

Grand Junction, Colorado

February 15, 1967

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., February 15, 1967. Councilmen present and answering roll call were Chas. E. McCormick, R. B. Evans, Chas. H. Love, R. G. Youngerman, H. M. Wright and President Ray A. Meacham. Councilman Harry O. Colescott was absent. Also present were City Manager R. N. Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Rev. Robert Sander, Pilgrim Holiness Church, Grand Junction, Colo.

MINUTES

It was moved by Councilman McCormick and seconded by Councilman Love that the minutes of the regular meeting held Feb. 1, 1967 be approved as written. Motion carried.

HEARING 3.2 BEER - CHANGE OF ADDRESS DAN WILLIAMS 7-11 MARKET FROM 805 N 1ST TO 801 N 1ST - GRANTED

This was the date set for hearing on the application of Dan Williams dba Williams 7-11 market to move his 3.2 beer license from 805 North First Street to 801 North First Street. There were no protests filed and no one present who protested. President Meacham closed the hearing. It was moved by Councilman Evans and seconded by Councilman Youngerman that the application be approved. Motion carried.

LIQUOR HEARING - SKI-LU, INC. 233 NORTH - GRANTED

This was the date set for hearing for a restaurant liquor license for Willard B. Nelson and Lucile Nelson dba Ski-Lu, Inc., at the Commercial Inn, 233 North Avenue. A special survey had been made in the area surrounding the Commercial Inn by Mr. Charles Boyes. This survey showed that 65 residents or businesses were in favor of the license; 33 were opposed; 42 did not care to give an opinion; 15 did not care to make a signed statement; 22 addresses were not contacted as there was no one at home after several attempts were made to contact the residents. A sketch of the proposed restaurant was shown to the Council.

A letter from Karl Johnson, Chief of Police, stated that the applicants had been checked and met all necessary eligibility requirements. There were no other petitions filed. Mr. Bill Winter spoke in favor of the granting of the license; stating that

knowing the applicants personally, he felt that they would provide Grand Junction with a worthwhile establishment. It was moved by Councilman Wright and seconded by Councilman McCormick that the application be approved and license granted when the State license has been received. Motion carried.

MUNICIPAL JUDGE - HARRY CLAUSSEN APPOINTED EFFECTIVE 2-16-67

Councilman Evans made a report from the Judge Selection Committee. He stated that Mr. Harry Claussen had been selected to fill the office of Judge of the Municipal Court effective Feb. 16, 1967. It was moved by Councilman McCormick and seconded by Councilman Love that the Council ratify the appointment of Harry Claussen as Judge. Motion carried. Later in the evening Judge Claussen was sworn into office and will take over the Municipal Court on Thursday morning, Feb. 16, at 8:00 o'clock A.M.

3.2 BEER RENEWAL - GERALD W. WIEKER DBA THE CORRAL, 539 COLORADO - GRANTED

Mr. Gerald W. Wieker dba The Corral, 539 Colorado Avenue, presented an application for renewal of his 3.2 beer license. Chief of Police Johnson reported there were no complaints on the operation of this establishment during the past year and he knew of no reason why the license should not be renewed. It was moved by Councilman Love and seconded by Councilman Youngerman that the application be approved and license be issued when the State license has been received. Motion carried.

LIQUOR LICENSE - BAMBOO RESTAURANT & LOUNGE, 215 N 5TH - TABLE ACTION

A letter from Dr. Cecil Reinstein, Director of the Mesa County Health Department, was read. This letter was addressed to Mr. Arnold Ebert dba Bamboo Restaurant & Lounge, 215 North 5th Street, and stated that his establishment did not qualify for a restaurant license due to the fact that there is no evidence of the kitchen being operated, nor that it has been operated at any time recently, nor that food has been prepared for several years. Only packaged food is used. Therefore, there is no reason for a restaurant license.

A letter from Chief of Police Karl Johnson was then read in which it was stated that if the Bamboo Restaurant was not eligible to have a restaurant license, it would not qualify for a Hotel-Restaurant Liquor license. City Attorney Ashby explained to the Council that he would like to have a little time to go into this further. The last regulation which was made by the Secretary of State was to the effect that if food that was representative of the meal being served was in evidence, a restaurant license for sale of liquor could be issued. Mr. Ebert's operation has not changed in the past several years, and this should be checked. Also, the State Liquor Inspector has requested a directive from

the Liquor Control Division as to what action the State may wish to take. It was moved by Councilman Wright and seconded by Councilman Evans that this matter be tabled until the next regular meeting of the Council. Motion carried.

ORDINANCE NO. 1251 - SALARY CITY MANAGER \$1060 PER MONTH

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE FIXING THE SALARY OF THE CITY MANAGER. It was moved by Councilman McCormick and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Love and seconded by Councilman Youngerman that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Youngerman and seconded by Councilman Evans that the Ordinance be passed and adopted as read, numbered 1251 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

ORDINANCE NO. 1252 - TRANSFER MONEY FROM 84.31-A TO 84.31-B (\$30,000) TO 83.30 (\$70,000) (WATER)

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE TRANSFERRING MONIES WITHIN THE UTILITIES DEPARTMENT. It was moved by Councilman Wright and seconded by Councilman McCormick that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman McCormick and seconded by Councilman Youngerman that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Youngerman and seconded by Councilman Evans that the Ordinance be passed and adopted as read, numbered 1252 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

LANDFILL LEASE - 20 A FROM BUREAU OF LAND MANAGEMENT NEAR WHITEWATER HILL - \$10 YR - RESOLUTION - INSTR NO 4187

City Manager Gray reported that the City of Grand Junction would like to lease 20 acres of land on Whitewater hill for a solid waste disposal landfill area. This would cost a minimum fee of \$10.00 per year. Since 1961 the City has been using a landfill operation for the disposal of solid waste material, and at present, there is about 60 days' use in the area near the westside sewage disposal plant. About sixty days ago, the Mesa County Health Department became aware of this and discussed the

possibility of a joint City-County landfill operation. If this is worked out on a cooperative basis, it would save both the City and the County residents money. This site has been investigated and packers have made trial runs. It has been found that they can make the run in approximately ten minutes. The lease will be for a period of ten years. The following Resolution was presented and read:

RESOLUTION

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

That Davis C. Hickman, Director of Public Works for the City of Grand Junction, be, and he is hereby, authorized, on behalf of the City and as the act of the City, to file an application with the Bureau of Land Management and the Department of the Interior for a lease for sanitary land fill purposes of the West half of the Southwest Quarter of the Northwest Quarter of Section 4, Township 2 South, Range 1 East of the Ute Meridian, Mesa County, Colorado, and to perform all acts necessary and incident to such filing.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman McCormick 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 present voting AYE. The President declared the motion carried. Councilman McCormick suggested that more ground be leased as this would not cost any more, but City Manager Gray stated that the area being considered is more accessible.

REVOCABLE PERMIT FOR 2 PLANTERS AT 2323 N 7TH ST (RIGG MEDICAL BLDG) - INSTR REV PMTS 4204

Mr. Robert W. Rigg has requested a revocable permit to encroach upon the right-of-way east of the premises at 2323 No. 7th Street to provide two planters. The request had been approved by the Planning Commission. It was moved by Councilman Wright and seconded by Councilman Youngerman that the following Resolution be passed and adopted as read:

RESOLUTION

WHEREAS, Robert W. Rigg has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the

right-of-way east of the premises at 2323 North 7th Street in the City to provide two planters on such right-of-way, and

WHEREAS, such action has been heretofore approved by the City Planning Commission and would not be detrimental to the use of the right-of-way or to the interest 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 above individual for the purpose described upon the execution by him of an agreement to save and hold the City harmless for any claims arising out of the construction and use granted and agreement that upon the revocation of such permit he will remove said planters or other impediments at his own expense and will restore the right-of-way to its original condition required in that area.

PASSED AND ADOPTED this 15th day of February, 1967.

President of the City Council

ATTEST:
(No recording information available).

City Clerk

Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

REVOCABLE PERMIT

FIRE - MUTUAL AID AGREEMENT FOR FIRE FIGHTING SERVICES - INSTR # 4212

City Manager Gray presented a Mutual Aid Agreement for fire fighting. This is an agreement between the Palisade Fire Department, Clifton Fire Department, East Orchard Mesa Fire Department, Central Orchard Mesa Fire Department, Grand Junction Fire Department, Grand Junction Rural Fire Protection District, and Fruita Fire Department for the purpose of providing additional fire protection to their communities and to render mutual aid each to the other under the Colorado statutes. Should any one of the departments require additional help in fighting a fire in its community, the other departments would agree to furnish such assistance as is required, furnishing equipment and manpower as is possible. This would cover only fires known as multiple alarm fires. State compensation and liability insurance would be carried by each department so that all personnel would be sufficiently covered. It was moved by Councilman Love and seconded by

Councilman Wright that the President of the City Council be authorized to sign the agreement. Motion carried.

WATER - AGREEMENT WITH UTE WATER CONSERV. DIST FOR WATER TO CITY RESIDENTS - INSTR # 4199 WATER UTE

City Manager Gray read a letter from Mr. Riney Wilbert, Manager of the Ute Water Conservancy District, concerning a proposed cooperative agreement between the City of Grand Junction and the Ute Conservancy District. This agreement had been drawn up after many conferences between the Manager of Ute District and the Manager of the City of Grand Junction and with the cooperation of both the Ute Board and the City Council. It would cover the service of water to residents who are in both the Ute District and the City of Grand Junction and to future residents who are now in Ute District and will be annexed to the City.

Mr. Gray stated that this agreement should be beneficial to both the City and Ute District. It guarantees for Ute District a financial security and a growth it must have to repay the public debt it has for its present system. The City will be able to build its new plant and provide better water facilities at a less cost. The Community has a stake in both plants, and it should work to the advantage of every one. The Ute District agrees to meet all the requirements of the Mt. States Inspection Bureau for fire fighting purposes.

Councilman McCormick stated that he was disappointed at the rate which was set forth in the agreement for the City to pay for the water, but he moved that the City Council ratify the agreement and authorize the President of the City Council to sign same. Motion was seconded by Councilman Evans. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

POLICE & COMMUNITY RELATIONS SEMINAR

City Manager Gray read a letter from Chief of Police Karl Johnson, addressed to the City Manager and the Council, stating that he had been asked to arrange for a meeting of Law Enforcement Administrators, Representatives of City and County Government and Community leaders for the purpose of discussing the need and feasibility of holding a seminar in Grand Junction sometime this spring on the subject of Police and Community relations. This meeting has been set for Feb. 27th from 9:30 A.M. to noon in the Civic Auditorium and as many of the Councilmen should be present as possible.

COUNCIL TO MEET WITH JUDGE CLAUSSEN

President Meacham stated that in the very near future he would like to have a meeting with Judge Claussen, and as many of the Council should be present as possible.

