

Grand Junction, Colorado

January 2, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. January 2, 1975, in the Civic Auditorium at City Hall. Members present for roll call: President of the Council Lawrence Kozisek, Stanley Anderson, Harry Colescott, Silas Grantham, Jane Quimby, Elvin Tufly, and Robert Van Houten. Also present were City Attorney Gerald J. Ashby, City Manager Harvey M. Rose, and City Clerk Neva B. Lockhart.

MINUTES

Councilman Van Houten moved that the minutes of the regular meeting held December 18, 1974, be approved as written, which motion was seconded by Councilman Grantham and said motion carried.

3.2 BEER Spec Events Pmt American Legion Post 50, Palisade, in L.P. Auditorium 1-18-75 Approved

Advertised for hearing on this date was the application by American Legion Post 50, Palisade, Colorado, for a special events permit to sell 3.2 beer from 7:00 p.m. to 12:00 p.m. Saturday, January 18, 1975, at the Lincoln Park Auditorium. American Legion Post 50 is acting as sponsor for the Vietnam Veterans group at Mesa College. Mr. Tom Hogge, President of the Mesa College Vietnam Veterans group, and Mr. Steven Leary, Mesa College Veterans Advisor, were present for the hearing. They explained that this event will be a social gathering for the Veterans and the Student Body Association. It is a fundraising event and will not be open to the general public. Off-duty police officers will be hired in compliance with City regulations. Mr. Leary said this group hopes to establish rapport with the City Council so they can have one to two dances quarterly.

The Police Department report indicated that if two police officers are on hand for this event, there was no reason known to the Department why this application should not be approved. There being no letters filed and no others in the audience indicating a desire to speak on this matter, the President closed the hearing.

It was moved by Councilman Colescott and seconded by Councilman Anderson that the application by American Legion Post 50 of Palisade for a Special Events Permit to sell 3.2 beer at Lincoln Park Auditorium on January 18, 1975, between the hours of 7:00 p.m. to 12:00 p.m. be approved. Motion carried unanimously.

HEARING Zone Orchard Ave. Annexation R-2-A Prop. Ord.

This date was advertised for hearing upon the proposed zoning of

R-2-A (two-family residential) for the Orchard Avenue Annexation located at a point 300 feet west of 28 1/4 Road east to 28 1/2 Road. This zoning designation was considered by the Planning Commission at its meeting December 18, 1975, and was recommended to Council. No letters were filed on this matter, and there was no one in the audience who indicated a desire to speak on this item. The President closed the hearing.

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

HEARING Zoning Text Amendment to Sec 11 b. pertaining to definition and limitation of lot

Advertised for hearing on this date was the Zoning Ordinance amendment to Section 11 b. pertaining to definition and limitation of lot. No letters were filed and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 11 b. OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION PERTAINING TO DEFINITION AND LIMITATION OF LOT. It was moved by Councilman Van Houten and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

HEARING AMEND SUBDIV REGULATIONS by adding sub-paragraph 4 to Sec 27-1.2-c. Prop. Ord.

Advertised for hearing on this date was the amendment to Subdivision Regulations, Grand Junction Code of Ordinances, by adding sub-paragraph 4 to Section 27-1.2-c. This was considered by the Planning Commission at its meeting December 18, 1974, and recommended for hearing. No letters were filed and there was no one in the audience to speak on this item. The President closed the hearing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 27, SUBDIVISION REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY ADDING A SUBSECTION 27-1.2 c. (4) THERETO. It was moved by Councilman Colescott and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

3.2 BEER RENEWAL Mesa Farmers Market, Inc. 2651 Hwy 50

Submitted for consideration was the application by Mesa Farmers Market, Inc., 2651 Highway 50, for the renewal of its 3.2 beer license. A report from the Police Department noted that there have

been no reports of violations during the past year.

It was moved by Councilman Tufly and seconded by Councilman Grantham that the application be approved and the license issued when the state license has been received. Motion carried.

LIQUOR LICENSE Renewed for the Brass Rail, 476 28 Road

Submitted for consideration was the application by Dennis L. Kirkhart doing business as The Brass Rail, 476 28 Road, for the renewal of his restaurant liquor license for 1975. The report from the Police Department indicated there have been no violations during the past year. It was noted that since Mr. Kirkhart had not submitted his application in November, he is without a 1975 license and has been closed since midnight December 31.

It was moved by Councilman Tufly and seconded by Councilman Grantham that the application be approved and the license issued when the state license has been received. Motion carried.

ORD. NO. 1540 Zone East side of 15th St. fr Walnut North to GVC R-2-A

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

It was moved by Councilman Grantham and seconded by Councilwoman Quimby 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 Tufly and seconded by Councilman Van Houten that the Ordinance be passed, adopted, numbered 1540, and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

ORD. NO. 1541 Zone Etter Annexation H.O.

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

It was moved by Councilman Grantham and seconded by Councilman Van Houten 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 Van Houten and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1541 and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

ORD. 1542 Vacate alley alg Gunnison bet 19th & 22nd Sts

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A PORTION OF ALLEY WITHIN THE CITY OF GRAND JUNCTION. Councilman Van Houten abstained from discussion and voting.

It was moved by Councilman Grantham and seconded by Councilman Tufly that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Tufly 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 Tufly and seconded by Councilman Grantham that the ordinance be passed, adopted, numbered 1542 and ordered published. Roll was called upon the motion with the following result: Councilmen voting AYE: Elvin Tufly, Silas Grantham, Harry Colescott, Stanley Anderson, President Kozisek and Councilwoman Jane Quimby. Councilman Van Houten abstained from voting. The President declared the motion carried.

ORD. 1543 Vacate residual rights in 3rd Ave. bet 11th and 12th Sts.

The Proof of Publication to the following entitled proposed ordinance was presented: VACATING RESIDUAL EASEMENT RIGHTS IN THIRD AVENUE BETWEEN ELEVENTH AND TWELFTH STREETS, CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Anderson that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Grantham 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 and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1543 and ordered published. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried.

BRODAK ANNEXATION Tabled

Scheduled on the agenda was the petition for annexation signed by

the one owner, Mr. L. A. and Mrs. Anna Brodak. Council discussed the possibility of annexing the entire area. The City Attorney advised that if there was some consideration of annexing the entire enclave, it would be better to postpone action until details are worked out for the entire area. Senior Planner Don Warner stated that tabling this item for two weeks should not pose any problems for Intermountain Bible College. He noted that the owners of property in the area should be notified of the proposed annexation.

It was moved by Councilman Anderson and seconded by Councilman Van Houten to table the Brodak Annexation until the next meeting subject to the property owners in the area being notified of the proposed annexation. Motion carried.

LIQUOR APPLICATION Eastgate Liquor, Inc. Denied

Councilman Anderson moved the adoption of the following decision regarding application by Eastgate Liquor, Inc. for a retail store liquor license and directed this communication be sent to the applicant:

DECISION ON APPLICATION BY EASTGATE LIQUOR, INC. FOR A LICENSE TO OPERATE A RETAIL LIQUOR STORE AT 2840 NORTH AVENUE IN THE CITY OF GRAND JUNCTION, COLORADO.

A hearing was held before the City Council of the City of Grand Junction on December 5, 1974, at which time evidence was presented concerning the issuance of a license for the operation of a retail liquor store at 2840 North Avenue in the City of Grand Junction.

After considering such evidence, the City Council finds:

1. That the designated neighborhood was bounded on the north by Orchard Avenue, on the south by the Freeway, on the west by 28 Road and on the east by 28 3/4 Road.

2. That a City conducted survey indicated that 124 persons in the neighborhood favored the issuance of the license, 57 opposed the issuance of the license and 61 had no opinion; petitions were presented by the proponents indicating that approximately 244 persons felt the needs of "the neighborhood" were not being met by existing outlets, of these, about 30 resided in the designated neighborhood; that petitions were presented by the opponents indicating the needs of the neighborhood were being met by existing outlets, which petitions were signed by 173 residents of the designated neighborhood.

3. That a retail liquor store outlet exists at 2851 1/2 North Avenue, about one-quarter of a mile from the proposed location; another, located outside the district, is about three-quarters of a mile from the proposed location.

4. That the questions presented as to the application, the

transfer of a certain stock interest and the lease for the proposed site are either correctable omissions or are of no merit on the question of the issuance of the license.

From such evidence, the City Council determines that the license be denied as the applicants have failed to prove that the needs for such a license are not being met by the existing outlet in the neighborhood and the one in close proximity thereto; and, further the Council determines that such outlets are meeting the needs of the neighborhood as is evidenced by the survey and petitions.

Motion was seconded by Councilman Van Houten and said motion carried.

CITY SEAL (NEW) ADOPTED Prop Ord amending Chapt 2, Sec 1

The following entitled proposed ordinance was read: AN ORDINANCE CHANGING THE CITY SEAL, SECTION 2.1 OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilwoman QUimby and seconded by Councilman Van Houten that the proposed ordinance be passed for publication. Motion carried.

LIQUOR LICENSE VIOLATION Jas. J. Kerski dba Jay's Liquors, 401 North Ave. Hearing 2-5-75

City Attorney Ashby advised that he has received a report from the State Liquor Enforcement Officer of a violation affecting the liquor license owned by James J. Kerski dba as Jay's Liquors, 401 North Avenue. A hearing will be scheduled for the first Council meeting in February.

CITY SEAL CONTEST Present \$200 check to Tom Jones, Winner, Resolution of appreciation to contestants

Council President Larry Kozisek presented the \$200 check to Mr. Tom Jones, 1415 North 12th Street, winner of the City Seal contest.

Councilman Anderson moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, the contest to design a new seal for the City of Grand Junction produced gratifying results, and

WHEREAS, there was a high quality among the entries which the Council feels should be recognized,

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

That each of the entrants be congratulated on the excellence of his work and the appreciation of the City be extended to each

entrant for his participation;

That the appreciation of the City be also extended to each member of the selection committee.

PASSED and ADOPTED this 2nd day of January, 1975.

Lawrence L. Kozisek

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President of the Council

Attest:

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City Clerk

Motion was seconded by Councilman Grantham, and 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.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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City Clerk