

Grand Junction, Colorado

July 16, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. July 16, 1975, in the Civic Auditorium at City Hall. Members present for roll call: Larry Brown, Harry Colescott, Karl Johnson, Jane Quimby, Elvin Tufly, Robert Van Houten, and President of the Council Lawrence Kozisek. Also present: City Manager Harvey Rose, City Attorney Gerald Ashby, City Clerk Neva Lockhart.

MINUTES

Councilman Johnson corrected the minutes of July 2, 1975, to reflect Ronald "L." Smith. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the minutes of July 2, 1975 be approved as corrected. Motion carried.

BOYS CLUB REQUEST FOR MATCHING FUND TO BICENTENNIAL GRANT - TO BE DISCUSSED DURING BUDGET SESSION

Mr. Dale Luke, representing the Boys Club, appeared before Council to request matching fund to the \$10,000 grant from the Centennial-Bicentennial Committee. Mr. Luke noted that just recently Mr. Sam Suplezio presented to the Centennial-Bicentennial Committee the need for funds and stated they have agreed to give \$10,000 toward the finishing of a library which will be called the "Crawford Library" in honor of the founder of Grand Junction. Mr. Luke estimates that it will cost some \$23,000 to \$25,000 to complete the library. He said the Centennial-Bicentennial Committee offered \$10,000 for this purpose, provided the Boys Club has signed a contract with the committee to this effect. There was discussion to the effect that the Boys Club was turned down two years ago when the first request was presented to the Committee, but that subsequently the committee has received funds, has visited Grand Junction and reviewed the plans, and thus the \$10,000 offer. Councilman Johnson said he was present at the meeting when the committee was in Grand Junction and could not recall a condition to that grant. He noted the committee's enthusiasm for the project, and that they passed it routinely after the Director outlined how the money would be used. Mr. Luke said that the committee has given the Boys Club a letter stating what will be done provided the Boys Club will do certain things. He indicated he would need an answer to the request by the end of August. Additionally, Mr. Luke invited Council to an old-fashioned hoedown and box supper the night of August 16 at the Boys Club. This is a fund raising event to help with operating expenses.

It was moved by Councilman Van Houten and seconded by Councilman Brown that this item be brought forward for discussion during budget sessions in September. Motion carried.

### 3.2 BEER LICENSE RENEWALS

Submitted for consideration were the applications to renew the 3.2 Beer licenses for the following businesses:

- (1) City Market Store No. 9, 1909 N. First Street
- (2) City Market Store No. 2, 865 North Avenue
- (3) Lincoln Park Golf Course, Lincoln Park

A memorandum from the Police Department advised that during the past licensing period there have been no complaints or violations reported concerning the operation of any one of the three businesses listed.

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

### OFFER TO PURCHASE CITY-OWNED PROPERTY AT 22ND AND OURAY AVENUE

Submitted for consideration was a letter from Mr. Harlien E. Perino, in which he offered to purchase Lot 1, Block 2, of Mesa Gardens Subdivision, located at 22nd Street and Ouray Avenue, at an appraised price of \$4,500. Senior Planner Don Warner indicated that this lot was picked up originally for non-payment of sewer assessment. Councilman Van Houten noted that it appears the situation is changing quite dramatically and he feels the City should declare a moratorium on sales of City-owned property until the uses have been determined. Councilman Brown and Councilman Tufly suggested holding onto the lot until perhaps a trade could be accomplished for property development by the Housing Authority.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the City decline the offer of Mr. Perino and retain this property. Motion carried.

### HEARING - HORIZON PARK PLAZA FINAL DEVELOPMENT PLAN IN H.O. ZONING DISTRICT

Advertised for hearing on this date was the Horizon Park Plaza final development plan in H.O. (Highway Oriented) zoning district located NE of the Howard Johnson Motel. Senior Planner Don Warner reviewed the final plan and noted the sanitation pickup locations as well as moving the fire hydrant within 400' of the building. Mr. Warner advised that the Planning Commission has approved this final development plan. No letters having been filed and no one in the audience indicating a desire to speak the President closed the hearing.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the Horizon Park Plaza final development be approved. Motion carried.

HEARING - FINAL BULK DEVELOPMENT PLAN - HARCROFT, 2235 NORTH 15TH STREET

Advertised for hearing on this date was the final bulk development plan in R-1-C zoning district located at 2235 North 15th Street. Senior Planner Don Warner reviewed the plan and stated the Planning Commission has approved this plan. No letters having been filed and no one in the audience indicating a desire to speak the President closed the hearing.

It was moved by Councilman Colescott and seconded by Councilman Brown that the final bulk development plan for 2235 North 15th Street be approved. Motion carried.

HEARING - PROP. ORD. ZONING KANALY ANNEXATION R-1-B

Advertised for hearing on this date was the proposed R-1-B zoning for Kanaly Annexation, a 90' piece of ground located at 2335 North First Street. No letters having been filed and no one in the audience indicating a desire to speak the President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Tufly and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

HEARING - PROP. ORD. - PROPOSED H.O. ZONING FOR HOWARD JOHNSON ANNEXATION NO. 2

Advertised for hearing on this date and recommended by the Planning Commission was the proposed H.O. (Highway Oriented) zoning for Howard Johnson Annexation No. 2. no letters having been filed and no one in the audience indicating a desire to speak the President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Johnson and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

HEARING - REQUEST TO ALLOW CONDITIONAL USE FOR APARTMENTS IN B-3 ZONE, 204 NORTH 8TH STREET

Advertised for hearing on this date was the request to allow conditional use for apartments in B-3 zone at 204 North 8th Street. Senior Planner Don Warner reviewed the proposal and indicated that the Planning Commission has approved and recommended that this conditional use be allowed. He noted that the developers must build the way it is proposed on the plan. No

letters having been filed and no one in the audience indicating a desire to speak on this matter the President closed the hearing.

It was moved by Councilman Van Houten and seconded by Councilman Colescott to approve the request allowing conditional use for apartments in B-3 zoning district at 204 North 8th Street. Motion carried.

ORD. NO. 1569 - ROAD VACATION NORTH 5TH STREET NORTH OF BOOKCLIFF AVENUE

The Proof of Publication to the following Ordinance was presented: AN ORDINANCE VACATING A PORTION OF NORTH 5TH STREET I THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Colescott that the Ordinance be called up for final passage and read. Motion carried. The Ordinance was read. Councilman Van Houten commented that he would take the same approach to road and street vacations as he did while a member of the Planning Commission, and be therefore opposed this Ordinance. It was moved by Councilman Tufly and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1569 and ordered published. Roll was called upon the motion with the following result: Council members voting AYE: Quimby, Colescott, Johnson, Tufly, Brown, Kozisek. Council members voting NO: Van Houten. The President declared the motion carried.

ORD. NO. 1570 - REZONING 1402 and 1412 GLENWOOD AVENUE R-3

The Proof of Publication to the following entitled Ordinance was presented: 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 LAND WITHIN THE CITY. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1570, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

S.S. 32-74 - PARTEE HEIGHTS - ENGINEER'S STATEMENT OF COMPLETION

RESOLUTION

NOTICE OF HEARING

The following Statement of Engineer for the completion of work for Sanitary Sewer District 32-74 in Partee Heights was presented:

CONSTRUCTION COST  
 SANITARY SEWER DISTRICT 32-74  
 TOTAL ON FINAL ESTIMATE

Construction Cost\$50,910.27		
Total on Final Estimate50,910.27		
Printing (to date)174.76		
Legal Cost857.00		
Advertising91.03		
Misc. Business Trips14.08		
Advertising (Estimated Balance)182.06		
Social Security230.47		
Wages (full time)3,618.51		
Wages (part		

time) 81.50		
Wages (overtime) 218.53		
Postage (to date) 16.52		
Postage (estimated balance) 35.00		
Operating Supplies - General Stock 105.35		
Printing (estimated balance) 174.76		
Cost of Bonds During Construction 4,167.83		
Sub Total \$60,877.66		
Minus Sales & Use Tax Refund		
Colorado State Tax \$682.61		
City Tax 37.48		
\$720.09		
-720.09		

Total Construction Cost\$60,157.57		
61 Single Tap Assessments @ \$1200.00 ea. =73,200.00		
61 Total Taps		
Cost of Bonds During Construction to Property Owners		
Assessments to Property Owners\$76,789.24		
Total Construction Cost60,157.57		
City Share of District Cost(16,631.67)		

The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Sanitary Sewer District 32-74 Partee Heights; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Sanitary Sewer District 32-74 Partee Heights and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same;

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

That the improvements connected therewith in said District be, and the same are hereby, approved and accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the assessable cost of the improvements of said Sanitary Sewer District 32-74 Partee Heights to be assessed; and

BE IT FURTHER RESOLVED, that the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, together with interest at the average rate of 7.35499 per cent per annum to August 1, 1975; and

BE IT FURTHER RESOLVED, that the City Clerk shall immediately advertise for three days in the Daily Sentinel, a newspaper of general circulation published in said City notice to the owners of the real estate to be assessed, and all persons interested generally without naming such owner or owners, that said improvements have been completed and accepted, specifying the assessable cost of the improvements and the share of apportioned to each lot or tract of land; that any complaints or objections that may be in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty days from the first publication of said notice; that same may be heard and determined by the Council at its first regular meeting after said thirty days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

#### NOTICE

NOTICE IS HEREBY GIVEN to the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Sanitary Sewer District 32-74 Partee Heights, and to all persons interested therein as follows:

That the improvements in and for said District, which are authorized by and are in accordance with the terms and provisions of a Resolution passed and adopted on the 18th day of September, 1974, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local sanitary sewer district to be known as Sanitary Sewer District 32-74 Partee Heights, with the terms and provisions of a Resolution passed and adopted on the 2nd day of October, 1974, adopting details, plans and specifications for said District; and with the terms and provisions of a Resolution passed and adopted on the 6th day of November, 1974, creating and establishing said District, all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction, Colorado;

That the whole cost of the improvements to be assessed has been



definitely ascertained and is in the sum of \$76,789.24 said amount including six per cent (6%) for cost of collection and other incidentals and interest at the rate of 7.35499 per cent per annum to August 1, 1975; that the part apportioned to and upon each lot or tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinance, assessing the real estate in said District for the cost of said improvements, and that the owner so paying should be entitled to an allowance of six per cent (6%) for cost of collection and other incidentals;

That any complaints or objections that may be made in writing by the said owner, or owners of land within the said District and assessable for said improvements, or by any person interested, may be made to the City Council and filed in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively, as by law provided;

That the sum of \$76,789.23 for improvements is to be apportioned against the real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to wit:

2701-364-01-001Lot 1 Blk 1 Partee Hts Sec 36 1N 1W\$1334.37		
2701-364-01-002Lot 2 Blk 1 Partee Hts Sec 36 1N 1W1334.37		
2701-364-01-003Lot 3 Blk 1 Partee Hts Sec 36 1N 1W1334.37		
2701-364-01-004Lot 4 Blk 1 Partee Hts Sec		

36 1N 1W1334.37		
2701-364-01-005Lot 5 Blk 1 Partee Hts Sec 36 1N 1W (710 Bunker)1334.37		
2701-364-01-007Lot 7 Blk 1 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-001Lot 1 Blk 2 Partee Hts Sec 36 1N 1W (702 Brassie Dr)1334.37		
2701-364-02-002Lot 2 Blk 2 Partee Hts Sec 36 1N 1W (704 Brassie Dr)1334.37		
2701-364-02-003Lot 3 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-004Lot 4 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-005Lot 5 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-006Lot 6 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-007Lot 7 Blk 2 Partee Hts Sec 36 1N 1W1334.37		

2701-364-02-008Lot 8 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-009Lot 9 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-02-010Lot 10 Blk 2 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-001Lot 1 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-002Lot 2 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-003Lot 3 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-004Lot 4 Blk 3 Partee Hts Sec 26 1N 1W1334.37		
2701-364-03-005Lot 5 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-006Lot 6 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-007Lot 7		

Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-008Lot 8 Blk 3 Partee Hts Sec 36 1N 1W (705 Brassie Dr)1334.37		
2701-364-03-009Lot 9 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-03-010Lot 10 Blk 3 Partee Hts Sec 36 1N 1W1334.37		
2701-364-04-001Lot 1 Blk 4 Partee Hts Sec 36 1N 1W1334.37		
2701-364-04-002Lot 2 Blk 4 Partee Hts Sec 36 1N 1W1334.37		
2701-364-04-003Lot 3 Blk 4 Partee Hts Sec 36 1N 1W1334.37		
2701-364-05-001Lot 1 Blk 5 Partee Hts Sec 36 1N 1W1334.37		
2701-364-05-002Lot 2 Blk 5 Partee Hts Sec 36 1N 1W (703 Putter)1334.37		
2701-364-05-003Lot 3 Blk 5 Partee Hts Sec 36 1N 1W &beg SW Cor		

<p>Lot 4 Blk 5 S 76° E  158.22 ft N 67° 40'  W 149.47 ft S 39°  30' W 24 ft to Beg  Exc Beg NE Cor Lot 3  N 76° W 86.78 ft S  67° 40' E 77.48 ft N  56° E 15.1 ft to  Beg1334.37</p>		
<p>2701-364-05-004Lot 4  Blk 5 Partee Hts Sec  36 1N 1W &amp; Beg NE  Cor Lot 3 Blk 5 N  76° W 86.78 ft S 67°  40' E 77.48 ft N 56°  E 15.1 ft to Beg Exc  Beg SW Cor Lot 4 S  76° E 158.22 ft N  67°40' W 149.4 ft S  38° 30' W 24 ft to  Beg1334.37</p>		
<p>2701-364-05-005Lot 5  &amp; S 4 ft of Lot 6  Blk 5 Partee Hts Sec  36 1N 1W1334.37</p>		
<p>2701-364-05-006N  123.3. ft of Lot 6  Blk 5 Partee Hts Sec  36 1N 1W1334.37</p>		
<p>2701-364-08-002Lots  2 &amp; 3 Blk 8 Partee  Hts Sec 36 1N  1W1334.37</p>		
<p>2701-364-09-001Lot 1  Blk 9 Partee Hts Sec  36 1N 1W1334.37</p>		

2701-364-09-002Lot 2 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-003Lot 3 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-004Lot 4 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-005Lot 5 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-006Lot 6 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-007Lot 7 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-008Lot 8 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-009Lot 9 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-09-010Lot 10 Blk 9 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-001Lot 1 Blk 10 Partee Hts Sec 36 1N 1W1334.37		

2701-364-10-002Lot 2 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-003Lot 3 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-004Lot 4 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-005Lot 5 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-006Lot 6 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-007Lot 7 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-008Lot 8 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-009Lot 9 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-10-010Lot 10 Blk 10 Partee Hts Sec 36 1N 1W1334.37		
2701-364-11-001Lot 1		

Blk 11 Partee Hts Sec 36 1N 1W1334.37		
2701-364-11-002Lot 2 Blk 11 Partee Hts Sec 36 1N 1W1334.37		
2701-364-11-003Lot 3 Blk 11 Partee Hts Sec 36 1N 1W1334.37		
2701-364-11-004Lot 4 Blk 11 Partee Hts Sec 36 1N 1W1334.37		
2945-012-00-008Beg NE Cor NE4NW4 Sec 1 1S 1W S 230 ft W 230 ft N 230 ft E to Beg1334.37		
TOTAL\$81,396.57		

Dated at Grand Junction, Colorado, this 16th day of July, 1975.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,  
COLORADO

By: Lawrence Kozisek (signed)  
President of the Council

STATE OF COLORADO)		
)SS:		
COUNTY OF MESA)		



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I, LAWRENCE L. KOZISEK, President of the City Council of the City of Grand Junction, Colorado, do hereby certify that the above and foregoing is the statement showing the assessable cost of the improvements in Grand Junction Sanitary Sewer District 32-74 Partee Heights, and apportions the cost upon each lot or tract of land or other real estate to be assessed for the same, all in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

Dated this 16th day of July, 1975.

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President of the City Council

Attest:

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City Clerk

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

PROP. ORD. - NAMING 8TH STREET NORTH OF WELLINGTON AND RENAMING 8TH STREET BETWEEN BOOKCLIFF AND PATTERSON TO "LITTLE BOOKCLIFF DRIVE"

The following entitled ordinance was presented and read: AN ORDINANCE RENAMING CERTAIN PORTION OF STREETS IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

COUNCIL DECISION REGARDING PRETZEL FACTORY, 1230 NORTH 12TH STREET

President Kozisek reviewed Council's request July 2, 1975, at which time the owners and operators of the Pretzel Factory, 1230 North 12th Street, were instructed to communicate their intentions as far as operations for the future and also requesting that their suggestions of any changes or improvements include the neighbors, and the agreement of the neighbors from the surrounding area. He noted that Council has received communication from them outlining what they propose to do.

Mr. Christensen and his attorney, Mr. Fred Aldrich, were present.

Mr. Michael Christensen was absent.

Mr. William Foster, attorney for one of the neighbors, was present.

Mr. Foster indicated that he and his client has received a copy of the letter dated July 14, 1975, from the owners and operators of the Pretzel Factory to which President Kozisek referred. He restated that the position of his client is not to put anyone out of business; rather it is to diminish the impact of what is considered to be a nuisance in the area. Mr. Foster stated he had conversations with both Christensens that evening after the last Council meeting, and with their counsel subsequently. He stated that this letter backs away substantially from the discussions he presented at that meeting and the things he and his client had hoped to accomplish.

Mr. Foster said that counsel for the Christensens called him and asked that a meeting be arranged with Mrs. Heald, which was done, and then the Christensens didn't make it to the meeting with Mrs. Heald.

Mr. Foster reviewed the letter point by point. First, Mr. Foster felt it was incumbent upon the Pretzel Factory, considering the tone of what was talked about at the last meeting and what they said they were going to do, to come forward with assurances and take the initiative in saying "this is what we will do." Mr. Foster said that without mincing words the letter says "the Pretzel Factory suggests that it erect" when it should "agree" to do these things. He felt the letter backs away from that tone completely. He discussed the item which said they would erect a boundary device along the north and south line boundaries to prevent damage to the chain link fences now in existence. Mr. Foster felt that what was talked about to prevent access and it was a matter for them to erect and maintain those fences.

Secondly, Mr. Foster thought the big thing was Item No. 2. Earlier discussion regarding the impact of the Pretzel Factory in that area came out that the flow of traffic into the alley was the very largest thing. Mr. Foster felt he was very strong, at least in his discussion with counsel for the Christensens, to the effect that access be choked off between the Pretzel Factory and the residential area to the extent possible. He stated that it was talking about a high fence cutting off pedestrian as well as vehicular traffic, subject to such things as the Fire Chief's suggestions, to insulate the residential area from the Pretzel Factory. He felt that the City Council was the final authority. He referred to County authorities and stated he didn't believe there are any who have a say-so in this. He felt the letter referring to such was kind of a dodge.

With reference to the security officer between the hours of ten and twelve from Wednesday through Saturday, Mr. Foster said he didn't have a real quarrel with this. The fact of the presence of

a person who would check periodically to see that the impact was diminished on the neighboring community was as he recalled.

Item No. 4. He said he understood the Pretzel Factor would provide the bump in the alley if this met the approval of Council. He said he did not see this being a matter of expenditure of City Funds to provide a traffic bump in the alley to slow down traffic occasioned by the Pretzel Factory activities.

Item No. 5. Mr. Foster stated the IBC Book Store thoroughly agrees to put flood lighting or lighting in the area back there.

With respect to the trash receptacles, Mr. Foster thinks this is something that perhaps each of the individuals in the neighborhood should get together on and provide them in such a manner as to prevent a lot of the trash that is blowing in the neighborhood.

Mr. Foster said he was surprised not to see in the list a suggestion made by Councilwoman Quimby towards getting the cooperation of the patrons themselves. Something such as an announcement occasionally, would be taking a positive approach to reduce the impact through the customers themselves and enlisting their cooperation.

Mr. Foster said that he believes the letter walked backward from the situation. It did not have a positive come-forward approach. Therefore, he said that if that was the attitude of the Pretzel Factory, he would then change his approach to Council to the effect that if disciplinary action is to be taken, it would be one in which due notice be given to the people who have a financial interest and investment in the Pretzel Factory of one year's notice that this license will not be renewed next year because it is not the proper location for this type beer license and it was not granted originally on that basis. Mr. Foster said one of those two alternatives should be followed: either a very forceful show of positive attitude that they are going to reduce the impact or the notice that the license will not be renewed next year.

Mr. Aldrich said that since the last meeting the Pretzel Factory has implemented some of the suggestions from that meeting. He didn't believe the tone of the letter is trying to back away from the situation, but it was in the tenor of Mr. Kozisek's instructions at the last meeting. He asked Council to take into consideration that the Christensens are new owners within the last year and that the Christensens were not specifically aware of some of the problems at this location and were not advised as to the gravity or the extent of the complaints. Mr. Aldrich said that Mr. Christensen was regretfully unable to meet with Mrs. Heald but that was not a deliberate attempt to back away from the situation.

Regarding Item 1, the Pretzel Factory suggests erecting some type device to prevent automobiles from bumping into these fences. He indicated that the Christensens have installed railroad ties but these may prove to be inadequate so they are suggesting something

like a highway bumper guard.

With respect to getting foot traffic and vehicular traffic absolutely sealed off from the alleyway, Mr. Aldrich noted the traffic from 7-2-11 and that the second major source of traffic in that area is from the neighborhood itself. He observed that the neighborhood uses that parking lot as a shortcut to the apartments and residences back there. He said that if there were a fence along the eastern boundary, the patrons of the Pretzel Factory would have to back all the way out along the north side of the building into the west lot, turn around, and drive out on North Avenue. His personal observation was that this would create a hazard and so they were suggesting alternative measures of lighting, etc. In Item No. 2 they were asking that the fence be deferred, but if Council says otherwise, they will abide by it.

Mr. Aldrich said that in Item 3 they are talking about a security employee who will carry a flashlight and patrol the exterior premises which includes the front lot, sides, and back alleyway. What this employee would be involved in doing is to calm down patrons, roust them out, and report any crimes he sees committed. As to a uniformed officer or an employee, the preference he sees it is a uniformed officer although the Christensens have had difficulty getting cooperation from the Police Department and Sheriff's Department.

Item 4. Mr. Aldrich indicated that Mr. Christensen has personally suggested that he would be willing to go on a cost-sharing basis perhaps with all the other neighbors in the area to pave the alleyway.

Item 3. Mr. Aldrich noted the Bible College which is very dark with the exception of one light on the south entrance. He felt they have a serious hazard and that the problem of urinating in the alley would cease with proper lighting. He stated that since the last Council meeting Pretzel Factory has installed flood lights to the sides and back. On the side next to IBC they have two 6-foot neon lights.

Regarding the trash situation, Mr. Aldrich said he doesn't feel this is caused totally by the Pretzel Factory and suggested one way to deal with it is to install trash receptacles similar to those of other carryout restaurants like McDonalds. He indicated the Pretzel Factory is willing to do this but they think the other establishments ought to be willing to go along with them. Mr. Aldrich said there have been nightly announcements to the patrons regarding the problem and that trash bags are distributed so the patrons so the patrons can throw their trash away.

Mr. Oliver Christensen spoke with regard to the security officer of one year ago. At that time they were using Meridian services. Mr. Christensen said there was an officer one nights and then they weren't there a night. He said Meridian was having trouble getting men okayed by the City and when Meridian did get the men they were

sometimes not satisfactory. Then it was kind of automatically dropped.

Councilman Brown: Mr. Christensen, does that mean that any agreement like this three pages that if you have difficulty following through with that you can unilaterally forget about it?

Mr. Christensen: No. We've tried. You can't realize the effort we have made . . . . We would love it and we will pay for them if you can get your City Police to supply us with an officer for these two hours. I'll be glad to pay them for it.

Councilman Van Houten: This is not the City's responsibility in no way.

Mr. Christensen: No, but what we would like would be a qualified officer . . . .

It was moved by Councilman Van Houten:

No. 1 - That the Pretzel Factory at its own expense install a complete chain link fence from the Western boundary on the North side of the western boundary on the South side with no means of exit from that parking lot through that fence and that it shall contain the strips so that there is no visibility through that fence and that they shall maintain that fence in appropriate condition continually and not expect the neighbors to do so.

No. 2 - That they should supply sufficient flood lights front, rear and sides of that building to properly illuminate that alley so that there is not a tendency for the people to use it as a rest room.

No. 3 - That the security guard provision that the Council had in the last discussion be continued, and I would extend it to this point: that the security guard shall be there from 6 o'clock in the evening until 30 minutes after closing time and that if he sees any violations of the City Ordinance that he shall forthwith arrest and charge the people that do this.

Last, but not least, that he daily police the neighborhood within the distance of where the trash from his establishment can travel and that he shall pick it up.

And I further suggest that with these conditions that he have 30 days in which to comply.

Councilman Brown: Would you amend that as to the height of the fence.

Councilman Van Houten: Yes, I want the fence the maximum legal height it can be built.

Councilman Brown: What is that, Don?

Mr. Warner: No maximum in commercial zones.

Councilman Van Houten: I would say then 8 feet.

President Kozisek: I think I should get a second to the motion for proper discussion. Mr. Van Houten put this in the manner of a motion and we can amend it later, but I think I should have a second for discussion.

Councilman Johnson: I'll second it in order to get the motion on the floor.

President Kozisek: Okay, we have a motion on the floor properly seconded so now discussion is proper.

Councilman Tufly: I think that the thing that I saw was the trash problem is not as Mr. Aldrich commented . . . is not the total responsibility of the Pretzel Factory. I was there shortly after midnight and basically at the Pretzel Factory the people were on their way out or going. There were young people walking down the streets and leaving that particular establishment. But car after car after car was parked over at the 7-2-11 purchasing their beer there. In other words they had just gone down the street one and that's where a lot of the problem is coming from is that they are buying their 3.2 beer and taking it to their car and they stand outside their car and drink it there. It's not really totally the problem of the Pretzel Factory . . . I don't disagree with what you say there, Bob, but I wonder if the trash thing isn't a little bit heavy for them to have to stand the full responsibility of that.

Councilman Colescott: Well, I am sure that Gibson's or K-Mart or anybody else and regardless of where that trash comes from on that parking lot they assume the responsibility of cleaning that.

Councilman Tufly: We are not saying on the parking lot. He's talking about the surrounding area. Isn't that what you said, Bob?

Councilman Van Houten: Well, I don't have it on my notes, but what my intention was that pop cans or beer cans or paper or what have you that in that neighborhood could be reasonably expected to have originated from that neighborhood be picked up.

Councilwoman Quimby: What do you mean by the neighborhood, Bob?

Councilman Van Houten: By that operation. In other words, within falling distance of the Pretzel Factory.

Councilman Quimby: Well I wouldn't consider a beer can that was bought at the 7-2-11 a responsibility of the Pretzel Factory. I'm sorry, but I don't.

Councilman Van Houten: But it's his customers that left the

Pretzel Factory and went over there and through there and bought the can of beer and threw it out, I think it is partly their responsibility.

Councilman Brown: Mr. Chairman.

Councilman Johnson: I think the responsibility as far as the beer cans that come from the 7-11 . . . probably the responsibility of the Pretzel Factory operation is to prevent that beer from being consumed on their premises because they have a license that says that beer is sold for consumption only and it is not sold in containers so they have obligation. Now it it's consumed in the alley or on the street . . . .

Mr. Ashby: That doesn't apply to them because they got their license before that went into effect.

Councilman Johnson: Hasn't it been renewed since?

Mr. Ashby: Well, the renewal doesn't count. It doesn't apply to the old license. They should stop this . . . they could stop this.

Councilman Johnson: But one of the applications for renewal the intent was that it would be sold only for consumption on the premises.

Councilman Tufly: But how do we know that the person who is drinking the beer that is in their parking lot . . . because a lot of those cars parked on the street, they are parked all around 7-11. That's where the trash that's coming and blowing on these other people's properties . . . that's where the trash is coming from.

Councilwoman Quimby: Would you say it was the Pretzel Factory's responsibility after it is closed? I mean, if they are closed and there are still people on their lot and in the immediate area?

Mr. Ashby: They chain it. They are chained at this point.

Councilman Brown: As far as I am concerned if you have a magnet that is drawing garbage into a neighborhood you can get rid of the magnet and get rid of the garbage. I don't care whether it's cans, bottles or kegs. There's . . . I have two problems with this issue. One is all of the garbage that has been dumped on this neighborhood through the years and the other is what seems to be a credibility problem with the licensee, at least the way I see it. And I agree with Mr. Foster. The three pages of promises and negotiations are not solutions to the problem. I mean, in 1966 the Council gave an admonition that there be no additional leniency. I recognize that that was another licensee but I tend to feel that the people in that neighborhood have had enough, and I also feel, by the way, that whether through Mr. Van Houten's stipulations as to revocation or how -- once the Pretzel Factory is dealt with and

the problem persists that perhaps we'll have to deal with the 7-2-11. But I don't . . . . I just can't conceive . . . the only thing that would satisfy me with regard to the Pretzel Factory is a 20-foot cement wall completely around the thing just feeding out onto 12th Street. I don't see how those people can put up with any more of this.

President Kozisek: Any other comments?

Councilman Colescott: I think Karl touched on the most vital point at the last meeting when . . . we've got an entirely different type of operation than this was meant to be. And I'm sure that some of these original signers of the original petition are no longer there and in fact a lot of the residences, the houses aren't there. But I have my doubts if you could get signer one or two out there now. But the type that was indicated in their original grant was like it says a clean, modern restaurant and in order to run this restaurant they needed to sell beer along with it . . . . But it isn't that any more, and I think that's where our main problem is and that's about exactly what Karl said at the last meeting. And I think that goes back to the crux of the whole thing.

Councilman Brown: I move the motion be amended to stipulate that the policing of the area for trash go from the alley to 12th, the full block.

President Kozisek: From the alley to 12th?

Councilman Brown: From the alley west to 12th, the full block.

President Kozisek: I have an amendment on the floor. Do I have a second.

Councilman Van Houten: Second.

President Kozisek: Does anyone else have any comments concerning this motion?

Councilwoman Quimby: I would like to ask a question. You suggested that they have flood lights. Did not Mr. Aldrich say they had already installed flood lights on three sides of the building?

Councilman Van Houten: Mr. Aldrich says that he installed flood lights on the North side and the front.

Mr. Aldrich: That's on the front and the sides and the back and there are also two 6-foot neon lights in the front and the side and the back.

Councilman Van Houten: But you have to put illumination into the alley so that anybody that goes down there is readily visible.

Councilman Johnson: One problem about lighting is that you have



got some residential properties on the opposite side of that alley and some of them are very likely to object to having flood lights shining through their windows until midnight or after every night.

Councilman Van Houten: They can block those. I had that in my initial notes that those flood lights if it shines in anybody's bedroom window that they be properly blocked in that area only to protect the windows but still leave the rest of it brilliantly illuminated.

President Kozisek: Are there any other questions or comments? I think there are a few other items along with your motion that probably the Council should consider. I think you stated an 8-foot fence with no gates. I think a stipulation in there "unless required by the Fire Department".

Councilman Tufly: If that fence were put not behind the building but from the corner of the building out to where the back door egresses the whole area and that back door egress is fire egress only. Something of that nature.

Councilman Van Houten: Okay.

President Kozisek: I had another note here on the flood lights that in their installation that they be free of any annoyance to the neighbors and that has been brought up also. Because of the inference in the letter here as to security guards and I think there was an inference there that the City be somewhat responsible for authorizing the provision of police officers. I think that the City with this should say that there is NO WAY that any assumption of liability on the part of the City to provide any officers . . . .

Mr. Aldrich: That is not the tenor of the letter, Mr. Kozisek. The tenor was that our response from the Police Department was that they would do it and I am not saying you should be responsible for it and we are not trying to place that on you but I think it should be cleared or at least that the authorization to them to say "well we don't care to put officers on the Pretzel Factory." That's really what we want to say in there. We are not trying to put the responsibility . . . .

Councilman Van Houten: Mr. Aldrich, that is the intent of the Council that they do that and it is my opinion that I do not want officers up there policing that because I believe it is a conflict of interest to the officer and to the department and I think it is up to you to come up with a guard to guard it. And anybody that you put out there has the normal civilian authority that if he sees a violation of the law he has a perfect right to cause an arrest at that point.

Mr. Aldrich: That's fine, thank you. I think that we are willing to do that.

Councilman Johnson: Mr. Aldrich, I might suggest that you follow somewhat the same procedure that Mesa College did with their security people and that is consult with the Police Department as to what qualifications they would approve for this person and then ask for a Special Police Commission which is limited to the premises that you control and this would give them power of arrest for any offense that was committed in their presence and there would be no question about such authority and they could . . . .

Mr. Aldrich: . . . . I think there is no question as to the authority of a citizen to arrest for crimes that are committed in his presence. The problem is that when you are a civilian and you try to make an arrest of somebody . . . .

Councilman Johnson: That's true, but someone is more likely to challenge a civilian than he is somebody who was designated with that authority and that's the only . . . .

Mr. Ashby: What Councilman Johnson is suggesting is that your man would have a little more clout than a civilian if he operated with the approval of the Department and under their suggestions to him. They can give him some authority he might not otherwise have.

Mr. Aldrich: That is the suggestion we welcome and that will be the kind of situation that will probably be adopted.

Councilman Van Houten: Mr. President, I have one more thing I need to clarify before I lose my train of thought. My intention is that that security guard's purpose is to police the grounds and the area surrounding that and that it is not my intention that he serve as an employee on the inside of that building.

President Kozisek: Okay, because the point was made two weeks ago that that individual was used oftentimes to check ID's inside. It is not the intent of the Council at this time that the security guard be used for purposes inside the premises such as checking ID's, collecting fees at the door or whatever -- but that he be employed for purposes of security of the perimeter of the property and the property itself, the outside property.

Mr. Aldrich: Isn't that the way my letter reads that his duties would be patrolling the exterior of the premises?

Councilman Johnson: Yes.

President Kozisek: Well, it's quite possible. We are making it clear so there is no misunderstanding a year from now or 6 months from now. Any other intents? Any other comments?

Councilman Colescott: I would suggest that is this motion is carried that a pretty clear copy be made of this do that a year from now . . . .

Councilman Van Houten: If this motion carries I would suggest that

if it is at all possible that Mr. Christensen be supplied a transcript so that he can go back and refresh his memory.

Councilman Colescott: That's right.

President Kozisek: Okay. I have an amendment on the floor which was that the trash be picked up from the alley westward to 12th. The full block.

Councilman Johnson: Glenwood to Bunting?

President Kozisek: Glenwood to Bunting and the alley west to 12th. We will vote on the amendment first. All in favor say AYE: unanimous. Opposed: none. The amendment passes.

President Kozisek: Now is there any discussion on the main motion as amended?

Councilman Brown: I would just like to get a clarification . . . . if at any time any portion of this motion is not met, what does that mean?

Councilman Van Houten: It is my intention with this motion that if it is not met that the license will be forthwith revoked.

President Kozisek: The fifth article of Mr. Van Houten's motion says that there is thirty days in which to comply with all provisions.

Councilman Brown: But there are things that go on like the placing of the guard. That goes on on a continuous basis?

President Kozisek: There is nothing contained in this motion as to . . . . I think the motion is still open to amendment if anyone so cared.

Councilman Brown: I would move that the motion be amended to stipulate that at any point any stipulations are not met, including a guard not on the premises 6 months or a year from now, that the license be brought to the Council for hearing.

President Kozisek: Okay. What you are saying then Larry, the amendment would read that at any point any noncompliance with the original motion would immediately bring the matter back to the City Council for consideration of revocation of the license. We have that right anyway, but you want to make that perfectly clear?

Councilman Van Houten: I would second that so it is perfectly clear.

Councilman Johnson: Can that only be done for the duration of this present license or can it be . . . .

Councilman Van Houten: I think that if it is improper that as far

as I am concerned the next time I vote on this it is going to be under the same terms.

Councilman Brown: Well, licensee to licensee.

Councilman Johnson: I think the amendment may be unnecessary for that reason because we have the right to call the licensee in at any time and we can summarily suspend the license for cause and hold a hearing . . . we would have to hold a hearing in any case.

Mr. Ashby: You have a lot of leeway. That really doesn't add much to what you have.

Councilman Brown: What I want to get away from is certain terms that this motion thing dropped unilaterally by the licensee without . . . .

Mr. Ashby: What you would do at that point if that happened is bring him back in because you are always going to be subject to some sort of a procedural due process and if it's only proving that he did do this . . . so it's a matter of bringing him back in, essentially.

Councilman Brown: That's what it says.

Mr. Ashby: Well, but you have that right anyhow. That's what Councilman Johnson is indicating. You haven't had . . . .

Councilman Van Houten: With this motion, he will understand. There is no probability that there will be a misunderstanding, let's put it that way.

Mr. Ashby: I wouldn't think so.

President Kozisek: Mr. Foster?

Mr. Foster at this point discussed the possibility of the City becoming involved in a legal battle or something of that nature with this motion.

Mr. Ashby: Mr. Foster had a question as to whether or not for a violation if a particular one of these covenants you could revoke. I think very probably you can. Now how you put that in the context of the 3.2 Beer license at this moment I wouldn't say specifically because I didn't know. But if we are talking about this license as indicated by Bill in what he was talking about . . . coming up for no renewal the next time, you are in effect saying this is a nuisance in this particular area and so you have got to move it which has the same effect as a revocation at that particular time . . . . My opinion now at least so that Mr. Aldrich and Mr. Christensen do not get a misunderstanding is that if these covenants are not observed . . . .

That No .1. They are covenants that we can impose because of the situation that exists there, and;

No. 2. That if the covenants are not observed then this would mean a general substantial observance that we can suspend the license or revoke the license on the basis of the violation of the covenant.

So that was the only reason that I was telling Councilman Brown that I thought his motion was therefore not needed because I think that that exists within the alcoholic beverages code already.

Councilman Van Houten: In that case, I will withdraw my second.

President Kozisek: I have had a withdrawal of the second. Would anyone else care . . . that's to the amendment. Would anyone else care to second the amendment?

(No one chose to do so.)

President Kozisek declared the second motion to amend the main motion failed for lack of a second.

President Kozisek: Now we are back to the main motion. Would anyone care to have the main motion read back to them? If not, those in favor of the main motion say AYE: Quimby, Johnson, Tufly, Van Houten, Brown, Kozisek. NO: Colescott. Motion is carried.

Councilwoman Quimby: I really regret this kind of action that has to be taken. I am not happy with the fact that we had to come down so hard. It really bothers me and I want to say that I do feel that we had some good intentions. But apparently at this time intentions are not enough. I would only hope that your clients will realize this.

President Kozisek: Mr., Aldrich, would you have any comments or questions now of the Council so that we have no misunderstanding?

Mr. Aldrich: I just have a few comments. I don't mean to challenge this on this flood light issue about annoyance. That can be kind of a touchy problem as how these things go. I am not sure what the Council means by that and if it is an annoyance to neighbors, is that a condition of the license? Because these lights . . . .

Mr. Ashby: I think generally the tenor was quite clear as to what they wanted, and I think you are going to have it. If there are any questions about it, I would suggest that you come back to me or to Harvey and we'll answer them and we'll get those questions answered. But I think generally they were pretty specific. Some of the things may be more or less difficult to carry out. But I think you know generally what you . . . .

Mr. Aldrich: Well I do, Mr. Ashby. I just want to be certain, because I know the Council wants to be certain . . . . I mean no

discourtesy in any way.

Mr. Ashby: I think the floodlighting can be handled in a way that you keep that light out of the eyes of your immediate neighbors over here and still light that alley.

Mr. Aldrich: You also understand that there is an apartment house right over there that extends quite . . . .

Mr. Ashby: If it comes up that you have that kind of a problem then the only thing you can do is come back to the Council and say "Look this is what has happened, what do I do with it. This is an order to comply with the terms that you have given us." And I can assure you that they will listen to you.

President Kozisek: Thank you, Mr. Aldrich.

Mr. Foster: I would request that the traffic engineers give some thought or study to these street bumps in that commercial area as it passes on into the residential area. I noticed that was not acted upon by Council in the motion.

Mr. Ashby: Are you in favor of it or opposed.

Mr. Foster: In favor of it.

President Kozisek: I think there was a reason for it, Bill. Just the other night we had a discussion concerning an alley in a rap session. And at that the opinion we got from the people that were there was speed bumps ain't the answer for much. I think that's the reason why it wasn't given much notice this evening.

Councilman Johnson: Perhaps one-waying of the alley would relieve some of it, too.

RESOLUTION - HOUSING AND URBAN DEVELOPMENT - GRAND MANNER PROPOSAL

Councilman Johnson moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, the Department of Housing and Urban Development has requested certain statements involving housing assistance in the City of Grand Junction pursuant to Section 213 (c) of the Housing and Community Development Act of 1974, and concerning the Grand Manner Proposal of the Grand Junction Housing Authority, and

WHEREAS, the City Council of the City of Grand Junction has had an involvement in the program providing it with complete knowledge as to the program;

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

That the Department of Housing and Urban Development be advised by this Resolution that the City Council determined after investigation and hearing that there is need for the housing assistance under the program and that there is available in the area public facilities and services adequate to serve the housing proposed to be assisted.

PASSED and ADOPTED this 16th day of July, 1975.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk

which was motion was seconded by Councilman Brown. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

COMMITTEE TO SERVE WITH COUNTY TO REACH AGREEMENT FOR VALLEY-WIDE SEWER SERVICE

City Manager Rose reported that as a result of several meetings with the County Commissioners, the City has been asked to join with the County in a committee to negotiate an agreement between the City and County for the provision of the Valley-wide sewer service. Mr. Rose recommended the support of that committee and suggested offering assistance and cooperation to the County in this effort. Further, he suggested that in accordance with past discussions, the representatives to this committee discuss valley-wide sewer along the lines of a City-County department or an operation to provide the construction and the maintenance of collection and treatment facilities throughout the urbanized area. Further, he suggested that the City give strong consideration, once an agreement is reached, to remove the double outside rate that the City currently has, and strive to obtain, if possible, a single service rate throughout the system -- at the least, a single tap fee throughout the system. He recommended also that the City give strong consideration to the removal of annexation as a requirement for tapping onto the system. He feels these are valid points for consideration.

President Kozisek appointed the following members to represent the City on this committee. Councilman Van Houten, City Manager Harvey Rose, Utilities Director James Patterson.

It was moved by Councilman Brown and seconded by Councilman Tufly to ratify the appointment of the above members to the committee. Motion carried with Councilman Van Houten abstaining.

## CENTENNIAL-BICENTENNIAL COMMITTEE REPORT

Councilman Johnson stated he had attended one other meeting of the Bicentennial-Centennial Committee and that plans were moving forward. He noted there will not be any additional meetings of that committee until September; however, the executive officers of that committee will be preparing a budget and will possibly be coming back to Council to report what has been done with the money that was appropriated and perhaps to request some additional funds. He stated the big problem right now is to carry on correspondence. He noted that request for funding for City projects should come directly from the committee to be sure that it has been approved by the committee as an authorized Centennial-Bicentennial project.

## MISCELLANEOUS DISCUSSION

Councilman Brown said he hopes to be in the new air conditioned Council Chamber by the next meeting. City Manager Rose commented that on this date he had shopped for carpet, a desk for the Council office and the sound system, which he feels should be ready prior to the next meeting.

Councilman Brown requested permission to paint his fire plug red, white, and blue only. Concensus of Council was it would have no objection provided the Fire Department had none. City Manager Rose is to investigate the report back at the next meeting.

## BOB SILVA APPOINTED TO SERVE ON COLORADO WEST COMMUNITY ACTION PROGRAMS

President Kozisek appointed Bob Silva of the Mesa County Sheriff's Department to serve as Council's appointment to the Colorado West Community Action Programs.

With the possibility of an opening on the Planning Commission, President Kozisek requested a list of names of members from the community so a selection can be made.

## ADJOURNMENT

It was moved by Councilman Van Houten and seconded by Councilman Colecott that the meeting be adjourned. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk