

Grand Junction, Colorado

July 7, 1965

**ROLL CALL**

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. July 7, 1965 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Charles E. McCormick, R. B. Evans, Charles H. Love, Harry O. Colescott, Dr. Burst Otto, Herbert M. Wright and President Ray A. Meacham. Also present were City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson. City Manager J. M. Lacy was absent.

**INVOCATION**

The invocation was given by Rev. A. J. Bertrand, Pastor, St. Joseph's Catholic Church.

**MINUTES**

It was moved by Councilman McCormick and seconded by Councilman Otto that the minutes of the regular meeting held June 23, 1965 be approved as written. Motion carried. (7 AYES)

**AIRPORT - COUNCIL TO INTERVENE TO CIVIL AERONAUTICS BOARD (CAB) REGARDING AIR ROUTE PAC NW/SW - DOCKET #15459**

Mr. Howard McMullin, Chairman of the Chamber of Commerce Transportation Committee, was present and spoke to the Council asking that the City as co-owner of the Municipal Airport join with the County and Chamber of Commerce to intervene in the case known as the Pacific Northwest-Southwest air route case, Docket No. 15459, before the Civil Aeronautic Board. Intervention in the case would mean that the interested parties would be furnished copies of all pertinent information by C.A.B.

It was moved by Councilman McCormick and seconded by Councilman Wright that the City Council intervene subject to the proviso that the City Council be consulted if the Chamber of Commerce decides to appear for any specific airliner motion carried. (7 AYES)

**LIQUOR LICENSE KAY HAYASHI DBA THE ATTIC & PONY EXPRESS, 345 MAIN STREET - DENIED**

Further consideration of the application for a restaurant liquor license by Kay Hayashi dba "The Attic" and "Pony Express", 345 Main Street, was given. President Meacham stated that the hearing had been held on June 23, 1965, but as all members of the Council were not present a vote was not taken at that time. Councilmen Evans and McCormick had listened to the tape recording

of the hearing. He also stated that 254 contacts were made by the investigator of this license; 129 were in favor of granting it; 25 were opposed to granting and 100 did not express an opinion. It was moved by Councilman Wright and seconded by Councilman Otto that the application of Kay Hayashi for a restaurant liquor license for "The Attic" and "Pony Express" 345 Main Street, be approved. Basing their vote on the reasonable requirements of the neighborhood and the needs of the inhabitants, Councilmen McCormick, Evans and Colescott and President Meacham voted NAY; Councilmen Love, Otto and Wright voted AYE. A majority of Councilmen voting NAY, the motion was declared lost and the license not granted.

City Attorney Ashby then asked the City Council to give an opinion on the subject that the application was different because it was designated as a "unique venture." Councilman Evans stated he thought that this application was no different from any other application for a hotel and restaurant liquor license. It is unfortunate that this "unique venture" is not a portion of the law as the Council must consider only "requirements of the neighborhood and needs of the inhabitants." It is felt these are well taken care of.

**PROPERTY - LOT 10 BLK 2 WESTLAKE PARK ANNEXATION #2, 1719 JUNIPER, TO PURCHASE FOR \$1,897.88**

Mr. Don Warner, Development Director, appeared before the Council and explained that a building permit had been issued in error in West Lake Park area to Mr. and Mrs. Peterson. Zoning regulations called for a much larger house to be built on Lot 10 Block 2 Westlake Park Annexation #2 (1719 Juniper) which the Petersons owned. They were allowed to purchase materials and pour the footings before the error was discovered. Mr. Warner recommended that the City buy this lot for the sum of \$1,897.88. This would pay for the lot and all of the money expended to date. Similar lots in the neighborhood have sold for \$2,000 to \$2,200 and the City could possibly realize the money expended.

It was moved by Councilman Colescott and seconded by Councilman Evans that the City purchase this property from the land fund, and that the City Manager be instructed to take whatever steps are necessary to complete the transaction. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 AYES)

**PLANNING COMMISSION APPOINTMENTS**

The terms of Planning Commission members, Grace Smith, Barbara Hyde, Robert Baker and Harry Colescott, expire on August 1, 1965. President Meacham stated that they all were willing to serve for another four year term, and he, therefore, would appoint them to serve until August 1, 1969 with concurrence of the City Council.

**3.2 BEER RENEWALS - CITY MARKET, 104 ORCHARD AVENUE, AND CITY MARKET, 865 NORTH AVENUE**

Applications for renewal of 3.2 beer licenses were presented by North Avenue City Market, Inc., 865 North Ave., P. O. Box 729, and First Street City Market, Inc. 104 Orchard Avenue, P. O. Box 729. A letter from Chief of Police Johnson stated he had no objection to the renewal of these licenses. It was moved by Councilman Colescott and seconded by Councilman Love that the applications be approved and licenses granted when State licenses have been received. Motion carried. (7 AYES)

**ZONING - AUTHORIZE 50 FEET FOR APARTMENT BUILDING AT 7TH & BELFORD (MARASCO-SPERBER-O'CALLIGHAN & CO.)**

From the minutes of the Planning Commission meeting held June 30th, the following recommendation was made: The Commission recommended that the Council authorize permission to increase the height of an apartment building to be constructed on the southwest corner of 7th and Belford from 35 feet to 50 feet. The zoning ordinance provides for height restrictions but allows deviation if approved by both the Planning Commission and the Council.

It was moved by Councilman McCormick and seconded by Councilman Colescott that the Council approve the additional height for the apartment house building for 7th and Belford with the stipulation that if the attorney for the apartment house owners desires a regularly advertised hearing, it would be held by the Council. Motion carried. (7 AYES)

**BOND APPROVED**

It was moved by Councilman McCormick and seconded by Councilman Love that the bond for a cement contractor's license for Dillard Fair and Fred Cunningham dba Fair & Cunningham, Royal Indemnity Co. 373218 (#189) being on the approved bond form, be accepted and filed. Motion carried. (7 AYES)

**ORDINANCE NO. 1214 PASSED - VACATING A PORTION OF SPRUCE & COLORADO AVENUE (COLORADO WHOLESALE GROCERY REQUEST)**

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF STREETS IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Colescott and seconded by Councilman Love that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman McCormick and seconded by Councilman Evans that the ordinance be called up for final passage. Motion carried. (6 AYES)

The Ordinance was then read, and it was moved by Councilman Evans and seconded by Councilman Love that the Ordinance be passed and adopted as read, numbered 1214 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) Councilman Wright not voting having been called from the meeting).

**ADJOURNMENT**

It was regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson  
City Clerk