

Grand Junction, Colorado

December 4, 1963

ROLL CALL

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

INVOCATION

The invocation was given by Rev. Lewis A. Arnold, Pastor, First Church of God.

MINUTES

It was moved by Councilman Wright and seconded by Councilman Lowe that the minutes of the regular meeting held November 20, 1963 be approved as written. Motion carried. (6 AYES)

3.2 BEER HEARING - Betty Jo & Dixon J. Vincent dba Dick's & Betty's, 2851 North Ave. for cabaret - Denied

This was the date set for hearing on the application for a 3.2 beer license for Betty Jo and Dixon J. Vincent dba Dick's & Betty's, 2851 North Avenue. This license was to sell beer by the drink and to operate a cabaret sort of entertainment. Petitions were filed in favor of granting the license and in protest to the granting of the license. Rev. Paruch, Pastor of the Galilee Baptist Church, was present and spoke against the issuance of the license. The church is next door to Dick's & Betty's. A map had been prepared showing the locations for signatures on the petitions. There were 237 signatures against the granting of the license and 100 in favor of granting it. Some of the signatures of protest were from people living outside the City limits and some from outside the immediate neighborhood. The map showed that there were about twice as many signatures protesting the granting of the license as there were in favor of it, in the immediate neighborhood. Both Mr. and Mrs. Vincent spoke to the Council, stating that they wished to enlarge the area where beer is served by the drink, and intended to operate a quiet place and did not intend to allow any boisterous activities.

Letters were read from Mr. Phillips from the Mesa County Health Dept. recommending some improvements to be made in the restaurant part of the building, and from Karl Johnson, Chief of Police. Mr.

Johnson stated that it took a great deal of policing to take care of a 3.2 beer establishment where drinks are sold as younger people frequent them.

As the needs of the neighborhood were shown by a preponderance of signatures on the petitions protesting the granting of the license, Councilman Lowe moved that the license be denied. Councilman Wright seconded the motion. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried and the license denied. (6 AYES)

APPTMT OF CLMN - To discuss at informal meeting

Councilman Colescott reported that the committee appointed to select a Councilman to fill a vacancy caused by the resignation of Art Hadden had not come up with a name that would exactly fill Mr. Hadden's place. He stated that they had several applicants and had contacted people who might be interested in serving. The Committee would like to discuss this with all Council members at the next informal meeting.

LIBRARY BOARD - Mrs. Russell Hall re-apptd for 5 yrs

Mrs. Russell Hall's term on the Library Board expires on Dec. 31, 1963. President McCormick reported that he had contacted Mrs. Hall and that she had agreed to serve for another five-year term on this Board. It was moved by Councilman Lowe and seconded by Councilman Colescott that the Council concur in this appointment. Motion carried. (6 AYES)

LIQUOR APPL - Approved-La Court Hotel Co. for 1964

An application for renewal of their hotel and restaurant liquor license for 1964 was presented by the LaCourt Hotel Co., Inc. dba the LaCourt Hotel & Motel, 105 So. 2nd St. It was moved by Councilman Wright and seconded by Councilman Lowe that the application be approved and license granted when state license has been received. Motion carried. (6 AYES)

ANNEXATION - Will consider petition when presented - Mantey Hts-ElCorona Area

An evaluation sheet for annexation of Mantey Heights and El Corona Subdivision was presented. This evaluation showed that the area would not pay its expenses within a ten-year period. This is typical of annexation evaluations in the past. The area needs sewer service in order to be developed. There are about 25 homes in the area now, and Mr. Jim Gale expects to build at least 17 in the next three years with 5 more possibilities. There are few desirable building lots within the City limits at the present

time. F.H.A. financing requires that the houses be connected to some sewer system.

It was moved by Councilman Wright and seconded by Councilman Love that the Council would favorably receive a petition for the annexation of Mantey Heights and El Corona Subdivision. Motion carried. (6 AYES)

ORD. 1183 PASSED - Increasing sewer rental rates

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 1 OF CHAPTER 20 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, INCREASING THE SEWER RENTAL CHARGES ON ALL CATEGORIES OF SERVICE. It was moved by Councilman Meacham and seconded by Councilman Love that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman Wright and seconded by Councilman Meacham 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 Lowe that the ordinance be passed and adopted, numbered 1183 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (6 AYES)

3.2 BEER REGULATIONS - Proposed Resol. To send copies to Licensees

Consideration was given to a Resolution concerning the regulation of 3.2 beer which had been prepared by the City Attorney in May, 1963. It is felt that some further regulations should be provided toward the control of fermented malt beverages. The Council asked the City Clerk to send copies of this Resolution to all licensees of 3.2 beer establishments and to ask for comments of the licensees. The Resolution will then be considered at the next meeting of the Council.

DONALDSON HTS INC - Condominium Apartmts Discuss sewer service for

On October 2nd, Mr. Davis Holder came before the Council and requested that if he is allowed to build a group of condominium apartments on North 12th Street (approximately in the location of the Unity Church), that he be allowed to connect to the City sewer system. City Manager Lacy wrote a memorandum to the Council pointing out the various effects this permission would have on future developments. The current policy of the City is not to

provide sanitary sewer service to any area outside of the City limits. The only exception to this policy has been the Fruitvale Sanitation District. The City entered into a contract to treat sewage delivered to the south side plant. Since that time, a great deal of the Fruitvale area has annexed to the City even though there is a high mill levy for financing the district sewer system. Usually the main object in annexing to the City is the need for sanitary sewer facilities. However, builders of projects such as the proposed condominium apartments must have some sewer facilities provided and if the City will not change its policy, there will be a number of sanitary sewer districts formed which will also be a deterrent to annexation. Mr. Lacy suggested the following as a start for consideration for a change of policy in the case of Mr. Holder's request: (This area is not eligible for annexation.)

1. Area to be served must not be eligible for annexation under current State statutes.
2. Area must have a minimum acreage, probably 20 acres.
3. Area must be under a corporate structure in order that the City may deal with only one entity.
4. Area must have a potential assessed valuation estimated to be reached within a given period of time. Perhaps \$50,000. assessed valuation to be reached within two years of the time when the contract is signed.
5. The Corporation must build the sewer system to City specifications to reach an appropriate connecting point to the City sewer system, including over-size requirements for future users as appear necessary.
6. The Corporation is required to provide the entire capital for all of the sewer line construction, including facilities inside the City which may need to be enlarged to handle the new taps.
7. The Corporation is to pay an outside-City sewer rental fee determined by the present inside-City fee plus an amount determined by applying the current City mill levy to the assessed valuation of the Corporation area served. Such fees are to be paid on a monthly basis with a minimum fee computed at the rate of \$5.00 per month per family unit.
8. A maximum of one-half of this annual fee payable in monthly installments may be used by the City to repay the Corporation for that portion of the sewer system which the Corporation was required to build to over-size capacity.

9. The Corporation will own all of the line outside of the City limits and provide for all maintenance of same. The City will own and maintain that portion of the system inside the City limits.

10. No taps can be made onto the line outside of the City unless such additional taps meet every element of this policy.

11. The City will use the money from such an arrangement to create a revolving fund for sewer plant improvements and possibly paying for over-size portion of sewer out-fall lines constructed in areas being developed within the City.

It was the consensus of the Council that the members were not ready to vote on this matter at this meeting. It was moved by Councilman Wright and seconded by Councilman Colecott that the Council indicate its willingness to consider an arrangement whereby sewage from the condominium apartment project could be treated, providing it is acceptable both from an engineering standpoint, and that other protective factors can be brought into the contract arrangement. Motion carried. (6 AYES)

CIVIC AUDITORIUM - Policy for renting Approved

City Manager Lacy presented the following proposed policy for Civic Auditorium rentals:

1. If group using auditorium makes no admission charge of any kind and is to hold events which are during the normal City Hall working hours (8:00 to 5:00 Monday through Friday) there is no charge.

2. If a group uses it other than City Hall hours, there is a \$5.00 charge for opening and/or closing the building. This would mean that Saturday, Sunday, or evening usage would cause the \$5.00 charge even though no charge for admission is made.

3. If a group using the auditorium charges any type of admission for their program, there is a \$15.00 per day charge whether it is during office hours or any other time, day or night.

4. If the PA system is to be used, this system has a minimum charge of \$5.00 which includes usage for one 4-hour period, whether it is morning, afternoon, or evening. If the system is used for either two or three periods, such as morning and afternoon, or afternoon and evening, or from morning throughout the day and evening, the maximum charge is \$10.00 for usage of the PA system in addition to the cost of the auditorium.

5. The auditorium is not available for any religious service of any type. However, a religious organization may sponsor a non-religious program in it.

6. No musical programs, or other programs with loud sounds, will be permitted in the auditorium during normal City Hall working hours. However, musical programs may be permitted at other times.

7. No reservations more than 90 days in advance will be made except with the permission of the City Manager.

8. Scheduling must fit in with City government usages (Council and Planning). Private reservations may be canceled for City purposes.

9. Any damage done to the building or contents to be billed to the using organization or individual.

10. No food, lunches, etc. will be consumed inside the Auditorium.

It was moved by Councilman Lowe and seconded by Councilman Meacham that the proposed policy be adopted and approved. Motion carried. (6 AYES)

UNIV. OF COLO. - Bur of Research will contact Clmn re study

City Manager Lacy reported that the University of Colorado Bureau of Research is studying the Council-Manager system of government as it exists in the State of Colorado. Members of the Research group will be contacting the Councilmen and interviewing them on this subject.

ADJOURNMENT

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

/s/Helen C. Tomlinson
City Clerk