

Grand Junction, Colorado

April 1, 1970

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. April 1, 1970 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Raymond R. Paruch, Harry O. Colescott, Ray A. Meacham, Stanley R. Anderson, Theodore N. Naff, R. B. Evans and President Richard G. Youngerman. Also present were City Manager Gray, City Attorney Ashby and City Clerk Helen C. Tomlinson.

MINUTES

It was moved by Councilman Colescott and seconded by Councilman Evans that the minutes of the regular meeting held March 18th be approved as written. Motion carried.

LINCOLN PARK

Award contract to concessions to Mesa Concessions (Everett Pond & Vince Gray)

Instr No 4250

Bids for operating concessions at Lincoln Park were opened at 10 A.M. April 1st and the following six bids were received and opened. The base upon which the bids were made was for a five-year period and on gross sales.

Everett Pond and Vince Gray dba Mesa Concessions 20%

Richard Pond dba Aeroplane Restaurant 20%

Snow Peak Drive In 16%

Clayton Cheevers dba ABC Concessions 15%

Manley Inc., Denver, Colo. 15%

H. O. Hayashi dba T&K, Inc 6%

The bids of Everett Pond and Vince Gray and Richard Pond were tied at 20%. Everett Pond and Vince Gray also inserted a clause that a minimum amount of \$3700 would be paid, or a percentage, whichever was the greater; also that they expect to install about \$4500 in new equipment in the new building and they would redecorate the Pool Concession building.

Five years ago, the original contract for operating the concessions was granted to Everett and Richard Pond who operated as a partnership for two years; Richard Pond then operated alone for a year and since that time, Everett Pond has been operating under the contract. Letters of recommendation were read from the N.J.C.A.A.; Vern McKinney for the Softball Association, Bus Bergman, Mesa College; Bill Fanning, G. J. H. S.; and Sam Suplezio, Eagle's Baseball.

After consideration, Councilman Colescott moved that inasmuch as Everett Pond and Vince Gray have been operating the concessions at Lincoln Park in a satisfactory manner, the contract be awarded to Mesa Concessions and City Manager Gray be authorized to sign same with the stipulation, as previously agreed, that there would be adult supervision at all times. Councilman Evans seconded the motion and motion carried.

HEARING

Liquor license Valley Bowling Lanes Inc. for Freeway Bowling Lanes

This was the date set for the hearing on the application of Valley Bowling Lanes, Inc. for a restaurant liquor license at the Freeway Bowling Lanes, 1900 Main Street. A letter was read from Karl Johnson, Chief of Police, stating that there

has been a 3.2 beer license at this location for several years and there have been no violations or complaints in regard to the sale of beer. If proper restaurant facilities and food service are provided, and the needs and desires of the neighborhood are in favor of the granting of the license, there would be no reason why a license could not be granted. Mr. Carl Oberholtzer and his attorney, Kent Webster, were present and spoke to the Council. Architect's drawings of the exterior and interior of the proposed new addition were shown. A city-paid-for survey was made in the area from the 14th Street to the City limits and Grand Avenue to the City limits by Mr. Clifford Wilson and showed the following results:

257 residents and businesses were called on
64 were in favor of the granting of the license
76 were opposed to the granting of the license
67 marked that they would not express an opinion
9 refused to sign at all
27 were not at home after three calls
6 were out of town
8 vacant buildings.

Mr. Oberholtzer stated that he had asked people coming into the bowling alley to sign a petition as to whether they were for a liquor license or opposed and only two people were opposed.

48% of the 242 people signing the petition were residents of the City of Grand Junction. He also stated that on Saturday afternoons and Sunday afternoons there is a high percentage of family bowling. The Freeway Lanes are included in the Youth Bowling Association, and at times when the Youth Association would be bowling, there would be no drinks served. Beer is now served in the snack bar adjoining the bowling alley. President Youngerman closed the hearing and stated that a decision would be made at the next City Council meeting on April 15th.

HEARING

Zoning West Lilac Park Annexation

This was the date set for hearing on the zoning of Lots 1 through 10, Block 1 West Lilac Park Annexation. The Planning Commission recommended the zoning of the area where the self-service gas station is located as C-2, an area along Grand Ave. as R-3 and the balance of the area as C-1. City Manager Gray explained to the Council the reasons for the decision of the Planning Commission. There were no protests or comments from the audience so the President closed the hearing.

HEARING

Zoning text change (neighborhood business)

This was the date set for hearing on a change in the text of the zoning ordinance concerning the distance between neighborhood businesses. City Attorney Ashby stated that the Planning Commission was trying to make this provision less restrictive as it would be governed on the retail sales use. There were no protests or comments from the audience so the President closed the hearing.

HEARING

Zoning Willowbrook Subdiv fr R-2 to R-1-b

This was the date set for hearing on a change of zoning in Willowbrook Subdivision from R-2 to R-1-b. This was recommended by the Planning Commission. Mr. Gus Byrom, a resident in this area, was in the audience and spoke in favor of the change of zoning. There were no protests so the President closed the hearing.

PROPOSED ORDINANCE

Zoning West Lilac Park Annex

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Meacham and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Motion carried.

PROPOSED ORDINANCE

Zoning Ord. Text change

Neighborhood business

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION CONCERNING NEIGHBORHOOD BUSINESS. It was moved by Councilman Colescott and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried.

PROPOSED ORDINANCE

Zoning Willowbrook Subdiv replat Lots 1/10 Blk 1 & Lots 1/7 Blk 2

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Paruch and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

ORD. 1349 PASSED

Assessing San Sr Dist No. 26-69

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER DISTRICT NO. 26-69, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST; AND PRESCRIBING THE MANNER OF THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Colescott and seconded by Councilman Meacham that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read, and it was moved by Councilman Meacham and seconded by Councilman Evans that the ordinance be passed and adopted as read, numbered 1349 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

REVOCABLE PERMIT

Resolution - Flag pole 8th & Main St. for Mt. States Tel & Tel

Instr NO 4242 Rev Pmts

The following Resolution was presented and read:

RESOLUTION

WHEREAS, MOUNTAIN BELL TELEPHONE COMPANY has petitioned the City Council of the City of Grand Junction for a revocable permit to erect a flag pole in the planting strip between the curb and the sidewalk South of Lot 31, Block 107, located at 8th Street and Main Street, of the City of Grand Junction; 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 Company for the purpose described upon the execution by it of an agreement to save and hold the City Harmless from any claims arising out of the construction and use granted and agreement that upon the revocation of such permit, it will remove said flag pole or other impediments at its own expense and will restore the right of way to its original condition required in that area.

PASSED AND ADOPTED this 1st day of April, 1970.

It was moved by Councilman Anderson 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 voting AYE. The President declared the motion carried.

REVOCABLE PERMIT

WHEREAS, MOUNTAIN BELL TELEPHONE COMPANY has petitioned the City Council of the City of Grand Junction for a revocable permit to erect a flag pole in the planting strip between the curb and the sidewalk South of Lot 31, Block 107, located at 8th Street and Main Street, of the City of Grand Junction; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and the City Engineer, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use:

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to the above-named Company a revocable permit for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named Company shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; provided, further that said Company shall agree to restore the right of way to a proper and usable condition after the completion of construction on said lot, and provided further that said Company shall agree to restore the right of way to its original condition upon the revocation of such permit.

Dated this 2nd day of April, 1970.

99(No recording information available)

R. N. Gray\City Manager

Attest:

Helen C. Tomlinson\City Clerk

The undersigned, for itself, its successors and assigns, hereby agrees that it will abide by the conditions contained in the foregoing permit; that it will indemnify the City of Grand Junction and hold it harmless from all claims and demands as stated therein; that after construction, it will restore the right of way to a proper and usable condition; and, that, upon revocation of the permit, it will restore the right of way to its original condition.

Dated at Grand Junction, Colorado, this _____ of April, 1970.

MOUNTAIN BELL TELEPHONE COMPANY

By:\Title:

ATTEST:

\Title

STATE OF COLORADO)	
)	SS
COUNTY OF MESA)	

The foregoing was acknowledged before me this _____ day of April, 1970, by _____ as _____ and _____, as _____, of the MOUNTAIN BELL TELEPHONE COMPANY, INC., a Corporation.

\Notary Public

My Commission expires:

REV PERMIT

Resolution Planters at 502 Grand Ave for Phillips 66 Service Station

Instr NO 4241 Rev Pmts

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Phillips Marketing Properties, Inc., has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the sidewalk right of way between the curb and sidewalk on Grand Avenue south of Lots 30-32, Block 73, of the City of Grand Junction, to provide concrete 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 company for the purpose described upon the execution by it of an agreement to save and hold the City harmless from any claims arising out of the construction and use granted and agreement that upon the revocation of such permit it will remove said planters or other impediments at its own expense and will restore the right of way to its original condition required in that area.

PASSED AND ADOPTED this 1st day of April, 1970.

It was moved by Councilman Colescott 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 voting AYE. The President declared the motion carried.

REVOCABLE PERMIT

WHEREAS, Phillips Marketing Properties, Inc., has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the sidewalk right of way between the curb and sidewalk on Grand Avenue south of Lots 30-32, Block 73, of the City of Grand Junction, to provide concrete planters on such right of way; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and the City Engineer, and the City Council is of the opinion that such would not be detrimental to the City nor to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to the above-named Company a revocable permit for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named Company shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; provided, further that said Company shall agree to restore the right of way to a proper and usable condition after the completion of construction on said lot, and provided further that said Company shall agree to restore the right of way to its original condition upon the revocation of such permit.

Dated this 2nd day of April, 1970.

(no recording information available)

R. N. Gray\City Manager

ATTEST:

Helen C. Tomlinson\City Clerk

The undersigned, for itself, its successors and assigns, hereby agrees that it will abide by the conditions contained in the foregoing permit; that it will indemnify the City of Grand Junction and hold it harmless from all claims and demands as stated therein; that after construction, it will restore the right of way to a proper and usable condition; and, that, upon revocation of the permit, it will restore the right of way to its original condition.

Dated at Grand Junction, Colorado, this _____ day of April, 1970.

PHILLIPS MARKETING PROPERTIES, INC.

By:\Title:

ATTEST:

\Title:

State of Colorado)	
)	ss
COUNTY OF MESA)	

The foregoing was acknowledged before me this _____ day of April, 1970, by _____ as _____ and _____, as _____, of the Phillips Marketing Properties, Inc., a Corporation.

\Notary Public

My Commission expires:

REVOCABLE PERMIT

Planters 1st & Main at Cafe Caravan

Resol.

Instr No. 4240 Rev Pmts

The following Resolution was presented and read:

RESOLUTION

WHEREAS, CAFE CARAVAN, INC., has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon West Main Street right of way, North of the East One-Half (1/2), Lot 4, Block 7, Mobley's Subdivision, of the City of Grand Junction, to provide 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 Company for the purpose described upon the execution by it of an agreement to save and hold the City harmless from any claims arising out of the construction and use granted and agreement that upon the revocation of such permit, it will remove said planters or other impediments at its own expense and will restore the right of way to its original condition required in that area.

PASSED AND ADOPTED This 1st day of April, 1970.

It was moved by Councilman Anderson and seconded by Councilman Naff that the Resolution be passed and adopted as read. Roll was called on the motion with all Councilmen voting AYE. The President declared the motion carried.

REVOCABLE PERMIT

WHEREAS, CAFE CARAVAN, INC., has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon West Main Street right of way, North of the East One-Half (1/2), Lot 4, Block 7, Mobley's Subdivision, of the City of Grand Junction, to provide planters on such right of way; and

WHEREAS, such action has heretofore been approved by the City Planning Commission and the City Engineer, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use:

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to the above-named Company a revocable permit for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named Company shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; provided, further that said Company shall agree to restore the right of way to a proper and usable condition after the completion of construction on said lot, and provided further that said Company shall agree to restore the right of way to its original condition upon the revocation of such permit.

Dated this 2nd day of April, 1970.
(No recording information provided)

R. N. Gray\City Manager

ATTEST:

Helen C. Tomlinson\City Clerk

The undersigned, for itself, its successors and assigns, hereby agrees that it will abide by the conditions contained in the foregoing permit; that it will indemnify the City of Grand Junction and hold it harmless from all claims and demands as stated therein; that after construction, it will restore the right of way to a proper and usable condition; and, that, upon revocation of the permit, it will restore the right of way to its original condition.

Dated at Grand Junction, Colorado, this _____ day of April, 1970.

CAFE CARAVAN, INC.

By\Title

ATTEST:

\Title:

STATE OF COLORADO)	
)	ss
COUNTY OF MESA)	

The foregoing was acknowledged before me this _____ day of April, 1970, by _____ as _____ and _____ as _____, of the Cafe Caravan, Inc., a Corporation.

\Notary Public

My Commission expires:

PAVING

Authorize dust control mat on narrow streets

City Manager Gray reported on a "Memo" written by City Engineer Hickman concerning the pavement of residential streets which have a right of way too narrow to accommodate improvements in an Improvement District procedure. This would serve as a dust control measure. Some of the streets in the City have a right of way of 30 feet, and to accommodate curb and gutter, sidewalk and pavement, it takes about 42.5 feet. Mr. Hickman suggests that home owners, at their expense, could install a hot-mix asphalt prepared to City specifications two inches thick and not less than 18 feet in width. The abutting owners would make all of the arrangements for payment directly to the contractor. The City could later include the area in an improvement district when adequate right of way was available. The City would maintain the oil mat. If the gravel base was not already in, the City would furnish this without cost. The street in mind is Orchard Avenue from 25 1/2 Road to Lakeshore Drive where the City owns only half of the right of way. There are other streets in the Fruitvale area. The cost would be \$2.50 per linear foot, or \$1.25 per front foot.

It was moved by Councilman Anderson and seconded by Councilman Colescott that the City Administration be authorized to go ahead on the basis as outlined by the City Manager. Motion carried.

CITY CLERK TOMLINSON

Recognized for receiving Chamber of Commerce award of "Woman of the Year"

President Youngerman stated that he and the Council were very proud of the honor awarded to the City Clerk by the Chamber of Commerce, that of "Woman of the Year" and a round of applause was given to Mrs. Tomlinson.

SALES TAX

President Youngerman stated that he thought the City should think about the best way for the City to enter into the proposed County sales tax discussions, whether a 2% tax or an additional 1% for the County. Councilmen agreed that they should talk and think about it but not take any stand at this time.

ADJOURNMENT

President Youngerman declared the meeting adjourned.

Helen C. Tomlinson\City Clerk