

Grand Junction, Colorado
August 19, 1957

The City Council of the City of Grand Junction met in special session at 7:30 o'clock P. M. having been duly and regularly notified of such special meeting in accordance with Section 2 of Chapter 3 of the 1953 Compiled Ordinances of the City of Grand Junction. Councilmen answering roll call were Shults, Harper, Colescott, Strnad, Wright and President Emerson. Councilman Orr was absent. Also present were City Manager Cheever, City Attorney Ashby and City Clerk Tomlinson.

AIRPORT-RESOL. U.S. GRANT \$205,154. City Manager Cheever reported that he had the final papers on the grant agreement for the Walker Field improvement program with the maximum obligation of the United States being \$205,154. The following Resolution was presented and read:

RESOLUTION

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT
AGREEMENT FROM THE UNITED STATES RELATING TO THE
DEVELOPMENT OF THE Walker Field

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

Section 1. That the City of Grand Junction, Colorado shall, as Co-sponsor with the County of Mesa, Colorado, accept the Grant Agreement from the Administrator of Civil Aeronautics, dated August 13, 1957, for the purpose of obtaining Federal Aid in the development of the Walker Field Airport, and that such Grant Agreement shall be as set forth hereinbelow.

Section 2. That the City of Grand Junction does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application, which is incorporated by reference in the said Grant Agreement.

Section 3. That the Mayor is hereby authorized and directed to execute said Grant Agreement on behalf of the City of Grand Junction, Colorado, and the City Clerk is hereby authorized and directed to impress thereon the Official Seal of the City of Grand Junction, and to attest said execution.

Section 4. That the Grant Agreement referred to hereinabove shall be as follows:

GRANT AGREEMENT

Part I - Offer

Date of Offer August 13, 1957
Walker Field Airport
Project No. 9-05-004-5802
Contract No. C4ca-4414-A

To: The City of Grand Junction, Colo. and the County of Mesa, Colo. (herein referred to as the "Co-sponsors")

From: The United States of America (acting through the Administrator of Civil Aeronautics, herein referred to as the "Administrator")

WHEREAS, the Co-sponsors have submitted to the Administrator a Project Application dated June 18, 1957, for a grant of Federal funds for a project for development of the Walker Field Airport (herein called the "Airport"), together with plans and specifications for such project, which Project Application, as approved by the Administrator, is hereby incorporated herein and made a part hereof; and

WHEREAS, the Administrator has approved a project for development of the Airport (herein called the "Project") consisting of the following described airport development:

Land acquisition (Parcels 2, 3, 4, and 5); reconstruct NW/SE runway (approximately 150' x 5403'), taxiway (approximately 50' x 500'); install high intensity lighting system on NW/SE runway

(The airport development to be accomplished, herein described, is in addition to that contemplated under the Grant Agreement between the City of Grand Junction and the United States under Project 9-05-004-901.)

all as more particularly described in the property map and plans and specifications incorporated in the said Project Application;

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of the Federal Airport Act (60 Stat. 170); Pub. Law 377, 79th Congress) and in consideration of (a) the Co-sponsors' adoption and ratification of the representations and assurances contained in said Project Application, and their acceptance of this Offer, as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport, as herein provided,

THE ADMINISTRATOR, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES TO pay, as the United States' share of costs incurred in accomplishment of project, 75 per centum of the allowable cost of installation of high intensity runway lighting on the NW/SE runway, and 53.28 per centum of all other allowable project costs, subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be \$205,154.00
2. The Co-sponsors shall
 - (a) begin accomplishment of the Project within a reasonable time after acceptance of this Offer, and
 - (b) carry out and complete the Project in accordance with the terms of this Offer, and the Federal Airport Act and the Regulations promulgated thereunder by the Administrator in effect on the date of this Offer, which Act and Regulations are incorporated herein and made a part hereof, and
 - (c) carry out and complete the Project in accordance with the plans and specifications and property map incorporated herein as they may be revised or modified with the approval of the Administrator or his duly authorized representatives.
3. The Co-sponsors shall operate and maintain the Airport as provided in the Project Application incorporated herein.
4. The maximum amounts of building space which the sponsor shall be obligated to furnish civil agencies of the United States for the purposes and on the terms and conditions stated in paragraph 9 of Part III of the Project Application, shall be as set forth in the attached schedule of maximum space requirements which is incorporated herein and made a part hereof.
5. Any misrepresentation or omission of a material fact by the Co-sponsors concerning the Project or the Co-sponsors' authority or ability to carry out the obligations assumed by the Co-sponsors in accepting this Offer shall terminate the obligation of the United States, and it is understood and agreed by the Co-sponsors in accepting this Offer that, if a material fact has been misrepresented or omitted by the Co-sponsors, the Administrator on behalf of the United States may recover all grant payments made.

6. The Administrator reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Co-sponsors.
7. This Offer shall expire and the United States shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Co-sponsors within 60 days from the above date of Offer or such longer time as may be prescribed by the Administrator in writing.

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8. It is hereby understood and agreed by and between the parties hereto that the Co-sponsors will acquire property interests satisfactory to the Administrator to Parcels 2, 3, 4, and 5 as shown the property map attached hereto and identified as Exhibit "A"; and that the United States will not make nor be obligated to make any payments involving any of the land included in this project until the Co-sponsors have submitted evidence that they have acquired satisfactory title in and to said land or any portion thereof for which Grant Payment is sought, subject to no liens, encumbrances, reservations or exceptions which in the opinion of the Administrator might create an undue risk of interference with the accomplishment of the project or the use and operation of the airport.
9. By its acceptance hereof, the Co-sponsors hereby covenant that to the extent they have or may have either present or future control over the clear zone areas for the NW/SE Runway, (being those areas which are 1000' wide and extending outwardly 2700' from each end of said runway following its extension to the NW approximately 1700'), and unless exceptions to or deviations from the following obligations have been granted to them in writing by the Administrator, they will be obligated as follows:

They will clear or have cleared such areas of all existing structures or natural growth which constitute obstructions to air navigation within the standards established by Civil Aeronautics Administration Technical Standard Order N18, and keep said areas clear of any such obstructions.

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The Co-sponsors' acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the City of Grand Junction, Colorado, and the County of Mesa, Colorado, as Co-sponsors, as hereinafter provided, and said Offer and acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States, on the one part, and the City of Grand Junction, Colorado and the County of Mesa, Colorado, jointly and severally, on the other part, with respect to the accomplishment of the Project and the operation and maintenance

of the Airport. Such Grant Agreement shall become effective upon the Co-sponsors' acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project, but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA
THE ADMINISTRATOR OF CIVIL AERONAUTICS

By /s/ E. S. Hensley
Acting Regional Administrator, Region IV(LA)

Part II - Acceptance

The City of Grand Junction, Colorado and the County of Mesa, Colorado do hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and do hereby accept said Offer, and by such acceptance agree to all of the terms and conditions thereof.

Executed this 19 day of August, 1957.

THE CITY OF GRAND JUNCTION, COLORADO
(Name of Co-sponsor)

By /s/ John S. Emerson
Title Mayor, City of Grand Junction, Colo.

(SEAL)

Attest: /s/ Helen C. Tomlinson
Title: City Clerk, City of Grand Junction, Colo.

Executed this 19 day of August, 1957.

THE COUNTY OF MESA, COLORADO
(Name of Co-sponsor)

By /s/ R. F. Saunders
Title Chairman, Board of County Commissioners
County of Mesa, Colorado

(SEAL)

Attest: /s/ Annie M. Dunston
Title: County Clerk, County of Mesa, Colorado

I, Gerald J. Ashby, acting as Attorney for the City of Grand Junction, Colo. do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said City of Grand Junction relating thereto, and find that the Acceptance thereof by said City of Grand Junction has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Colorado, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the City of Grand Junction, Colo. in accordance with the terms thereof.

Dated at Grand Junction, Colorado this 19 day of August, 1957.

/s/ Gerald J. Ashby
Title City Attorney,
City of Grand Junction, Colo.

I, Thomas K. Younge, acting as Attorney for County of Mesa, Colorado, do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said County of Mesa relating thereto, and find that the Acceptance thereof by said County of Mesa has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Colorado, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the County of Mesa, Colorado in accordance with the terms thereof.

Dated at Grand Junction, Colorado, this 19th day of August, 1957.

/s/ Thomas K. Younge
Title Mesa County Attorney
County of Mesa, Colorado

SCHEDULE OF RENT-FREE SPACE REQUIREMENTS

C.A.A. Activities and Equipment

<u>Airport Traffic Control Tower</u>	<u>Sq. Ft.</u>
Control Cab	440
Chief's Office	150

Storage	100
Equipment Room	300
Workshop	150
Maintenance Storage	100
<u>Air Traffic Communication Station</u>	
Operating Quarters	475
Chief's Office	120
Storage	100
Equipment Room	400
Workshop	250
Technician's Office	120
Maintenance Storage	100
Engine-Generator Room	220
<u>Weather Bureau Activities and Equipment</u>	
Observation Room	448
M.I.C. Office	150
Balloon Room	112
Storage	283

ADOPTED this 19 day of August, 1957, for the City of Grand Junction, Colorado.

/s/ John S. Emerson
Mayor, City of Grand Junction, Colorado

ATTEST:

/s/ Helen C. Tomlinson
City Clerk, City of Grand Junction, Colorado

CERTIFICATE OF CITY CLERK

I, Helen C. Tomlinson, the duly qualified and acting City Clerk for the City of Grand Junction, Colorado do hereby certify that the foregoing Resolution was duly adopted at a special meeting of the City Council of the City of Grand Junction, Colorado, held on the 19th day of August, 1957, and that said Resolution has been compared by me with the original thereof on file in my office and is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the City of Grand Junction, Colorado, this 19th day of August, 1957.

/s/ Helen C. Tomlinson
City Clerk, City of Grand Junction, Colo.

It was moved by Councilman Wright and seconded by Councilman Strnad that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

ORD. 1014 -- ZONING (So. side Ute bet 11th & 12th) The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCLUDED THEREIN was presented and read. It was moved by Councilman Harper and seconded by Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Shults and seconded by Councilman Wright that the proposed ordinance be called up for final passage. Motion carried. The ordinance was then read and upon motion of Councilman Wright and seconded by Councilman Strnad was passed and adopted, numbered 1014 and ordered published. Roll was called on the motion with all members of the Council present voting "AYE." The President declared the motion carried.

ORD. 1015 -- LICENSES LINCOLN PARK. The Proof of Publication to the following entitled proposed ordinance was introduced and read: AN ORDINANCE AMENDING SECTIONS 2 AND 3 OF CHAPTER 14 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION. It was moved by Councilman Harper and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Shults and seconded by Councilman Harper that the ordinance be called up for final passage. The ordinance was then read, and it was moved by Councilman Strnad and seconded by Councilman Shults that the ordinance be passed and adopted, numbered 1015 and ordered published. Councilman Orr having arrived at the meeting at this time, roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

WAIVE BLDG. PERMIT FEES. The First Methodist Church and the First Presbyterian Church presented requests asking that fees for building permits for their new structures be waived. It was moved by Councilman Wright and seconded by Councilman Colescott, that in line with the Council's policy, permit fees for the First Methodist and First Presbyterian Churches be waived for the construction of the new structures. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

CITY WEIGHER -- GAY JOHNSON. The following Resolution was presented and read:

RESOLUTION

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

1. That Gay Johnson be the City Weigher for the City of Grand Junction, Colorado, in accordance with Chapter 7 of the 1953 Compiled Ordinances of the City of Grand Junction.

2. That the scales located at 410 North Avenue in the City of Grand Junction be the official scales of the City.

It was moved by Councilman Wright and seconded by Councilman Strnad that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RENEW 3.2 BEER CITY MKT. 9th & North. City Market, 9th and North Avenue, requested renewal of their 3.2 beer license. It was moved by Councilman Colescott and seconded by Councilman Strnad that the 3.2 beer license of City Market at 9th and North Avenue be approved. Motion carried.

LIQUOR LICENSE -- H. I. GRIFFIN. Mr. H. I. Griffin and Hazel M. Griffin request permission to move their liquor store from 101 No. 1st to 141 No. 1st and change the name of the place from Pete's Liquor Store to Freeway Liquor Store. It was moved by Councilman Shults and seconded by Councilman Orr that this application be advertised for hearing on Sept. 18th. Motion carried.

3.2 BEER VIOLATION -- PARKER HOUSE CAFE. Chief of Police Karl Johnson reported that on August 14, 1957, Duane Frank Lumbardy, the proprietor of the Parker House Cafe at 326 Main Street and Jennie Vigil, a waitress in this cafe, were cited into Municipal Court and charged with selling and serving 3.2 beer to John Calvin Hienecke, age 14. Testimony showed that the boy had been served three bottles of beer on the night of August 8th and that no questions had been asked concerning his age. The beer was paid for by Richard Lee Carmichael who was legally old enough to make the purchase. Both Mr. Lumbardy and Miss Vigil were found guilty in Municipal Court and Mr. Lumbardy was fined \$50 and Miss Vigil \$25.00 but her fine was suspended. John Calvin Hienecke was taken into juvenile court and charged with illegally obtaining 3.2 beer and was fined \$25. Mr. Carmichael was charged with having purchased beer for a person under the age of 18 and was fined \$35.

It was moved by Councilman Wright and seconded by Councilman Colescott that Mr. Lumbardy be notified to appear before the Council on Wednesday, August 21st, to show cause why his license should not be revoked, and that Mr. Hienecke be notified to appear. Motion carried.

Instr #3947 in Abstract File

RESOLUTION MELROSE PARK. The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City Manager has heretofore reached an agreement with Earle Barbour whereby Earle Barbour is to convey to the City of Grand Junction, Colorado, the following described property situate in the City of Grand Junction, Mesa County, Colorado:

Lots 1 to 7, both inclusive, and Lots 9 to 15, both inclusive, in Block 1, Melrose Subdivision, according to the replat thereof, in the City of Grand Junction, and

Lot 11 and the South 10 feet of Lot 10 in Block 1, Arcadia Village, according to the re-filing plat thereof, in the City of Grand Junction.

and in addition is to transfer to the City certain playground equipment; and, whereby as consideration for such transfer, the City of Grand Junction is to convey to the said Earl Barbour certain property owned by it in Mesa County, Colorado, which said property was recently acquired by the City but was not acquired or held at any time for park purposes or any other governmental purposes, and more particularly described as follows:

Lots 11 to 18, both inclusive, and Lot 8 in Block 1, Lots 9 and 10 in Block 2, and Lots 8 and 16 in Block 4, all in Wilcox-Bixby Subdivision, in the City of Grand

Junction; and Lots 1 and 2, Block 1 in the Regent Subdivision, City of Grand Junction, all in Mesa County, Colorado;

and, whereby, Earle Barbour is to pay the special assessment levied against the lots conveyed by him to the City and the City is to pay such special assessment on the property deeded by it to Earle Barbour; and, whereby, the general property taxes for the year 1956, payable in 1957, are to be paid on the lots deeded by Barbour to the City by Barbour; and, whereby Barbour has satisfied the 5% requirement for park purposes required by the City for its annexation of the Melrose Subdivision;

NOW, THEREFORE, BE IT RESOLVED:

That the agreement between the City and Earle Barbour be, and the same is hereby, approved and that the City Manager be authorized to execute the necessary deed or deeds and such other documents as may be necessary to execute the transfer of the aforementioned property to Earle Barbour.

It was moved by Councilman Strnad and seconded by Councilman Shults that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

WATERSHED. City Manager Cheever reported that Mr. Andy Wright of the Forest Service had extended an invitation to the City Manager and City Councilmen to go on a trip over Grand Mesa to inspect the watershed to learn of the Forest Service plans for the future on Grand Mesa.

Several of the Councilmen expressed a desire to go on this trip and a tentative date of Thursday, September 5th, was set for making this trip.

ORD. 1013 -- MODEL TRAFFIC ORD. A continuation of hearing on the Model Traffic Ordinance was held at this time, and it was moved by Councilman Wright and seconded by Councilman Harper that the Proof of Publication to the following proposed ordinance be accepted and filed: AN ORDINANCE ADOPTING BY REFERENCE THE MODEL TRAFFIC ORDINANCE PROMULGATED BY THE COLORADO HIGHWAY SAFETY COUNCIL, A DIVISION OF THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT, AND ADOPTED BY SUCH COUNCIL ON JANUARY 15, 1952; AND SETTING FORTH THE PENALTIES FOR VIOLATIONS THEREOF AS THEREIN SET OUT. Motion carried.

It was then moved by Councilman Shults and seconded by Councilman Wright that the Ordinance be called up for final passage. Motion carried. The Ordinance was then read including the entire Model Traffic Ordinance with the Schedules as applied to the City of Grand Junction. It was moved by Councilman Wright and seconded by Councilman Harper that the Ordinance be passed and adopted, numbered 1013, and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

It was moved by Councilman Orr and seconded by Councilman Shults that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk