

Grand Junction, Colorado

June 21, 1967

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. June 21, 1967 in the Civic Auditorium at City Hall, Councilmen present and answering roll call were Chas. E. McCormick, R. B. Evans, Stanley Anderson, Harry O. Colescott, R. G. Youngerman, Herbert M. Wright and President R. A. Meacham. Also present were City Manager Gray, City Attorney Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Rev. G. S. Kuhlman, V. A. Hospital.

MINUTES

It was moved by Councilman McCormick and seconded by Councilman Anderson that the minutes of the regular meeting held June 7, 1967 be approved as written. Motion carried. President Meacham welcomed the large crowd of people in the audience.

HEARING - 3.2 BEER CHANGE OF OWNERSHIP - FOOD TIME DRIVE IN GROCERY, INC, 1117 N. 1ST STREET & 2355 BELFORD

This date had been advertised for hearing on the change in form and officers for 3.2 beer licenses for Food Time Drive In Grocery, Inc., at 1117 North First Street and for Food Time Drive In Grocery, Inc., at 2355 Belford Avenue. This will be a corporation with R. A. Bennett, G. H. Bennett, and Treva Bennett as officers of the corporation. No protests were filed against this change of ownership. It was moved by Councilman Colescott and seconded by Councilman Evans that the change of ownership be approved as requested. Motion carried.

HEARING - ZONING CHANGE N 7TH EAST SIDE BUNTING TO SOUTH OF ELM & WEST SIDE OF GLENWOOD TO SOUTH OF ELM

This was the date scheduled for hearing on a zoning change from R-2 to B-1 on the east side of North 7th Street from Bunting Avenue to the south line of Elm Avenue and on the west side of North Seventh Street from Glenwood Avenue to the projected south line of Elm Avenue.

City Manager Gray stated this was a hearing on a change of zoning for an area on North 7th Street and has been before the Planning Commission. The Planning Commission held a public hearing and voted 3 to 2 to the area specified. A petition was prepared by the City and circulated by the people in the area protesting the recommendation of the Planning Commission. An analysis of the

petition, prepared by the Planning Director, showed that 19.4% of the people in the immediate area were opposed to the change. When a petition protesting the recommendation of the Planning Commission is presented to the Council, and if it represents 20% of the area proposed, or within 100 feet of the area proposed, it requires that six members of the Council would be required to vote in the affirmative to grant the zone change. However, the petition was signed by only 19.4% so a majority of the Council would be the ruling factor.

Mr. Ed Ruland, Attorney for Harold Hamilton whose property is the one involved in the change, appeared before the Council. Dr. Adams wishes to purchase this home at 1406 No. 7th Street and to move his doctor's office to this location. Mr. Gray stated that the petitioners had been given every consideration in determining the 19.4% of property.

A summarization of memoranda prepared by Mr. Ruland concerning the application for zoning change, appearance before the Planning Commission, etc. was presented by Mr. Ruland, as follows:

At the request of the Planning Commission, a questionnaire was circulated to the people in the area asking their opinion on the change in zoning. The first application for zone change was for the east side of 7th Street from Bunting Avenue to the first property on the northeast corner of Kennedy Avenue. At the first meeting of the Planning Commission, the board was undecided and asked that further study be made and that petitions be circulated among the residents on both sides of 7th Street to get the opinion of all in the area. The questionnaires were then sent out and thirteen were returned. Eight were in favor and actually six were opposed to the zoning change. This area has been basically a residential area for more than fifty years. At the present time, there are twenty-three structures involved-nine of which are rental units; one contains a rental unit and two are day-care nurseries for children and one is a church. Over half of the properties are used to derive income, the same as a limited business would. The houses on the west side of the street are generally one and two-bedroom homes constructed on lots approximately 50 x 135 feet. On the east side, the lots are larger. The type of zoning requested would only allow professional-type offices and medical clinics. Mr. Ruland felt that the entire area is losing its appeal as residential and is not being built up as an improved residential area.

Several in the audience, including W. L. Whisler, 1307 No. 7th Street, and Mr. & Mrs. Allen Wolfe, spoke against the zoning, especially on the west side of the street.

City Manager Gray stated that he felt that the City had bent over backwards to be fair in the analysis of the petitions and invited Mr. Whisler and any others who might be interested to come to the

City Hall and check with the Development Dept. on the validity of the analysis.

Councilman McCormick stated he felt that if people wished to purchase property for a specific use, they should purchase it in an area already zoned for the use desired, rather than to attempt to get additional property zoned. He felt the requested zoning would be "strip zoning." About four months ago, the block between Bunting and Glenwood Avenue was rezoned to B-1, and with the exception of one property, no further development has been made in this block. If the Doctor owned the property, it would be a different proposition. There are many nice small homes in the area, and the residents evidently want to be left alone. Councilman McCormick felt that this was not the time to make any drastic changes. Councilman Colescott felt similarly to Councilman McCormick and stated he would feel differently if the home was already owned by the Doctor. Councilman Wright stated he felt that No. 7th Street is a coming business area, and while he realized that anyone who owns a home in an area that is about to be rezoned to a lower zoning, usually opposes the zoning, he believed this change would not adversely affect the residents. There would be no retail outlets allowed. The City needs to get away from "strip" or "spot" zoning.

Mrs. Earl Edwards, 1524 No. 7th Stated that she would like to see the zoning changed clear to Bookcliff. President Meacham closed the hearing.

President Meacham stated that he would like to deviate from the usual order of business and consider the ordinance changing the zoning at this time. As there was no objection, City Attorney Ashby read the following proposed ordinance:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY.

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

That the Zoning Map, a part of Chapter 32 of the Code of Ordinances of the City of Grand Junction, be amended to provide that the following tract of land within the City be changed in zoning to B-1 (Limited Business), to-wit:

The North 180 feet of Lot 18, all of Lot 19 and the South 217 feet of Lot 20 all in Capitol Hills Subdivision; Lots 26 through 32, inclusive, of Block 1, Elm Avenue Subdivision; and Lots 1 through 4, inclusive, of Block 2, Rose Park Subdivision.

It was moved by Councilman Wright and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Roll was called on the motion with the following result:

Councilmen voting AYE: Herbert M. Wright
 R. G. Youngerman
 Stanley Anderson

Councilmen voting NAY: Harry O. Colescott
 R. B. Evans
 Chas. E. McCormick
 Pres. Ray A. Meacham

A majority of the Councilmen voting NAY, the motion was declared lost.

City Attorney Ashby stated that Mr. Ruland had requested that the Council consider the change of zoning for only the area requested originally-on the east side of 7th Street-in case the whole change was not approved. Therefore, City Attorney Ashby read the following proposed ordinance:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY.

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

That the Zoning Map, a part of Chapter 32 of the Code of Ordinances of the City of Grand Junction, be amended to provide that the following tract of land within the City be changed in zoning to B-1 (Limited Business), to-wit:

Lots 1 through 4 inclusive Block 2 of Rose Park Subdivision and
Lots 31 and 32 of Elm Avenue Subdivision

It was moved by Councilman Wright and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Roll was called on the motion with the following result:

Councilmen voting AYE: Herbert M. Wright
 R. G. Youngerman
 Stanley Anderson

Councilmen voting NAY: Harry O. Colescott
 R. B. Evans
 Chas. E. McCormick

As a majority of the Council did not vote AYE, President Meacham refrained from voting and declared the motion lost.

HOUSING CODE - ACKNOWLEDGE LETTER W.G. MCBRIDE

President Meacham acknowledged receipt of a letter from Mr. W. G. McBride, 1435 Main Street, received June 13, 1967 protesting adoption of the housing code.

3.2 BEER LICENSE - RENEW JOHN E & RUTH D. MURRAY DBA TEDDY'S CAFE, 1648 HWY 50

An application for renewal of 3.2 beer license was presented by John E. and Ruth D. Murray dba Teddy's Cafe, 1648 Hwy 50. This license was originally issued by the County. This establishment was included in the area annexed to the City on Orchard Mesa. A letter from Police Chief Johnson was read which stated that he had no objection to renewal of this license. It was moved by Councilman Wright and seconded by Councilman Evans that the application be approved and license granted when State license has been received. Motion carried.

ORDINANCE NO. 1264 PASSED - PREVENT BURNING OF CERTAIN MATERIALS

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 14-13 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO PREVENT THE BURNING OF CERTAIN MATERIALS WITHIN THE CITY. It was moved by Councilman Wright and seconded by Councilman Anderson that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Anderson and seconded by Councilman Youngerman that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman McCormick and seconded by Councilman Colescott that the Ordinance be passed and adopted as read, numbered 1264 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

SANITARY SEWER DISTRICT NO. 22-67 - RESOLUTION CREATING DISTRICT

A Resolution to Create Sanitary Sewer District No. 22-67 was presented to the Council at the last regular meeting and tabled so that the method of assessment could be studied further. The matter was brought up and considered further. There was quite a large delegation of interested property owners present. Mr. George Kruse, 1324 Wellington Ave., representing a large group of residents who own property along Wellington Ave., spoke in opposition to the sewer installation because of the cost.

City Manager Gray stated that the area in this district is located at 12th & Patterson and extends from Walnut on the South to Bonita

on the North and about 2,000 feet each side of 12th Street at Patterson. He stated the Administration had considered various plans for assessing and charging the cost of the district. He quoted the charges as prescribed by ordinance and stated that the Administration would propose that the assessments on land lying further than 150 feet from the laterals will be deferred until such land is developed, and in the meantime the City will pick up that portion of the main charge which is assessed to that land. This cuts the amount which property owners have to pay at the present time to a more nominal fee. Mr. George Kruse and Mr. Jas. Robb, Attorney, and Father Foster representing Saint Matthews Episcopal Church, and Mrs. Jessie Riordan still felt that the cost would be too much. Several residents said they were in favor of the improvement, but that it was more costly than anticipated. Among these were Ray Sullivan, 2335 No. 12th St., Wm. L. Reeves, Sr., 1225 Wellington Ave., and Mr. Ed Clements, 2528 No. 12th. City Manager Gray suggested that Emory White and Fred Weber of the City Engineering staff, who were present, would be glad to confer with anyone present and give him the approximate cost of the improvement. City Manager Gray stressed the fact that all figures at this time were approximate and the final cost to property owners would be based on the actual costs of the district. The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 22-67 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER WITHIN SAID DISTRICT AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 19th day of April, 1967, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans, and specifications for Sanitary Sewer District No. 22-67 and authorizing notice of intention to create said District; and

WHEREAS, Notice to Create Said District was duly published; and

WHEREAS, no written complaints or objections have been made concerning the proposed improvements, except: a letter from Saint Matthew's Episcopal Church concerning property owned by it within the District, which letter was submitted at the hearing on the formation of the District;

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

1. That said Sanitary Sewer District No. 22-67 be, and the same is hereby, created and established, and that construction of a sanitary sewer therein be, and the same is hereby, authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor;

2. That the construction of the said sanitary sewer shall be made by contract let to the lowest responsible bidder, 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 sanitary sewer in said District was duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District; except the letter of Saint Matthew's Episcopal Church hereinbefore referred to, and except that the following citizens spoke at the hearing against the inclusion of their property within it, to-wit: H. L. Senter, 3085 Wellington Ave., Henry A. Massard, 1452 Wellington Ave., Ralph Collins, 1321 Wellington Ave., Mrs. Kanavel, 1313 Wellington Ave., Geo. Kruse, 1324 Wellington and Mr. Lodbe of Des Moines, Iowa; or any of the proceedings adopted therefor; and 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 sanitary sewer, the boundaries of said Sanitary Sewer 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 19th day of April, 1967, and in accordance with the published Notice of Intention to Create said District.

5. That after the construction of the sanitary sewer has been let, the Council shall, by resolution, provide for the issuance of public improvement bonds for said Sanitary Sewer District no. 22-67 for the purpose of paying the cost and expenses of construction of said District.

PASSED AND ADOPTED This 7th day of June, 1967.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman McCormick and seconded by Councilman Evans that the Resolution be passed and adopted as read. Roll was called on the motion with the following result:

Councilmen voting AYE: Chas. E. McCormick
R. B. Evans
Stanley Anderson
Harry O. Colescott
R. G. Youngerman
Herbert M. Wright
President: Ray A. Meacham

Councilmen voting NAY: None

All members of the Council having voted AYE, the President declared the motion carried, and the Resolution duly passed and adopted.

Councilman McCormick stated that the Colorado Municipal League is working on this problem and is attempting to get the state law changed so as to increase the period of time to pay off bonds of this type as they realize there can be hardship on the people who come into the City later.

BIDS - SANITARY SEWER DISTRICT NO. 22-67 - CONTRACT TO SCHEIERMAN CONSTRUCTION - \$94,441.50

City Manager Gray stated that since the Resolution Creating San Sewer Dist. No. 22-67 had been passed favorably, he would like to award the contract for construction. Bids had been received and opened on Tuesday, June 13, 1967. There were four bids submitted as follows:

\$94,441.50	Scheierman Construction Company
\$98,447.20	Elam Construction Co.
\$99,242.00	Tiago Construction Co.
\$101,004.00	Bookcliff Construction Co.

The City Engineer has checked the credentials of the low bidder and recommends that the contract be awarded to him. It was moved by Councilman Anderson and seconded by Councilman Youngerman that the contract for construction of San. Sewer Dist. No. 22-67 be awarded to Scheierman Construction Company in the amount of \$94,441.50. Motion carried.

I.D. ST-67 - RESOLUTION ADOPTING DETAILS, PLANS AND SPECS
(WILLOWBROOK)

In the petition that was presented for improvements in Willowbrook Subdivision, it was specified that the cost for improvements would not exceed \$10 per front foot. The City Engineer presented plans, specifications, estimate and map of the District. The following Resolution was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS, SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT NO. ST-67, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS, AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on the 7th day of June, 1967, the City Council of the City of Grand Junction, Colorado, by a Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for constructing sidewalks, curbs and gutters and paving streets in said City within proposed Improvement District No. ST-66, together with an estimate of the total cost of such improvements and a map of the District to be assessed; and,

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans, specifications, estimate, and map, all in accordance with said Resolution and the requirements of Ordinance no. 178, as amended, of said City:

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

1. That said details, plans, specifications, estimates and map be, and the same are hereby, approved and adopted.
2. That the district of lands to be assessed with the cost of the proposed street improvement complete with combination Hollywood type curb, gutter and sidewalk; grading and two inches of asphaltic paving, the mat to be thirty-two feet wide between the gutter lips (sub-base and base course surfacing being placed by the owner is not included in these improvements) is described as follows:

All of Lots 1 through 9 in Block 1, and all of Lots 1 through 6 in Block 2, and those portions of Lot 7 in Block 2 and Lot 10 in Block 1 abutting the improvements, said Lots and Blocks all being in Willowbrook Subdivision Replat.

3. The assessments to be levied against the property in said District to be pay the cost of such improvements shall be due and payable within thirty days after the ordinance assessing such cost becomes final, and, if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes are, by the laws of the State of Colorado, made payable, after the expiration of said thirty days; and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, in unpaid principal, payable annually at the rate of not to exceed six (6) per centum per annum.

4. Notice of Intention to Create said Improvement District and of a hearing thereon shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which notice shall be in substantially the following form, to-wit:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-67 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE is hereby given to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-67 in said City for the purpose of constructing sidewalks, curb and gutter and paving on streets to serve the property hereinafter described:

Lots 1 through 10 in Block 1, and Lots 1 through 7 in Block 2, all in Willowbrook Subdivision Replat.

That the lands to be assessed with the cost of said improvements shall be as follows:

Lots 1 through 10 in Block 1, and Lots 1 through 7 in Block 2, all in Willowbrook Subdivision Replat.

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$17,780.13, exclusive of costs of collection, interest and incidentals.

The maximum share of such total cost for each lot shall be \$9.74 per front foot.

To all of said estimated cost there shall be added six (6) per cent for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said district to

Councilmen voting AYE: None

All members of the Council having voted AYE, the President declared the motion carried and the Resolution duly passed and adopted.

ANNEXATION - NORTH CENTRAL (SE COR PATTERSON ROAD) - INSTR NO. 4218

The following petitions were presented for annexation of an area located on the southeast corner of Patterson Road. The petitions were signed by 60% of the property owners in the area. This area had been considered by the Planning Commission in May, 1966.

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 Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence along the existing Grand Junction City Limits South 255 feet, thence East 190.3 feet, thence South 5' 33' West 10 feet, thence North 63' 50' East 10 feet, thence North 15' 12' East 55.8 feet, thence North 79' 59' East 119.8 feet, thence South 2' 55' West 427.5 feet, thence West to the Southwest Corner of Wellington and 7th Annexation to the City of Grand Junction, thence continuing along said existing City Limit Southeasterly to the Northerly right-of-way line of Wellington Avenue, thence East along said right-of-way line and the easterly projection thereof to the Westerly boundary of the Little Bookcliff Railroad right-of-way, thence Northeasterly along said Westerly boundary to a point of intersection with the existing Grand Junction City Limit (North 12th Street Annexation) thence Northwesterly along said City Limit to the North boundary of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence West along said North boundary 1726 feet more or less to the point of beginning.

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 more than fifty 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.

DATE	SIGNATURE	MAILING ADDRESS	PROPERTY DESCRIPTION
5-19-67	ELDREDGE, MAUDE BAKER	Maude Baker Eldredge 537 Breeze Street Craig, Colo.	Beg. 180' S of N1/4 Cor. Sec. 11 T1S R1W S 75' E 190.3' N 75' W 190.3' To Beg. Exc. Co Road
	(signed) Maude Baker Eldredge		
	FILES, CLARENCE L.		Beg. at NE Cor. NW1/4 NE1/4 Sec. 11 T1S R1W S 420' W 150' NWLY 450' to a Pt. on N Line SD Sec. 11 315' W of Beg E to Beg. Ex. N 140' Thereof
	GRAND VALLEY IRRIGATION CO.		Beg. at a point where the NW Cor. of NE1/4 NE1/4 Sec. 11 bears N 30' E 283.23' S 51 45' E 155' S 37 10' 30" W 17.5 W 391.43' N 110'

	HOWIE, CHARLES A. AND EMMA		Beg. 105' S of N1/4 Cor Sec. 11 T1S R1W S 75' E 190' N 75' W to Beg.
4/26/67	Charles A Howie	2612 Nth	
4/26/67	Emma Howie	2612 Nth	
4/26/67	Alan A. Basinger	206 Country Club Pk.	
4/24/67	Bruce S. Ward	739 Tulip Dr.	
	KINDER, AMOS T. AND RETTIE E.		Beg. 420' S of NE Cor. N1/2 NW1/4 NE1/4 Sec. 11 T1S R1W W 150' S 75' W 75' S 185' To S Line of S.A. Reese TR E 225' N 260' to Beg.
	PETERSON MINNIE H. AND HUGO		Beg. 286' E of N1/4 Cor. Sec. 11 T1S R1W S 195.1' N 75' <input type="checkbox"/> 50' E 51' N 185' W 50' to Beg.
	PETERSON, MINNIE AND M. MALONEY VATH		From the N1/4 Cor. of Sec. 11 T1S R1W thence 363.1' S thence N 63' <input type="checkbox"/> 50' E 215' for point of beg. thence E 55.8' N 79' <input type="checkbox"/> 59' E 119.8 N 34' S 79' <input type="checkbox"/> 19' W 143' S 5' <input type="checkbox"/> 35' W 84.3' to

			<p>Beg. also Beg. 215' E of SD N1/4 Cor. S 5□ 33' W 212.1' NELY 143' to a pt. 185' S of N line SD Sec. 11 N 185' W 121' to Beg. EXC S 30' thereof & EXC beg. 286' E of SD N1/4 Cor. S 195.1' N 79□ 50' E 51' N 185' W 50' to beg. Beg. 215' E of SD N1/4 Cor. S 5□ 33' W 256.3' Ly to a pt. 205' E of SD N1/4 Cor. E to beg.</p>
	<p>REESE, CHARLES R. AND LOIS</p>		<p>Beg. at N1/4 Cor. Sec. 11 T1S R1W S 105' E 190' N 105' W to beg</p>
4/28/67	<p>Charles R. Reese</p>	<p>Box 88</p>	
4/26/67	<p>Alan A. Basinger</p>	<p>206 Country Club Pk.</p>	
4/26/67	<p>Bruce S. Ward</p>	<p>736 Tulip Dr.</p>	
	<p>SENTINEL PUBLISHING COMPANY</p>		<p>Beg. 215' E of N1/4 Cor. Sec. 11 T1S R1W S 5□ 33' w 182' NELY 190' to a pt. 90' S and 470' E of beg. N 90' W to beg. EXC. beg. 215' E of SD N1/4 Cor. S</p>

			5 ⁰⁰ 33' E 182' NELY 143' N 155' W 121' to beg.
4/26/67	SETTLE, EDWARD H. Edward H. Settle	318 Mayfair Dr.	Beg. 685' E of NW Cor. NE1/4 Sec. 11 T1S R1W S 105' S 79 ⁰⁰ 45' W 345' S 2 ⁰⁰ 55' W 425' SWLY to a pt. 614.3' S and 240' E of NW Cor. SD NE1/4 W to E Line 7th St. SELY Along SD E Line to a pt. 577' S and S 63 ⁰⁰ 31' E 225.4' from SD NW Cor. S 89 ⁰⁰ 29' E along N Line Yocum Sub. to a pt. 225' W of E line NW1/4 NE1/4 SD Sec. 11 N to a pt. 495' S and 225' W of NE Cor. SD NW1/4 NE1/4 E 75' N 75' N 21 ⁰⁰ 27' W 451' to N Line SD NW1/4 NE1/4 W to Beg.
5/19/67	ELDREDGE, MAUDE BAKER	Maude Baker Eldredge	Beg. 180' S of N1/4 Cor. Sec. 11 T1S R1W S 75' E 190.3' N 75' W 190.3' To Beg. Exc. Co. Road
	Maude Baker Eldredge	537 Breeze Street	

		Craig, Colo.	
	FILES, CLARENCE L.		Beg. at NE Cor. NW1/4 NE1/4 Sec. 11 T1S R1W S 420' W 150' NWLY 450' to a Pt. on N Line SD Sec. 11 315' W of Beg. E to Beg. Ex. N 140' Thereof
	GRAND VALLEY IRRIGATION CO.		Beg. at a point where the NW Cor. of NE1/4 NE1/4 Sec. 11 bears N 30' E 283.23' S 51' <input type="checkbox"/> 45' E 155' S 37' <input type="checkbox"/> 10' 30" W 17.5 W 394.43' N 110'
	HOWIE, CHARLES A. AND EMMA		Beg. 105' S of N1/4 Cor Sec. 11 T1S R1W S 75' E 190' N 75' W to Beg
	KINDER, AMOS T. AND RETTIE E.		Beg. 420' S of NE Cor. N1/2 NW1/4 NE1/4 Sec. 11 T1S R1W W 150' S 75' W 75' S 185' To S Line of S.A. Reese TR E 225' N 260' to Beg.
	PETERSON, MINNIE H. AND HUGO		Beg. 286' E of N1/4 Cor. Sec. 11 T1S R1W S 195.1' N 75' <input type="checkbox"/> 50' E 51' N 185' W 50' to

			Beg.
	PETERSON, MINNIE AND M. MALONEY VATH		From the N1/4 Cor. of Sec. 11 T1S R1W thence 363.1' S thence N 63 1/2 50' E 215' for point of beg. thence E 55.8' N 79 1/2 59' E 119.8 N 34' S 79 1/2 19' W 143' S 5 1/2 35' W 84.3' to Beg. also Beg. 215' E of SD N1/4 Cor. S 5 1/2 33' W 212.1' NELY 143' to a pt. 185' S of N line SD Sec. 11 N 185' W 121' to Beg. EXC S 30' thereof & EXC beg. 286' E of SD N1/4 Cor. S 195.1' N 79 1/2 50' E 51' N 185' W 50' to beg. Beg. 215' E of SD N1/4 Cor. S 5 1/2 33' W 256.3' LY to a pt. 205' E of SD N1/4 Cor. E to beg.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

Beginning at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence along the existing Grand Junction City

Limits South 255 feet, thence East 190.3 feet, thence South 5 1/2' West 10 feet, thence north 63 1/2' East 10 feet, thence North 15 1/2' East 55.8 feet, thence North 79 1/2' East 119.8 feet, thence South 2 1/2' West 427.5 feet, thence West to the Southwest Corner of Wellington and 7th Annexation to the City of Grand Junction, thence continuing along said existing City Limit Southeasterly to the Northerly right-of-way line of Wellington Avenue, thence East along said right-of-way line and the easterly projection thereof to the Westerly boundary of the Little Bookcliff Railroad right-of-way, thence Northeasterly along said Westerly boundary to a point of intersection with the existing Grand Junction City Limit (North 12th Street Annexation), thence Northwesterly along said City Limit to the North boundary of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence West along said North boundary 1726 feet more or less to the point of beginning,

has been submitted to the City Council of the City of Grand Junction, and

WHEREAS, said petition substantially complies with the requirements of Chapter 139-21-6, Colorado Revised Statutes, 1963, as amended;

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 3 and 4 of said Chapter 139-21 of the Colorado Revised Statutes, 1963, will be held on the 2nd day of August, 1967, in the City Auditorium of said City at the hour of 7:30 o'clock P.M., and that Notice of such hearing be given as required by law.

PASSED AND ADOPTED this 21st day of June, 1967.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman McCormick 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.

WATER/SEWER BONDS - AGREEMENT - BOETTCHER & CO FISCAL AGENT - ATTORNEY - DAWSON, NAGEL

City Manager Gray stated that he had been instructed at the last Council meeting to draft an agreement with Boettcher & Co. to be fiscal agent for the forthcoming water/sewer bonds. The following agreement was presented and read:

HONORABLE MAYOR AND CITY COUNCIL
City Hall
Grand Junction, Colorado

Gentlemen:

1. We understand that you contemplate the issuance of bonds in the amount of \$2,250,000 (more or less) for the purpose of making improvements to the City's water system, and that in connection with the authorization, issuance, sale and delivery of such bonds you desire this proposal from us to perform professional services in the capacity of Financial Consultant for your City.

2. By this proposal we offer our professional services and our facilities as Financial Consultant and we agree to perform the following duties normally performed by such consultant, and to perform such other duties as, in our judgment, may be necessary or advisable:

a. To make a study of the debt structure of your City, the trend of its assessed valuation, its taxing power and the present and estimated future taxing requirements, and on the basis of such study to devise and recommend for your approval a plan of financing to cover the proposed bonds. Such plan shall include a maturity schedule and other terms and conditions, such as options of prior payment and the like, as will, in our opinion, result in the issuance of the bonds under terms and conditions most advantageous to your City consistent with a minimum effective interest rate.

b. Under the direction and legal advice of a firm of recognized municipal bond attorneys, to be retained by you, and whose fees will be paid by us, we will assist you in and supervise the steps necessary to be taken in the legal issuance of the bonds and the final delivery of the bonds to the purchaser. In this connection it is understood that you have retained, or will retain, the firm of Dawson, Nagel, Sherman & Howard of Denver, Colorado, whose legal services shall also include rendition of an unqualified approving opinion as to the legality of the bonds.

c. At such time as it shall be decided to issue the bonds, we will assemble and transmit to the bond attorneys such data as may be required in the preparation of the necessary petitions, orders, resolutions, notices and certificates; and upon preparation thereof, will submit such documents to your governing body for appropriate action.

d. To advise you of current bond market conditions, forthcoming bond issues and other general information and economic data which might normally be expected to influence interest rates or bidding conditions so that the date for the sale of the bonds can be set at a time which, in our opinion, will be favorable.

e. To prepare an Official Notice of Sale, an Official Statement, or Prospectus, containing financial data and other information of the nature and to the extent ordinarily required by municipal securities dealers in bidding on bonds of this type, and a uniform Bidding Form, all of which we are to furnish in a sufficient number of copies to permit mailing to a list of prospective bidders which we also agree to provide.

f. Prior to the sale of the bonds, we will submit all pertinent financial and economic data to Standard & Poor's Corporation and Moody's Investors Service in order to maintain the current rating.

g. To attend to and pay for the printing of the bonds.

3. We agree to direct and coordinate the entire program of financing herein contemplated and to assume and pay the expenses above enumerated. It is specifically understood and agreed, however, that this obligation on our part shall not cover the cost of publication of notices in newspapers, or other publication costs, or the expenses of any litigation.

4. As consideration for the services rendered by us and as reimbursement for the expenses which we are to incur, it is understood and agreed that your City is to pay and we are to accept a cash fee to be computed as follows:

\$4.00 per \$1,000 par amount of bonds issued up to \$2,250,000 and \$1.75 per \$1,000 par amount of bonds issued in excess of \$2,250,000.

Such fee shall become due and payable simultaneously with delivery of the bonds to the purchaser.

5. In the event the bonds contemplated by this proposal should not be issued, the City agrees to reimburse us for out-of-pocket expenses in no event to exceed \$500,000; however, should the same or similar proposition again be considered by the City within twenty-four months from date hereof, then at our option the agreement covered by this proposal shall apply to any bonds authorized.

6. It is understood and agreed that should the presently contemplated sewer expansion program be included, or should the bonds be issued as revenue bonds, the City agrees to negotiate with us in good faith appropriate adjustments in the above fees that will be commensurate with added legal and other expenses that would be incurred by us in the City's behalf. If any adjustment in

the above fee is deemed necessary, such adjustment will be mutually agreeable to the City of Grand Junction and Boettcher and Company.

7. It is understood and agreed that you and the officials of your City will cooperate with us and the heretofore mentioned bond attorneys in the passage of all necessary orders or resolution and in the completion of all certificates required in the issuance of the bonds.

8. It is further understood and agreed that we reserve the right to submit a bid for the bonds when offered for sale.

9. This agreement shall be terminated by the delivery to the purchaser of the bonds covered hereby, or by the elapse of twenty-four months from date of your acceptance hereof, whichever shall first occur; however, if the bonds have not been so delivered within the period specified, this agreement may be extended by mutual consent.

10. This proposal is submitted in duplicate originals. When accepted by you, it will constitute the entire agreement between your City and the undersigned for the purpose and considerations herein specified. Your acceptance will be indicated by the signature of your Mayor, attested by your city Clerk, on both copies and returning one executed copy to us.

Respectfully submitted,

BOETTCHER AND COMPANY

By /s/ Bruce C. Newman

ACCEPTED pursuant to resolution adopted by the City of Grand Junction, Colorado, on this the 11th day of May, 1967.

Mayor

ATTEST:

City Clerk

(SEAL)

It was moved by Councilman McCormick and seconded by Councilman Anderson that the President of the Council be authorized to sign this agreement. Motion carried.

ADMIN INTERN JOHN SPITA

City Manager Gray introduced Mr. John Spita who was present in the audience. He will be the administrative intern for this summer. He is a student at the Univ. of Colorado graduate school working on his Masters in Public Administration. He will do a much-needed study on records retention.

COLORADO MUNICIPAL LEAGUE CONFERENCE

Councilman McCormick, Stanley Anderson, R. G. Youngerman, R. B. Evans and H. M. Wright spoke of their trip to Estes Park to attend the annual meeting of the Colo. Municipal League. They felt it was very worthwhile and they were proud of Grand Junction. Many of the problems other cities were confronted with, Grand Junction had already faced; the previous Councils had done a very good job in looking forward.

ADJOURNMENT

It was moved by Councilman Evans and seconded by Councilman Anderson that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk