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Grand Junction, Colorado

July 5, 1972

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. July 5, 1972, in the Civic Auditorium at City Hall. Present for roll call were President Stanley Anderson, Councilman Harry Colescott, Lawrence Kozisek, Theodore Naff, Raymond Paruch and Richard Youngerman. Councilman Silas Grantham was absent. Also present were City Attorney Gerald Ashby, City Manager Richard N. Gray and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Kozisek and seconded by Councilman Naff that the minutes of the special Council meeting held on June 19, 1972, be approved as written. Motion carried.

I.D. ST-72

Construction Contract Elam=\$144,977.55

City Manager Richard Gray read a memorandum from City Engineer Davis Hickman which advised that bids were opened at 2:00 P.M. Tuesday, June 27, for construction of I.D. ST-72. This Improvement District consists of 12 separate jobs, 8 streets and 4 alleys. One bid was received.

Elam Construction, Inc. \$143,962.55
Engineer's Estimate 137,055.65

An alternate bid was taken on Job No. 8 (Melody Lane south of North Avenue) to haul the excavated material to Westlake Gulch. The amount of excavated material is computed to be 1,015 cubic yards. Elam's bid was in the amount of an additional \$1.00 per cubic yard to haul the material to Westlake Gulch, a distance of approximately 3 1/2 miles, making the total bid \$144,977.55. It was noted that other material to be hauled to Westlake, but not as alternate bid items, totaled 1,815 cubic yards from 4 of the other jobs. All hauls to the Westlake Gulch area will be by way of Independent Avenue and Bass. The City will keep gravel streets watered to diminish dust in the Westlake Park area.

The estimated cost to the City for this project is \$30,000 which is covered by Budget Item 042.36-901. City Manager Gray and City Engineer Hickman recommended award of the contract to Elam Construction, Inc., and that the alternate bid for hauling excavated material to Westlake Park area be accepted.

Councilman Silas Grantham arrived at the meeting at this time.

REVOCABLE PERMIT

Mesa College alley bet Mesa & Texas from College Place to 12th instead of paving

City Manager Gray read a letter from Dr. Theodore Albers, President of the Mesa Junior College District, requesting a revocable permit to plant grass and otherwise use a portion of alley (Job No. 11, alley between Mesa and Texas from College Place to 12th Street) instead of paving. The paved area at the east end of the alley can be used for the ingress and egress of the trash trucks. The following Resolution was presented and read:

RESOLUTION

WHEREAS, MESA JUNIOR COLLEGE DISTRICT, Grand Junction, Colorado, as petitioned the City Council of the City of Grand Junction for a revocable permit to plant grass, and otherwise use, a portion of an alley instead of paving said portion of alley, to improve traffic safety and for appearances; said land is described as follows:

The alley at the rear of the East twelve feet of Lot 3, all of Lots 4, 5, and 6, and the West 57 feet of Lot 7, all in Block 5 of Garfield Park Subdivision; 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 MESA JUNIOR COLLEGE DISTRICT for the purpose described upon the execution by said MESA JUNIOR COLLEGE DISTRICT 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, they will remove said grass or other impediments at their own expense and will restore the right of way to its original condition required in that area; and further, such agreement shall provide that City or other utility vehicles shall have the right to travel upon private property of the college in order to provide utility services; also, the agreement shall provide that the use made of the area shall not be inconsistent with present utility easements within the area described.

PASSED AND ADOPTED this 5th day of July, 1972.

\City Manager

ATTEST:

\City Clerk

The undersigned, 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 July, 1972.

MESA JUNIOR COLLEGE DISTRICT

By\

ATTEST:

STATE OF COLORADO)	
)	SS
COUNTY OF MESA)	

The foregoing was acknowledged before me this _____ day of July, 1972.

\Notary Public

My Commission expires:

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion. All Councilmen having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that the construction contract be awarded Elam Construction, Inc., deleting the paving of a portion of alley on Job No. 11, and accepting the alternate bid for the hauling of excavated material on Job No. 8 to the Westlake Park area. Motion carried unanimously.

I.D. ST-72

Bond Bid to Hanifen, Imhoff & Samford 4.53 int.

Three bids were received for the Street Improvement District No. 72 bonds for Grand Junction, Colorado, to be dated August 1, 1972.

	<u>Average Interest</u>	<u>Total Interest Cost</u>
Boettcher & Company	5.558	30,126.72
Kirchner Moore & Co.	5.425533	29,406.39
Hanifen, Imhoff & Samford	4.5399261	26,406.40

City Manager Gray and Finance Director William Manchester recommended award of the bid to Hanifen, Imhoff and Samford.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the sale of the bonds to Hanifen, Imhoff and Samford be authorized by the Council. The motion carried unanimously.

The following Resolution was presented and read:

RESOLUTION

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. ST-72.

WHEREAS, on the 19th day of June, 1972, the City Council of the City of Grand Junction, Colorado, adopted a resolution creating Improvement District No. ST-72 within said City;

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

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Improvement District No. ST-72, including engineering, inspection and other incidental expense, the City shall issue public improvement bonds of said Improvement District No. ST-72 dated the first day of August, 1972, in the denomination of \$1,000. each, numbered 1 to 130 inclusive, due and payable on the first day of August, 1982, subject to call and payment however at any time prior to the maturity of said bonds, said bonds shall bear interest, payable semi-annually, on the first day of February and the first day of August of each year, as evidenced by coupons to be attached to said bonds, as follows:

<u>Amount</u>	<u>Bond Numbers</u>	<u>"A" Coupon Interest Rate</u>
\$26,000	1 through 26, incl.	3.25
20,000	27 through 46, incl.	3.50
16,000	47 through 62, incl.	3.75
14,000	63 through 76, incl.	3.90
13,000	77 through 89, incl.	4.00
13,000	90 through 102, incl.	4.20
10,000	103 through 112, incl.	4.40
8,000	113 through 120, incl.	4.60
5,000	121 through 125, incl.	4.80

5,000	126 through 130, incl.	5.00
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In addition to the "A" interest rate set forth above, all bonds shall bear additional interest as evidenced by interest coupon designated "B" for the period September 1, 1972 through August 1, 1973 at the rate of 1.525% per annum.

The principal of, and interest on, said bonds shall be 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.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, especially benefited by said improvements, 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 the said City, which tax was voted and authorized to make up deficits in special improvement district funds.

3. Said bonds, the coupons to be attached 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
IMPROVEMENT DISTRICT NO. ST-72
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 first day of August, 1982, 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 first day of February, and the first day of August 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 come due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Improvement District ST-72 in the City of Grand Junction, by virtue of, and 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 the 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 Improvement District No. ST-72 especially benefited by said improvements, 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, 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 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 improvements, 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 Improvement District No. ST-72 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 _____, 1972.

\President of the City Council

(SEAL)

Attest:

\City Clerk

(Form of Coupon)

No. _____ \$ _____

February

On the first day of August, A.D. 19_____ 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 Improvement District No. ST-72 provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated August 1, A.D. 1972.

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., 1972.1

\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 5th day of July, 1972.

Scheduled for hearing on this date was the application of Loma Senst for a restaurant liquor license at the Beacon Cafe and Lounge, 609 Main Street. Mrs. Senst was present and was represented by her attorney, Mr. Terrance Farina. Mr. Farina noted that Mrs. Senst has assisted her husband in the operation of a liquor store in Denver. Mr. Senst is completing the sale of the business in Denver by July 9. At the time of renewal for next year, Mr. Senst will be added to the license. A letter from Chief of Police Karl M. Johnson advised that the applicant, Loma Senst, meets all the necessary qualifications for this type of license. There had been no communications filed regarding this application, and there were no other speakers for or against the application. The President closed the hearing.

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

STATE HIGHWAY DEPT.

OPTION to remove gravel from City property-approved.

Brought from the table for further discussion was the State Highway Department Option to remove gravel material from the seven-acre tract of land owned by the City in the Connected Lakes area. City Manager Gray read a letter from Mr. Sam Baseler, President of Greenbelt, Inc. Mr. Baseler noted that the removal of gravel material, if done according to plan, would not destroy the recreation potential of the property. The recommendation of Greenbelt, Inc., was that the City retain ownership of the property, designating it as a part of Greenbelt, and allowing the mining with a minimum of disturbance to the natural vegetation. Mr. Robert Moston, District Materials Engineer, was present and indicated that he had met with Mr. Baseler. Mr. Moston said the Highway 340 project will require the mining of approximately 2 to 2 1/2 acres. The Option has a December 31, 1973 deadline date. City Manager Gray asked if the 2 1/2 acres would be acceptable to the Highway Department. Mr. Dick Prosenice, District Highway Engineer, was present and said that Mr. Moston had spent considerable time searching for appropriate locations for the material to use on certain State Highway projects in this area. Mr. Prosenice said that there is currently \$300,000 in the State Highway budget for the overlay of U.S. Highway 50 South. He has requested that this money be spent on the overlay of North Avenue and the Freeway and if possible, the Highway 50 approaches to the City. He stated that in the meeting with Mr. Baseler, they had agreed to develop the lake in such a way as to enhance the area. He continued that if the Option were worded so they could mine five of the seven acres, it would be acceptable to the State Highway Department.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the Option be approved on a five-acre usage subject to the Highway Department cooperating with Greenbelt. Motion carried unanimously.

DAYS

Fund Drive for Rapid City flood victims Sat.-July 15

Miss Pat Boil of Fruita Monument High School and representing Junior Civitan appeared before the Council to request permission for the Junior Civitan to conduct a fund drive for the Rapid City flood victims on Saturday July 15. The funds collected will be given to the Salvation Army and the American Red Cross for distribution. Members of the Senior Civitan will be available in the Shopping Park to assist the Junior group. They plan to place a wash tub on a dolly and move up and down the Shopping Park from 10:00 A.M. to 5:00 P.M.

It was moved by Councilman Paruch and seconded by Councilman Naff that permission be granted the Junior Civitan to conduct the fund raising event on Saturday, July 15. Motion carried unanimously.

3.2 BEER LICENSE

Renew Roy L. Reynolds Jr. dba L.P. Golf Club

An application for the renewal of 3.2 beer license for Roy L. Reynolds, Jr., Lincoln Park Golf Club, was presented.

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

PROP. ORD.

Vacate N. 10th St. between Walnut & Bookcliff

Recommended from the City Planning Commission was the vacation of North 10th Street between Walnut and Bookcliff. The following entitled proposed ordinance as presented and read: AN ORDINANCE VACATING A PORTION OF STREET WITHIN THE CITY OF GRAND JUNCTION.

It was moved by Councilman Kozisek and seconded by Councilman Colescott that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD.

Vacate E/W alley between Grand & White from Rice to Spruce

Approved by the City Planning Commission and recommended to the

Council was the vacation of the East-West alley in Block 1, Mobley Subdivision between Grand and White from Rice to Spruce. The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING AN ALLEY IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Youngerman and seconded by Councilman Grantham that the proposed ordinance be passed for publication. Motion carried unanimously.

PROPERTY

CM to check records for property on Little Park Road

Councilman Colescott said he thought the City owns some property on Jacob's Ladder (Little Park Road area). He suggested that the City Manager check this and look at the property and maybe get it back on the tax rolls. City Manager Gray said he would have Development Director check into this.

ADJOURNMENT

The President declared the meeting adjourned.

Neva B. Lockhart\City Clerk