

Grand Junction, Colorado

June 4, 1970

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session at 7:30 P.M. June 4, 1970, in the Civic Auditorium at City Hall. Councilmen present and answering roll call were: Ray A. Meacham, Stanley R. Anderson, Theodore N. Naff, R. B. Evans, and President R. G. Youngerman. Councilmen absent were Raymond R. Paruch and Harry O. Colescott. Also present were City Manager Richard N. Gray and City Clerk Helen C. Tomlinson. City Attorney Gerald J. Ashby was absent.

HEARING - LIQUOR

License, Sir Loyne Restaurant, 2879 North Avenue

This was the date set for hearing on the application of B. F. Crone and Richard H. Sheldon for a restaurant liquor license for the property now owned and operated by Mrs. Hurt at 2879 North Avenue. A letter from Chief of Police, Karl Johnson, was read in which he stated that both applicants had resided in Grand Junction for many years, and both seemed to have a good reputation in the business community, and that if the location satisfies the needs and desires of the neighborhood, there would be no reason why the license could not be granted. A survey of the neighborhood by Mr. Clifford Wilson showed the following:

Attempts were made to contact 201 owners, tenants, managers, and residents. Of these,

104 were in favor of the issuance of the license,

30 were opposed to the issuance of the license,

45 would give no opinion,

8 would not sign,

2 were on vacation, and

12 were either away from home or buildings were vacant.

Mr. Robert Guyton, 506 28 3/4 Road, came before the Council and stated that he owned the miniature golf course and children's rides directly across the street, and that he was opposed to the granting of the license, as he thought there would be undesirables and people under the influence that could possibly hurt his business. Councilman Anderson asked why there had been no opposition when Arn's moved into this vicinity. He stated that he had called several people in the neighborhood at that time, and none were opposed to the granting of that license. The hearing was closed by President Youngerman.

Councilman Meacham stated that, as in the past, the result of the survey is the basis he considers in whether or not to grant a license. The law states that licenses are granted on the needs and desires of the neighborhood. In Mr. Wilson's report, it was shown that 104 were in favor of the license and 30 opposed. He, therefore, moved that the application be approved and the license granted when the State License has been received. Councilman Anderson seconded the motion. Motion carried.

HEARING - 3.2 BEER

License, 7-2-11 Food Store at 2231 North 7th Street

A hearing was held on the application of Hobby and Bonnie Frazier for a 3.2 beer license for a 7-2-11 Food Store at 2231 North 7th Street. This license has been held in the name of Miller's Foodtime, Inc. A portion of the building will be used as a 7-2-11 store and the back of the building for offices. No protests or reports were filed in connection with the granting of this license. A letter from Karl Johnson signified that there was no reason why the license should not be granted. It was moved by Councilman Evans and seconded by Councilman Anderson that the application be approved and license granted with the State license has been approved. Motion carried.

HEARING

Patterson Gardens Subdivision

A proposed subdivision plat was shown. This is for Patterson Gardens Subdivision, a plot of ground located on North 12th Street between the Mesa Manor nursing home and Medicenter. The entrance street would be 12th Street, and there would be lots around a cul-de-sac. The lots were comparatively small, being about 70 feet wide and 130 feet deep. The proposed zoning would be R-3, which would allow for a quite densely populated area. The Council questioned the planning of the area with a cul-de-sac, thinking that a street outlet to Patterson Road might be desirable. The Planning Commission meeting minutes, at which time this subdivision was approved, were not available and neither Council member of the Planning Commission was present. It was moved by Councilman Anderson and seconded by Councilman Meacham that the Council defer consideration of this subdivision at this time and refer it back to the Planning Commission, requesting consideration of a street to connect to Patterson Road. Also that the Commission take another look at the lot size and possible density of population. Motion carried.

AIRPORT

Contract with Greg Isbill

The Airport Board had approved a contract with Greg Isbill for the 1970 - 1971 airport improvements. The main project to be considered would be the extension and improvement of runways and taxiways. City Manager Gray showed the proposed plans for the improvements. It is contemplated that the Airport Board will apply for Federal funds if they are available and also ask the Four Corners Regional Commission for financial assistance. The Contract with Mr. Isbill would provide for a fee of about 4.1% with a minimum of \$10,000 to be paid presently and the balance when the project is financed. Revenue bonds could be sold to finance the portion that the City and County would have to pay for the whole project, which is estimated to cost about \$2,000,000. Boettcher and Company have been working with the Airport Board and F.A.A. and would be able to sell around \$900,000 of such bonds, which would be paid off entirely from airport revenues. F.A.A. and the Four Corner financing could amount to as much as \$1,700,000.

It was moved by Councilman Anderson and seconded by Councilman Evans that the action of the Airport Board be ratified and the Airport Manager be authorized to sign the contract with Mr. Isbill. Motion carried.

Councilman Paruch came to the meeting during the discussion on the airport improvements.

3.2 BEER RENEWAL

Westside Grocery 505 West Colorado Ave.

Approved

An application for the renewal of a 3.2 beer license for Laurence R. Flanagan dba Westside Grocery, 505 West Colorado Avenue was presented. A letter of approval from Karl Johnson, Chief of Police, was read. It was moved by Councilman Meacham and seconded by Councilman Naff that application be approved and license granted when the State license has been approved. Motion carried with Councilman Paruch voting NAY.

PROPOSED ORDINANCE

Vacate Alley Between Pitkin and South, 12th and 13th

A proposed ordinance entitled "AN ORDINANCE VACATING AN ALLEY IN THE CITY OF GRAND JUNCTION" was presented and read. This alley is located between Pitkin and South and 12th and 13th. It was moved by Councilman Anderson and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried.

REVOCABLE PERMIT

Resolution Planters for 6th and White

Instr. No. 4221

The following proposed Resolution was presented and read:

RESOLUTION

WHEREAS, ELDER, PHILLIPS AND CARPENTER, ATTORNEYS, a Partnership, 562 White Avenue, have petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the right-of-way between the curb line and the sidewalk right-of-way line East of Lot 17 Block 82 City of Grand Junction, 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 an act of the City, be, and he is hereby, authorized to grant such revocable permit to the above partnership for the purpose described upon the execution by the partnership 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 4th day of June, 1970.

(Signed) R. G. Youngerman\President of the Council

ATTEST:

Helen C. Tomlinson\City Clerk

The Planning Commission had approved the placing of the planters.

It was moved by Councilman Anderson and seconded by Councilman Meacham 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.

REVOCABLE PERMIT

WHEREAS, ELDER, PHILLIPS AND CARPENTER, ATTORNEYS, a Partnership, 562 White Avenue, have petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the right-of-way between the curb line and the sidewalk right-of-way line East of Lot 17 Block 82 City of Grand Junction, to provide two planters on such right-of-way; and

WHEREAS, the City Planning Commission and City Engineer have approved such action, 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 partnership 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 partnership 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 partnership 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 partnership shall agree to restore the right-of-way to its original condition upon the revocation of such permit.

Dated this 4th day of June, 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 8th day of June, 1970.

ELDER, PHILLIPS AND CARPENTER, ATTORNEYS, a partnership

(Signed) Tom E. Elder\

ATTEST:

Secretary

STATE OF COLORADO)	
)	ss.
COUNTY OF MESA)	

The foregoing was acknowledged before me this 8th day of June, 1970, by Tom E. Elder, as and _____, as Partner of Elder, Phillips and Carpenter, a partnership.

(Signed) Joyce Springer, Notary Public

My Commission expires: 12/30/73

TRAFFIC SIGNAL

12th and Elm

City Manager Gray read a "Memo" from Mr. Gus Byrom, Traffic Engineer, stating that a survey had been made of the traffic situation at 12th and Elm. A petition by students at Mesa College requesting traffic signals to be placed at this location was submitted at a previous meeting. The traffic count showed that there are enough cars going through the intersection to warrant a traffic signal. There is an amount of \$4,000 in the budget this year to provide for a signal to be put in if needed. There has been an increase in traffic of 30% at this intersection in the past two years and four accidents in the past few months. This traffic signal could possibly be discontinued or put on "flashing" during the three summer months when there is practically no student traffic. The fact that both Texas and Mesa Avenues have been closed also has some bearing on the additional traffic at the Elm Avenue intersection. The signal will be both traffic and pedestrian activated. It was moved by Councilman Paruch that since funds are allocated for such a signal that Mr. Byrom be authorized to go ahead and order it put in this year. Councilman Naff seconded the motion. Motion carried.

PUMP - MESA GARDENS

Drainage Well

City Manager Gray read a "Memo" from Mr. Hickman, City Engineer, stating that a new pump was working in the Mesa Gardens area, and was pumping 400,000 gallons of water daily with no apparent decrease in supply.

HOUSING CODE

Councilman Meacham asked that even though the City has not received the 1970 edition of the Housing Code the City

Attorney be instructed to go ahead and prepare an ordinance adopting the present Code and bring it to the Council for the July 1st meeting.

SELLING OF TICKETS, FLOWERS, TAGS, ETC., ON MAIN STREET

Councilman Anderson suggested that the City Attorney might draft an ordinance or resolution concerning the selling of tickets, flowers, tags, etc., on Main Street. Requests have been more frequent in the past few months for permission to sell on the streets, and it is not known whether the Main Street merchants are in favor of this sort of thing or not. A general survey could be conducted to see what the reaction of the merchants would be.

DAILY SENTINEL

Sympathy Extended Preston Walker

President Youngerman stated that he felt the City Council should convey their deepest sympathy in the loss of Preston Walker, Manager of the Daily Sentinel, and give the present management a vote of confidence. Mr. Ken Johnson will be the Manager and Mr. Jameson continue as City Editor.

ADJOURNMENT

The President declared the meeting adjourned. Motion carried.

Helen C. Tomlinson\City Clerk