

Grand Junction, Colorado

October 1, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. October 1, 1975, in the Council Chambers at City Hall. Members present and answering roll call: Larry Brown, Harry Colescott, Karl Johnson, Jane Quimby, Robert Van Houten, and President of the Council Lawrence Kozisek. Councilman Elvin Tufly was absent. Also present were Assistant City Manager James Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

Council will consider the Minutes of the Regular Meeting September 17 and the Recessed Meeting of September 23 at it's Regular Meeting October 15, 1975.

INTRODUCTION OF NEW CITY EMPLOYEES

The following new City employees were present and introduced to Council:

Julian Atencio - Engineering Aide, Public Works
Stuart Cole - Custodian, Public Works
Dale Rice - Computer Programmer, Data Processing

RECOGNITION OF CITY EMPLOYEE RALPH STERRY - NATIONAL HATFIELD AWARD

RESOLUTION

Utilities Director Jim Patterson advised Council the City employee Ralph Sterr, Chief Operator of the Water Pollution Control Plant, will be awarded the National Hatfield Award for his outstanding professional approach to the operation of the City's Water Pollution Control Plant.

It was moved by Councilman Van Houten that a Resolution of commendation be spread upon the Minutes of the meeting and a copy thereof be given Mr. Sterry and a copy be included in Mr. Sterry's personnel file which motion was seconded by Councilman Johnson. Motion carried.

RESOLUTION

WHEREAS, Ralph Sterry of the Utilities Department has received the William D. Hatfield Award, a national award recognizing outstanding performance and distinguished professionalism in the operation of waste water and waste treatment facilities, and

WHEREAS, such award not only recognizes the ability of Mr. Sterry but also brings honor upon the City of Grand Junction;

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

That Ralph Sterry be commended by the City Council for his receiving the award and that such commendation appear in his personnel file through this Resolution.

PASSED and ADOPTED this 1st day of October, 1975.

President of the Council

Attest:

City Clerk

REQUEST FOR MORE SOFTBALL FACILITIES IN THE CITY OF GRAND JUNCTION

Mr. Jim Wilds, President of the Mesa County Softball Association, appeared before Council to request that during its next budget hearing Council consider additional softball facilities in the city of Grand Junction. Mr. Wilds noted that during the past softball season there were 130 teams on two softball fields. He indicated there were 30 teams turned away as there was no room for any more.

Mr. Wilds said the Association will help in providing new fields by having fund-raising events of which the proceeds will be donated, membership fees, and other methods. Members of the Association will furnish any voluntary labor necessary to get the locations prepared. Mr. Wilds was advised that Council has already considered that portion of the budget, and the consensus of Council was in favor of the tennis courts as it had been contacted by tennis players, and additionally because the Softball Association had been contacted some time ago to come forward with some support in order to show its good faith but had failed to follow through. Mr. Wilds advised that the request was made of the Association to raise \$2500. He indicated the Association is still short of the total amount, but he offered whatever was in the treasury now, approximately \$1700, to show good faith. Mr. Wilds pointed out that the softball program is paying its own way in the City budget. President Kozisek said Council's response was because of contracts by so many people in the community for the tennis courts and has been tentatively agreed to. Its consideration was based on what the City has done over a number of years regarding tennis courts versus what the City has done over a number of years regarding softball. He did advise Mr. Wilds that this is not locked in as there will continue to be budget hearings next week.

Mr. Wilds said that perhaps the Softball Association has been remiss in not directing its requests to Council.

HEARING TO CONSIDER CANCELLATION OF HOTEL-RESTAURANT LIQUOR LICENSE

COUNTY SEAT 601 NORTH 1ST STREET

The President opened the hearing. Mr. Gary Springfield, Treasurer of the Mesa Restaurant Corporation, appeared before Council in response to the notice of hearing. After Mr. Springfield reviewed the situation that existed prior to August 6, he stated that at that time he felt sure and did indicated to the Council that arrangements were being made to extend the option on the property at 601 North 1st Street. He indicated that the week following August 6, he met with Mr. Mr Wagner (Mr. Wagner was present), and paid to Mr. Wagner's Company over \$4,000 for the option that had previously expired. Mr. Springfield said that at the August 6 hearing, he communicated to Council that the Corporation had some negotiations underway for continuation of the option; however, he was unable to raise that money at that time. Mr. Springfield continued that since then he has talked with Mark Wagner and the Corporation has obtained the right to buy the building within the next 30 days. He referred again to his statement made at the August 6 hearing that he would be happy to come back to Council within 90 or 120 days and explain why he has not started construction or else at that time he would be more than happy of his own violation to give the restaurant license back to the City Council. Mr. Springfield stated that he has personally invested well over \$10,000 in the County Seat which includes options on the building and the surveys. He stated that now he fees that the gentleman he is working with has the financial integrity and responsibility to build and finance the restaurant. Mr. Springfield offered to furnish within the next few days documents that will show verification of his investment and the agreement between Mark Wagner and the Mesa Restaurant Corporation. Mr. Springfield said that as a local builder of homes, he feels he can provide a comfortable, homey atmosphere in the restaurant if he is given the additional 30 days to get his financing together. He said he may have misled the City Council August 6 in the fact that he stated that he did have the option. He said that he was sorry he said that and that it was misconstrued that way. He said that he talked to Mark Wagner the nest day and that during that week he did pay that (Mr. Wagner's) company over \$4,000 for the option that had expired. He stated that right now he had an agreement with Mark Wagner to purchase that property within the next 30 days. He requested that Council grant him the 30 days.

Councilman Van Houten said that he was very perturbed that the statement was made at that last hearing that Mr. Springfield did have that option renewed and that it was active at that point. He said that if Mr. Springfield had said the option was out and he was going to renew it that would be one thing. But when Mr. Springfield said had the option when in fact, he did not,

Councilman Van Houten did not like that.

Mr. Springfield said that at that time the Corporation did have an option; however, at that time also, they paid \$4,000 for the continuation of that extension. He was unable to meet the financial ability, responsibility, to continue the option at a considerable price the next time. He indicated Mr. Wagner in the audience and stated that Mr. Wagner would verify that continuous meetings were held all through that week trying to find an option. He asked Council to consider that he is the local man represented in the Corporation; he has personally paid certain bills contrived by the Mesa Corporation in order to keep himself as a businessman and as a responsible person well above the integrity of the community. He was sorry that happened, but he could also say that he tried to make that responsibility right by coming with the money. Mr. Springfield indicated his other partners since then have had some financial difficulty and cannot do it; but he lives here and works here and it is his ability to do those things. He said he has now gone back and renegotiated to take care of these options, and he requested the 30 days to at least try to put this together. If he cannot, of his volition he will give it (the license) back to the Council. Councilman Johnson asked if this was a corporation. Mr. Springfield responded it is. He is the treasurer of the corporation, the main financial backer of the Corporation, and he has put up most of the money for it. He is a home builder, and he thought of getting into the restaurant business would be interesting and diversified. Mr. Springfield said that John Anderson, President of the Corporation, is a resident of Grand Junction, but the other officer Carl Nelson, Vice President, lives in Denver. Mr. Springfield said that he has found another gentleman who is financially capable along with Mr. Springfield to put the restaurant together. Mr. Springfield was advised by Councilman Johnson that each time there is a corporate officer change, the Council has to give approval for that change. Mr. Springfield said he was aware of that, but he did not feel he should bother Council with extraneous things until he is sure it is financially feasible.

President Kozisek said he felt that Mr. Springfield has been very fair and more than forthright this evening.

Councilman Brown said that Mr. Springfield came previously and stated he had an option and just a while ago, he says he did and he didn't. Councilman Brown continued that about 10 days after that meeting (August 6), Mr. Wagner told him that Mr. Springfield not only did have an option at the time of the meeting but he didn't have an option those 10 days later, and that about two to three weeks ago the Council was told that there was no tie on the parcel at all. Councilman Brown said that he just does not understand what is going on.

Mr. Springfield stated that he did come before the City Council that evening and he did have the option at that time; that option expired, the next day he went down and talked with Mr. Mark

Wagner, Doug Hollings and Frank Nisley and agreed for another option. That night at the City Council meeting he and Mark Wagner agreed that they could put that option together, so Mr. Springfield said that the next day he went down and negotiated with those people for the next 10 days. Because of financial responsibility Mr. Springfield said he had to come up with the entire option money. He said that he had already put out a great deal . . . sum of money, so he construed in his own mind and construed to the City Council that the option was there. He stated that he was not present to mislead the City Council, but to tell them the facts and the way it happened.

Mr. Ashby interpreted that what he thinks Mr. Springfield is saying is that he did not have the option in writing; he had conducted certain arrangements or had certain conversations with Mark and with others who had the property so that he believed that he could get an option which he subsequently did get, and only Mark Wagner can confirm that.

Mr. Wagner indicated there was an interim period while they were negotiating, and he was out of town after that meeting and was not in on those negotiations. There were some stipulations and things to be met. Mr. Wagner said he answered Councilman Brown's inquiry at that particular time, and there was no option at that time. Mr. Wagner continued that for some reason there has been some void in between there when they did not get together following the last Council meeting.

Councilman Van Houten asked Mr. Wagner whether Mr. Springfield has at this point an option in written form. Mr. Wagner said yes, he has an agreement now for 30 days. Mr. Wagner's Company agreed to let Mr. Springfield have the chance to buy the building.

It was moved by Councilman Van Houten that this license be extended for a maximum of 30 days with the following understanding:

That if that option is not in existence at this point and that if is not exercised within that 30-day period, the license be automatically revoked without further discussions or hearings by the Council.

The motion was seconded by Councilman Brown. Motion carried.

APPOINTMENTS TO PLANNING COMMISSION

President Kozisek advised Council there are three seats to fill on the Planning Commission Board. The term of Blake Chambliss expired in August and he had indicated he is interested in reappointment;

Janine Rider's term expires in November and she has indicated interest in reappointment; Frank Simonetti and Bert Schilling have indicated interest in serving on the Board to complete the unexpired term of Councilwoman Quimby. Paper ballot vote resulted

in:

Blake Chambliss - Four-Year Term 10-79
Janine Rider - Four-Year Term 10-79
Frank Simonetti - May, 1977

Councilman Johnson directed the Assistant City Manager to convey to Mr. Bert Schilling Council's appreciation for his interest in serving on this Board and that his name will be retained for possible appointment to serve in another capacity.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the appointments of the three new members be ratified. Motion carried.

It was moved by Councilman Van Houten and seconded by Councilman Brown that Councilwoman Jane Quimby remain Council's ex-officio representative to the Planning Commission. Motion carried.

Councilwoman Quimby advised Council that the Sign Code Committee will meet in Council Chambers at 8:00 a.m. Wednesday, October 8.

ORDINANCE NO. 1581 REZONING LAND PARCEL 1 AT HARRIS ROAD AND GUNNISON AVENUE FROM R-1-C TO I-2; REZONING LAND PARCEL 2 AT MELODY LANE AND GUNNISON AVENUE FROM C-2 TO I-2 (CORN PROPERTY)

The Proof of Publication to the following entitled proposed 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 LANDS WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Brown and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried. The Ordinance was read. There being no comments it was moved by Councilman Brown and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1581 and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1582 ELAM ALLEY VACATION

The Proof of Publication to the following entitled proposed ordinance was resented: AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Johnson and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried. The Ordinance was read. There being no

comments it was moved by Councilman Brown and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1582, and ordered published. Upon roll call vote all Council members voted AYE. The President declared the motion carried.

MULTI-PURPOSE COMMUNITY CENTER BUILDING NAMED "TWO RIVERS PLAZA"

Councilwoman Quimby advised that from approximately 800 names submitted into the contest to name the Multi-Purpose-Community Center Building at Second and Main Streets, the Committee selected 15 which were presented to Council prior to the meeting. From these 15, Council narrowed to 4. They were: Heritage Hall, Heritage Plaza, Two Rivers Plaza, and Agora.

Paper ballot vote resulted in the majority vote for Two Rivers Plaza. Candy Ringler, 208 Park Drive, #4, an eleven-year-old sixth grader at Pomona School submitted the winning name. The Mayor will present the \$100 check to her on Thursday.

I.D. ST-75 RESOLUTION CREATING STREET IMPROVEMENT DISTRICT AND GIVING NOTICE OF HEARING

The following Resolution was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS AND AVENUES IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT NO. ST-75, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on September 17, 1975, the City Council of the City of Grand Junction, Colorado, by a Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for constructing sidewalks, curbs, gutters and paving streets and avenues in said City within proposed Improvement District No. ST-75, together with an estimate of the total cost such improvements and a map of the District to be assessed; and

WHEREAS, said City Engineer, having excluded Bonita Street from the district, has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution and the requirements of Ordinance No, 178, as amended, of said City;

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

Section 1. That said details, plans and specifications, estimate and map be, and the same are, hereby approved and adopted.

Section 2. That the district of lands to be assessed are as follows:

1. Beginning 499.3 ft. and S 210 ft E of the NW Corner NE4 of Sec 11, Township 1 South, Range 1 West of the Ute Meridian; thence East 1250 feet more or less to Little Bookcliff Railroad right of way; thence South 32° 50' West along West right of way line of Little Bookcliff Railroad 180 feet more or less; thence West 1160 feet more or less; thence North to Beginning, excepting road right of way Beginning 499.3 feet South 1020 feet East of Northwest Corner Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian; thence East 60 feet, thence South 150 feet, thence West 60 feet, thence North to Beginning.

Also to include Lots 1, 4, 5, 6, 7, 8, 9 and North 62.67 feet of Lot 2, Block 1, Yocum's Subdivision; all contained in Section 11, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado.

2. Beginning at a point 634.7 feet South and 25 feet East of the Northwest Corner of the Northeast Quarter Southeast Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian; thence 150 feet North, thence 610 feet East, thence 150 feet South, thence West to Point of Beginning.

Also to include Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 1 Lamm Subdivision, all contained in Section 7, Township 1 South, Range 1 East of the Ute Meridian, Grand Junction, Mesa County, Colorado.

3. Beginning at a point 50 feet East of 30 feet South of the Northwest Corner Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian; thence 150 feet East, thence South 5° 35' thence West 226.3 feet, thence West 130.3 feet, thence North along East right of way line of North 7th Street to Point of Beginning.

All in City of Grand Junction, County of Mesa and State of Colorado.

All installations to be constructed in accordance with General Conditions, Specifications and Details for Street Improvement Projects, City of Grand Junction, Colorado. Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

Section 3. The assessments to be levied against the property in the said district to pay the cost of such improvements shall be due and payable, without demand within thirty days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, that all such assessments

may, at the election of the owners of the property in said district be paid in ten (10) equal installments, the first of which is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period; and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed eight per centum per annum.

Section 4. Notice of Intention to Create said Improvement District No. ST-75, and of a hearing thereon shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-75 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the district hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-75 in said City for the purpose of constructing sidewalks, curbs and gutters and paving streets and avenues to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

<p>2945-111-15-003Lot 3 Wellington Medical Sub, Fil No. 1 Sec 11 1S 1W</p>	
<p>2945-111-15-001Lot 1 Wellington Medical Sub, Fil No. 1 Sec 11 1S 1W</p>	
<p>2945-111-02-951Beg S 0° 39' E 577 ft & S 63° 31' E 225.4 ft & S 0° 04' W 292 ft fr N4 Cor Sec 11 1S 1W S89° 26' E 951 ft to Pt on W Li of Little Bookcliff RR SWLY Alg ROW to S Li of NW4NE4 Sd Sec 11 W to Pt S of Beg N to Beg & Lot 1 to 9 inc Yocums Sub 1S 1W Exc W 190 ft</p>	

of N 162 ft of Lot 1 & 2 SD Yocums Sub.	
2945-111-00-127 Lot 2 Capitol Hill Sub Sec 11 1S 1W Exc N 140 ft & Exc S 60 ft for ROW	
2945-111-00-1241/4 Int in Parcel Desc Beg S 0° 16' W 420.69 ft fr NE Cor NW4 NE4 Sec 11 1S 1W S 0° 16' W 265.74 ft N 89° 29' W 261.27 ft N 557.79 ft S 21° 31' E 316.46 ft E 146.45 ft to Beg Exc W 30 ft & S 30 ft for ROW	
2945-111-00-1231/8 Int in Parcel Desc Beg S 0° 16' W 420.69 ft fr NE Cor NW4 NE4 Sec 11 1S 1W S 0° 16' W 265.74 ft N 89° 29' W 261.27 ft N 557.79 ft S 21° 31' E 316.46 ft E 146.45 to Beg Exc W 30 ft & S 30 ft for ROW	
2945-111-02-003W 40 ft of E 150 ft of Lots 1 & 2 in Yocum Sub Sec 11 1S 1W Exc S 12 2/3 of Sd Lot 2	
2945-111-02-002W 150 ft of Lot 2 Blk 1 Yocum Sub Esc S 12 ft 8 in.	
2945-111-02-001W 150 ft of Lot 1 Blk 1 Yocum Sub	
2945-111-00-1221/8 Int in Parcel Desc Beg S 0° 16' W 420.69 ft fr NE Cor NW4 NE4 Sec 11 1S 1W S 0° 16' W 265.74 ft N 89° 29' W 261.27 ft N 557.79 ft S 21° 31' E 316.46 ft E 146.45	

ft to Beg Exc W 30 ft & S 30 ft for ROW	
2945-111-00-1211/4 Int in Parcel Desc Beg S 0° 16' S 420.60 ft fr NE Cor NW4 NE4 Sec 11 1S 1W S 0° 16' W 265.74 ft N 89° 29' W 261.27 ft N 557.79 ft S 21° 31' E 316.46 ft E 146.45 ft to Beg Exc W 30 ft & S 30 ft for ROW	
2945-111-00-1201/4 Int in parcel Desc Beg S 0"16° W 420.69 ft fr NE Cor NW4 NE4 Sec 11 1W S 0° 16' W 265.74 N 89° 29' W 261.27 ft N 557.79 ft S 21° 31' E 316.46 ft E 146.45 ft to Beg Exc W 30 ft & S 30 ft for ROW	
2943-074-21-004Lot 4 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-003Lot 3 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-002Lot 2 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-001Lot 1 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-008Lot 8 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-007Lot 7 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-21-006Lot 6 Blk 1 Lamm Sub Sec 7 1S 1E	

2943-074-21-005 Lot 5 Blk 1 Lamm Sub Sec 7 1S 1E	
2943-074-00-951 NW4 NE4 SE4 Sec 7 1S 1E Exc N 305' of W 200' & Exc. Roads and Exc. Road on S as Desc in B-1019 P-581	
2945-111-00-032 Beg N4 Cor Sec 11 1S 1W S 105 ft E 190 ft N 105 ft W to beg.	
2945-111-00-033 Beg 105 ft S of N4 Cor Sec 11 1S 1W S 75 ft E 190 ft N 75 ft W to Beg Exc W 20 ft for Rd.	
2945-111-00-034 Beg 180 ft S of N4 Cor Sec 11 1S 1W S 75 ft E 190.3 ft N 75 ft W 190.3 ft to Beg Exc Co. Rd.	

Where acceptable curb, gutter and/or sidewalk exists, credit will be given. Any portion of the district cost not covered by said assessment shall be paid by the City.

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$151,000.00, exclusive of collection, interest and incidentals.

The maximum share of such total cost shall be as follows:

Wellington Avenue from 7th Street to Little Bookcliff Drive for concrete curb, gutter, sidewalk and street paving, Lots 1 through 8, including Block 1, Yocums Subdivision, Section 11, Township 1 South, Range 1 West . . . \$15.00 per front foot

Lot 9, block 1, Yocums Subdivision and Lots 1 and 3 Wellington Medical Subdivision and Lot 2 Capitol Hill Subdivision and a parcel desc. Beginning South 0° 16' West 420.69 feet from Northeast Corner, Northwest Quarter, Northeast Quarter, Section 11, Township 1 South, Range 1 West, thence South 0° 16' West 265.74 feet, thence North 89° 29' West 261.27 feet, thence South 30 feet for right of way . . . Full Cost per front foot

Mesa Avenue from 28 3/4 Road to Melody Lane for concrete curb, gutter, sidewalk and street paving . . . Full Cost per front foot

North 7th Street from Patterson Road Monument Line South 255 feet for concrete curb, gutter, sidewalk and street paving . . . \$15.00 per front foot

In case of the construction, repair, or extension of copper water service pipe connections, the whole cost thereof shall be assessed to the lots to which connections are made, in addition to the maximum listed above.

To the estimated assessable cost of \$121,200.00 (said amount reflects estimated credit for existing curb, gutter and sidewalk) to be borne by the property owners, there shall be added six (6) per cent for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said district to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided that all such assessments, at the election of the owners of the property in said district, may be paid in ten (10) equal installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest not to exceed eight (8) per centum per annum shall be charged on unpaid installments.

On November 5, 1975, at the hour of 7:30 o'clock P.M. in the Council Chambers in City Hall of said City, the Council will consider objections that may be made in writing concerning the proposed improvements, by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 1st day of October, 1975.

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

By:

Neva B. Lockhart, City Clerk

PASSED and ADOPTED this 1st day of October, 1975.

President of the Council

Attest:

City Clerk

The Engineering Department advised they are deleting Bonita Avenue from 12th Street to 13th Street from the District for lack of City matching funds. Bonita was selected to be dropped as it has existing pavement. Wellington is not open and there are two developments going on.

It was moved by Councilman Johnson and seconded by Councilman Brown that the Resolution be passed and adopted as read. Roll was called upon the motion with the following result: Council members voting AYE: Quimby, Colescott, Johnson, Van Houten, Brown, Kozisek. Council members voting NAY: None. Council members absent: Tufly. The majority having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

PROPOSED ORDINANCE LEVYING AN ADDITIONAL ONE-CENT SALES TAX

The following entitled proposed ordinance was presented and read: AN ORDINANCE IMPOSING AN ADDITIONAL SALES AND USE TAX IN THE CITY OF GRAND JUNCTION, COLORADO. City Attorney Gerald Ashby presented two proposals for "Ear-Marked Revenues." The first proposal provides that "Fifty per cent (50%) of derived revenues shall be used for general municipal government including capital improvements and the amortization of bonds of the City issued for such purposes. One-fourth of the revenues, as may be needed, shall be used in the utilities department of the City for operation, maintenance and expansion of the systems and present or future debt service to provide revenues to the systems sufficient to meet bond covenants of expenses for such operation, maintenance and expansion not met by the charges for use of the utilities or other revenues. Any portion of said one-fourth of the revenue not from time to time ear-marked for the purposes stated shall revert to the general fund of the City for the given year only, subject to annual appropriation by the City Council. Mr. Ashby advised that he confirmed this statement with bond counsel today.

The second proposal as outlined by Councilman Van Houten provides that "Fifty per cent (50%) of derived revenues shall be used for general municipal government including capital improvements and the amortization of bonds of the City issued for such purposes. S

much of the remaining revenues as may be needed shall be used in the utilities department of the City for present or future debt service to provide revenues to the systems sufficient to meet bond covenants not met by charges for use of the utilities or other revenues and for operation, maintenance and operation of the systems not otherwise met by such charges or other revenues. Any revenues not from time to time ear-marked for the purposes stated shall revert to the general fund of the City for the given year only, subject to annual appropriation by the City Council."

Two Ordinances will be presented at the next meeting of Council to be effective January 1, 1976, giving food tax rebate and reducing the water, sewer, and trash rates to the December, 1974, level.

It was moved by Councilman Johnson and seconded by Councilman Colescott that the proposed ordinance including proposal No. 1 be passed for publication. Motion carried with Councilman Van Houten voting NO.

PROPOSED ORDINANCE AMENDING THE DOG LICENSING FEE

The following entitled proposed ordinance was presented and read: AN ORDINANCE CONCERNING THE LICENSING FEE FOR DOGS. It was moved by Councilman Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

PROPOSED ORDINANCE CONCERNING THE CARRYING OF CONCEALED WEAPONS

The following entitled proposed ordinance was presented and read: AN ORDINANCE CONCERNING THE CARRYING OF CONCEALED WEAPONS. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

DAILY SENTINEL TAX BILL,

City Attorney Ashby said that when he reported at the noon luncheon Monday, he was not aware that the City had in the Finance Office a letter addressed to Ken Johnson from a James E. Feldhacker, District Manager, Harris Corporation Printing Press Division, attempting to provide what had been requested by the City Council. Mr. Ashby said the feeling at this point is that we should attempt to secure more evidence of the facts with regard to the trade-in, but Mr. Ashby felt this letter does evidence that they are still proceeding and trying to come up with what the City wants. Mr. Ashby advised that the Daily Sentinel will be approached again in an attempt to get the information; at the moment Mr. Johnson and Bill Foster, the Sentinel's Attorney, are out of town until some time next week. In addition to that, Mr. Ashby said he was contacted today by Chan Edmonds who indicated they are prepared to proceed in any way the City wishes including the interest fee. Mr. Ashby urged the Council to give him a little more time as he feels we are a little closer to the point where it can be completed.

President Kozisek stated that the contact he had with the Daily Sentinel expressed exactly the same thing; they were sure the City had been made aware of some figures. Mayor Kozisek said he thought probably if this had been done, they were not figures that were such that the Council wanted to alleviate them completely. But since Mr. Foster and Mr. Johnson are out of town, Mayor Kozisek felt it would be fair if this were delayed until further word is received from the Sentinel at the next regular meeting two weeks from now.

Councilman Van Houten asked what the gross sale price was on the new press. City Attorney indicated it may have been somewhere around a million dollars of which some of that may have been for installation and some other charges. The City has not seen those figures which is one of the difficulties the City has had. A representative from the Sentinel who was present said he did not have those figures. In any event, Mr. Ashby said the big question now is the proof in regard to the trade-ins as this was the item the Council was concerned about.

Councilman Van Houten asked if Harris took the old press. Mr. Ashby said he did not know that. He did not understand that that is the way it went.

Councilman Brown said there is only one problem remaining for him. He did not know why we do not have a little better information, considering that City people have been working on this for a while. He said that he has had trouble getting information on this from the City Administration. He thought it was fine for Mr. Ashby to take some time to get this all straightened out, but the next time this comes up he would like to have the definite answers from the Administration on what is lurking back in its files somewhere. He said the two-page memo he received Monday was extremely unclear.

Mr. Ashby explained there has been a lot of correspondence going on between the Finance Department and in the Daily Sentinel where some answers have been received and in some instances no answers. But as far as specifics on trade-in or how the trade-in was handled and things of this nature, the City does not have this information. This is what must be obtained. The initial information the City has is an estimate that was made, and Mr. Ashby did not know where we got that.

Assistant City Manager James Wysocki advised that the only information the City has on that particular transaction is what we have read in the newspaper.

Councilman Van Houten said that he wanted to be assured at this point that the Administration and the Daily Sentinel will forthwith come forward with this information. Mr. Ashby said he thought this demonstrates that the Daily Sentinel is ready to go, and Council has indicated to him that it would prefer that we were

ready to go. Mr. Ashby said that Mr. Foster is due back in town on the 8th. He said he did not know how rapidly the Daily Sentinel can come up with whatever Mr. Feldhacker has on this transaction, but he indicated to Council that he should know by the next meeting of Council exactly what this man has and then Council could tell him what it wishes to do. He said the burden is obviously on the Daily Sentinel at the moment.

It was the consensus of Council that this matter will be brought back to the next regularly scheduled meeting of Council with, hopefully, enough information to be resolved.

REQUEST BY BRIDGE HOUSE FOR FUNDS

Mrs. Carol Crawford, Director of Bridge House, and approximately 20 people, appeared before Council in behalf of Bridge House. Mrs. Crawford said that during discussions with City Manager Rose, he indicated to her that the City Council did not wish, or is not willing, to fund any organizations this year. Mrs. Crawford said she does not consider Bridge House like any other organization. She cited activities of the Bridge House such as visits to the jail, handling emergency transportation calls instead of using the Rescue Squad; acts as a jail alternative for protective custody cases; acts as a referral source for the Municipal Court system; and in general acts as a very important adjunct to the entire law enforcement system. She distributed some fact sheets to Council. She then introduced Mr. Richard Arnold, local attorney and member of the Bridge House Board.

Mr. Arnold said that one year ago when this group appeared before Council, the future for Bridge House looked pretty bright financially with the hope of receiving State funding. Now it appears the State is not going to help them nor is there any long-term promise of financial assistance coming from the State legislators. If Bridge House is to survive in this community, it must get some funding. He noted that Bridge House is helping a larger number of City residents who have an alcoholism problem versus the number in the County. He indicated that these people are helped and returned to the community and to the tax rolls. He suggested that \$34,000 of Revenue Sharing Funds would take care of 133 people for in-patient treatment.

Mrs. Farina said that she attended a meeting at the Bar X recently to find out from Ken Kirkwood, Chief of Drug and Alcoholism Abuse Division of the State Health Department, why it is that since this community has submitted so many requests for grants over the years, the alcoholism monies were never forthcoming from the State. She said he did not answer her during the open meeting, but afterwards he told her there is only one other community within the State of any significant size that has not demonstrated through financial support by its civic leaders that it is interested in alcoholism, and they will not fund a community that does not demonstrate in that way its interest in the program. At least this explained to her why so many of the requests for grants

have been turned down.

President Kozisek said this sounds like blackmail to him. He said it seemed extremely odd that the State could recognize the work done by the members of Bridge House and the members of the community.

Councilman Johnson said he feels they are being less than honest with the group if they do not explain in writing what the procedures are for receiving these grants. Every grant program has a guideline.

Councilwoman Quimby said she does not believe any member of Council is quarreling with the type of work accomplished by Bridge House. She noted that so often the State starts programs and then expects the local governments to pick up and continue them. It then becomes very difficult and sometimes the local governments simply cannot continue the programs. She questioned whether the City has any sales tax figures from liquor sales and if those figures could be obtained, her question then would be, if Council determines that it should give some support to Bridge House, could it take a portion of the additional one-cent sales tax specifically from the liquor sales for dedication to this program.

Councilman Van Houten suggested this request should be presented to the County Commissioners for placement on the ballot for a one-mill levy to support it.

Mrs. Crawford noted that St. Mary's Hospital and Osteopathic Hospital are presently doing the detox program, but St. Mary's has indicated that after the first of the year it can no longer do this. If the Osteopathic Hospital indicates it cannot do the entire program Bridge House will need a building that will meet local, County, and State standards and unless they have it there will be no State funds. She requested this evening \$5,000 immediately for operating funds. Her second request was for a match of \$30,000 for the equity in the property that Bridge House now has. She indicated this same request has been presented to the County Commissioners. If these requests are met, it will mean \$90,000 to build a detox center which would be adequate for Mesa County. She feels it would also generate more State funds so that locally the people would not have to come up with so much of the money. The State has indicated to them that if this component is in the community and working, they will fund it 66 percent. She concluded her remarks that the community needs not only buildings and street programs, but also people programs.

Mr. Terry O'Grady, 1295 Pinyon Avenue, supported Council's position.

Mr. Wayne Halstead, 1608 Pinyon Avenue, favored assistance to this group.

Consensus of Council was it does not see its role as supporting

private groups who have a specific function with tax monies unless directed by the people to do so.

COUNCIL COMMITTEE REPORTS

Housing Authority - Councilwoman Quimby reported the Housing Authority will hold its annual meeting November 6. She extended an invitation to all Council members to attend.

Centennial-Bicentennial Co-Committee Meeting - Councilman Johnson reported the Centennial-Bicentennial Co-Committee met this past week. It has scheduled regular evening meetings on the third Monday of the month for general discussion with the public invited to offer suggestions on programs and the development of those programs. The meetings will be held in the Council Chambers. The Co-Committee will hold a breakfast business meeting on the third Thursday of the month.

He extended an invitation to Council to participate in a kick-off project on October 12 at Powderhorn. The Committee and all its friends are invited to paint graffiti on the tables, restrooms, and walls as long as it has something to do with the centennial-bicentennial observance. Each individual is to bring his own sack lunch, small paint brush, and white or blue paint. Powderhorn will paint the tables red.

ADJOURNMENT

It was moved by Councilman Van Houten and duly seconded that the meeting be adjourned.

Neva B. Lockhart

Neva B. Lockhart
City Clerk