

Grand Junction, Colorado

July 17, 1968

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. July 17, 1968 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Charles e. McCormick, R. B. Evans, Harry O. Colescott, Ray A. Meacham, Herbert M. Wright and President R. G. Youngerman. Councilman Stanley Anderson was absent. Also present were City Attorney Gerald J. Ashby, City Manager R. N. Gray and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Reverend Ray Franks, Associate Pastor, First Assembly of God Church.

MINUTES

It was moved by Councilman Colescott and seconded by Councilman Evans that the minutes of the regular meeting held July 3, 1968 be approved as written. Motion carried.

HEARING - CREATION OF I.D. NO. ST-68

This date had been scheduled and advertised for hearing on the creation of Improvement District No. ST-68. One letter, from E. H. Brooks, 1261 Walnut Avenue, urged the immediate improvement of Walnut Avenue from 12th Street to 15th Street. There was no one in tile audience protesting and no written protests had been filed. President Youngerman closed the hearing.

BIDS - I.D. ST-68 - UNITED SAND & GRAVEL - \$73,407.25

The following bids were received and opened at 2 P.M. July 16, 1968:

	<u>Engineer's Estimate</u>	<u>Elam Construction</u>	<u>United Sand & Gravel</u>
Job 1 Elm Ave 28 1/2-28 3/4 Rd	\$35,237.45	\$32,111.72	\$32,954.95
Job 2 Walnut - 12th/13th	13,056.30	12,677.30	11,883.50
Job 3 Glenwood - 13/15th	17,052.65	16,867.41	16,178.90
Job 4 25th St-North/Bunting	11,573.00	10,567.20	10,189.40
Job 5 Alley-11th/12th S of North	2,302.50	1,933.50	2,200.50
Project total	\$79,221.90	\$74,157.13	\$73,407.25

In the list of equipment submitted by United Sand and Gravel, they did not include an asphalt plant. This is necessary for the

paving of the streets and alleys. They have an old plant, the same one which they used two years ago when they were awarded a contract for paving work for the City. Mr. White, Mr. Daily from the City Engineering Department and Mr. Lucas of the Colo. State Highway Department made an inspection of this plant on July 17th and found the following items do not meet the General Conditions Specifications for Street Improvement Projects. These are as follows:

1. No screening plant
2. No storage bins
3. No dust collector unit
4. No rate of feed per minute controller
5. No means of calibrating the amount of asphalt in mix

This plant is old and dilapidated; chains are badly cut and loose. The mixing blades on the pup mill are worn short and do not properly mix the aggregate with the asphalt. Tile plant is subject to repeated breakdown during any extended operation. Mr. Lucas stated that the Plant does not meet the requirements of the State specifications, nor does it meet the City specifications. Second bidder, Elam Construction Company, has a plant that meets all of the specifications. Mr. Hickman, City Engineer, recommended that if the United Sand & Gravel Company proposes to use the plant in its present condition, that the contract be awarded to the second high bidder, Elam Construction Company. Mr. Nesbitt, of United Sand & Gravel, was present and told the Council that his plant would be brought up to specifications; that, in fact, many of the repairs are already made.

It was moved by Councilman Wright and seconded by Councilman Meacham that the apparent low bid of United Sand & Gravel be accepted and contract be awarded to them, provided that the asphalt plant meets the specifications set forth by the City. Motion carried.

SEWAGE DISPOSAL PLANTS - GREAT BASIN CONSTRUCTION TO INSTALL CHLORINATORS - \$22,040

Bids were received on July 9th for the construction of chlorination facilities at both sewage disposal plants. Bids were submitted as follows:

	<u>Alt. A</u>	<u>Alt. B</u>	<u>Alt. C</u>
White Construction Co.	\$28,000.00	\$28,900.00	\$27,800.00
Robt. R. Child Constr. Co.	22,532.00	22,727.00	22,069.00
Titan Construction Co.	24,000.00	24,200.00	23,400.00
The Ortloff Corp-Colomacco Div	22,755.32	22,940.32	22,106.32
Great Basin Construction Co.	22,990.00	22,490.00	22,040.00

It was recommended by Henningson, Durham and Richardson, consulting engineers, that the low bid of Great Basin

Construction Company on their Alternate C bid, which provides for furnishing Fishcher-Porter chlorination equipment be accepted and contract awarded. It was moved by Councilman Wright and seconded by Councilman Evans that the City Council accept the recommendation of the Engineers and award the contract in the amount of \$22,040 for the chlorination facilities to Great Basin Construction Company. Motion carried.

BIDS - 1ST STREET STORM SEWER - TIAGO CONSTRUCTION - \$81,763.50
ALTERNATE I

The following bids were opened at 2 P.M. July 11, 1968 for the construction of the First Street Storm Sewer:

	<u>Alternate I</u>	<u>Alternate II</u>
Burks & Co., Inc., Englewood	\$88,117.67	\$90,685.26
Scheierman Construction, Montrose	87,960.25	99,119.95
Tiago Construction Co., Arvada	81,763.50	No bid
Engineer's Estimate	72,207.00	72,207.00

Mr. Hickman, City Engineer, recommended that the contract be awarded to the apparent low bidder, Tiago Construction Company of Arvada, Colorado, on Alternate I, which provides for the use of asbestos=cement pipe. The bid is in the amount of \$81,763.50. Mr. Hickman recommends that funds which are not being used in the reconstruction of Gunnison Avenue be allocated to the sewer project, as the bid is higher than the amount in the 1968 budget for this work.

It was moved by Councilman Colescott and seconded by Councilman Wright that the apparent low bid of Tiago Construction Company in the amount of \$81,763.50 be accepted and contract awarded. Motion carried.

HEARING - ZONING CHANGE, 2ND & GUNNISON FROM R-3 TO B-3

This was the date set for hearing on the change of zoning on 2nd and Gunnison Avenue. Mrs. Payton wishes to have a small business in her home at this location. This matter has been before the Planning Commission and approved by it. The proposed zoning would be changed from R-3 to B-3. The property along First Street is zoned C-2, and recently that on Hill Avenue and Second Street was zoned for the Fuoco Motor Company to enlarge their garage. Mr. Simonetti and Mr. Leo Ashcroft appeared in protest. President Youngerman closed the hearing.

BIDS - 10" PIPE FOR ORCHARD AVENUE WATER LINE - COLORADO WESTERN
DISTRIBUTORS - \$8,169.34

Bids were opened on July 16, 1968 for an alternate bid on 2,480 feet of ten inch Push on Join Cast Iron Ductile or AC and fittings for the Orchard Avenue water line, and the following were received:

Pacific States Cast Iron Pipe Co.	Cast iron & fittings	\$10,312.38
U.B.Pipe & Foundry	" " "	12,409.00
	Ductile Iron	13,153.00
Johns-Mansville Co.	Asbestos cement & fittings	8,442.14
Thompson Pipe & Steel Co.	Asbestos Cement & fittings (does not include unloading)	8,378.57
Topline Supply Co.	Asbestos Cement & fittings	8,203.55
Colo. Western Distributors	Asbestos Cement & fittings	8,169.34

The City Engineering Dept. recommended that the bid of Colorado Western Distributing Company for asbestos cement pipe in the amount of \$8,169.34 be accepted. It was moved by Councilman Meacham and seconded by Councilman Colescott that the bid of Colorado Western Distributors be accepted, and contract awarded. Motion carried.. Mr. Hickman stated that bids for the installation of the pipe would be accepted soon.

EMPLOYEES SUPPLEMENTAL RETIREMENT PROGRAM - DALBY, WENDLAND & JENSEN PRESENTS PROPOSED PRELIMINARY REPORT ON COSTS AND BENEFITS

Mr. Earl Jensen of the firm of Dalby, Wendland & Jensen presented suggestions for a proposed supplemental retirement plan for permanent City employees. He had estimated the cost of such a plan. Councilman McCormick suggested that there could be nothing done about this until budget time. Councilman Meacham suggested that it be taken up at an informal Council meeting so that questions could be answered by Mr. Jensen.

3.2 BEER RENEWALS - CITY MARKET, 865 NORTH AVENUE, CITY MARKET, 1ST & ORCHARD, TEDDY'S CAFE, 1648 HIGHWAY 50

Applications for the renewal of 3.2 beer licenses for City Market, Inc., 1st and Orchard Avenue, and City Market, Inc., at 865 North Avenue, and for Teddy's Cafe at 1648 Highway 50 were presented. Approval on all of these renewals was given by Karl Johnson, Chief of Police. It was moved by Councilman Meacham and seconded by Councilman Wright that the applications be approved and licenses granted when State licenses have been received. Motion carried.

LIQUOR - HEARING AUGUST 7, 1968 ON APPLICATION OF EAGLES LODGE TO MOVE TO 1674 HIGHWAY 50

A hearing has been scheduled for a hearing on the application of the Eagles Lodge to move their Club liquor license from 2934 North Avenue to 1674 U.S. Highway 50.

RECREATION - REQUEST FOR GRANT FOR UNDERPRIVILEGED

A Memo from James Wysocki, Assistant Director of the Parks & Recreation Department, was considered. Mr. Wysocki stated that the Recreation Board had heard a report from the committee to study the proposals for granting special consideration as to fees to the underprivileged. The Committee made the following recommendations:

1. The person must have not reached his sixteenth birthday.
2. They or their families must be economically deprived as established under the rules of the Economic Opportunity Act.
3. Mr. Augie Reyes and his Committee to determine the eligibility of each person wanting to participate.
4. The grant and positions to be pro-rated as follows: Baton - 16 positions per year; dance, 20 positions per year; swimming lessons, 20 positions per year; tennis, 8 positions per year.
5. Placement in the various sessions will be at the discretion of the Recreation Director.
6. Participant to pay one-fourth of the established fee for the particular program.
7. Participant to furnish their own equipment to participate in the program selected.
8. Everyone be encouraged to participate in the free programs offered.

The Recreation Board referred these recommendations to the City Council. Councilman Wright suggested that the Families should all be City residents. City Manager Gray stated that the City itself subsidizes the Recreation Department in the amount of approximately \$40,000 a year now, and that this would be granting special privileges to a few. He also suggested that several service clubs are looking for projects, and it might be that one of these organizations would like to take this program as a special project. Councilman Colescott stated that there was no way to increase the budget in the middle of the year, and that matters of this kind should be considered at the time the budget is made up.

It was moved by Councilman Wright and seconded by Councilman Evans that Mr. Augie Reyes be requested to approach a service club or possibly more than one, and see if they would not sponsor this program. Motion carried.

PROPOSED ORDINANCE - ZONING 2ND AND GUNNISON FROM R-3 TO B-3

The following entitled proposed ordinance was presented and read: 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 ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Meacham and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried, with Councilman Colescott voting NAY.

ORDINANCE NO. 1288 - CONCERNING ENGINEERING DEPT., UTILITY DEPT., REPEAL LIBRARY & SUBSTITUTE AIRPORT DEPT.

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 2-29 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, CONCERNING THE ENGINEERING DEPARTMENT OF THE CITY; AMENDING SECTION 2-31 OF SAID CODE, CONCERNING THE UTILITIES DEPARTMENT OF THE CITY; REPEALING SECTION 2-35 OF SAID CODE, CONCERNING THE LIBRARY DEPARTMENT, AND SUBSTITUTING A SECTION ON THE AIRPORT DEPARTMENT. It was moved by Councilman McCormick and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Wright and seconded by Councilman Colescott 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 1288 and ordered published. Roll was called on the motion with the following result: Councilmen voting AYE: Evans, Meacham, Wright and President Youngerman. Councilman voting NAY: Colescott and McCormick. A majority of Councilmen voting AYE, the President declared the motion carried.

SANITARY SEWER DISTRICT #23 - RESOLUTION ON COMPLETION - ENGINEER'S STATEMENT - ASSESSMENTS

The following Statement of Engineer on the completion of Sanitary Sewer District 23-67 was presented:

The total cost of the sewer installation which includes the out-fall line which is Schedule I in the contract and Schedule II as the trunk line in the Sewer District 23-67:

Schedule #I having a cost of	\$4,694.07
Trunk Line Fund 176.31-901	
Schedule # II having a cost of	3,797.00
District Fund 173.31-901	
Total Cost on Contract	\$8,491.07

SANITARY SEWER DISTRICT 23-67 COSTS

Schedule No. II

as per Goodmiller Contract		\$3,797.00
Engineering Cost @ 04.605%		174.85
Bond Cost		595.85
Cost of Bond during Construction		
Interest from April 10, 1968 to January 1, 1969		
$\frac{265}{365} = .726027 \times 5\% = 03.6301369$		
\$7000 x 03.63% = 254.10		254.10
Right-of-way Consideration	368.80	
	<u>374.50</u>	
		743.30
Miscellaneous Costs		
Advertising	34.82	
Filing	<u>1.50</u>	
		36.32
Trunk Line Fee @ 1 cent per square foot times 124,476 square feet		<u>1,244.76</u>
		\$6,846.18

Schedule No. I

(1) The contract with Goodmiller Construction Company was based on one contract which covered the outfall line, Schedule No. I, which is to be paid by the City in the amount of \$4,694.07. (Trunk Line Fund, Budget Account No. 176.31-901)

Schedule No. II will be paid by the Sanitary Sewer District 23-67, Budget Account No. 173.31-901 in the amount of \$3.797.00,

(2) Engineering Cost @ 04.605%
 $3,797.00 \times 04.605\% = 174.85$

(3) a. Right-of-way Consideration
 The right-of-way that was required over the VanDover property for the cutfall and was paid for by the installation of a water line to the VanDover house from Patterson Road. The costs are as follows:

1. City installation of water line		
Paving Cut W.O. No. B220 3-13-68		\$39.60
2. 3/11" Water Meter W.O. No. B220		106.14
3. Water pipe copper 3/4" 360 L.F.		206.40
4. 7 ea copper to copper couplings		<u>16.66</u>
		368.80

5.	Labor on water line installation for VanDover property from the north right-of-way to the DanDover house was done by Goodmiller Construction Company for the consideration of right-of-way	374.50
	Total cost of right-of-way	\$743.30
(4)	Bond Cost	
	a. \$7,000 Bond less 1% broker fee	\$70.00
	b. Bond examination by Talmadge & Talmadge June 6, 1968	377.95
	c. Bond printing	<u>147.90</u>
	Total cost of bonds	595.85
(5)	Cost of Bonds during Construction Interest from April 10, 1967, to January 1, 1968 @ 5% interest	
	$\frac{265}{365} = 726027 \times 5\% = 03.6301$	
	$\$7000 \times 03.63\% = 254.10$	
	Total Cost of bonds during construction	254.10
(6)	Miscellaneous Cost	
	a. Postage	\$.30
	b. Advertising	34.52
	c. Filing fees	<u>1.50</u>
	Total Miscellaneous cost	36.32
(7)	Trunk Fee as of Ordinance No. 1257 1 cent per square foot on total area in Sewer District of 124,476	\$1244.76
	Total cost of Sewer District 23-67 not including 6% cost of collection and incidentals	6,846.18
	$6,846.18 - 124,476 \text{ sq ft} = .055 \text{ cents sq ft}$	

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Sanitary Sewer District No. 23-67; and

WHEREAS, the City Council has caused to be prepared a statement showing the whole cost of the improvements of Sanitary Sewer District No. 23-67, including therein six per cent additional for cost of collection and other incidentals, including also interest

to the 1st day of January, 1969, and including \$0.01 per square foot of area within the District for trunk line and future development, and apportioning the same upon each tract of land or lot or other real estate to be assessed for the same;

NOW, THEREFORE, BE IT RESOLVED, that the improvements connected therewith in said district be, and the same are hereby, accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the whole cost of the entire improvements of said Sanitary Sewer District No. 23-67, including six per cent additional for cost of collection and other incidentals, including interest to the 1st day of January, 1969, and including the \$0.01 per square foot charge for trunk line and future development; and

BE IT FURTHER RESOLVED, that the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, and that the same be certified by the President of the City Council and filed in the office of the City Clerk; and

BE IT FURTHER RESOLVED, that the City Clerk shall immediately advertise for three days in the Daily Sentinel, a newspaper of general circulation published in said City, notice to the owners of the real estate to be assessed, and to all persons interested generally without naming such owner or owners, that said improvements have been completed and accepted, specifying the whole cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty days from the first publication of said notice; that the same may be heard and determined by the Council at their first meeting after said thirty days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Chapter 18 of the Code of ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

N O T I C E

NOTICE IS HEREBY GIVEN, to the owners of the real estate herein-after described, said real estate comprising the district of lands known as Sanitary Sewer District No. 23-67, and to all persons interested therein as follows:

That the improvements in and for said district, which are authorized by and are in accordance with the terms and provisions of a resolution passed and adopted on the 15th day of November, 1967, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local improvement district to be known as Sanitary Sewer District No. 23-67; with the terms and provisions of a resolution passed and adopted on the 15th day of November, 1967, adopting details and specifications for said district; and with the terms and provision of a resolution passed

and adopted on the 17th day of January, 1968, creating and establishing said district; all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction;

That the whole cost of the improvements has been definitely ascertained and is in the sum of \$7,256.95, said amount including \$0.01 per square foot for trunk and future development and interest on the bonds of said district from April 10, 1968, to January 1, 1969, on the portion of such amount which is to be assessed and including 6 per cent (6%) additional for cost of collection and incidentals; that the part apportioned to and upon each lot and tract of land within said District and assessable for said improvements is herein set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty days after the final publication of the assessing ordinance, assessing the real estate in said District for the cost of said improvements, and that the owners so paying should be entitled to an allowance of the six per centum added for cost of collection and incidentals for all payments made during said period;

That any complaints or objections that may be made in writing by the said owners of land within the said District and assessable for said improvements, or any person interested, made to the City Council and filed in the office of the City Clerk of said City within thirty days from the first publication of this Notice, to-wit: On or before and up to 5:00 o'clock P.M. on the 4th day of September, 1968, will be heard and determined by the said City Council at its first regular meeting after said last mentioned date, and before the passage of any ordinance; assessing the cost of said improvements against the real estate in said District. and against said owners respectively as by law provided;

That the said sum of \$7,256.95 for improvements is to be apportioned against real estate in said District and against the owners respectively as by law provided in the following proportions and amounts, severally, as follows, to-wit:

Beginning at a point 14.00 feet West and 10.00 feet South of the Southeast Corner Lot 2, Fairmount Heights Subdivision: thence West 136.00 feet, South 10.00 feet and parallel to the South line of said Lot 2; thence 40.00 feet North; thence East 87.8 feet; thence Southeasterly 62.6 feet to the point of beginning, all in Mesa County, Colorado
260.95

The South 85.00 feet of Lot 3, Fairmount Heights Subdivision, Except the North 50.00 feet of the West 100.00 feet thereof, all in Section 2, T1S, R1W, Ute Meridian, Mesa County, Colorado

It was moved by Councilman Wright and seconded by Councilman Colescott that the Resolution be passed and adopted as read. Roll was called on the motion with the following results:

Councilmen voting AYE: Charles E. McCormick
R. B. Evans
Harry O. Colescott
Ray A. Meacham
Herbert M. Wright
President of the Council: R. G. Youngerman

Councilmen voting NAY: None
Councilman absent: Stanley R. Anderson

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

I.D. NO. ST-68 - RESOLUTION CREATING DISTRICT

The following Resolution was presented and read:

R E S O L U T I O N

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. ST-68 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SIDEWALKS, CURBS AND GUTTERS, AND PAVING STREETS, ALLEYS AND AVENUES THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the fifth day of June, 1968, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. ST-68 and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice of Intention to Create said 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-68 be, and the same is hereby, created and established, and that construction of the improvements therein be, and the same are hereby, authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the construction of sidewalks, curbs and gutters, and paving streets, alleys and avenues 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 provided 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 materials, 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; 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 improvements, 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 5th day of June, 1968, and in accordance with the published Notice of Intention to Create said District.

5. That, after the construction of the improvements has been let, the Council shall, by resolution, provide for the issuance of public improvement bonds for said Improvement District No. ST-68 for the purpose of paying the cost and expenses of construction in said District.

PASSED AND ADOPTED this 17th day of July, 1968.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Meacham and seconded by Councilman Mc Cormick that the Resolution be passed and adopted as read. Roll was called on the motion with the followings results:

Councilmen voting AYE:	Charles E. McCormick R. B. Evans Harry O. Colescott Ray A. Meacham Herbert M. Wright
President of the Council:	R. C. Youngerman
Councilmen voting NAY:	None

Councilman absent:

Stanley P. Anderson

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

REVOCABLE PERMIT - RESOLUTION TO PUBLIC SERVICE CO. FOR GAS
REGULATION STATION AT 23RD AND BELFORD

The following Resolution granting a Revocable Permit to Public Service Company of Colorado for a gas regulation station at 23rd and Belford on city-owned property was presented and read:

R E S O L U T I O N

WHEREAS, Public Service Company of Colorado has petitioned the City Council of the City of Grand Junction to install a pressure regulator shown on Exhibit A, attached hereto and made a part hereof by reference, under Article II, Section 3 of its franchise with the City and under the Revocable Permit provision of the Charter of the City; and

WHEREAS, Public Service Company of Colorado has petitioned of Grand Junction for permission to for its pas line system at the location hereto and made a part hereof by Section 3 of its franchise with the Permit provision of the Charter of the

WHEREAS, such action has been heretofore approved by the City Engineer and would not be detrimental to the use of the right-of-way or to the interests of the inhabitants of the City;

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

That the City Manager, on behalf of the City and as the act of the City, be, and he is hereby, authorized to grant such revocable permit to the Public Service Company of Colorado for the purpose stated upon the execution by it of an agreement to save and hold the City harmless from any and all claims or demands arising out of the installation and use of the said facility and agreement that upon completion of installation or upon revocation of the permit requiring the removal of the installation, the right-of-way will be restored as nearly as practicable to its original condition.

PASSED AND ADOPTED this 17th day of July, 1968.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman McCormick and seconded by Councilman Colescott that the Resolution he 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.

R E V O C A B L E P E R M I T

WHEREAS, Public Service Company of Colorado has petitioned the City Council of the City of Grand Junction for permission to install a pressure regular for its gas line system at the location shown on Exhibit A, attached hereto and made a part hereof by reference, under Article II, Section 3 of its franchise with the City and under the Revocable Permit provision of the Charter of the City; and

WHEREAS, such action has been heretofore approved by the City Engineer and would not be detrimental to the use of the right of way or to the interests of the inhabitants of the City;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to the above-named Corporation a revocable permit for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the above-named corporation shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; provided, further that said Corporation shall agree to restore the right of way to a proper and usable condition after the completion of construction on said lot, and provided further that said corporation shall agree to restore the right of way to its original condition upon the revocation of such permit.

Dated this 13th day of September, 1973.

Harvey M. Rose
City Manager

ATTEST:

Neva B. Lockhart
City Clerk

The undersigned, for itself, its successors and assigns hereby agrees that it will abide by the conditions contained in the foregoing permit; that it will indemnify the City Of Grand junction and hold it harmless from all claims and demands as stated therein; that after construction, it will restore the right of way to a proper and usable condition, and, that, upon revocation of the permit, it will restore the right of way to its original condition.

Motion carried.

CITY MANAGER - VACATION APPROVED

City Manager Gray stated that he would be on annual leave from July 19th to August 2nd, and that during his absence Helen C. Tomlinson, City Clerk, would serve as Acting City Manager.

SEWAGE PLANTS - COMPLAINTS ON OBNOXIOUS ODORS

Councilman Wright stated that he had been hearing unfavorable comment on the odor coming from the South Side Sewage Disposal Plant. City Manager Gray stated that the City Administration does not feel that all of the publicity and all of the odor is changeable to this plant; there are other industries contributing to the unpleasant odors. The City, however, is attempting to correct any problems which might be causing an odor, and will continue to do everything possible to keep the odors down to a minimum.

MOUNTAIN STATES TELEPHONE & TELEGRAPH PROPOSED RAISE IN RATES -
TABLE ACTION TO CONTRIBUTE TO CML FUND TO CONTEST

The matter of contributing to a fund to be administered by the Colorado Municipal League to contest the proposed raise in rates by Mountain States Telephone Company, and which is now being considered by Interstate Commerce Commission was tabled for later consideration.

COUNCILMAN MC CORMICK - PLAQUE PRESENTED TO

President Youngerman presented Councilman Charles E. McCormick with a plaque recognizing his long term of office as City Councilman. This was Mr. McCormick's last regular Council meeting.

ADJOURNMENT

It was regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk