

Grand Junction, Colorado

September 17, 1969

### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. September 17, 1969 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Raymond R. Paruch, Ray A. Meacham, Stanley R. Anderson, Theodore N. Naff, R. B. Evans and President Richard G. Youngerman. Councilman Harry O. Colescott was absent. Also present were City Manager Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

### INVOCATION

The invocation was given by Reverend J. Kenneth Baird, First Christian Church.

### MINUTES

It was moved by Councilman Evans and seconded by Councilman Naff that the minutes of the regular meeting held September 3rd 1969 be approved as written. Motion carried.

### HOUSING CODE

Final report by Committee presented & film presentation made

Blake Chambliss, Chairman of the Housing Code Study group, presented a very well prepared slide show and tape recording report from his committees. He also gave each Councilman a 32-page report of the various groups, recommending that the Council pass the Uniform Housing Code; provide for a Housing Commission; apply for a workable program certification; and continuing study of housing needs for the citizens of Grand Junction. Mrs. Sue Eastland presented a minority report. The Council will take the report under consideration and report at the next Council meeting. President Youngerman thanked Mr. Chambliss for the outstanding efforts made by the Committees and the fine report.

### 3.2 BEER

Delbert Hahn dba Die Bierstube, 1230 N 12th St

Approved

This was the date set for hearing on the transfer of the 3.2 beer license for Delbert Hahn. This license was previously held by The Pizza Hut, Inc. for 1230 No. 12th Street. Mr. Hahn wishes to re-open this place of business as Die Bierstube. He does not plan to sell any beer outside of the building. Mr. Hahn was manager of The Pizza Hut for the past two years. Karl Johnson, Chief of Police, reported that Mr. Hahn qualified for a license and that during his managership of the Pizza Hut, he ran the place as well as most and much better than some of the other managers.

Paruch pledged to vote NO on all beer-liquor applications

Rev. Erskine Scates protested the operation of this business. He manages the Intermountain Bible School which adjoins the property. Councilman Anderson suggested that if Mr. Hahn should have any difficulties with his patrons, he should call for help from the Police. Anything that Mr. Hahn can do to keep this operation under control will be appreciated. Councilman Paruch stated that he would vote "No" on the application, but not because he found any fault with the character of the applicant. He is pledged to vote "NO" on all applications for beer and liquor licenses. It was moved by Councilman Anderson and seconded by Councilman Evans that the application be approved and license granted when the State license has been approved. Motion carried.

HEARING

San. Sr. Dist 26-69

This date had been scheduled and advertised for herein on the creation of San. Sewer Dist. 26-69. It will consist of two units; a small area north of Orchard Ave. from 23rd east to 28 Road and the other the recently annexed County Shops area. No written protests had been filed and there were no protests from anyone in the audience. A letter was read from Alvie Redden, 2114 Yellowstone Rd., stating that he was very pleased to have his property, 2340 Orchard Avenue, included in a sanitary sewer district as the septic tank drainage in this area is extremely poor. President Youngerman closed the hearing.

BIDS

San. Sr. Dist. 26-69 Scheierman Constr low-\$10,675

On Tuesday, Sept. 16th, at 2 p.m. bids had been received and opened for construction of Sanitary Sewer District 26-69. Two bids were received: Tiago Construction Co., \$17,722 and from Scheierman Construction Company, \$10,675. The City Engineer's estimate was \$14,142. It was moved by Councilman Anderson and seconded by Councilman Evans that the low bid of Scheierman Construction Company in the amount of \$10,675 be accepted and that contract be awarded. Motion carried.

BIDS

O.M. Interceptor Sewer Line & Pumping Station - Great Basin Low \$51,228

The following bids had been received and opened by Henningson, Durham & Richardson on Sept. 11th in the re-bidding of the Orchard Mesa interceptor line and pumping station:

Great Basin Construction Co.	\$51,228.00
Northwest Engineering Co.	61,873.03
Tiago Construction Co.	71,207.75
Burks Construction Co.	74,513.00
F. H. Linneman Constr. Co.	89,529.80
W. B. Johnson Plumb & Htg	92,337.50
Engineer's estimate	100,020.00

Consulting Engineers Henningson, Durham & Richardson have been in contact with Great Basin Construction Company

and feel they are qualified. Great Basin was the contractor for installation of the chlorination facilities at the sewage disposal plants. Henningson, Durham & Richardson recommend accepting the low bid and City Manager Gray concurred. It was moved by Councilman Paruch and seconded by Councilman Anderson that the low bid of Great Basin be accepted and contract awarded to them in the amount of \$51,228. Motion carried. Henningson, Durham & Richardson reported that they had secured the necessary approval from the State Highway Dept. for the bridge crossing.

BIDS

Storm Sewer Improvmt for 1969

Scheierman Const low-\$24,230.80

Bids had been received and opened at 2:30 Tuesday, Sept. 16th, for the construction of improvements of storm sewers. This work will consist of five small projects. The following bids were received:

Northwest Engineering Company	\$44,115.00
Tiago Construction Company	38,880.00
Geo. Tilton	32,747.26
Scheierman Constr. Co.	24,230.80
City Engineer's estimate	26,409.50

The City Engineer recommended accepting the low bid and City Manager Gray concurred. It was moved by Councilman Meacham and seconded by Councilman Evans that the bid of Scheierman Construction Company be accepted and that contract in the amount of \$24,230.80 be awarded to them. Motion carried.

HEARING

Zoning Grand Ave. East Annex & Freeway to 28 Rd area

A hearing had been scheduled and advertised for this date on the zoning of the recently annexed Grand Avenue East Annexation to R-3 which is along the south side of Grand Avenue east of the school administration building; also the north side of the Freeway east from 21st Street to 28 Road to C-1 and for land on the Freeway east of the Salt Lake Hardware Company to 28 Road to C-2, which is all open land. There were no written protests and no protests from anyone in the audience. Development Director Don Warner stated he was working on securing an alley easement. The Planning Commission had approved these changes. President Youngerman closed the hearing.

HEARING

Zoning between Franklin & Independent Aves 900 ft W of 1st Street to R-2

This date had been scheduled and advertised for hearing on the zoning of property between Franklin and Independent Avenues 900 feet West of First Street to R-2. The Planning Commission had approved the request. There were no written protests and no protests from anyone in the audience. The President closed the hearing.

### BONDS

San. Sr. Dist. 26-69 to Wyllie Investmt not to exceed 6 3/4% Interest

A "Memo" from Finance Director Manchester was read stating that on small improvement district bonds, it was best to sell by negotiating with local brokers. He had made arrangements to sell \$14,000 bonds with Wyllie Investment Company; the 1st 5 to be at 6 1/2% interest and Bonds 6 to 14 at 6 3/4%. This would have to be modified because the lower bid for construction was \$10,675.

It was moved by Councilman Anderson and seconded by Councilman Meacham that the Council approve the sale of bonds to Wyllie Investment Company at a rate not to exceed 6 3/4% interest to be negotiated with Wyllie Investment Company on the number of bonds bearing the lower and higher rates. Motion carried.

### PROP. ORD.

Zoning Grand Ave. East & Freeway tracts

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 Anderson and seconded by Councilman Paruch that the proposed ordinance be passed for publication. Motion carried.

### PROP. ORD.

Zoning bet Franklin & Independent W of 1st to R-2

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 Naff and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried.

### PROP. ORD.

To permit Collection of Spec. Assmts by City Treas.

Tabled to next meeting

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO PERMIT THE COLLECTION OF SPECIAL ASSESSMENTS BY THE CITY TREASURER. It was moved by Councilman Meacham and seconded by Councilman Naff that the proposed ordinance be passed for publication.

Councilman Anderson stated that it had been the policy of the City to cooperate with the County in various ways, but he felt that this would be a step in the other direction and ultimately will be a duplication of efforts. It would result in additional costs to the home buyer, and it would result in additional work for the building and loan associations as they would have to make separate payments and would have to check in two different places for the amount of taxes owing on property which would increase the possibility of errors thereby causing delinquencies.

City Manager Gray stated that the City would be able, with its present personnel, to collect the special assessments at no cost. It now costs about \$2,000 per year for the County Treasurer to collect them. The Finance Department could make a

closer check on property within the city limits. Councilman Anderson moved to table the consideration of the proposed ordinance until the next meeting, so that a closer study can be made of the proposal. Councilman Paruch seconded the motion. The question being upon the tabling of the proposal, all Councilmen present voted AYE, and the President declared the motion carried.

SAN. SR. DIST 26-69

Resol - Creating District

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 26-69 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 sixth day of August, 1969, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 26-69 and authorizing notice of intention to create said District; and

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

WHEREAS, no written complaint 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. 26-69 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 6th day of August, 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. 26-69, including engineering, inspecting and other incidental expense, the City shall issue public improvement bonds of said Sanitary Sewer District No. 26-69, dated the 1st day of October, 1969, in the denomination of \$1,000.00 each, numbered one to 13 inclusive, due and payable on the 1st day of October, 1979, subject to call and payment, however, at any time prior to the maturity of said bonds; said bonds to bear interest at a rate not exceeding 6 3/4 per cent per annum, payable semi-

annually on the 1st day of April and the 1st day of October 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. 26-69, 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. 26-69

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 October, 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 April and the 1st day of October 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. 26-69 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. 26-69, 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. 26-69 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. \_\_\_\_\_ \$ \_\_\_\_\_

April  
On the 1st day of October, 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. 26-69, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated October 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 17th day of September, A.D., 1969.

\_\_\_\_\_  
R. G. Youngerman\President of the Council

SEAL

ATTEST:

\_\_\_\_\_  
\City Clerk

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

PROPERTY

Resol Sell Lot 2 Blk 2 Mesa Gardens to John C. & Kathryn C. Harper for \$2500

The following Resolution was presented and read:

RESOLUTION

WHEREAS, John C. Harper and Kathryn C. Harper have offered to purchase the real property hereinafter described for the sum of \$2,500.00; and

WHEREAS, said land is not used or held for park or governmental purposes; and

WHEREAS, the amount offered represents a fair price for the land and its conveyance would be in the best interest of the City of Grand Junction and its inhabitants;

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

That the City Manager be, and is hereby, authorized, as the act of the City of Grand Junction and on behalf of the City, to convey to John C. Harper and Kathryn C. Harper by special warranty deed and upon receipt of the purchase price, the following described land situate in Mesa County, Colorado, to-wit:

Lot 2 of Block 2, Mesa Gardens Subdivision

PASSED AND ADOPTED this 17th day of September 1969.

\_\_\_\_\_  
R. G. Youngerman\President of the Council

ATTEST:



\_\_\_\_\_  
City Clerk

Development Director Don Warner stated that this was property the City had acquired through non-payment of taxes. It is a lot 70 x 105 feet and has been appraised at \$2,500. He suggested that title insurance be provided. It was moved by Councilman Naff and seconded by Councilman Meacham 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.

ANNEXATION

Intent to annex Shellabarger tract

The following Resolution was presented and read:

RESOLUTION

WHEREAS, the following described land, situate in Mesa County, Colorado, to-wit:

The Northeast Quarter of Section 15 of Township 1 South of Range 1 West of the Ute Meridian in Mesa County, Colorado, except the East 660 feet thereof

has had a two-third boundary contiguity with the City of Grand Junction for over three years; and

WHEREAS, it is desirable that said land be annexed to the City;

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

1. That it is the intent of the City to annex said territory to the City of Grand Junction.
2. That a hearing be set for the 5th day of November, 1969, at 7:30 o'clock P.M. in the City Auditorium before the Council to determine whether or not land in identical ownership has been divided by the proposed annexation; whether or not any land in identical ownership in the territory proposed to be annexed comprises twenty acres or more and has an assessed valuation in excess of Two Hundred Thousand Dollars; and whether or not said territory is subject to a petition for annexation to another municipality.

PASSED AND ADOPTED this 17th day of September, 1969.

\_\_\_\_\_  
R. G. Youngerman\President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

This is for a tract of land on the south side of North Avenue west from First Street, 660 feet; to about 25 1/2 Road and south to Grand Ave., and will include the El Poso area. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

1970 BUDGET

Presented

## Zoo to be discontinued

City Manager Gray presented copies of the 1970 proposed budget and read his budget message. He stated that this was 15 days earlier than it had been presented last year. A schedule for meetings with the Council was set up. Mr. Gray stated in his budget message, it was proposed to discontinue with Lincoln Park Zoo and the Recreation Dept. is to set up a summer children's petting zoo. Councilman Meacham stated that several years ago during a student City-County Govt. Day a very good proposal had been made to revamp the zoo. Because of the rural type community, he wondered if a petting zoo would be more acceptable to the youngsters or if one with wild live animals more updated would be better. He felt the Council should have some publicity on this question and should have an expression from the people before making a decision.

## ADJOURNMENT

President Youngerman declared the meeting adjourned.

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Helen C. Tomlinson\City Clerk