

Grand Junction, Colorado

May 6, 1970

ROLL CALL

The City Council of the City of Grand Junction, met in regular session at 7:30 o'clock p.m. May 6, 1970 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 R. G. Youngerman. Also present were City Manager Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

MINUTES

It was moved by Councilman Meacham and seconded by Councilman Naff that the minutes of the regular Council meeting held April 15th and the special meeting held April 20th be approved as written. Motion carried.

HEARING

Zoning So side Patterson Rd West of No. 12th to B-1

This was the date set for hearing on the change of zoning on a tract of land along the south side of Patterson Road and west of North Twelfth Street. A request has been made that the zoning be changed from R-3 to B-1 so that a medical office building can be constructed at that location, and also condominiums or apartment houses. There were no objections to the change of zoning. The President declared the hearing closed.

LIQUOR

Freeway Bowling Lands

Denied

The matter of granting a restaurant liquor license to Valley Bowling Lanes, Inc. for Freeway Bowling Lanes at 1900 Main Street was brought back from the table. City Attorney Ashby stated that a letter which had been delivered to him by Mr. Oberholtzer the day after the hearing was mostly a summation of the oral reports given at the hearing, and he would not present it to the Council as the hearing had been closed. Mr. Ashby stated that he had informed Mr. Kent Webster, Attorney for Mr. and Mrs. Oberholtzer, of his decision. Councilman Youngerman stated that many bowling alleys over the State do operate with liquor licenses in the buildings and they work very satisfactorily, and he would be in favor of granting the license. Councilman Meacham stated that he felt that the Council was required to operate under the provisions of the State law, whether they were right or not, and it was necessary to have the survey made. He felt there were more people in the area against the granting of the license than in favor of it, and that there had not been a need shown for the license. The need for a liquor license becomes a moot thing and is very difficult to define. This is a recreational and family type of activity, and no need established for it. Councilman Paruch concurred with Councilman Meacham. He stated that actually, repetitious of what Councilman Meacham had stated, the need hasn't been fully qualified, nor the desire of the immediate residents really accepted it, and he would vote against it.

It was moved by Councilman Anderson and seconded by Councilman Naff that in view of the desires of the neighborhood as expressed in the survey, the request be denied. Motion carried with Councilman Youngerman voting NAY. Motion carried.

LIQUOR

Hearing on application Sir Loyne Restaurant to be 6-3-70

A hearing will be held on June 3rd on an application for a liquor license for Sir Loyne Restaurant (now Hurt's Cafe) at 2879 North Avenue. Application is being made by B. F. Crone and Richard H. Sheldon.

RECREATION

Req to use ACE Kindergarten bldg (West Side) for day care center

to report back

Letters were read from Mesa County Community Action Council, Mesa County Department of Public Welfare and Mesa County Community Child Care asking that the City allow the Mesa County Child Care Association (4-C's) the use of the building where the A.C.E. kindergarten is moving out, for a day care center. They reported that the facility could care for about 20 A.D.C. children while their parents were working or being trained to work. The building is located on South West Avenue.

About four years ago, the City moved a building which was located on North West Ave., to the present location and remodeled it. Originally, the older building was used as a recreation center for the west side young people and Mrs. Thomas had eventually started the A.C.E. kindergarten there. Councilman Colescott felt that now that the A.C.E. kindergarten is no more, the building should revert to the people on the west side to be used for a recreational center.

Mrs. Margaret Talbott, Exec. Director of Mesa County Community Child Care, spoke to the Council telling them what the plans were for the use of the building. Mrs. Leinberger, Mrs. Wubben, Mrs. Abell, Mrs. Brewer, Mr. Moran and Mr. Porter all stressed the immediate need for child care centers in this area. The Council will look over the building and consider what can be worked out.

BOYS & GIRLS CITY-COUNTY GOVT DAY

A letter from Mr. Ruby Susman and Mrs. Lucille Mahannah, Chairmen of the Boys and Girls City and County Government Day program, was read, thanking the City Council and City officials for cooperation in making the day such a success.

3.2 BEER LICENSES RENEWALS

The following applications for renewal of 3.2 beer licenses were presented:

Alvin F. Cook, Warehouse Market, 1250 No. 3rd Street
Travis & Edith Park dba Way Side Market, 2851 North Avenue
Hobby Frazer dba 7-2-11, Food Store No. 10, Inc., 1134 No. 12th St.

Letters were read from Police Chief Karl M. Johnson stating that there had been no violations or complaints on any of these licensees and he knew of no reason why these applications should not be approved. It was moved by Councilman Evans and seconded by Councilman Meacham that the above applications for renewal of 3.2 beer licenses be approved and licenses issued when State licenses have been received. Motion carried with Councilman Paruch voting NAY.

PROP. ORD.

Zoning Patterson W of 12th fr 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. It was moved by Councilman Meacham and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD.

Vacate portion Rico Way (Northern Hills Subdiv)

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF STREET WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Anderson and seconded by Councilman Evans that the proposed ordinance be passed for publication. Motion carried.

ORD. 1353

I.D. St-69 Assessments

The Proof of Publication to 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-69, 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 OF 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 Colescott and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Paruch and seconded by Councilman Anderson that the proposed ordinance be called up for final passage. Motion carried. The Ordinance was then read.

It was moved by Councilman Colescott and seconded by Councilman Naff that the ordinance be passed and adopted as read, numbered 1353 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

ORD. 1354

Palmer Park Annexation (O.M.) (Municipal Cemetery)

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Meacham and seconded by Councilman Colescott 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. It was moved by Councilman Meacham and seconded by Councilman Anderson that the ordinance be passed and adopted as read, numbered 11354 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

ORD. 1355

Charges for Connection to Sewer System, assessments in districts and payment

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 1(c) OF CHAPTER 25 AND SECTIONS 19, 31, 34, 36 AND 42 OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION; ALL CONCERNING CHARGES FOR CONNECTION TO THE CITY'S SEWERAGE SYSTEM, ASSESSMENTS IN SEWER DISTRICTS AND PAYMENT OF SUCH ASSESSMENTS. It was moved by Councilman Paruch 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 proposed ordinance be called up for final passage. Motion carried.

The Ordinance was read. It was moved by Councilman Meacham and seconded by Councilman Anderson that the ordinance be passed and adopted as read, numbered 1355 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

REV. PERMIT

Modern Bldg & Loan for planters on 7th & White Ave.

Instr No. 4246

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Modern Savings and Loan Association has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the right-of-way between the curb line and the sidewalk right-of-way line North of Lot 11, Block 94, of the City of Grand Junction, to provide two planters on such right-of-way; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and would not be detrimental to the use of the right-of-way or to the interest of the inhabitants of the City:

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

That the City Manager, on behalf of the City and as an act of the City, be, and he is hereby, authorized to grant such revocable permit to the above corporation for the purpose described upon the execution by the corporation of an agreement to save and hold the City harmless from any claims arising out of the construction and use granted and agreement that upon the revocation of such permit, it will remove said planters or other impediments at its own expense and will restore the right-of-way to its original condition required in that area.

R. G. Youngerman\President of the Council

ATTEST:

\City Clerk

It was moved by Councilman Meacham and seconded by Councilman Colecott 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.

REVOCABLE PERMIT

WHEREAS, Modern Saving sand Loan Association has petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon the right-of-way between the curb line and the sidewalk right-of-way North of Lot 11, Block 94, of the City of Grand Junction, to provide two planters on such right-of-way; and

WHEREAS, the City Planning Commission and City Engineer have approved such action, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

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 Association a revocable permit for the purposes stated above; 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 Association 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 6th day of May, 1970.

(No recording information available)

R. N. Gray\City Manager

ATTEST:

\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.

Dated at Grand Junction, Colorado, this _____ day of May, 1970.

MODERN SAVINGS AND LOAN ASSOCIATION

By\President

ATTEST:

\Secretary

| | | |
|-------------------|---|--|
| STATE OF COLORADO |) | |
|-------------------|---|--|

| | | |
|----------------|---|-----|
| |) | ss. |
| COUNTY OF MESA |) | |

The foregoing was acknowledged before me this _____ day of May, 1970, by _____, as President, and _____ as Secretary, of Modern Savings and Loan Association, a corporation.

Notary Public

My Commission expires:

I.D. ST-70

Resol intention to Create & Resol adopt details, plans, specifications etc

City Manager Gray reported that the owners of property abutting along 26th Street between the alley south of Belford and the alley north of Teller have agreed to pay for paving this street, so it will be included in the district. The following Resolution was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT ST-70 AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, there has been presented to the City Council of the City of Grand Junction a construction petition for the following:

1. Installing Hollywood curb, gutter and sidewalk on both sides of a 40-foot right-of-way. Also, to include a 6-inch base course within 2 inches of hot-mix asphaltic concrete paving 29 feet in width from lip of gutter to lip of gutter on Juniper from West Mesa Avenue North of Hall Avenue; Hall Avenue from Juniper to Poplar Street; Poplar Street from West Mesa Avenue to Hall Avenue; Maple from West Mesa to Hall Avenue.
2. Installing a 36-foot paving from back of curb to back of curb with vertical curb and gutter on both sides of street with a 2-inch asphaltic concrete mat with 6 inches of 3/4-inch base course gravel, with a 3-1/2 foot sidewalk on the East side only on 28 Road from Texas Avenue to Orchard Avenue.
3. Installing a Hollywood-type curb, gutter, and sidewalk within 32 feet of paving lip of gutter to lip of gutter with 2 inches of asphaltic concrete paving with 6 inches of 3/4-inch base course gravel on Belaire Drive from First Street Park Drive.
4. Installing a 2-inch asphaltic concrete mat with 6 inches of 3/4-inch gravel, 20 feet wide with an invert-type drainage on 14th Street from North Avenue to Glenwood.
5. Installing a 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4-inch base course in the Alley between Orchard Avenue and Hall Avenue from 4th Street to 5th Street.
6. Installing a 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4-inch base course. Alley

between 17th Street and 18th Street, Glenwood Avenue to Elm Avenue.

7. Installing an 11-foot-wide sidewalk on the North side of Main Street from the intersection of First Street and Main Street, West to the East line of the alley. Also, a 5-foot by 46.5-foot sidewalk on the West side of First Street. Sidewalk will be adjacent to the back of the existing curb with 4 inches of concrete and 4 inches of 3/4-inch compacted gravel.

8. Installing 6 inches of 3/4-inch base course with 2 inches of hot-mix asphaltic concrete to be 33 feet wide from the existing lip of gutter to lip of gutter from the Alley between Hill Avenue and Teller Avenue to the Alley between Gunnison and Hill Avenue on 26th Street.

AND WHEREAS, the Council has found and determined, and hereby finds and determines, that said petitions were signed and acknowledged by the owners of more than one-third of the property abutting on said streets and alley to be assessed with the cost of the proposed construction of sidewalks, curbs, gutters, and paving of the streets and alleys; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement district;

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

1. That the district of lands to be assessed with the cost of the improvement district is described as follows:

1. Construction of Juniper, Hall, Poplar, and Maple. All of Blocks 1, 2, 3 and 4 of West Lake Park Annex No. 2; also, Lots 1 and 2, Block 1, West Lake Park Subdivision; Lot 2, Shaw's Subdivision Amended of Tract "C" West Lake Park; Tract "A" West Lake Park Subdivision and 20 feet adjacent to Tract "A" on South, except the North 20 feet and except Beginning 73 feet North of Southeast Corner of Tract "A" North 7 feet, West 3 feet, Southeasterly to Beginning; also, all of Lot 18, Shaw's Subdivision Amended Tract "C" West Lake Park Subdivision; also, Tract "B" of West Lake Park Subdivision, except North 10 feet and except Beginning 83 feet South of Northeast Corner of Tract, South 7 feet, West 3 feet, Northeasterly to Beginning.

b. Construction of 28 Road. Beginning at a point 25 feet South of the Northwest Corner of Northwest 1/4 Southwest 1/4 Section 7, Township 1 South, Range 1 East, Ute Meridian; thence East 190 feet; thence South 634.69 feet; thence West 10 feet; thence South 247.56 feet; thence West 150 feet; thence South 40 feet; thence West 80 feet; thence North 922.25 feet; thence East 50 feet; to the point of beginning.

c. Construction of Belaire Drive. Lots 1, 2 and 3 of Block 1, and Lots 1, 2, 3, 4, and 5 of Block 2, Olympic Acres Subdivision.

d. Construction of 14th Street. Lots 16 to 22, inclusive Lots 1 through 7, inclusive, in Exposition Arcade Subdivision, except the East 15 feet of Lots 3 and 4, also except the West 9 feet of Lot 19, all in Exposition Arcade Subdivision.

e. Construction of Alley between Orchard Avenue and Hall Avenue from 4th Street to 5th Street. All of Lots 1 through 14, Block 1, Sherwood Addition, except the North 10 feet of Lots 2, 14, 13, 12, and 10, also except the South 10 feet of Lots 3, 5, 6, 7, and 9.

f. Construction of Alley between 17th Street and 18th Street, Glenwood Avenue to Elm Avenue. All of Lots 1 through 26, Block 4, Elmwood Plaza Replat, Section 12, Township 1 South, Range 1 West.

g. Construction of Sidewalk. The South 50 feet of Lots 1 to 5, inclusive, and the East 3.5 feet of Lot 6, Block 6, Mobley Subdivision, City of Grand Junction.

h. Construction of 26th Street. The East 22.5 feet of Lot 16, all of Lots 17 and 18, Block 3, Teller Arms Subdivision. The East 22.5 feet of Lot 7, all of Lots 8 and 9, Block 4, Teller Arms Subdivision. The West 150 feet of the South 311 feet of Block 8, Teller Arms Subdivision, all in Section 13, Township 1 South Range 1 West, Ute Meridian.

2. That the City Engineer be, and he is hereby authorized and directed to have prepared and filed full details, plans, and specifications for such sidewalk, curb, gutter, and street and alley paving; and estimate of the total costs thereof, exclusive of the per centum for cost of collection and other incidentals, and of interest to the time the first installment becomes due; and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178, as amended, of the City of Grand Junction, Colorado.

ADOPTED AND APPROVED this 6th day of May, 1970.

R. G. Youngerman\President of the Council

ATTEST:

\City Clerk

It was moved by Councilman Meacham and seconded by Councilman Paruch 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.

The following Resolution was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS, AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS, ALLEYS, AND AVENUES IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT NO. ST-70, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on May 6, 1970, the City Council of the City of Grand Junction, Colorado, by a Resolution, authorized the City Engineer to prepare and file full details, plans, and specifications for constructing sidewalks, curbs, gutters, and paving streets, alleys, and avenues in said City within proposed Improvement District No. ST-70, together with an estimate of the total cost of such improvements and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans, and specifications, estimate, and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City;

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

Section 1. That said details, plans, and specifications, estimates and map be and the same are hereby approved and adopted.

Section 2. That the district of lands to be assessed with the cost of the proposed improvements are as follows:

A. The lands to be assessed with the cost of the proposed street improvement on Juniper from West Mesa Avenue North

of Hall Avenue; Hall Avenue from Juniper to Poplar Street from West Mesa Avenue to Hall Avenue, Maple from West Mesa to Hall Avenue. Hollywood curb, gutter, and sidewalk on both sides of a 40-foot right-of-way. Also, to include a 6-inch base course with 2 inches of hot-mix asphaltic concrete paving 29 feet in width from lip of gutter to lip of gutter on all of Blocks 1, 2, 3, and 4 of West Lake Park Annex No. 2; also Lots 1 and 2, Block 1, West Lake Park Subdivision; Lot 2, Shaw's Subdivision Amended of Tract "C" West Lake Park; Tract "A" West Lake Park Subdivision and 20 feet adjacent to Tract "A" on South, except the North 20 feet and except beginning 73 feet North of Southeast Corner of Tract "A" North 7 feet, West 3 feet, Southeasterly to beginning; also all of Lot 18, Shaw's Subdivision Amended, Tract "C" West Lake Park Subdivision; also, Tract "B" of West Lake Park Subdivision, except North 10 feet and except beginning 83 feet South of Northeast Corner of Tract, South 7 feet, West 3 feet, Northeasterly to beginning.

B. The lands to be assessed with the cost of the proposed street improvement on 28 Road from Texas Avenue to Orchard Avenue a 36-foot paving from back of curb to back of curb with vertical curb and gutter on both sides of street with a 2-inch asphaltic concrete mat with 6 inches of 1/4-inch base course gravel with a 3-1/2-foot sidewalk on the East beginning at a point 25 feet South of the Northwest Corner of the Northwest 1/4 Southwest 1/4, Section 7, Township 1 South, Range 1 East, Ute Meridian, Thence East 190 feet; thence South 634.69 feet; thence West 10 feet; thence South 247.56 feet; thence West 150 feet; thence South 40 feet; thence West 80 feet; thence North 922.25 feet; thence East 50 feet to the point of beginning.

C. The lands to be assessed with the cost of the proposed street improvement on Belaire Drive from First Street to Park Drive, Hollywood-type curb, gutter, and sidewalk with 32 feet of paving, lip of gutter to lip of gutter with 2 inches of asphaltic concrete paving with 6 inches of 3/4-inch base course gravel on Lots 1, 2, and 3 of Block 1, and Lots 1, 2, 3, 4, and 5 of Block 2, Olympic Acres Subdivision.

D. The lands to be assessed with the cost of the proposed street improvement on 14th Street from North Avenue to Glenwood Avenue, a 2-inch asphaltic concrete mat with 6 inches of 3/4-inch gravel, 20 feet wide with an invert-type drainage on Lots 16 to 22 inclusive, Lots 1 through 7, inclusive, in Exposition Arcade Subdivision, except the East 15 feet of Lots 3 and 4, also except the West 9 feet of Lot 19, all in Exposition Arcade Subdivision.

E. The lands to be assessed with the cost of the proposed alley improvement in the alley between Orchard Avenue and Hall Avenue from 4th Street to 5th Street with a 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4 inch base course in the Sherwood Addition, all of Lots 1 through 14, Block 1, except the North 10 feet of Lots 2, 14, 13, 12, and 10; also, except the South 10 feet of Lots 3, 5, 6, 7, and 9.

F. The lands to be assessed with the cost of the proposed alley improvement in the alley between 17th Street and 18th Street, Glenwood Avenue to Elm Avenue with 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4-inch base course. Lots 1 through 26, Block 4, Elmwood Plaza Replat, Section 12, Township 1 South, Range 1 West, Ute Meridian.

G. The lands to be assessed with the cost of the proposed sidewalk improvement, an 11-foot-wide sidewalk on the North side of Main Street from the intersection of First Street and Main Street, West to the East line of the alley. Also, a 5-foot by 46.5-foot sidewalk on the West side of First Street. Sidewalk will be adjacent to the back of the existing curb with 4 inches of concrete and 4 inches of 3/4 inch compacted gravel. The South 50 feet of Lots 1 to 5, inclusive, and the East 3.5 feet of Lot 6, Block 6, Mobley Subdivision, City of Grand Junction.

H. The lands to be assessed with the cost of the proposed street improvement on 26th Street from the alley between Hill and Teller to the alley between Gunnison and Hill, with 6 inches of 3/4-inch base course with 2 inches of hot-mix asphaltic concrete to be 33 feet wide from the existing lip of gutter to lip of gutter. The East 22.5 feet of Lot 16, all of Lots 17 and 18, Block 3, Teller Arms Subdivision. The East 22.5 feet of Lot 7, all of Lots 8 and 9, Block 4, Teller Arms Subdivision. The West 150 feet of the South 311 feet of Block 8, Teller Arms Subdivision, all in Section 13, Township 1 South, Range 1 West, Ute Meridian.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements shall be due and payable, without demand, within thirty days after the ordinance assessing such costs becomes final and, if paid during this period, the amount added for collection and interest shall be deducted; provided, that all such

assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period; and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed eight per centum per annum.

Section 4. Notice of Intention to Create said Improvement District No. ST-70, and of a hearing thereon, shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form; to-wit:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-70 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

Public Notice is hereby given to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-70 in said City for the purpose of constructing sidewalks, curbs and gutters and paving on streets and alleys to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to-wit:

1. Installing Hollywood curb, gutter, and sidewalk on both sides of a 40-foot right-of-way. Also, to include a 6-inch base course with 2 inches of hot-mix asphaltic concrete paving 29 feet in width from lip of gutter to lip of gutter on Juniper from West Mesa Avenue north of Hall Avenue; Hall Avenue from Juniper to Poplar Street; Poplar Street from West Mesa Avenue to Hall Avenue; Maple from West Mesa Avenue to Hall Avenue.

All of Blocks 1, 2, 3, and 4 of West Lake Park Annex No. 2; also, Lots 1 and 2, Block 1, West Lake Park Subdivision; Lot 2, Shaw's Subdivision Amended of Tract "C" West Lake Park; Tract "A", West Lake Park Subdivision, and 20 feet adjacent to Tract "A" on South, except the North 20 feet and except beginning 73 feet North of Southeast Corner of Tract "A" North 7 feet, West 3 feet, Southeasterly to beginning; also, all of Lot 18, Shaw's Subdivision Amended Tract "C" West Lake Park Subdivision; also, Tract "B" of West Lake Park Subdivision, except North 10 feet and except beginning 83 feet South of Northeast Corner of Tract, South 7 feet, West 3 feet, Northeasterly to beginning.

2. Installing a 36-foot paving from back of curb to back of curb with vertical curb and gutter on both sides of street with a 2-inch asphaltic concrete mat with 6 inches of 3/4-inch base course gravel, with a 3-1/2-foot sidewalk on the East side only on 28 Road from Texas Avenue to Orchard Avenue.

Beginning at a point 25 feet South of the Northwest Corner of the Northwest 1/4 Southwest 1/4 Section 7, Township 1 south, Range 1 East, thence East 190 feet; thence South 634.69 feet; thence West 10 feet; thence South 247.56 feet; thence West 150 feet; thence South 40 feet; thence West 80 feet; thence North 922.25 feet; thence East 50 feet to the point of beginning.

3. Installing a Hollywood-type curb, gutter and sidewalk with 32 feet of paving lip of gutter to lip of gutter with 2 inches of asphaltic concrete paving with 6 inches of 3/4-inch base course gravel on Belaire Drive from First Street to Park Drive.

Los 1, 2, and 3 of block 1, and Lots 1, 2, 3, 4, and 5 of Block 2, Olympic Acres Subdivision.

4. Installing a 2-inch asphaltic concrete mat with 6 inches of 3/4-inch gravel, 20 feet wide with an invert-type drainage on 14th Street from North Avenue to Glenwood Avenue.

Lots 16 to 22, inclusive, Lots 1 through 7, inclusive, in Exposition Arcade Subdivision, except the East 15 feet of Lots 3 and 4; also, except the West 9 feet of Lot 19, all in Exposition Arcade Subdivision.

5. Installing a 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4-inch base course in the Alley between Orchard Avenue and Hall Avenue from 4th Street to 5th Street.

All of Lots 1 through 14, Block 1, Sherwood Addition, except the North 10 feet of Lots 2, 14, 13, 12, and 10; also, except the South 10 feet of Lots 3, 5, 6, 7, and 9.

6. Installing of a 16-foot-wide paving with 2 inches of asphaltic concrete mat with 6 inches of 3/4-inch base course, in Alley between 17th Street and 18th Street, Glenwood Avenue to Elm Avenue.

All of Lots 1 through 26, Block 4, Elmwood Place Replat, Section 12, Township 1 South, Range 1 West, Ute Meridian.

7. Installing a 11--foot-wide sidewalk on the North side of Main Street from the intersection of First Street and Main Street, West to the East line of the Alley. Also, a 5-foot by 46.5-foot sidewalk on the West side of First Street. Sidewalk will be adjacent to the back of the existing curb with 4 inches of concrete and 4 inches of 3/4-inch compacted gravel.

The South 50 feet of Lots 1 to 5, inclusive, and the East 3.5 feet of Lot 6, Block 6, Mobley Subdivision, City of Grand Junction.

8. Installing of 6 inches of 3/4-inch base course with 2 inches of hot-mix asphaltic concrete to be 33 feet wide from the existing lip of gutter to lip of gutter from the Alley between Hill Avenue and Teller Avenue to the Alley between Gunnison Avenue on Hill Avenue on 26th Street.

The East 22.5 feet of Lot 16, all of Lots 17 and 18, Block 3, Teller Arms Subdivision. The East 22.5 feet of Lot 7, all of Lots 8 and 9, Block 4, Teller Arms Subdivision. The West 150 feet of the South 311 feet of Block 8, Teller Arms Subdivision, all in Section 13, Township 1 South, Range 1 West, Ute Meridian.

Any portion of the District cost not covered by said assessment shall be paid by the City.

The said District shall be divided into five equal zones paralleling the streets and alleys to be improved, and the cost of the improvement shall be apportioned to such zones as follows:

- 50% of the cost on the First Zone
- 14% of the cost on the Second Zone
- 13% of the cost on the Third Zone
- 12% of the cost on the Fourth Zone
- 11% of the cost on the Fifth Zone

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$95,289.64 exclusive of collection, interest, and incidentals.

The maximum share of such total cost shall be as follows:

For concrete curb, gutter, sidewalk, and street paving . . . \$10.00 per front foot.

For alley paving 16 feet wide . . . 3.00 per front foot.

Where curb, gutter, or sidewalk in good repair exists, credit will be given as follows:

Curb and gutter . . . \$2.50 per front foot.

Sidewalk . . . 1.50 per front foot.

In case of the construction, repair, or extension of copper water service pipe connections, the whole cost thereof shall be assessed to the lots to which connections are made, in addition to the maximum listed above.

To the estimated cost of \$61,666.82 to be borne by the property owners, there shall be added six (6) per cent for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said district to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for collection and incidentals shall be deducted; provided that all such assessments, at the election of the owners of the property in said district, may be paid in ten (10) equal annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest not to exceed eight (8) per centum per annum shall be charged on unpaid installments.

On June 17, 1970, at the hour of 7:30 o'clock P.M. in the Council Chambers in the City Hall of the said City, the Council will consider objections that may be made in writing concerning the proposed improvements, by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

PASSED AND ADOPTED this 6th day of May, 1970.

R. G. Youngerman\President of the Council

ATTEST:

Helen C. Tomlinson\City Clerk

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

PAVING

E. Side of Riverside Park - requested

Councilman Colescott asked that special consideration be given to the paving of the street or alley along the east side of Riverside Park, if there is money available after the paving district is completed.

SALES TAX

Support County in adoption of 2% tax

City Manager Gray stated that the County Commissioners and City Council have held several meetings with the Town officials of other towns in the County to consider the proposed county-wide sales tax. The Commissioners first suggested a 1% county-wide sales tax, and after consideration, the town and city officials suggested a 2% county-wide tax with a 50/50 distribution. Any town in the county which now has a 1% tax and the City of Grand Junction would repeal the ordinance providing for sales tax and participate in the county tax. The money would be collected by the State and remitted to the County Treasurer, who would make the distribution. The County came back and suggested that the distribution be made on a 56/44% basis, with the 56% going to the county. The method of distribution could be

determined either on a population basis or on an assessed valuation basis. The census figures will not be available for a few weeks, and this part should be given a little more study to determine which would be the best way to go. Tentatively the County has determined that the County mill levy would be reduced by 7 mills and the City levy by 2 mills. The Commissioners need to know whether or not the City Council will give support to this proposal.

Councilman Paruch felt that an increase in taxes at this time would not be proper. It was brought out that Public Service, the Railroad, and larger industries would benefit the most from this new tax concept. The School District could pick up the millage dropped by the City and Council, by Councilman Meacham pointed out they could raise they levy any way. If the sales tax concept is not adopted, the Commissioners would very likely have to apply for an increase in the County levy. Councilman Naff pointed out that in view of the burden the County Commissioners have with the budget, if the City should turn down the sales tax concept, after all of the discussion, it would be a stab in the back.

It was moved by Councilman Anderson and seconded by Councilman Meacham that the Council support the County Commissioners in the adoption of a 2% sales tax; reserving, however, to the Council and to the City management, the working out of the details as to the return of the proper proportion of the tax and providing that the County Commissioners would assure the Council that they would make a 7 mill reduction in the property tax. Correction May 20, 1970 - see minutes.

COUNCILMAN COLESCOTT

left the meeting at this time.

WATER BILL ADJUSTMENT

Carrie Hill 2858 B Road \$39.60

A water bill adjustment request was made by Mrs. Carrie Hill, 2858 B Road. Mrs. Hill is on a water line three-fourths of a mile long, and a break in the line caused a loss of 66,000 gallons of water, before it was discovered. The adjustment requested is for \$39.60 which has been approved by Mr. Plowman, Utilities Director. It was moved by Councilman Naff and seconded by Councilman Paruch that the request be granted and an adjustment of \$39.60 to Mrs. Hill be made. Motion carried.

PARKING LOTS

Instr No 4162 B

Approve agrmt with Downtown Develop for 5th & Colo.

The Committee for Downtown Development has purchased 12 lots on the corner of 5th & Colorado from Mr. Charles Willsea for the sum of \$150,000. This tract of land will be put into off-street parking. The agreement Addendum states that on this one piece of property, C.C.D.D. would have the right to sell if they believed that the property would be more valuable for some other use than a parking lot. Any cost in getting the property prepared for a parking lot would be refunded to the City, plus the profit over the amount the Committee paid for the lots. The present appraised valuation of the lots is \$168,000. It was moved by Councilman Anderson and seconded by Councilman Meacham that the President of the Council be authorized to sign the addendum to the agreement. Motion carried with Councilman Paruch voting NAY.

ADJOURNMENT

President Youngerman declared the meeting adjourned.

Helen C. Tomlinson\City Clerk