

Grand Junction, Colorado

October 18, 1961

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m., October 18, 1961. Councilmen present and answering roll call were Meacham, Love, Hadden, Colescott, Lowe, Wright and President McCormick. Also present were City Manager Lacy, City Attorney Ashby and Blanche G. Stringer in place of Helen C. Tomlinson, City Clerk, who was absent.

INVOCATION

The invocation was given by Rev. F. G. Smith, Associate Pastor, First Methodist Church.

MINUTES

It was moved by Councilman Lowe and seconded by Councilman Colescott that the minutes of the regular meeting held October 4th be approved as written. Motion carried. (7 Councilmen voted AYE)

OPERATION FORESIGHT Approved with changes

This date had been advertised for hearing on "Operation Foresight." City Manager Lacy stated that in order to introduce this he would like to report that the picture presentation of "Operation Foresight" had been shown 23 times to various groups and, from close records kept of the attendance, approximately 950 people had seen it plus those who had seen it when it was presented on KREX TV. He read two letters; one from Industrial Developments, Inc. signed by Ed Eisenhower, President, which stated they endorsed the project because they felt it would help their program for expanding and drawing new industry to the area; and a letter from the Grand Junction Business & Professional Womens' Club endorsed this project 100% and offered their assistance.

Mr. Don Sparn, 317 Country Club Park, stated that he was a businessman and property owner and President of the Chamber of Commerce. That the Chamber of Commerce has supported downtown improvement for many years, and they have worked for and supported "Operation Foresight." As a downtown businessman and Main Street taxpayer, he was 100% behind the program and urged the Council to approve the project.

Mr. Frank Jaros, Sr., spoke to the Council stating that as a property owner on North Ave. he had nothing against any improvement on Main Street provided that no taxpayer's money would be used on the project; if it involved taxpayers' money, he and others would protest. They felt it was not right for certain groups on Main Street to be running to the Council all the time asking for something. He said Main Street has a lot of old buildings and he could not see anything in "Operation Foresight" that would guarantee that these old buildings would be torn down or modernized. He didn't think planting grass and trees on Main Street would help the businessmen. He called attention to the delinquent tax list and said the Council should consider this and go easy on the taxpayers.

City Manager Lacy stated it should be pointed out that most of the street improvement on North Avenue, as it now exists with street lighting, curb and gutter, sidewalk improvement, median strips and signals, was paid for by the State Highway with the exception of the additional extensions on 12th Street and North Avenue which were paid for by the City General Fund. At no point in this project was there an assessment to the property owner on North Ave.

Under the proposed "Operation Foresight," the General Fund would pay for 28% of Phases I and II with the property owner paying for the balance or 72%. They are paying directly for this project and in the form of increased taxes on the property benefited only as there is no proposed increase in mill levy for this plan.

Mr. Leland Schmidt stated that he had been Chairman of the C.C.D.D.; they had been working for fifteen months on "Operation Foresight," and he had never worked with a more dedicated group of people including the City Manager. He said he owned downtown property and probably more property outside of downtown Grand Junction and was interested in both areas and did not want to do anything to jeopardize either area. It seemed to him that historically the downtown area in a community has a tremendous responsibility for the general welfare of the community. They are always called upon to spearhead every drive that comes along. It is the biggest industry Grand Junction has. The downtown people are not asking for any favors; only that the Council treat them the same as they would any other areas of the community. They want no conflict with shopping centers which will come when they are economically feasible. This coming year, when water mains have to be replaced provides a rare opportunity to get the whole job done economically. These improvements should have been done a long time ago.

He said the Committee had felt the pulse of the people downtown who stand to gain or lose the most and a large percentage were

very enthusiastic; the very small minority against it was composed mostly of older people. He stated he wanted to state publicly to the people in the fringe areas that just barely come into this improvement program and who are not particularly interested in the welfare of the downtown area that their destiny is tied to that of the downtown area. If we don't preserve the health of our downtown area, they are going to sink along with the rest of us.

City Manager Lacy stated that in drawing up "Operation Foresight" they very carefully adhered to the financing system and apportionment of share of City General Fund vs property owner in the same way this policy has been used for years. He cited as examples, street lights and center parkings, curbs and gutters and sidewalks. There is no special benefit made in this project that is not also made in any other part of town.

Councilman Wright stated that he had had the privilege of recommending approval of this Board to the Council. He thought they had done a bang-up job and thought the Council would not be cognizant of its duty if it did not consider the value of the downtown area. If the property value of the downtown area drops through any cause whatsoever, the mill levy would of a necessity have to be raised as the City has to operate on the same amount of money. There is no argument that this project will certainly maintain property values and could increase them very substantially. At least it would not depreciate property values and the additional business that would come into this area as a result of the program would be very beneficial. He felt the Council should go along with it and set up in the budget for the City's contribution.

Mr. Jas. Gormley, 552 Main St., stated that he represented 400 feet of property between 6th and 3rd Streets on Main Street and 150 feet on Rood which is 100% for this program.

President McCormick closed the hearing. The following Resolution was presented and read:

RESOLUTION

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

That "Operation Foresight" as prepared and submitted by the Citizens Committee for Downtown Development in booklet form be and it hereby is approved by the City Council of the City of Grand Junction with those additions to such plan as have been recommended to the Council by the Grand Junction Planning

Commission as the same appear in the official minutes of such Commission for its meeting of October 5, 1961.

PASSED AND ADOPTED THIS 18th day of October, 1961

It was moved by Councilman Wright and seconded by Councilman Lowe that the Resolution be passed and adopted as read.

Councilman Meacham stated that the Council has given this some study but not nearly as much as the Committee has. He thought there possibly could be many changes made in the project either for the good or bad but it was almost an impossibility to come up with something that is favored 100% by 100% of the people and he thought the committee had done a wonderful job. He hoped the Council would vote favorably.

Councilman Hadden stated that as a member of the Planning Commission he knew they had given considerable thought and study to "Operation Foresight." From the Planning Commission's viewpoint, there is much more involved than the perking up of Main Street and rejuvenating of business. We, in Western Colo., will have a commodity to sell to the whole United States, and he believed that the tourist trade is going to be benefited greatly by the plan. He, too, hoped the Council would see fit to vote favorably.

Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried. (7 members voted AYE)

BIDS City Employee group Life & AD&D Ins Need more time to evaluate

Bids for City Employee Group Life and Accidental Death and Dismemberment Insurance were opened at 10 a.m., Monday, October 16th, and the following tabulation was presented:

COMPILATION OF BIDS

FOR

CITY EMPLOYEE GROUP LIFE AND

ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE

Opened at 10 a.m.

Monday, October 16, 1961

		<u>Alternate No. 1</u>			<u>Alternate No. 2</u>		
		Life Per Mo.	AD&D Per Mo.	Total	Life Per Mo.	AD&D Per Mo.	Total
(In order of total premium for Alternate No. 2)		Annual prem. per \$1000 assuming employee may carry only half specified amt after age 65 and that he is no longer included in group after leaving City			Annual prem per \$1000 assuming employee may carry only half of spec. amt after age 65 or upon 20 yrs service but may remain in group until 70 regardless of City employment with City paying full premium		
1.	United of Omaha	9.93	1.05	10.98	9.10	1.05	10.15
2.	American General Life	9.96	.96	10.92	9.60	.96	10.56
3.	Capital Life Ins. Co.	10.36	1.77	12.13	9.64	1.77	11.41
4.	Republic Natl Life Ins.	10.08	1.44	11.52	10.08	1.44	11.52
5.	Equitable Life Ins. Co.	10.80	.72	11.52	10.80	.72	11.52
6.	Occidental Life Ins. Co.	10.44	1.68	12.12	9.84	1.68	11.52

7.	Washing ton Natl Life Inc.	11.52	1.44	12.96	10.32	1.44	11.76
8.	Contin ental Casual ty	11.51	.83	12.34	11.03	.83	11.86
9.	US Fideli ty & Guaran tee	12.66	.76	13.42	11.16	.72	11.88
10.	Pac Natl Life Assura nce	10.92	1.08	12.00	10.92	1.08	12.00
11.	John Hancoc k Mutual Life	11.94	.781	12.721	11.70	.781	12.481
12.	Aetna Life Ins.	11.64	1.08	12.72	11.64	1.08	12.72
13.	Pruden tial Ins Co. of Am.	11.796	1.44	13.236	11.796	1.21	13.006
14.	Metrop olitan Life Ins	11.705	1.301	24.715	11.705	1.301	13.006
15.	Mutual of New York	12.036	1.56	13.596	11.748	1.56	13.308
16.	Banker s' Life & Casual ty	13.20	2.04	15.24	13.20	2.04	15.24

City Manager Lacy stated that preliminary budget proposals have anticipated that the plan ultimately to be taken actually will cost about \$1.00 per thousand insurance per month. Since more than half of the bids do meet that estimate, the budgetary time

limit is now satisfied and because he has not had time to look into other aspects of the proposals to determine which one is best for the City group he would recommend that Council defer action on awarding this until more time has been given to fairly evaluate all the bids. As it was shown that Alternate 2 has come in as low or lower than Alternate No. 1, this is the one that he will evaluate. The Employees' Committee strongly favored this choice.

LABOR UNION Employees Local 472 Herrick S. Roth re salary schedule

Mr. Herrick S. Roth, Representative of AFSC&ME, Colorado Unions of Public Employees, of Denver, Colorado, was present and spoke to the Council. He stated that he was representing 29 or 30 members of Grand Junction City Employees Local 472. There were 15 city employees in the audience. He presented each member of the Council with a written copy of a salary proposal which he asked the Council to consider before passing the implementing resolution on salaries in connection with the 1962 budget.

Mr. Roth went into great detail explaining this written salary proposal which he stated would apply to only union member employees in three City departments; Public Works, Utilities, and Parks and Recreation. He stated this proposal would cost the City approximately \$22,000, and he felt after looking over the proposed budget, that there were items in each of these department's budgets from which this could be taken, or taxes could be increased. It was just a matter of the Council's weighing values.

President McCormick stated to Mr. Roth: "I think we have explained to you before that you are bringing a matter before the City Council which rightfully comes within the province of the City Manager. Now, I can't feel that you have any right or privilege to come from Denver and advise any elected City Council on the interpretation of our charter. So long as we do not act in an arbitrary or capricious manner it certainly should be the duty and the prerogative of this Council and its legal advisors to determining what is possible within the framework of our charter. We would be most derelict in the obligation to our citizens to accept your opinions rather than those of our retained legal counsel so I would recommend that you take the matter up with the City Manager and we have told you that before."

Mr. Roth stated that he had appeared before the Council previously with regard to the question of bargaining; that he was appearing tonight as a courtesy to the men who have seen fit to have a local. He had thought that the proposed salary resolution would be taken up. He stated that he and the employees he was

representing appreciated Mr. McCormick's view, and that they would be glad to confer with Mr. Lacy if that is the channel the Council thinks they should follow.

City Attorney Ashby told Mr. Roth that is how it has always been done. The City Manager prepares the budget and he brings different matters to the Council. Subsequently, the employees have the right to be heard if they are not satisfied with the original message as prepared.

Mr. Roth stated that on July 15th the salary scale that is in the budget was presented to the employees, and this group of employees were dissatisfied with it and had discussed it with the Employees' Committee who told them nothing could be done so they assumed there was not other recourse except to say to the City Council that some of the men want something different from what the Employees' Committee has agreed to with Mr. Lacy.

City Manager Lacy stated that one statement in particular made by Mr. Roth disturbed him which he wished to correct, if not for the past but for the future, and for the benefit of the city employees who were present. A great deal of work has been done working out Personnel Rules and Regulations. This is the first year that this system has been in effect and it will be used indefinitely in the future. Mr. Lacy said he knew what the Council's wishes were in regard to fairness to all city employees in all departments and their wish is to have them have at least as high a standard of pay scale as other comparable workers in this area and preferably statewide.

He said he had set up a procedure which was his mandate to do through the Charter. Though he had not been able to contact each individual employee, this was done at least through their representatives, selected by them on secret ballot, to explain and get reverberations back on things they did and did not like. The pay scale adopted last year continues in effect this year and grants automatic pay raises to 114 city employees who would not have had a pay increase if it had not gone into effect last year.

He stated that as he understood it from the City Attorney, the Manager's authority is limited, but at the same time the Charter makes it mandatory that the Manager do certain things. The Charter further limits the Council from interfering in any way with this area of the Manager's authority even though it is their duty to appropriate all finances. Whether or not this Charter-dictated system is the best or not is not the point at issue - it is, however, the system that the citizens of the City have established.

The procedures established under this Charter authority are those which will be followed including the annual meeting of employee representatives and the regular conferences with the standing grievance committee. Therefore, any proposals presented outside of this procedure will not be considered in the least by the Manager.

Mr. Lacy stated that from the statistical survey compiled by the public utilities companies (Public Service Co., Telephone Co.) state and federal government for this area and by the Colo. Municipal League, city employees' salaries are above the high average, and for this reason a specific general increase was not proposed this year. However, in the proposed 1962 budget, which had just been given to the Council, there are included in proposed fringe benefits \$6,142 for partial payment for Blue Cross-Blue Shield program; for payment of life insurance (city's share) \$3,375; longevity increases of \$8,688 for 114 employees; reclassification of certain positions, \$1,008; additional overtime payment of \$1,800; approximately \$33,000 for 7 or 8 new employees.

Mr. V. L. McCoy, 620 Gunnison, and Mr. C. R. McElvain, 1025 No. 5th, were present and spoke in support of the union request.

Councilman Meacham stated that he believed that the Council had to think in terms of relativity or comparison, and suggested that it might be well for those who were dissatisfied to contact the clerks in stores on Main Street to get a comparison. Salaries have to be comparative in order to get personnel.

Councilman Hadden stated that he was not against any employee for fighting for all the wages he can get.

Councilman Colescott stated that he had always been interested in wages, but he had not had time to study the budget and that this was something that would be considered when the Council takes up the budget.

Councilman Meacham stated that the Council has had three visits from Mr. Roth now that have taken up considerable time of the Council. The bad thing about it is not the fact that it takes up the time, but the fact that nothing is concluded. The Councilmen have to recognize that under the Charter they cannot arbitrarily make decisions on things that fall in the authority of the City Manager, and until the City Attorney tells him how to change it, and do differently, he would move that in respect to the present union problem or theory that is now being presented by Mr. Roth that he take his problems to the City Manager and do his negotiating with the City Manager until such time as the City Manager says it is now a Council problem. Motion was seconded by

Councilman Lowe. Motion carried with Councilman Colescott voting NAY. (6 Councilmen voted AYE; COLESCOTT NAY)

Councilman Wright stated he felt any employee or citizen has the right of final recourse to come to the Council and felt that it was the Council's duty to listen whether they were able to do anything or not. In this case, the Council could do nothing, and it has been a waste of time. The fact that it has happened two or three times makes it out of order, but he still felt the Council has an obligation whether it can do anything or not; that the Council should not be closed to anybody who wants to come at any time.

Councilman Meacham stated that anyone as a citizen has the right to come to the Council at any time and everyone is certainly welcome. Speaking for himself, he invited anyone sitting in the audience who wished to, to come see him individually and tell him his problems as he was interested in them.

NEW LIBRARY BOARD

President McCormick stated that after trying to find some solution to the problem of reducing the Library Board from seven members to five and deciding on who should stay and who should not, he had concluded it would be best to select a new Board; therefore, he would like to suggest the following members for the Board;

Judge Miles Kara, 121 Mesa	1 year term
Mrs. Russell Hall, 1940 No. 8th	2 year term
Mr. F. C. Hottes, 357 Orchard	3 year term
Beth Forcum, DeMerschman Gardens	4 year term
Chas. Love, City Councilman	5 year term

It was moved by Councilman Hadden and seconded by Councilman Colescott that the Council approve the appointments as suggested by President McCormick. Motion carried. (7 Councilmen voted AYE)

Councilman Hadden suggested that the Council send letters to the retiring members of the Library Board thanking them for their long and faithful service.

3.2 BEER RENEWALS

The following applications for renewal of 3.2 beer licenses were presented for approval:

Dave Hatcher, dba Anderson Food Mart, 530 No. 1st St.

Mildred M. Waddell, dba Waddell's Quality Market, 2231 No. 7th St.

As there were no objections from the Police Department to the renewal of either of these licenses, it was moved by Councilman Colescott and seconded by Councilman Meacham that the applications be approved and licenses granted when State licenses have been received. Motion carried. (7 voted AYE)

BOND APPROVED

A bond for a gas installer's license was presented by Grand Mesa Constructors, Inc. P. O. Box 1535, Grand Junction, Colo. Being on the approved form, it was moved by Councilman Lowe and seconded by Councilman Hadden that the bond be accepted and filed. Motion carried. (7 Councilmen voted AYE)

PROP. ORDINANCE Changing Chapter 81 - Improvement districts

The following entitled proposed ordinance was introduced and read: AN ORDINANCE AMENDING SECTIONS 1, 4, 5 AND 18 OF CHAPTER 81, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, SUCH CHAPTER CONCERNING IMPROVEMENT DISTRICTS WITHIN THE CITY, TO PERMIT THE CITY COUNCIL TO USE THE PROCEDURES OF ARTICLE 4 OF CHAPTER 89 OF THE 1953 COMPILED STATUTES OF THE STATE OF COLORADO FOR THE CREATION OF IMPROVEMENT DISTRICTS; TO ALTER THE PROCEDURES ON ASSESSMENT FOR STREET AND ALLEY INTERSECTIONS WITHIN THE CITY; AND TO PROVIDE FOR THE WITHDRAWAL OF LAND, FOR ASSESSMENT PURPOSES, FROM SEWER DISTRICTS WHERE SUCH LAND IS UNUSABLE.

After considerable discussion by the Council, it was decided that Section 4, changing Section 18 of Chapter 81 of the 1953 Compiled Ordinances, in regard to assessments in sewer districts should be deleted.

The following entitled proposed ordinance was then presented and read: AN ORDINANCE AMENDING SECTIONS 1, 4 AND 5 OF CHAPTER 81 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, SUCH CHAPTER CONCERNING IMPROVEMENT DISTRICTS WITHIN THE CITY, TO PERMIT THE CITY COUNCIL TO USE THE PROCEDURES OF ARTICLE 4 OF CHAPTER 89 OF THE 1953 COMPILED STATUTES OF THE STATE OF COLORADO FOR THE CREATION OF IMPROVEMENT DISTRICTS; AND TO ALTER THE PROCEDURES ON ASSESSMENT FOR STREET AND ALLEY INTERSECTIONS WITHIN THE CITY.

It was moved by Councilman Meacham and seconded by Councilman Hadden that the proposed ordinance be passed for publication. Motion carried. (7 Councilmen voted AYE)

ELECTRICAL CODE Approve use of new material - N.M.C. Cable

City Manager Lacy stated that according to the electrical ordinance, when a new type of material is approved by the National Electrical Code it is necessary for the Council to sanction it. The following Notice to Electrical Contractors on the use of non-metallic cable was presented and read:

"NEW APPROVED MATERIAL

"TO ALL ELECTRICAL CONTRACTORS:

"N.M.C. cable which is moisture and corrosion-resistant and is approved by the National Electrical Code to run in a shallow chase in masonry walls and is covered with plaster.

"The Electrical Department will approve on individual basis U.F. cable which is classed as N.M.C. cable to be placed in the hollows of cinder or cement block in fire zone 3, except in I-2 zone. This approval is being made under provisions of Section 5, Chapter 85, Grand Junction 1953 Compiled Ordinances as amended entitled "Interpretation."

"Each individual use of U.F. Cable for this purpose must be approved by the Electrical Inspector before installation."

"Fred J. Snyder
City Electrical Inspector"

It was moved by Councilman Wright and seconded by Councilman Colescott that the Council approve the interpretation of the electrical inspector to allow the use of N.M.C. for electrical work in masonry walls and authorize him to send out Notices to all contractors. Motion carried. (7 Councilmen voted AYE)

C.C.D.D. COMMITTEE retained

It was moved by Councilman Hadden and seconded by Councilman Wright that the City Council retain the Citizens Committee for Downtown Development as an advisory body so that the Planning Commission will have liaison with the businessmen as the other phases of "Operation Foresight" are developed. Motion carried. (7 Councilmen voted AYE)

ADJOURNMENT

It was moved by Councilman Meacham and seconded by Councilman Hadden that the meeting adjourn. Motion carried. (7 Councilmen voted AYE)

/s/Helen C. Tomlinson
City Clerk

By Blanche G. Stringer
