

Grand Junction, Colorado

February 7, 1968

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. February 7, 1968 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Charles E. McCormick, R. B. Evans, Stanley Anderson, Harry O. Colescott, R. O. Youngerman and President Ray A. Meacham. Councilman Herbert M. Wright was absent. Also present were City Manager Craw, City Attorney Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Reverend Sylvus D. Flora, Pastor, Church of the Brethren.

MINUTES

It was moved by Councilman McCormick and seconded by Councilman Evans that the minutes of the regular meeting held January 17, 1968 and the special meeting held January 24, 1968 be approved as written. Motion carried.

U.S. VOICE OF DEMOCRACY - ACCEPT AWARD FROM VFW

President Meacham presented a Certificate of Award from the Veterans of Foreign Wars to the Council for its cooperation and assistance given to high school students in the (J.S. Voice of Democracy program. He stated he was very happy to accept the award on behalf of the City.

ADVERTISING, DISPLAY - RENEW CONTRACT WITH DAILY SENTINEL

A contract with the Daily Sentinel for display advertisement printing was presented for renewal. It was moved by Councilman McCormick and seconded by Councilman Youngerman that the City Manager be authorized to sign contract with the Daily Sentinel for display advertisement printing as presented. Motion carried.

LIQUOR APPLICATION - HEARING 3-6-68 - SCHENKELBERG & UZELAC DBA SWORD CLUB

It was reported that Irma Schenkelberg and Edward Uzelac dba Sword Club, Inc., have applied for a restaurant liquor license at 307 South 12th Street. A hearing has been scheduled for March 6th. Mr. Joe Pritza has been contacted to make the survey for this license. In conference with Karl Johnson, Chief of Police, it was determined that the boundaries for the survey would be

from 9th Street to 15th Street and Club from Main Street to the railroad tracks. The Council approved the boundaries for the survey.

3.2 BEER - RENEW FOOD TIME DRIVE IN GROCERY, INC., 2355 BELFORD

An application for renewal of 3.2 beer license for Food Time Drive In Grocery, Inc., 2355 Belford Avenue, was presented. A letter from Chief of Police Johnson stated he knew of no reason why license should not be renewed. It was moved by Councilman Evans and seconded by Councilman Youngerman that the application be approved and license be granted when state license has been received. Motion carried.

WATER & SEWER BONDS - RESOLUTION TO AMEND NOTICE OF SALE OF \$3,500,000 BONDS

Councilman McCormick then introduced the following resolution, which was thereupon read in full as follows:

R E S O L U T I O N

WHEREAS, the City of Grand Junction, in the County of Mesa and State of Colorado (herein the "City," the "County" and the "State," respectively), is a body corporate and politic, and a home rule city with a "Council-Manager Government," pursuant to article XX of the State Constitution and the Charter of the City (herein the "Charter"); and

WHEREAS, the Council of the City by resolution adopted on the 24th day of January, 1968, has provided that the City's joint water and sewer improvement revenue bonds should be publicly sold in accordance with the Charter and in accordance with Chapter 52, Article 139, Colorado Revised Statutes, 1963, as amended and supplemented; and

WHEREAS, there was filed with the City Clerk on the 24th day of January, 1968, a copy of the proposed ordinance authorizing said joint water and sewer revenue bonds (consisting of page 2 through 50); and

WHEREAS, the Council has determined and does hereby determine that it is necessary and desirable to amend the resolution adopted on the 24th day of January, 1966, insofar as such resolution concerns the prior redemption of the bonds and to authorize the substitution of pages 15, 16 and 21 of the proposed ordinance authorizing said joint water and sewer revenue bonds now on file with the City Clerk.

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

Section 1. The second full paragraph of the Form of Notice of

Bond Sale for Publication, appearing in Section 3 of the resolution adopted by the City Council on the 24th day of January, 1968, be and the same hereby is amended to read as follows:

"The bonds will be subject to prior redemption at the City's option in inverse numerical order on April 1, 1983, or on any interest payment date thereafter, for the principal amount, accrued interest, and a premium computed in accordance with the following schedule:

Three per centum (3%) of the principal amount of each bond so redeemed, if redeemed on or before October 1, 1987;

One and one-half per centum (1 1/2%) of the principal amount of each bond so redeemed, if redeemed on or after April 1, 1968, but on or before October 1, 1992; and

No premium if redeemed on or after April 1, 1993."

Section 2. The paragraph entitled "Prior Redemption" of the Form of the Official Notice of Bond Sale appearing in Section 4 of the resolution adopted by the City Council on the 24th day of January, 1968, he and the same hereby is amended to read as follows:

"PRIOR REDEMPTION: Bonds numbered 1 through 159, maturing on and before the 1st day of October, 1982, shall not be subject to prior redemption. Bonds numbered 160 through 700, maturing on and after the 1st day of October, 1983, shall be subject to redemption prior to their respective maturities, at the option of the City, in whole or in part, in inverse numerical order, on the 1st day of April, 1983, or on any interest payment date thereafter prior to maturity, at a price equal to the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium computed in accordance with the following schedule:

Three per centum (3%) of the principal amount of each bond so redeemed, if redeemed on or before October 1, 1987;

One and one-half per centum (1-1/2%) of the principal amount of each bond so redeemed, if redeemed on or after April 1, 1988, but on or before October 1, 1992; and

No premium if redeemed on or, after April 1, 1993, upon the City's giving thirty (30) days' prior notice by publication and by mail addressed to (among others) the original purchaser of the bonds or (if the bonds are purchased by a group) to the manager of the purchasing group."

Section 3. All action heretofore taken by the City Council and the officers of the City, on its behalf directed toward the

public sale of said bonds, including without limitation notice thereof, be, and the same hereby is, ratified, approved, and confirmed.

Section 4. All orders, by-laws, and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed. This repealer shall not be construed to revive any order, by-law, or resolution, or part thereof, heretofore repealed.

Section 5. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 6. This resolution shall take effect immediately upon its passage and adoption.

Finally adopted and approved this 7th day of February, 1968.

President of the City Council

(SEAL)

Attest:

City Clerk

APPROVED AS TO FORM

City Attorney

It was then moved by Councilman Stanley P. Anderson and seconded by Councilman P. B. Evans, that all rules of this Council which might prevent, unless suspended, the final passage and adoption of this resolution at this meeting be, and the same are hereby suspended, for the purpose of permitting the final passage and adoption of said resolution at this meeting.

The question being upon the adoption of said notion and the suspension of the rules, the roll was called with the following, result:

Those voting Aye: Ray A. Meacham
 Charles E. McCormick
 Richard G. Youngerman
 Harry O. Colescott
 Robert B. Evans
 Stanley Anderson

Those voting Nay: None

Those Absent: Herbert M. Wright

All members of the City Council present having voted in favor of said motion, the presiding officer declared said notion carried and the rules suspended.

Councilman R. B. Evans then moved that said resolution be finally passed and adopted as read. Councilman Richard N. Youngerman seconded the motion.

The question beings upon the final passage and adoption of said resolution the roll was called with the following result:

hose Voting Aye: Ray A. Meacham
 Charles E. McCormick
 Richard O. Youngerman
 Harry O. Colescott
 Robert B. Evans
 Stanley Anderson

Those Voting Nay: None

Those Absent: Herbert M. Wright

The President as presiding officer thereupon declared that six of the members of the City Council elected having voted in favor thereof, the said motion was carried aid the said resolution duly passed and adopted.

PROPOSED ORDINANCE - VACATING EASEMENT IN TELLER ACRES SUB IN LOTS 18 & 20, BLOCK 3

City Attorney Ashby stated that at the time Teller Acres Subdivision was platted, a utility easement was given on Lots 18 and 20 Block 3. This easement has never been used, and it is felt at this time that it will not be necessary. Any new development would call for new easements. The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING AN EASEMENT OVER CERTAIN LANDS IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Youngerman that the proposed ordinance be passed for publication. Motion carried.

WARRANTS (PAYROLL) - CANCELED

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, the following payroll checks, to-wit:

No.	Amount
10234	\$26.32
4880	13.10

801	50.00
645	6.37
8888	15.00

all being from the General Fund of the City of Grand Junction, except No. 801 which was from the Firemen's Pension Fund, have not been presented for payment to the City Treasurer although sufficient time therefor has passed, and

WHEREAS, it is desirable to cancel said checks for bookkeeping purposes;

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

That the above described checks be, and the same are hereby, canceled.

PASSED AND ADOPTED this 7th day of February, 1968.

President of the Council

ATTEST:

City Clerk

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

PROPERTY - RESOLUTION TO SELL LOT 33, BLOCK 3, CRAWFORD'S SUB AMENDED TO ROY & TONY ABEYTA FOR \$203.88

City Attorney Ashby explained that an error had been made in the description of property sold back to the Abeyta's at the last meeting of the Council. It was moved by Councilman Colescott and seconded by Councilman Youngerman that the Resolution passed and adopted on January 17, selling property to Roy, Tony and Maria Abeyta be rescinded. Motion carried. Mr. Ashby also stated that Mrs. Abeyta had passed away so that the property would be transferred to Roy and Tony Abeyta. The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, the City of Grand Junction, in enforcement of its weed cutting ordinance, has acquired a Treasurer's Deed to the property hereinafter described, expending in such acquisition the sum of \$203.88, and

WHEREAS, the previous owners of the property have requested that the Council reconvey said property to them upon payment of the

amount stated, and

WHEREAS, the City has no desire to own said property and is interested only in securing the payment of the monies owing for taxes and weed cutting on the premises, and the property is not held or used for park or other governmental purpose;

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

That the City Manager, upon receipt of the money hereinbefore stated, as the act of the City, convey by Quit Claim Deed to Roy Abeyta and Tony Abeyta the property situate in Mesa County, Colorado, described as follows:

Lot 33 in Block 3 Crawford's Subdivision Amended.

PASSED AND ADOPTED this 7th day of February, 1968.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Anderson and seconded by Councilman McCormick that the resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE: McCormick, Evans, Anderson, Colescott, Youngerman and President Meacham. Councilman voting NAY: None. The President declared the motion carried.

WATER & SEWER BONDS - INFORMATIONAL BRIEFING SESSION 2 P.M. ON FEBRUARY 21, 1968

City Manager Gray explained that the next meeting of the Council on February 21, 1968 would be an especially busy one. Five contracts for water improvements would be considered so that they could be awarded. Bids for \$3,500,000 water and sewer revenue bonds would be ready for consideration. There would also be a hearing on the assessments on SS 22-67, and other regular business. Mr. Gray suggested that the Engineers for the projects be invited to hold a public briefing session at 2:00 P.M. on February 21st to acquaint Council members and anyone interested, on the details in connection with the proposed improvements to be considered at the Council meeting.

WATER & SEWER IMPROVEMENTS

President Meacham stated that in the \$3,500,000 bond issue, there is a sum of \$190,000 to pay for the engineering study for the sewer improvements.

City Manager Gray stated that the Council and Administration is

concerned about this. There have been several changes made in the time table over the past several months. When the water treatment plans were received last April, the City was in the final stages of the master sewer study which was furnished in October 1967. At that time, it was planned to sell one large bond issue for both projects; however, because of time involved in preparing the plans, they didn't come out together, so they will not be constructed at the same time. The Engineers (H.D.R.) were instructed last fall to proceed with Phase II of the sewer planning improvements. Now, it appears that there are some other complications, interest on bonds and other problems. The site for the plant which was approved by the Mesa County Commissioners, Mesa County Health Dept., and Regional Planning Commission apparently is not satisfactory to the Water Pollution Control Commission although the Commission has not informed the City directly that the site does not meet with its approval. This site is at 23 1/4 Road. It appears the Commission would prefer that it be constructed some distance west. Also it has been indicated, although not directly to the City, that the lift station location on the bank of- the river is not satisfactory.

Mr. Gray stated that he and President Meacham felt the City might be somewhat precipitous in directing the Engineers to proceed with the design phase of the \$3,500,000 sewer improvements when there is a question that the City would not receive approval from the State Water Pollution Control Commission, who has control of the 30% grant for assistance in construction of the plant. He asked the Council if the design phase should be delayed until at least the approval of the State Agency has been received. The money for the engineering fees which would be available when the "A" bonds are sold would be invested for use when the Engineers are instructed to proceed, and when the Council can proceed and know that certain basic things are tied down. The Water Pollution Control Commission has not notified the City concerning its attitude on these problems.

Councilman McCormick suggested that no decision be made by the City Council until February 21st when the Engineers will be briefing the Council on other phases of the improvements.

ADJOURNMENT

It was moved by Councilman McCormick and seconded by Councilman Youngerman that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk