

Grand Junction, Colo.

September 4, 1963

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. September 4, 1963 in the Civic Auditorium. Councilmen present and answering roll call were Ray A. Meacham, Arthur Hadden, Chas. Love, Harry O. Colescott, Warren D. Lowe, Herbert M. Wright and Pres. Chas. E. McCormick. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

The invocation was given by Rev. Glenn S. Sharman, Pastor, Seventh Day Adventist Church.

MINUTES

It was moved by Councilman Lowe and seconded by Councilman Love that the minutes of the regular meeting held August 21, 1963 be approved as written. Motion carried. (7 AYES)

ZONING HEARING - Wellington at 7th Annex. to B-1

This date had been advertised for hearing on zoning of the newly annexed area on the east side of North 7th Street across from St. Mary's Hospital and north of Wellington Ave. The Planning Commission by a vote of 5 to 2 had recommended that the zoning of this area be B-1.

City Manager Lacy showed a map of the area on which he had designated the properties desiring B-1 zoning and those who were opposed to it. Fred (Ted) Griffin and Jas. Robb were the property owners opposing the change and Jas. Stockton, Al Cox and Mr. Napp were property owners in favor of the change in zoning. Also all of the property between the north side of the annexed area and Patterson Road were in favor of the change in zoning. A petition signed by property owners north of Patterson Road was presented. They were all opposed to the change in zoning. City Manager Lacy explained that according to the zoning ordinance when 20% of the property owners of an area protest the change of zoning, the Council must have a vote of 6 to 1 in favor of the change.

Mr. Fred (Ted) Griffin was present and spoke against the change of zoning in this area. He stated that most of the people had purchased their property and built their homes with the idea that this was a residential district. At the time of building, it was

agreed that single family homes would be constructed with a minimum of 1,200 square feet. It was also close to schools and had all utilities but sewers. He said they felt that with all of the surrounding area, both City and County, zoned as residential, if this three acre tract was zoned B-1 it would definitely be spot zoning. The zoning can be changed at any time that circumstances would require it.

Mr. Jas. M. Robb was present and stated that he purchased the property at 2536 No. 7th St. in April of 1963, and at that time all of the property in the area around it was zoned residential and the only difference in the property at this time is that a small portion has been annexed to the City and the residential character of the neighborhood is the same as when he purchased his property in April. A number of the properties in favor of changing the zoning are owned by people residing outside of the area and who possibly are holding their properties for speculative purposes. He brought up the question what effect zoning has on property values and he felt there has been no demonstrated need for a change in zoning in this area. The area to the west and south has been zoned for business and there has been no sale of the property for business purposes. The basic question is to determine what the character of the neighborhood actually is. He called attention to the fact that the zoning ordinance provides procedures for changing zoning when the character of a neighborhood has changed and the need has been demonstrated.

Mr. Al Cox was present and stated that he had lived in this area for approximately eleven years up until about four months ago, and that he still owns the only piece of vacant property in this tract. He was acting as spokesman for the people who are seeking to have the zoning changed in an effort to maintain the property values in the area. He stated that during the eleven years he had lived in the area, businesses had been constructed along the west side of 7th Street from Walnut Ave. through St. Mary's to Patterson Road and on the east side from Tope School to the Catholic Church and that a parochial school is soon to be built on the property owned by the Catholic Church. For this reason, he felt this area could not be considered a prime residential area. The houses are from thirteen to twenty-four years old and there are three rentals. There are only five properties which would be affected by the change of zoning. He asked that the Council follow the Planning Commission's recommendation and change the zoning to B-1.

President McCormick closed the hearing.

Councilman Hadden stated that after attending the Planning Commission meeting, he had looked over and studied the

application for the zoning change to B-1 and he could see no immediate need for business in the area. He thought it was spot zoning in reverse because the area would be zoned B-1 to take care of future needs. The Planning Commission felt that sometime it may go commercial, but at the present time, he felt it should stay residential and that is why, in the Planning Commission, he voted against the change.

Councilman Meacham stated that he and Mr. Hadden were the two Council members of the Planning Commission and that he had also opposed the change in zoning. He stated there were two sides to the question but that he doubted at the present time there was a need for this area to be changed to B-1.

Proposed Ord. not passed for publication - Change to B-1 zoning denied

City Attorney Ashby then read a proposed ordinance entitled "AN ORDINANCE CHANGING THE ZONING MAP A PART OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY CHANGING THE ZONING OF CERTAIN PROPERTY WITHIN SAID CITY," WHICH WOULD CHANGE THE zoning of this area to B-1. It was moved by Councilman Lowe and seconded by Councilman Wright that the proposed ordinance be passed for publication. Roll was called on the motion with the following result: Councilmen voting AYE: Chas. Love, Herbert M. Wright and Pres. McCormick; Councilmen voting NAY: Ray Meacham, Arthur Hadden, Harry Colescott and Warren Lowe. A majority of Councilmen voting NAY, the motion was declared lost and the change in zoning in effect denied.

HEARING - Transfer of Retail Liquor Store License - 8 Ball Liquors fr 240 S 5th to Teller Arms. (Teller Arms Liquor Store)

This was the date set for hearing on the application of Rufus M. Jones and Florence M. Jones dba 8 Ball Liquors to move their place of business from 240 So. 5th Street to Teller Arms Shopping Center. Plans for the new building were presented. No protests either for or against this application were filed. It was moved by Councilman Meacham and seconded by Councilman Lowe that the transfer be approved and license granted when the State license has been received. Motion carried. (7 AYES)

HEARING - 1964 Budget

This date had been set for an informal budget hearing. City Manager Lacy stated that, at the present time, Department Heads are preparing their budget requests, but this hearing had been scheduled to give citizens an opportunity to appear before the Council and make requests either to have services discontinued or increased. There was no one present who made any suggestions as

to the 1964 Budget. It was pointed out by Councilmen Wright and Lowe that there will be later meetings when citizens will have a chance to see the preliminary budget and have an opportunity to make their desires known.

BED TAX - Proposed by Motel Owners' Assn - Discussed (Tape recording available)

A petition was presented by Mr. Elmer Nelson, owner of the Bar X Motel, requesting that the City Council pass an ordinance levying a 1% tax on all non-permanent guests in the hotels and motels within the City. The program would be for a three-year period and would be reviewed at the end of that time. The money would be collected by the City and under the control of a Committee composed of 2 members of the City Council, 2 members of the Tourist-Convention-Publicity Committee of the Grand Junction Chamber of Commerce and 1 member of the Motel-Hotel Industry. A budget would be prepared denoting the ways and means for funds to be expended. The money, approximately \$15,000, would be for promoting tourist business. The petition contained the signatures of 16 motels and represented 548 units.

During the past two years, the Chamber of Commerce Tourist-Convention-Publicity Committee has been trying to raise funds for advertising the Grand Junction area. In 1963 the County, City of Grand Junction, and the Chamber of Commerce donated money for travel shows and other advertising. Everyone is vying for the tourist dollar and it is very important that funds are available for this promotion. The City of Grand Junction has received much favorable advertising due to the travel shows, publicity on "Operation Foresight," "All American City" etc. Mr. Roy Peterson and other citizens have given of their time to put on the travel shows.

James Golden, Attorney, spoke against the bed tax stating he believed that this tax was not in the interests of good government. Funds controlled by groups could cause pressure. People should solve problems in their own groups.

Mr. C. O. Dietrick, owner of the Commercial Inn at 233 North Ave., stated that he was opposed to the bed tax. He was of the opinion that all motel owners wanted to promote the area. The petition had been brought to the Council without the non-association members' approval. This has caused a conflict between the association members and non-association members. This should be settled before coming to the Council. He believed that the percentage of tax was not relevant, but one segment of the industry benefiting from tourist business is not large enough to do the job to keep Grand Junction more than a "by-pass" town.

There could be a better way to raise the money which would be more successful.

He also stated that he had always been opposed to higher taxes but would approve of anything the Council proposed that would do the job right whether it might be an additional mill levy or a 1% sales tax. It seemed a sales tax might be the better way.

Mrs. Johns, Parkview Motel, stated she was very opposed to this tax. She believed in promotion but not by one segment of the industry alone. She said she would go along with any type of promotion, but not of this type.

Mrs. Kay Gazerian, owner of Victoria Motel (a 6 unit motel) felt strongly that promotion was important, but found the bed tax revolting and was not the right way to raise money for the purpose intended. There are better ways and she suggested that more thought be given to the matter. She felt all industries benefited and should participate, or the County should provide a method of financing the promotion.

Councilman Wright asked if it was preferable to have a 1/2 or 1 mill levy or 1% sales tax. If there is advertising, it will cost and it has to be done within a reasonable time.

Councilman Meacham stated he was surprised at the opposition. He understood that the necessity of promoting the area of Grand Junction was one of prime interest. Some motel operators belong and contribute to the Chamber of Commerce.

Roy Peterson stated that all motel operators agree that promotion is necessary and there is a job to do, and it is going to take more money than the 1% bed tax will make, but a start has to be made some place. There has been a ten-year wait for an answer to the problem. The City-County, Motels and Chamber raised money to start. It would cost \$20 per room for motels if the money needed is raised by some other method than the bed tax. He urged getting the program started now. Grand Junction only pays 2 1/2% of the total amount spent in the State for tourist promotion.

Mrs. Johns asked whether a vote would count on number of units or ownership of a motel. Pres. McCormick stated that usually one owner counted as a vote regardless of amount of property owned.

Pres. McCormick stated he had heard that the motel owners had suggested giving a certain amount per room and wondered if all would participate on this basis. Mr. Detrick stated he would be willing to give \$400 toward a fund to be used for promoting Grand Junction.

Mr. Nelson stated it would be ridiculous to propose a donation sort of procedure as everyone wouldn't pay his share and it would take at least \$25 per unit to raise the amount of money needed. I.D.I. had been helping with donations and the City, County and Chamber of Commerce donated in 1963. The bed tax seemed to be the best idea that the Tourist Committee had been able to come up with.

Mrs. Ann Gordon of Motor Inn and others spoke against the tax - in principal more than as to actual amount of money. Those who opposed the bed tax favored a mill levy or sales tax.

City Manager Lacy explained that a 1% sales tax would raise approximately \$600,000 per year. This would allow a property tax cut of at least one-third and would provide for a capital improvement budget. He also explained that a County sales tax is not legal at this time in the State of Colorado. The Governor's Committee has been considering this matter and hopes to put it on the ballot again in 1964.

Councilman Wright stated that the broadest based tax is the sales tax and he wondered what reaction a sales tax would have on the people. A mill levy or sales tax would affect everyone in the City.

Councilman Colescott was opposed to anything that would not be county-wide, or a raise in mill levy.

Mr. Al Cox, President of the Chamber of Commerce, stated that money is needed now for carrying on the advertising program, and Mr. Nelson stated the Committee needs a "Yes" or "No" answer now.

President McCormick stated he was not in favor of a three-year ordinance.

Council to continue discussion at informal meeting 9-11-63

It was moved by Councilman Meacham and seconded by Councilman Wright that the City Council meet at 7:30 P.M. on Wednesday, September 11, 1963, at an informal session for further discussion on the problem. Anyone who wished could attend the meeting. Motion carried. (7 AYES)

APPOINTMENTS - To Planning Comm - To Library Board

President McCormick stated that he had contacted the following and with the concurrence of the Council he would like to appoint Mr. Ray Meacham, Mr. David B. Palo, 526 No. 24th St. and Mr. Richard L. Stranger, 1020 Elm Ave., for four-year terms on the Planning Commission beginning Aug. 1, 1963; and Mr. Patrick A.

Gormley, 1312 2nd Court, to the Library Board to fill the vacancy created by the resignation of Miles Kara whose term expires 12-31-65.

It was moved by Councilman Wright and seconded by Councilman Lowe that the Council ratify these appointments. Motion carried. (7 AYES)

LILAC PARK - Approve P.I.A.B. Recommendation to spend \$1,850 for piping

The P.I.A.B. at its meeting of August 29, 1963, recommended spending \$1,850 of donated funds for piping in Lilac Park. It was moved by Councilman Colescott and seconded by Councilman Lowe that the City Council approve the action and recommendation of the P.I.A.B. Motion carried. (7 AYES)

BOND APPROVED

A license bond for Maurice Studios, 975 Broadway, Denver, for a photography license, being on the approved form, was presented for approval. It was moved by Councilman Lowe and seconded by Councilman Wright that the bond be accepted and filed. Motion carried. (7 AYES)

PROP. ORD. - Vacating part of 11th Street from

The Planning Commission at its meeting of August 28th recommended the vacation of part of 11th Street from Orchard Ave. to Walnut Ave. The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF 11TH STREET BETWEEN ORCHARD AVENUE AND WALNUT AVENUE IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Lowe and seconded by Councilman Wright that the ordinance be passed for publication. Motion carried. (7 AYES)

ADJOURNMENT

It was moved by Councilman Lowe, duly seconded and carried that the meeting adjourn.

/s/Helen C. Tomlinson
City Clerk