

Grand Junction, Colorado

February 7, 1973

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. February 7, 1973, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson and Councilmen Harry Colescott, Silas Grantham, and Richard Youngerman. Councilmen absent were Lawrence Kozisek, Theodore Naff, and Raymond Paruch. Also present were City Attorney Gerald Ashby, City Manager Harvey Rose, and City Clerk Neva Lockhart.

MINUTES

There being no corrections or additions to the Regular Council Minutes of January 17, 1973, Councilman Youngerman moved that the Minutes be approved as written which motion was duly seconded by Councilman Grantham. Motion carried.

HEARING- LIQUOR LICENSE - CHANGE OF OWNERSHIP FOR BAR X RESTAURANT & LOUNGE

This was the date advertised for hearing upon the application by Bruce Ferrell, Jr. and Norma Ann Ferrell, for a hotel-restaurant liquor license at the Bar X Restaurant & Lounge, 1600 North Avenue, formerly owned and operated by Donna Copeland and Elmer B. Nelson. Mr. and Mrs. Ferrell were present for the hearing. There had been no letters filed regarding the character of the applicants, and there was no one present who indicated a desire to speak. A report from Chief of Police Karl Johnson was read which advised that his investigation of the applicants had shown nothing of a derogatory nature. The applicants until recently resided in Durango, Colorado, where they owned and operated a motel and had established a sound business and personal reputation in that area. The President closed the hearing.

Councilman Grantham moved that the application of Bruce and Norma Ferrell be approved and the license issued when the State license has been received, which motion was seconded by Councilman Youngerman and carried unanimously.

WATER - GUNNISON RIVER PUMPING STATION - CONTRACT TO SMITH WELDING & CONSTRUCTION - \$88,692.60

Bids were opened at 2:00 P.M., February 1, 1973, on Contract III, Gunnison River Pumping Station.

Lyles States	\$124,734.50
Daye Construction Company	122,322.00
Bookcliff Construction, Inc.	117,537.60

Smith Welding & Construction Co.	88,692.60
Engineer's Estimate	101,400.00

Mr. Art Cannon of Jex-Morcan Engineering firm recommended award of contract to Smith Welding and Construction Company for its low bid.

It was moved by Councilman Colescott and seconded by Councilman Youngerman that Contract III of the Gunnison River Pumping Station to be awarded to Smith Welding & Construction Company in the amount of \$88,692.60. Motion carried unanimously.

Mr. Cannon reported that it is estimated construction will start in approximately thirty days.

SENIOR PLANNER RICHARD CISAR INTRODUCED TO COUNCIL

Mr. Robert Engelke introduced Richard Cisar, Senior Planner, to Council. Mr. Cisar is from Fort Collins where he worked four years in the Planning Department and prior to that time received his education at Colorado State University. Mr. Cisar will be the liaison between the City Planning Commission and the City Council.

HOUSING AUTHORITY - COUNTY-WIDE - RECOMMEND COUNTY MEMBERS ATTEND HEARINGS BY COUNTY COMMISSIONERS

Mr. Robert Engelke reported that at the January meeting of the City Planning Commission, it was recommended that Council members attend any hearings planned by the County Commissioners regarding establishment of a county-wide Housing Authority. It was the feeling of the Planning Commission that information presented at the Commissioner's hearing would be useful to Council regardless of the outcome of the hearing.

RENEW 3.2 BEER - WILLIAMS 7-2-11, THE CORRAL

Applications for the renewal of 3.2 beer licenses for the following businesses were presented:

Dan Williams, Williams 7-2-11 Market, 801 N. 1st Street
Gerald Wieker, The Corral, 539 Colorado Avenue

A letter from Chief of Police Karl Johnson advised that there have been no complaints or violations concerning than sale of 3.2 beer at these establishments.

It was moved by Councilman Youngerman and seconded by Councilman Colescott that the applications be approved and the licenses issued when the State licenses have been received. Motion carried.

MUSCULAR DYSTROPHY - FUND-RAISING CAMPAIGN DURING FEBRUARY AND

MARCH

A letter from District Director David S. Walkinshax, of the Denver office of Muscular Dystrophy Associations of America, Inc., was read. The letter informed that the annual fund-raising march would be conducted in Grand Junction during the month of February and early March. Mrs. Judy Woltemath of 610 Helena Road, Clifton, Colorado, will supervise the march.

ORDINANCE NO. 1452 - I.D. ST-72 ASSESSMENTS

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-92 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 TO 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 Youngerman that the Proof of Publication be accepted and filed. Motion carried.

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

The ordinance was read and there being no comments, it was moved by Councilman Colescott and seconded by Councilman Youngerman that the Ordinance be passed, adopted, numbered 1452, and ordered published. Roll was called upon the motion with all Councilmen present voting AYE. The President declared the motion carried.

ORDINANCE NO. 1453 - CLIMAX AREA ANNEXATION

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO). 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 Youngerman and seconded by Councilman Colescott that the proposed ordinance be called up for final passage and read. Motion carried.

The ordinance was read and there being no comments, it was moved by Councilman Colescott and seconded by Councilman Grantham that the ordinance be passed, adopted, numbered 1453, and ordered published. Roll was called upon the motion with all Councilmen present voting AYE. The President declared the motion carried.

ORDINANCE NO. 1454 - DOGS - AMEND CODE CONCERNING LICENSING, REGISTERING & IMPOUNDING

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE amending sections of the licensing, registration, and IMPOUNDING OF DOGS. 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 Youngerman and seconded by Councilman Colescott that the proposed ordinance be called up for final passage and read. Motion carried.

The ordinance was read. A gentleman in the audience said that he felt a fine should be imposed upon anyone who allows a dog to run at large. City Attorney Ashby explained that the ordinance does provide for this. It was moved by Councilman Colescott and seconded by Councilman Grantham that the ordinance be passed, adopted, numbered 1454, and ordered published. Roll was called upon the motion with all Councilmen present voting AYE. The President declared the motion carried.

WATER - KANNAH CREEK - ASSIGNMENT OF OIL & GAS LEASE FROM CRAIG RAMSEY TO COLORADO OIL & GAS CORP.

Presented for Council consideration was a letter from Mr. Craig C. Ramsey requesting approval of assignment of Oil and Gas leases dated October 26, 1972, Ica M. Click, and those from the City dated October 27, 1972, and December 29, 1972, to Colorado Oil and Gas Corporation as required by Appendix A of the leases along with payment to the City of \$6.00 for each page of such assignment. Mr. Ramsey enclosed a sight draft in the amount of \$54.00 (9 pages of the leases). It was moved by Councilman Grantham and seconded by Councilman Youngerman that Council approve the assignment of the leases and accept the sight draft in the amount of \$54.00. Motion carried.

PENSION PLANS - ANNUAL REPORTS - RESOLUTION AMENDING EMPLOYEES SUPPLEMENTAL

Mr. Roger Scholbe of the First National Bank presented the annual reports on the Employees' Supplemental Retirement Fund, Police Pension Fund, and Firemen's Pension Fund for consideration. The Employees' Supplemental Retirement Fund lists an annual appreciation of 8.3 percent with a total appreciation of 17.3 percent. The Police Pension Fund listed an annual appreciation of 7.7 percent with a total appreciation of 40.6 percent. The Firemen's Pension Fund has an annual appreciation of 7.7 percent with its total appreciation being 32.8 percent.

Mr. Scholbe presented and read the following Resolution:

R E S O L U T I O N

AMENDMENT TO THE CITY OF GRAND JUNCTION, COLORADO, EMPLOYEES RETIREMENT PLAN, AND TRUST

BE IT RESOLVED, and it is hereby resolved by the City Council of the City of Grand Junction, Colorado, that the Employees Retirement Plan and Trust adopted by said Council on July 1, 1969 and as amended on April 21, 1971, shall be and the same hereby is amended as follows:

ARTICLE VI, Section 6.3, Paragraph (C)

In periodic installments of a specified amount payable annually, semi-annually, quarterly or monthly from the Plan until the interest of the participant is paid in full or when a specified number of payments have been made from the Plan. Installment distributions under this paragraph shall be made as of the first day of any month over a period not to exceed ten (10) years commencing not later than 120 days after the valuation date next following retirement. All amounts remaining in an account at the end of such ten (10) year period shall be paid to the former participant or his beneficiary unless otherwise agreed by the committee and the former participant or his beneficiary. The committee may direct at anytime that the manner of distribution be modified or changed so that such installments be accelerated and paid in a lump sum.

Except as herein amended and as amended April 21, 1971, said Employees Retirement Plan and Trust shall be and remain in full force and effect.

Dated this 7th day of February, 1973.

CITY OF GRAND JUNCTION, COLORADO

By Stanley R. Anderson
Council President

ATTEST:

City Clerk

FIRST NATIONAL BANK IN GRAND JUNCTION

By
Trust officer

Mr. Scholbe said the amendment has been approved by the Internal Revenue Service and that the Employees' Supplemental Retirement Board recommend its approval.

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 Councilmen present voting AYE.

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

MULTI-PURPOSE BUILDING - OPTION AGREEMENT

Mr. Don Warner, Special Projects Coordinator, presented an Option Agreement which had been worked out with Mr. and Mrs. Kirk Whiteley who are the owners of Lots One through Twelve, Block 121 (between First Street and Second Street on Main). The option Agreement provides that in consideration of \$100, the Whiteleys will grant the City the option to purchase said lots; said option may be exercised on or before May 1, 1973, by payment to the Whiteleys of \$153,000; upon exercise of the option, the Whiteleys shall convey to the City lots Four through Twelve in said Block and in addition shall provide the City with a contract to purchase Lots One through Three in said Block for the sum of One Dollar on or before five years from the date hereof; the building on Lots One through Three may be removed by the Whiteleys within ninety days after the purchase of those lots by the City, and, if not removed in that time, the building shall become the property of the City to dispose of as it wishes; as further additional consideration for the purchase, the Whiteleys shall have a five-year concession to provide food and beverage service for the multi-purpose building contemplated to be built on the optioned lots, in those instances where users of the building require catered food and beverage service and are not providing same for themselves. Such concession rights shall be exclusive for the stated period, and shall be performed under such agreement as may be arrived at between the parties hereto in the event the option is exercised; Whiteleys shall have the exclusive right to operate the swimming pool presently on the property for the use of the motel guests for the summer season of 1973 and thereafter until the City shall begin construction of the Multi-Purpose Building.

City Manager Harvey Rose clarified that this option does not mean outright purchase. Should the bond issue fail, there would be no purchase. He stressed that the City has no intention of purchasing this land until the parking problem has been resolved.

Mr. Warner noted that without the concession agreement with the Whiteleys, the cost for the lots would be \$250,000.

There are approximately 270 parking spaces total within the block, 1100 parking spaces within five blocks. Mr. Warner reported that Mr. Sam Antonopulos offered the City seven lots on North Second to use as parking lots until such time as Mr. Whiteley has his new motel constructed.

Several people in the audience questioned the location. Most of them were North Avenue motel owners. They felt that since the

City owns Lincoln Park and parking would not be a problem, this would be the better location. They felt the Lincoln Park location would provide space for a much larger building. City Manager Rose stated that this will be a community building rather than a large national convention building.

It was moved by Councilman YoLfngrman and seconded by Councilman Colescott that the City Manager be authorized to sign the Option Agreement with the Whiteleys with the understanding that the parking problem must be solved prior to the purchase. Motion carried.

Mr. Joe Hughes of the Motel Owners Association invited Council members to attend the luncheon on Tuesday, February 13, 1973, at the Holiday Inn.

ADJOURNMENT

The President adjourned the meeting.

/s/ Neva B. Lockhart
City Clerk