

Special Meeting

Grand Junction, Colorado

February 28, 1973

ROLL CALL

In accordance with the ordinances of the City of Grand Junction, Colorado, and special notice having been served on each member of the Council a Special Meeting was held in the Civic Auditorium at City Hall at 7:00 P.M. on February 28, 1973. Council members present and answering roll call were: Lawrence L. Kozisek, Theodore N. Naff, Silas Grantham, Richard G. Youngerman, Raymond R. Paruch and President Pro Tem Harry O. Colescott. President Stanley R. Anderson was absent. Also present were City Manager Harvey M. Rose, City Attorney Gerald J. Ashby and Deputy City Clerk Blanche G. Stringer. City Clerk Neva B. Lockhart was absent.

MULTI-PURPOSE - MUNICIPAL COMMUNITY CENTER - RESOLUTION TO SUBMIT TO ELECTORATE BOND ISSUE \$60,000 FOR CONSTRUCTION

City Attorney Gerald J. Ashby reported that President Anderson had called this Special Meeting and had caused written notice thereof to be made; that he had caused said notice to be either personally served upon each member of the City Council or to be delivered and left at each member's usual place of residence, such notice having been so personally served or delivered more than 24 hours before the time of this meeting by James S. Birdsill, who is an officer of the Grand Junction Police Department. Mr. Ashby reported further that said notice set forth the place, date and time of this meeting and the purposes thereof, which stated purposes included the fact the City Council would consider for adoption the Resolution hereinafter set forth. Thereupon Councilman Lawrence L. Kozisek introduced and moved the adoption of a Resolution which was read in full and is as follows:

R E S O L U T I O N

A RESOLUTION SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, AT THE GENERAL MUNICIPAL ELECTION OF THE CITY TO BE HELD TUESDAY, APRIL 3, 1973, THE QUESTION OF AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$600,000 GENERAL OBLIGATION BONDS FOR THE PURPOSE OF DEFRAYING IN WHOLE OR IN PART, THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A MUNICIPAL COMMUNITY CENTER AND SITE THEREFOR TO PROVIDE FACILITIES IN THE CITY FOR MEETINGS, AND ARTISTIC, CULTURAL AND EDUCATIONAL USES.

WHEREAS, the City Council of the City of Grand Junction, Colorado, has carefully surveyed the need for the provision of facilities in

the City for meetings, and artistic, cultural and educational uses;

WHEREAS, the City Council of Grand Junction, Colorado has as a result of such consideration determined that it is necessary and advisable to make provision for a Municipal Community Center to provide such facilities in the City;

WHEREAS, the City Council has determined to finance, in whole or in part, the cost of acquiring, constructing and equipping such Municipal Community Center by issuing General obligation Bonds of the City in an amount not to exceed \$600,000; and

WHEREAS, it is first necessary to submit the question of issuing such General Obligation Bonds to the qualified, registered electors of the City;

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

1. That at the General Municipal Election, to be held in the City of Grand Junction, Colorado, on Tuesday, the 3rd day of April, 1973, there shall be submitted to a vote of the qualified, registered electors of the City the question of issuing General obligation Bonds of the City in the principal amount not exceeding \$600,000 for the purpose of paying, in whole or in part, the cost of acquiring, constructing and equipping a Municipal Community Center and site therefor to provide facilities in the City for meetings, and artistic, cultural and educational uses, as is more particularly stated in the following form of question (herein sometimes designated as the "Bond Question"):

"Shall the City of Grand Junction, Colorado be authorized to issue its interest bearing General Obligation Bonds in an aggregate principal amount not to exceed \$600,000 for the purpose of defraying, in whole or in part, the cost of acquiring, constructing and equipping a Municipal Community Center and site therefor to provide facilities in the City for meetings, and artistic, cultural and educational uses, such Bonds to bear interest at a maximum net effective interest rate not exceeding 8% per annum, and to mature serially during a period of not more than 15 years from the date of the Bonds, said Bonds to be sold and issued in such a manner, upon such terms and conditions, and with such other detail as the Grand Junction City Council may determine?"

2. That said Bond Question shall be submitted for approval or disapproval by the qualified, registered electors of the City as provided by law in each and all of the various precincts of the City of Grand Junction, Colorado, at the same time as, and in conjunction with, the said General Election of April 3, 1973, between the hours of 7:00 o'clock A.M. and 7:00 o'clock P.M., and in all

respects, as nearly as may be, the election on the said Bond Question shall be held and conducted in the manner prescribed by law for the conducting of said General Election of April 3 1973.

3. That except for votes cast by absentee voters, voting machines, to the extent practicable, shall be used at said election for voting, for registering and for counting Votes cast including, without limitation, those cast for and against the Bond Question set forth in Section 1 hereof, all as provided in all laws thereunto enabling. The Ballots on the automatic voting machines shall show the nature of the Bond Question, and the Ballot Level for such measure shall be in substantially the following form:

(Form of Ballot Label)

FOR THE BONDS	AGAINST THE BONDS
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"MUNICIPAL COMMUNITY CENTER BONDS"

(Insert in each Ballot Label as printed the Bond Question in substantially the same form as hereinabove stated in Section 1 of this Resolution.)

(End of Form of Ballot Label)

4. That the absentee votes to be cast at the General Municipal Election of April 3, 1973 shall be registered upon paper Ballots, the form of which paper Ballots shall include substantially the following form with respect to the Bond Question, which question shall be printed upon each of said Ballots after the list of candidates for all offices:

(Partial Form of Absentee Ballot)

BOND QUESTION

(Each elector desirous of voting FOR or AGAINST the following Bond Question shall designate his choice by placing a cross (x) opposite the word or words expressing his choice.)

MUNICIPAL COMMUNITY CENTER BONDS, QUESTION SUBMITTED:

(Insert in each Absentee Ballot as printed the Bond Question in substantially the same form as hereinabove stated in Section I of this Resolution.)

FOR THE BONDS

AGAINST THE BONDS

(To be endorsed on back of paper absentee Ballot)
"OFFICIAL ABSENTEE BALLOT FOR GENERAL MUNICIPAL ELECTION HELD IN THE CITY OF GRAND JUNCTION, COLORADO, ON APRIL 3, 1973.

(Facsimile Signature)

City Clerk
Grand Junction, Colorado

(End of Partial Form of Absentee Ballot)

5. That the election on the said Bond Question shall be held and conducted in the same polling places in the several precincts of the City of Grand Junction, with the same precinct election officials as are established and selected pursuant to law for the General Municipal Election of the City to be held on Tuesday, the 3rd day of April, 1973.

6. That no vote, either for or against the Bond Question so submitted, shall be received by the Judges of Election or permitted by the Judges of Election unless the person offering the same shall be a duly qualified and registered voter for the precinct in which he offers and is entitled to vote at the election.

7. That each vote cast on automatic voting machines at the election for or against the Bond Question above submitted shall be on counters of the automatic voting machines which are locked off and separate from all other counters on the machines. Each qualified and registered elector voting at the election and desirous of voting for or against the Bond question shall indicate his choice by depressing the appropriate counter of "FOR" the voting machine which indicates the word or the word "AGAINST" the Bonds.

8. That the votes cast at the election on the Bond Question shall be canvassed and tallied, and the returns thereof made, and the results thereof declared in substantially the same manner as is provided by law for the canvass, tally, return and declaration of the result of votes cast at General Municipal Elections for the City of Grand Junction, Colorado. If a majority of all the votes cast on the Bond Question at the election shall be for the issuance of Bonds described in said question, it shall then be lawful for the City Council by ordinance to authorize the proper officers of Grand Junction, Colorado to issue the negotiable, coupon, General Obligation Bonds of the City of Grand Junction, Colorado, in accordance with the Bond Question.

9. That the Grand Junction City Clerk shall give public notice of the submission of the Bond Question at the election, which notice shall be published and posted in the same manner and for the same time as required by law for the giving of notice of the General Municipal Election of the City to be held on April 3, 1973, and the Clerk shall include in such notice language in substantially the following form:

(Partial Form of Notice)

"NOTICE OF AND CALL FOR BOND ELECTION TO BE HELD AT THE SAME TIME AS, AND IN CONJUNCTION WITH, THE GENERAL MUNICIPAL ELECTION ON TUESDAY, APRIL 3, 1973

"PUBLIC NOTICE IS HEREBY GIVEN, That at the same time as, and in conjunction with, the General Municipal Election to be held in the City of Grand Junction, Colorado, on Tuesday, the 3rd day of April, 1973, between the hours of 7:00 o'clock A.M. and 7:00 o'clock P.M., in each election precinct in the City for said General Municipal Election, there will be submitted to the vote of the qualified, registered electors of the City the following question:"

(Insert in each Notice as printed the Bond Question in substantially the same form as hereinabove stated in Section I of this Resolution.)

(End of Partial Form of Notice)

10. The authority to issue the Bonds designated in the Bond Question, if conferred at the election by the qualified electors authorized to vote thereon, shall be deemed and considered a continuing authority to issue and deliver the Bonds authorized by the Bond Question at one time, or from time to time, and the partial exercise of any authority so conferred shall not be considered as exhausting the full authority so conferred by the electors voting in favor of the question.

11. All action (not inconsistent with the provisions of this Resolution) heretofore taken by the officers of Grand Junction, Colorado, elected and appointed, directed toward, holding the election for the purpose of authorizing the issuance of General Obligation Bonds for the purpose designated above in the Bond Question, including, without limitation, the giving of notice of the election, be, and the same hereby is, ratified. approved and confirmed.

12. That if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforecability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

13. That this Resolution shall take effect immediately upon its passage.

RESOLUTION ADOPTED AND APPROVED this 28th day of February, 1973.

/s/ Harry O. Colescott
President Pro Tem of the City Council
City of Grand Junction, Colorado

ATTEST:

/s/ Blanche Stringer
Deputy City Clerk
City of Grand Junction, Colorado

Councilman Theodore N. Naff seconded the motion and the question being upon the passage and adoption of said Resolution, the roll was called with the following result: Those voting AYE: Harry O. Colescott, Raymond R. Paruch, Lawrence L. Kozisek, Theodore N. Naff, Richard G. Youngerman, Silas Grantham; Councilman absent: Stanley Anderson; those voting Nay; none. Six members of the Council present having voted in favor of the passage and adoption of the Resolution, the presiding officer thereupon declared the Resolution was duly passed and adopted.

PROPERTY - GRAND VALLEY BOYS' CLUB, INC. - REQUEST TO PURCHASE
PARK LAND - RESOLUTION TO PUT ON 4-3-73 ELECTION BALLOT

Mr. Guy Cherp was again present in connection with a request of the Grand Valley Boys' Club, Inc., to purchase a triangular piece of undeveloped park land between 2nd and 1st Street north of North Avenue fronting on 1st Street, (the south end of Sherwood Park). The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, GRAND VALLEY BOYS' CLUB, INCORPORATED, has offered to purchase for the sum of Ten Dollars (\$10.00) the land belonging to the City of Grand Junction and described as:

Beginning at a point which is 400 feet North of the South Line of Section 11 Township 1 South Range 1 West Ute Meridian and sixty feet West of the West Line of North Second Street; thence West to the East line of North First Street; thence South to a point on said East line which is 186 feet North of the South line said Section 11; thence East thirty feet; thence North 44°27'33" East 299.85 feet to the point of beginning, Mesa County, Colorado,

and,

WHEREAS, such sale cannot be made unless approved by a vote of the registered, qualified electors of the City as the land is park land;

NOW, THEREFORE, BE IT RESOLVED:

That there be submitted to the registered, qualified electors of the City of Grand Junction, at the regular general election of the City to be held on April 3, 1973, the following proposition:

"Shall the City of Grand Junction sell, for the sum of Ten Dollars

(\$10.00) to GRAND VALLEY BOYS' CLUB, INC. the following land in the City:

Beginning at a point which is 400 feet North of the South line of Section 11 Township I South Range 1 West Ute Meridian and sixty feet West of the West line of North Second Street; thence West to the East line of North First Street; thence South to a point on said East line which is 186 feet North of the South line said Section 11; thence East thirty feet; thence North 44°27'33" East 299.85 feet to the point of beginning, Mesa County, Colorado;

FOR THE SALE

AGAINST THE SALE

PASSED AND ADOPTED this 28th day of February, 1973.

President of City Council

Attest:

City Clerk

Councilman Paruch stated he had emphasized last week that this is a prime piece of property. He felt this should be reserved for commercial development. He thinks we have other properties available which could be used for the Boys' Club. Mr. Cherp stated they had considered other sites and had discussed this matter with city officials and came up with this North First site.

A question was raised from the audience about the Boys' Club being able to sell the land in the future if they no longer had a boys' club. City Attorney Ashby stated that a reverter clause could be put in the resolution that if it was no longer used for a boys' club then it again reverts to the City.

Councilman Paruch stated that he felt that when Horizon Drive is extended to First street and as Grand Junction grows, that corner will be a wonderful development for a motel, etc., and some investor, will pay around \$150,000 for it. The City will have an opportunity to equalize some of the tax investment being considered in the multi-purpose building. Mr. Cherp stated that Boys' Club of America is growing every year. There is no monetary value that can be placed on the work they are doing with boys, and they have no objection to a reverter clause.

It was moved by Councilman Naff and seconded by Councilman Youngerman that the Resolution as presented be amended to include the following clause:

"provided, however, ownership of the land shall revert to the City in the event it is no longer used by Grand Valley Boys' Club, Inc. for Boys' Club purposes." Motion carried.

A gentleman in the audience asked if this would not be setting a precedent and that other similar organizations would not be making similar requests. City Manager Rose stated that there was a very fine line here; that it would be strongly opposed by the Administration if it were developed park area and used for park purposes but being undeveloped and having had no offers on it, it could go to the voters to decide.

Councilman Paruch stated he regretted that in view of the brevity of the time prior to our election an issue of this nature has become a hot potato so quickly; he felt that evaluation of sites is very premature, and he would like to table this matter for another time and he would so move. Councilman Naff seconded the motion.

Mr. Cherp stated the Boys' Club has, due to the good graces of members of the community, had a place to live for the past few years, but are in a serious situation at this time. He felt this should not be deferred two years. They have gone about this in a legal and proper fashion, have surveyed what they need and have come up with a solution and should not be denied their right to pursue this piece of property.

Councilman Paruch stated he felt the Council had been pressured into a time capsule which is not conducive in favor of making a proper decision in view of the fact that there are other sites that should be available for development of this nature.

Roll was called on the motion with the following result: Councilmen voting AYE: Theodore N. Naff and Raymond R. Paruch, Councilmen voting NAY: Lawrence L. Kozisek, Silas Grantham, R. G. Youngerman, and President Pro Tem Harry Colescott. President Pro Tem Colescott declared the motion lost.

It was then moved by Councilman Youngerman and seconded by Councilman Grantham that the Resolution be passed and adopted, as amended, in the following form:

R E S O L U T I O N

WHEREAS, GRAND VALLEY BOYS" CLUB, INCORPORATED, has offered to purchase for the sum of Ten Dollars (\$10.00) the land belonging to the City of Grand Junction and described as:

Beginning at a point which is 400 feet North of the South line of Section 11 Township 1 South Range 1 West Ute Meridian and sixty feet West of the West line of North Second Street; thence West to the East line of North First Street; thence South to a point on said East line which is 186 feet North of the South line said Section 11; thence East thirty feet; thence North 44o27'33"East 299.85 feet to the point of beginning, Mesa County, Colorado,

and,

WHEREAS, such sale cannot be made unless approved by a vote of the registered, qualified electors of the City as the land is park land;

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Beginning at a point which is 400 feet North of the South line of Section 11 Township 1 South Range 1 West Ute Meridian and sixty feet West of the West line of North Second Street; thence West to the East line of North First Street; thence South to a point on said East line which is 186 feet North of the South line said Section 11; thence East thirty feet; thence North 44°27'33" East 299.85 feet to the point of beginning, Mesa County Colorado; provided, however, ownership of the land shall revert to the City in the event it is no longer used by Grand Valley Boys' Club, Inc., for Boys' Club purposes.

FOR THE SALE

AGAINST THE SALE

PASSED and ADOPTED this 28th day of February, 1973.

S/ Harry O. Colescott
President Pro Tem of City Council

ATTEST:

/s/ Blanche G. Stringer
Deputy City Clerk

Roll was called on the motion with the following result:
Councilmen voting AYE: Lawrence L. Kozisek, Theodore N. Naff, Silas Grantham, R. G. Youngerman and President Pro Tem Colescott;
Councilman voting NAY: Raymond R. Paruch. A majority of Councilmen present having voted AYE, President Pro Tem Colescott declared the motion carried and the resolution duly passed and adopted.

DAYS - MAIN STREET - FARM & RANCH APPRECIATION - CLOSE 4TH/6TH SATURDAY, MARCH 10TH

Mr. Steve Foster representing Downtown Retail Trade Committee of

the Chamber of Commerce requested that they be granted permission to close Main Street between 4th and 6th Streets on Saturday, March 10th for their Farm and Ranch Appreciation Week extravaganza. They will need to close the street on Friday afternoon so that they can move in farm livestock and machinery. It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the request be granted. Motion carried.

ADJOURNMENT

It was moved by Councilman Youngerman, duly seconded and carried that the meeting adjourn.

/S/Blanche G. Stringer
Deputy City Clerk