

Grand Junction, Colorado

December 16, 1970

### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M., December 16, 1970, in the Civic Auditorium at City Hall. Councilmen present and answering roll call were: Harry Colescott, Ray Meacham, Stanley Anderson, Theodore Naff, R. B. Evans, and President R. G. Youngerman. Councilman Raymond R. Paruch was absent. Also present were City Manager Richard N. Gray, City Attorney Gerald Ashby, and City Clerk Helen Tomlinson.

### MINUTES

It was moved by Councilman Anderson and seconded by Councilman Naff that minutes of the regular Council meeting held on December 2, 1970, be approved as written. Motion carried.

### APPOINTMENT TO BOARD OF ADJUSTMENT

Merton Heller and Harry McCrary

The ratification of the appointment of Mr. Merton Heller and Mr. Harry McCrary to the Board of Adjustment to take the places of Mr. John Frazier, who passed away, and Mr. Mastrovich, who moved outside the City, was requested.

It was moved by Councilman Anderson and seconded by Councilman Evans that the appointment of Mr. Merton Heller and Mr. Harry McCrary to the Board of Adjustment be ratified by the Council. Motion carried.

### HEARING - ZONING, MANTEY HEIGHTS

Proposed Ordinance

This date was set for a hearing on zoning of Mantey Heights to R-1-B. There were no comments from the audience and no written protests. The President closed the hearing.

The following entitled proposed ordinance was introduced 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. Councilman Meacham moved that the proposed ordinance be passed for publication. Councilman Anderson seconded the motion. Motion carried.

### HEARING -

Zoning Text Changing Action of Conditional Uses - Proposed Ord.

This was the date set for a hearing on Zoning Text Changing Action of Conditional Uses. Granting of conditional use has traditionally been done by the Board of Adjustments; however, it has been determined that the granting of conditional use is more in line with what the Planning Commission does. This leaves the Board of Adjustments in that field essentially of variances permitted under the zoning regulations. There being no comments from the audience and no written protests, the President of the Council closed the hearing.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE AMENDING SECTION 11 OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION CONCERNING HEARINGS ON CONDITIONAL USES. It was moved by Councilman Anderson and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

DAYS

Columbine Chapter of DeMolay request permission to sell hot chocolate in Shopping Park.

A young man representing the Columbine Chapter of DeMolay appeared before the Council to request permission to sell hot chocolate in the Shopping Park on Friday, December 18, from 4:00 P.M. to 9:00 P.M. and again on Saturday, the 19th of December from 4:00 P.M. to 9:00 P.M. The group is planning a party for underprivileged children. They also would like to earn funds to help pay their way to a State Competition as well as help pay rent due on the use of the Chapter.

Councilman Anderson said that Council has given tacit approval for charitable purposes, but should everything DeMolay does be considered as a charitable effort, or only the party for underprivileged children. Where should Council draw the line?

Councilman Meacham agreed with Councilman Anderson that Council has been trying to limit the use of the Shopping Park to charitable purposes; however, if there are no conflicts, he could see no reason why the group could not sell hot chocolate for one day. It was moved by Councilman Meacham and seconded by Councilman Evans that the Columbine Chapter of DeMolay be granted permission to sell hot chocolate at Fifth and Main for one day of their choice. Motion carried.

RESOLUTION

Approving Participation by Local Housing Owners in the Federal Rent Supplement Program

Mr. Robert Bray appeared before the Council to present a resolution for the Mayor's signature which would allow FHA-236 projects to be started in Grand Junction. This does not require any special zoning. Construction would be to FHA standards and to the City Building Code standards. Sometime ago Mr. Bray had applied to FHA for a loan, and FHA said that if the City does not have a workable program right now, then they do need the resolution which would grant permission for the developer to deal directly with FHA and HUD for directing and financing the subsidized housing. This project is east of Teller Arms.

The following Resolution was then presented and read:

Instrument No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING PARTICIPATION BY LOCAL HOUSING OWNERS IN THE FEDERAL RENT SUPPLEMENT PROGRAM**

WHEREAS, under the provisions of Section 101 of the Housing and Urban Development Act of 1965, the Secretary of Housing and Urban Development is authorized to enter into contracts to make rent supplement payments to certain qualified housing owners on behalf of qualified low-income families who are elderly, handicapped, displaced, victims of natural disaster, or occupants of substandard housing; and

WHEREAS, the provisions of said Section 101 cannot be made available to housing owners in certain localities unless the governing body of the locality has by resolution given approval for such participation in the Federal Rent Supplement Program.

NOW, THEREFORE, be it resolved by the City Council of the City of Grand Junction in Mesa County, State of Colorado, as follows:

Approval is hereby granted for participation in the Federal Rent Supplement Program by qualified apartment builders

located in the City of Grand Junction, Mesa County, State of Colorado.

Passed and adopted this 16th day of December A.D. 1970.

\_\_\_\_\_  
(signed) R. G. Youngerman\Mayor

ATTEST:

\_\_\_\_\_  
(signed) Helen C. Tomlinson\City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
(signed) Gerald J. Ashby\City Attorney

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State of Colorado	)
County of Mesa	)

I, Helen C. Tomlinson, hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Grand Junction, Colorado and as such I have in my possession in the Office of City Clerk of the City of Grand Junction, all of the ordinances, resolutions and minutes of the City Council of the City of Grand Junction, and that the foregoing Resolution No. \_\_\_\_\_ is a true and correct copy of the original of said instrument, which was passed by the City Council on the 16th day of December, A. D., 1970, and which is on file in my office.

Witness my hand and seal of office, this the 16th day of December, A. D., 1970.

\_\_\_\_\_  
(signed) Helen C. Tomlinson\City Clerk,  
City of Grand Junction Colorado

Councilman Meacham said that approval by the Council would have no effect on what the Council would do in the future, and he would like to see private enterprise come to the front and supply the things which are necessary for this type of project; therefore, Councilman Meacham moved for the adoption of the Resolution, seconded by Councilman Colescott. Roll was called on the motion, with all members of the Council present voting AYE. The President declared the motion carried.

3.2 BEER LICENSE RENEWAL

Hobby Frazer, 7-2-11 Food Store No. 17, 1117 North First - Granted

An application for the renewal of a 3.2 beer license for Hobby Frazer, 7-2-11 Food Store No. 17, 1117 North First Street, was presented. A letter from Police Chief Karl Johnson was read in which he said there have been no complaints nor violations during the term of the present license. It was moved by Councilman Colescott and seconded by Councilman Evans that the application be approved and license issued when State license has been received. Motion carried.

#### ORDINANCE NO. 1378

Zoning Recently Annexed Areas

The Proof of Publication to 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. The areas are View Point Annexation, R-1-A; North Acres Annexation, R-1-A; Treehaven Annexation, R-1-C; Pomona View Annexation, R-1-B; and Hillcrest Manor Annexation, R-1-B. It was moved by Councilman Meacham and seconded by Councilman Anderson that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was read. There being no comments, it was moved by Councilman Anderson and seconded by Councilman Meacham that the Ordinance be passed, adopted, numbered 1378 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. 1379

Change in Zoning Text, Definition of Mobile Home Park

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION CONCERNING DEFINITION OF MOBILE HOME PARKS. It was moved by Councilman Colescott and seconded by Councilman Anderson that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read. There being no comments, it was moved by Councilman Colescott and seconded by Councilman Meacham that the Ordinance be passed, adopted, numbered 1379, 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 1380

Model Court

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE CREATING A MUNICIPAL COURT IN THE CITY OF GRAND JUNCTION, COLORADO, ESTABLISHING ITS JURISDICTIONS, POWERS AND PROCEDURES AND PROVIDING FOR THE APPOINTMENT OF JUDGES AND CLERKS. It was moved by Councilman Anderson and seconded by Councilman Naff that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read. There being no comments, it was moved by Councilman Anderson and seconded by Councilman Naff that the Ordinance be passed, adopted, numbered 1380, and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

#### WATER BILL ADJUSTMENTS

Gordon Hutton, 105 Mesa View and Mrs. L. C. Stokes, 2713 B 1/2 Road

City Manager Gray read a "memo" from the Utilities Department requesting a water bill adjustment for Gordon Hutton of 105 Mesa View and Mrs. L. C. Stokes of 2713 B 1/2 Road. The November bill for Mr. Hutton showed a usage of 113,000 gallons for a charge of \$71.50 caused by a service line break. The break has been repaired. In November, 1969, usage was 3,000 gallons for a charge of \$5.50. Utilities Director Plowman recommended an adjustment of \$66.00 for Mr. Gordon Hutton. City Manager Gray concurred.

The adjustment for Mrs. L. C. Stokes, 2713 B 1/2 Road, is for the December billing although the main line break occurred on November 7. A neighbor noticed the water break in the main line which runs through the mobile home park, and repairs were made to the line that day. The December 1, 1970, billing is \$231.70. For December 1, 1969, billing was \$176.50. An adjustment of \$55.20 is requested.

It was moved by Councilman Colescott and seconded by Councilman Evans that a water bill adjustment of \$66.00 for Mr. Gordon Hutton and a water bill adjustment of \$55.20 for Mrs. L. C. Stokes be granted. Motion carried.

#### CAROLING IN SHOPPING PARK

City Manager Gray commented that the Grand Junction High School Swing Choir will be caroling in the Shopping Park Friday evening. Also, the Central High Choir and orchestral group will carol Saturday afternoon, and the Grand Junction Senior High A Cappella choir will go up and down the Shopping Park caroling Saturday evening.

#### LEAF REMOVAL PROGRAM

City Manager Gray reported that the leaf removal program for this year is over. There were a lot more leaves to be removed this year because of the newly annexed areas, but the Street Department could keep up as there has been no rain or snow. Mr. Gray commended the Street Division for the very fine job they did. This program cost \$10,692.95 this year.

Councilman Meacham agreed that this is a good program. He asked what can be done about cars that are out of service and the leaves collect under them. The Street Department cannot clean out the leaves. City Attorney Ashby is to check the Model Traffic Code to see if there is something pertaining to the removal of out-of-service cars.

#### TRAFFIC ACCIDENTS EITHER SIDE OF 10TH AND NORTH AVENUE

Councilman Anderson said there have been a number of traffic accidents either side of 10th and North Avenue where the traffic light was put back in a short time ago. He would like to know how many accidents in this block are attributable to the light. It was agreed to have Traffic Engineer Gus Byrom check to see about this light.

#### PARENTAL GUILT LAW

Councilman Anderson said that Madison Heights, Michigan, has enacted an ordinance called the Parental Guilt Law making parents responsible for crimes committed by their children. It seems to be working for that area, so Councilman Anderson requested the City Attorney to write for a copy of the ordinance to see if it would work under the present State Statutes and see if it is something that would work in Grand Junction.

#### RETIREMENT OF HELEN C. TOMLINSON, CITY CLERK-PERSONNEL DIRECTOR

Mrs. Helen C. Tomlinson, who has served as City Clerk for the past forty-four years, is retiring December 31, 1970. President of the Council Richard Youngerman noted that Mrs. Tomlinson's retirement is a great loss to the City. She has worked longer than any other City employee. On behalf of the Council and all past City Councils, he presented Mrs. Tomlinson with a pin of white gold in leaf design with cultured pearls, with the request that when we get caught in a pinch she come help us out.

ADJOURNMENT

The President declared the meeting adjourned.

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Neva B. Lockhart/Deputy City Clerk