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City of Grand Junction, Colorado

June 19, 1972

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in special session at 7:30 P.M. June 19, 1972, in the Civic Auditorium at City Hall. Present for roll call were President Stanley Anderson, Councilman Harry Colescott, Silas Grantham, Lawrence Kozisek, Theodore Naff, and Richard Youngerman. Councilman Paruch 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 Kozisek that the minutes of the regular Council meeting held on June 7, 1972, be approved as written. Motion carried.

HEARING

I.D. ST-72 Resolution Creating District

This was the advertised date for hearing on Street Improvement District 72. Mrs. Elizabeth Radakovich of 1931 North 20th Street was present and stated that she approves the project. No letters had been filed regarding this project, and there being no one else in the audience who spoke for or against the creation of the District, the President closed the hearing.

The following Resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. ST-72 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS, SIDEWALKS AND PAVING ON STREETS AND ALLEYS THEREIN, AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on May 17, 1972, the City Council of the City of Grand Junction, Colorado, passed a Resolution Adopting Details, Plans and Specifications for Improvement District no. ST-72 and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice of Intention 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 Improvement District No. ST-72 be, and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks and paving of streets and alleys therein be, and the same is hereby, authorized and directed, in accordance with the Resolution Adopting Details, Plans and Specifications prepared and filed therefor.

2. That the construction of curbs and gutters, sidewalks and paving of streets and alleys shall be made by contract let to the lowest, reliable and responsible bidder after public advertisement, 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 improvements in said District were 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 complied with.

4. That the description of the curbs and gutters, sidewalks and paving of streets and alleys to be constructed, the boundaries of said Improvement 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 17th day of May, 1972, and in accordance with the published Notice of Intention to Create said District.

5. That after the construction of said improvements in said District has been let, the Council shall, by resolution, provide for the issuance of public improvement bonds for said Improvement District No. ST-72 for the purpose of paying the cost and expenses of construction of said District.

PASSED and ADOPTED this 19th day of June, 1972.

/s/ Stanley R. Anderson\President of the Council

ATTEST:

\City Clerk

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called with the following result:

Councilmen voting AYE:

President of the Council:
Stanley Anderson

Councilmen:
Harry Colescott
Silas Grantham
Lawrence Kozisek
Theodore Naff
Richard Youngerman

Councilmen voting NO:
None

Councilmen absent:
Raymond Paruch

The six members of the Council present having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

STATE HIGHWAY OPTION TO REMOVE GRAVEL MATERIAL FROM CITY PROPERTY

Tabled until July 5 City Council meeting

Tabled from the Council meeting on June 7 was the request from the State Highway Department to purchase gravel from a tract of land owned by the City in the Connected Lakes area. The City Manager was to contact Greenbelt representatives to see if they could use the property after the gravel has been removed. City Manager Gray reported that he talked with representatives of the State Highway Department after the last Council meeting, and they have provided additional options to the agreement including safeguards. Mr. Gray also talked to representatives of Greenbelt. It was their request that they be given more time to look at this seven-acre tract to see whether or not the mining of this gravel and creating a pond would be beneficial. At first glance, they would probably suggest that the City not allow the mining, and they would recommend that the tract be maintained in City ownership. The Greenbelt representatives requested they be allowed until the next Council meeting on July 5 to see how this tract fits into their overall picture. Mr. Gray said that he then contacted Mr. Robert Moston, Materials Engineer with the State Highway Department who was to be present at tonight's meeting, and asked if the Highway Department could wait for a decision until July 5. Mr. Moston agreed and will

be present on that date for the decision and to answer any questions.

Councilman Paruch arrived at the meeting at this time.

City Manager Gray noted that in the additional conditions provided by the State Highway Department extra safeguards were that pit slopes are to be left no steeper than 3:1 and a permanent four-strand barbed wire fence will be installed by the contractor. In answer to Councilman Colescott's question regarding the City's liability, City Attorney Ashby replied that in view of the change in conditions to provide that the pit slopes are to be on a 3:1 basis and the area will be fenced, it would seem they would then have accomplished all reasonable precautions to protect others from injury. He noted that what is proposed is far superior to what now exists at other gravel pits within the County.

It was moved by Councilman Naff and seconded by Councilman Grantham that the discussion and the decision on this matter be tabled until the July 5 City Council meeting. Motion carried unanimously.

DOWNTOWN PARKING CORPORATION, INC.,

Agreement to Exchange Real Estate

Mr. Leland Schmidt, President; Mr. Amos Raso, Secretary-Treasurer; and Mr. Jim Gormley, members of the Downtown Parking Corporation, Inc., appeared before the Council with an Agreement to exchange real estate. Mr. Schmidt said that the property moved by the Downtown Parking Corporation, Inc., at 7th and Main Streets is to be traded for property on Rood now owned by the Daily Sentinel Employees' Retirement Fund. The two properties have been appraised by Mr. Frank Nisley and Mr. Henry Galley at \$6.00 a square foot. The Rood property contains approximately 12,500 square feet with access from three sides appraised at \$75,000.00. The 7th and Main property contains approximately 6,939 square feet appraised at \$41,011.50. The difference of \$33,988.50 will be paid off with \$5,000 down and the balance at 6% on the unpaid balance paid annually for five years. The Daily Sentinel Employees' Retirement Fund will retain 9 spaces on the Rood property for the use by the tenants in Sentinel Square until such time as The Daily Sentinel takes possession of the property at 7th and Main. At that time they will pay the regular meter charges until they surrender the spaces which shall not exceed five years. The City nor the Downtown Parking Corporation, Inc., will have the responsibility of seeing that the reserved spaces are not used by anyone else. Until The Daily Sentinel takes possession of the 7th and Main property, the Downtown Parking Corporation, Inc., will continue to receive the income from it, which runs about \$150 a month. Mr. Schmidt explained that the lot at 7th and Main was acquired some years ago at a cost of \$18,000 for the purpose of possible future trading for more strategic locations. The long-range plans for the Downtown Shopping Park was to provide for off-street parking.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the Agreement to Exchange Real Estate be approved and the President of the Council authorized to sign the Agreement. Motion carried.

Mr. Raso said he felt that within ten years all the parking lots acquired by Downtown Parking Corporation, Inc., will have been paid for by the City from revenues collected.

RENEWALS OF 3.2 BEER LICENSES

Approved

Applications for 3.2 beer license renewals for the following businesses were presented:

Kubena, Inc., Shakey's Pizza Parlor, 827 North Avenue

Robert J. Stack dba Freeway Bowling Lanes, 1900 Main Street

City Market, Inc., Store No. 2, 865 North Avenue

City Market, Inc., Store No. 9, 1909 North First Street

John E. and Ruth D. Murray dba Teddy's Cafe, 1648 Highway 50

A letter from Chief of Police Karl M. Johnson advised that there have been no complaints nor violations concerning the sale of 3.2 beer at these establishments, and there appeared to be no reason why the applications for renewal should not be approved.

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

DAYS

Orchard Mesa Little League Requests Permission for Raffle Ticket Sale Downtown Saturday, June 24

A letter from Mr. Ted Chiono, President of the Orchard Mesa Little League, was read in which he requested permission for the Little League to sell raffle tickets in the Downtown area from 9:00 A.M. to 4:00 P.M. on Saturday, June 24. Proceeds from the sale are to be used for the support of the Orchard Mesa Little League program.

It was moved by Councilman Colescott and seconded by Councilman Naff that the request be approved subject to the approval of the District Attorney. Motion carried.

ORDINANCE NO. 1430

Rezoning Southeast Corner 12th Street and Pinyon

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

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

The Ordinance was read. Councilman Paruch said he felt there was a contradiction as to the intent of the original request for rezoning because of the sign still on the property. He noted that the property was proper for B-3 zoning. It was moved by Councilman Youngerman and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1430, and ordered published. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried.

EMPLOYEES' PROPOSAL TO TRADE SATURDAY, JULY 8, FOR MONDAY, JULY 3

Approved

City Manager Gray said that a group of City employees came to him with a proposal to trade Saturday, July 8, for Monday, July 3, as a work day. He noted that since the traditional 4th of July falls on a Tuesday, many employees who have accrued vacation time are requesting Monday, July 3, off so they can have the four consecutive days. He said this means that many Departments, such as the Street Department, would be operating with one-half to two-thirds of the normal crew. If Council would allow City Hall to be closed on Monday, July 3, the employees would work on Saturday, July 8. Those operations not affected by this proposal would be the Police Department, Fire Department, and Sanitation Department. Mr. Gray said his own observation is that more work would be accomplished on Saturday, July 8, when most of the crews would be on the job.

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the proposal made by the City employees to trade Saturday, July 8, for Monday, July 3, be approved.

Councilman Paruch said there appears to be a lot of leverage used by the employees in that they say they will take accrued vacation if they are not given the day off. He said there is seemingly no end to the future demands from the employees, and the trend is for more vacation time and less work time. He said he feels inflation is right here in City Hall.

City Manager Gray said that the employees did not present the

proposal as a leverage or a future trend. He said the City does control the number of people who can take accrued vacation on any given day. The date taken is at the convenience of the City.

The motion carried.

During the general discussion, Councilman Paruch said he wanted to come back to the employee situation. He said that in his travels about the City, it has been called to his attention that some people are getting a nice, easy ride in their employment with the City. He said the employee packet for the Personnel Rules and Regulations that was presented for approval recently included giving vacations after six months' employment plus all the fringe benefits--and the budget continues to escalate. Councilman Paruch noted the recent Daily Sentinel article about the two Police Patrolmen who resigned their employment with the City and the remarks about the low pay. He continued that he is not against four-day vacations; but in view of all the holidays, he feels the City is very liberal. He said he would leave this open for more discussion at budget time. He closed his remarks by saying that perhaps this was a more sensitive spot with himself. He does not feel the day has arrived where we can be on vacation a good part of the year.

ADJOURNMENT

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the meeting be adjourned. Motion carried.

Neva B. Lockhart
City Clerk