

GRAND JUNCTION, COLORADO

April 6, 1977

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., Wednesday, April 6, 1977, 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 were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Van Houten and seconded by Councilman Brown that the minutes of the regular meetings March 2, 1977, and March 16, 1977, be approved as written. Motion carried.

CANVASS ELECTION RETURNS

The following Certificate of Election was reviewed and accepted:

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

April 5, 1977

WE, THE UNDERSIGNED, HEREBY CERTIFY that the results of the General Municipal Election held in the City of Grand Junction, Colorado, on Tuesday, April 5, 1977, were as follows:

Total votes cast in District "A"	197
Total votes cast in District "B"	479
Total votes cast in District "C"	398
Total votes cast in District "D"	451
Total votes cast in District "E"	352
Total Absentee Ballots Cast	59
TOTAL VOTES CAST	1936

FOR COUNCILMAN FROM DISTRICT "A"

<u>CANDIDATES</u>	Dist. "A"	Dist. "B"	Dist. "C"	Dist. "D"	Dist. "E"	Absen- tee	<u>TOTAL</u>
Laurence R. Flanagan	57	100	76	83	78	12	406
Millard R. Gilbert	60	149	115	143	111	25	603
Robert W. Holmes	72	155	155	165	124	15	686

FOR COUNCILMAN FROM DISTRICT "D"

Dwain Jackson	57	129	96	98	118	15	513
Elvin Tufly	84	297	255	290	185	35	1,146
Bobby E. Wilson	26	29	29	49	27	8	168

FOR COUNCILMAN FROM DISTRICT "E"

David L. Kolstad	61	183	137	163	119	26	689
William G. O'Dwyer	100	229	224	236	211	25	1,025

FOR COUNCILMAN FROM CITY AT LARGE

Randall T. Chew, III	75	159	158	125	123	17	657
Jane Quimby	103	305	237	310	217	42	1,214

TOTAL OF ALL VOTES FOR COUNCILMEN

Laurence R. Flanagan	District "A"	406
Millard R. Gilbert	District "A"	603
Robert W. Holmes	District "A"	686
Dwain Jackson	District "D"	513
Elvin Tufly	District "D"	1,146
Bobby E. Wilson	District "D"	168
David L. Kolstad	District "E"	689
William G. O'Dwyer	District "E"	1,025
Randall T. Chew, III	City at Large	657
Jane Quimby	City at Large	1,214

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That Robert W. Holmes has been duly elected as Councilman for District "A" by the greatest number of votes;

That Elvin Tufly has been duly elected as Councilman for District "D" by the greatest number of votes;

That William G. O'Dwyer has been duly elected as Councilman for District "E" by the greatest number of votes;

That Jane Quimby has been duly elected as Councilwoman for the City at Large by the greatest number of votes;

CHARTER AMENDMENTS

FIRST AMENDMENT SUBMITTED:

(Words lined through show deleted material. Words in capitals are new material.)

That Section 35, 36 and 28 of the Charter of the City of Grand Junction be amended to read as follows:

DISTRICTING

35. Officers - Terms. That the elective officers under the Charter of Grand Junction shall be members of the council as hereinafter provided, ~~all of whom~~ WHO shall be nominated and elected by the qualified electors of the city AND THE DISTRICTS as herein provided. The terms of all elective officers shall commence at ten o'clock a.m. on the first Monday in May following the election and shall be for a term of four years each and until ten o'clock a.m. on the first Monday following the election and qualification of their successors.

36. Membership. The council shall consist of seven members to be designated as councilmen, two members to be elected from the city at large BY THE QUALIFIED ELECTORS THEREOF, and five members to be elected from the district established within the city BY THE QUALIFIED ELECTORS THEREOF, SUCH PROCESS SHALL BEGIN WITH THE ELECTION OF APRIL, 1979, WITH THOSE DISTRICTS AND AT LARGE SEAT UP FOR ELECTION AT THAT TIME. The council shall be the judge of the election and qualification of its own members; shall determine its own rules; shall punish its own members for disorderly conduct, and may compel the attendance of its members. The council may from time to time, by A RESOLUTION ADOPTED BY A two-thirds vote of all its members, change the boundaries of the ELECTION districts OF THE CITY, and said districts, until so changed by the council, shall be AS THEY ARE PRESENTLY designated BY THE COUNCIL.

28. Petition for Recall. Any qualified elector of the city, IF THE HOLDER OF THE OFFICE SOUGHT TO BE RECALLED IS ELECTED AT LARGE, AND OF A DISTRICT, IF SUCH HOLDER SOUGHT TO BE RECALLED IS ELECTED FROM THAT DISTRICT, may make and file with the city clerk an affidavit containing the name of the officer sought to be removed, and a specific statement of the grounds of removal. The clerk shall thereupon deliver to the elector making such affidavit a sufficient number of copies of petitions for such recall and removal, printed forms of which he shall keep on hand. Such petitions shall be issued by the clerk with his signature and official seal thereto attached; they shall be dated and addressed to the city council, shall contain the name of the person to whom issued, the number of forms so issued, the name of the person sought to be removed, the office from which such removal is sought, the grounds of such removal as stated in said affidavit, and shall demand the election of the successor to such office, a copy of which petition shall be entered in a record book to be kept in the office of said clerk. Any defect in said form or record shall not invalidate the same. Said recall petition must be returned and filed with said clerk within thirty days of its issuance. Said petitions before being returned and filed, shall be signed by qualified electors equal in number to at least twenty per centum of the last proceeding vote cast for all the candidates for Governor of the State of Colorado by the electors of the city, IF THE HOLDER SOUGHT TO BE RECALLED IS ELECTED AT LARGE, AND OF THE DISTRICT, IF THE HOLDER SOUGHT TO BE RECALLED IS ELECTED FROM THAT DISTRICT, and to each signature shall be attached

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his place of residence, giving the street and number. Such signatures need not all be on one paper. One of the signers of each such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers for the recall of any one officer shall be fastened together and filed as one instrument, with the indorsements thereon of the names and addresses of three persons designated as filing the same.

FOR THE AMENDMENTS TO SECTIONS 35, 36 and 28 OF THE CHARTER TO PROVIDE FOR THE ELECTION OF DISTRICT COUNCILMEN BY THE REGISTERED ELECTORS OF THE DISTRICT ONLY AND AMENDMENT OF THE RECALL SECTION TO PROVIDE RECALL IN THE SAME MANNER.

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
80	197	186	130	141	29	763

AGAINST THE AMENDMENTS TO SECTIONS 35, 36 AND 28 OF THE CHARTER TO PROVIDE FOR THE ELECTION OF DISTRICT COUNCILMEN BY THE REGISTERED ELECTORS OF THE DISTRICT ONLY AND AMENDMENT OF THE RECALL SECTION TO PROVIDE RECALL IN THE SAME MANNER.

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
85	213	173	257	151	24	903

MAJORITY AGAINST: 140

TOTAL VOTES CAST: 1666

That the First Charter Amendment lost by the greatest number of votes;

SECOND AMENDMENT SUBMITTED:

(Words lined through show deleted material. Words in capitals are new material.)

That Section 22 of the Charter of the City of Grand Junction be amended to read as follows:

RUNOFF

22. Canvass and Election. As soon as the polls are closed, the election judges shall immediately ~~open the ballot boxes, take therefrom and count the ballots, and enter the total number thereof on the tally sheet provided therefore,~~ DETERMINE THE RESULTS OF THE ELECTION IN THEIR DISTRICTS IN THE MANNER REQUIRED BY THE METHOD OF VOTING AS DETERMINED BY THE COUNCIL. They shall then ~~carefully enter the number of votes for each candidate on said tally sheet and~~ make return to the city clerk as provided by law. No vote shall be counted for any candidate more than once on any ballot. The person receiving the highest number of votes cast at such election for any office shall be elected to that office; PROVIDED, HOWEVER, THAT SUCH NUMBER OF VOTES MUST ALSO CONSTITUTE A MAJORITY OF THE TOTAL VOTES CAST FOR THE OFFICE. IN THE EVENT NO CANDIDATE FOR AN OFFICE RECEIVES A MAJORITY OF THE VOTES CAST FOR SUCH OFFICE, A RUNOFF ELECTION SHALL BE HELD ON THE LAST TUESDAY IN APRIL FOLLOWING THE GENERAL ELECTION BETWEEN THE TWO CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES IN THE GENERAL ELECTION. A tie between ~~two or more~~ THE candidates WHERE THERE ARE ONLY TWO IN THE GENERAL ELECTION OR BETWEEN THE CANDIDATES IN A RUNOFF ELECTION shall be decided by lot, under direction of the canvassing board.

FOR THE AMENDMENT TO SECTION 22 TO THE CITY CHARTER TO PROVIDE RUNOFF ELECTIONS IN THE CITY OF GRAND JUNCTION

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
68	205	182	147	129	32	763

AGAINST THE AMENDMENT TO SECTION 22 OF THE CITY CHARTER TO PROVIDE RUNOFF ELECTIONS IN THE CITY OF GRAND JUNCTION

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
78	177	153	211	135	24	778

MAJORITY AGAINST: 15

TOTAL VOTES CAST: 1541

That the Second Charter Amendment lost by the greatest number of votes.

THIRD AMENDMENT SUBMITTED:

(Words lined through show deleted material. Words in capitals are new material.)

That Section 39 of the Charter of the City of Grand Junction be amended to read as follows:

REORGANIZATION

39. Term - Duties. Each council, at its first regular meeting and thereafter when a vacancy occurs, shall elect from its membership a president of the council. He shall serve for a term of ~~three-years~~ ONE YEAR and until his successor is elected and qualified. During such term he shall be a member of the council with the same right to speak and vote therein as any other member, but without the right of veto. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. In case of his absence or disability, his duties shall be performed by a president pro tempore, chosen by the council from among its own members.

FOR THE AMENDMENT TO SECTION 39 TO THE CITY CHARTER TO PROVIDE FOR ANNUAL REORGANIZATION OF THE CITY COUNCIL

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
85	230	203	177	161	42	898

AGAINST THE AMENDMENT TO SECTION 39 TO THE CITY CHARTER TO PROVIDE FOR ANNUAL REORGANIZATION OF THE CITY COUNCIL

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
72	187	159	220	132	15	785

MAJORITY FOR: 113

TOTAL VOTES CAST: 1683

That the Third Amendment submitted carried by the greatest number of votes.

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FOURTH AMENDMENT SUBMITTED:

(Words lined through show deleted material. Words in capitals are new material.)

That Section 38 of the Charter of the City of Grand Junction be amended to read as follows:

SALARIES

38. Salaries. At least two meetings of the city council shall be held monthly at such times as may be fixed by the Council, such two meetings to be known as the regular meetings. All other meetings of the city council shall be known as special meetings or adjournments. The president of the council shall be paid a salary of ~~\$125.00-per-month~~, 6,000.00 PER YEAR and all other councilmen shall each be paid a salary of ~~\$100.00-per-month~~ \$5,000.00 PER YEAR COMMENCING JUNE 1, 1979.

FOR THE AMENDMENT TO SECTION 38 OF THE CITY CHARTER INCREASING THE SALARY FOR CITY COUNCILMEN TO \$5,000 PER ANNUM, WITH THE PRESIDENT OF THE COUNCIL TO RECEIVE \$6,000 PER ANNUM.

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
48	125	126	89	96	23	507

AGAINST THE AMENDMENT TO SECTION 38 OF THE CITY CHARTER INCREASING THE SALARY FOR CITY COUNCILMEN TO \$5,000 PER ANNUM, WITH THE PRESIDENT OF THE COUNCIL TO RECEIVE \$6,000 PER ANNUM

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
123	309	242	303	210	35	1222

MAJORITY AGAINST: 715

TOTAL VOTES CAST: 1729

That the Fourth Amendment submitted lost by the greatest number of votes.

FIRST QUESTION SUBMITTED:

Shall the City Council be authorized to sell or trade, for at least the appraised value thereof, Lots 26 and 29 in Book-cliff Manor Subdivision; if traded, the lands traded for to be used for park purposes, and, if sold, the monies to be used toward the acquisition of other park lands. (Manor Park, 2100 Block Manor Drive).

FOR THE SALE OR TRADE

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
103	322	267	274	224	46	1236

AGAINST THE SALE OR TRADE

Districts

"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
51	77	79	94	67	11	379

MAJORITY FOR: 857

TOTAL VOTES CAST: 1615

That the First Question submitted carried by the greatest number of votes.

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SECOND QUESTION SUBMITTED:

Shall the City Council be authorized to sell or trade, for at least the appraised value thereof, Lots 14 and 19 of Block 1 in South Fifth Street Subdivision; if traded, the lands traded for to be used for park purposes, and if sold, the monies to be used toward the acquisition of other park lands.

(Southside Park, 400 Block Noland Avenue)

FOR THE SALE OR TRADE

<u>Districts</u>						
"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
102	310	269	268	213	46	1185

AGAINST THE SALE OR TRADE

<u>Districts</u>						
"A"	"B"	"C"	"D"	"E"	Absentee	TOTAL
52	80	88	103	71	11	429

MAJORITY FOR: 756

TOTAL VOTES CAST: 1613

That the Second Question submitted carried by the greatest number of votes.

DATED this 6 day of April, 1977.

/s/ Lawrence L. Kozisek
Lawrence L. Kozisek
Councilman, District B

/s/ Gerald J. Ashby
Gerald J. Ashby, Notary Public
My Commission Expires: 9-2-79

/s/ Karl M. Johnson
Karl M. Johnson
Councilman, District C

/s/ Donald H. Warner
Donald H. Warner, Notary Public
My Commission Expires: 4-9-79

/s/ Larry Brown
Larry Brown
Councilman, City at Large

Neva B. Lockhart, Notary Public
My Commission Expires: 7-14-78

/s/ K. K. Summers
K. K. Summers, Notary Public
My Commission Expires: 8-1-77

CERTIFIED this 7 day of April, 1977.

Neva B. Lockhart
City Clerk

Theresa F. Martinez
Deputy City Clerk