

Grand Junction, Colorado

November 17, 1971

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. November 17, 1971, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson and Councilmen Harry Colescott, Silas Grantham, Lawrence Kozisek, Theodore Naff, Raymond Paruch, and Richard Youngerman. Also present were City Attorney Gerald Ashby, City Manager Richard Gray, and City Clerk Neva Lockhart.

MR. EUGENE McEWEN APPOINTED TO PLANNING COMMISSION

President Anderson asked the Council to ratify the appointment of Mr. Eugene McEwen to the City Planning Commission. Mr. McEwen, an employee of Public Service Company, will fill the vacancy created by the resignation of Mr. Robert Baker.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the appointment of Mr. Eugene McEwen to The City Planning Commission be ratified. Motion carried.

DALBY, WENDLAND & JENSEN APPOINTED AUDITOR FOR CALENDAR YEAR 1971

There was discussion about the appointment of an Auditor for City records for calendar year 1971. In a memorandum to City Manager Gray, Finance Director William Manchester pointed out that the record keeping is still in a state of change, and it is necessary to work closely with the auditor in order to complete the transition. It was noted that the City's auditors, for the past few years have been:

Dalby and McNulty	1957-1959	3 years
John McNulty	1960-1965	6 years
Dalby, Wendland & Jensen	1966-1970	5 years

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that Dalby, Wendland and Jensen be appointed Auditor of the City records for calendar year 1971. Motion carried.

MINUTES

It was moved by Councilman Colescott and seconded by Councilman Grantham that the minutes of the regular Council meeting held on November 3, 1971, be approved as written. Motion carried.

HEARING - LIQUOR LICENSE CHANGE OF PARTNERSHIP CAFE CARAVAN, 105 MAIN, APPROVED

This was the advertised date for bearing on the application for

liquor license change of partnership for the Cafe Caravan, 105 Main Street, listing Alan M. Simpson, Marian S. Young, Martin F. Apezarena, and Thelma R. Hays as partners. A letter from Chief of Police Karl M. Johnson advised that all of these people have been involved in the operation and management of the Cafe Caravan for many years. There was no reason known to Chief Johnson why any of them do not meet all of the eligibility requirements, and he recommended that this application for change in partnership be approved. There being no other communications regarding this application for change in partnership and no one in the audience who spoke for or against the application, the President closed the hearing.

It was moved by Councilman Grantham and seconded by Councilman Youngerman that the application for the change in partnership listing Alan M. Simpson, Marian S. Young, Martin F. Apezarena and Thelma R. Hays as partners be approved and the license issued when the State license has been received. Motion carried with Councilman Paruch voting NO.

HEARING - LIQUOR LICENSE CHANGE OF PARTNERSHIP FOR BEACON CAFE & LOUNGE, 609 MAIN STREET

This was the advertised date for hearing upon the application for a liquor license change of partnership for the Beacon Cafe and Lounge, 609 Main Street. George P. Chronis has had a liquor license at this location for some time. The application is for the addition of his son, Nicholas G. Chronis, as a partner to the liquor license. A letter from Chief of Police Karl M. Johnson was read. Chief Johnson reported that in October, 1967, Mr. Nicholas Chronis was charged with six acts of vandalism which involved the discharge of a firearm within the City. For this he was fined \$105 and given a twenty-five day suspended jail sentence. Chief Johnson said there is no other record of Mr. Chronis having been involved in a violation of the law since that time. Chief Johnson added that since 1969, Mr. Nicholas Chronis has been acting manager of the Beacon Cafe and Lounge during the absence of his father. Chief Johnson said he is not aware of any particular problems at this location resulting from Mr. Nicholas Chronis' involvement in the business.

Mr. Terrance Farina, attorney, appeared before the Council and said that, with regard to the firearm incident Mr. Nicholas Chronis in a bit of over enthusiasm shot out a few street lights. Since that incident, Mr. Chronis has married and has a family and has been assisting his father, in the running of the business. The President closed the hearing.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the application for the addition of Nicholas G. Chronis to the liquor license at the Beacon Cafe & Lounge be approved and the license issued when the State license has been received. Motion carried with Councilman Paruch voting NO.

DAYS - REQUEST FOR CLOSURE OF MAIN BETWEEN 5TH & 6TH FROM 7 A.M. UNTIL NOON ON SATURDAY, NOVEMBER 27 - GRANTED

Mr. Guy Stephens, representing the Downtown Retail Trade Committee, appeared before the Council to request the closing of Main Street between 5th and 6th Streets on Saturday, November 27, from 7:00 A.M. until noon for a Christmas promotion program. The Committee plans to erect a float for Santa Claus which will be located in the 500 Block on Main Street. Plans are to have steps on both sides of the float so children can go up and talk to Santa.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that permission be granted the Downtown Retail Trade Committee for the closing of Main Street between 5th and 6th Streets on Saturday, November 27, from 7:00 A.M. until noon; Motion carried.

DAYS - BARBERSHOP QUARTET SOCIETY REQUEST TO SELL TICKETS AT 5TH & MAIN ON SATURDAY, NOVEMBER 20 - GRANTED

Mr. Ken Graybill, representing the Barbershop Quartet Society, appeared before the Council to request permission for the group to sell tickets to the annual Barbershop Quartet concert in front of the First National Bank Building at 5th and Main on Saturday, November 20. Mr. Graybill also requested permission to use the electrical outlet in the planter so that Barbershop Quartet records can be played during the day.

It was moved by Councilman Paruch and seconded by Councilman Youngerman that the Barbershop Quartet Society be granted permission to sell tickets on the corner of 5th and Main Street on Saturday, November 20. Motion carried.

REQUEST FOR TRAFFIC LIGHT AT FIRST STREET AND ORCHARD AVENUE

Miss Pamela Motts representing the Safety Committee of Grand Junction West Junior High School and the Mesa County 4-H Clubs, appeared before the Council to request a traffic signal at First Street and Orchard Avenue. Miss Motts explained that the traffic situation at this intersection is a hazard.

Councilman Paruch commented that his observation at this intersection is that the students do not use the pedestrian crosswalks when crossing to the drug store and the southeast corner of First and Orchard. City Manager Gray said that the City Administration has received many calls requesting a traffic signal. Mr. Gray said, however, the actual count of cars is very light, and there is no justification for the traffic signal. The big problem is the student and the way he crosses from one side of the street to the other. City Manager Gray suggested a pedestrian signal similar to the one in front of Tope School on

North Seventh Street. Mr. Gray said that the only way the pedestrian signal would work is for the students to observe the safety rules and use the signal. The pedestrian signal could be installed at the North crosswalk where City Market is located. The poles are already there. Traffic Engineer Gus Byrom was present and said the City has the equipment on hand and the pedestrian signal could be installed within the week. Miss Motts agreed to work with the students so they will use the pedestrian signal in a safe manner.

Mr. Charles Etenburn, owner of the Sands Drug Store on the corner of First Street and Orchard Avenue which is across the street from West Junior High School, presented a petition with 90 signatures requesting a traffic signal at First and Orchard.

Mr. Roy Commack asked what happens to the traffic on Orchard Avenue both from the East and the West at that point when the red light is on for First Street. City Manager Gray explained there will still be stop signs and the traffic must come to a full stop before proceeding.

It was moved by Councilman Kozisek and seconded by Councilman Naff that the Traffic Department be instructed to place the pedestrian signal at First Street and Orchard Avenue. Motion carried.

LIQUOR LICENSE RENEWALS FOR 1972

The following applications for renewal of liquor licenses for 1972 were presented.

Hotel & Restaurants

Arn's, Arnold C. Ebert, 2882 North Ave.
Bar X Motel Restaurant & Lounge, Elmer B. Nelson
& Donna R. Nelson, 1600 North Ave.
Dream Restaurant, L. M. Buchanan, 118 Main St.
Flamingo Lounge, Hazel S. Jensen, 201 Colorado Ave.
Ivanhoe Inn, Ski-Lu, Inc., 233 North Ave.
LaCoquille Continental Restaurant, James Ramsey &
Gertrude Ramsey, 1320 North Ave.
Mark's Cork N Embers, Mark's Finer Dining, Inc.,
105 North Second St.
Pantuso's Pizzeria, James & August Pantuso, 103 North
First St.
Reverse R Bar, Jack D. Ritter & Virginia A. Ritter,
122 South 5th St.
Royal Motel Co., Royal Motel, 1810 North Ave.
St. Regis Lounge, K. L. Blackshear, 355 Colorado Ave.
Santy's Cafe & Lounge, Bea Santy & Tony Santy,
355 Main St.
Sir Loyne Restaurant, Paul J. Mitchell, 2879 North Ave.
Tony's Bar & Grill, Leroy P. Goetz, 215 Colorado Ave.

TY-We, Inc., Beefeaters, 159 Colorado Ave.

Retail Liquor Stores

Barbour's Foresight Drive-in Liquors, Inc., Dennis H. Barbour,
201 Main St.

City Liquor Drive-In, Gus Morris, 901 North First St.

Crown Liquors, Americo & Mary Ann Benetti, 119 South 4th St.

Grand Liquor Store, Thomas N. & Marguerite Mulvihill,
220 West Grand

Hilltop Liquor Store, C. B. & Vernace Olson, 1563 Hwy 50

Jim's Liquors, Melvin J. & Helen M. Benton, 1560 North Ave.

Johnnie's Liquor Store, Johnnie Retolaza, 1000 N. 5th St.

Last Chance Liquors, Clara Warren, 1203 Pitkin

North Avenue Liquor Store, Richard K. Owens, & Kenneth
Owens, 801 North Ave.

Raso Liquors, Dora F. Pantuso, 202 Ute Ave.

State Liquors, Inc., 659 Rood Ave.

Taylor's Liquors, Craig & Joyce Taylor, 401 North Ave.

Teller Arms Liquor Shoppe, Rufus M. & Florence M. Jones,
2401 North Ave., Unit 5

Clubs

Fraternal Order of Eagles, 1647 Hwy 50 South

BPO Elks Club #575, 249 South 4th St.

Beye Lotz V. F. W. Post 1247, 1404 Ute Ave.

A letter was read from Chief of Police Karl Johnson. Chief Johnson said that with the one exception of Tony's Bar and Grill, the operation of liquor licensed establishments in Grand Junction has been generally satisfactory during the current year. This includes hotels, restaurants, retail stores, and private clubs which are licensed to sell liquor. He continued that on the whole, the licensees have been cooperative and have shown a willingness and a desire to comply with all regulations. It was recommended by Chief Johnson that, with the exception of Tony's Bar and Grill which Council might want to consider separately, all other applications for renewal be approved.

It was moved by Councilman Kozisek and seconded by Councilman Naff that with the exception of Tony's Bar & Grill all other applications for the renewal of liquor licenses for 1972 be approved and licenses issued when State Licenses have been received. Motion carried with Councilman Paruch voting NO.

HEARING SET FOR DECEMBER 1, 1971, FOR LEROY GOETZ, TONY'S BAR & GRILL, 215 COLORADO AVENUE

A letter from Chief of Police Karl Johnson was read regarding the application for renewal of liquor license for
1972 for Tony's Bar & Grill, 215 Colorado Avenue.

Richard N. Gray
City Manager
Grand Junction, Colorado

November 12, 1971

Dear Sir:

The following is a report on the operation of Tony's Bar, 215 Colorado. As you will recall, Mr. Emil Tonozzi sold this business to LeRoy Goetz after Mr. Tonozzi became involved in situations which placed his license in jeopardy. Mr. Goetz took over on July 21, 1971, and the location was changed from 209 to 215 Colorado.

Since September 1, 1971, which is the approximate date that the business was opened at the new location the police have handled the following incidents at this place of business:

There have been nineteen false burglar hold-up alarms, only one of which was a valid emergency. Most of these were set off by carelessness on the part of some employee but all required an emergency response by the police.

There have been fourteen hold-up alarms which were deliberately triggered by the manager or an employee to summon the police for non-emergency situations, usually to handle some minor problem between customers or between customers and management.

The police were summoned by telephone on twelve occasions on reported disturbances or threats of disturbance. On only one of these occasions was a signed complaint filed by the management.

On information that this place was serving as a haven for Mexican aliens unlawfully in the United States, on two occasions six of these aliens were arrested inside the building and turned over to immigration authorities for deportation. At no time has a condition of this kind been reported to the police by the management.

There was one instance in which an employee took a bottle of beer outside the premises. This was consumed by the employee or someone else before it could be seized, so no charges were filed.

On October 24, 1971, a bartender was charged with selling liquor to an intoxicated person. (A breathalyzer test showed that this person had a blood alcohol concentration of .30 which is double the level which the law sets as being under the influence.) The charge was dismissed in County Court because we were unable to positively identify the bartender that had made the sale, and witnesses changed their stories from their original versions.

On September 7, 1971, I gave Mr. Goetz a written notice that the use of the burglar alarm was to be limited to emergency situations, and that all other calls should be made by telephone. This policy has not been followed, and I have more recently

advised the installer of the alarm system that if the abuse is not discontinued, I will require that the equipment be removed from our terminal.

On the basis of this experience, it is my conclusion that Mr. Goetz needs to make substantial improvements in the operation of his business, and that most of the calls for police assistance would not have been necessary had he or his employees taken control of the situation before it got out of hand.

Sincerely,

/s/ Karl M. Johnson
Chief of Police

KMJ:tp

Mr. Carl Montoya, manager of Tony's Bar & Grill, appeared before the Council and explained that Mr. Goetz had to be out of town and could not attend this meeting. Mr. Montoya explained that he has been the manager of Tony's Bar & Grill since the 1st of October. He conceded there have been some problems, but he feels that since he has taken over the management there has been some improvement.

President Anderson suggested that a hearing be set for December 1, 1971 regarding this application. City Attorney Ashby advised that it would not be necessary to advertise this as a public hearing. He said that a notice would be given to Mr. LeRoy Goetz stating that Mr. Goetz would have to appear at the hearing and show cause why he should not have his license suspended or revoked or whatever Council's pleasure might be. Or Mr. Goetz could be advised that Council is going to consider the questions on his license posed by this letter from Karl Johnson.

Councilman Colescott commented that he felt the operation of Tony's Bar and Grill has been on probation this past year; therefore, he moved that a hearing concerning the renewal of the liquor license for Tony's Bar and Grill be scheduled for the next City Council meeting on December 1, 1971. The motion was seconded by Councilman Naff. Motion carried.

RESOLUTION SETTING MILL LEVY FOR 1972 BUDGET 14 MILLS

The following Resolution was presented and read:

CITY OF GRAND JUNCTION, 1972 BUDGET

IMPLEMENTING DOCUMENTS

R E S O L U T I O N

LEVYING TAXES FOR THE YEAR 1971 IN THE CITY OF GRAND JUNCTION,

COLORADO

BE IT RESOLVED BY the City Council of the City of Grand Junction, Colorado:

That there shall be and hereby is levied upon all taxable property within the limits of the City of Grand Junction, Colorado, for the year 1971 according to the assessed valuation of said property, a tax of fourteen (14) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado, for the purpose of paying the expenses of the municipal government of said City, and certain indebtedness, including interest upon indebtedness of the City, for the fiscal Year ending December 31, 1972.

ADOPTED AND APPROVED THIS 17th day of November, 1971.

APPROVED:

/s/ Stanley R. Anderson
President of the Council

ATTEST:

/s/ Neva B. Lockhart
City Clerk

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried and the Resolution duly pasted and adopted.

RESOLUTION ADOPTING 1972 BUDGET

The following Resolution was presented and read:

CITY OF GRAND JUNCTION, 1972 BUDGET

IMPLEMENTING DOCUMENTS

RESOLUTION

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1972.

WHEREAS, in accordance with the provisions of Article VI Section 59, of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council, a budget estimate of the revenues of said City and the expenses of conducting the affairs thereof for the fiscal year ending December 31, 1972, and

WHEREAS, after full and final consideration of the budget estimate, the City Council is of the opinion that the budget should be approved and adopted;

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the fiscal year, ending December 31, 1972, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget estimate for defraying the expenses and liabilities against said City for the fiscal year ending December 31, 1972.

ADOPTED AND APPROVED THIS 17th day of November, 1971.

APPROVED:

/s/ Stanley R. Anderson
President of the Council

ATTEST:

/s/ Neva B. Lockhart
City Clerk

It was moved by Councilman Youngerman and seconded by Councilman Paruch that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

Councilman Colescott commented that although no one got everything he wanted in next year's budget, there was a wonderful sense of cooperation during the work sessions.

PROPOSED ORDINANCE BUDGET APPROPRIATIONS FOR 1972

The following proposed ordinance entitled AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1972, AND ENDING DECEMBER 31, 1972, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY was introduced and read.

It was moved by Councilman Paruch and seconded by Council man Kozisek that the proposed ordinance be passed for publication. Motion carried.

ORDINANCE NO. 1412 VACATION OF STREET RIGHT-OF-WAY

The Proof of Publication to the following entitled proposed

ordinance was presented and read: AN ORDINANCE VACATING STREET RIGHT-OF-WAY WITHIN THE CITY OF GRAND JUNCTION. This vacation of street right-of-way is west of 2834 North Avenue. It was moved by Councilman Youngerman and seconded by Councilman Grantham that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek 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 Colescott, seconded by Councilman Youngerman that the Ordinance be passed, adopted, numbered 1412 and ordered published. Roll was called upon the motion with all Councilmen voting AYE. The President declared the motion carried.

ORDINANCE NO. 1413 TRANSFERRING FUNDS TO SANITATION DEPARTMENT

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE TRANSFERRING FUNDS TO THE SANITATION DEPARTMENT. It was moved by Councilman Youngerman and seconded by Councilman Grantham that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek 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 Kozisek and seconded by Councilman Youngerman that the Ordinance be passed, adopted, numbered 1413, and ordered published. Roll was called upon the motion with all Councilmen voting AYE. The President declared the motion carried.

WATER BILL ADJUSTMENT - COFFMAN RANCH OF WHITEWATER - \$49.20

City Manager Gray read a letter from Mr. E. E. Coffman of the Coffman Ranch, Whitewater, Colorado. Mr. Coffman explained that before July, 1971, 2,000 feet of new pipeline had been placed from the City pipeline to the Coffman Ranch. As the old line was replaced with new pipe, the pressure built up and leaks increased in the rest of the pipeline. As time could be spared from ranch work, the entire line, a total of 6,690 feet, has been replaced.

Repair work was completed about October 15. Mr. Coffman requested an adjustment on three months of past billings. A memorandum from Utility Accounts Supervisor McGregor was read. Mr. McGregor noted that Council had made an adjustment of \$109.80 to the account of the Coffman Ranch for the May, 1971, billing. Mr. McGregor said it has been determined that no livestock is watered, they do not utilize water for laundry purposes, and a second dwelling was hooked into this line in May. Normal usage would be approximately equal to a double minimum, or 6,000 gallons per month. Mr. Coffman requested an adjustment on his

past billings as follows:

August, 71,000 gallons	\$42.60
September, 82,000 gallons.	\$49.20
October, 60,000 gallons.	\$36.00

City Manager Gray recommended an adjustment for the high month, which would be \$49.20 for the month of September.

It was moved by Councilman Naff and seconded by Councilman Kozisek that the account of the Coffman Ranch of Whitewater be credited in the amount of \$49.20. Motion carried.

CITY TO ASSUME RESPONSIBILITY OF ORCHARD MESA HEIGHTS PIPELINE COMPANY

City Manager Gray explained that the City has received a request from the Orchard Mesa Heights Pipeline Company, which has a total of eight customers, to take over their water line. City Manager Gray read the following letter:

November 16, 1971

City of Grand Junction
 5th & Rood
 Grand Junction, Colorado
 Attn: Dick Gray, City Manager

Gentlemen,

Previous communication has been had with the Utilities Dept regarding turning over the Orchard Mesa Pipeline Co. to the City of Grand Junction. The Company is free and clear of any outstanding liabilities. Just recently, a new master meter and manhole were installed by Mr. Garfield Plumbing Co. at cost of \$1400. Entirety of the company is in mutual agreement for this proposed transaction.

Please accept this letter as our formal request.

Thank you,

Orchard Mesa Heights Pipe	Line Co.
/s/Del J. Willis	
1849 Linden	

The names and addresses of the customers involved are as follows:

Mrs. C. S. Worley, 1905 Linden	Del Willis, 1849 Linden
Fred Hill, 1837 Linden	George Eastman, 1825 Linden
Dr. Gail Ingraham, 1834 Linden	Karl Kuhn, 1075 UnawEEP
Mendenhall, 1015 UnawEEP	John Trumbo, 2677 UnawEEP

These customers will go from the bulk rates which they are now enjoying to the individual outside rates. This area is served with a 3-inch line which is in apparently good condition. If this area should be annexed in the future, a 6-inch to 8-inch line would be required. It is the recommendation of the Utilities Department that the City accept the Orchard Mesa Pipeline Company.

It was moved by Councilman Paruch and seconded by Councilman Naff that the City Administration be authorized to accept the Orchard Mesa Heights Pipeline Company subject to the following stipulations: 1. That there are acceptable individual meters, and 2. That these customers realize they will go to individual outside rates. Motion carried.

HALLENBECK PROPERTY ON KANNAH CREEK NOW UNDER OPTION

City Manager Gray reported that late Friday, November 12, the City completed the transaction with the Hallenbecks for the approximate 1500 acres, the reservoir, and other water rights. This property is now under City option. The City has made the \$100,000 payment to the escrow account. Mr. Jim Dufford, the City's water attorney, has prepared specifications for grazing purposes for this property. Bids will be opened on Monday, November 22. Three ranchers have indicated an interest in this property. Two are adjoining ranchers and one is from the Lower Valley looking for more pasture. The bids will be brought to the Council for award of the contract. The land has been appraised, and the appraisal indicates \$4,000 a year on a 5-year contract. This is the minimum the City would accept.

ADJOURNMENT

It was moved by Councilman Youngerman and duly seconded that the meeting be adjourned. Motion carried.

/s/ Neva B. Lockhart
City Clerk