

Grand Junction, Colorado

April 15, 1964

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., April 15, 1964. Councilmen present and answering roll call were Ray A. Meacham, Robt. B. Evans, Harry O. Colescott, Herbert M. Wright and Pres. C. E. McCormick. Councilmen Chas. H. Love and Warren D. Lowe were absent. Also present were City Manager J. M. Lacy, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Rev. Harland Larsen, Pastor, Faith Baptist Church.

MINUTES

It was moved by Councilman Wright and seconded by Councilman Colescott that the minutes of the regular meeting held April 1, 1964 be approved as written. Motion carried. (5 AYES)

HEARING

Lela Lehn dba Lee & Silver's Cafe, 326 Main

3.2 Beer - Granted

This date had been scheduled for hearing on the application of Mrs. Lela Lehn dba Lee & Silver's Cafe, 326 Main Street, for a 3.2 beer license. Favorable reports from the Police and Health Departments were read. It was moved by Councilman Colescott and seconded by Councilman Wright that the application be approved and license granted when State license has been received. Motion carried. (5 AYES)

HEARING

VFW #1247 Club Liquor License Violation - Suspend license for 90 days

Chief of Police Karl Johnson gave the background on the conviction of the VFW Post #1247 violation of the Colorado liquor code. He stated that the matter came to the attention of the Police Dept. after a complaint had been filed by the management of the V.F.W. Post on a disturbance. The Police Department's investigation of the circumstances surrounding this disturbance revealed that the disturbance was an outgrowth of an argument that came up because of gambling that had taken place earlier in the evening in the use of a shuffle board machine in which the Club Manager and other patrons had participated and which \$50 per player had been posted for the outcome of the game. The investigation also revealed that at the time there were several persons who were in the club who were being served drinks at the bar who were neither members of the Club nor guests of a member. This is in violation of the Colorado liquor code. As a result of these findings, charges were brought against the Post. The officers of the Club were brought to Court and heard before Judge Bakker. They were found guilty on both counts - of serving liquor to persons who were neither members nor guests of members and on permitting gambling in a liquor establishment. They were fined \$100 each and fines were paid. Inquiry also showed that the Club had a paid membership of only 45 members.

The Colorado liquor code provides that a club license is for the use of the members only and for their guests. This matter was brought to the Council to determine whether further consideration should be given to suspension or revocation of the license.

There had been no previous convictions for violation of the liquor law; however, complaints of noise and nuisances had been filed by the neighborhood and certain standards had been set up for the operation of the Club. This violation

occurred on March 19, 1964.

Mr. Shotfeldt, new manager of the Club, was present and stated that they had cleaned up the place and had a lot of new members. At the time of the violation the manager and the bartender were not members of the Club and neither of them is employed by the Club at this time. There is a new slate of officers and a new manager at this time. The officers at the time of the violation did not know that gambling was taking place. It was moved by Councilman Meacham and seconded by Councilman Wright that the liquor club license of V.F.W Post #1247 be suspended for 90 days and then come before the Council and inform them what shape the Club is in at that time. Motion carried. (5 AYES)

HEARING

Appl Wm. Gaylor for Foresight Liquors, 201 Main St.

Granted

Hearing had been scheduled on the application of William Gaylor for a liquor store license for Foresight Liquors, 201 Main St. There were no protests nor petitions filed against the granting of this license and the report of Chief of Police Karl Johnson was favorable. It was moved by Councilman Evans and seconded by Councilman Meacham that the application be approved and license granted when state license has been received. Motion carried. (5 AYES)

DAYS

DAV Forget-me-Not 4-17/18-64

AM LEGION AUX-POPPY 5-23-64

Letters from the Disabled American Veterans requesting permission to sell Forget-me-nots on City sidewalks April 17 and 18, 1964 and from the American Legion Auxiliary requesting permission to sell poppies on City sidewalks on Saturday May 23rd were read. It was moved by Councilman Colescott and seconded by Councilman Evans that these requests be granted. Motion carried. (5 AYES)

LICENSE BONDS APPRVD

The following license bonds, being on the approved forms, were presented:

Electrical Contr.	Warren Jay Gleason Elect	Royal Indemnity	612129
Spec. Cont.	Layton Paint & Dec.	Transamerica	9701-19-70
Gen. Contr.	Arthur Butts	Peerless Ins	35 03 10

It was moved by Councilman Meacham and seconded by Councilman Wight that these bonds be accepted and filed. Motion carried. (5 AYES)

PROP. ORDINANCES

Amending Pool Hall & Pin Ball Ords to permit minors to play

Postponed to next meeting

Proposed ordinance changing the age limit on minors playing pool and pin ball machines were postponed until the next meeting of the Council.

ORD. 1189 PASSED

Regulations for Beer & Liquor Licensees

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ESTABLISHING REGULATIONS FOR LICENSEES UNDER ARTICLES 1 AND 2 OF CHAPTER 75 OF THE 1953 COLORADO REVISED STATUTES, THE FERMENTED MALT BEVERAGE ACT AND THE LIQUOR CODE OF THE STATE OF COLORADO RESPECTIVELY AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF SUCH REGULATIONS. It was moved by Councilman Wright and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried. (5 AYES)

It was moved by Councilman Colescott and seconded by Councilman Meacham that the ordinance be called up for final passage. Motion carried. (5)

The Ordinance was then read, and it was moved by Councilman Meacham and seconded by Councilman Evans that the ordinance be passed and adopted, numbered 1189 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.(5 AYES)

ANNEXATION

McCary Tract on Bookcliff Ave.

Petition & Resolution Accepting

Instr #4151

The following petition was presented:

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

All of that part of the North One-Quarter of the Southwest One-Quarter of the Northeast One-Quarter of Section 11, Township 1 South, Range 1 West, of the Ute Meridian, lying East of the center line of North Seventh Street, EXCEPT the West 450 feet of said tract.

As ground therefor, the petitioners respectfully show to the said Council that the said territory is eligible for annexation in that it is not embraced within any city or town, that it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford reasonable ingress and egress thereto, that more than one-sixth of the aggregate exterior boundary of the territory proposed to be annexed coincides with the existing boundary of the said city, and that the non-contiguous boundary of the said territory coincides with the existing block lines, street lines, or governmental subdivision lines.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty per cent of the area of such territory to be annexed and also comprise a majority of the land owners residing in the said territory; that the resident address of each signer and the date of signature are set forth hereafter opposite the name of each signers, and that the description of the property owned by each signer of said petition is attached hereto.

WHEREFORE these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>Date</u>	<u>Signature</u>	<u>Address</u>	<u>QUAL ELECT & L. O.</u>	<u>L.O. ONLY</u>	<u>PROPERTY DESCRIPTION</u>
4-6-64	(Robert P. McCarey) (Norma J McCarey) (Signed)	915 Bookcliff			Beginning 30 feet South of the Northeast Corner of the North Qtr of the Southwest Quarter of the Northeast Quarter of Section 11, Township 1 South Range 1 West, of the Ute Meridian, thence West 74 1/2 feet, thence, South 100.1 feet, thence East 74 1/2 feet, thence, North 100.1 feet to the point of beginning.
	(not signed) Emanuel Epstein				All that part of the North One-Quarter of the Southwest One-Quarter of the Northeast One-Quarter of Section 11, Township 1 South, Range 1 West, of the Ute Meridian, lying

					East of the center line of North Seventh Street, EXCEPT the West 450 feet of said tract, and, EXCEPT the East 138.5 feet of said tract, and EXCEPT ALL ROADS easements of rights-of-way of record.
4-6-64	Robert P. McCarey (Signed) Kathryn Jo Atwood (not signed) Bessir L. Doyle (not signed) Jackie Lou Campbell (not signed)	915 Bookcliff			Beginning 74.5 feet West and 30 feet South of the NE Corner of the N 1/4 SW 1/4 NE 1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence South 100.1 feet, thence West 64 feet, thence North 100.1 feet, thence East 64 feet to the point of beginning.
	Bessir L. Doyle (not signed) Kathryn Jo Atwood (not signed) Jackie Lou Campbell (not signed)				Beginning 130.1 feet South of the NE Corner of the N 1/4 SW 1/4 NE 1/4 of Section 11, Township 1 South Range 1 West, of the Ute Meridian, thence South to the South line of the said N 1/4 SW 1/4 NE 1/4, thence West 138.5 feet, thence North to

					point of beginning.
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STATE OF COLORADO)		
)	SS	AFFIDAVIT
COUNTY OF MESA)		

Arnold Acker, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

 \ (Signed) Arnold Acker

Subscribed and sworn to before me this 14th day of April, 1964.

Witness my hand and official seal.

 \ (Signed) Donald H. Warner, Jr.
 Notary Public

My Commission expires: April 1, 1967

The following Resolution was presented and read:

RESOLUTION

WHEREAS, a petition to annex the following-described property to-wit;

All of that part of the North Quarter of the Southwest Quarter of the Northeast Quarter of Section 11, Township 1 south, Range 1 West, of the Ute Meridian, lying East of the center line of North Seventh Street, City of Grand Junction, Except the West 450 feet of said tract, Mesa County, Colorado,

has been filed with the City Clerk and is now presented to the City Council; and,

WHEREAS, upon examination of the said petitions and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the petition is signed by more than 50% of the owners of the area of such territory to be annexed and that the persons signing such petition also comprise a majority of the landowners residing in the territory at the time said petition was filed with the City Clerk; that there is attached to the said petition four copies of a map or plat of such territory which is suitable for filing; and that the said petition and maps are sufficient and substantially meet the requirements of Section 2 of Chapter 314, Session Laws of Colorado, 1947;

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

That the said petition for annexation shall be, and the same hereby, is, approved and accepted; and that notices of the filing of the said petition shall be published once each week for four publications in the Daily Sentinel, the official newspaper of the said City of Grand Junction.

PASSED AND ADOPTED this 15th day of April, 1964.

C. E. McCormick\President of the City Council

ATTEST:

\City Clerk

NOTICE OF PROPOSED ANNEXATION

TO WHOM IT MAY CONCERN:

Public Notice is hereby given that on April 15, 1964 a petition was filed with the City Clerk of the City of Grand Junction, Colorado, requesting that the following-described real estate be annexed to the City of Grand Junction, to-wit:

All of that part of the North Quarter of the Southwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, lying East of the center line of North Seventh Street, City of Grand Junction, Except the West 450 feet of said tract, Mesa County, Colorado.

Said petition stated that it was signed by the owners of more than 50% of the area of such territory to be annexed and by a majority of the resident landowners and that the territory was eligible for annexation. The petition was signed by Robert P. McCarey, Norma J. McCarey and Emanuel Epstein.

Notice is further given that the landowners of such territory may express their opposition to the annexation and secure an election by filing a written counter-petition in compliance with the provisions of Section 3 of Chapter 314, Session Laws of Colorado, 1947, with the City Clerk of the City of Grand Junction within 30 days after the first publication of this Notice.

If no qualified counter-petition has been filed within said 30-day period, the annexation of said territory shall be approved by ordinance.

\City Clerk of the City of Grand Junction

FIRST PUBLICATION: _____, 1964.
LAST PUBLICATION: _____, 1964.

It was moved by Councilman Wright and seconded by Councilman Meacham that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council presenting voting AYE. The President declared the motion carried. (5 AYES)

BOYS & GIRLS CITY-COUNTY DAY

President McCormick welcomed all of the students who had taken part in Boys & Girls City-County Day and congratulated them on their quietness and attentativeness during Council meeting.

ADJOURNMENT

It was moved by Councilman Meacham and seconded by Councilman Colescott that the meeting adjourn. Motion carried. (5 AYES)

Helen C. Tomlinson\City Clerk

The following students who had been selected to be Councilmen took over and conducted their own Council meeting discussing pool hall regulations, property taxes, streets and highways, weeds, sewers and sewage and slum clearance and urban renewal:

President of the Council:	Dave Christensen
Councilmen:	Ray Veatch Bill Hill Susan Burton Calvin Gabelman Mary Kay Feen Carl Sigmon Ed Nottingham
City Manager:	Tom Lewis