

Grand Junction, Colorado

April 16, 1969

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. April 16, 1969 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were C. A. Walt, R. B. Evans, Stanley Anderson, Harry O. Colescott, Ray A. Meacham, Herbert M. Wright and President R. G. Youngerman. Also present were City Manager R. N. Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

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

MINUTES

It was moved by Councilman Meacham and seconded by Councilman Evans that the minutes of the regular meeting April 2, 1969 of the regular adjourned meeting of April 10, 1969 be approved as written. Motion carried.

PAVING

1969 Street & Alley Imprvmt

Award Contract to United Sand & Gravel \$13,696.75

City Manager Gray stated that two bids had been received for the 1969 paving project which includes three downtown alleys and paving and improving West Main Street from First Street to Spruce. The City Engineer's estimate for this job was \$15,838 and the bids were: Elam Construction Company, \$15,654 and United Sand & Gravel Company \$13,696.75. He recommended that a contract be awarded to the successful low bidder. It was moved by Councilman Anderson and seconded by Councilman Walt that the bid of United Sand & Gravel Company be accepted and that contract be awarded in the amount of \$13,696.75. Motion carried.

WATER SYSTEM

Distribution Imprvmts Contract to United Sand & Gravel \$16,433.80-low bid

City Manager Gray stated that four bids had been received for the 1969 water distribution system improvements which are for up-grading and maintaining the system. The City Engineer's estimate for this project was \$23,735. Bids received were: Schierman Construction Co., \$22,006; Elam Construction Co., \$19,007; Geo. Tilton, \$18,145; and United Sand & Gravel Company, \$16,433.80. He recommended accepting the apparent low bid. It was moved by Councilman Wright and seconded by Councilman Meacham that the bid of United Sand & Gravel Company be accepted and contract in the amount of \$16,433.80 be awarded to them. Motion carried.

SEWER

Interceptor line fr OM to Disp Plt

Bids

Negotiating with D&RGW RR for use of R/W

City Manager Gray reported that bids had been received and opened for the Orchard Mesa interceptor sewer. This line will cross the river near, either under the river or on the D&RGW railroad bridge. It will serve the presently annexed

Orchard Mesa area, and eventually more of Orchard Mesa. City officials and D&RGW R.R. officials have been conferring on the cost of putting the line under the bridge or under the river. The low bid for placing it on the bridge was given by United Sand & Gravel Company at \$97,361, and for going under the river by Birks Construction Company for \$102,000.

The City is not ready at this time to award a contract for the construction of the line. The D&RGW R.R. will expect to be reimbursed for use of right of way if the line is placed under the river and for use of the bridge should it be attached to the bridge.

L.P.-TENNIS COURTS

Elam Constr low bidder

Contract \$13,250

Elam Construction Company was the only bidder for the construction of four new tennis courts at Lincoln Park, and the re-surfacing of the four courts that are there now. The bid was \$13,250 and the Engineer's estimate, \$13,987. It was recommended that Elam Construction Company be given the contract for building the tennis courts. It was moved by Councilman Colescott and seconded by Councilman Walt that the City award the contract for the construction of the tennis courts to Elam Construction Company. Motion carried.

3.2 BEER LICENSE

A.F. Cook dba Warehouse Mkt 1250 N 3rd St.

Granted

This was the date set for hearing on the application of Alvin F. Cook dba Warehouse Market, 1250 No. 3rd Street. No petitions or protests were filed concerning the issuance of this license. A letter from Karl Johnson, Chief of Police, stated that he had investigated Mr. Cook and found no reason why he should not have a license at this location as it was for consumption off the premises. It was moved by Councilman Meacham and seconded by Councilman Evans that the application be approved and license granted when state license has been received. Motion carried.

HEARING

Completion of I.D. No. ST-68

This was the date set for hearing on the completion of I.D. ST 68. There was no one present in connection with the hearing and no letters or petitions concerning the assessments had been received. The President closed the hearing.

HEARING

Zoning Mesa Park Center

(No. 6th & Center St.)

This was the date set for hearing on change of zoning in Mesa Park Center. There was no one present in connection with the zoning change and no petitions had been filed for or against the change. The President closed the hearing.

DAYS

POPPY DAY - 5-24-69 VFW Req apprvd

A letter from J. A. Sigmon, Western Slope Post 3981 V.F.W. to sell poppies on the downtown streets on May 24, 1969

was read. It was moved by Councilman Colescott and seconded by Councilman Walt that the V.F.W. Post 3981 be granted permission to sell poppies on May 24, 1969. Motion carried.

EMPLOYEES RETIREMENT PLAN (SUPPLEMENTAL)

First Natl Bank Funding Agent

A report from the committee on Employees' supplemental retirement plans as to the Funding Agent for the plan was presented to the Council. The First National Bank Trust Department was preferred by all of the Committee members and they therefore recommended that the First National Bank be selected by the Council as the Funding Agent. Six different plans were described to the Committee; three insurance two banks and a mutual fund company.

After a great deal of consideration and discussion by the Committee, which was composed of Councilmen Ray Meacham and Robert Evans, City Manager Richard Gray, Helen C. Tomlinson, City Clerk-Personnel Director, Finance Director Wm. Manchester, and Employees' Committee members George Low and James Cooper, Public Works; Larry Walsh, Police Dept., R. T. Mantlo, Fire Dept., and Earl Jensen, representative of Dalby, Wendland and Jensen, who had been selected as a consultant firm to design a supplemental retirement plan, it was decided to ask the Council to select the Funding Agent and then work with this agent to come up with the details of the plan that would work best with the facilities of the agent. The details of the plan will be brought back to the Council at a later date for consideration.

President Youngerman disqualified himself in the deliberations as he is an employee of the First National Bank. Councilman Meacham acted as President Pro Tem. Councilman Meacham explained that he and Councilman Evans had sat in on reviewing several different proposals by several different companies using different approaches to the retirement set-up. There were several fine presentations and several companies would give a plan very close to what this Committee thought the employees should have. However, after the review, it was decided by the Committee to recommend that the Council be asked to award the contract for the trust agreement to the First National Bank.

City Manager Gray also explained how the Committee arrived at the unanimous selection of the First National Bank as Funding Agent, and the type of plan the employees wish and stated he thought the employer wishes as to the type plan should be considered, and Committee felt that best plan for the City's purpose was the First National Bank.

Councilman Meacham stated this would be merely awarding the servicing of the plan. The final approval of the plan itself would be up to the Council later. This is merely for the funding. Councilman Walt asked why we should make a decision on where the funds should be placed when the plan itself hasn't been approved. Mr. Gray stated that the reason for this is because we have a preliminary plan drafted by Mr. Jensen which was drafted last fall. It has been found that the final mechanics of the plan must "jell" with the facilities of the funding agent. Therefore, it appeared to the Committee, after listening to the various funding methods, that this was the best way to proceed. The Council would be asking to approve the funding agent, and then the Committee could sit down with the representative of the funding agent and work out the details of the plan, as the final details of the plan would depend a lot on how the agent was going to handle the money.

Councilman Walt stated he thought the council was getting the cart before the horse. He stated the Council hadn't heard of the plan since last September and that he had lost an election because of it, more than the other thing that had been talked about. He was still very much opposed to it, and couldn't vote on it tonight, because if he did, it would infer he was in favor of the plan, which he isn't. He thought we should have the plan before proposals were asked for funding.

Mr. Gray explained that we do have a pretty basic money purchase plan worked out. Final details, such as how often funding agent will report current value of the plan, and procedures to arrive at value for retirement or manner of funding payments, vesting of funds, length of service before eligibility to pay into plan, etc. tie into funding agent, and before we can formulate the final plans, must know the funding agent. When final details are worked out, it will be brought to the Council for approval, and then taken to the City employees to be sold to them.

Councilman Walt stated that he was unaware that weekly meetings had been held - his last information was in September. Councilman Meacham stated that the Committee had used the proposal drawn up by Mr. Jensen last summer

to get the funding proposal and assured Mr. Walt that the proposal presented to the Council was the one used to ask for funding proposals. It was brought out that the Council would have the final say as to whether there would be a plan.

Councilman Walt also stated it struck a discordant note with him to take funds from the City as a whole and put it in one institution. He felt it should be distributed. It was explained this would not be practical at all as the rate schedules for the cost are dependent on the amount of money to be invested. The larger the amount, the lesser rate for cost. After \$2,000,000 it gets down to 1/2 of 1%. If the Fire and Police Pension funds are invested in the same funds, the \$2,000,000 mark will be reached before long. The matter of distributing funds was discussed by the Committee. Councilman Walt disqualified himself from voting.

Councilman Anderson asked about the return on the investment between the high and second high bidder. Manager Gray explained that funds would be distributed between "A" and "B" funds - 50% in each - one being a common stock fund and the other a fixed income fund. Because of the size of the program, a requirement placed on the bank was that they would create a new pension fund trust, under Federal law, which does not have a limitation on how much can be invested in the fund. The Bank will establish a securities management pension fund trust and other pension fund money can also go into this plan, - "A" and "B". Councilman Colescott asked about a guarantee on the money. There will not be a guarantee as it is strictly an investment plan.

Councilman Walt stated he was opposed to the plan from the beginning and could not go along with giving City employees two types of retirement at the expense of the taxpayers.

It was moved by Councilman Anderson and seconded by Councilman Evans that the Council award the contract for funding an employees' supplemental retirement plan to the First National Bank. Five councilmen voted AYE on the motion. President Pro Tem Meacham declared the motion carried.

PROP. ORD.

Zoning Mesa Park Center fr R-1-B & R-3 to B-1

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. (All of Lot 4 and the E 65' of Lot 5 Mesa Park Center to B-1) (No side of Bookcliff bet. 5th & 6th Sts.) It was moved by Councilman Anderson and seconded by Councilman Walt that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD.

Zoning Mesa Park Center fr R-1-B to B-1

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. (Meets & bounds to B-1) It was moved by Councilman Colescott and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD.

Zoning Mesa Park Center fr R-1-B to R-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. (Meets & bounds to R-3) It was moved by Councilman Meacham and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD.

Assessments for I.D. No. ST-68

The following entitled proposed ordinance was presented and read: AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-68, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Anderson and seconded by Councilman Walt that the proposed ordinance be passed for publication. Motion carried.

ORD. 1309 PASSED

Weeds to be cut & keep cut until Aug 31 ea year

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS 25 THROUGH 31 OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, THE CITY'S WEED ORDINANCE, AND ADDING THERETO A SECTION 32. It was moved by Councilman Colescott and seconded by Councilman Meacham that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Meacham and seconded by Councilman Evans that the ordinance be called up for final passage. Motion carried.

City Attorney Ashby stated that after discussion, it was determined that the following changes should be made in Sections 14-25 and 14-26.

"14-25 Cutting weeds--Duty of property owner. It shall be the duty of each and every owner, agent or lessee of any lot or tract of ground in the city to cut to the ground all weeds and brush and to keep such growth down on each lot or tract of ground, on or along any street or avenue adjoining the same between the property line and the curb line thereof, or on or along any alley adjoining the same between the property line and the center of such alley; provided, however, that such prohibition shall not apply to lands primarily agricultural in nature, except that owners of such lands shall be required to keep weeds down between the property line of such land and the center of any right of way and shall be required to keep the weeds down within twenty feet of any subdivision or area that is being kept weed-free.

"14-26. Cutting and removal required. It shall be the duty of the owner, agent or lessee of any lots, tracts, or parcels of lands, except as above stated, to cut such weeds or brush and to remove the same together with rubbish herein mentioned, prior to June 1 of each year and to keep such weeds down until August 31 of each year. All such weeds and brush shall immediately, upon cutting, be removed with the rubbish to the appropriate disposal site." It was moved by Councilman Colescott and seconded by Councilman Evans that Section 14-25 and Section 14-26 of the proposed ordinance be amended as read. Motion carried.

The Ordinance was then read, as amended, and it was moved by Councilman Meacham and seconded by Councilman Anderson that the ordinance be passed and adopted as read, numbered 1309 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

AIRPORT

Lease for Hall Transp. & Storage for freight hangar

Gus Byrom, Airport Manager, and Tom Hall came before the Council regarding a lease for land at Walker Field. This matter has been before the Airport Board and also the City Council at prior meetings. W. R. and Tom Hall wish to lease four acres of land west of the terminal building in order to build a hangar and warehouse and establish an air freight business. It will cost approximately \$63,000 to improve the site so that the building can be constructed. The Halls' in their latest proposal ask for a fifteen-year lease; five years of the lease would be a free operation, with no charge, after that time there would be ten years payable at \$25.00 per acre per month for four acres. They would also ask for the right to obtain additional acreage adjacent to this property, should they need it in the future. At the termination of the fifteen-year lease they ask for the right of first refusal on the property for a new lease.

The argument regarding the correct placement at Walker Field have been resolved with F.A.A. and approval has been given. The Master Plan for the Airport will be revised to show this lease. Mr. Hall stated that after the fifteen years, the lease would be re-negotiated and the price per acre set at that time. Water, sewer and gas taps would not be furnished by the City.

At the present time the gravel road would be used for the access road, and the City would not agree to furnish additional right of way for ingress and egress. Councilman Meacham did not approve the policy of renting airport land for the sum of \$25.00 per acre. Much discussion was had on the various phases of the lease and improvements. Councilman Anderson moved and Councilman Walt seconded the motion that the City-County Attorney be instructed to prepare a lease with Messrs. Hall to be brought to the Airport Board and City Council and County Commissioners along the lines as proposed this evening. The hangar would be built in five years or the lease terminated; improvements to the land would be started immediately. No tap fees to be furnished by the City and no improvements to the road would be agreed to be made. Motion carried with Councilman Meacham voting NAY. The President declared the motion carried.

PROPERTY

Resol - exchange property in Westlake Park with Mesa National Bank

Instr. 4237

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Mesa National Bank of Grand Junction has petitioned the City Council of the City of Grand Junction that the City convey to the Bank the following described land situate in Mesa County, Colorado to-wit:

Out Lot No. 1 in Shaw's Subdivision Amended of Tract C, West Lake Park,

in exchange for the conveyance by the Bank to the City of the following described land situate in Mesa County, Colorado, to-wit:

All that part of Lot 1 in Block 6 West Lake Park Subdivision lying east of Bass Street; and

WHEREAS, the tracts of land to be exchanged are equal in value, and the land to be conveyed by the City was not granted nor is it held or used for Park or other governmental purposes;

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

That the City Manager, R. N. Gray, be, and he is hereby, authorized to deed to the Mesa National Bank of Grand Junction the said Out Lot No. 1, on behalf of the city and as the act of the City, upon receipt from the Bank of like deed to the aforementioned portion of Lot 1 in Block 6 of West Lake Park Subdivision.

PASSED AND ADOPTED this 16th day of April, 1969.

R. G. Youngerman\President of the City Council

ATTEST:

\City Clerk

It was moved by Councilman Anderson and seconded by Councilman Walt 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.

COUNCILMEN

Walt & Wright

Councilman Walt stated that he had enjoyed working with the Council members since he had been appointed as a Councilman, and thanked all of the members for their cooperation with him.

Councilman Wright stated that for the past sixteen years he has enjoyed his work with the City Council and various Councilmen and City officials, and it has been real rewarding. More than 45 years ago, at the age of 12, he came to Grand Junction. The town was pretty small; had very few paved streets, but even then there was good evidence that someone was exercising foresight, vision and planning, as evidenced by the wide street layout we have - even street cars, and an interurban to Fruita.

During these last 45 years, Grand Junction has grown from a cow town to a community that is known internationally. The growth has been in spurts. If you analyze these growth periods you will find they have taken place when someone or a group of people have taken the leadership of the community and accomplished a great amount through planning and foresight. Obligations have been incurred by getting as far as we have. There is a lot of planning to do yet. Jared Morse, planner from Denver, recently held a meeting with the City Council, Planning Commissions, the County Commissioners and others, telling what would have to be done if Grand Junction is to be an attractive city. His plan may not be the only one that will accomplish this, but it goes without question that thinking has to be modernized and ideas updated. One thing mentioned by Mr. Morse was that the City would have to have a housing code. Mr. Wright stated that this was a rather sore point. The situation on the housing code was aired very efficiently and very clearly by Bob Shotwell in last Sunday's Daily Sentinel. The Council was asked some time ago to appoint a citizens' committee to look into and see if a housing code could be developed that would do those things necessary to the development and growth of Grand Junction and do those things that would make Grand Junction a better place to live.

The Housing Code was used in the recent municipal election as campaign material. Mr. Wright stated he thought it was regrettable when any public official or anybody aspiring to any public job - a job serving the public, should deliberately fabricate and misrepresent any subject with which the public is concerned. He felt that the two new Council members have done a great injustice to the Council and to the people of Grand Junction. They have quite effectively driven a wedge between the Council and the Citizens and have created a grave doubt in the minds of a good sized segment of the people of Grand Junction about whether the City Council is acting for the best interests of the whole City. He felt that this was very regrettable, particularly in Grand Junction, that this kind of an issue was so distorted and deliberately misrepresented. Councilman Wright urged the Council and all committees and boards to continue very actively in any endeavor that makes for good planning. Possibly a housing code is one of the many things that will be needed and will do what the Council wants it to do. He told President Youngerman that he had enjoyed serving on the Council for the past sixteen years and if there was anything he could do, he would be happy to help out. President Youngerman, with pride and sorrow, presented a certificate of appreciation for his long years of service to Councilman Wright.

ADJOURNMENT

The President declared the meeting adjourned.

Helen C. Tomlinson\City Clerk

BOYS & GIRLS GOVT. DAY

The Boys and Girls who had been attending Government Day then took their places in the offices to which they had been elected and proceeded to hold a mock Council meeting.