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Grand Junction, Colorado

February 20, 1974

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. February 20, 1974, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson, and Council members Harry Colescott, Silas Grantham, Lawrence Kozisek, Jane Quimby, Elvin Tufly, and Robert Van Houten. Also present were City Attorney-Acting City Manager Gerald Ashby and City Clerk Neva Lockhart. City Manager Rose was absent.

MINUTES

Councilwoman Jane Quimby moved that the name of the Diplomat from the Netherlands be corrected to Mr. "Beelearts." There being no other corrections or additions to the Minutes of the Regular Council Meeting held on February 6, 1974, Councilman Tufly moved they be approved as corrected. Councilman Grantham seconded and the said motion carried unanimously.

HEARING

Vacate S1/2 Main fr E li of 1st; & W1/2 of 2nd fr S li of Main to pt 165.0 ft S of said li; vacate E/W alley of Block 121. Proposed Ord.

This was the date advertised for hearing upon the request by the City of Grand Junction for the vacation of the south one-half of Main Street from the east line of First Street to the center line of Second Street; the vacation of the west one-half of Second Street from the south line of Main Street to a point 165.0 feet south of said line; and the vacation of the east-west alley of Block 121 between Main Street and Colorado Avenue and First and Second Streets. Assistant Planning Director Rick Cisar presented a map outlining the area involved. Mr. Cisar stated that the request was reviewed by the Planning Commission with the following recommendations:

"Recommendations: The Planning Commission considered these items at its January 30, 1974 meeting and recommended approval of the vacations for the purpose of providing adequate entrance and landscaped setting for the development of the Multi-Purpose Building subject to resolution of the following concerns:

We urge the City Council to consider the re-ordering of building design criteria to:

a. respect Main Street and the design criteria established in

Operation Foresight, i.e., plantings, seating, people amenities provided in the public right-of-way.

b. review of advisability of the design of the building around a temporary facility (LaCourt Office).

c. provide adequate loading and standing spaces for buses, cabs, and private autos which will require access to the building.

d. provide adequate off-street loading and service space for trucks, trailers, and other service vehicles making delivery of food, exhibit materials, etc. to the building.

e. assume responsibility of the provision of adequate additional parking in the immediate vicinity for persons using the facility.

Further, the alley should be retained as a utility easement for existing facilities.

Planning Commission Vote: six (6) aye's and one (1) nay. Roll call vote as follows:

Mr. Van Houten Aye
Mr. Wilds Aye
Ms. Quimby Aye
Ms. Flager Nay
Mr. McEwen Aye
Mr. Chambliss Aye
Chairman Lucero Aye

An additional recommendation was made by the Planning Commission that the City Council provide public assurances that further development as contemplated can be accomplished without a major commitment of public funds or resources without advance public knowledge, or that the lack of such additional development will not unnecessarily restrict access to, nor aesthetically detract from, Operation Foresight and downtown Grand Junction. And that, in addition, there be a review of the apparent policy of actions of the City in excluding the public from the planning process for public buildings and/or spaces."

President Anderson stated that he would like to take issue with one point of the Planning Commission recommendations. He emphasized there has been no apparent lack of public notice on the part of this Council now or has there been in the past months for any of the public buildings that have been contemplated, and he very strongly takes issue with this statement. He did feel, however, the Council should take under consideration the rest of the items that the Planning Commission mentioned; in fact, he said the architect, Mr. Van Deusen, has written a letter that those items are being considered and if they are reasonable and proper, they will be included in the specifications for the site improvements. Councilman Colescott and Kozisek concurred. Councilman Kozisek added that he does not feel there has been any

lack of public information or availability of information to the public of anything regarding the location of the building. He stated that at the time the Site Selection Committee recommended this location to Council and Council accepted its recommendation, no one bothered to step forward and object. He could not see where the public has been eliminated in any way.

To a question about parking on Main Street, Mr. Cisar responded that the closing of Main Street would not eliminate parking on the north side. It was generally determined there would be a net gain of 86 parking spaces. Mr. James Golden stated that at other meetings he has attended on this issue, he understood from Mr. Byrom, Mr. Van Deusen, and Mr. Wysocki that parking would be eliminated on the north side of Main Street and the east side of Second Street. Mr. Cisar said his earlier statement was in error. A discussion on the parking spaces gained or lots then followed. Parks and Recreation Director James Wysocki concluded that rather than quibble about 12 parking spaces and taking the Planning Commission recommendations into consideration, it may be feasible to put those 12 parking spaces in the northwest corner on the existing Main Street.

Planning Director Bob Engelke said he and Mr. Cisar had met during the afternoon with the architect, Mr. Van Deusen, and it becomes apparent that he is considering many of the recommendations made by the Planning Commission. Mr. Engelke felt they had seen some possible changes in the orientation of the underground parking, etc., that would address some of the specific questions that were in the recommendations.

Mr. James Golden, appearing in opposition to the proposed vacations, stated that approximately one year ago when the City was considering the optioning of the property at Second and Main Streets and was also giving consideration to putting on the ballot a \$600,000 bond issue, many interested groups were heard from. He noted one group--the motel owners and their argument that a convention center was needed and that the site at Second and Main Streets was not sufficient for the intended purposes. Mr. Golden quoted Mr. Rose and Mr. Anderson responding to that argument that "no, we don't need a convention center, we need a multi-purpose building; that this site at Second and Main Streets can accommodate a structure of 30,000 square feet; that we cannot afford anything more than a multi-purpose building; a multi-purpose building will only cost a million dollars; we can't afford the expense of a convention center; with the \$600,000 bond issue we can afford the multi-purpose building." Mr. Golden contended that voters went to the polls in April, 1973, under the belief that responsible men had considered this project and made their recommendation on the multi-purpose building, the cost, and the accommodation for 100 cars in the basement. Mr. Golden referred to The Daily Sentinel morgue where a past issue pictures a model that architect Van Deusen had prepared showing the relationship of the multi-purpose building and the rest of the neighborhood. Mr. Golden stated that in a sense the City Administration and the City

Council petitioned the voters of Grand Junction to adopt a multi-purpose building project and that is what the voters thought they were buying and that is what they bought. Mr. Golden took umbrage with recent quoted statements by Mr. Kozisek and Mr. Colescott, "where have all these people been?" Mr. Golden reiterated that these people believed they bought a multi-purpose building. They didn't believe they were buying a million and a half dollar project. They didn't believe they were buying a Convention Center. They were told that a convention center was something this City couldn't afford and didn't need, so why would they believe otherwise. Mr. Golden said he was addressing his remarks specifically to the gentlemen who were incumbents during this period of time, Mr. Anderson, Mr. Kozisek, Mr. Colescott, and Mr. Grantham. he said he would question the judgment of anybody who was in a position and was supposed to know what they were doing and making such representations as were made and then to turn around within a very few months and come back presenting an entirely radical change of the needs. He stated that he would think "well, maybe they were wrong in the first instance and if they were wrong in the first instance, maybe they are wrong in the second instance and maybe their judgment isn't worthy of any credibility." He restated that in a large sense he thinks the residents of the City were petitioned to adopt the project, and call it what you may, the project has been changed. The City Administration, the City Planners, or whomever, the project that is offered today in its present form is not the project that was represented to the voters last April.

Mr. Golden offered for consideration in resolving the matter, "what are the responsibilities of elected public officials to the voters." He feels there is a great unease, and erosion of confidence in the government and in the governmental processes. Mr. Golden presented for Council's consideration a series of petitions containing some 400 signatures (360) which had been circulated by an individual sympathetic with Mr. Golden's position on this matter. In addition, Mr. Golden inquired about the deliberations regarding the Holsum Bakery property and if this would have a direct relationship to the matter under discussion.

City Attorney Ashby advised that there is a relationship to the extent of further downtown parking; a relationship to the extent that if they continue with the multi-purpose concept, this whole area down there may at some point in time be involved in a civic center type thing.

President Anderson questioned Mr. Golden as to what difference he saw between a multi-purpose building and a convention center. Mr. Golden responded that he didn't know who defined the difference between multi-purpose and convention center but that newspaper accounts report that at least Harvey Rose believes there is a difference. Mr. Golden contrasted Mr. Van Deusen's presentation of the convention center complex at the recent City Planning Commission meeting when Mr. Van Deusen was talking about a building of 35,000 square feet with Mr. Rose's presentation last

spring when Mr. Rose was talking about a building of 30,000 square feet.

Councilwoman quimby stated that she sees no point in splitting hairs about the definition of the two words as she feels this is a building that can be used in both aspects. She reiterated that nobody is covering up for anybody. She feels nothing has been done for which the public has remained uninformed.

City Attorney Ashby reported that he had received a telephone call from Joe Hughes today. Mr. Hughes, a motel owner, has appeared before Council from time to time, but was ill today and asked Mr. Ashby to inform Council of his ideas on this matter. Mr. Ashby said he believes Mr. Hughes feels much the same as Mr. Golden in that what is being considered now in regard to this particular building is not as it was originally represented; that it costs too much now; that it is in the wrong place (although he had no ideas of another location). He also had the complaint about the concept of the multi-purpose building and the convention center. He felt the multi-purpose building should be located one place and the convention center perhaps another and should be two separate buildings. In addition Mr. Hughes felt there was not enough room on this site to accommodate both the multi-purpose building and convention center type of building as was indicated by the request for the vacation of the streets.

Mr. Mark Schmidt, 536 North 7th Street, was in favor of the vacation of the streets for this type building.

Councilman Colescott noted that through the years the City has been saving money to be used with the money from the bond issue for a building. Councilman Kozisek said that since Mr. Golden apparently thinks the price somehow denotes a difference between a multi-purpose building and a convention center building, he would direct attention to the fact that at the early onset of the Site Selection Committee the original prices mentioned for the proposed facility was 1.25 to 1.4 million dollars. That was before the site was recommended to the City Council. He stated that he does not feel there has been any misleading about the price.

Mr. Golden responded that when this was presented to the public Mr. Rose was very graphic about how this was going to be paid for: by a \$600,000 bond issue; by something like \$150,000 that had been accrued over the years as Mr. Colescott pointed out; and some \$90,000 that was to come from the Lions Club. The balance of the million dollars was to come out of the current funds, mill levy funds. Mr. Golden stated that the accrued funds were mentioned specifically to the voters and that the price tag on the multi-purpose project at a cost of one million dollars was the figure that was presented.

The President closed the hearing.

The following entitled proposed ordinance was presented and read:

AN ORDINANCE VACATING PORTIONS OF STREETS AND AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Grantham and seconded by Councilman Kozisek that the proposed ordinance be passed for publication.

Councilmen Colescott and Van Houten agreed that although this was not their choice for the location of this building, they would nevertheless bow to the advice of the experts and vote to move forward with this project.

President Anderson stated that he has never questioned the site for the multi-purpose building. The advantages in this location are: it is close to other services and it is already in the area of established traffic patterns.

Councilman Tufly agreed with President Anderson's remarks regarding the site location. He said he did question at one time the advisability of extending the building into the street, but after more thought and study he feels this is the best plan.

There being no other comments, the said motion carried unanimously.

HEARING

Cottonwood Meadows Mobile Home Park Final development plan approved

Advertised for hearing on this date was the final development plan for the Cottonwood Meadows Mobile Home Park. Assistant Planning Director Rick Cisar presented the plan showing the location of the property (south of Mesa Avenue, north of Texas Avenue, and west of 28 1/2 Road), and noted this is a typical site plan. The developer is Tom Brimhall. This was considered by the Planning Commission at its January 30, 1974, meeting and was unanimously recommended for approval subject to: The developer replacing all the dead landscape materials which were intended to screen the existing park and maintain the landscaping in a suitable condition. The developer has filed his agreement with the Planning Staff. It was noted the materials are to be replaced this spring and reviewed within one year by the Planning Staff. The developer is to provide two trees (two-inch caliber) per lot on all of the new lots.

Discussion of sewer followed and it was determined that sewer is available in the area and is adequate for the development. Planning Director Bob Engelke noted that the density has not been changed with this plan.

There being no other comments from the audience and no letters having been filed, the President closed the hearing.

It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the final development plan for the Cottonwood Meadows

Mobile Home Park be approved subject to the developer complying with the Planning Commission recommendations. Motion carried unanimously.

HEARING

Final Planned Unit development 12th & Patterson

Advertised for hearing on this date was the final planned unit development for an office complex and surgi-center on the northwest corner of 12th Street and Patterson Road. Developer is Warren Gardner of the C.B.W. Builders, Inc. Assistant Planning Director Rick Cisar presented a map of the area. He noted the Planning Commission's unanimous approval at its January 30, 1974, meeting subject to the following contingencies:

1. The dedication of fifty foot from center line rights-of-way on Patterson Road and 12th Street as required by the Comprehensive Plan.
2. Provide an on-site fire hydrant.
3. Comply with sign provisions of the PDB, Planned Development Business Zoning District.
4. Resolution of the two curb cuts on Patterson Road by the Planning Department, Traffic Department, and developer.

Mr. Stacy Carpenter, attorney for the developer, addressed Council regarding the fifty feet right-of-way dedications from the center lines of 12th Street and Patterson Road. He said Mr. Gardner's concern is that this Council is trying to blackmail him in order to force a dedication of prime land. Figured at \$1.00 per square foot, this represents \$9,000 worth of property. Mr. Carpenter suggested the City reimburse the developer for this land and the developer would gladly comply with the dedications. Councilwoman Quimby and Councilman Van Houten said the feeling is that the Planning Commission has been directed to follow the Small-Cooley Report.

The President closed the hearing.

It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the Planned Unit Development be approved subject to the Planning Commission recommendations. Motion carried with Councilmen Grantham and Tufly voting NO.

CRIMINAL JUSTICE PLANNING

Councilman Colescott reported that he had recently attended a meeting in Craig, Colorado, dealing with Criminal Justice Planning. He noted that four grants were okayed at this meeting. Local funds are matched on a nine-to-one basis by the LEAA (Law Enforcement Assistance Act). He feels the time spent is

worthwhile.

DAYS

Farm & Ranch Days promotion March 15 & 16

Mr. Guy Stephens, Downtown Retail Trade Committee, appeared before Council to request the closing of Main Street between 3rd and 7th Streets from 8:00 a.m. March 15th to 8:00 p.m. March 16th for the Farm and Ranch Days Promotion.

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that permission be granted and that the Traffic Department be instructed to set up the barricades. Motion carried unanimously.

3.2 BEER RENEWALS

Presented for consideration were applications by the following businesses for the renewal of 3.2 beer licenses:

Gerald W. Wieker dba The Corral, 539 Colorado Avenue
Mesa Farmer's Market, Inc., 2651 Highway 50
Safeway Stores, Inc., No. 600, 23rd and North Avenue
Safeway Stores, Inc., No. 602, 644 North Avenue

A memorandum from the Chief of Police advised there have been no complaints or violations concerning the sale of 3.2 beer during the past year.

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

ORD. 1488

I.D. ST-73 assessments

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-73, 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 Grantham and seconded by Councilman Kozisek that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Van Houten and seconded by Councilman

Tuflly that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. It was noted that Mr. Tom Brimhall had checked his assessment with the Engineering Department and the figures were correct. There being no other comments, it was moved by Councilman Colescott and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1488, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

WATER

Amend R/W for flowline over BLM land Resol

The following Resolution was presented and read:

RESOLUTION

WHEREAS, it is proposed that the City of Grand Junction make application to the Department of the Interior, Bureau of Land Management, for an amendment to its right of way over government lands M-06676 for a re-routing of its right of way for a water line,

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

That Harvey M. Rose, the City Manager, is authorized to make such application, is authorized to bind the City by agreement as to such amendment by his signature thereto, and is authorized, on behalf of the City, to agree that the City shall be bound by the regulations contained in 43 CFR 2800.

PASSED and ADOPTED this 20th day of February, 1974.

Stanley R. Anderson

President of the City Council

ATTEST:

City Clerk

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

ANNEXATION

Jayne's No. 1 Resol-petition

The following petition for annexation to the City of Grand Junction was presented and accepted:

PETITION FOR ANNEXATION

I, THE UNDERSIGNED, do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

That part of Lots 9 and 10 of Jaynes Subdivision, Section 1 Township 1 South Range 1 West of the Ute Meridian, Mesa County, Colorado, lying south and west of the Government Canal.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that petition be accepted and that the annexation be approved and accepted by ordinance.

DATE SIGNATURE ADDRESS PROPERTY DESCRIPTION			
2-13-74 Henry Patterson Jr. 2410 W6th Topeka That part of Lots 9 and 10 of			

Jaynes Subdivision Section 1 Township 1 South Range 1 West of the Ute Meridian, Mesa County, Colorado, lying south and west of the Government Canal.			
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I am aware that this annexation, separates land I own in Lots 2 and 7 Jaynes Sub. of Section 36 Township 1 North Range 1 West from land on this petition and hereby give permission for such action.

;sigl;
/s/ Henry Patterson Jr.

STATE OF COLORADO)		
)SS		
COUNTY OF MESA		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature of the said petition is the signature of the person whose name it purports to be.

;sigl;
/s/ Don Warner

Subscribed and sworn to before me this 15th day of February, 1974.

Witness my hand and official seal.

/s/ Kimberly A. Ralston

Notary Public

My Commission expires: June 12, 1977

The following Resolution was presented and read:

RESOLUTION

WHEREAS, on the 10th day of February, 1974, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property, to wit:

That part of Lots 9 and 10 of Jaynes Subdivision, Section 1 Township 1 South Range 1 West of the Ute Meridian, Mesa County, Colorado, lying South and West of the Government Canal.

WHEREAS, the Council has found and determined, and does hereby find and determine, that said petition is insubstantial compliance with statutory requirements therefor, that 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 and the City, that the territory proposed to be annexed is urban or will be urbanized in the near future, that the said territory is integrated or is capable of being integrated with said City, and, that no election is required under the Municipal Annexation Act of 1965, as the owner of one hundred per cent of the property was petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 20th day of February, 1974.

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Colescott and seconded by Councilman Grantham that the Resolution be passed and adopted as read. Roll

was called upon the motion with all Council members voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

It was moved by Councilwoman Quimby and seconded by Councilman Grantham that the following entitled proposed ordinance be called up and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, AND DECLARING AN EMERGENCY. Motion carried.

The Ordinance was read. It was moved by Councilman Grantham and seconded by Councilman Tufly that the Ordinance be passed and adopted as an Emergency Ordinance, numbered 1489, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ANNEXATION

JAYNES NO. 2 Petition, Resol.

The following petition for annexation to the City of Grand Junction was presented and accepted:

PETITION FOR ANNEXATION

WE, the undersigned, do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

That part of Lots 2 and 7 of Jaynes Subdivision Section 36 Township 1 North Range 1 West of the Ute Meridian, Mesa County, Colorado, lying south and west of Interstate Highway #70.

As ground therefor, the petitioner, respectfully states that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petition further states that he is the owner of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by signer of said petition is attached hereto.

Wherefore, these petitions pray that petition be accepted and that the said annexation be approved and accepted by ordinance.

DATE SIGNATURE ADDRESS PROPERTY DESCRIPTION			
2-13-74 Henry Patterson Jr. 2410 W. 6th Topeka >That part of Lots 2 and 7 of Jaynes Subdivision Section 36 Township 1 North Range 1 West of the Ute Meridian, Mesa County, Colorado, lying south and west of Interstate Highway #70			

STATE OF COLORADO)		
)SS		
COUNTY OF MESA		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

;sigl;
/s/ Don Warner

Subscribed and sworn to before me this 15th day of February, 1974.

Witness my hand and official seal.

/s/ Kimberly A. Ralston

Notary Public

My Commission expires: June 12, 1977

The following petition for annexation to the City of Grand Junction was presented and accepted.

RESOLUTION

WHEREAS, on the 20th day of February, 1974, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property, to wit:

That part of Lots 2 and 7 of Jaynes Subdivision Section 36 Township 1 North Range 1 West of the Ute Meridian, Mesa County, Colorado, lying South and West of Interstate Highway No. 70.

WHEREAS, the Council has found and determined, and does hereby find and determine, that said petition is in substantial compliance with statutory requirements therefor, that 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 and the City, that the territory proposed to be annexed is urban or will be urbanized in the near future, that the said territory is integrated or is capable of being integrated with said City, and, that no election is required under the Municipal Annexation Act of 1965, as the owner of one hundred per cent of the property has petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 20th day of February, 1974.

Stanley R. Anderson

President of the Council

ATTEST:

City Clerk

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

It was moved by Councilman Grantham and seconded by Councilman Tufly that the following entitled proposed ordinance be called up and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, AND DECLARING AN EMERGENCY, Motion carried.

The Ordinance was read. It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Ordinance be passed and adopted as an Emergency Ordinance, numbered 1490, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

LEASE AGRMT

Montgomery Ward for Patterson Co. property - 111/17 Rood continued to Feb. 25

Presented for consideration was the lease agreement between the City and Montgomery Ward Company for the Patterson Company property located in the general area of 111-17 Rood (Holsum Bakery building).

The City does not yet own the property but will secure it through the mechanics of the Parking Authority. Montgomery Ward Company is interested in the use of the building as a warehouse. The proposed lease is for a term of five years with an option to renew for five years at \$14,004 per year. Mr. Ashby advised Council that he has discussed with Mr. Litton and Mr. W. R. Hall the fact that the City isn't getting into the warehousing business. Mr. Ashby said that discussions with Mr. Smith of Montgomery Ward Company have been postponed before Mr. Smith will be out of town until Monday, February 25. The City Administration needs an expression from Council as to what direction they want to go. Council consensus was to prepare the lease for five years and the option to renew every year for a period of five years. It was felt this would be the better approach as the City doesn't know when it may need the property for parking purposes. Council felt it needed more information and decided to continue this discussion to Monday, February 25, at 12 noon.

Mr. Howard Butterfield, Manager of Montgomery Wards local store

said that he has been authorized to take possession of 9,000 square feet immediately. He also said the Company is willing to take a firm five year lease with one year renewables.

POLICE DEPT.

Authorize \$2,050 fr Council Contingency Fund for petty cash fund for drug purchases

City Manager Rose requested authorization to expend \$2,050 from Council Contingency Fund. On February 12, 1974, the Police Department made a sizeable "drug bust" and money was needed for payment to an informant and the purchase of marijuana. Mr. Rose advised that due to the emergency situation, he was unable to contact Council members for prior approval. He noted that \$2,000 of this money will be returned to the City and recommended that \$1,000 of the returned funds be considered an "extension" of the City's petty cash account for use by the Police Department for similar purposes. Finance Director Victor Vance is to set up the necessary record-keeping procedures to keep track of the expenditures. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the City Manager be authorized to expend the \$2,050 from Council's Contingency Fund. Motion carried unanimously.

DOGS

Mr. Jim Nasalroad, 1605 North 20th Street, discussed with Council the problems he is having with dogs in the neighborhood which are allowed to run loose. It was noted that the Municipal Judge is reviewing the fines and should come up with a recommendation soon.

MISCELLANEOUS

Councilman Kozisek noted that it has been two months since the agreement with SER. The agreement called for monthly reports and to date the City has not received one. He suggested that a report be requested.

ADJOURNMENT

The President adjourned the meeting to Monday noon at the Cork N Embers.

Neva B. Lockhart

City Clerk