

Grand Junction, Colorado

January 20, 1965

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., January 20, 1965. Councilmen present and answering roll call were Harry O. Colescott, Warren Lowe, Herbert M. Wright and President McCormick. Councilman Ray A. Meacham, Charles H. Love and R. B. Evans were absent. Also present were City Manager J. M. Lacy, City Attorney Ashby and City Clerk Tomlinson.

INVOCATION

The invocation was given by Rev. J. Frederick Speer, Assistant Pastor, First United Presbyterian Church.

MINUTES

It was moved by Councilman Lowe and seconded by Councilmen Colescott that the minutes of the regular meeting held January 6, 1965 be approved as written. Motion carried. (4 AYES)

3.2 BEER HEARING - LAWRENCE J. LOGUE DBA PIZZA HUT, 1230 N. 12TH STREET - GRANTED

This date had been scheduled and advertised for hearing on the application of Lawrence J. Logue to dba "Pizza Hut," 1230 N. 12th Street. A letter was read from Karl Johnson, Chief of Police, which stated that his investigation of the applicant had satisfied him that he was capable of operating this type of business. A letter from Jena Wright, Sanitarian of Mesa County Health Department, was read stating that the applicant intended to remodel the building which when done according to pictures she had been shown, would be satisfactory. The Health Department will keep in contact with them during the remodeling program. A petition was presented signed by 31 residents of this neighborhood approving the granting of the license. It was moved by Councilman Lowe and seconded by Councilman Wright that the application of Lawrence J. Logue dba Pizza Hut, 1230 N. 12th Street, be approved and license granted when state license has been received. Motion carried. (4 AYES)

LIQUOR HEARING - LEON D. NICKOLSON, EAGLES LOUNGE, 248 MAIN STREET, TO BE 3-3-65

It was announced that a hearing had been scheduled on the application of Leon D. Nickolson, Eagles Lounge, 248 Main Street, for March 3, 1965.

CIVIL DEFENSE SEMINAR ON 1-28-65 AT PUBLIC SERVICE BUILDING

Mr. Jess Wagner of the University of Colorado was present and told the Council that a three-hour seminar would be conducted at the Public Service Building at 6:30 P. M. January 28, 1965. The purpose of the meeting is to disseminate information to County and City leaders on emergency planning for disasters. A discussion of nuclear weapons will be given explaining what they are and what to do about them. He invited all the members of the Council to attend.

WENTRONICS CABLE TV

Mr. Robert Gault, Manager of Wentronics Cable TV Company, appeared before the Council concerning some misunderstanding and confusion they had encountered from the electorate in their forthcoming election and asking the Council's help to clarify the misunderstanding.

BONDS APPROVED

It was moved by Councilman Colescott and seconded by Councilman Lowe that the following bonds, being on the approved forms, be accepted and filed: Motion carried. (4 AYES)

<u>CONTRACTORS (SPECIAL & GENERAL)</u>	<u>Company</u>	<u>Co. No.</u>	<u>No.</u>
James F. Eldridge, Jr.	USF&G	17142-13-1337-64	87
Deane Emerson	Mid Century	42775253	88
Rollin S. Franklin	Natl Surety	6111535-'65	69
Luke M. Grasso	Western Surety	3007675	90
E. C. Huff	Transamerica Ins	9701-65-58	91
Intermountain Glass & Aluminum	Natl Surety	6112322-'65	92
Thomas McCall	Royal Indemnity	558492	93
William S. McCurry	Royal Indemnity	592888	94
J. H. Beane dba Modern Roofing Co.	Connecticut Fire	37505	95
Merle R. Nair dba Nair Cabinet Shop	Fidelity & Dep of Md	7706099	96
Edward Spomer	Peerless Ins	350361	97
George Tilton	USF&G	17 42-13-170-58	98
Layton Painting & Decorating Co.	Transamerica Ins	9701-19-70	123
Poland Construction	Natl Surety	LR 6121046	124
Hugh A. Larson	Fid & Dep Co of Md	7250333	126
Dale Luke	Fid & Dep Co of Md	7250303	127
<u>Cement Contractor</u>			
Ford Construction	Royal Indemnity	558462	99
E.C. Huff	Royal Indemnity	55845	100
Thomas McCall	Royal Indemnity	558456	101
Edward Spomer	Peerless Ins	350362	102
Poland Construction	National Surety	125	
V. O. Butcher	Fid & Dep Co of Md	7524269	128
Dale T. Luke	Fid & Dep Co of Md	4817464	129
<u>Electrical Contractor</u>			
L.E. Tuckness dba Advance Electric	Royal Indemnity	569412	103
David S. Hinkle dba Hinkle Gas & Elect	Natl Surety	6050012-'65	104
Kendall Electric Co	Gen Ins Co of Am	330353	105
Joseph A. Wheeler	Royal Indem	610325	106

Gas Installer

C. W. Downing	Hartford Accident	N-2760684-E	107
Furnaces, Inc. (Dayton D. Carter)	Royal Indemnity	612079	108
Earl Lee Eby dba Lee's Plbg & Htg	Peerless Ins	350364	109
D. K. Platt Sheet Metal & Htg	Natl Surety	6121057-'65	110
Public Service Co of Colo.	Royal Indemnity	558450	111
Percy B. Saddoris dba Saddoris Plbg & Htg	Royal Indemnity	603785	112
Russell R. Beecham	Fid & Dep Co of Md	5334132	130
Carl B. Stowe	Fid & Dep Co of Md	5227639	131
Clifford Starkebaum	Fid & Dep Co of Md	5227622	132

House Mover

W. R. Hall Transportation	Gen Ins	330352	113
Ralph E. Slates	Western Surety	3023628	114

Junk Dealer

Rocky Mountain Iron & Metal Co	Natl Surety	6121067-'65	115
Owen L. Cotton dba West Side Metal Co	Peerless Ins	350366	116

Plumbing Contractors

Warren C. Bush	Maryland Casualty	92784352	117
G.J. Plumbing & Htg (Jack B. Sills)	Natl Surety Corp	6088155-'65	118
Earl Lee Eby dba Leets Plbg & Htg	Peerless Ins	350365	119
Percy B. Saddoris dba Saddoris Plbg & Htg	Royal Indemnity	574327	120
Clifford Starkebaum	Fid & Dep Co of Md	4889682	133
Carl B. Stowe	Fid & Dep Co of Md	4889223	134

Second Hand Dealer

R.J. Rehder & D.A. Hoyt dba East Main Bike Shop	Mid-Continent Casualty	15145	121
G.J. Army Store	Fid & Dep Co of Md	7450438	135
Hugh & Mary Ann Burton dba Burton's Furniture	Fid & Dep Co of Md	7660726	136

Sign Hanger

Glen, Pat H. & George Cochran dba Cochran Outdoor Advertising Co.	Natl Surety	6062662-'65	122
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P.I.A.B. CHARTER REVISION

City Manager Lacy stated that at the last meeting of the P.I.A.B., the revised charter was approved, but since the minutes of the meeting had not been received by members of the

Council, it might be better to hold this matter over until the next meeting of the Council.

PROPOSED ORDINANCE REGULATING PEDDLERS & SOLICITORS - REPEALING GREENRIVER ORDINANCE - PASSED FOR PUBLICATION

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE REPEALING CHAPTER 69 or THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, THE PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS CHAPTER OF SAID ORDINANCES. It was moved by Councilman Wright and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. Motion carried. (4 AYES)

Councilman Colescott suggested that it might be well to wait awhile before calling this ordinance up for final passage as if it was passed the people would have no protection and it might be possible they might want some other ordinance.

President McCormick stated that he had received two letters; one from the G.J. Board of Realtors and one from the Western Colorado Association of Life Underwriters. After holding meetings with all of their members, it had been agreed that some ordinance governing sales people in Grand Junction would be desirable. The Western Colorado Association of Life Underwriters also suggested that a Better Business Bureau be developed with a central source of information. The Downtown Retail Trade Committee of the Chamber of Commerce asked the Council to delay final passage of the-so-called peddlers' ordinance so they could make more of a study of it and they offered-to work with the Council and City Attorney in devising an ordinance that would be acceptable to the greatest number of peoples.

There were several housewives in the audience who asked the Council to pass an ordinance against unlimited soliciting from door to door.

It was moved by Councilman Wright and seconded by Councilman Lowe that the proposed ordinance be called up for final passage. Call for the vote on the motion showed no Councilmen voting AYE and four Councilman voting NAY. All of the Councilmen present having voted NAY, the motion was declared lost.

City Attorney Ashby then read the following entitled proposed ordinance AN ORDINANCE REGULATING PEDDLERS AND SOLICITORS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF. It was moved by Councilman Lowe and seconded by Councilman Colescott that the proposed ordinance be passed for publication Motion carried. (4 AYES)

ORDINANCE NO. 1209 PASSED - CODE FOR REGULATION OF MOBILE HOME PARKS

The Proof of Publication to the following proposed entitled ordinance was presented and read: AN ORDINANCE ESTABLISHING A COMPREHENSIVE CODE FOR THE REGULATION OF MOBILE HOME SPACES, LOCATION OF SERVICE BUILDINGS, WATER SUPPLY, SEWAGE AND REFUSE DISPOSAL, AND PROVIDING FOR REGISTRATION OF OCCUPANTS, AND PROVIDING FOR COLLECTION OF MOBILE HOME PARK LICENSE FEES, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. It was moved by Councilman Colescott and seconded by Councilman Lowe that the Proof of Publication be accepted and filed. Motion carried. (4 AYES)

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 WENTRONICS, INC., 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 20th day of January, 1965.

Helen C. Tomlinson
City Clerk

It was moved by Councilman Lowe and seconded by Councilman Wright that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried. (4 AYES)

RESOLUTION (2-2-65) - WENTRONICS TV

The following Resolution was presented and read:

R E S O L U T I O N

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 in the City for the Special Municipal Franchise Election to be held on February 2, 1965, in the City:

JUDGES AND CLERKS

SPECIAL MUNICIPAL FRANCHISE ELECTION

February 2, 1965

	Judges	Clerks	
DISTRICT "A"	Mrs. Fay Elsberry	Mrs. Lela Zimmerman	
City Hall	Mrs. Ila McCarrie	Mrs. Celia Harp	
	Mrs. Faye Kerns		
DISTRICT "B"	Mrs. Olive Lehman	Mrs. Lucile Craft	
High School Gym	Mrs. Lee White	Mrs. Edna McElvain	
	Mrs. Marie Porter		
DISTRICT "C"	Mrs. Leila Kane	Mrs. Dorothy Evans	
Orchard Avenue School	Mrs. Mildred Collins	Mary Ann Warner	Mrs. Kathryn Harper
DISTRICT "D"	Mrs. Clara Charles	Mrs. Esther Granat	
Lowell School	Mrs. Vera Stocker	Mrs. Hazel Stadtman	
	Mrs. Jim Edmonds		
DISTRICT "E"	Mrs. Jane Matteroli	Mrs. Agnes Goodrich	
Lincoln Park Golf	Miss Mabel White	Mrs. Cora Hertzke	
Club House	Mrs. Pearl Porter		
Lincoln Park			

PASSED AND ADOPTED This 20th day of January, 1965

It was moved by Councilman Lowe 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 present voting AYE. The President declared the motion carried. (4 AYES)

RESOLUTION - WENTRONICS (2-2-65)

The following Resolution was presented and read:

R E S O L U T I O N

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

That the absentee ballots, if any, cast in the Special Municipal Franchise Election of February 2nd, 1965, be counted by the Board of Judges for the City's District "A".

PASSED AND ADOPTED this 20th day of January, 1965.

It was moved by Councilman Colescott and seconded by Councilman Lowe

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 b 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 electors of the City, the following question:

Question Submitted:

Shall the City Council of the City of Grand Junction, Colorado, grant a Revocable Permit to Home Owned Cable T.V. Inc., a Colorado Corporation, to permit that corporation to use all streets and alleys within the City for installation, operation and maintenance of a Cable Television System, the City receiving two and one-half percent (2 1/2%) of the gross receipts derived by the corporation from such operation within the City?

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 20th day of January, 1965.

Helen C. Tomlinson
City Clerk

PASSED AND ADOPTED THIS 20th day of January, 1965.

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 present voting AYE. The President declared the motion carried. (4 AYES)

RESOLUTION - CLERKS AND JUDGES - ELECTION 2-9-65 - HOME-OWNED CABLE TV

The following Resolution was presented and read:

R E S O L U T I O N

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 in the City for the Special Municipi- 2-9-pal Revocable Permit Election to be held on February 9, 1965, in the City:

JUDGES AND CLERKS
SPECIAL MUNICIPAL REVOCABLE PERMIT ELECTION
February 9, 1965

Judges

Clerks

DISTRICT "A" Mrs. Fay Elsberry Mrs. Lela Zimmerman
City Hall Mrs. Ila McCarrie Mrs. Elsa Ratekin
 Mrs. Celia Harp

DISTRICT "B" Mrs. Lee White Mrs. Lucile Craft
High School Gym Mrs. Olive Lehman Mrs. Edna McElvain
 Mrs. Myrtle Kendall

DISTRICT "C" Mrs. Leila Kane Mrs. Dorothy Evans
Orchard Avenue School Mrs. Mildred Collins Mrs. Mary Ann Warner
 Mrs. Tekla Fash

DISTRICT "D" Mrs. Clara Charles Mrs. Esther Granat
Lowell School Mrs. Vera Stocker Mrs. Hazel Stadtman
 Mrs. Blanche Culhane

DISTRICT "E" Mrs. Jane Matteroli Mrs. Agnes Goodrich
 Mrs. Margaret Brisnahan Mrs. Cora Hertzke
 Ralph Barnes

PASSED AND ADOPTED this 20th day of January, 1965.

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 present voting AYE. The President declared the motion carried. (4 AYES)

RESOLUTION - ABSENTEE BALLOTS

The following Resolution was presented and read:

R E S O L U T I O N

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

That the absentee ballots, if any, cast in the special municipal revocable permit election of February 9, 1965, be counted by the Board of Judges for the City's District "A".

Passed and adopted this 20th day of January, 1965.

It was moved by Councilman Lowe 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 present voting AYE. The President declared the motion carried. (4 AYES)

EAGLES BASEBALL CANCEL \$2,497.67 OWED CITY

City Manager Lacy reported that the Eagles Semi-Professional Baseball Team has owed the City a balance of \$2,497.67 since 1960 and it has been accruing interest since that time at the rate of 6% in accordance with action taken by the City Council at that time. Mr. Lacy reviewed the history of the Eagle's baseball program up to 1960 stating that the Council would be asked every year to waive the fees as the Baseball Committee did not make enough money to pay all of the expenses. In February, 1960, the slate was once again wiped clean. In September, 1960, when the Committee Chairman appeared before the Council, it was agreed that the Council would place a \$1,000 credit in the 1961 budget to help the Eagles get on a paying basis. Interest was to be charged at 6%. A plan of a ten cent per admission field fee was established in 1961 and since that time, this portion of the fees has been taken care of promptly. No interest has been paid since 1961. At this time, there is owing in interest and fees the sum of \$593.15 plus the original balance of \$2,497.67.

Mr. Lacy suggested that the Eagles pay the sum of \$593.15 and the City would cancel the balance. In 1964, they paid the ten cent field fee plus an additional ten cents field fee for lights which took care of the 1964 costs.

It was moved by Councilman Wright that the City waive or credit the Eagles account with \$2,497.67 if they pay the balance due of \$593.15. The motion was seconded by Councilman Colescott. Roll was called on the motion with all Councilmen present voting AYE. The President declared the motion carried. (4 AYES)

SALES TAX ADM - REPORT ON 1964 COLLECTIONS

City Manager Lacy reported that the sales tax collected through November, 1964 was \$153,061.37. He gave the following break down by areas: 26.70% from Zone I, (Shopping Park); 33.55% from Zone II (Central Shopping Area); 10.66% from Zone III (Teller Arms District); 13.48% Zone IV (North Ave.) and 15.61% from Zone V (Other areas). He also gave the break-down of collections from the various types of retail stores. He stated they were very pleased to say this is right on our estimate of revenue as projected from the financial study. However from the actual administration of the new tax since August 1st has brought to light the need for some changes in the ordinance to clarify certain provisions and make collection more practical. The changes suggested are as follows:

1. Section 2-18 (1). Should be modified to exclude leases or contracts which are predominately service (such as towel and uniform rentals where laundry service is the principal portion of the charge.)
2. Section 11-6. Should be expanded to include mining, manufacturing, processing, and irrigation firms as well as railroad and construction firms which may pick up materials for outside City use, tax free. This expansion should include an identification method whereby the merchants can be assured that they are acting correctly when making tax-free sales, possibly an identification card system.
3. Section 20-1 (1) and 13-1 (1). The tax schedule should be changed from the present starting point of 19 cents to 44 cents as the point at which the one cent City tax should be added. This is the basic starting point used by all other Colorado cities which do not use the 19 cents point. We have found that the large majority of the businesses have selected the alternate of paying the City one-half of what they have collected for state tax.

Therefore, there would be no significant drop in revenue although the customer would feel the benefit of this change when making small purchases.

4. Section 21-3. Should be amended to provide authority to extend the time for filing use tax returns to a longer time, probably yearly in some cases. The amounts collected from this source are small and in many cases the requirement of filing of returns simply puts an additional burden on certain types of businesses.

Councilman Wright stated that he thought it would be in order to go ahead and draw up the suggested changes.

PEDDLERS ORDINANCE

Councilman Wright stated that he would like to go back to the matter of the so-called peddlers or solicitors ordinance. He felt it was incumbent upon the Council to pass the best ordinance that serves the best interest of the bulk or majority of the people. He felt that such an ordinance should not penalize local merchants or legitimate sales people in order to catch a small percentage of fly-by-night salesmen.

Councilman Colescott felt that there might not be a splurge of buying "no solicitor" signs for awhile and President McCormick said this might turn out to be a "stop gap" measure and it may be that a Better Business Bureau may be organized if this is not adequate as he felt that the Council has not heard from all of the people.

ADJOURNMENT

It was moved by Councilman Lowe and seconded by Councilman Wright that the meeting adjourn. Motion carried. (4 AYES)

/s/ Helen C. Tomlinson
City Clerk