

Grand Junction, Colorado

September 15, 1971

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. September 15, 1971, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson, Councilmen Harry Colescott, Silas Grantham, Lawrence Kozisek, Raymond Paruch, and Richard Youngerman. Councilman Theodore Naff was absent. Also present were City Attorney Gerald Ashby, City Manager Richard Gray, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Youngerman and seconded by Councilman Grantham that the minutes of the regular Council meeting held on September 1, 1971, be approved as written. Motion carried.

HEARING-LIQUOR LICENSE PAUL J. MITCHELL DBA SIR LOYNE RESTAURANT, 2879 NORTH AVENUE - APPROVED

This was the date advertised for hearing upon the application of Mr. Paul J. Mitchell for a liquor license for The Sir Loyne Restaurant at 2879 North Avenue. Mr. Mitchell was present for the hearing. A letter from Chief of Police Karl Johnson stated that until approximately one year ago, this applicant was for several years the co-owner of the Beacon Cafe and Lounge at 609 Main Street. Chief Johnson said that during this period, Mr. Mitchell's cooperation with the police and the operation of the business under his management were generally satisfactory. Chief Johnson said he knew of no reason why the application by Paul J Mitchell to purchase the business at 2879 North Avenue should not be approved. No other letters for or against the applicant had been received, and there was no one in the audience to speak for or against approval of the application. President Anderson closed the hearing.

It was moved by Councilman Colescott and seconded by Councilman Youngerman that the application be approved and the license issued when the State license has been received. Motion carried with Councilman Paruch voting NO.

ALLEY RECONSTRUCTION CONTRACT AWARD - ELAM CONSTRUCTION - \$8,633.70

At 2:00 P.M. September 7, bids were opened for reconstruction of alleles. City Manager Gray read a memorandum from City Engineer D. C. Hickman regarding the project and the bids. Reconstruction is planned for the north-south alley between 6th Street and 7th Street from one-half block south of White Avenue to south side of

Gunnison Avenue and the east-west alley between 5th Street and 6th Street and between South Avenue and Pitkin Avenue. Two bids were received. They were:

Elam Construction Company	\$8,633.70
United Sand & Gravel Company	\$15,821.50
Engineer's Estimate	\$8,048.00

City Engineer Hickman reported that funds in the amount of \$8,000 are budgeted in Account No. 071.35-902. Completion date for this contract has been established on or before November 12, 1971. City Engineer Hickman noted that the bid of United Sand & Gravel Company in the amount of \$15,821.50 does not appear to be a realistic offer for the work outlined. City Engineer Hickman and City Manager Gray recommended award of this contract to the low bidder, Elam Construction Company.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the alley reconstruction contract be awarded to Elam Construction Company in the amount of \$8,633.70. Motion carried.

HALLENBECK PURCHASE AGREEMENT - RESOLUTION

At the August 18, 1971, City Council meeting, City Manager Gray reported the results of an informal study session between the City Council and D. J. Dufford, The City's special water attorney, on August 17 regarding the Hallenbeck Purchase Agreement and requested authorization to proceed with work on this Agreement.

Mr. Ed Ruland appeared before the Council to report that he had a very short, concise document, the Option to Purchase the Hallenbeck water rights on Purdy Mesa. He requested the City Council to pass a Resolution authorizing the finalization of this Agreement with the Hallenbecks. Councilman Colescott asked if there had been any changes made to the Agreement since Mr. Dufford had discussed this matter with the Council on August 17.

City Manager Gray commented that there was one section added to the Agreement by the Hallenbecks which he could not accept and felt the City should not accept. City Manager Gray said that if Council advised the City Manager to execute this Agreement, he would want it with the instruction that this particular section be deleted. City Attorney Ashby explained that the Resolution provides for the deletion of this section.

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, The City Council of the City of Grand Junction has heretofore requested the preparation of an Agreement and Option to Purchase covering certain water, ditch and reservoir rights and real estate held by the Hallenbeck interests; and,

WHEREAS, such Agreement and Option to Purchase has been prepared and bears the date September 16, 1971, such Agreement and Option requiring the signature of the City Manager on behalf of the City and the attestation of the City Clerk, and requiring the execution of certain documents in connection therewith, also by the City Manager, on behalf of the City and such attestation by the City Clerk;

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

That the proposed Agreement and Option to Purchase referred to and dated the 16th day of September, 1971, be approved subject to the deletion thereof of the material on Page 11 of such Agreement in paragraph 13 beginning "If the Option is not fully exercised" and continuing through the balance of said paragraph;

That the City Manager, as the act of the City and on behalf of the City, be directed to execute said Agreement and Option to Purchase together with escrow instructions and Quit Claim Deeds all in connection with such Agreement, upon the final approval of the City Manager of such Agreement and Option to Purchase; and further that the City Clerk be directed to attest to such action of the City Manager on behalf of the City.

PASSED and ADOPTED this 15th day of September, 1971.

President of the Council

ATTEST:

City Clerk

City Manager Gray noted the only other change in the Agreement was a clause concerning the possible rights of Robert E. and Evelyn L. Shotwell. City Manager Gray said most people were aware that Mr. Shotwell a Daily Sentinel employee, had entered into some arrangement with C. Hallenbeck, Sr., to do a biography of Mr. Hallenbeck, Sr. In exchange for this, Mr. Shotwell was given some rights for about an acre of ground that is part of the parcel the City is buying. City Manager Gray said the City acknowledges that if, in the event this Agreement goes through, any question is raised regarding this acre of ground the City recognizes that the Hallenbeck estate had some agreement with Mr. Shotwell. City Manager Gray said this clause and the previously discussed section that is to be deleted are the only changes to the Agreement. The rest of the Agreement is the same as was discussed with Council on August 17.

It was moved by Councilman Paruch and seconded by Councilman Youngerman that the foregoing Resolution be passed and adopted as read. Roll was called upon the motion with all Council members

present voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

CORRIDOR PUBLIC HEARING - I-70
& 12

GLENWOOD SPRINGS, OCTOBER 11

A letter from the State Department of Highways along with a notice of a Corridor Public Hearing were read. The Corridor Public Hearing is to be held in Glenwood Springs on Monday and Tuesday, October 11 and 12, and in Denver on Wednesday and Thursday, October 13 and 14. The purpose of the hearing is to acquaint the public with alternate locations within a corridor for Interstate Highway 70 from a point approximately two miles west of Glenwood Springs to about one mile east of the Town of Gypsum, Colorado. Major alternates under consideration are the Glenwood Canyon route and the Cottonwood Pass route.

The Council reaffirmed its agreement to a previous Resolution adopted September 2, 1970, endorsing the Glenwood Canyon route.

It was moved by Councilman Colescott and seconded by Councilman Youngerman that the City Clerk write a letter to the Colorado Division of Highways reaffirming Council's position and to send a copy of the Resolution adopted on September 2, 1970, with the request that the letter and the Resolution be made available for the hearings. Motion carried.

ORDINANCE NO. 1403 - VACATION OF PORTION OF SOUTH 11TH STREET

The Proof of Publication to 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 Youngerman and seconded by Councilman Grantham that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was read. There being no comments, it was moved by Councilman Youngerman and seconded by Councilman Paruch that the Roll was called upon the motion with all members of the Council present voting AYE. The President declared the motion carried.

ENCLAVE ANNEXATION BETWEEN 15TH AND 19TH STREETS FROM WALNUT AVENUE TO GRAND VALLEY CANAL - RESOLUTION

City Manager Gray explained that the Planning Commission is proposing annexation for the area between 15th and 16th Streets from Walnut Avenue to Grand Valley Canal because there have been two requests for sanitary sewer service. The City has sewer service available on Bookcliff Avenue and Walnut Avenue, and it

will only be a minor matter of running a lateral to the area for connection to these homes. City Manager Gray said the City Council can unilaterally initiate the annexation of this area without a petition, as this area meets the requirement under State Statutes by having been two-thirds surrounded for more than three years.

The following Resolution was presented and read:

R E S O L U T I O N

DECLARING INTENT OF CITY COUNCIL OF CITY OF GRAND JUNCTION TO ANNEX CERTAIN LANDS TO THE CITY.

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

Beginning at the Northeast corner of Lot 11, Block 4, Fairmount Subdivision; thence East twenty-six feet to present City limit line; thence North along said line to the South line of the Grand Valley Canal; thence Westerly along South line of the Grand Valley Canal to intersection with Northerly projection center line 15th Street; thence South along said center line to a point thirty feet West and thirty feet South of the Southwest Corner of Lot 21, Block 7, Fairmount Subdivision; thence East to the East line of 17th Street right of way, thence South 30 feet; thence East to the point of beginning,

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 20th day of October 1971, 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 15th day of September, 1971.

President of the Council

ATTEST:

City Clerk

NOTICE

Notice is hereby given that at a regular meeting of the City Council of the City of Grand Junction, held on September 15, 1971, the following Resolution was adopted by the Council:

R E S O L U T I O N

DECLARING INTENT OF CITY COUNCIL OF CITY OF GRAND JUNCTION TO ANNEX CERTAIN LANDS TO THE CITY.

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

Beginning at the Northeast corner of Lot 11, Block 4, Fairmount Subdivision; thence East twenty-six feet to present City limit line; thence North along said line to the South line of the Grand Valley Canal; thence Westerly along South line of the Grand Valley Canal to intersection with Northerly projection center line 15th Street; thence South along said center line to a point thirty feet West and thirty feet South of the Southwest Corner of Lot 21, Block 7, Fairmount Subdivision; thence East to the East line of 17th Street right of way; thence South 30 feet; thence East to the point of beginning,

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 20th day of October, 1971, 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 divider 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. Notice is further given that pursuant to said Resolution, a hearing will be held on said proposed annexation in the City Auditorium of the City of Grand Junction at 7:30 o'clock P.M. on the 20th day of October, 1971, to determine those matters

stated in the Resolution.

City Clerk

It was moved by Councilman Youngerman and seconded by Councilman Grantham that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

PEACH ANNEXATION II NORTH OF PATTERSON ROAD - RESOLUTION

The proposed Peach Annexation II is an area roughly delineated by 27 1/2 Road and 28 Road from F Road to F 3/4 Road. This area comprises approximately 250 acres. A public hearing on this annexation is scheduled for October 20, 1971.

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

The Southeast Quarter of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian and that portion of the Northeast Quarter of the Northeast Quarter of Section 12, Township 1 South, Range 1 West, Ute Meridian, North of the South right of way line of "F" Road,

ALSO,

The North half of the Southwest Quarter of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The North half of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian, EXCEPT the West half of the South 13.5 acres of the Northwest Quarter of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The South half of the Northeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The North half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

Lots 26 and 27 of Jayne's Subdivision in the Southeast Quarter of the Northwest One Quarter of Section 1, Township 1 South, Range 1 West. Ute Meridian. All in Mesa County, Colorado

has been submitted to the City Council of the City of Grand Junction; and

WHEREAS, said petition substantially complies with the requirements of Chapter 139-21-6, Colorado Revised Statutes, 1963 as amended;

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 3 and 4 of said Chapter 139-21 of the Colorado Revised Statutes, 1963, will be held on the 20th day of October, 1971, in the City Auditorium of said City at the hour of 7:30 o clock P.M., and that Notice of such hearing be given as required by law.

PASSED and ADOPTED THIS 15th day of September, 1971.

President of the Council

ATTEST:

City Clerk

NOTICE

Notice is hereby given that at a regular meeting of the City Council of the City of Grand Junction, held on September 15, 1971 the following Resolution was, adopted by the Council:

RESOLUTION

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

The Southeast Quarter of the Southeast Quarter of Section 1 Township 1 South, Range 1 West, Ute Meridian, and that portion of the Northeast Quarter of the Northeast Quarter of Section 12, Township 1 South, Range 1 West, Ute Meridian, North of the South right of way line of "F" Road,

ALSO,

The North half of the Southwest Quarter of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The North half of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian, EXCEPT the West half of the South 13.5 acres of the Northwest Quarter of the Southeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The South half of the Northeast Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

The North half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian,

ALSO,

Lots 26 and 27 of Jayne's Subdivision in the Southeast Quarter of the Northwest One Quarter of Section 1, Township 1 South, Range 1 West, Ute Meridian, All in Mesa County, Colorado

has been submitted to the City Council of the City of Grand Junction; and

WHEREAS, said petition substantially complies with the requirements of Chapter 139-21-6, Colorado Revised Statutes, 1963, as amended;

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 3 and 4 of said Chapter 139-21 of the Colorado Revised Statutes, 1963, will be held on the 20th day of October, 1971, in the City Auditorium of said City at the hour of 7:30 o'clock P.M., and that Notice of such hearing be given as required by law.

NOTICE IS FURTHER GIVEN that, pursuant to said Resolution, a hearing will be held on said proposed annexation in the City Auditorium of the City of Grand Junction at 7:30 o'clock P.M. on the 20th day of October, 1971, to determine that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory proposed to be annexed and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the territory proposed to be annexed is integrated or is capable of being integrated with the City; that the requirements of Section 4 of Chapter 139-21, Colorado Revised Statutes, 1963, have been met, and that the area proposed for annexation is eligible for annexation.

City Clerk

It was moved by Councilman Paruch, seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council present voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

BUILDING FOR CAPCO, INC., IN FORESIGHT PARK NEARING COMPLETION

Councilman Grantham reported that the work on the building for Capco, Inc., located in the Foresight Industrial Park area is about a week ahead of schedule. He said a load of equipment is to be moved into the new building this next Friday. Tentative date for manufacturing is a week from next Monday.

DAYS - REQUEST TO PLACE A 1909 ANTIQUE POPCORN WAGON AT 5TH AND MAIN - GRANTED

President Anderson read a letter from Mr. Donald W. Kanaly and Mr. William G. Huber requesting permission to place a 1909 Antique Popcorn Wagon on the Mall in front of the First National Bank Building at 5th and Main Street during the United Fund Drive. Plans are to operate the popcorn wagon at this location for a period of thirty days between the hours of 12 noon and 6 P.M. Price of the popcorn will be twenty-five cents. Proceeds from the Popcorn sale will be donated to the United Fund. Mr. Barclay Jameson offered to absorb the cost of the electricity required for the operation of the wagon.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that permission for the placement of a 1909 Antique Popcorn Wagon at 5th and Main Street be granted. Motion carried.

DISTRICT XI COLORADO MUNICIPAL LEAGUE MEETING SEPTEMBER 27, HOTCHKISS

President Anderson noted that the annual fall meeting for District XI of the Colorado Municipal League will be held on September 27 in Hotchkiss, Colorado. Councilman and wives planning to attend should notify the City Manager or the City Clerk before Thursday, September 23.

MAYOR'S JOBS FOR VETERANS TASK FORCE COMMITTEE RATIFIED

President Anderson read a letter he had received from Governor John Love regarding the Governor's Jobs for Veterans Task Force.

Last October, President Nixon appointed a 100-member Jobs for Veterans advisory committee to help stem the tide of rising unemployment among Vietnam era veterans. President Nixon asked Governor Love to serve on the committee and he accepted. Governor Love is now asking Mayor Anderson to head up the local Mayor's Jobs for Veterans Task Force committee. Mayor Anderson requested Council ratification of the following committee:

Stanley Anderson, Mayor
N. J. Jim Temple, Public Service Company
Charles Fredericks, Fredericks and Company
Reuben Denning, Veterans Administration Hospital
George Walker, Mountain Bell
Al Cornelison, G. J. Steel Fabricating
Rudy Susman, Retired
Robert Corcoran, Colorado Division of Employment

It was moved by Councilman Kozisek and seconded by Councilman Younger man that the appointment of these people to the committee be ratified Motion carried.

ADJOURNMENT

It was moved by Councilman Colescott and seconded by Councilman Youngerman to adjourn the meeting. Motion carried.

/s/ Neva B. Lockhart
City Clerk