -** Adopting by Reference Model Traffic Code for Colo. Municipalities 1962

The following entitled proposed ordinance was presented and read: AN ORDINANCE ADOPTING BY REFERENCE THOSE PARTS OF THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES 1962, PROMULGATED BY THE COLORADO HIGHWAY SAFETY COUNCIL, A DIVISION OF THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT, NOT SHOWN AS AMENDED, ALTERED OR ADDED TO; ADOPTING SUCH AMENDMENTS, ALTERATIONS OR ADDITIONS RELATING TO THE CONTROL OF TRAFFIC WITHIN THE CITY OF GRAND JUNCTION, COLORADO; AND PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE OR ORDINANCE. It was moved by Councilman Love and seconded by Councilman Lowe that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

**ORD. 1173 PASSED -** Zoning Changes-Fences-Quorum on Bd of Adjustment, Adding Roads to Categories

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS 3. b. (9) B-3 B., 3. b. (10) C-1 B., SECTION 6. a., SECTION 9. e., SECTION 11 UNDER CATEGORIES STREETS, COLLECTOR AND STREETS, SECONDARY, ALL SECTIONS BEING A PART OF CHAPTER 83, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, THE ZONING ORDINANCE OF SAID CITY: TO PROVIDE RESPECTIVELY THE ADDITION OF USES TO THE RETAIL BUSINESS CATEGORIES AND TO THE LIGHT COMMERCE CATEGORIES, TO AMEND THE SECTION CONCERNING FENCES, TO PROVIDE FOR THE CHANGE IN THE DESIGNATION OF A QUORUM ON THE BOARD OF ADJUSTMENT AND APPEALS AND TO ADD CERTAIN ROADS OR STREETS TO SUCH CLASSIFICATIONS WITHIN THE ORDINANCE. It was moved by Councilman Meacham and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

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

The ordinance was then read, and it was moved by Councilman Colescott and seconded by Councilman Lowe that the ordinance be passed and adopted, numbered 1173 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 AYES)

**ORD. 1174 PASSED -** Payments to irrigation ditch users upon closing of ditch

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 3. b. OF CHAPTER 78 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, TO ALTER THE PROVISIONS IN REGARD TO PAYMENTS TO IRRIGATION DITCH USERS UPON THE CLOSING OF SUCH DITCH WITHIN THE CITY. It was moved by Councilman Hadden and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman Lowe and seconded by Councilman Hadden that the proposed ordinance be called up for final passage. Motion carried. (6 AYES)

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 1174 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 AYES)

**FORESIGHT FESTIVAL** - Grant permission to block off 2 blks of Main St. for Carnival

A request for permission to block two blocks of Main Street (400 and 500 blocks) from 10:00 a.m. to 4:30 p.m. on both May 17 and 18, and to block 2nd Street from Ute and Pitkin Avenues from May 16 to May 19, incl., for a Carnival was presented. Permission of all abutting properties on 2nd Street had been secured. It was moved by Councilman Love and seconded by Councilman Colescott that the request be granted. Motion carried. (6 AYES)

**SAN. SEWER #21** - Final Estimate \$10,221.64 - Resol. - Notice to Owners

The following Statement of the Engineer and Final Estimate on San. Sewer Dist. #21 was presented and read:

Engineering Department  
City of Grand Junction, Colorado  
May 13, 1963

**FINAL ESTIMATE ON SANITARY SEWER DISTRICT NO. 21**  
**GRAND JUNCTION, COLORADO**

Contract (Grand Mesa Constructors, Inc.)	\$ 8,784.50
Engineering	921.23
Bonds	286.55
Printing, Advertising, and Miscellaneous	<u>229.36</u>

Total Cost of Construction	\$10,221.64
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### STATEMENT OF THE ENGINEER

Statement showing the whole cost of Sanitary Sewer District No. 21 of Grand Junction, including six per centum additional for cost of collection and incidentals, and including interest at the rate of three and one half per centum to August 1, 1968, and apportioning the same to Lot or Tract to be assessed for same.

The sum of \$10,983.37 is to be apportioned against the real estate in the District and against the owners thereof respectively as by law in the proportions and amounts, as follows, to-wit:

Total Cost of Construction	\$10,221.64
Interest @ 3.5% for 4 months on \$11,500	139.76
6% for Cost of Collection & incidentals	<u>621.70</u>
Total	\$10,983.37

(Signed) Davis C. Hickman  
City Engineer

The following Resolution was presented and read:

### RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Sewer District No. 21; and,

WHEREAS, the City Council has caused to be prepared a statement showing the whole cost of the Sewer District No. 21, including therein six per cent (6%) additional for cost of collection and other incidentals and including interest to and including the 29th day of February, 1964, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same;

THEREFORE, BE IT RESOLVED, That the sewer district be, and the same is hereby, accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the whole cost of the entire Sewer District No. 21, including 6 per cent additional for cost of collection and other incidentals and including interest to and including the 29th day of February, 1964; and,

BE IT FURTHER RESOLVED, That the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, and that the same be certified by the President of the Council and filed in the office of the City Clerk; and,

BE IT FURTHER RESOLVED, That the City Clerk shall immediately advertise for three (3) days in the Daily Sentinel, a newspaper of general circulation published in said City, notice to owners of the real estate to be assessed, and to all persons interested generally without naming such owner or owners; that said sewer district has been completed and accepted, specifying the whole cost of the sewer district and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty (30) days from the first publication of said notice; that the same may be heard and determined by the Council at their first regular meeting after said thirty days and before the passage of the ordinance assessing the cost of the sewer district, all being in pursuance of the terms and provision of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

### NOTICE

NOTICE IS HEREBY GIVEN to the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Sewer District No. 21, and to all persons interested therein as follows:

That the sewer district, which is authorized by and is in accordance with the terms and provisions of a resolution passed and adopted on the 19th day of December, 1962, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a sewer district to be known as Sewer District No. 21; with the terms and provisions of a resolution passed and adopted on the 19th day of December, 1962, adopting details and specifications for said District; and with the terms and provisions of a resolution passed and adopted on the 2nd day of February, 1963, creating and establishing said sewer district, all being in accordance with the terms and provisions of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, has been accepted by the City Council of the City of Grand Junction.

That the whole cost of the sewer district has been definitely ascertained and is in the sum of Ten Thousand Nine Hundred Eighty-three Dollars and thirty-seven cents (\$10,983.37) said amount including six per centum (6%) additional for cost of collection and incidentals and also including interest to and including February 29, 1964 at the rate of three and one half per centum (3.5%) on bonds issued from time to time in payment of the cost of said sewer district; that the part apportioned to and upon each lot and tract of land within said sewer district and assessable for said sewer district is hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinances, assessing the real estate in said sewer district for the cost of said sewer

district, and that the owner so paying should be entitled to an allowance of six per centum (6%) for all payments made during said period, and of interest from date of payment to the date the first installment becomes due.

That any complaints or objections that may be made in writing by the said owner or owners of land within said sewer district and assessable for said sewer district, or any person interested, made to the City Council and filed in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said sewer district against the real estate in said sewer district, and against said owners respectively as by law provided.

That the said sum of Ten Thousand Nine Hundred Eighty Three and thirty seven cents (\$10,983.37) for Sewer District No. 21 is to be apportioned against real estate in said sewer district and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to-wit:

<u>Legal Description</u>	<u>Total Cost</u>
Lot 3 Exc. the W. 10 ft. KSL Sub.	\$254.96
Lot 4 Exc. the W. 10 ft. “	254.96
Lot 5 Exc. the W. 10 ft. “	254.96
Lot 6 Exc. the W. 10 ft. “	254.96
Lot 7 Exc. the W. 10 ft. “	254.96
Lot 8 Exc. the W. 10 ft. “	254.96
Lot 9 Exc. the W. 10 ft. “	254.96
Lot 10 Exc. the W. 10 ft. “	254.96
Lot 11 Exc. the W. 10 ft. “	254.96
Lot 12 Exc. the W. 10 ft. “	288.13
Lot 13 Exc. the W. 10 ft. “	330.51
Lot 14 “	286.75
Beg. at the E 1/4 cor. Sec. 12 T1S R1W U.M. th. W 330 ft., th. N 1020 ft., th. SELY to a point 980 ft. N and 180 ft. W. of sd. East 1/4 Cor. th. S. 800 ft. th. East 180 ft. th. South 180 ft. to P.O.B. exc that portion dec. for Street R.O.W.	6,501.93

1,281.41

I, C. E. McCormick, President of the Council and Ex-Officio Mayor of the City of Grand Junction, Colorado, do hereby certify that the above and foregoing is the statement showing the whole cost of the Sewer District No. 21, and includes interest to and including the 29th day of February, 1964, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same, all in accordance with the terms and provisions of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

City Clerk

City Clerk

Councilmen voting AYE:

Councilmen voting NAY: None



The President declared the motion carried and the Resolution duly passed and adopted.

**FORESIGHT FESTIVAL** - Grant permission to Mesa Fed. Sav & Loan Assn for Log Cabin on Parking Lot 6th & Rood

Mesa Federal Savings and Loan Association presented a request for permission to build a small log cabin replica of their original office on the parking lot at 6th and Rood for the duration of the Festival. This would be approximately 8' by 8' of log siding without a floor and would not be occupied. It was moved by Councilman Lowe and seconded by Councilman Colescott that the request be granted. Motion carried. (6 AYES)

### **STUDENTS AT MEETING**

Councilman Meacham acknowledged with pleasure the attendance of 21 students from Central High School.

### **ADJOURNMENT**

It was moved by Councilman Lowe and seconded by Councilman Meacham that the meeting adjourn. Motion carried. (6 AYES)

/s/Helen C. Tomlinson  
City Clerk