

Grand Junction, Colorado

August 21, 1963

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. August 21, 1963, in the Civic Auditorium of the City Hall. Councilmen present and answering roll call were Ray A. Meacham, Arthur Hadden, Harry Colescott, Warren D. Lowe, Herbert M. Wright and President Chas. E. McCormick. Councilman Chas. H. Love was absent. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

The invocation was given by Rev. Emil F. Wendt, Pastor, American Lutheran Church.

MINUTES

It was moved by Councilman Lowe and seconded by Councilman Colescott that the minutes of the regular meeting of the City Council of the City of Grand Junction held on the 7th day of August be approved as written. Motion carried. (6 AYES)

3.2 BEER - Shaky's Pizza Parlor, 827 North Ave. Ronald L. Boillot & Ted Kubena - Apprvd subject to approval of premises by Mesa Co. Bd. of Health

This date had been advertised for hearing on the application for a 3.2 beer license by Ronald L. Boillot and Ted Kubena dba "Shaky's Pizza Parlor" at 827 North Avenue. A letter was read from Chief of Police Karl Johnson which stated that his investigation of the two applicants' qualifications had revealed no reason why they should not be granted a license. There were no protests filed against this application, and there were no protests from the audience. City Attorney Ashby stated that the Council might have to change its policy on requiring a letter from the Mesa County Health Department before an application can be approved and license granted as many times it is impossible for the Health Dept. to approve the location at the time of the hearing. In this particular case, remodeling has not been completed and there is more equipment to come in before the Mesa County Health Department can make its recommendation and license should not be granted until this approval has been received. Pres. McCormick closed the hearing.

It was moved by Councilman Lowe and seconded by Councilman Wright that the application of Ronald L. Boillot and Ted Kubena dba

"Shaky's Pizza Parlor" at 827 North Avenue be approved when approval of the premises has been made by the Mesa County Health Department and license granted when state license has been received. Motion carried. (6 AYES)

HEARING-LIQUOR VIOLATION - Lucky Liquors, Mark & Gladys Hamilton, 450 North Ave. - Selling to Minor - Reprimanded

This date had been set for hearing to consider whether the retail liquor store license of Mark and Gladys Hamilton, dba Lucky Liquors, 450 North Ave., should be suspended or revoked. A memorandum from Chief of Police Johnson stated that on July 6th, Fred Calkins, an employee at the Lucky Liquor Store, 450 North Ave., allegedly sold a quart of rum to Joyce Irene Stone, age 17. A complaint was filed against the Hamiltons, licensees, and Fred Calkins, employee, charging them with selling liquor to a minor. They were found guilty by Judge Bakker in Justice of Peace Court and fined \$10 and costs each.

Mr. Pond, Field Officer for the State Liquor Licensing Dept., stated that there has never been any trouble with the operation of Lucky Liquors prior to this incident. He felt that it was an honest mistake and he felt justified in asking leniency of the Court because Mr. and Mrs. Hamilton had been operating an establishment which was a credit to the industry.

City Attorney Ashby asked Mr. Pond if it was the desire of the State that the local licensing authority not bring in owners on violations and if the State was intending to handle them. Mr. Pond stated that the State does not want to infringe on the powers of the local licensing authorities.

Mr. Calkins stated that the error was entirely his. He had been told by both Mr. and Mrs. Hamilton to watch this operation very closely. He stated the girl looked older. She had had trouble with her father and had gone out and purchased the rum. Mr. Calkins stated he was no longer in the employ of the Hamilton's. He said he felt he would not like to be responsible for having to determine ages.

Councilman Hadden asked if there was a trend for younger people to try to do this sort of thing. Mr. Pond said it was becoming a serious problem. Young people alter I.D. cards, driver's licenses and other identifications in order to purchase liquor. President McCormick closed the hearing.

Councilman Meacham made the motion that in view of the fact that Mr. and Mrs. Hamilton have done such a fine job in operating Lucky Liquors, but in view of the Council's policy, that they be

reprimanded and no further action taken. Motion was seconded by Councilman Lowe and carried. (6 AYES)

HEARING-LIQUOR APPL - Flamingo Lounge, 201 Colo. Ave. Hazel S. Jensen 9-18-63

It was reported that Sept. 18, 1963 has been set for hearing on the transfer of Hotel & Restaurant liquor license for the Flamingo Lounge, 201 Colo. Ave., from Richard W. Baker and Vera Ann Baker, present licensees, to Hazel S. Jensen.

LIBRARY - Request use of old Mesa Co. jail for storage - To share with Western Slope Museum Assn

A letter was read from Dr. Hottes, Chairman of the Grand Junction Public Library Board, in which he stated that in June, 1963, Councilman Love as a member of the Library Board and Robert Hamilton, Head Librarian of the G.J. Public Library, met with the County Commissioners to request the use of the old Mesa County jail building when it is vacated on a temporary basis for library storage. The Western Slope Museum Association also requested that they be given permission to use the jail building for storage purposes. The following recommendations were made to the Council for the use of the old jail building:

1. That the City Council write the Mesa County Commissioners asking that they turn the jail over to the G.J. Public Library for storage materials;
2. The Library Board sees no reason why the Western Slope Museum Assn. could not use part of the jail building for storage;
3. The Museum Group and the Library Board have met and agreed on allocation of space should the building be made available to them;
4. A lease type arrangement should be drawn up between the County and the Library.

It was moved by Councilman Wright and seconded by Councilman Colescott that the City Manager make official request to the Mesa County Commissioners for the use of the old Mesa County jail building. Motion carried. (6 AYES)

LICENSE BONDS APPRVD

It was moved by Councilman Lowe and seconded by Councilman Meacham that the following license bonds, being on the approved forms, be approved and filed:

Gas Installer	Robt. L. Fricke dba Fireball Htg Co	Natl Surety	LR 6094659
Spec Cont	Deane Emerson	Mid Century Ins	4277 48 43
Second Hand Dlr	Smitty's Auto Wrecking Co	Natl Surety Corp	LR 6094657

ORD. 1179 PASSED - Vacating portion 26th St. north of North Ave.

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF 26TH STREET NORTH OF NORTH AVENUE IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Colescott and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman Meacham and seconded by Councilman Hadden that the 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 it be passed, adopted, numbered 1179 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)

LIQUOR LICENSE PROCEDURES - Definition of meals

City Attorney Ashby stated that he was drawing up a set of procedures to be used by the City Clerk's office when considering applications for liquor licenses. He stated that anyone who now holds a liquor license would be under the old law even for ten years or more if the application would be to move their business or to sell. If a new license is applied for (after July 1, 1963), the person applying would have to deposit a maximum of \$300 for expenses involved in investigating the "needs and desires of the neighborhood;" and other matters would be determined in accordance with the new regulations.

City Manager Lacy then explained the proposed definition of meals to be used in administering the new regulations which are as follows:

``All hotel and restaurant and beer and wine liquor licensed outlets are required to maintain on the premises adequate personnel, foodstuffs, and other necessary facilities, equipment and supplies for the preparation and serving of meals. Items such as pretzels, crackers, nuts, and other appetizers, or canned

soups, packaged sandwiches or similar items, which are normally only components of meals, are insufficient to satisfy the requirements of the law.

``Such establishments, when open for business, must be prepared to serve meals of a type that are ordinarily and customarily eaten by persons during the hours when such meals are ordinarily consumed. Example: Bacon and eggs, ham and eggs, during the usual breakfast hours; that is from 7:00 A.M. to 9:00 A.M. During the usual lunch hour period, such establishments should be prepared to serve food of such nature and quantity as is ordinarily consumed by persons during that time. For instance, 11:30 A.M. to 1:30 P.M. During the usual dinner hours from 5:00 P.M. to 9:00 P.M., such establishments should be prepared to serve a meal of such nature and quantity as is ordinarily consumed by persons during those hours.

"During the remaining hours of operation, such establishments shall not be required to serve meals that are ordinarily consumed during regular breakfast, luncheon, and dinner hours, but shall be prepared to serve food such as sandwiches, pizza, etc., at all hours. In order to be in compliance with the law, it is not necessary that these establishments serve any particular food as a meal. For instance, it shall not be required that all liquor licensed establishments stock steaks, chops, poultry, fish, etc. to be in compliance with the law."

City Manager Lacy stated that the Secretary of State would be in Grand Junction on Saturday, August 24th, to confer with all of the licensees. He stated that Grand Junction has four outlets which do not conform to the new regulations in that they do not have facilities for serving meals. These are the only outlets in this division of the State that are not conforming.

It was moved by Councilman Meacham and seconded by Councilman Colescott that the City Manager be instructed to get the letters out to Hotel & Restaurant and Wine & Beer licensees advising what the position of the Council is and the facets of the new law which will be enforced, and also that they be advised it will be necessary to furnish a letter from the Health Department approving their premises at the time their licenses come up for renewal. Motion carried. (6 AYES)

AGREEMENT - With Mesa Co. for operation new County jail - Instr No. 4136

City Manager Lacy read an agreement between the City of Grand Junction and the Mesa County Commissioners concerning the operation of the new Mesa County jail building. Chief of Police Karl Johnson and Sheriff Ray Reese have been working on this

agreement for some time - even prior to the time that plans were made for construction of the new County jail.

It was moved by Councilman Lowe and seconded by Councilman Colescott that this agreement be approved and the President of the Council be authorized to sign same. Motion carried. (6 AYES)

1964 BUDGET - Public Hearing to be 9-4-63

City Manager Lacy stated that the City Council should set September 4th as a date for an informal public hearing for the 1964 budget. At this time any citizen can appear and give his opinion or desire in connection with the 1964 budget. He also stated that the assessed valuation for Grand Junction for 1964 budget purposes would be approximately the same as it was for levy purposes in 1963 so that there would not be much change in the revenue unless there would be a raise in the levy.

ADJOURNMENT

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

/s/Helen C. Tomlinson
City Clerk

(The City Council then reconvened as Board of Directors of GJ Gen ID #1 for Storm Sewers to approve 1964 budget and passed Resol adopting budget for 1964) (See front of Book #28 for minutes of this meeting - August 21, 1963)