

Grand Junction, Colorado

April 6, 1966

**ROLL CALL**

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. April 6, 1966 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Chas. E. McCormick, R. B. Evans, Chas. H. Love, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and President Ray A. Meacham. Also present were City Attorney Gerald J. Ashby, City Manager J. M. Lacy and City Clerk Helen C. Tomlinson.

**INVOCATION**

The invocation was given by Mr. Jerald F. Chadwick, Second Counsellor in First Ward Bishopric, Church of Jesus Christ of Latter Day Saints.

**MINUTES**

It was moved by Councilman McCormick and seconded by Councilman Evans that the minutes of the regular meeting held March 16, 1966 be approved as written. Motion carried. (7 AYES)

**WATER**

Report on Improvement Program

Councilman Colescott, Chairman of the Water Committee, made a report to the Council for the Committee. The Committee has been actively working for about two years. At the present time, a contract has been awarded to W. B. Johnson Company for repairs at the filter plant. This includes replacing iron pipe with copper; replacing a boiler and two new pumps together with some control valves. This work will cost approximately \$8,600. The City has graveled a road leading to the micro strainer plant and has done some repair work on reservoirs. The Mantey Heights tank has been repainted inside and outside, and the tap from Ute Water District has now been made and the tank is ready for use.

The Committee met with the Engineering firm of Henningson, Durham & Richardson concerning the installation of two four million gallon tanks. A contract for \$10,000 was recommended for the engineering services which will include bringing the specifications up, advertising for bids, soil work, plotting of tanks, and carrying out the building of the tanks. This work will be done on a three-phase basis, and the cost will be between \$300,000 and \$400,000 for the entire project. Councilman Wright stated that by negotiation with the Engineering firm, a lower figure was possible, as this will be a continuing improvement and cheaper if handled by one firm. President Meacham thanked Councilman Colescott and his committee for the work they have done.

**BOARD OF ADJUSTMENT**

Cecil Hobbs, 1267 Texas

John Frazier, 1537 Texas

apptd for 3 yr terms

Councilman Evans reported that his Committee would suggest the names of Cecil Hobbs and John Frazier to serve three-year terms each as members of the Board of Adjustment. It was moved by Councilman Evans and seconded by Councilman McCormick that Cecil Hobbs and John Frazier be appointed to serve three-year terms as members of the Board of Adjustment. Motion carried. (7 AYES)

**3.2 BEER RENEWALS**

City Market 433 Grand

7-2-11 Food Store No. 10 Inc, 1134 N 12th

Applications for renewal of 3.2 beer licenses were presented by City Market, 433 Grand Ave., and 7-2-11 Food Store No. 10, Inc., 1134 No. 12th Street. A letter from Chief of Police Karl Johnson was read stating that there were no unfavorable reports on City Market and he knew of no reason why the license should not be renewed. A letter was also read from Chief Johnson on 7-2-11 Food Store which stated that he had no objections to renewal of this license. It was moved by Councilman Colescott and seconded by Councilman Love that these applications be approved and licenses granted when state licenses have been received. Motion carried. (7 AYES)

### **DAYS**

Lapel Tag 5-21-1966 Daughters Of Union Veterans

A letter from Mrs. Dorothy Hart, Secretary, Daughters of Union Veterans was read requesting permission to sell lapel tags on the downtown streets on Saturday, May 21, 1966 from 10 A.M. to 2 P.M. It was moved by Councilman Wright and seconded by Councilman Otto that the request be granted. Motion carried. (7 AYES)

### **3.2 BEER HEARING**

Colescotts, 4-20-1966

A hearing has been scheduled and advertised for April 20, 1966 for transfer of 3.2 beer grocery license from Gladys Colescott and Mary Spano to Archie and Ernest Hall at 551 South Avenue.

### **ANNEXATIONS**

Willowbrook Sub

not ready yet

E. Grand Ave & Freeway

From the minutes of the meeting of the Grand Junction Planning Commission of March 30, 1966 recommendations were made approving the boundaries of two proposed annexations: Willowbrook Subdivision and E. Grand and Freeway. City Manager Lacy reported that since this time, there were some changes in the Willowbrook Subdivision, and that it is not ready to be approved. It was moved by Councilman Wright and seconded by Councilman Love that the boundaries for the E. Grand Ave. and Freeway annexation be approved and authorization be given for petitions to be drawn up and circulated. Motion carried. (7 AYES)

### **DAYS - POPPY DAY**

5-28-1966

American Legion Aux

A letter was read from the American Legion Auxiliary requesting permission to sell poppies on the downtown streets on May 28, 1966. It was moved by Councilman McCormick and seconded by Councilman Evans that the request be granted. Motion carried. (7 AYES)

### **BONDS APPROVED**

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

Jas. C. Terry	Gen Contr	Peerless Ins	35 04 27	#185
V. H. Topliss dba Clifton Constr Co.	Gen Contr	Peerless Ins	35 04 29	#186
Fred Cunningham	Spec Contr	Royal Indemnity	349238	#188
Fred Cunningham	Cement	Royal Indemnity	394237	#187
Lloyd J. Davis dba Snow Elec & Refrig	Elect	Western Surety	842955	#189
Emory G & June G. Earle	House Mover	Western Surety	5171402	#192
Green & Green Constr	Gen Contr	USF&G		#190
Vernon J. Stringham	Gen Cont	Conn Fire Ins	59756	#191

Motion carried. (7 AYES)

### **3.2 BEER VIOLATION**

Food Time Drive In, 1117 N. 1st St

Hearing 4-20-1966

Selling to Minor

City Manager Lacy read a "Memo" from Chief of Police Karl Johnson concerning a violation in selling 3.2 beer to a minor. On Feb. 4, 1966, a 16 year old boy purchased a half barrel of beer from Food Time Drive In, 1117 No. 1st Street. He admitted that he had shown a driver's license on which the date of birth had been altered with a pen, for identification. The youth was charged as a delinquent in District Court (which is the present manner in which the District Attorney's Office handles these cases). The charges were subsequently dismissed without a hearing on the recommendation of the Probation Department. Mary Rozella Brown, a clerk at the Food Time Drive In, was charged with the sale of malt beverage and delivery of the beer to a minor under the age of 18 years, and Wesley M. Williams, one of the corporate officers, was charged with having permitted the sale. On March 23, 1966, a hearing was held in Mesa County Court with both defendants entering pleas of "Not Guilty". Charges against Mr. Williams were dismissed. Mrs. Brown was found "Guilty" of having made the sale and was sentenced to fifteen days in the County jail. This sentence was suspended. After discussion, it was moved by Councilman Wright and seconded by Councilman Love that a hearing before the Council be held on April 20, 1966 and that all parties concerned with this violation be so notified. Motion carried. (7 AYES)

### **LIQUOR VIOLATION**

Hammer Drug Co. selling to minor

Possible change Council policy to hold hearing before Court hearing

Councilman Colescott brought up the alleged violation of Hammer Drug in selling liquor to minors. Chief Johnson stated that these cases have not been heard in Court, and it has been his policy to refer them to the Council after Court

hearings have been held and sentence, if any, has been imposed. As many cases are not heard immediately after a violation, a new policy may need to be formulated and hearings before the City Council could be held prior to the Court hearing. This policy should be explored further at the next Council meeting.

### **TRAFFIC ON NORTH**

Petition of residents for action

A petition signed by 41 residents was presented dated March 28, 1966. This petition called the Council's attention to an increasing traffic problem on North Avenue. This problem originates with speed, loud exhausts, little or no mufflers, racing vehicles, hauling loose trash that drops off and little regard for pedestrians at crossings where there are no traffic lights. The condition exists both day and night and with both young and old drivers. A written reply from Chief Johnson was read in which he stated that traffic problems do exist along North Avenue and whether or not they are disproportionate to the traffic volume would be difficult to say. Volume counts were made last year but have not been fully evaluated. 38% of all summons for moving violations in the City have been written for violations along North Avenue. Because of a shortage in man power, radar speed control has not been possible. Radar control will be increased in the near future. Most of the speeding seems to be "rapid acceleration," or "dragging" and lasts for only short distances. There have been 39 accidents along North Avenue this year, or 16% of the total for all of the City. It is difficult to say whether this rate is higher than it should be. There is little that can be done about mufflers, unless they have been modified. It is hard to get convictions especially before a jury on acceleration or mufflers. He recommended full engineering studies for this and other areas to determine what might be done. The Police Department and Traffic Engineer are working closely on these problems.

City Attorney Ashby reported that on drag racing and acceleration exhibition, the Legislature has set a penalty of twelve points on conviction which means automatic suspension of a driver's license. This is the same penalty imposed for drunk driving. This poses a problem in County Court and presenting sufficient evidence to get convictions is difficult.

Chief Johnson was present and stated again that until engineering studies are completed it is hard to tell whether traffic violations on North Avenue are out of proportion to other areas in the City. This study will be made as fast as possible.

### **3.2 BEER DISTURBANCE**

Pizza Hut, 1230 No. 12th

A "Memo" from Chief Johnson to Mr. Lacy was read regarding trouble at the Pizza Hut, 1230 No. 12th Street, caused from mismanagement of 3.2 beer operation. In December, 1965, a license was issued to Grand Junction Pizza Hut, Inc. The owners live in Denver and Mr. Dwane Moore manages this place which now has become a "beer joint" for Mesa College students. There seems to be mismanagement of this place as well as at "The Pad" at 307 So. 12th Street. One other place, "Shakey's Pizza Parlor" seems to operate with very little difficulty. Mr. Johnson reported that these two businesses cause the Police to spend more hours in enforcement problems than all of the other liquor establishments in Grand Junction. He suggested a raise in the Occupational Tax to cover this cost. Mr. Johnson also stated that if the Council desired, he would make specific recommendations to them when renewals and new licenses are being considered. The Council suggested that Mr. Johnson and City Attorney Ashby study this problem together and bring back a report to the Council.

### **DAYS - CARNATION**

5-7-1966 Am War Mothers

Grand Mesa Chapter American War Mothers requested permission to sell Carnations on the streets on May 7, 1966. It was moved by Councilman Otto and seconded by Councilman Colescott that the request be approved. Motion carried. (7 AYES)

### **ANNEXATION**

El Corona (Jim Gale et al)

Instr No 4191

Hearing 7:30 5-18-1966

Notice of Hearing

Resol accepting petition

The following Resolution was presented and read:

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 12, Township 1 South, Range 1 West of the Ute Meridian, thence North to the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 12, thence East along the North line of said Northeast Quarter of the Northeast Quarter 495 feet, thence South to the North line of the Southeast Quarter of the Northeast Quarter of said Section 12, thence East along said North line 326 feet to a point of intersection with the West line of the KSL Subdivision as projected North, thence South to a point on the South line of said Southeast Quarter of the Northeast Quarter, thence West to the point of beginning,

has been submitted to the City Council of the City of Grand Junction, and

WHEREAS, said petition substantially complies with the requirements of Chapter 139-10-6, Colorado Revised Statutes, 1963, as amended:

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 3 and 4 of said Chapter 139-10 of the Colorado Revised Statutes, 1963, will be held on the 18th day of May, 1966, in the City Auditorium at the hour of 7:30 o'clock P.M., and that notice of such hearing be given.

#### NOTICE

Notice is hereby given that at the regular meeting of the City Council of the City of Grand Junction held on April 6, 1966, the following Resolution was adopted by the Council:

(Foregoing Resolution)

Notice further is given that a hearing on said proposed annexation will be held in the City Auditorium at 7:30 o'clock P.M. on the 18th day of May, 1966, to determine whether the territory proposed to be annexed meets the requirements of Sections 3 and 4 of Article 10 of Chapter 139, Colorado Revised Statutes, 1963, as amended, and is eligible for annexation.

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City Clerk

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

**BUILDING**

937 Main (Winnie Cain)

Not in violation-nothing can be done about appearance

City Attorney Ashby reported that at the present time and under present laws, there is nothing that the Council can do to require Winnie Cain at 937 Main Street to improve the looks of her home unless by talking with her, she can be persuaded to take some action. The most stringent housing code could possibly take care of similar situations but most strict housing codes are in the East and are more or less frowned upon in this area.

**BOYS & GIRLS CITY-COUNTY GOVT. DAY**

This was Boys & Girls City & County Government Day and a number of students were in the audience. President Meacham complimented them and called for the seven students who were selected to serve as Councilmen and the student City Manager to take their seats and proceed to consider the agenda which they had selected for their meeting.

**ADJOURNMENT**

The regular Council meeting was declared adjourned.

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/s/ Helen C. Tomlinson  
City Clerk