

Grand Junction, Colorado

May 5, 1965

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., May 5, 1965. Councilmen present and answering roll call were Charles E. McCormick, R. B. Evans, Charles H. Love, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and President Ray A. Meacham. 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. Joseph F. Kane, Pastor, Immaculate Heart of Mary Catholic Church.

MINUTES

It was moved by Councilman McCormick and seconded by Councilman Evans that the minutes of the regular meeting held at 10:00 a.m. May 3, 1965 be approved as written. Motion carried. (7 AYES)

INTERSECTION OF COLORADO & SPRUCE - REQUEST OF WHOLESALE GROCERY FOR VACATION OF PORTION

The Planning Commission at its meeting held on April 28th heard Mr. James K. Groves, Attorney, concerning the intersection at Colorado Avenue and Spruce. Colorado Wholesale Grocery proposed to purchase property from Independent Lumber Co. and the vacation of a portion of this intersection would possibly help clear up the title for the transfer of this property. This matter has been referred to the City Engineer and the Public Service Co. for study. City Attorney Ashby reported that a memo would be sent to the Council in a few days explaining this situation so that the Council can bring it up and act on it at a later meeting.

Councilman McCormick suggested that the Council issue a Revocable Permit rather than vacate this intersection.

ZONING JACOBS LADDER AREA - CITY ADOPTS NEUTRAL POSITION

The City owns forty acres of land near the Jacobs Ladder area which is being considered by the County Commissioners for re-zoning. This matter was brought before the Planning Commission and they recommended that the City hold a neutral position on the re-zoning matter. It was moved by Councilman Wright and seconded by Councilman Love that the City follow the recommendations of the Planning Commission and maintain a neutral position on zoning in the Jacobs Ladder area. Motion carried. (7)

City Manager Lacy was instructed to look into the encroachment of roads and squatters on the City property.

TV - REVOCABLE PERMIT & RESOLUTION GRANTING TRUNK ROUTE THROUGH CITY TO CABLE TV COMPANY OF COLORADO

The Planning Commission had approved the following map showing the routing for trunk lines for cable television for Cable TV of Colorado:

See Page 208

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, Cable Television Company of Colorado, a Colorado corporation, has petitioned the City Council of the City of Grand Junction for a revocable permit to install and maintain a cable, and necessary appurtenances thereto, to transmit television signals from its place of business to the city limits of said city using those streets and alleys as the same appear on the map attached hereto and made a part hereof by reference, together with the right to trim trees in protection of the cable so installed; and

WHEREAS, the matter has been considered by the City Planning Commission, and its recommendations submitted; and

WHEREAS, such action would not be detrimental to the use of the rights-of-way nor 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 such revocable permit to the said company for the purpose described upon the executions, by the company of an agreement covering the following matters:

1. The company shall agree that no person within the City of Grand Junction will be sold or furnished service from said cable and no distribution of signals therefrom shall be made within the City.
2. The company shall agree to save and hold the City harmless from any and all claims or demands arising out of the installation, maintenance or use of the cable under the permit granted.
3. The company shall agree that all construction shall be under the control and supervision of the City Engineer and in accordance with his specifications.
4. The company shall agree that at any time the City shall lawfully elect to alter or change the grade of any street or alley, the permittee, upon reasonable notice by the City, shall remove, relay and

relocate its poles, wires, cables or other fixtures at its own expense.

PASSED AND ADOPTED THIS 5th day of May, 1965.

Ray A. Meacham
President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman McCormick 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
(No Permit Provided)

RECREATION BOARD - APPOINTMENTS TO BE MADE LATER

The terms of Ed VanderTook and Ruth Slomer have expired on the Recreation Board. President Meacham stated that he would be ready with recommendations for members of the Recreation Board at a later meeting.

BONDS APPROVED

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

Willard L. Moore
dba Aero Plbg & Htg Plumbing Western Cas & Surety 339331 #178
James J. Sloggett Cement Peerless Ins 35 03 88 #179
Sherman E. Robison Spec
dba Sherm's Roofing Contr Royal Indem 373214 #180
William H. Dunning " St Paul Fire&Marine 400AX5043181

Motion carried. (7 AYES)

3.2 BEER RENEWAL - LAURENCE R. FLANNAGAN DBA WESTSIDE GROCERY, 505 W. COLORADO AVENUE

An application for renewal of 3.2 beer license was presented by Laurence R. Flannagan dba Westside Grocery, 505 W. Colorado. A letter was read from Chief of Police Karl M. Johnson stating that there was no reason known to him why the application should not be approved and license granted. 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. (7 AYES)

COUNCIL MEETING - JUNE 23 INSTEAD OF JUNE 16

The Municipal League Conference will be held June 16, 17, 18, and as many Councilmen and City officials plan to attend, it will not be advisable to hold the second regular meeting in June on June 16th. It was moved by Councilman Otto and seconded by Councilman Colescott that the regular meeting of the City Council which would ordinarily be held on June 16th be adjourned until June 23rd. Motion carried. (7 AYES)

LIQUOR APPLICATION - KAY HAYASHI DBA "THE ATTIC", 345 MAIN STREET - HEARING SET FOR 6-23-65

It was reported that Kay Hayashi dba "The Attic", 345 Main Street, had presented an application for a restaurant liquor license. City Attorney Ashby stated that this application has come up before the Council could set any particular policies, but there would be some changes made in the survey form. The form will be made more positive. There will be places for three expressions of opinion. Mrs. Hayashi will be required to make a complete statement as to what the operation will be. There will only be one survey. City Manager Lacy added that the survey will be preceded by a letter, including a Statement of Intent by the applicant, to be sent to the addresses of the properties which will let people know that the survey will be taken within a period of ten days and will give people a chance to talk with their neighbors before the survey is made. This will give a little better idea of the desires of the neighborhood but will do nothing to help to determine the needs of the neighborhood.

Councilman Wright requested that if there is any way to establish any criteria for the needs of the area that the Council be given some yardstick to make this determination. Mr. Lacy stated that something could be prepared for future applications, but there is not time enough to have it for use on this particular application. Some cities have made a statement concerning "needs" which has not been declared illegal.

It was moved by Councilman Wright and seconded by Councilman Love that the date of hearing on the application of Kay Hayashi dba "The Attic" at 345 Main Street be set for June 23rd. Motion carried. (7 AYES)

ORDINANCE NO. 1212 (EMERGENCY) - FEES FOR SWIMMING POOLS

The following entitled proposed emergency ordinance was presented and read: AN ORDINANCE AMENDING SECTION 5 OF CHAPTER 15 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION TO PROVIDE THAT THE CITY MANAGER SHALL ESTABLISH THE FEES AND CHARGES FOR THE USE OF LINCOLN PARK AND MOYER POOLS AND FACILITIES AND DECLARING AN EMERGENCY. It was moved by Councilman McCormick and seconded by Councilman Evans that the ordinance be passed and adopted as an emergency ordinance, numbered 1212 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)

City Manager Lacy stated that by raising the fees, the City was hopeful that sufficient funds could be accrued so that the heating system in both pools could be brought up to standards acceptable to the swimmers. He re-stated the fees as follows:

SWIMMING POOL FEES - 1965 SEASON

LINCOLN
PARK POOL MOYER POOL

Adult Season (16 & over)	\$12.00	\$6.00
Child Season (15 & under)	7.00	3.00
Adult Season (16 & over-both pools)	13.00	
Child Season(15 & under-both pools)	8.00	
Family Season	35.00	19.00
Family Season-both pools	38.00	
Adult Individual	.75	.50
Child Individual	.50	.25
Towel rent	.10	.10
Suit rental: Adult	.50	.25
Child	.25	.15
Dolphins (per season)	1.00	
<u>Learn to Swim</u>		
Adults (18 & over)	6.00	
Child (17 & under)	3.00	
<u>"Swim Moms"</u>		
Mom	4.00	
Each Child	1.00	

(All Learn-to-Swim Programs are held only in Moyer Pool)

It was moved by Councilman Wright and seconded by Councilman Love that the City Council approve the above schedule of fees. Motion carried. (7)

AIRPORT - RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR LAND FOR NAVIGATIONAL AIDS

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS the City-County Airport Board has commenced improvements to the Airport at Walker Field; and

WHEREAS such improvements include extension of the runway in a westerly direction; and

WHEREAS it is necessary that additional land be acquired for purposes of moving and installing

navigational aids;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, that the County Attorney is hereby authorized to commence condemnation proceedings on behalf of Mesa County and the City of Grand Junction under the provision of 1963 C.R.S., Chapter 50, Article I, to condemn for Airport purposes the following described real property situate in Mesa County, Colorado, to-wit:

SW 1/4 SE 1/4 SW 1/4 Section 24 T1N, R1W, Ute Meridian.
Ten acres more or less.

It was moved by Councilman McCormick 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 City Council voting AYE. The president declared the motion carried. (7 AYES)

SPECIAL ASSESSMENTS - POLICY OF FLAT RATE \$8 FRONT FOOT - APPROVED

City Manager Lacy stated that in accordance with the capital improvements program and financial survey which had been made previously, and in view of the fact that the sales tax ordinance had passed, he would make the recommendation to the Council that paving assessment policies be changed and that a flat fee for front foot of property be charged for paving, curb and gutter and sidewalks. He suggested a charge of \$8 per front foot which would include paving, curb and gutter, and sidewalk regardless of the width of the street required, drainage problems, or other unexpected costs charged on property included in improvement districts; \$3.00 would be the charge for running foot for alley improvements. He stated he would write the Council a Memo in a short time defining this policy in more detail, and that an ordinance would be prepared to amend the present improvement district ordinance. There are petitions being requested at the present time and something needs to be settled so that the Engineering Department can go ahead. Any additional costs for improvement districts would be paid for from the capital improvement fund of the City. This policy is a change in that formerly the City paid for the construction of intersections by issuing General Obligation Bonds.

It was moved by Councilman Colescott and seconded by Councilman Wright that the City Council approve City Manager Lacy's concept of paying for street improvements and that the sum of \$8 per front foot for paving, curb and gutter, and sidewalks and \$3 per front foot for alley paving be the amount to be assessed for such improvements. Motion carried.

SALES TAX - TO AGREE WITH STATE WHEN CHANGES ARE MADE

Councilman Colescott brought up the matter of the new State sales tax legislation which had just recently been passed and suggested the City go ahead and change the City ordinance to conform. City Manager Lacy stated that as soon as copies of the new State tax were available the City Attorney would prepare the necessary ordinance.

ADJOURNMENT

It was moved by Councilman Evans, duly seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk