

Grand Junction, Colorado

September 21, 1960

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p. m., September 21, 1960. Councilmen present and answering roll call were Hadden, Surface, Colescott, Wright and McCormick. Councilman Meacham was absent. Also present were City Manager Lacy, City Attorney Ashby and City Clerk Tomlinson. It was moved by Councilman Wright and seconded by Councilman Hadden that Councilman McCormick act as President Pro Tem. Motion carried, and Councilman McCormick then took the chair and presided.

McCormick, President Pro Tem

INVOCATION

The invocation was given by Rev. Autry Brown, Pastor, First Southern Baptist Church.

MINUTES

It was moved by Councilman Hadden and seconded by Councilman Wright that the minutes of the regular meeting held September 7th and the special meeting held September 14th be approved as written. Motion carried.

CITIZENS COMMITTEE For Downtown Improvement - appointed

Councilmen Wright and Meacham had been appointed as a committee to recommend members for a Citizens' Committee for Downtown Improvement Planning. Councilman Wright reported that they had met with the Chamber of Commerce representatives and also representatives from a now existing group working on this project; that they would suggest a list of seven names to be the official body which the Council and City Manager could work with, and through this body it can be determined what is to be done, when and how the cost is to be shared. He said they had suggested five businessmen on this committee since the bulk of the cost and actual impact would be borne more by them, it was felt that they should be represented more heavily on the Committee. The following members of the Committee were suggested: Leland Schmidt, Amos Raso, James Gormley, Rudy Susman, Howard McMullin, Mrs. William Hyde, and Robert Van Deusen.

It was moved by Councilman Hadden that the above names be approved and these people appointed as members of the Citizens' Committee for Downtown Improvement Planning. Motion was seconded by Councilman Wright and duly carried.

SHERWOOD PARK To complete in 1961 - Instr #4024

A group of people living in the area around Sherwood Park appeared before the Council with a petition asking that funds for the completion of Sherwood Park be provided in the 1961 budget. Mr. Warren Turner was spokesman for the group and gave a short resume of the history of development of Sherwood Park and asked the Council to continue the program and carry it through to completion. He stated that the

dust and dirt from the Park had been a problem to contend with for those living in the area, and they sincerely hoped that the Council would provide sufficient funds in the 1961 budget so that this problem could be eliminated.

City Manager Lacy presented the petition which had been signed by the residents of the area sometime ago and had been held over for budget consideration. He stated that in the tentative budget, funds have been provided for completion of the lawn and water system.

President Pro Tem McCormick stated that the Council felt guilty because it had not been able to do more but that Sherwood Park had been more expensive than any other to develop, but the Council would do its best to provide funds for the completion of the park.

1961 BUDGET HEARING

It had been advertised that the 1961 Budget outlook would be considered at this meeting. City Manager Lacy stated that this meeting was to encourage people to come and have their say concerning the Budget for the coming year. He stated that the revenue from the larger assessed valuation will amount to about \$40,000 if the levy is dropped from 17.6 to 17.5 mills. He mentioned a few of the capital improvements which are proposed in the 1961 Budget; Airport Control Tower, \$30,000; the City has been paying interest on \$10,500 due on the bleachers on the west side of Lincoln Park football field; this amount would be eliminated by the payment of the part owing on the bleachers; Lincoln Park Golf Course improvements, \$6,000; completing Sherwood Park, (grassing and water system) \$6,000; contribution to Park Improvements Advisory Board fund, \$6,000; two traffic signals, one at 12th and Grand and the other at 5th and Colorado, \$4,500; plans for a new central fire station, \$2,000; Orchard Mesa water filter plant, \$200,000; reservoir improvements, \$50,000; changes in City Hall office structures, \$6,000 and a possible beginning of codification of ordinances.

It was moved by Councilman Colescott and seconded by Councilman Hadden that the hearing on the Budget be closed. Motion carried.

MILL LEVY SET - 1960 - 17.5 Mills Library funds to be budgeted from the 17.5 levy

The following Resolution was presented and read:

RESOLUTION

LEVYING TAXES FOR THE YEAR 1960 IN THE CITY OF GRAND JUNCTION, COLORADO

BE IT RESOLVED by the City Council of the City of Grand Junction., Colorado:

Section 1. That there shall be and hereby is levied upon all taxable property within the limits of the City of Grand Junction, Colorado, for the year 1960 according

to the assessed valuation of said property, a tax of seventeen and five tenths (17.5) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado for the purpose of paying the expenses of the municipal government of said City, and certain indebtedness, including interest upon indebtedness of the City, for the fiscal year ending December 31, 1961.

ADOPTED AND APPROVED this 21st day of September, 1960.

APPROVED:

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman Surface that the Resolution be passed and adopted as read with the understanding that library funds will be budgeted from the 17.5 mill levy. Roll was called on the motion with all members of the Council present voting "AYE." President Pro Tem McCormick declared the motion carried.

REQUEST TO USE MAIN STREET Democratic party Fund-Raising - Denied
Mr. Aubra C. Carroll appeared before the Council and requested permission to use Main Street near 4th Street for a Democratic Party fund-raising breakfast on the morning of October 1, 1960 between the hours of 7:00 and 9:30 a.m. It was moved by Councilman Colescott that the request be granted. As there was no second to the motion, President Pro Tem McCormick declared the motion lost. Mr. Carroll then invited everyone to hear Mr. Adlai Stevenson on October 1st at the High School Auditorium.

ELECTION BOOTH on Main Street - permission granted to League of Women Voters

Mrs. Veva Ween, representing the League of Women Voters, requested permission to put up an election booth on the sidewalk in front of the First National Bank on October 26th through the general election. The League has provided this service for several years, putting out bi-partisan information prior to elections. Councilman Wright stated that he thought this was a valuable contribution to elections in educating the public on the various candidates and platforms. It was moved by Councilman Wright and seconded by Councilman Surface that permission be granted for an election booth to be put up at 5th and Main as soon as the Police Department approves. Motion carried.

RESIGNATION ACCEPTED Ed Strnad from District E

A letter from Mr. Ed Strnad, President of the Council, resigning from the Council was presented. It was moved by Councilman Wright and seconded by Councilman Hadden

that the resignation of Mr. Strnad as Councilman from District E be accepted. Motion carried.

TO FILL COUNCIL VACANCY - Wright Chairman of Committee

Councilman Colescott stated that he thought that the manner in which the last two vacancies had been filled was very good and suggested that filling the vacancy caused by Mr. Strnad's resignation could be handled in the same manner. It was moved by Councilman Colescott and seconded by Councilman Hadden that the same method and committee be used in filling the vacancy of Councilman from District E. Motion carried. Councilman Wright was the Chairman of a committee appointed previously to fill Council vacancies and all other Councilmen invited to suggest any names they wished to Mr. Wright.

MESA COLLEGE Req of water for Activity Area

The matter of water service to the new playing fields of Mesa College at 12th and Orchard was discussed. City Manager Lacy stated that he had expected to receive a communication from the College officials requesting that the City furnish water for sprinkling this area; such water service to be granted without payment by the College for the water used. It had been pointed out by Mr. Burton, Director of Public Utilities, in a memorandum to the City Manager, that the water rent could amount to as much as \$3,000 per year for this tract of ground.

The auditing firm of Dalby and McNulty had called attention to a provision in Ordinance No. 763 providing for the issuance of water revenue bonds that the City would furnish "no free water service." It was moved by Councilman Wright that the Council grant Mesa College the privilege of putting in water lines and obtaining City water service without paying for any water used. Councilman Colescott suggested that he add to the motion that if the pressure is bad in that area, that the City could impose restrictions as to the hours for usage of water.

Mr. Frank Jaros, Jr. stated that the Mesa College has the best water rights for ditch water at the present time and is only required to pay in the neighborhood of \$50.00 for this water. He suggested that the College continue to use this water right and thus leave the amount of water which would be used for sprinkling for domestic purposes for other residents of the City. If the water was not used, they might lose the rights.

It was then suggested that if Mesa College could not use ditch water for irrigation, as a last resort, the City could grant permission for use of City water. It was suggested that in case City Manager Lacy has not informed the College that it is necessary for the City to make a charge for water, as required by the Ordinance authorizing the bonds, that he immediately do so and that he report back at the next meeting.

It was then moved by Councilman Wright and seconded by Councilman Colescott that the motion previously made be withdrawn and that Mr. Lacy talk to Mesa College officials and report back to the Council at the next meeting. Motion carried.

AIRPORT Bids for Control Tower Oct. 10, 1960 at 10:00 a.m.

Councilman McCormick reported that the Airport Board met and had a report on the final approved plans for the new tower and that the changes which were made would not cost as much as had been anticipated, only approximately \$4,000. As the plans now stand, the sponsor's share would be approximately \$135,650 with the City's share, \$67,827.00. It was moved by Councilman Wright and seconded by Councilman Hadden that the City Council ratify the action of the Airport Board in requesting bids for the construction of the Control Tower; bids are to be advertised starting September 22nd to be opened on October 10th at 10.00 a.m. Motion carried.

WATER TAP Orchard Mesa 1½" for 2 dwellings - granted

A request was made for water service for two dwellings on Orchard Mesa through a 1½ inch water line. Mr. Burton suggested that no further permits be granted on this line without forming a water company. It was moved by Councilman Wright and seconded by Councilman Colescott that the request be granted. Motion carried.

PROP. ORDINANCE Vacating Streets & Alleyways in Blks 1/4 Garfield Park (Mesa College Activity Area)

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING STREETS AND ALLEYWAYS IN BLOCKS 1, 2, 3 AND 4 GARFIELD PARK SUBDIVISION IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Colescott and seconded by Councilman Surface that the proposed ordinance be passed for publication. Motion carried.

MESA COLLEGE Agreement with re water lines, maintenance water and sewer lines - Instr. # 4025-Water

An agreement was read with Mesa College concerning the vacating of streets and alleyways in Blocks 1, 2, 3 & 4 of Garfield Park Subdivision. The College agrees to pay the City \$1,500 for existing water lines in this tract and to assume all maintenance of water and sewer lines in this area. It was moved by Councilman Surface and seconded by Councilman Wright that the City Manager be authorized to sign this agreement. Motion carried.

COUNCILMAN COLESCOTT

left the meeting at this time.

MESA GARDENS Resol-assignment of claim - Aetna Casualty & Surety to Columbia Savings (\$ 2,105.)

The following Resolution was presented and read by the City Attorney:

RESOLUTION

WHEREAS, on July 25, 1955, THE AETNA CASUALTY AND SURETY COMPANY, a Connecticut corporation, made and executed a performance bond, binding itself to the City of Grand Junction in the penal sum of One Hundred Fifty-Seven Thousand Two Hundred (\$157,200.00) Dollars, insuring performance of a contract between said City of Grand Junction, and Western States Construction Corporation, a California corporation, which contract was dated July 25, 1955, and a copy of which is attached to said bond; and

WHEREAS, the said Western States Construction Corporation failed to perform in accordance with said contract; and

WHEREAS, the City of Grand Junction has made demand upon said Aetna Casualty and Surety Company to perform in accordance with said bond; and

WHEREAS The Aetna Casualty and Surety Company has failed to perform in accordance with said performance bond; and

WHEREAS the City of Grand Junction caused work to be done which was agreed to be done by Western States Construction Corporation under its contract of July 25, 1955, and has expended therefor, or become obligated to pay, the sum of Two Thousand One Hundred and Five (\$2,105.00) Dollars; and

WHEREAS the City of Grand Junction has made demand upon The Aetna Casualty and Surety Company to pay the said sum in accordance with the terms of the above said performance bond, and said Aetna Casualty and Surety Company has wholly failed and refused to pay said sum; and

WHEREAS, Columbia Savings and Loan Association has paid on the _____ day of _____, 1960, to the City of Grand Junction, Colorado, the said sum of Two Thousand One Hundred and Five (\$2,105.00) Dollars;

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

That the City of Grand Junction, in consideration of the payment of said sum, sets over and assigns, to Columbia Savings and Loan Association all of its right, title and interest in and to its claim and demand against the said Aetna Casualty and Surety Company in the said sum of Two Thousand One Hundred and Five (\$2,105.00) Dollars; and,

BE IT FURTHER RESOLVED that the City Attorney be authorized to execute on behalf of and as the act of the City of Grand Junction, the proper assignment of claim to the Columbia Savings and Loan Association.

PASSED AND ADOPTED this 21st day of September, 1960.

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

MUN. JUDGE & ASSISTANT JUDGE APPTD Wm. Foster & Frank Spiecker
City Attorney Ashby reported that he and the City Manager had met with Messrs. William Foster and Frank Spiecker on September 14th and that they have agreed with the Council's suggestion to arrange their schedules for the operation of the Municipal Court so that they would cooperate with the Police Department and the officers going

off duty at 8:00 a.m. and to work out schedules to take care of everybody. They suggested that the Council appoint both the Judge and the Assistant Judge with the City Manager to appoint any emergency help. Mr. Foster would be the Judge and solely responsible for the administration and supervision of the Court and Clerks; that they go along with the recommendations which Mr. Webster made when he resigned from the office of Municipal Judge and suggesting that certain ordinances be amended. It was moved by Councilman Wright and seconded by Councilman Surface that Mr. Wm. E. Foster be appointed officially as Judge of the Municipal Court and Mr. Frank Spiecker be appointed as Assistant Judge of the Municipal Court. Motion carried.

EAGLES BASEBALL PROGRAM - Deficit \$2,497.67 lights & 10% gate

Mr. Colliton, representative of the Eagles Baseball Committee, appeared before the Council to talk about the future operation of the Eagles Baseball team and the balance which is owing the City for the operation of 1960. At the present time, the Eagles owe the City the total sum of \$2,497.67 for lights and 10% of the gate receipts. Mr. Colliton stated that there was a possibility that they might have a benefit game which would take care of part of this deficit.

\$1,000 in 1960 Budget - cash or credit

Councilman Wright stated he felt the Eagles Baseball Program was very definitely a worthwhile part of the City's recreation program. The ten cents per ticket fee should take care of the gate receipts, and it was felt that this extra charge would not hurt the program. Councilman Surface stated that he felt the Eagles Baseball Program was a definite asset to the community. He moved that in the 1961 budget the amount of \$1,000 be included as a support to the Eagles Baseball Program. This money could be either cash or credit and could be held to take care of any deficit at the end of the season. Councilman Wright seconded the motion adding that no money be actually paid to the Eagles but be held as a credit at the end of the season and that an agreement be made that the Eagles would not come to the Council for additional amounts to be forgiven at the end of the season. Motion carried.

Balance owing to draw 6% interest - as Accts Rec.

It was moved by Councilman Wright and seconded by Councilman Hadden that the amount the Eagles' program owes presently, and anything that may come up in the future, as the Council has discussed before, will not be waived, but will be considered the amount owing to the City, and will draw interest at 6% and will remain an obligation due and payable to the City as an accounts receivable. If the program starts making money, it would be paid the City. Motion carried.

TRAFFIC SIGNS To remove tree limbs obscuring signs

Councilman Surface suggested that the City clear the trees in the parkings on corners where traffic signs are obscured. City Manager Lacy stated that the Park Department was working on this but had apparently missed some corners but that it would be called to their attention.

WEED PROGRAM

Councilman Wright stated that apparently the weed program had been reasonably successful but wondered about parkings in front of vacant lots. City Manager Lacy stated that cutting weeds on parkings was the responsibility of the owners of such properties. He thought that after the weed program has been operating for a few years that it will work out very satisfactorily.

ADJOURNMENT

It was moved by Councilman Wright, duly seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Auditor & Ex-Officio
City Clerk