

Grand Junction, Colorado

June 18, 1969

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. June 18, 1969 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Raymond R. Paruch, Harry O. Colescott, Ray A. Meacham, Stanley R. Anderson, Theodore N. Naff, R. B. Evans and President Richard G. Youngerman. Also present were City Manager Richard N. Gray, City Attorney Gerald J. Ashby and Deputy City Clerk Blanche G. Stringer. City Clerk Helen C. Tomlinson was absent.

INVOCATION

The invocation was given by Rev. C. Robert Seal, Church of the Nazarene.

MINUTES

It was moved by Councilman Anderson and seconded by Councilman Colescott that the minutes of the regular meeting held June 4, 1969 be approved as written. Motion carried.

HEARING

San. Sr. Dist. 25-69 (Olympic Acres)

This date had been scheduled and advertised for hearing on the creation of a sanitary sewer district in Olympic Acres. The petition was presented and signed by the developer of the subdivision. No written protests had been received and there were no protests from anyone in the audience. President Youngerman closed the hearing.

WATER

Approve Lease amendment with Rabers & Grounds for water fr Juniata Enlarged

Instr No _____
not in 9-30-69

At the last meeting of the Council, it was suggested that Attorney Jim Dufford appear to explain the apparent error in the contracts with the Raber Bros. and John Grounds. Mr. Dufford was present, and stated that at the time the City acquired the Rabers' and Grounds' interests in Juniata enlarged, they made a commitment subject to the City's needs to sell back 500 acre feet of water each year to the Raber Bros. and to Mr. John Grounds. Somewhere along the line the wrong figure was put in the contract. The contract provides that Raber Bros. and Mrs. Grounds are entitled to buy \$1,450 of water each year unless the City needs it, and, if so, the \$1450 would be reduced by a figure set at \$2.90 times the number of acre feet which the City will not deliver. The figure should have been \$1.92 for reduced per acre foot rate. This is the rate that other ranchers are paying for water. Mr. Grounds and the Raber Bros. have been billed and paid at the rate of \$1.92.

It was moved by Councilman Meacham and seconded by Councilman Naff that the two contracts in question between John Grounds and Raber Brothers with the City be amended to show the figure of \$1.92 instead of \$2.90 and the flat rate of \$960 instead of \$1450, and that the City Manager be authorized to sign the amended contracts. Motion carried.

1968 AUDIT PRESENTED

by Dalby, Wendland & Jensen & Ltr of Recommendations

The 1968 Audit Report by Dalby, Wendland & Jensen had been presented to each member of the Council for study. Mr. Curtis Robinson of Dalby, Wendland & Jensen was present and presented the following letter of recommendations:

``June 18, 1969

``Honorable City Council
City of Grand Junction

``RECOMMENDATIONS

``The following items we believe merit the consideration of the Council:

``COLORADO LOCAL GOVERNMENT AUDIT LAW

``One of the requirements of this law is double entry records. Although substantial changes have been made in the City's accounting records and the present system provides the components of such an accounting system, they have not been fully integrated into a system that meets the requirements of the Local Government Audit Law.

``We have been assured by the Finance Director that steps are currently being taken towards utilization of the computer for complete double entry records.

``Another requirement of this law is the accounting of all property and equipment. Some progress has been made towards compliance. However, considerable work remains before this requirement is fully met. The determination of the cost, or current replacement cost, of the utilities systems and the land owned by the City is the major project remaining at this time.

``GOLF COURSE

``We again suggest that the Council request that a contract be obtained between the City and the golf professional at Lincoln Park.

``UTILITIES FUND

The various City departments are not being charged for water and sewer services. Discussions with City employees have convinced us that metering the water usage is impractical because of the substantial cost of the meters that would be required. However, we do believe that reasonable charges can be established for annual usage and such charges and transfers could be included in the future budgets.

``We believe the City Manager, Finance Director and other City employees responsible should be commended for the progress and improvements made in the accounting records and procedures during the past two years.

``It appears at this time that accrual basis financial statements (and compliance with the Colorado Local Government Audit Law in this respect) may be a reality for the year ending December 31, 1970.

(Signed) A. Curtis Robinson
DALBY, WENDLAND & JENSEN"

Mr. Robinson stated that at the present time the State has not come out with a uniform system of accounts that can be used by cities but they are working on it. The Auditors recommend that the City establish the double entry system on a cash basis now. This could be modified to include full accrual and adjusted after the uniform system is established by the State. Basic financial statements on accrual basis would include a balance sheet of city assets and complete summary statement of operations for the year. The City has been able to establish a cost on equipment and fixtures for approximately five years back.

Councilman Meacham asked why they recommended that the Golf Pro sign a contract rather than be a City employee. Mr. Robinson said they felt that because he is handling City money, he is using City property and equipment, it is very difficult to audit such an arrangement. There is nothing set forth for which he is entirely responsible. Most of the things he does would fit more into the category of a contract operator than as an employee. It was suggested that it would be well to look into this matter. All of these things take time and perhaps cannot be done in a year's time.

Councilman Anderson commended Dalby, Wendland & Jensen for the good job they have done. The report is very complete. City Manager Gray stated that on behalf of the Administration he would also like to commend to the Council the selection of Auditors, Dalby, Wendland and Jensen, as the Administration had found them to be very thorough and fine to work with.

COLO. RIVER VALLEY RESOURCE PLANNING & DEVELOPMENT

Endorse plan & to participate

Mr. Edward Graves, District Conservationist of the Soil Conservation Service, from Glenwood Springs, was present and outlined to the Council the proposed formation of a four-county district consisting of Eagle, Pitkin, Garfield and Mesa Counties. The purpose of the organization is to gather facts, figures, ideas and technical help; planning based on sound information and know-how; and action to translate that planning into real benefits. Through cooperation and coordinating development and planning of resources, benefits would accrue to the whole area. It is important that government entities be represented in this organization as it is through them that grants can be received and contracts signed to develop projects and to get funds from agencies such as Dept. of Agriculture, Soil Conservation Service, H.U.D. The district itself will have no legal authority. A meeting will be held about Aug. 7th to form the district, and they would like to have a representative and an alternate appointed to attend the meeting to get an understanding of what they are trying to accomplish.

Councilman Anderson stated he felt we should not discourage cooperation between the four counties but should encourage cooperation by participating in this organization and ought to at least try and see if something will come of it to promote the four-county area. He moved that the Council approve the plan and have a representative attend the meeting on or about Aug. 9, Councilman Meacham seconded the motion. Motion carried.

3.2 BEER RENEWAL

Kubena, Inc. dba Shakey's Pizza Parlor, 827 North Ave.

An application for renewal of 3.2 beer license was presented by Kubena, Inc., dba Shakey's Pizza Parlor, 827 North Avenue. A letter from Police Chief Karl Johnson was read stating there had been no complaints or violations. It was moved by Councilman Colescott and seconded by Councilman Meacham that the application be approved and license granted when State license has been received. Motion carried with Councilman Paruch voting NAY.

3.2 BEER LICENSE

Renewal for 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 Highway 50. A letter was read from Police Chief Johnson stating that he had no objection to renewal of this license as there had been no complaints. It was moved by Councilman Evans and seconded by Councilman Colescott that the application be approved and license granted when State license has been received. Motion carried with Councilman Paruch voting NAY.

3.2 BEER RENEWAL

Waddell's Markets, Inc. 1630 Hwy 50

An application for renewal of 3.2 beer license for Waddell's Markets, Inc., 1630 Highway 50, was presented. A letter from Police Chief Johnson stated that there had been no complaints or violations. It was moved by Councilman Meacham and seconded by Councilman Evans that the application be approved and license be issued when State license has been received. Motion carried.

SUPPLEMENTAL RETIREMENT PLAN

Approved - F.N.B. Trust Acct Agreement

Mr. Richard A. Smith, Assistant Trust Officer of the First National Bank, was present to answer any questions in connection with the Employees Retirement Plan and Trust that had been prepared by the First National Bank Trust Dept. and presented to members of the Council for study. Mr. Smith stated that the Committee had several meetings and took quite a lot of time to develop this plan. It has been drawn up under Mr. Ashby's recommendations and he has approved it. The Retirement Committee has approved it. When approved by the Council, the next step will be to take the plan to the Employees Committee for approval and then to the employees.

Councilman Colescott raised the question that there seems to be no insurance on the funds in the Bank, and he felt the Council would be remiss to put money into a fund that is not insured. It was explained that the cash funds in the bank would be insured, but it is impossible to get any kind of insurance on investment type funds. City Manager Gray stated that the plan provides that 50% of the fund goes into fixed investments which do not have the same risk feature that 50% of the funds have which will be invested in common stocks of approximately 34 diversified companies to provide income for higher or lower yields.

It was moved by Councilman Anderson that this Council adopt the supplemental retirement plan as written by the First National Bank Trust Department. Motion was seconded by Councilman Evans and carried.

Mr. Smith stated that he was in a dual capacity before the Council, and as a representative of the Sheriff's Posse would like to invite all members of the Council, the City Manager and City Attorney to be their guests at the Thursday night performance of the Rodeo.

Committee Member R. T. Mantlo, Fire Dept., stated that on behalf of the Employees and the Executive Committee he wished to thank the Council for the action taken tonight for the culmination of three years of work, and he was sure that the real benefits may be realized many years in the future. Geo. Low, a Committee member, also added his thanks to the Council giving special thanks to Councilmen Meacham and Evans who have sat in and listened to all the proposals and have given lots of time, for what they have done for the employees as there should be many employees who will benefit in the future from the plan.

BONDS - SAN SR 24-69 & SAN SR 25-69

Sold to Wylie Invest. Co.

A "memo" was read from William Manchester, Finance Director, regarding the sale of bonds for the construction of San. Sewer Districts SS 24-69 and SS 25-69. Due to the small amount of funds needed for the two districts, he had made negotiations to sell the bonds to Wylie Investment Company as follows:

SS 24 - 69	\$7,000.00 Bonds	5.75 % Coupon rate
SS 25 - 69	10,000.00 Bonds	5.85 % Coupon rate

The small size of these issues do not lend themselves to sale by bid, and he recommended that the sale be approved by

the Council. It was moved by Councilman Anderson and seconded by Councilman Naff that the Council ratify the action of the Finance Director and approve the sale of bonds of SS 24-69 for \$7,000 and SS 25-69 for \$10,000 to Wylie Investment Company. Motion carried.

ANNEXATION - TUPPER

(West of Medicenter on Patterson Rd)

Approve Boundaries

At a meeting of the Planning Commission on May 28th, a request for annexation of the Tupper property, including Lots 7 & 8, Northern Hills Subdivision had been considered, and approved. An effort had been made to include other property to the west and north but at this time they were not interested in being included. It was moved by Councilman Colescott and seconded by Councilman Evans that the boundaries be approved and that circulation of petition be authorized. Motion carried.

PROP. ORD.

Plumbing Contractors license

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION IN REFERENCE TO PLUMBING CONTRACTORS. It was moved by Councilman Meacham and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried.

ORD. 1319-PASSED

Amend Sec. No.

City Attorney Ashby stated that the following entitled ordinance, AN ORDINANCE PROHIBITING THE DRINKING OF FERMENTED MALT BEVERAGE IN PUBLIC AREAS OF THE CITY OF GRAND JUNCTION AND CERTAIN PRIVATE AREAS THEREOF had been passed as a proposed ordinance on May 21st and passed on final reading, numbered 1319 and ordered published on June 4th. The Section No., 19-29, was in error and should be Sec. 19-30 so it is necessary to amend the ordinance as to section number. It was moved by Councilman Naff and seconded by Councilman Evans that Ordinance No. 1319 be amended to show Section 19-30 and ordered published. Motion carried.

ORD. 1321 - PASSED

Provided for Council Salaries - \$3480 Trsf fr 141.19-000 to 001.02-000

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE PROVIDING MONIES TO SUPPLEMENT COUNCIL BUDGETED SALARIES. It was moved by Councilman Colescott and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Anderson 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 Paruch and seconded by Councilman Naff that the ordinance be passed and adopted as read and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

ORD. 1322-PERMIT & REGULATE SELF-SERVICE & COIN-OPERATED SERVICE STATIONS

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE PERMITTING AND REGULATING SELF-SERVICE AND COIN-OPERATED SERVICE STATIONS. It was moved by Councilman Anderson and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was then read, and it was moved by Councilman Meacham and seconded by Councilman Colescott that the ordinance be passed and adopted as read, numbered 1322 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

SS-25-69 - RESOL

Create District - \$10,000 Bonds

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 25-69 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 7th day of May, 1969, the City Council of the City of Grand Junction, Colorado, passed a resolution adopting details, plans and specifications for Sanitary Sewer District No. 25-69 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;

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

1. That said Sanitary Sewer District No. 25-69 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 reliable and 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, or any of the proceedings adopted therefor; and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with;

4. That the description of the 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 7th day of May, 1969, and in accordance with the published Notice of Intention to Create said

District.

5. That for the purpose of paying the cost and expenses of constructing said Sanitary Sewer District No. 25-69, including engineering, inspecting and other incidental expense, the City shall issue public improvement bonds of said Sanitary Sewer District No. 25-69, dated the 1st day of July, 1969, in the denomination of \$1,000.00 each, numbered one to ten inclusive, due and payable on the 1st day of July, 1979, subject to call and payment, however, at any time prior to the maturity of said bonds; said bonds shall bear interest at the rate of not exceeding six (6) per cent per annum, payable semi-annually on the 1st day of January and the 1st day of July of each year, as evidenced by coupons to be attached to said bonds. The principal of, and interest on, said bonds being payable at the office of the City Treasurer of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of said City and attested by the City Clerk; the coupons shall be signed with the original or facsimile signature of the City Treasurer, and when so executed said bonds shall be registered by the City Treasurer.

6. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sanitary Sewer District No. 25-69, especially benefitted by said improvement, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds.

7. Said bonds, the coupons to be attached thereto and the registration certificate to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF COLORADO
COUNTY OF MESA

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND
SANITARY SEWER DISTRICT NO. 25-69

NO. _____ \$1,000.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, on the 1st day of July, 1979, subject to call and payment, however, at any time prior thereto with interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the 1st day of January and the 1st day of July each year, both principal and interest being payable at the office of the City Treasurer in Grand Junction, Colorado, upon surrender of the attached coupons and this bond as they severally become due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Sanitary Sewer District No. 25-69 in the City of Grand Junction, by virtue of, and in full conformity with, the constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and ordinances of said City, duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sanitary Sewer District No. 25-69, especially benefitted by said improvement, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued

interest, shall be a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City.

It is hereby certified and recited that the total issue of bonds of said City for said District, including this bond, does not exceed the estimate of the City Engineer of the cost of said improvement, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said Sanitary Sewer District No. 25-69 and the making of said improvements and the issuance of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issuance of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, as of the _____ day of _____, 1969.

President of the City Council

SEAL

ATTEST:

City Clerk

(Form of Coupon)

NO. _____ \$ _____

On the 1st day of July January, A.D. 196_____, the City of Grand Junction, Colorado, will pay the bearer

_____ DOLLARS

in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Sanitary Sewer District No. 25-69, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated July 1, A.D. 1969.

NO. _____

(Facsimile Signature)\City Treasurer

(Registration Certificate)

It is hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the office of the city Treasurer of the City of Grand Junction, Colorado in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, A.D. 1969.

City Treasurer

The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Treasurer, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

ADOPTED AND APPROVED this 18th day of June, A.D. 1969.

President of the Council

SEAL

ATTEST:

City Clerk

It was moved by Councilman Meacham and seconded by Councilman Paruch that the Resolution be adopted and approved as read. Roll was called on the motion with the following result:

Councilmen voting AYE:

Raymond R. Paruch
Harry O. Colescott
Ray A. Meacham
Stanley R. Anderson
Theodore N. Naff
R. B. Evans

President of the Council:

R. G. Youngerman

Councilmen voting NAY:

None

Councilmen absent and not Voting:

None

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

AIRPORT

Addendum to lease with Hertz Rent-a-Car, and with Avis Rent-a-Car for 3 yr rental \$50 mo for 1 acre for storage

Instr. No. _____

Instr. No. _____

The Airport Board at its meeting on June 9, 1969 had approved a lease addendum for O. S. Halvorson, a licensee of Hertz System dba Reed Miller, Inc. for rental of an acre of ground at the Airport to be used for storage, servicing and sale of rental cars for \$50 per month with the understanding that no signs, lights, pennants, etc. would be permitted to give the area a used car lot appearance. The lease is for 3 years. An identical Lease Addendum was also approved for Avis Rent-A-Car System, Inc. It was moved by Councilman Anderson and seconded by Councilman Evans that the Addendum to Lease with O. S. Halvorson, a licensee of Hertz System, dba Reed Miller, Inc. and the Addendum to lease with Avis Rent-A-Car System, Inc. be approved and the Airport Manager be authorized to sign. Motion carried.

AIRPORT

Instr No. _____

The Airport Board at its meeting on June 9, 1969 had approved a request from the Forest Service for an agreement which would allow them to bring in aircraft in the case of serious forest fires. It was moved by Councilman Anderson and seconded by Councilman Meacham that the action of the Airport Board be approved and that the Airport Manager be authorized to sign the agreement. Motion carried.

WATER BILL ADJUSTMENT

Frank Burke, 264 Independent Ave.

\$57.90 adjustment grtd

City Manager Gray stated that a request had been received from Mr. Frank Burke, 264 Independent Avenue, for a water bill adjustment for March 1969 billing, due to a service line leak which was repaired as soon as discovered. His bill amounted to \$63.35 and his average bill for three previous years was for 12,000 gallons at \$5.45. The Utility Customer Service Department recommended an adjustment of \$57.90. He concurred with this recommendation.

It was moved by Councilman Paruch and seconded by Councilman Meacham that Mr. Burke of 264 Independent Ave. be granted an adjustment of \$57.90 on his March 1969 water bill. Motion carried.

ADJOURNMENT

President Youngerman declared the meeting adjourned.

Blanche G. Stringer\Deputy City Clerk