

Grand Junction, Colorado

December 2, 1964

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., December 2, 1964. Councilmen present and answering roll call were Ray A. Meacham, R. B. Evans, Chas. H. Love, Harry O. Colescott, Warren D. Lowe and President Chas. E. McCormick. Councilman Herbert M. Wright was 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. Lewis Arnold, Pastor, First Church of God.

MINUTES

It was moved by Councilman Meacham and seconded by Councilman Love that the minutes of the regular meeting held November 18, 1964 be approved as written. Motion carried. (6 AYES)

TV ELECTION

Req for franchise withdrawn by Western Slope Electronics System

A letter had been presented on behalf of Western Slope Electronics System, Inc. requesting that the franchise election for Cable TV scheduled to be held on Jan. 6, 1965, be re-scheduled for January 12, 1965. Mr. Rex Howell, President of KREX, and an officer in Western Slope Electronics System, Inc., came before the Council and read a letter requesting that the foregoing letter be disregarded and that one written December 2nd be substituted. This letter requested that the January 6th election be canceled and that any unexpended portion of the funds advanced for the cost of the election be refunded. Mr. Howell thanked the Council for the fair and impartial manner in which it had acted in setting the election. There is apparently a great deal of confusion in connection with the cable TV elections, and a controversy in which KREX wants no part. There have been new developments recently in that F.C.C. has taken jurisdiction over wave licenses upon a satisfactory agreement with the local station to protect the programming against duplication from outside sources, so anyone who gets a franchise would have to cooperate with KREX-TV. He stated that Home-Owned Cable TV has already sought an agreement with KREX, should they be granted a revocable permit. A court decision will be sought to determine whether Wentronics, Inc. and Western Slope Electronics, Inc. are still partners, and if so, to dissolve that partnership. Until that is accomplished, Mr. Howell felt it best to withdraw his application for a franchise election.

It was moved by Councilman Colescott and seconded by Councilman Lowe that the election for a cable TV franchise for Western Slope Electronics, Inc. set for Jan. 6, 1965 be canceled and any unexpended funds be returned. Motion carried. (6 AYES)

WATER BILL

Settle \$161.15 delinquent bill for \$32.20 for Ultronix, Inc.

A letter from the law firm of Calkins, Rodden and Cooper on behalf of Ultronix, Inc. concerning a delinquent water bill was read. Ultronix, Inc. is taking bankruptcy under Chapter XI of the Act of Congress relating to Bankruptcy, and the District Court of Colorado offered to settle all creditor's claims according to the following:

1. \$25.00 and the creditor reduces its claim to that amount.
2. 20% of the face amount of any claim allowed by the Court in cash.

3. 50% of the face value of any claim allowed by the Court in preferred stock.

The Council agreed that they would have a fourth alternative which is to refuse water to Ultronix. This would no doubt force the Company into a different type of bankruptcy and might close down the business.

Settlement on the basis of 20% of the bill, which amounts to \$161.15, would be \$32.20. Ultronix is now paying their water bills currently. It was moved by Councilman Lowe and seconded by Councilman Love that the City accept 20% of the delinquent water bill in full settlement of the \$161.15 water bill. Roll was called on the motion with all members of the Council presenting voting AYE. The President declared the motion carried. Councilman Meacham suggested that the water bill for Ultronix, Inc. be collected every thirty days and not allowed to run for a longer period.

3.2 BEER APPL

Shakey's Pizza Parlor, 827 North to be 12-16-64

Hearing has been scheduled and advertised for Dec. 16, 1964, for a 3.2 beer tavern license for Mr. Ted Kubena to dba "Shakey's Pizza Parlor", 827 North Avenue. (Being sold to Kubena; beer license already issued and used by previous owners.)

LIQUOR LICENSE TRANSFER

Hammer Drug fr 158 Main to 524 N 1st

Hearing has been scheduled and will be advertised for Jan. 6, 1965 on the application of A. E. & A. W. Hammer dba Hammer Drug Co. to move their drug store liquor license from 158 Main Street to 524 No. 1st Street.

3.2 BEER

Hearing 1-6-65 Food Time Drive In Grocery, Inc.

Hearing has been scheduled and will be advertised for January 6, 1965 for a 3.2 beer license for Food Time Drive In Grocery, Inc. at 1117 No. 1st Street.

GOLF COURSE

Req Regional Plan. Comm study & recommend location for 18 hole course

The Planning Commission at its meeting on November 25th recommended that the City Council ask the Regional Planning Commission to study and recommend location of an 18-hole golf course. It was moved by Councilman Lowe and seconded by Councilman Evans that the Council request the Regional Planning Commission to make a study and recommendation for a location for an 18-hole golf course. Motion carried. (6)

PROP. ORD.

Amending & Repealing Parts Chapt 62-Motels-license

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING OR REPEALING THE FOLLOWING SECTIONS OF CHAPTER 62 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION: SECTION 2, TO PROVIDE A CATEGORY FOR MOTELS; SECTION 4, TO LOWER THE LICENSE FEES FOR HOTELS, ETC.; SECTION 8, TO ELIMINATE THE PROVISION REGARDING LIQUOR IN HOTEL ROOMS; REPEALING SECTION 15 PROHIBITING ASSIGNMENT OF LICENSES. It was moved by Councilman Love and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

PROP. ORD.

Chapt. 57 - remove coin operated music machines from control

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS 1, 2, AND 3 OF CHAPTER 57 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION TO REMOVE COIN OPERATED MUSIC MACHINES FROM THE CONTROL THEREOF. It was moved by Councilman Love and seconded by Councilman Lowe that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

PROP. ORD.

Chapt 53 License Fee for Billiard or Pool Tables \$3.00

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 2 OF CHAPTER 53 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY CHANGING THE AMOUNT OF THE LICENSE FEE THEREUNDER. It was moved by Councilman Meacham and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

PROP. ORD.

Repealing Certain Licensing Ords - Chpts 76-60-56-63-64-67-75-44-45

The following entitled proposed ordinance was presented and read: AN ORDINANCE REPEALING CERTAIN LICENSING ORDINANCES OF THE CITY OF GRAND UNCTION; NAMELY, CHAPTER 76 - PHOTOGRAPHY, CHAPTER 60 - EXPRESS COMPANIES, CHAPTER 56 - COAL DEALERS, CHAPTER 63 - ICE DEALERS, CHAPTER 64 - ITINERANT DENTISTS, CHAPTER 67 - MINIATURE GOLF LINKS, CHAPTER 75 - WAGE BROKERS, CHAPTER 44 - MEATS, AND CHAPTER 45 - MILK; ALL CHAPTERS AND TITLES OF SUCH IN THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO.

Mr. Perry of Perry Studio, 636 Grand Ave., was present and spoke about the fee for photographers. After the new ordinance relating to licensing of peddlers, solicitors and transient merchants was explained to him, it seemed that there would be more control of itinerant photographers than there is under the present ordinance. It was moved by Councilman Lowe and seconded by Councilman Love that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

PROP. ORD.

Chapt. 51-Amending (Misc. Licenses)

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 51 (MISCELLANEOUS LICENSING ORDINANCE) OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION BY ENLARGING CERTAIN LICENSING CATEGORIES AND DELETING CERTAIN LICENSE REQUIREMENTS. It was moved by Councilman Lowe and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

PROP. ORD.

Licensing peddlers, solicitors & transient merchants

tabled

The following entitled proposed ordinance was presented and read: AN ORDINANCE RELATING TO THE LICENSING OF PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Mrs. Alice Motts, 120 Bookcliff, who is Chairman of the Local National Association of Direct Sellers, was present and brought up several points; one, the party plan type of direct selling as done by her company. City Attorney Ashby explained to her that her company would probably not be affected by the ordinance.

Mrs. Ruby Wickham also asked how the ordinance would affect her in selling cosmetics. Councilman Meacham called attention to the fact that downtown merchants pay taxes on their inventories, and the license fee provided in the proposed ordinance would in a small way help to carry part of the load of government.

It was moved by Councilman Lowe and seconded by Councilman Meacham that the proposed ordinance be tabled until the next meeting of the Council when Councilman Wright can be present to give his views on this matter. Motion carried. (6 AYES)

ORD. 1202 PASSED

1965 Appropriations-CM Salary \$12,966

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1965 AND ENDING DECEMBER 31, 1965 AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY. It was moved by Councilman Love and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman Colescott 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 Evans that the ordinance be passed and adopted, numbered 1202 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)

PARKING LOTS

Instru No. 4162 Lease-purchase agreement with Downtown Parking Corp.

A lease-purchase agreement was presented by City Manager Lacy for the first parking lot purchased in Phase III of Operation foresight. This is the first contract leading to ownership by the City of an off-street parking lot with the initial cost of the land to be paid for by funds from the Downtown Parking Corporation. These funds are from the investors in the corporation who use their capital to buy the lots and then ultimately are repaid by money from the parking meters on the lots and from the 80-meter shopping park area.

He referred to a Council Memo written in Sept. 1963 (Co. Memo. #26) which set forth the concept of the off-street parking agreement and which was adopted in Dec. 1963. This was augmented by the proposal in Part II of the finance study which proposed to use all the revenue from the shopping park area provided the sales tax was passed. At the present time, there is a parking lot in the 400 block on Colo. Ave. This is leased ground and is not being purchased. The money from the meters on the lot goes to the Parking Corporation and they have to pay the rental on the lot. This should be about a "break-even" proposition.

The new lot in the 500 block on Colorado Av. is the first purchased property at a cost of \$66,250 of which about \$33,000 has been raised to pay for it. They have a mortgage for the balance which will be payable in about two years and at that time arrangements will have to be made for this money. The money from the meters on this lot and from the shopping park will go to pay off this indebtedness. There is no fixed time for this to be paid, and when paid, the lots will be owned by the City.

It is planned for a parking lot to be established at the back of each block in the shopping park and when they are all paid for, meters will come off the lots and there will be free downtown parking. Time will be marked on tires. The shopping park meters will still be used.

Future purchases of lots & agreements to be approved by Council before purchase

In the future, commitments and arrangements should not be finalized without Council approval and endorsement. Mr. Lacy specifically stated that in any future arrangements, the Council must sanction the purchase before the Corporation makes it and any arrangements involving the loan of money, which involves interest being paid; also, have specific attention and endorsement of the Council before such an arrangement is made.

City Attorney Ashby explained that the Council could withdraw from this plan at any time and City Manager Lacy explained that the stockholders of the Parking Corporation would not receive any interest on their money.

Co. Pres. to sign agreement

Councilman Meacham moved to ratify findings of the City Manager and that the President of the Council be instructed to sign the agreement. Councilman Lowe seconded the motion. Motion carried with President McCormick voting NAY. (5 AYES 1 NAY)

It should definitely be shown in the minutes that any future contracts will be submitted to the Council before any lots are purchased or agreements made to purchase.

ADJOURNMENT

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

Helen C. Tomlinson\City Clerk