

Grand Junction, Colorado

June 6, 1973

ROLL CALL

The city council of the City of Grand Junction, Colorado met in regular session at 7:30 p.m. June 6, 1973, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson, Councilmen Harry Colescott, Lawrence Kozisek, Jane Quimby, Elvin Tufly, and Robert Van Houten. Councilman Silas Grantham was absent. Also present were City Attorney Gerald J. Ashby, City Manager Harvey Rose, and City Clerk Neva Lockhart.

MINUTES

There being no corrections or additions to the Regular Council Minutes of May 16, 1973, Councilman Kozisek moved that the Minutes be approved as written, which motion was seconded by Councilman Tufly and said motion carried unanimously.

3.2 BEER LICENSE HEARING - MESA CONCESSIONS FOR LINCOLN PARK STOCKER MEMORIAL STADIUM - DENIED

Advertised and scheduled for hearing on this date was the application by Everett L. Pond and Vincent R. Gray, doing business as Mesa Concessions, for a 3.2 beer license to serve at Lincoln Park Stocker Memorial Stadium. Mr. Dave Tiffany, 1740 North Third Street, opposed the granting of a license as he feels Lincoln Park is a family place. He stated that with access to beer not everyone would be obnoxious or obscene, but with this type of license he did not want to take his family there.

Councilman Grantham arrived at the meeting at this time.

Mr. Ronald R. Skinner, 1416 Elm, Mr. Emil W. Odelberg, 2415 Texas Avenue, Joe Hughes, 609 North Avenue, and Ms. Cheryl Decker, 2708 F 1-2 Road, objected to the granting of a license because of the sports activities in Lincoln Park. Mrs. May Odelberg, 2708 F 1-2 Road, opposed the issuance of license as she feels that Lincoln Park does not need this type of problem. She presented a petition signed by 24 members of the Church of the Nazarene.

Mr. Everett Pond, 316 Belaire Drive, stated that he was submitting this application because of the many requests he has had for beer to be served at the Grand Junction Eagles Baseball Games and for any other organizations who want this service. Mr. Pond continued that as he had indicated in his letter to Council, he had personally notified most of the organizations that participate in Stocker Memorial Stadium, i.e., school District #51, Mesa College, N.J.C.A.A., the Grand Junction Eagles, and the Rodeo Association, so they could take up this matter at their board meetings and notify the City Council of their wishes. Mr. Pond stated that if this license is granted, it will be operated according to the law.

The license will be on a year-to-year basis, the same as any other applicant and should not be on a trial basis. He stated that he would not be responsible for the actions of persons bringing in their own beer, nor would he be responsible for policing the stands.

A letter from Chief of Police Karl Johnson advised that the applicants meet all eligibility requirements for this type of license. They both have good personal business reputations in the community. Mr. Pond has indicated that if the license is granted, he would not sell beer at any activity if the sponsor of that activity objected to such sale. At the present time there is no prohibition against the consumption of beer at any place in Lincoln Park except on the parking lot and other public right of way. The letter from Mr. Pond was read at this time. A petition with 93 signatures for the issuance of the license was presented for consideration.

Letters and cards opposing the granting of a license were read:

Mesa County Valley School District Number 51

Mrs. D. S. Dorman, 2204 Mesa Avenue

Mr. & Mrs. W. F. Fuqua, 2260 Broadway

Mesa College (opposing sale of beer at any college-sponsored activity)

Mr. Robert D. Tenney, 702 Ivanhoe Way

Ms Dixie Barker, 2117 North 26th

Ms Berdine Colescott

Mr. Dennis Stewart, 1640 North 17th Street, stated that he was not aware that beer could be consumed in the Stadium at the present time.

Mr. David F. Odelberg, 2708 F 1/2 Road, Ms June Harvey, 2393 Broadway, Mr. Floyd Onan, 1153 Bookcliff, and Mrs. Marie Onan,

1153 Bookcliff opposed the granting of a license.

All Council members said they had received several telephone calls from people who were opposed to the granting of a license. The President closed the hearing.

Councilman Van Houten moved that because of the desires of the neighborhood and the users of Lincoln Park and Stocker Memorial Stadium, the application of Everett L. Pond and Vincent R. Gray for a 3.2 beer license to serve at Stocker Memorial Stadium be denied, which motion was seconded by Councilman Kozisek and said motion

carried unanimously.

LIQUOR LICENSE - APPLICATION FOR CHANGE OF LOCATION - ROBERT C. MILLER FROM THE MATADOR, 215 COLORADO AVENUE, TO 5TH STREET MERCANTILE, 1630 HIGHWAY 50 - DENIED

Advertised and scheduled for hearing on this date was the application by Robert C. Miller to change location of his liquor license from The Matador, 215 Colorado Avenue, to the Fifth Street Mercantile, 1630 Highway 50.

See Page 229 for transcript.

LIQUOR LICENSE - RICHARD MEDINA FOR TONY'S BAR & GRILL, 215 COLORADO AVENUE - GRANTED

Advertised for hearing on this date was the application by Richard Medina for a hotel-restaurant liquor license to operate Tony's Bar and Grill at 215 Colorado Avenue. Mr. Medina was present for the hearing and stated that he would operate the business under the trade name of Tony's Bar and Grill. Mr. Medina said that during the past year there has been considerable improvement in the operation of the business by Robert C. Miller as The Matador, and that he would hope to continue the improvement. The restaurant has been closed since June 1, 1973, at which time Mr. Miller's lease expired. Mr. Medina noted that during his absence from the restaurant, Mrs. Martinez and Mrs. Marjorie Hailey will be in charge. City Attorney Ashby explained that Mr. Medina understands he is totally responsible for the operation of the business at all times. A letter from Chief of Police Karl Johnson advised that this business has been operated by four different owners within the last four years and has had more than its share of problems, the nature of which he was sure the applicant is aware. He continued that there is no information concerning the applicant

which would disqualify him for this license. Mr. Medina said this restaurant does cater to a particular type of clientele. As he had noted earlier, the problems have lessened during the past year and he feels they will lessen even more in the future.

Councilman Grantham moved that the application of Richard Medina be approved and the license issued when the State license has been received.

Mr. Steve Love, 956 Rio Grande Drive, said that his comments should bring no reflection on Mr. Medina, but after listening to the previous hearing regarding Mr. Miller's application to move his license and noting that Mr. Miller had improved the situation and had given a good reputation while operating at 215 Colorado Avenue, his application to move his license was denied. He commented that he thought Council should weigh these things on equal merit and he did not feel Council had been fair. Councilman Kozisek questioned the needs of the neighborhood at 215 Colorado because of the turnover of owners. It was noted that the needs and desires of the neighborhood for this location had been determined many years ago. The President closed the hearing.

It was moved by Councilman Grantham and seconded by Councilman Tufly that the application by Richard Medina be approved and the license issued when the State license has been received. Motion carried with President Anderson voting No.

Councilman Van Houten advised Mr. Medina that he very seriously hoped the improvements would continue at 215 Colorado Avenue because if there were any more problems at this location he would be very violently against the renewal of the liquor license this fall. President Anderson said it was because of the problems that he voted against the issuance of a license.

REVOCABLE PERMIT - SENTINEL PUBLISHING COMPANY, N/S ALLEY BLOCK 105 - RESOLUTION ADDING EXHIBIT A

Presented for consideration was an amendment to Exhibit A of the Revocable Permit granted to Sentinel Publishing Company on December 7, 1971, for the addition of a ramp and stair combination. The City Planning Commission has approved and recommended the change, and Fire Chief Frank Kreps and Police Chief Karl Johnson have reviewed

and approved the change. The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, on December 7, 1971, the Sentinel Publishing Company was granted a Revocable Permit to encroach upon the right of way in that part of the north-south alley in Block 105, City of Grand Junction, Colorado, which lies between Lot 21 on the west and Lots 16 through 20 on the east for the purpose of planting trees and the construction of planters and structures thereon as was shown in an Exhibit A; and

WHEREAS, it is now desirable to vary from the planned Exhibit A;

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

That Exhibit A of the Revocable Permit heretofore referred to be amended as is indicated by a new Exhibit A to be attached to such Revocable Permit superseding the previous Exhibit A.

PASSED and ADOPTED this 6th day of June, 1973.

(No recording information available)

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

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

DAYS - COLORADO STAMPEDE RODEO TICKET SALE ON MAIN STREET ON JUNE 20 - PERMISSION GRANTED

Mr. Virgil VanDyke of the Sheriff's Posse appeared before the Council to request permission for Colorado Stampede Rodeo ticket sale on Main Street Wednesday, June 20. Councilman Grantham moved that permission be granted, which motion was seconded by Councilman Kozisek and said motion carried unanimously.

Mr. VanDyke extended an invitation to the Council members to be present at the Rodeo on Thursday evening June 21st. The parade will be on Wednesday, June 20.

PARKS - LINCOLN PARK & COLUMBINE PARK - REQUEST TO SELL RAFFLE TICKETS BY AMERICAN LEGION POST #37 - TABLED

Mr. James Sutton of the American Legion Post No. 37 had indicated a desire to appear before the Council to request permission to sell raffle tickets Friday, June 22, at the Rodeo in Lincoln Park and on Saturday, June 30, in Columbine Park during the softball tournament. As he was not present, Council tabled this matter until the next meeting.

3.2 BEER LICENSES - RENEW SHAKEY'S, 7-2-11, 2231 N. 7TH STREET

Applications for the renewal of 3.2 beer licenses were presented for the following:

Kubena, Inc., dba Shakey's Pizza Parlor, 2560 North Avenue Hobby & Bonnie Frazier, 7-2-11 Food Store, 2231 N. 7th Street.

Letters from Police Chief Karl Johnson advised there have been no complaints or violations concerning the sale of 3.2 beer at these establishments.

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the applications be approved and the licenses issued when the State licenses have been received. Motion carried unanimously.

DAYS - DRAG CAR DISPLAY PERMITTED IN SHOPPING PARK ON SATURDAY, JUNE 16

A letter from Mrs. Terry House, Secretary of the Grand Junction Hot Rod Council, was read in which permission was requested to set up a display of drag cars in the Downtown Shopping Park between 5th and 6th Streets on Saturday, June 16, from 9 a.m. to 4 p.m. The drag cars will be brought in on trailers so the street will need to be blocked off between 8 and 9 a.m. and 4 to 5 p.m. for unloading and loading purposes, They propose using the parking area in front of the radio station for the display. The trailers will be stored at Frank Muellers at 7th and Main during

the day. It was moved by Councilman Kozisek and seconded by Councilman Tufly that permission be granted and that the Traffic Department be directed to block off the street at the request times. Motion carried unanimously.

DAYS - PANCAKE SALE JUNE 22 - KIWANIS CLUB - GRANTED

A letter from Karl Johnson, Committeeman with the Kiwanis Club, was read which requested permission to use the north parking area in the 500 block Main Street for the Annual Pancake Sale on Friday, June 22, between the hours of 6 a.m. and 3 p.m. Councilman Colescott moved and Councilwoman Quimby seconded that permission be granted. Motion carried unanimously.

PROPERTY - LOT 3 SHAW'S SUBDIVISION, WEST LAKE PARK - SELL TO CHARLES H. LOPAS - \$1,101

A letter from Mr. Charles H. Lopas, 511 West Hall, was read in which he offered \$1,101 for property owned by the City on West Hall Avenue known by description as Lot 3, Shaw's Subdivision, West Lake Park. City Manager Rose indicated the lot has been appraised for \$1,000 and recommended sale of the lot.

It was moved by Councilman Kozisek and seconded by Councilman Tufly that the City Attorney prepare the Resolution authorizing the sale and present it at the next meeting of Council. Motion carried unanimously.

I.D. ST-73 - RESOLUTION - INTENT TO CREATE DISTRICT

The following Resolution was presented and read:

R E S O L U T I O N

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT NO. ST-73 AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, there have been presented to the City Council of the City of Grand Junction construction petitions for the following:

1. Texas Avenue from the west property line of 28-1/2 Road to a

point three hundred feet plus or minus west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

2. Mesa Avenue from the west property line of 28-1/2 Road to a point seventy-seven and twelve hundredths feet west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

3. 28-1/2 Road from the south line of Orchard Avenue to the north line of Elm Avenue. For the installation of vertical type curb, gutter and a three and one-half foot sidewalk on both sides of a sixty foot right of way and also for the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

4. Compton Avenue from the south side of Elm Avenue to a point 630 feet plus or minus south, For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way, also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

5. Kennedy Avenue from the east side of Compton Avenue to a point 183 feet east. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way; also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving, thirty two feet in width from lip of gutter to lip of gutter.

6. A portion of alley between Ute Avenue and Pitkin Avenue, from 12th Street to 13th Street. For installation of paving sixteen feet in width with two inches of hot-mix asphaltic concrete paving with six inches of three fourths inch base course.

Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

AND WHEREAS, the Council has found and determined, and hereby finds and determines, that said petitions were signed and acknowledged by the owners of more than one-third of the property abutting on said streets and alley to be assessed with the cost

of the proposed construction of sidewalks, curbs, gutters, and paving of streets and alley; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement district;

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

That the district of lands to be assessed with the cost of the improvement district is described as follows:

1. Texas Avenue from the west property line of 28-1/2 Road to a point three hundred feet plus or minus west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Cottonwood Meadows Subdivision

Block 5

Lots 10, 11, 12, 13, 14

The East 19.25 feet of Lot 9

Beginning 265 feet North of Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning except East 30 feet for road.

Beginning 200 feet North of Southeast corner Southeast quarter Northeast Quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning

West 8 Rods of Southeast quarter Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East Except Beginning 198 feet West 20 feet North of Southeast Corner Southeast quarter Southeast quarter Southwest quarter West 52 feet North 154 feet East 52 feet South 154 feet to Beginning.

West 70 feet of Beginning Southeast Corner Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 189.5 feet and North 20 feet to true point of beginning North 180 feet East 159.5 feet South 180 feet West 159.5 feet to Beginning

except South 10 feet for Road

Beginning 30 feet West of Southeast Corner Section 7 Township 1
South Range 1 East West 89.5 feet North 200 feet East 89.5 feet
South 200 feet to Beginning

2. Mesa Avenue from the west property line of 28-1/2 Road to a point seventy-seven and twelve hundredths feet west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

The East 77.50 feet of Lot 3

3. 28-1/2 Road from the south line of Orchard Avenue to the north line of Elm Avenue. For the installation of vertical type curb, gutter and a three and one-half foot sidewalk on both sides of a sixty foot right of way and also for the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter

Cottonwood Meadows Mobile Homes Estates 2nd Addition

Block 1

Lots 1,2,3,4

Block 3

Lots 16, 17, 18, 19 20

Block 3

Lot 12

Lots 13, 14, 15

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

Lot 3

Cottonwood Meadows Subdivision

Block 5

Lots 12, 13, 14

Beginning 265 feet North of Southeast Corner Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning Except East 30 feet for road.

Beginning 200 feet North of Southeast Corner Southeast quarter Northeast Quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet south to Beginning.

West 70 feet beginning Southeast Corner Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 189.5 feet and North 20 feet to true Point of Beginning; North 180 feet East 159.5 feet South 180 feet West 159.5 feet to Beginning Except South 10 feet for road.

Beginning 30 feet West of Southeast corner Section 7 Township 1 South Range 1 East West 89.5 feet North 200 feet East 89.5 feet South 200 feet to beginning.

Cottonwood Meadows Mobile Homes Estates First Addition

Block 4

Lots 31, 32, 33, 34

Block 7

Lot 10

Lot 11

Lots 12, 13, 15, 16, 17, 18

Lot 14

Block 1

Lots 15, 16, 17, 18, 2, 3

Lot 1

Lot 4

Cottonwood Meadows Mobile Homes Estates

Block 2

Lot 1

Lot 2

Lot 3

Lot 4

Lots 5 & 6

Lots 18 & 19

Block 3

Lot 1

Lots 2 & 3

Lot 24 except beginning Southeast corner Lot 24 North $3^{\circ} 32'$ East 5° feet 5 in. North $89^{\circ} 51'$

West 37 feet 10 in. North $20^{\circ} 58'$ West 51.73 feet South $89^{\circ} 53'$ East 38 feet to beginning

Lot 23

That part of Lot 24 Beginning Southeast Corner Lot 24 North $3^{\circ} 32'$ East 50 feet 5 inches North $87^{\circ} 51'$ West 37 feet 10 inches North $2^{\circ} 58'$ West 51.73 feet South $89^{\circ} 53'$ East 38 feet to beginning

Lot 7

Lot 6

Lot 5

Lot 4

4. Compton Avenue from the south side of Elm Avenue to a point 630 feet plus or minus south. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way, also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Compton Subdivision

Lots 1 through 18 inclusive

5. Kennedy Avenue from the east side of Compton Avenue to a point 183 feet east. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way; also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving, thirty two feet in width from lip of gutter to lip of gutter.

Compton Subdivision

Lots 9, 10, 11, 12, 13, 14

6. A portion of alley between Ute Avenue and Pitkin Avenue, from 12th Street to 13th Street. For installation of paving sixteen feet in width with two inches of hot-mix asphaltic concrete paving with six inches of three fourths inch base course.

Block P. Keith's Addition

Lots 13 & 14

Lots 15 & 16

Lots 17 to 20 inclusive

Lots 7 to 12 inclusive and

Lots 21 to 25 inclusive

All in City of Grand Junction, County of Mesa, State of Colorado

That the City Engineer be, and he is hereby, authorized and directed to have prepared and filed full details, plans, and specifications for such sidewalk, curb, gutter, and street and alley paving, and estimate of the total costs thereof, exclusive of the per centum for cost of collection and other incidentals; and of interest to the time the first installment becomes due, and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178, as amended, of the City of Grand Junction, Colorado.

ADOPTED and APPROVED this 6th day of June, 1973.

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Kozisek and seconded by Councilman Grantham, that the Resolution be passed and adopted as read. Roll

was called upon the motion with the following result:

Councilmen voting AYE: Jane S.Quimby
 Harry Colescott
 Lawrence Kozisek
 Elvin Tufly
 Robert Van Houten
 Silas Grantham

President of the Council: Stanley Anderson

Councilmen voting NO: None

Councilmen absent: None

All members of the Council having voted AYE, the President declared the motion carried and the Resolution duly passed and adopted.

I.D. ST-73 - RESOLUTION - ADOPTING PLANS AND SPECS

The following Resolution was presented and read:

R E S O L U T I O N

ADOPTING DETAILS, PLANS, AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS, ALLEYS, AND AVENUES IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT NO. ST-73, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on June 6, 1973, the City Council of the City of Grand Junction, Colorado, by a Resolution, authorized the City Engineer to prepare and file full details, plans, and specifications for constructing sidewalks, curbs, gutters and paving streets, alleys, and avenues in said City within proposed Improvement District No. ST-73, together with an estimate of the total cost of such improvements and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans, and specifications, estimate, and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City;

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

Section 1. That said details, plans, and specifications, estimates and map be and the same are hereby approved and adopted.

Section 2. That the district of lands to be assessed with the cost of the proposed improvements are as follows:

1. Texas Avenue from the west property line of 28-1/2 Road to a point three hundred feet plus or minus west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Cottonwood Meadows Subdivision

Block 5

Lots 10, 11, 12, 13, 14

The East 19.25 feet of Lot 9

Beginning 265 feet North of Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning except East 30 feet for road.

Beginning 200 feet North of Southeast corner Southeast quarter Northeast Quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning

West 8 Rods of Southeast quarter Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East Except Beginning 198 feet West 20 feet North of Southeast Corner. Southeast quarter Southeast quarter Southwest quarter West 52 feet North 154 feet East 52 feet South 154 feet to Beginning.

West 70 feet of Beginning Southeast Corner Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 189.5 feet and North 20 feet to true point of beginning North 180 feet East 159.5 feet South 180 feet West 159.5 feet to Beginning except South 10 feet for Road

Beginning 30 feet West of Southeast Corner Section 7 Township 1 South Range 1 East West 89.5 feet North 200 feet East 89.5 feet South 200 feet to Beginning

2. MESA AVENUE FROM the west property line of 28-1/2 Road to a point seventy-seven and twelve hundredths feet west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

The East 77.50 feet of Lot 3

3. 28-1/2 Road from the south line of Orchard Avenue to the north line of Elm Avenue. For the installation of vertical type curb, gutter and a three and one-half foot sidewalk on both sides of a sixty foot right of way and also for the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter

Cottonwood Meadows Mobile Homes Estates 2nd Addition

Block 1

Lots 1,2,3,4

Block 3

Lots 16, 17, 18, 19, 20

Block 3

Lot 12

Lots 13, 14, 15

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

Lot 3

Cottonwood Meadows Subdivision

Block 5

Lots 12, 13, 14

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Beginning 30 feet West of Southeast corner Section 7 Township 1 South Range 1 East West 89.5 feet North 200 feet East 89.5 feet South 200 feet to beginning.

Cottonwood Meadows Mobile Homes Estates First Addition

Block 4

Lots 31, 32, 31, 34

Block 7

Lots 10,11, 12, 13, 14, 15, 16, 17, 18

Block 1

Lots 15,16,17,18, 1, 2, 3, 4

Cottonwood Meadows Mobile Homes Estates

Block 2

Lot 1, 2, 3, 4, 5, 6

Lots 18 & 19

Block 3

Lot 1

Lots 2 & 3

Lot 24 except beginning Southeast corner Lot 24

North 3° 32' East 50 feet 5 in. North 87° 51' West
37 feet 10 in. North 2° 58' West 51.73 feet South
89° 53' East 38 feet to beginning

Lot 23

That part of Lot 24 Beginning Southeast Corner

Lot 24 North 3° 32' East 50 feet 5 inches North
89° 51' West 37 feet 10 inches North 2° 58' West
51.73 feet South 89° 53' East 38 feet to beginning

Lot 7

Lot 6

Lot 5

Lot 4

4. Compton Avenue from the south side of Elm Avenue to a point
630 feet plus or minus south.

For installation of Hollywood curb, gutter and sidewalk on both
sides of a fifty foot right of way, also to include the
installation of a six inch base course with two inches of hot-mix
asphaltic concrete paving thirty two feet in width from lip of
gutter to lip of gutter.

Compton Subdivision

Lots 1 thru 18 inclusive

5. Kennedy Avenue from the east side of Compton Avenue to a
point 183 feet east. For installation of Hollywood curb, gutter
and sidewalk on both sides of a fifty-foot right of way; also to
include the installation of a six inch base course with two
inches of hot-mix asphaltic concrete paving, thirty two feet in
width from lip of gutter to lip of gutter.

Compton Subdivision

Lots 9, 10, 11, 12, 13, 14

6. A portion of alley between Ute Avenue and Pitkin Avenue, from 12th Street to 13th Street. For installation of paving sixteen feet in width with two inches of hot-mix asphaltic concrete paving with six inches of three fourths inch base course.

Block P Keith's Addition

Lots 13 & 14

Lots 15 & 16

Lots 17 to 20 inclusive

Lots 7 to 12 inclusive and

Lots 21 to 25 inclusive

All in City of Grand Junction, County of Mesa, State of Colorado

All installations to be constructed in accordance with General Conditions, Specifications and Details for Street Improvement Projects, City of Grand Junction, Colorado. Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements shall be due and payable, without demand within thirty days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period; and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed eight per centum per annum.

Section 4. Notice of Intention to Create said Improvement District No. ST-73, and of a hearing thereon, shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form; to wit:

N O T I C E

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-73 TN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-73 in said City for the purpose of constructing sidewalks, curbs and gutters and paving on streets and alley to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

1. Texas Avenue from the west property line of 28-1-2 Road to a point three hundred feet plus or minus west. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way and also installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Cottonwood Meadows Subdivision

Block 5

Lots 10, 11, 12, 13, 14

The East 19.25 feet of Lot 9

Beginning 265 feet North of Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East west 198 feet North 65 feet East 198 feet South to Beginning except East 30 feet for road.

Beginning 200 feet North of Southeast corner Southeast quarter Northeast Quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning

West 8 Rods of Southeast quarter Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East Except Beginning 198 feet West 20 feet North of Southeast Corner Southeast quarter Southeast quarter Southwest quarter West 52 feet North 154 feet East 52 feet South 154 feet to Beginning

West 70 feet of Beginning Southeast Corner Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 189.5 feet and North 20 feet to true point of beginning North 180 feet East 159.5 feet South 180 feet West 159.5 feet to Beginning except South 10 feet for Road

Beginning 30 feet West of Southeast Corner Section 7 Township 1
South Range 1 East West 89.5 feet North 200 feet East 89.5 feet
South 200 feet to Beginning

2. Mesa Avenue from the west property line of 28-1/2 Road to a
point seventy-seven and twelve hundredths feet west. For
installation of Hollywood curb, gutter and sidewalk on both sides
of a fifty foot right of way and also installation of a six inch
base course with two inches of hot-mix, asphaltic concrete paving
thirty two feet in width from lip of gutter to lip of gutter.

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

The East 77.50 feet of Lot 3

3. 28-1/2 Road from the south line of Orchard Avenue to the
north line of Elm Avenue. For the installation of vertical type
curb, gutter and a three and one-half foot sidewalk on both sides
of a sixty foot right of way and also for the installation of a
six inch base course with two inches of hot-mix asphaltic
concrete paving thirty two feet in width from lip of gutter to
lip of gutter

Cottonwood Meadows Mobile Homes Estates 2nd Addition

Block 1

Lots 1,2,3,4

Block 3

Lots 12, 13, 14, 15, 16, 17, 18, 19 20

Tula Subdivision, First Addition

Block 1

Lot 9

Block 2

Lot 3

Cottonwood Meadows Subdivision

Block 5

Lots 12, 13, 14

Beginning 265 feet North of Southeast Corner Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning Except East 30 feet for road.

Beginning 200 feet North of Southeast Corner Southeast quarter Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 198 feet North 65 feet East 198 feet South to Beginning.

West 70 feet beginning Southeast Corner Northeast quarter Southwest quarter Section 7 Township 1 South Range 1 East West 189.5 feet and North 20 feet to true Point of Beginning; North 180 feet East 159.5 feet South 180 feet West 159.5 feet to Beginning Except South 10 feet for road.

Beginning 30 feet West of Southeast corner Section 7 Township 1 South Range 1 East West 89.5 feet North 200 feet East 89.5 feet South 200 feet to beginning.

Cottonwood Meadows Mobile Homes Estates First Addition

Block 4

Lots 31, 32, 33, 34

Block 7

Lot 10, 11, 12, 13, 14, 15, 16, 17, 18

Block 1

Lots 15, 16, 17, 18, 2, 3

Lot 1

Lot 4

Cottonwood Meadows Mobile Homes Estates

Block 2,

Lots 1, 2, 3, 4, 5, 6

Lots 18 & 19

Block 3

Lot 1

Lots 2 & 3

Lot 24 except beginning Southeast corner Lot 24 North 3° 32' East 50 feet 5 in. North 89° 51' West 37 feet 10 in. North 2° 58, West 51.73 feet South 89° 53' East 38 feet to beginning

Lot 23

That part of Lot 24 Beginning Southeast Corner Lot 24 North 30 32' East 50 feet 5 inches North 87° 51' West 37 feet 10 inches North 2° 58, West 51.73 feet South 89° 53' East 38 feet to beginning

Lot 7

Lot 6

Lot 5

Lot 4

4. Compton Avenue from the south side of Elm Avenue to a point 630 feet plus or minus south. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way, also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving thirty two feet in width from lip of gutter to lip of gutter.

Compton Subdivision

Lots 1 through 18 inclusive

5. Kennedy Avenue from the east side of Compton Avenue to a point 183 feet east. For installation of Hollywood curb, gutter and sidewalk on both sides of a fifty foot right of way; also to include the installation of a six inch base course with two inches of hot-mix asphaltic concrete paving, thirty two feet in width from lip of gutter to lip of gutter.

Compton Subdivision

Lots 9, 10, 11, 12, 13, 14

6. A portion of alley between Ute Avenue and Pitkin Avenue, from 12th Street to 13th Street. For installation of paving sixteen feet in width with two inches of hot-mix asphaltic concrete paving with six inches of three fourths inch base course.

Block P Keith's Addition

Lots 13 and 14

Lots 15 and 16

Lots 17 to 20 inclusive

Lots 7 to 12 inclusive and
Lots 21 to 25 inclusive

All in City of Grand Junction, County of Mesa, State of Colorado.

Where acceptable curb, gutter and/or sidewalk exists, credit will be given. Any portion of the District cost not covered by said assessment shall be paid by the City.

The said District shall be divided into five equal zones paralleling the streets and alley to be improved, and the cost of the improvement shall be apportioned to such zones as follows:

- 50% of the cost to the First Zone
- 14% of the cost to the Second Zone
- 13% of the cost to the Third Zone
- 12% of the cost to the Fourth Zone
- 11% of the cost to the Fifth Zone

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$63,072.68 exclusive of collection, interest, and incidentals.

The maximum share of such total cost shall be as follows:

- For concrete curb, gutter, sidewalk,
and street paving \$10.00 per front foot
- For concrete curb, gutter, sidewalk,
and street paving \$18.00 per front foot

- For alley paving 16 feet wide. \$3.00 per front foot

Where curb, gutter, or sidewalk in good repair exists, credit will be given as follows:

- Curb and gutter \$2.50 per front foot
- Sidewalk \$1.50 per front foot
- Hollywood curb, gutter

and sidewalk \$4.00 per front foot

In case of the construction, repair, or extension of copper water service pipe connections, the whole cost thereof shall be assessed to the lots to which connection are made, in addition to the maximum listed above.

To the estimated assessable cost of \$40,855.68 (said amount reflects estimated-credit for existing curb, gutter and sidewalk) to be borne by the property owners, there shall be added six (6) per cent for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said district to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided that all such assessments, at the election of the owners of the property in said District, may be paid in ten (10) equal annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest not to exceed eight (8) per centum per annum shall be charged on unpaid installments.

On July 18, 1973, at the hour of 7:30 o'clock p.m. in the Council Chambers in the City Hall of the said City, the Council will consider objections that may be made in writing concerning the proposed improvements, by the owners of any real estate to be assessed, or by any person interested.

A map of the district from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 6th day of June, 1973.

BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO

By: City Clerk

PASSED and ADOPTED this 6th day of June, 1973.

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Roll was called upon the motion with the following result:

Councilmen voting AYE: Jane S. Quimby
Harry O. Colescott
Lawrence Kozisek
Elvin Tufly
Robert Van Houten
Silas Grantham

President of the Council: Stanley Anderson

Councilmen voting NO: None

Councilmen absent: None

All members of the Council having voted AYE, the President declared the Resolution duly passed and adopted.

WATER-PROPERTY - REQUEST EXCHANGE OF LAND IN KANNAH CREEK AREA
WITH HOWARD BROUSE

A letter from Mr. Howard Brouse was read in which he offered to exchange with the City the following tract of land owned by the Brouses: approximately 32.41 acres described as Lot 10, Section 33, Township 12 South, Range 97 West, lying North of Kannah Creek. He proposed to exchange his land for approximately 20.99 acres described as the North 350 feet of Lots 11 and 12, Section 33, Township 12 South, Range 97 West owned by the City. This land is directly across the road from other land owned by Mr. Brouse and would be more readily accessible. City Manager Rose and Water Supply Superintendent recommended the exchange of land.

It was moved by Councilman Kozisek and seconded by Councilman Grantham that the City Attorney be instructed to prepare the Resolution authorizing the exchange and that Mr, Brouse show evidence of title on his land and pay all costs of the transfer. Motion carried unanimously.

PROPERTY - CORRECTING DEED - HOWARD J. NESBITT, LOTS 13 & 14, HAGGERTY'S FIRST SUBDIVISION

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, certain property was conveyed to the City of Grand Junction by deed dated June 5, 1972 and recorded in Book 977 at Page 861 of the Mesa County, Colorado, records: and

WHEREAS, the description of the land conveyed therein was ambiguous, requiring a correction deed to resolve the ambiguity;

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

That the City Manager be authorized and directed, on behalf of the City and as the act of the City of Grand Junction, to execute a quit claim deed to Howard J. Nesbitt to correct the error in the aforementioned deed.

PASSED and ADOPTED this 6th day of June, 1973.

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Grantham and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE.

The President declared the motion carried and the Resolution duly passed and adopted.

EMERGENCY ORDINANCE 1460 (E) - REPEAL CIGARETTE TAX & VENDING MACHINE LICENSE THEREFOR

The following entitled emergency Ordinance was presented and read: AN ORDINANCE REPEALING THE ORDINANCE OF THE CITY OF GRAND JUNCTION COVERING THE LICENSING OF THE SALE OF CIGARETTES AND VENDING MACHINES THEREFOR AND DECLARING AN EMERGENCY. City Manager Rose said that the State Legislature has passed the bill whereby the State will collect the cigarette tax and refund back to those cities who have charged taxes. He recommended that one-half of this year's license fees be refunded to the vendors and businesses having such licenses. It was moved by Councilman Kozisek and seconded by Councilman Grantham that the Ordinance be passed and adopted as an emergency ordinance, numbered 1460, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

WATER BILL ADJUSTMENT - JACK LUCAS, 147 RED ROCK ROAD - \$85.20

Presented for consideration was the request by Mr. Jack Lucas, 147 Red Rock Road, for an adjustment of his April water bill due to a break in the line. There was a usage of 150,000 gallons at \$94.20. Usage during April, 1972, was 8,000 gallons at \$9.00. It was recommended that the account of Mr. Jack Lucas be credited in the amount of \$85.20.

It was moved by Councilman Colescott and seconded by Councilman Tufly that the account of Mr. Jack Lucas, 147 Red Rock Road, be credited in the amount of \$85.20. Motion carried unanimously.

FIRE STATIONS - \$22,000 FROM REVENUE SHARING FOR IMPROVEMENTS AUTHORIZED - TO STUDY RIVER WALL AT RIVERSIDE PARK & MAKE RECOMMENDATION BEFORE BUDGET SESSIONS

City Manager Rose requested authorization to spend \$22,000 from the Revenue Sharing Funds; \$18,000 to be used for concrete pads in front of Fire Station No. 1 and asphalt paving behind the Station; \$4,000 to relocate the boiler at Fire Station No. 2. Plans are to build a small block house and move the boiler and then to use the small room where the boiler is now located for a shop area. It was moved by Councilman Van Houten and seconded by Councilman Kozisek that the expenditure of \$22,000 from the

Revenue Sharing Funds be authorized. Motion carried unanimously.

Councilman Colescott discussed the wall along the river on the west side of Riverside Park. The wall is starting to sluff and allow water to flow through in places and he feels that without too much money being spent, it could be repaired. He feels this should be handled with Revenue Sharing Funds.

It was moved by Councilman Colescott and seconded by Councilman Van Houten that the City Engineer be instructed to make a study of the wall at Riverside Park and make his recommendations before budget sessions commence. Motion carried unanimously.

SANITATION -PRIVATE TRASH HAULERS TO HANDLE 45 COMMERCIAL ACCOUNTS - RATES

City Manager Rose discussed the City's proposed cooperation with private trash haulers. It is planned to allow private trash haulers to handle approximately 45 accounts out of the 8000 the City now handles. It is the opinion of the City Staff members that the City should cooperate with private industry in this manner. These are commercial accounts. A fee of \$2.70 plus the trash haulers standard rate will be charged with the City doing the billing. The tariff charged by the private trash haulers is set by the PUC. Certain regulations imposed by the City:

1. Private trash haulers may not solicit customers;
2. Must show evidence of insurance coverage (\$300,000);
3. Trash haulers may handle accounts in the City at the discretion of the City;
4. Trash hauled in the City will be regulated by the City.

MESA GARDENS - DRAINAGE PUMP - DISCONTINUED

Councilman Van Houten discussed the recent letter from the City regarding the Mesa Gardens Pumps, and the fact that because it has not been possible to pick up the new people moving into the area and having them contribute on a voluntary basis towards the maintenance of the pumps, this service will be discontinued.

Councilman Van Houten said that he would like to see this continued as he feels there has been improvement in the area. City Attorney Ashby suggested that the formation of a district can be set up, which would possibly require an election but this would be a fair and equitable way to go.

DISCUSSION

Councilman Grantham commented about the fire in the Industrial Park a week or so ago, and the news stories about the lack of fire plugs in the area. He said there are fire plugs in the area but they are privately owned. He noted the fact that there are certain precautions that could have been taken when the building was constructed.

LAW ENFORCEMENT ASSISTANCE ASSOCIATION BOARD - COUNCILMAN COLESCOTT APPOINTED MEMBER OF

President of the Council submitted for ratification the name of Councilman Harry Colescott to serve as the City's representative on the Law Enforcement Assistance Association Board. Councilman Kozisek moved that the appointment of Councilman Colescott to the LEAA Board be ratified, which motion was seconded by Councilman Tufly, and said motion carried unanimously.

HEARING - CHANGE OF LOCATION OF LIQUOR LICENSE - ROBERT C. MILLER TO 1630 HIGHWAY 50

Mr. Robert Miller and his attorney, Mr. Gary Cowan, were present for the hearing. Mr. Cowan stated that he was present on behalf of the lessor of 1630 Highway 50 which is Mrs. Theresa Robinson who owns the building under consideration and several other buildings in the general area. The building under consideration is the old Waddell's Market at the top of the 1630 Highway 50 Fifth Street hill and has been vacant for some time. Mr. Cowan indicated that they are desirous of leasing to Mr. Miller and had agreed to assist Mr. Miller in his presentation. Mr. Cowan distributed sketches showing the manner in which the interior of the building will be redecorated. Mr. Cowan indicated that Mr. Fred Fuhrmeister of the Building Department has been working with Mr. Miller to bring the matter into the specifications that the City and County set forth. This is to be a restaurant and lounge, with the emphasis being placed on the restaurant portion of the business. Mr. Cowan said petitions had been circulated and there were some opponents to this, one of them being another lessee in Mrs. Robinson's complex, Mr. Teddy Murray who is running Teddy's Cafe located adjacent to the property under consideration. Mr. Cowan stated that should the transfer of this liquor license be approved, Mr. Murray would go back to the old split of the parking facilities that was in effect at the time that the old Waddell's Market was operating. Mr. Robert Miller diagramed the parking that would be available should his application to move his license be approved. He noted that he

has secured the permission of Mr. Leroy Bacon to utilize property for parking located on the corner of Grand Mesa Avenue and Highway 50 situated north of the washeteria and about one-half block from the old Waddell's Market building. A letter from Chief of Police Karl Johnson was read. Chief Johnson reported that the applicant presently holds a hotel-restaurant liquor license at 215 Colorado Avenue under the trade name of the Matador and that Mr. Miller has given notice of his intention not to renew his lease at this location. Chief Johnson noted that Mr. Miller has stated his intention to operate the new business as a steak house and to develop a different image from that of his present business. Chief Johnson stated that Mr. Miller has been cooperative in his present operation

The petition opposing the transfer of the license and the petition proposing the transfer of the license were presented along with a map showing in red where those signers in favor of the transfer of the license reside and in blue the signers opposing the transfer of the license. Signers for: 67 in neighborhood, 167 signers outside neighborhood for a total of 234. Opposing: 104 signers neighborhood, 20 outside neighborhood for a total of 124 signers.

Mr. Miller indicated he had some difficulty with the circulating of the petition in that some of the people were told that Tony's Bar was moving to Orchard Mesa. He noted that The Daily Sentinel has never given him a break in that anything that happens on Colorado Avenue is blamed on Tony's Bar. Mr. Miller stated that one year ago he had taken over Tony's Bar, changed the name of Tony's Bar, and felt he had done a pretty good job of changing some of the problems that the City was having to face at Tony's Bar.

Mrs. Liz Stewart, 1640 North 17th, stated that her parents own Teddy's Cafe and that she was with her mother when the petition opposing the transfer of the liquor license was being circulated, and that no one said Tony's Bar was being moved to Orchard Mesa, but that the gentleman who operates Tony's Bar was trying to get a 6 per cent license.

Ms Nanette Pond opposed the transfer of the license as she patronizes the washeteria and she does not want to see this in the neighborhood. She stated it was bad enough when the problem was contained downtown near the Police Station.

Mr. Teddy Murray, Mr. Bob Merchant, 110 Mesa Avenue; Mr. Bob Carlucci, Fruita; Mr. James Benson, Fruita, Mr. Jay Beard, Fruita; Mr. Jim Wilson, 2961 G 1/2 Road and Dennis Stewart, 1640 North 17th, opposed the transfer of the license. Councilman

Tufly noted that he had received several telephone calls in opposition to the transfer of the license. Councilwoman Quimby said one person had questioned her about the advisability of another outlet in such a close area and asked what traffic conditions might be created with such a plus establishment. Mr. Cowan stated that he did not think the traffic conditions per se should be a determining factor on whether or not the liquor license move should be granted.

The President closed the hearing.

Councilman Van Houten said that from the considerations he had seen so far in this discussion and that he felt it devolved on the wishes and needs of the neighborhood and as he could not see that the neighborhood had additional needs for additional liquor license, he would move that the application by Robert C. Miller to change the location of his liquor license to 1630 Highway 50 be denied. Councilman Grantham seconded the motion and the said motion carried unanimously.

ADJOURNMENT

The President adjourned the meeting.

/s/ Neva B. Lockhart
City Clerk