

Grand Junction, Colorado

December 16, 1964

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., December 16, 1964. Councilmen present and answering roll call were Ray A. Meacham, R. B. Evans, Chas. Love, Harry Colescott, Herbert M. Wright and President C. E. McCormick. Councilman Lowe arrived at the meeting during the discussion on Rovey's liquor license. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

The invocation was given by Mr. Jerald F. Chadwick, Counselor to the Bishopric, First Ward, LDS Church.

MINUTES

It was moved by Councilman Evans and seconded by Councilman Meacham that the minutes of the regular meeting held December 2, 1964 be approved as written. Motion carried. (6 AYES)

HEARING

Liquor licenses

"Mark's Finer Dining, Inc. & State Liquors Inc.

Hearings had been scheduled and advertised on the application of Mark M. Wagner, Antonia V. Wagner and L. C. Kopanos dba Mark's "Finer Dining" Inc. at 105 No. 2nd Street and for State Liquors, Inc. Richard Stranger, Manager, at 659 Rood Ave. No protests were filed against either of these applicants. President McCormick closed the hearing. It was moved by Councilman Colescott and seconded by Councilman Evans that the applications for liquor licenses for Mark's Finer Dining, Inc. and State Liquors, Inc. be approved and licenses granted when State licenses are received. Motion carried. (6 AYES)

HEARING

3.2 Beer License for Ted Kubena dba Shakey's Pizza Parlor, 827 North Ave.

Granted

Hearing had been scheduled and advertised for this date on the application of Ted Kubena dba Shakey's Pizza Parlor, 827 North Ave. No protests had been filed and there was no one present protesting the granting of this license. President McCormick closed the hearing. It was moved by Councilman Meacham and seconded by Councilman Wright that the application be approved and license granted when State license is received. Motion carried. (6 AYES)

HEARING

Zoning changes-E/W 8th N Belford

SW Cor Lorey Dr & 1st St

W si 1st bet Mesa/Independent

Hearing were held as schedule and advertised for the following changes in zoning:

1. East and West of 8th Street, North of Belford, from R-2 (2 family) to C-1 (light commercial). No one present protested the change of this zoning so President McCormick closed the hearing.
2. SW corner Lorey Drive and 1st Street, from R-1-C (single family) to P (Parking) and B-2 (neighborhood business).
3. West side 1st Street between Mesa and Independent Ave. from R-1-C (single family) to R-3 (multi-family). Mr. Warren Reams, Attorney, was present requesting the change of zoning in this area. There being no opposition to either of these changes in zoning, President McCormick closed the hearing.

LIQUOR LICENSE

Roveys Cafe & Lounge, 122 S 5th

Granted - renewal

The matter of issuing a renewal of hotel & restaurant liquor license to Jess J. Ritter and Jack D. Ritter dba Rovey's Cafe & Lounge, 122 So. 5th St., had been tabled until this meeting. A report from the Mesa County Health Department was read which stated that the management of Rovey's Cafe & Lounge had complied with all matters insofar as sanitation was concerned. City Attorney Ashby reported to the Council that the petitions which had been filed by a group of downtown people were not sufficient for the Council to refuse to re-issue a liquor license for this premises. Possibly this matter could be approached from a private or public nuisance standpoint wherein the public nuisance would be abated by the City or the private nuisance could be abated by the citizens if they want to take it to Court. The City Council cannot refuse to renew a license if there has been no violation of the liquor code. He stated that Mr. Golden, Attorney, for the Ritters, and he would be glad to work on the nuisance angle if it was felt wise to approach it in this way. He also stated that it was difficult to determine whether the nuisance was caused by the operation of Rovey's Cafe or whether it was caused from a problem of people circulating around, and the question would come up as to what responsibility an operator has after a patron leaves his premises. He stated he would be glad to look further into the nuisance angle and report back at the next meeting of the Council if they so desired.

It was moved by Councilman Love and seconded by Councilman Meacham that the application for a hotel & restaurant liquor license for Jess J. Ritter and Jack D. Ritter dba Rovey's Cafe & Lounge, 122 So. 5th Street, be approved and license be issued when State license has been received. Motion carried. (7 AYES)

Councilman Colescott stated that it might be well for the Police Department to keep a close observation on this establishment and the operators should report any difficulties to the Police Dept. immediately.

MUN. JUDGE

Accept Resignation Wm. E. Foster

Apptd Ed Ruland 12-17-64

A letter of resignation from Wm. E. Foster as Judge of the Municipal Court effective December 31, 1964 was read, and the resignation accepted. Councilman Meacham reported for the Committee appointed to select a Judge and stated that they had interviewed several applicants and would like to present the name of Ed Ruland, a member of the firm of Groves, Dufford and Nelson.

It was moved by Councilman Colescott and seconded by Councilman Evans that Mr. Ed Ruland be appointed as Judge of the Municipal Court effective December 17, 1964. Motion carried. (7 AYES) Mr. Foster is now on vacation.

Councilman Meacham stated that the Committee would still like to function for a period of time to try to establish a liaison between the Council and the Judge's office in working out a smooth operation. Councilman Colescott suggested that possibly the Judge should be sworn in to make it more formal.

LIBRARY BOARD

Fred C. Hottes apptd mbr of Board for 5 yrs

President McCormick reported that Fred C. Hottes had consented to remain on the Library Board, and he was very happy to re-appoint him with concurrence of the Council for a term of five years.

PROP. ORD.

Licensing of Peddlers, Solicitors & Transient Merchants

Discussed

Discussion was then had on a proposed ordinance entitled: AN ORDINANCE RELATING TO THE LICENSING OF PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS AND PROVIDING PENALTIES FOR VIOLATION THEREOF. There was a large crowd present and many were opposed to the passage of the ordinance. A large number of them were life insurance salesmen or door to door salespeople who had never abided by the so-called "Green River" ordinance.

City Attorney Ashby stated that a good many people thought that the "Green River" ordinance applied only to non-residents of the City. Apparently from the number of people who have called in about the proposed ordinance there have been many violations of the "Green River" ordinance and the City treasury could be far richer if the ordinance had been enforced.

Recently a Supreme Court ruling has declared any "Green River" ordinance illegal unless enforced without discrimination so everyone who sells door to door whether living in Grand Junction or not would be affected by the "Green River" ordinance. The proposed ordinance had been drawn up to license door to door salespeople so that they could carry on in an effective manner. It was the Council's intention to repeal the "Green River" ordinance and that this proposed ordinance would take its place.

Many people spoke against the passage of the proposed ordinance. President McCormick and City Attorney Ashby finally came up with proposal that the proposed ordinance should not be passed and the "Green River" ordinance should be repealed and a simple ordinance providing that it would be illegal for any salesman to enter a premises where a "No Peddlers" or "No Solicitors" sign was exhibited. It was suggested that a committee work with Mr. Ashby for the purpose of drawing up either an ordinance regulating and licensing door to door salespeople and a "no soliciting" ordinance such as the one suggested above.

PROP. ORD.

Mobile Homes & Trailer Courts

To study

A proposed ordinance regulating mobile homes and trailer courts was given to the Council for their study. City Manager Lacy stated that we are now operating under an ordinance passed back in Sept. 5, 1951 which was designed to take care of the original concept of trailer homes rather than the mobile homes of today. The license fee is \$5.00 per trailer with a minimum of \$50. The new ordinance calls for a license fee of \$5.00 or \$10.00 depending on the number of spaces. Other details are much more in keeping with modern practices. The Planning Commission has pretty well approved this proposed ordinance and it will be considered at the next meeting of the Council.

PROP. ORD.

Zoning changes

E/W 8th N Belford

SW Cor Lorey Dr & 1st

W Si 1st Mesa/Independent

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LOTS AND PARCELS OF LAND WITHIN THE CITY. It was moved by Councilman Meacham and seconded by Councilman Wright that the proposed ordinance be passed for publication. Motion carried. (7 AYES)

ORD. 1203

Repealing Chapt 76, 60, 56, 63, 64, 67, 75, 44, 45

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE REPEALING CERTAIN LICENSING ORDINANCES OF THE CITY OF GRAND JUNCTION: 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. It was moved by Councilman Love and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

It was moved by Councilman Meacham and seconded by Councilman Lowe that the ordinance be called up for final passage. Motion carried. (7 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 1203 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)

ORD. 1204

Amending Chapt. 53 License fee for Billiard Table \$3.00 yr

The Proof of Publication to 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 UNCTION, COLORADO, BY CHANGING THE AMOUNT OF THE LICENSE FEE THEREUNDER. It was moved by Councilman Meacham and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

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

The ordinance was then read, and it was moved by Councilman Lowe Meacham that the ordinance be passed and adopted as read, numbered 1204 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)

ORD. 1205

Amending Chapt 57 to remove coin operated music machines from control

The Proof of Publication to 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 Lowe and seconded by Councilman Love that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

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

The ordinance was then read, and it was moved by Councilman Evans and seconded by Councilman Lowe that the ordinance be passed and adopted as read, numbered 1205 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)

ORD. 1206

Amending or Repealing Sections Chapt 62 Motels-hotels License fee \$5-\$10

The Proof of Publication to 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 Lowe that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

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

The ordinance was then read, and it was moved by Councilman Evans and seconded by Councilman Lowe that the ordinance be passed and adopted as read, numbered 1206 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)

ORD. 1207

Amending Chapt 51 (Misc Licensing Ord.)

The Proof of Publication to 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 Love and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried. (7 AYES)

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

The ordinance was then read, and it was moved by Councilman Wright and seconded by Councilman Colescott that the ordinance be passed and adopted as read, numbered 1207 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)

SPEC ELECTION 1-5-65

CATV Franchise for Cable TV Co of Colo

The following Resolution was presented and read:

RESOLUTION

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

That the Election Notice hereinafter set out be the Notice of the Special Municipal Franchise Election to be held in the City on January 5, 1965, and, further that the same be published in accordance with election procedures:

ELECTION NOTICE

CITY OF GRAND JUNCTION, COLORADO

NOTICE OF SPECIAL MUNICIPAL FRANCHISE ELECTION TO BE HELD ON TUESDAY, THE 5TH DAY OF JANUARY, 1965

PUBLIC NOTICE IS HEREBY GIVEN THAT A SPECIAL MUNICIPAL FRANCHISE ELECTION WILL BE HELD ON TUESDAY, THE 5TH DAY OF JANUARY, 1965, AT THE POLLING PLACES HEREINAFTER DESIGNATED IN THE CITY OF GRAND JUNCTION, COLORADO:

That said Special Municipal Franchise Election will be held at the several polling places in the several districts of the City of Grand Junction, Colorado, in the State aforesaid as follows:

DISTRICT "A" POLLING PLACE - City Hall, 5th & Rood Ave.

DISTRICT "B" POLLING PLACE - Grand Junction High School
Gymnasium Lobby, 1400 N. 5th St.

DISTRICT "C" POLLING PLACE - Orchard Avenue School,
16th & Orchard Avenue

DISTRICT "D" POLLING PLACE - Lowell School, 310 N. 7th St.

DISTRICT "E" POLLING PLACE - Lincoln Park Golf Club House
Lincoln Park

Upon the date and at the places designated aforesaid, the polls will be open from the hour of 7 o'clock A. M. to and including, and will be closed at the hour of 7 o'clock P. M. The ballots to be used in voting will be prepared and furnished by the City Clerk to the Judges of the election, to be by them furnished to the voters. The election will be held and conducted as nearly as may be, as prescribed by law for the election of municipal officers. Registration for the said election will take place in the manner now provided by ordinance and law.

That at said election there shall be and there is hereby submitted to a vote of the qualified tax-paying electors of the City, the following ordinance:

"AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO CABLE TELEVISION COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, AUTHORIZING SAID COMPANY TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH SAID CITY A PLANT OR PLANTS, SUB-STATIONS AND WORKS FOR THE GENERATION, TRANSPORTATION AND DISTRIBUTION OF ELECTRONIC SIGNALS AND TO DISTRIBUTE AND FURNISH SAID ELECTRONIC SIGNALS TO THE INHABITANTS OF THE CITY OF GRAND JUNCTION BY MEANS OF CONDUITS, CABLES AND WIRES STRUNG ON POLES OR OTHERWISE OVER, UNDER, ALONG, ACROSS AND THROUGH CERTAIN STREETS, ALLEYS AND OTHER PUBLIC WAYS AND PLACES IN THE CITY OF GRAND JUNCTION AND FIXING THE TERMS AND CONDITIONS THEREOF."

IN WITNESS WHEREOF, the City Council of the City of Grand Junction, Colorado, has caused this Notice to be published and posted as required by law, and dated this 16th day of December, 1964.

Helen C. Tomlinson
City Clerk

It was moved by Councilman Love and seconded by Councilman Evans 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)

Election Officials

The following Resolution was presented and read:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the following be designated as Judges and Clerks of the election in the various districts of the City for the Special Municipal Franchise election to be held on January 5, 1965, in the City:

JUDGES AND CLERKS
SPECIAL MUNICIPAL FRANCHISE ELECTION
January 5, 1965

	JUDGES	CLERKS
DISTRICT "A" City Hall	Faye Elsberry Ila McCarrie Celia Harp	Lela Zimmerman Elsa Ratekin
District "B" High School Gym	Mrs. Floy Kendall Glen K. Miller Faye Kerns	Lucile Craft Edna Mae McElvain
District "C" Orchard Ave. School	Leila Kane Mildred Collins Goldie Watts	Dorothy Evans Mary Ann Warner
DISTRICT "D" Lowell School	Clara Charles Vera Stocker Blanche Culhane	Leona Watson Esther Granat
DISTRICT "E" Lincoln Park Gold Club House	Jane Matteroli Ralph Barnes Rachel McCully	Agnes Goodrich Clara Hertzke
Lincoln Park Golf Club House	Ralph Barnes Rachel McCully	Clara Hertzke

It was moved by Councilman Colescott 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).

The following Resolution was presented and read:

RESOLUTION

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

That the absentee ballots, if any, cast in the Franchise Election on January 5, 1964, be counted by the Board of Judges for the City's District A.

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 voting AYE. The President declared the motion carried. (7 AYES)

WATER

Report of Engrs on improvement of Filter Plant & Reservoir covers-Cost \$1,845,900

City Manager Lacy reported that Henningson, Durham and Richardson, Engineers, had prepared the proposed plans for development of the long-range water improvement for filter plants and reservoirs. They proposed to remodel the existing plant and to construct a new plant which will treat eight million gallons of water per day and which can be expanded in the future to treat twenty-four million gallons of water per day and also to cover the present reservoirs which the Mesa County Health Department would like to have done as soon as possible. This proposal is based on the impact that the Ute Water System will have when it is put into full operation. The entire construction cost for the project is as follows:

Construction of 8 m.g.d. new plant	\$1,122,000.
Remodel old plant	162,900.
Concrete covers for present reservoirs	<u>561,000.</u>
Total Cost	\$1,845,900.

The time schedule for the proposed project would be up to the Council but the recommendation was for it to be done prior to 1970. The time schedule also would depend on financing. If done soon, it would be necessary to pass a bond issue and if it is carefully staged, it would not take as many bonds. Some money could be saved each year to apply on the improvement. This report was given to the Council for study.

UNITED PALSY OF COLO

Granted permission to conduct fund-raising campaign

A letter from the United Cerebral Palsy Association of Colorado was read which requested permission to conduct fund raising events in Grand Junction during the month of January, 1965, and to especially conduct a house to house campaign on Jan. 18, 1965. It was moved by Councilman Meacham and seconded by Councilman Evans that the request be granted. Motion carried. (7 AYES)

ADJOURNMENT

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

AYES)

Helen C. Tomlinson\City Clerk