

Grand Junction, Colorado

November 17, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., November 17, 1976, in the Council Chambers at City Hall. Members present and answering roll call: Larry Brown, Harry Colescott, Karl Johnson, Jane Quimby, Elvin Tufly, Robert Van Houten and President of the Council Larry Kozisek. Also present: City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Johnson and seconded by Councilman Tufly that the minutes of the regular meeting November 3, 1976, be approved as written. Motion carried.

3.2 BEER LICENSE RENEWAL - WILLIAMS 7-11, 801 NORTH 1ST STREET

Submitted for consideration was the application to renew the 3.2 beer license at Williams 7-11 Market, 801 North 1st Street. Applicants are Gloria, Scott and Dael Howard. A report from the Police Department advised that during the past licensing period there have been no violations or complaints recorded concerning the operation of this establishment.

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

APPLICATIONS TO RENEW RETAIL LIQUOR LICENSES FOR 1977

The following applications were submitted for Council consideration:

Hotel-Restaurant

Cafe Caravan, 105 Main Street

Far East Restaurant, 1530 North Avenue

The Galley REstaurant, 929 Main Street

Holiday Inn, 755 Horizon Drive

La Coquille Continental Restaurant, 1320 North Avenue

Mitch's 2879 North Avenue

The Office, 159 Colorado Avenue

The Vault, 5th and Rood

The Winery, 642 Main Street

Tavern

Arn's Lounge, 2882 North Avenue

Flamingo Lounge, 201 Colorado Avenue

Ivanhoe Inn, 233 North Avenue

Beer-Wine License

Los Reyes Restaurant, 811 South 7th Street

Club Licenses

Fraternal Order of Eagles #595, 1674 Highway 50 South

Elks Lodge #575, 249 South 4th Street

Retail Liquor Store Licenses

Barbour's Foresight Drive-In Liquors, Inc., 201 Main Street

Don Burgess Liquors, 202 Ute Avenue

City Liquor Store, 901 North 1st Street

Crown Liquors, 2851 1/2 North Avenue

D & D Liquors, 401 North Avenue

Holiday LIquors, 755 Horizon Drive

Johnnie's Liquor Store, 1000 North 5th Street

The Jolly Jug, 220 West Grand

Last Chance Liquor Store, 1203 Pitkin Avenue

North Avenue Liquor Store, 801 North Avenue

Orchard Mesa Liquor, 2682 Highway 50

Ramada Liquors, 716 Horizon Drive

The Police advised that all of the above licensees had no complaints or violations filed during the past licensing period and recommended their renewal. All of the above-listed restaurants were in compliance with Health Department regulations.

A follow-up report from the Building Department was filed on La

Coquille Continental Restaurant, 1320 North Avenue, which advised that the door has been removed until proper hanging by a contractor can be accomplished. Recommended approval of application.

The follow-up Fire inspection report on The Vault at 5th and rood advised that the licensee has ordered the exit light which will be installed when it is received. They recommended approval.

The Fire Department report regarding Los Reyes Restaurant, 811 South 7th, advised that the repairman who installed the furnace is scheduled to come back and install the venting properly. They recommended approval.

Briggs England dba The Jolly Jug, 220 West Grand, filed a one-year lease, and it was recommended that his application be considered for renewal.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the above applications be approved and the licenses issued when the State licenses have been received. Motion carried.

The following renewal applications were considered separately:

(1) Kings II, 215 Colorado Avenue - A report from the Fire Department, dated November 9, 1976, advised that a rear exit light was out. The light is being supplied with power from an extension cord. Light must be wired properly and placed in electrical conduit. Lighted exit sign showing egress to the front entrance has been removed. Since this is not an obvious exit, the lighted exit sign must be replaced. Two fluorescent lights in the kitchen are being supplied with power by use of long extension cords. Must be wired properly and placed in electrical conduit. Electric coffee maker is being supplied with power through a long extension cord that is too small to carry electrical load. An additional electrical outlet is needed to prevent the use of extension cord. Room housing furnace has no access door to room. Opening to the room must be enlarged and a louvered door installed. A follow-up report from the Fire Department dated November 16, 1976, advised no corrections made. When manager was told of the possibility of liquor license denial and the possibility of being closed until corrections are made, the manager stated that the corrections would be made by 5:00 p.m. November 16. Battalion Chief Wes Painter advised that he had been unable to make contact with the manager by 5:00 p.m. on November 17.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the application for license not be approved until all conditions of the Fire Department have been accomplished. Motion carried.

(2) Ramada Inn, 718 Horizon Drive, and Timbers Restaurant & Lounge, 1810 North Avenue - Council was advised that upon two reinspections, these two licensees barely met sanitary standards

for renewal.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the renewal applications be approved subject to two inspections spaced not less than two weeks apart and not closer than one week apart; said inspections to be completed within one month after January 1, 1977, and if the licensees fail either one of the inspections that the licenses be automatically revoked. Motion carried.

(3) Beacon Lounge, 609 Main Street - A memorandum from State Liquor Enforcement Officer Jim Gilliam was read at this time noting certain violations at the Beacon, St. Regis Lounge, The Pub, and the Reverse R Bar. Insofar as the Beacon Lounge was concerned, the Police Department advised that since 1 January 1976 Police Department records indicate the following complaints and calls for service:

(a) 18 disturbance calls where subjects were gone on arrival or were given verbal warning by officers.

(b) 2 warnings for juveniles on premises which officers felt may have been drinking, however, they did not see the actual violation.

(c) 2 disturbance calls where owner was intoxicated and arguing with the bartender.

(d) 1 arrest made for disturbance on premises.

(e) 17 calls for service to escort unwanted patrons or highly intoxicated subject from the bar.

(f) Police Department records indicate 42 calls for service which is a combination of citizens complaints, calls from management and on-sight incidents observed by officers on patrol.

It was moved by Councilman Johnson and seconded by Councilman Brown that the City Council set a hearing on December 8, 1976, at a special meeting of Council at which time all the information concerning these incidents be presented and the Council determine whether the renewal application should be denied, and whether the present license should be suspended or revoked. Motion carried.

Discussion then followed as to the filing of these reports at this time, and why the incident reports were not made available to Council previously. City Attorney Ashby advised that if, at the time of renewal of the licenses, it is thought that these (incidents) are sufficient to justify the Council not renewing the license, then these reports should come to Council as they occur or cumulatively so something can be done about the incidents at the time, rather than at the late hour of renewal at a time which may prejudice the license being issued.

(4) Pub Lounge & Cafe, 603 Highway 50 - The Police Department report advised that a check of records since 1 January, 1976, indicates the following incidents or complaints:

(a) 2 complaints from officers on patrol of the bartender being intoxicated.

(b) 2 incidents where fights have definitely taken place and the bartender denied any knowledge of a fight and refused to cooperate with officers.

(c) 5 calls from management of fights in progress, however, parties had left prior to officers arriving.

(d) Out of 10 calls for Police service, 2 calls were received from management and the remainder were from private citizens and officers on patrol.

It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the City Council set a hearing on this application for December 8, 1976, at a special meeting of Council at which time all of the information concerning these incidents be presented and the Council determine whether the renewal application should be denied, and whether the present license should be suspended or revoked. Motion carried.

(5) Reverse R Bar, 142 South 5th Street - A report from the Police Department advised that the following complaints or incidents were filed since 1 January, 1976:

(a) 3 calls of fights in the bar where patrons were removed from the premises. All three calls received from management.

(b) 1 incident of 3 juveniles in the bar. Bartender advised and warned by officer on routine patrol.

(c) There were a total of 7 calls for police service and on each occasion officers noted the entire patronage to be highly intoxicated.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the City Council set a hearing on December 8, 1976, at a special meeting of Council at which time all of the information concerning these incidents be presented and the Council determine whether the renewal application should be denied, and whether the present license should be suspended or revoked. Motion carried.

(6) St. Regis Lounge, 359 Colorado Avenue - The Police Department report advised that a check of the Police Department records since 1 January, 1976, indicates the following complaints and incidents:

(a) 10 calls to escort unwanted or intoxicated patrons from the bar.

(b) 10 disturbance calls where disturbance was over or patrons had left premises prior to officers' arrival.

(c) 7 arrests for patrons fighting inside bar. Complaints of patrons who claim to have been short-changed.

(d) 1 incident the subject was passed out in booth and removed by officers on routine patrol. No complaint received.

(e) 2 instances of fights by patrons who had just exited the bar. Management claimed no knowledge of the incident.

(f) 1 summons issued to underage female for using altered I.D. to get served in bar.

(g) 1 incident where patron was causing a disturbance and was struck in the face several times by the bartender, Bill James, and then thrown from the premises. Bartender refused to file a complaint.

(h) Management on the whole seems to be very hesitant in trying to cooperate with officers when called. There were a total of 34 calls for service which were received from management, private citizens, and officer on patrol.

It was moved by Councilman Brown and seconded by Councilman Johnson that the City Council set a hearing on December 8, 1976, at a special meeting of Council at which time all of the information concerning these incidents be presented and the Council determine whether the renewal application should be denied, and whether the present license should be suspended or revoked. Motion carried.

(7) V.F.W. Beye Lotz Post 1247, Inc., 1404 Ute Avenue - A report from the Fire Department dated November 10, 1976, advised that the V.F.W. Post at 1404 Ute has several safety problems:

(a) Electrical box switches, etc. need to have covers replaced.

(b) Additional electrical outlets are needed for electrical appliances.

(c) Furnace room needs cleaned out.

(d) The most serious problem was that the means of egress from the building are not marked with required light or luminous exit signs. The building has seating for 35 people with a possible occupant load of 90 people, due to the square feet of assembly area. On past inspections the Fire Department has asked the manager, Vern Burrows, to install a light or luminous exit sign. Mr. Burrows has objected to this requirement since the Building Code and Fire Code do not require lighted exit signs until the possible occupant load is greater than 50 people. Mr. Burrows has agreed to post the occupant load and limit the number of persons

to 49 people which will meet the requirement of the Codes. The City/County Building Department and the Grand Junction Fire Department recommended that the liquor license be approved with the stipulation that the occupant load be limited to not more than 49 persons. A follow-up report from the Fire Department dated November 16, 1976, advised no corrections in the electrical wiring. Fire Prevention Officer Wes Painter unable to contact the manager to verify what plans are made for correcting the problems and posting the occupancy load sign.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that action on this application for renewal be deferred until such time as the license is in compliance with the Fire Code and the compliance is noted to Council. Motion carried.

APPLICATION FOR RETAIL LIQUOR STORE LICENSE - HILLTOP LIQUORS,
1563 HIGHWAY 50

Submitted for consideration was the application by Daniel E. Olson and Linda Olson for retail liquor store license at Hilltop Liquors, 1563 Highway 50. Vernace Olson is being dropped from the license. A report from the Police Department advised that during the past licensing period there have been no complaints or violations noted in connection with the sale of liquor by this establishment. They further advised that Vernace Olson is being dropped from the partnership with Daniel Eric Olson and that Linda Olson, wife of Daniel Olson, is being added. During the course of the investigation into the background of Linda J. Olson, nothing of a derogatory nature was noted which would make her ineligible to be included in this partnership and hold a liquor license.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the application be approved and the license issued when the State license has been received. Motion carried.

HEARING - APPLICATION BY MESA COLLEGE, 1175 TEXAS AVENUE, FOR
SPECIAL EVENTS PERMIT 3.2 BEER, FRIDAY, DECEMBER 3, 1976, FROM
8:00 P.M. TO 12:00 MIDNIGHT

A hearing was held on the application by Mesa College, 1175 Texas Avenue, for special events permit to dispense fermented malt beverages Friday, December 3, 1976, from 8:00 p.m. to 12:00 midnight after posting and proper notice of hearing. Present to speak for the granting of this permit: Mr. Tom O'Connor, Mesa College Campus Student Body President. A report from the Police Department advised that per information received from Dr. Workman a live music dance will be held in Houston Hall, sponsored by the Ski Club, and co-sponsored by the Student Body Association. There will be an admission charge to be collected at the door, and all ID's will be checked upon entering. The College will make a request to the Grand Junction Police Department for off-duty officers to work the dance.

It was moved by Councilman Johnson and seconded by Councilwoman

Quimby that the application be approved. Motion carried.

HEARING - APPLICATION BY 543 ROOD, INC. FOR RETAIL LIQUOR STORE LICENSE TO BE LOCATED AT 2721 NORTH 12TH

A hearing was held on the application by 543 Rood, Inc. for retail liquor store license to be located at 2721 North 12th Street after proper posting and notice of hearing being given. The Corporation includes officers: Joe Hambright, President; William B. Lowe, Vice President; Barbara Alice Lowe, Treasurer; Pamela Sue Hambright, Secretary. The proposed trade name is "Centennial Liquors." Items considered during the hearing:

(1) The map showing the location of other retail liquor store outlets in relation to the proposed location of this license;

(2) The Police Department Report advised that a background check of the corporate officers of 543 Rood, Inc., dba Centennial Liquors, was made. The check was made of local records as well as CCIC and NCIC. Nothing of a derogatory nature was disclosed which would prevent the above-named applicants from obtaining a liquor license.

The results of the City survey:

(1) I favor the issuance of the license as I believe the needs of the neighborhood are not being met by other outlets 119

(2) I believe the needs of the neighborhood are being met by existing outlets 28

(3) I am otherwise opposed 9

(4) No Opinion 8

The City's survey form was used by 16 people residing outside the area who believe the needs of the neighborhood are being met by existing outlets, and otherwise opposed because of the location which is across from the Bookcliff Baptist Church, and is near the rest homes; against the use of liquor; and 50% of car accidents are related to liquor.

A petition opposing issuing a retail liquor store license to 543 Rood, Inc., dba Centennial Liquors at 12th and Patterson, was submitted containing 192 signatures.

A petition containing 41 signatures objected to the issuance of a license for the following reasons:

(1) because of the negative influence of such an outlet in the neighborhood due to the proximity of the church and nursing home;

(2) there are ample outlets of this type in the City accessible to this area.

A petition containing 32 signatures filed November 17, 1976, voiced opposition to granting a liquor license to the establishment of Centennial Liquors across from the church establishment located at 12th and Patterson. Morally, the signers objected to the licensing and in addition, felt there are ample such outlets to serve the community.

Mr. Joe Hambright and Mr. William Lowe were present for the hearing. Mr. Hambright presented architect's drawings of the building and pictures of the proposed location. He presented a petition signed by 444 people from the trade area and a map showing their location as related to the proposed outlet. Opponents: Mr. Warren Reams, representing Americo Bennetti, owner of Ramada Liquors, Mr. Americo Bennetti, Mr. Gerald Siren, owner of Holiday Liquors, Mr. Floyd Farmer, 332 Walnut Avenue, contractor and a member of Bookcliff Baptist Church.

In line with Council policy, the hearing was closed and a Resolution of Findings Decision will be presented at the next meeting of Council.

RESOLUTION OF FINDINGS DECISION REGARDING SONIC BURGER CONDITIONAL USE APPLICATION, 1051 AND 1061 NORTH AVENUE - DENIED

The Planning Commission recommended denial of the application for conditional use by Sonic Burger at 1051 and 1061 North Avenue. This, the, required a 5-2 vote of Council to overturn that recommendation. A Resolution of Findings Decision granting the conditional use for Sonic Burger was read. It was moved by Councilman Johnson and seconded by Councilman Tufly that the Resolution be passed and adopted as read. Upon roll call, Councilmembers JOHNSON, TUFLY and COLESCOTT voted AYE. VAN HOUTEN, BROWN, QUIMBY and KOZISEK voted NO. The President declared the motion failed to carry and the Resolution failed to be passed and adopted as read.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the Resolution opposing the granting of a conditional use to Sonic Burger be read. Motion carried.

The Resolution was read:

RESOLUTION

DECISION ON APPLICATION FOR CONDITIONAL USE

WHEREAS, Logan Wright has applied for the approval of a conditional use to permit him to build and operate a drive-in restaurant on Lots 13, 14, 15 and 16 in Block 2 of the City of Grand Junction; and

WHEREAS, a hearing was held before the City Council of the City of Grand junction on the 18th day of August, 1976, which hearing was

held after proper notice thereof, and at which hearing evidence was presented in favor of and in opposition to said conditional use; and

WHEREAS, after consideration of the evidence, the City Council has found, and does hereby find:

1. That the use was not approved by the Planning Commission.
2. That the reasons the proposed use is conditional in the zone district concern traffic and effect upon surrounding properties.
3. That the type of use will generate a greater impact on the near residential properties than uses permitted within the district through late hour traffic and noise, not all of which can be remedied by proposed on-site development.
4. That the Traffic Department of the City has approved the site use after recommended changes were incorporated into the site development plan.
5. That the use will generate traffic on Belford Avenue beyond that of uses permitted under the present zoning and beyond that which should be generated for a residential street, even one located next to commercial zoning.
6. That the traffic on North Avenue at 11th Street makes the intersection one of the most congested in the City during those hours of most intense use of the proposed drive-in restaurant; and the right turn requirements onto 11th Street with the possibility of a backing up of such traffic is not acceptable.
7. That the routing of cars onto North Avenue via 11th Street and onto 12th Street via Belford Avenue will add materially to the congestion of those intersections at otherwise dangerous times also making the proposed use unacceptable at this location.
8. That, for the reasons stated, the application should be denied.

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

That the application by Logan Wright for a drive-in restaurant at the location above-stated is denied.

PASSED and ADOPTED this 17th day of November, 1976.

President of the Council

Attest:

City Clerk

It was moved by Councilwoman Quimby and seconded by Councilman Van Houten that the Resolution be passed and adopted as read. Upon roll call Councilmembers VAN HOUTEN, BROWN, QUIMBY and KOZISEK voted AYE. Councilmembers TUFLY, COLESCOTT and JOHNSON voted NO. The President declared the motion carried and the Resolution duly passed and adopted.

HEARING - CONDITIONAL USE APPLICATION - ARBY'S, SW CORNER 12TH AND NORTH AVENUE

A hearing upon the conditional use application by Arby's for the southwest corner of 12th and North Avenue was held after proper notice. Senior Planner Don Warner outlined the area in question. He stated that the Planning Commission recommended approval by a 4-3 vote.

Present to speak for the conditional use was proponent Paul Bailey, partner of Fulenwider Co. of Arby's Management & Development in Denver. Also present to speak: Arch Gould, M.D., 2420 North 1st Street, owner of 12th and North Avenue. William Nelson, attorney for Doctor Gould, was present and spoke for the conditional use. Opponents: Jim Naselroad, 1605 N. 20th. The hearing was closed. A Resolution of Findings Decision will be presented at the next meeting of Council December 2, 1976.

RECONSIDER PROPOSED ORDINANCE SETTING STREET DESIGNATIONS

The following entitled proposed ordinance was introduced and read: AN ORDINANCE CHANGING THE CLASSIFICATION OF CERTAIN STREETS WITHIN THE CITY OF GRAND JUNCTION, COLORADO. Councilman Brown stated that he would like some comment from Staff regarding a letter that had been presented from Harry Forzheimer and from himself.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried with Councilman Brown voting NO.

HEARING - CHARLA MINOR SUBDIVISION, 27 ROAD AND MILO DRIVE

A hearing on the Charla Minor Subdivision, 27 Road and Milo Drive, was held after proper notice. City Planner Don Warner advised that the Planning Commission had approved and recommended Council subject to the power of attorney for improvement district for 27 Road being provided.

Councilman Colescott left the meeting at this time.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the Charla Minor Subdivision be approved with the conditions of the Planning Commission, subject to the City Attorney preparing an Agreement to be recorded which would provide

that at such time as the house is moved or destroyed, the additional ten-foot right of way will be required at no charge to the City. Motion carried.

HEARING - RESOLUTION - REVOCABLE PERMIT FOR I.B.C. CHURCH SUPPLIES, 1200 NORTH 12TH STREET

A hearing on the request for a Revocable Permit by I.B.C. Church Supplies, 1200 North 12th Street, to install a 48 inch chain link fence was held after proper notice. City Planner Don Warner reviewed the area and stated that the Planning Commission recommended approval provided the fence be set 8 feet back of curb. Councilmembers voiced concern that the fence would need to line up with the cable fronting Spanky's. It was suggested that the last portion of the fence be aligned with the cable so there would be no pedestrian accidents during late evening hours.

The following Resolution was read:

RESOLUTION

WHEREAS, the INTERMOUNTAIN BIBLE COLLEGE CHURCH SUPPLIES has petitioned the City Council of the City of Grand Junction, Colorado, for a revocable permit to build a 48 inch chain-link fence 8 feet back from the face of curb on 12th Street and on Glenwood Avenue on the northeast corner of said 12th Street and Glenwood Avenue, described as Lots 7, 8, 9 and 10, Block 1 of DeVoe Subdivision, City of Grand Junction, mesa County, Colorado; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and City Engineer and would not be detrimental to the use of the right of way or the interest of the inhabitants of the City;

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

That the City Manager on behalf of the City and as the act of the City be, and he is hereby, authorized to grant such revocable permit to the above-named company for the purpose above described upon the execution by the company of an agreement to save and hold the City harmless from any claims arising out of the construction and use granted and execution by the company of an agreement that upon the revocation of such permit the company will remove said fence at its own expense, restoring the right of way to its original condition.

PASSED and ADOPTED this 17th day of November, 1976.

President of the Council

Attest:

City Clerk

The following Revocable Permit was presented and read:

REVOCABLE PERMIT

WHEREAS, the INTERMOUNTAIN BIBLE COLLEGE CHURCH SUPPLIES has petitioned the City Council of the City of Grand Junction, Colorado, for a revocable permit to build a 48 inch chain-link fence 8 feet back from the face of curb on 12th Street and on Glenwood Avenue on the northeast corner of said 12th Street and Glenwood Avenue, described as Lots 7, 8, 9 and 10, Block 1 of De Voe Subdivision, City of Grand Junction, Mesa County, Colorado; and

WHEREAS, the City Planning Commission and City Engineer have approved such action, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Engineer to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to INTERMOUNTAIN BIBLE COLLEGE CHURCH SUPPLIES a revocable permit to encroach upon the City right of way for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named company shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; and provided further that said company shall agree that upon the revocation of such permit, it will at its own expense remove said fence and restore the right of way to its original condition.

Dated this 17th day of November, 1976.

City Manager

Attest:

City Clerk

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon

roll call, all Councilmembers present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

HEARING - PRELIMINARY PLAN FOR MOTOR CITY SUBDIVISION, U.S. HIGHWAY 6 & 50

After proper notice, hearing was held on the preliminary plan for Motor City Subdivision, U.S. Highway 6 & 50. Senior Planner Don Warner advised that the Planning Commission reviewed the plan and recommended approval subject to 50-foot radius on Independent Avenue and Frontage Road, and no right turn for trucks on Independent Avenue. Mr. Warner advised the primary use will be used car sales and new car sales. Proponent Warren Wisner, Armstrong Engineers, was present for the discussion.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the preliminary plan for Motor City Subdivision, U.S. Highway 6 & 50, be approved with the stipulations of the Planning Commission. Motion carried with Councilman Van Houten abstaining.

HEARING - PROPOSED ORDINANCE REZONE FROM B-2, P AND 4-3 TO PDB - CENTENNIAL PLAZA, NW CORNER 12TH AND PATTERSON

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

ORDINANCE NO. 1637 - DETERMINING APPLICATION FEE FOR ACTUAL AND NECESSARY EXPENSES IN CONNECTION WITH THE PROCEEDINGS INVOLVING FERMENTED MALT BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE LICENSES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE DETERMINING APPLICATION FEE FOR ACTUAL AND NECESSARY EXPENSES IN CONNECTION WITH THE PROCEEDINGS INVOLVING FERMENTED MALT BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE LICENSES. It was moved by Councilman Brown and seconded by Councilman Tufly that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Brown 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 1637, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1638 - AMENDMENT OF LEGAL DESCRIPTION ON ORDINANCE

NO. 1630

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING ORDINANCE NO. 1630 VACATING AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Brown 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 Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1638, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

ORDINANCE NO. 1639 - AMENDING THE LIQUOR AND FERMENTED MALT BEVERAGE OCCUPATIONAL TAX

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE LIQUOR AND FERMENTED MALT BEVERAGE OCCUPATIONAL TAX. It was moved by Councilman Van Houten and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly 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 Van Houten and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1639, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

HOUSING AUTHORITY REPORT

Councilman Johnson reported that the Housing Authority met today. He stated that the Authority is hopeful that the financing of the Corporation will be accepted this week.

ADJOURNMENT

It was moved by Councilman Johnson and seconded by Councilman Tufly that the meeting be adjourned to December 2, 1976, 7:30 p.m., in the Council Chambers. Motion carried.

Neva B. Lockhart

Neva B. Lockhart
City Clerk