

Grand Junction, Colorado

June 3, 1964

### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. June 3, 1964. Councilmen present and answering roll call were Ray A. Meacham, R. B. Evans, Chas. H. Love, Harry O. Colescott, Warren D. Lowe, Herbert M. Wright and Pres. Chas. E. McCormick. Also present were City Attorney Gerald J. Ashby and City Clerk Tomlinson. City Manager Lacy was absent.

### INVOCATION

The invocation was given by Rev. Mable Donaldson, Minister, Unity Church of Grand Junction.

### MINUTES

It was moved by Councilman Wright and seconded by Councilman Lowe that the minutes of the regular meeting held May 20, 1964 be approved as written. Motion carried. (7 AYES)

### HEARING

Zoning 6-24-64 Blk 78 (fr B-3 to C-1 Blk 77)

A hearing has been set for June 25, 1964 on a change of zoning on Lots 13 through 18, Block 77 and Lots 7 through 12, Blk 78, to be changed from B-3 to C-1. (East half of 100 block on Grand, both sides of street.)

### PLANNING COMMISSION & BOARD OF ADJUSTMENT

Barbara Hyde apptd to 8-1-65 on Plan Com.

Rudy Susman apptd mbr Bd of Adjust to 10-1-66

Councilman Meacham made a report from the Committee appointed to secure a member of the Board of Adjustment and a member for the Planning Commission. They recommended that Barbara Hyde be appointed on the Planning Commission to serve until August 1, 1965, and Rudy Susman be appointed as a member of the Board of Adjustment to serve until October 1, 1966. It was moved by Councilman Meacham and seconded by Councilman Lowe that the Council approve these two appointments. Motion carried. (7 AYES)

### COUNCIL MEETING

June 24 instead of June 17

It was moved by Councilman Wright and seconded by Councilman Evans that the regular meeting of the City Council scheduled for June 17th be re-scheduled to June 24th because of the meeting of the Colo. Municipal League Conference in Colorado Springs on June 17-18-19 which will be attended by most of the Councilmen and by the City Manager. Motion carried. (7 AYES)

### TAG DAY JUNE 6

American Cancer Society

The Mesa County Unit of the American Cancer Society requested permission to sell tags on the streets on June 6th. It was moved by Councilman Evans and seconded by Councilman Lowe that the request be granted. Motion carried. (7

AYES)

BLDG. PERMIT FEES

Waived & rebated

A request from the Mesa Ave. Church of Christ, 28 1/2 Road and Mesa Avenue, for rebate of building permit fees to Pippingier Construction Company in the amount of \$57 was read. It was moved by Councilman Colescott and seconded by Councilman Love that the request be granted. Roll was called on the motion with all members of the Council voting AYE. The president declared the motion carried. (7 AYES)

A letter from the First Congregational Church requesting waiver of building permit fees for their new building was read. It was moved by Councilman Colescott and seconded by Councilman Love that the request be granted. Motion carried. (7 AYES)

HEARING

3.2 Beer Appl. for Dixon J. & Betty Jo Vincent dba Dick & Betty's 6-24-64

A hearing has been scheduled and advertised for June 24th on the application of Dixon J. and Betty Jo Vincent dba Dick & Betty's, 2851 North Avenue, for a 3.2 beer license. The license is now held in the name of Betty Jo Vincent and will expire on July 1, 1964.

BONDS APPROVED

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

Cement Contractor	Fred Cunningham	Royal Indemnity Co.	612137
Spec. Contractor	Western Waterproofing Co.	Travelers Indem	1193936
Spec. Contractor	Wyoco, Inc.	Transamerican Ins.	

Motion carried. (7 AYES)

3.2 BEER RENEWAL

H.E. Colescott dba Colescott's 1 Stop AG Market, 551 South Ave.

An application for renewal of 3.2 beer license was presented by H. E. Colescott dba Colescott's One Stop AG Market, 551 South Avenue. A report from Chief of Police Karl Johnson stated there were no objections to the renewal of this license. It was moved by Councilman Meacham and seconded by Councilman Love that the application be approved and license granted when State license has been received. Motion carried. (7 AYES)

ORD. 1195 PASSED

Annexing McCary Tract (S of Bookcliff & E of Medical Arts Ctr)

Instr #4151

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Wright and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

It was moved by Councilman Lowe and seconded by Councilman Meacham that the ordinance be called up for final passage. Motion carried. (7)

The Ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Lowe that the ordinance be passed and adopted, numbered 1195 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 AYES)

VETERANS HOSP. ADM.

Offers 3.9 acre Lake Tract & 30 shares GVIC Stock to City for \$500

Instr 3244 In Abstracts-Vets

The General Services Administration of the U.S. Government offered to sell to the City a 3.9 acre tract of land on the Veterans Administration Hospital grounds with ditch rights and thirty shares of the capital stock of the Grand Valley Irrigation Company for \$500. This property has been the lake in back of the hospital.

City Manager Lacy had prepared a memorandum to the Council giving the facts concerning the history of this piece of property. The following Resolution was presented and read:

RESOLUTION

WHEREAS, the United States Government is the owner of the following described real property, situate in Mesa County, Colorado; to-wit:

A tract of land beginning at a point which bears South 150 15' West 747 feet from the northeast corner of the NW 1/4 NE 1/4 of Section 13, Township 1 South, Range 1 West, Ute Meridian; thence South 560 45' West 700 feet; thence South 400 25' East 40 feet; thence South 630 05' East 100 feet; thence South 780 30' East 317 feet; thence North 260 56' East 160 feet; thence North 490 14' East 165 feet; thence North 270 58' East 115 feet; thence North 000 25' West 60 feet; thence North 390 29' West 143.6 feet to the point of beginning, containing 3.9 acres, more or less, together with all water and ditch rights belonging thereto.

which property it is desirous of selling, and

WHEREAS, the City of Grand Junction, Colorado, is desirous of purchasing said property,

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

That there be, and there is hereby offered the sum of Five Hundred Dollars (\$500.00) to the United States Government for the purchase of said land and water rights and stock.

PASSED AND ADOPTED THIS 3rd day of June, 1964.

---

Charles E. McCormick\President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

It was moved by Councilman Meacham and seconded by Councilman Colescott that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 AYES)

REVOCABLE PERMIT

K & W Co. to encroach under Sidewalk Lots 1/5/ Blk 85 (8th & Grand)

Two items of business came from the Planning Commission's meeting of May 27th which was approved for the City Council to grant a revocable permit to Max Kendall, John B. Kendall, Henrietta H. Kendall and Lee E. White dba K & W Company to encroach under a portion of Grand Avenue North of Lots 1 through 5, Block 85, City of Grand Junction and under a portion of 8th Street West of said Lots to allow subsurface piling and piling caps to be installed for the support of a building to be erected by them on said lots and to grant a revocable permit to Chas. D. Crosby to encroach under a portion of the White Avenue right-of-way, North of lots 9 through 16 in Block 97, City of Grand Junction, under a portion of 4th Street East of said Lots and under a portion of the alleyway South of said Lots to allow subsurface piling and piling caps to be installed for the support of a building to be erected by him (new Post Office Building.)

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Max Kendall, John B. Kendall, Henrietta H. Kendall and Lee E. White, doing business as K & W Company have petitioned the City Council of Grand Junction for a revocable permit to encroach under a portion of Grand Avenue North of Lots 1 through 5, Block 85, City of Grand Junction, Mesa County, Colorado, and under a portion of 8th Street West of said Lots to allow subsurface piling and piling caps to be installed for the support of a building to be erected by them on said lots, all in accordance with plans and specifications submitted with said petition, and

WHEREAS, such action has been heretofore approved by the City Engineer and would not be detrimental to the use of the right-of-way or to the interests of the inhabitants of the City;

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

That the City Manager on behalf of the City and as the act of the City, be, and he is hereby, authorized to grant a revocable permit to the above-named individuals for the purpose above specified, in accordance with the plans and specifications submitted and with the agreement by them to indemnify and ave harmless the City and with the agreement by them to restore the right-of-way to its original condition upon completion of the piling work or upon revocation of the permit.

PASSED AND ADOPTED this 3rd day of June, 1964.

\_\_\_\_\_  
Charles E. McCormick\President of the City Council

ATTEST:

---

\City Clerk

It was moved by Councilman Wright and seconded by Councilman Lowe that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 AYES)

Instr. #4154

Recorded 6-30-64 at 9:30 am, Reception No. 868871, Bk 871, Pg 129.

REVOCABLE PERMIT

WHEREAS, Max Kendall, John B. Kendall, Henrietta H. Kendall and Lee E. White, doing business as K & W Company have petitioned the City Council of Grand Junction for a revocable permit to encroach under a portion of Grand Avenue North of Lots 1 through 5, Block 85, City of Grand Junction, Mesa County, Colorado, and under a portion of 8th Street West of said Lots to allow subsurface piling and piling caps to be installed for the support of a building to be erected on said lots; and

WHEREAS, the City Engineer has approved such action, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY OF COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Max Kendall, John B. Kendall, Henrietta H. Kendall and Lee E. White a revocable permit to encroach under the City right-of-way for the purposes above stated, and in strict accordance with the plans hereto attached and made a part hereof by reference; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named individuals shall agree to indemnify the City and save it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; and provided further that said individuals shall, upon completion of the construction work, restore the right-of-way surface to its original condition, and, upon revocation of the permit, restore the right-of-way to its original condition prior to the granting of the permit.

Dated this 4th day of June, 1964.

---

J. M. Lacy\City Manager

ATTEST:

---

\City Clerk

The undersigned, for themselves, their heirs, executors, administrators and assigns hereby agree that they will abide by the conditions contained in the foregoing permit and that they will indemnify the City of Grand Junction and hold it harmless from all claims as recited ins aid permit, and, further they agree to restore the right-of-way as is therein stated.

\_\_\_\_\_  
\_\_\_\_\_

STATE OF COLORADO	)	
	)	SS
COUNTY OF MESA	)	

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of June, 1964, by Max Kendall, John B. Kendall, Henrietta H. Kendall and Lee E. White.

\_\_\_\_\_  
Notary Public

My Commission expires:

REVOCABLE PERMIT

to Chas D. Crosby to encroach under sidewalk Lots 9/16 blk 97

(new Post Office Bldg. 4th & White)

Instr No. 4165 Rev Pmts

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Charles D. Crosby has petitioned the City Council of Grand Junction for a revocable permit to encroach under a portion of the White Avenue right-of-way, North of Lots 9 through 16 in Block 97, City of Grand Junction, Mesa County, Colorado, under a portion of 4th Street East of said Lots, and under a portion of the alleyway South of said Lots, to allow subsurface piling and piling caps to be installed for the support of a building to be erected by him on said lots, all in accordance with plans and specifications submitted with said petition; and

WHEREAS, such action has been heretofore approved by the City Engineer and would not be detrimental to the use of the right-of-way or to the interests of the inhabitants of the City;

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

That the City Manager on behalf of the City and as the act of the City, be, and he is hereby, authorized to grant a revocable permit to the above-named individual for the purpose above specified, in accordance with the plans and specifications submitted and with the agreement of said individual to indemnify and save the City harmless and with the agreement by him to restore the right-of-way to its original condition upon completion of the piling work or upon revocation of the permit.

PASSED AND ADOPTED this 3rd day of June, 1964.

\_\_\_\_\_  
Charles E. McCormick\President of the City Council

ATTEST:

\_\_\_\_\_  
\City Clerk

It was moved by Councilman Colescott 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 voting AYE. The President declared the motion carried. (7 AYES)

REVOCABLE PERMIT

WHEREAS, Charles D. Crosby has petitioned the City Council of Grand Junction for a revocable permit to encroach under a portion of the White Avenue right-of-way, North of Lots 9 through 16 in Block 97, City of Grand Junction, Mesa County, Colorado, under a portion of 4th Street East of said Lots, and under a portion of the alleyway South of said Lots, to allow subsurface piling and piling caps to be installed for the support of a building to be erected on said Lots; and

WHEREAS, the City Engineer has approved such action, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Charles D. Crosby a revocable permit to encroach under the City right-of-way for the purposes above stated, and in strict accordance with the plans hereto attached and made a part hereof by reference; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named individual shall agree to indemnify the City and save it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; and provided further that said individual shall, upon completion of the construction work, restore the right-of-way surface to its original condition, and, upon revocation of the permit, restore the right-of-way to its original condition prior to the granting of the permit.

Dated this 4th day of June, 1964.

(Recorded at 11:27 am on 2/24/65, Reception No. 886031, Bk 879, Pg 785).

\_\_\_\_\_  
J. M. LACY\City Manager

ATTEST:

\_\_\_\_\_  
\City Clerk

The undersigned, for himself, his heirs, executors, administrators and assigns hereby agrees that he will abide by the conditions contained in the foregoing permit and that he will indemnify the City of Grand Junction and hold it harmless from all claims as recited in said permit, and, further he agrees to restore the right-of-way as is therein stated.

\_\_\_\_\_  
Charles D. Crosby

STATE OF COLORADO	)	
	)	ss.
COUNTY OF MESA)		

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of June, 1964, by Charles D. Crosby.

\_\_\_\_\_  
Notary Public

My commission expires:

AIRPORT LEASES

With United & Frontier ratified

Leases showing new charges for United Airlines and Frontier Airlines were presented. These leases had been approved by the Airport Board and were for ratification by the City Council. It was moved by Councilman Lowe and seconded by Councilman Wright that these leases be ratified and approved by the City Council and the City Manager and City Clerk be authorized to sign the leases. Motion carried. (7 AYES)

ADJOURNMENT

It was moved by Councilman Lowe and seconded by Councilman Evans that the meeting adjourn. Motion carried. (7 AYES)

\_\_\_\_\_  
Helen C. Tomlinson\City Clerk