

Grand Junction, Colorado

June 15, 1966

**ROLL CALL**

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. June 15, 1966 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Chas. E. McCormick, R. B. Evans, Chas. H. Love, Harry O. Colescott, Dr. Hurst Otto, Herbert M. Wright and President Ray A. Meacham. Also present were City Attorney Gerald J. Ashby, City Manager J. M. Lacy and City Clerk Helen C. Tomlinson. Councilman Wright was excused and left the meeting before the hearing on I.D. St-66.

**INVOCATION**

The invocation was given by Rev. Emil F. Wendt, Pastor, American Lutheran Church.

**MINUTES**

It was moved by Councilman McCormick and seconded by Councilman Love that the minutes of the regular meeting held June 1, 1966 be approved as written. Motion carried. (7 AYES)

**HEARING**

I.D. ST 66

Protest by Thatcher Shaw

This date had been scheduled and advertised for hearing on the creation of Improvement District ST #66. Notices had been sent by certified mail to all persons to be included in the District. No written remonstrances had been received. Mr. Thatcher Shaw was present and stated to the Council that he owned property and lived at the corner of 12th and Texas Avenue, and that his property fronted on Texas Avenue and abutted on the west side against 12th Street. He stated that he had contacted the Engineering office and had been informed that the improvements would cost him approximately \$700 to \$800. He felt that this was an arterial highway and should be paid for on a City or County-wide tax basis. He and his neighbors were in favor of improvements and good streets but because of them the whole City benefited and the cost should be spread over a wider area.

City Manager Lacy explained that the total cost of 12th Street was estimated to be \$63,700 and of this amount the City General Fund would pay \$37,700 leaving \$26,000 to be assessed against the properties along 12th Street. This showed that more than one-half of the cost would be a general assessment.

City Attorney Ashby stated that he had told Mr. Shaw that this was the same procedure that the City had worked on last year when First Street was improved. The President closed the hearing.

**LIBRARY BOARD**

Phyliss Long aptd to 12-31-1968

Robert L. Quimby aptd to 12-31-1970

A committee appointed to select members for the Library Board with Councilman Love as Chairman reported that they would suggest the names of Phyliss Long, 326 Belaire Drive, to replace Barbara Counley for the term ending Dec. 31, 1968 and Mr. Robert L. Quimby, 484 No. Sherwood Drive, to replace Pat Gormley whose term ends Dec. 31, 1970. It was moved by Councilman McCormick and seconded by Councilman Evans that the Council concur with the Committee's recommendation and that these appointments be made. Motion carried. (6 AYES)

**PROPERTY**

Sell 15 x 90' strip S 7th & RR to Walker Investment Co for \$70

A letter from Walker Investment Company dated June 7, 1966 was read requesting that the City in conformity with Peoples Ordinance No. 19 passed and adopted Aug. 19, 1925, deed to them a piece of property 15' x 90' in front of the Co-Op building at 710 So. 7th St. They offered to pay \$70 for this strip of land. The ordinance provided that the City should sell the vacated portions of the street to the adjoining property owners for the reasonable value thereof.

It was moved by Councilman Love and seconded by Councilman McCormick that the City Manager be instructed to go ahead and complete the transaction. Motion carried. (6 AYES) City Attorney Ashby stated that he would have a Resolution prepared by the next meeting of the Council authorizing the sale and signing of the deed.

**MUNICIPAL JUDGE**

F.M. Balderson Resigns 7-15-66

A letter of resignation was read from F. M. Balderson, Municipal Judge. It was moved by Councilman Evans and seconded by Councilman Otto that a letter of thanks be sent to Judge Balderson and that his resignation be accepted effective July 15, 1966. Motion carried. (6 AYES)

President Meacham appointed Councilmen Evans, Colescott and Meacham as a Committee to recommend possibilities for a new Judge of the Municipal Court.

**PARKING LOT**

4th & Rood - Renew lease w Citizens Finance \$390 Mo for 3 yrs

City Manager Lacy presented a renewal of lease agreement for the parking lot at 4th and Rood. This lease is with Citizens Finance Company for \$390 per month and would run from June 1966 to June 1969. Mr. Lacy explained that this parking lot was breaking even on the rental being paid to Citizens and is one of the parking lots owned and controlled by the City and not the Parking Corporation. It was moved by Councilman Colescott and seconded by Councilman Evans that the City Manager be authorized to sign the lease with Citizens Finance Company for three years. Motion carried. (6 AYES)

**BONDS APPROVED**

It was moved by Councilman Love and seconded by Councilman McCormick that the following bonds, being on the approved forms, be accepted and filed:

Ralph V. South Jr. dba Glen House Movers	House Mover	Natl Surety	LR6140152	213
Geo. Gonzales	Sign cont	USF&G	214	
Acoustics & Specialties	Spec Contr	Fid & Dep of Md	78 83 382	215
Kraft Bldg	Spec Contr	American Employ		216
E.J. Lempka dba E.J. Elect	Elect contr	Ohio Casu Ins	1 255-605-6	217

Jack F. Schmidt	Spec contr	Western Surety	5179834	218
Penner Constr Co	Gen Contr	Travelers Indem	1364024	220
Lester J. Shepherd dba Credit Jewelry & Loans	2nd hand	Peerless Ins	35 04 41	219

Motion carried. (6 AYES)

**PROP ORD**

Amending Ord. #1227 outside sewer charges

A proposed ordinance amending Ord. No. 1227 on outside sewer charges will be considered at the next meeting of the Council. The City Attorney will bring in the proposed amendment at that time.

**PROP. ORD.**

Adopting Model Traffic Code for 1966

The following entitled proposed ordinance was presented and read: AN ORDINANCE ADOPTING BY REFERENCE THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES 1966, PROMULGATED BY THE COLORADO HIGHWAY SAFETY COUNCIL, A DIVISION OF THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT UNDER AUTHORITY VESTED BY THE STATE GENERAL ASSEMBLY, TO REGULATE AND CONTROL PEDESTRIAN AND VEHICULAR TRAFFIC WITHIN THE CITY OF GRAND JUNCTION AND ADOPTING PENALTIES FOR VIOLATIONS OF SAID CODE. It was moved by Councilman Love and seconded by Councilman McCormick that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

**PROP. ORD.**

#4192

Annexation Willowbrook 1st & Patterson & N si Patterson to 7th

The following petition signed by George and Fanchon Bosma to annex a tract of land at 1st and Patterson Road including all of Patterson Road on the north side to 7th Street was presented.

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

Beginning at the South Quarter of Section 2 of Township 1 South, Range 1 West of the Ute Meridian, thence North 30 feet, thence West to a point 30 feet north and 173 feet west of the southeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 2, thence North 361 feet, thence North 75° 02' East 175.3', thence North to the Northeast corner of said Southeast Quarter Southwest Quarter Southwest Quarter; thence west to a point 346.5 feet East of the West line of said Section 2; thence South 67° 28" W to said West line thence South to the SW Corner of sd Sec 2; ???? then E to that pt and of beg all in Mesa Co Colo.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>Date</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PROPERTY DESCRIPTION</u>
June 6, 1966	(Signed) Bosma, George O.	525 Walnut	S 1/2 SW 1/4 SW 1/4 Exc Beg at SE Cor SW 1/4 SW 1/4 Sd Sec 2 W 173' N 391' N 75° 02' E 175.3'
June 6, 1966	Bosma, Fanchon (Signed)	525 Walnut	S 406' To Beg Also Exc Bet at NW Cor Sd S 1/2 SW 1/4 SW 1/4 S 143.75' N 67° 28' E 375.2' W to Beg

STATE OF COLORADO	)	
	)	SS
County of Mesa	)	

AFFIDAVIT

Nadine O'Neil, of lawful age, being first duly sworn, upon oath, deposes and says:

That she is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

\_\_\_\_\_  
(Signed) Nadine O'Neil

Subscribed and sworn to before me this 6th day of June, 1966.

\_\_\_\_\_  
(Signed) Donald H. Warner, Jr.  
Notary Public

My Commission expires April 1, 1967

(SEAL)

Under the new annexation regulations passed by the last State legislature, this petition does not have to be advertised for hearing. The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Otto and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

**I.D. ST 66**

Resolution creating district

The matter creating Improvement District ST-66 was brought up for consideration. It was moved by Councilman Colescott and seconded by Councilman Love that the Council overrule the protest of Mr. Thatcher Shaw. Motion carried. (6 AYES)

The following Resolution was presented and read:

**RESOLUTION**

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. ST-66 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF STORM SEWERS, CURBS AND GUTTERS, SIDEWALKS AND PAVING ON STREETS AND ALLEYS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 4th day of May, 1966, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. ST-66 and authorizing notice of intention to create said District, and

WHEREAS, Notice of Intention to create the District was duly published, and

WHEREAS, no written complaints or objections have been made concerning the proposed improvements,

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

1. That said Improvement District No. ST-66 be, and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks, storm sewers and paving therein be, and the same is hereby, authorized and directed, in accordance with the resolution adopting the details, plans and specifications prepared and filed therefor.

2. That the construction of paving, sidewalks, curbs and gutters and storm sewers shall be made by contract let to the lowest, reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment.

3. That the improvements in said District were duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, except that an oral protest was voiced by Thatcher Shaw, a property owner on 12th Street, on the method and

necessity for assessment, which protest was overruled by the Council, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the storm sewers, curbs and gutters, sidewalks and paving to be constructed, the boundaries of said Improvement District, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 4th day of May, 1966, and in accordance with the published Notice of Intention to Create said District.

5. That, after the contract for the construction of storm sewers, curbs and gutters, sidewalks and paving has been let, the Council shall, by a resolution, provide for the issuance of public improvement bonds for said Improvement District No. St-66 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED this 15th day of June, 1966.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

It was moved by Councilman Love and seconded by Councilman Otto that the Resolution be passed and adopted as read. Roll was called on the motion with the following results: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Chas. H. Love, Harry O. Colescott, Dr. Hurst F. Otto and President Meacham. Councilmen voting NAY: None. All members of the Council presenting having voted AYE, the President declared the motion carried and the Resolution duly passed and adopted as read.

#### **CITY MANAGER LACY**

Resignation 7-31-66

City Manager J. M. Lacy read a letter to Council resigning as City Manager of the City of Grand Junction effective July 31, 1966. It was moved by Councilman McCormick and seconded by Councilman Love that the President of the City Council write a letter to Mr. Lacy accepting his resignation with regret and thanking him for his faithful service for the past years. Motion carried. (6 AYES)

#### **UTE WATER CONS. DIST**

Req CA opinion re taking Bookcliff Mutual & 1st Fruitridge water lines

A letter was read from Mr. Fred Simpson, Chairman of Ute Water Conservancy District, in connection with City and Ute both wishing to purchase water lines outside of the City and the City furnishing water in Ute District territory. President Meacham asked City Attorney Ashby to give an opinion as to legality of the City furnishing water to these users. City Attorney Ashby stated that he would give the Council a written opinion.

#### **ADJOURNMENT**

It was moved by Councilman Love and seconded by Councilman Evans that the meeting adjourn. Motion carried. (6 AYES)

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/s/ Helen C. Tomlinson

City Clerk