

Grand Junction, Colorado

June 16, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. June 16, 1976, in the Council Chambers at City Hall. Members present and answering 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 Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Colescott and seconded by Councilman Tufly that the minutes of the Regular Meeting May 19, 1976, and June 2, 1976, be approved as written. Motion carried.

TRAFFIC ON MAIN STREET CLOSED JUNE 26 FOR CELEBRATION OF "A DAY IN 1876" 9 A.M. TO 5 P.M.

Centennial-Bicentennial Director Mark Williams appeared before Council to request street closing on Main Street June 26, from 9 a.m. to 5 p.m. to celebrate "A Day in 1876."

It was moved by Councilman Tufly and seconded by Councilman Colescott that permission be granted and that the proper City employees be alerted to set up the barriers. Motion carried unanimously.

EXPENDITURE OF \$1,195 FROM CENTENNIAL-BICENTENNIAL FUNDS AUTHORIZED

Centennial-Bicentennial Director Mark Williams requested the expenditure of \$350 for the "Day in 1876" expenses, \$300 for the baseball games, and \$545 for a hanging at the Library; a total of \$1,195 from the Council's Centennial-Bicentennial Fund.

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the expenditures be approved and authorized the earmarked expenditures from Council's Centennial-Bicentennial Fund. Motion carried unanimously.

PETITION TO REPEAL SECTION 4.1(b), CODE OF ORDINANCES, PERTAINING TO ALCOHOLIC BEVERAGES

Mr. Harry Mahleres, owner of The Vault, 5th and Rood, and representing owners and managers of liquor and beer licenses for on-premise consumption, appeared before Council to petition the repeal of Section 4.1(b), which provides that only the licensee or his employees carry alcoholic beverages from table to table, or place to place. Mr. Mahleres said that everyone in the room had,

no doubt, broken this ordinance at one time or another. A report from the Police Department was read which stated that there has been no one charged with the violation of this Ordinance during the past three years. It was noted that this Ordinance was adopted several years ago for the purpose of controlling disturbances which were created by persons table hopping, which frequently resulted in a drink being spilled on someone, or in an unwanted visitor at a table. At the time the Ordinance was adopted, the situation in Grand Junction was considerably different due to the fact there were a limited number of lounges which could accommodate more than fifty persons. Now we have several facilities, The Caravan, The Holiday Inn, The Ramada Inn, Bar X and Two Rivers Plaza, accommodating large groups of people. It was noted in the report that in a convention-type setting, it is very difficult to enforce this section of the Ordinance as presently written, and it was the recommendation that Section 4.1(b) of Article I be repealed. The City Attorney Gerald Ashby and District Attorney Terrance Farina recommended repeal of this section.

Councilman Johnson noted that this Article also sets certain light standards and he would recommend that it be considered for repeal at the same time.

It was moved by Councilman Johnson and seconded by Councilman Van Houten that the petition be accepted and directed that the City Attorney draw up a proposed ordinance to repeal these two sections. Motion carried.

#### LINCOLN PARK BARN COMMITTEE REPORT

Mr. Rex Sidener, Chairman of the Lincoln Park Barn Committee, appeared before Council to file his report. He stated that this Committee was charged with the responsibility of surveying the feasibility of renovating the barn or tearing it down. After careful study of the reports from insurance companies, architects, electrical consultants, structural engineers, the Fire Department, an independent engineering firm, and in listening to the voice of the Community who feel a great need for the auditorium, as well as a dissenting report from an architectural firm, it is the opinion of the Committee that the auditorium be renovated. The Committee recommended that: (1) the building be renovated to the B-2 occupancy level, working toward the Phase 2 level of the Chambliss proposal without major changes toward modernization and beauty as the feeling of the Public is such that a place of low-cost for usage as well as casualness is needed. (2) Since the monies for renovating will come largely from donations from the people of Grand Junction, this be taken into consideration when the "user fees" are set. (3) It is the recommendation of the Committee that the Public be given every opportunity to participate in donating to the project. It is the feeling of the Committee that there are a great number of people and organizations who wish to participate, also that a special fund or account be set up at one of the local banks, and a group of citizens act as trust-fund administrators with a goal of \$25,000, and any amount over that

should go int a special fund to be used for maintenance and upkeep. The Committee also urged very strongly that every effort be made to make the barn available this summer.

A copy of the Ed Armstrong letter, the independent engineering firm, was made a part of the Record.

June 8, 1976

Mr. Dick Hollinger  
City-County Building Department  
P. O. Box 897  
Grand Junction, CO. 81501

Re: Structural Review  
Lincoln Barn Building  
Lincoln Park, Grand Junction, CO.

Dear Mr. Hollinger:

At about 5:00 p.m. on June 1, 1976, a structural review was made of the roof truss system as requested by your department. There were several persons present during this review, a few of which are listed below:

City-County Building Department - Mr. Dick Hollinger  
Mr. Charles Teed

City Fire Department - Mr. Wes Painter

Armstrong Engineers & Associates - Mr. Ed Armstrong

The purpose of this field review was to determine the structural adequacy of this building in its present condition. On June 3, 1976, a subsequent review was made of the floor support system.

The roof system did not show any significant signs of stressing from our review. The trusses were spaced at about 16 feet with a clear span of about 60 feet. The ceiling which runs between the trusses is made up of 2 X 4's at a spacing of 24 inches with fascia. These ceiling panels had deteriorated somewhat and should be removed or upgraded for safety reasons. Whatever work is accomplished on the roof and ceiling system, should be accomplished under the direction of a registered engineer. It was pointed out that a major fireproofing effort would be necessary to meet the building code should the above mentioned ceiling panels be left in place. The economics of the alternates available in keeping the structure in a serviceable condition should be studied carefully with the building department.

The floor system was also reviewed from the crawl space available below the floor joints and beams. We did not see any structural problems in the floor system based on the areas we were able to see from below. The members did not show any signs of rotting from

the moisture or nearness of the natural ground.

In summary, this review was not meant to be an indepth structural examination and analysis of the building but instead an opinion based on a visual examination of the building. We see no major problems associated with the continued use of this building from a structural aspect as long as the building can be renovated to meet the local building codes.

Should you have any questions concerning any of the above, please contact us at your convenience.

Very truly yours,

ARMSTRONG ENGINEERS & ASSOCIATES

/s/ Edward A. Armstrong

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Edward A. Armstrong, PE

EAA/vp

A copy of the report is to be mailed to each Council members.

Discussion was had regarding the fire exits. Mr. Sidener recommended that one fire truck be on stand-by during the time that the auditorium is in use this summer. Councilman Brown suggested that two Firemen standing by might be sufficient.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the report of the Lincoln Park Barn Committee be accepted and that Council be provided copies of the additional studies that have been made so Council can review the information and make a determination at a later date, and further, that the Staff make recommendations as to what is necessary to make the auditorium available for use this summer. Motion carried unanimously.

Mrs. Mary Hurst commented that she was in favor of saving the barn, however, two or three years ago a report was filed by a structural engineer which recommended condemning the Lincoln Park Auditorium. This was at the time, she stated, when bonds were being sold for the multi-purpose building. It was noted the report is on file but was not available for this meeting. Comparison of that report to the current reports reveals a difference of opinion between professional people.

President Kozisek did not disband the Committee. He felt there were a couple of recommendations made in the report for which the Council could perhaps use this Committee at a later date.

Mr. Bill Whatley, 1036 Lakeside Court, commented that he has

attended many dances at Lincoln Park Auditorium, and he has crawled around in the rafters. He has seen the 2 X 10's holding up the building. After some of the dances that have been held at the auditorium, he doesn't believe the building has moved an inch.

Mark Williams stated that the Federal Government matches funds 50/50 for restoring of old buildings. He will document this information and provide it to Council at a later date.

HEARING - PROPOSED FINAL DEVELOPMENT PLAN IN A PD-B ZONE (NW COR OF 7TH STREET AND PATTERSON ROAD)

Advertised for hearing on this date was the Proposed Final Development Plan in a PD-B zone at the northwest corner of 7th Street and Patterson Road. Senior Planner Don Warner reviewed the final development plan, commented that the Planning Commission had recommended approval, Subject to review of the structural landscaping with the City Parks Department. Mr. Warner indicated this has been accomplished. He noted a change in that a handball court is to be installed. He felt that this would be engineered and there would be no problems evolving from this. Mr. Sam Haupt was present to speak for the proposal. No letters having been filed and no others in the audience indicating a desire to speak, the President closed the hearing.

It was moved by Councilman Tuflly and seconded by Councilman Johnson that the final development plan be approved. Motion carried.

Mr. Warner stated that he would now seek Council's approval of a one lot subdivision plan. It was moved by Councilman Tuflly and seconded by Councilwoman Quimby to approve the one lot subdivision plan. Motion carried unanimously.

HEARING - PROPOSED CONDITIONAL USE - SERVICE BUSINESS IN B-1 ZONE (1214 NORTH 7TH ST)

City Planner Don Warner advised this proposal is to allow a style shop and beauty shop. Offices are allowed in this B-1 zone. The conditional use is for the style and beauty shops. The plan is to put in a style shop on the first level and a beauty shop on the second level, which has a balcony which overlooks the garden. This item has been approved by the Planning Commission, subject to more green landscaping rather than dry landscaping, and the City Traffic Department review for a one-way alley.

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 Tuflly and seconded by Councilman Brown that the conditional use be approved subject to the developers complying with Planning Commission requirements. Motion carried unanimously.

HEARING - PROPOSED CONDITIONAL USE - OFFICE IN R-3 ZONE (NORTH SIDE OF 500 BLOCK OF OURAY AVENUE) PETITIONER: MESA COUNTY FEDERAL TEACHERS CREDIT UNION

Senior Planner Don Warner reviewed the area in question. He noted that there is one residence between the proposed site and the Older American Center. The office will be used by the Mesa County Federal Teachers Credit Union. The Planning Commission reviewed this request, and approved subject to the petitioners looking into the types of screening to be used on the east and the west separating the other uses in the area. Mr. Warner indicated that the petitioners have met with Mr. Idleman of the Parks and Recreation Department. Mr. Warner indicated that he has a letter signed by Ken Idleman to the proponents which was agreed to and has been signed by NHPQ as to the type of plant. In the letter also the proponents signed and agreed to move the trash container to the alley as proposed by the Sanitation Department. Mr. Kent Webster was present on behalf of the petitioners. He commented there will be three houses left on the block, two on the west, and one east of the proposed location.

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 Brown that the conditional use in R-3 zone be approved. Motion carried with Councilman Tufly voting NO.

Councilman Brown asked what can be done now to avoid hazardous rezoning in residential neighborhoods. Councilman Johnson commented that he thought there needs to be some plan for rehabilitation. In many instances, the owners of these homes cannot maintain or remodel to a standard for residential use. Councilman Brown moved that the Planning Commission be directed to take a look at the way the City is zoned, and make recommendations whether for specific rezoning or general to the Council. The motion was seconded by Councilman Colescott. Said motion carried unanimously.

HEARING - PROPOSED WELLINGTON COVE BULK DEVELOPMENT (NORTH SIDE OF 1200 BLOCK OF WELLINGTON AVENUE)

Senior Planner Don Warner outlined the Bulk Development and stated it is condominium-type development. The Planning Commission approved subject to screening on the east and the west, the placement of the fire hydrant within the development, and concrete the irrigation ditch.

No one in the audience indicating a desire to speak, and no letters having ben filed, the President closed the hearing. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Bulk Development be approved. Motion carried unanimously.

HEARING - PROPOSED FINAL PLAN - PINYON COMMERCIAL PARK (I-70 BUSINESS AND 19TH ST)

Senior Planner Don Warner outlined the area in question. The Planning Commission recommended approval of the final plan for Pinyon Park Subdivision. 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 Tufly and seconded by Councilman Johnson that the final plan for Pinyon Park Subdivision be approved. Motion carried unanimously.

CONSIDERATION OF PETITION FOR STREET IMPROVEMENT (UNPAVED AREA CONNECTING WEST KENNEDY AVENUE TO WEST FRANKLIN AVENUE)

Submitted for consideration was the petition for Street Improvement of the unpaved area connecting West Kennedy to West Franklin Avenue. President Kozisek commented that the petitioners in this instance are not the payers. Senior Planner Don Warner noted there are two single residences, two four-plexes, and two two-plexes in the area. Council directed that recognizing the petitioners are not the payers it would direct the Staff to contact all the owners and ask if they would voluntarily enter into a district to pave the street, and also directed that the Public Works Department draw up some estimated cost for the improvement to be considered by Council at its next meeting. Senior Planner Don Warner indicated he would contact the people in the area to get their feelings as to whether they would enter into a district.

ORDINANCE NO. 1622 - LEVYING LODGING TAX - FAILED TO PAS

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE ESTABLISHING A LODGING TAX WITHIN THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE COLLECTION OF SUCH TAX AND REGULATIONS THEREUNDER, AND PROVIDING FOR THE USE OF THE PROCEEDS THEREOF. It was moved by Councilman Colescott and seconded by Councilman Tufly that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Brown and seconded by Councilman Tufly that the proposed ordinance be called up for final passage and the title read. Motion carried unanimously. The Ordinance title was read.

Councilman Brown submitted letters from Mildred E. Greene of the Riviera Motel, from the Grand Junction Chamber of Commerce, from the Columbine Motel, and from the El Palomino Motel. The results of the recent City survey showed six in support of the tax, 25 not in support of the tax, and 2 not available for comment. Appearing before Council and speaking in support of the tax were: Mr. Dale Hollingsworth, Chamber of Commerce, Mr. Jerry Mischel, Mr. Sam Haupt, Mr. Steve Miller of the Shamrock Motel, Mr. Goff, owner of Castle Motel in Palisade, Mr. Bill Gillen, American Family Lodge, Joe Hughes and Maryann Hughes of the Silver Spur Motel, and Mr.

Lakner.

Opposed to the levying of a lodging tax were Mrs. Senn, El Palomino Motel, Betty and Bill Gerdeman, Holiday Motel, Georgia MacLaren and Mildred Greene.

It was moved by Councilman Brown and seconded by Councilman Tufly that the proposed ordinance be passed, adopted, numbered 1622 and ordered published. Roll call resulted in Council members QUIMBY, COLESCOTT, JOHNSON, VAN HOUTEN, BROWN and KOZISEK voting NO, Councilman TUFly voting AYE. A majority opposing the passage of the ordinance, the President declared the motion lost.

PROPOSED ORDINANCE AMENDING CHAPTER 31, SECTION 12.e.1 - RATE CHANGE FOR USERS OF WATER FROM UTE WATER CONSERVANCY DISTRICT SYSTEM (WITHIN THE CITY LIMITS)

The following entitled proposed ordinance was read: AN ORDINANCE RAISING THE CHARGE FOR THE USE OF WATER FOR THOSE PERSONS BILLED UNDER THE IN-CITY UTE WATER CONSERVANCY RATE. It was moved by Councilman Tufly and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried unanimously.

S.S. 34-76 - SANITARY SEWER DISTRICT EL POSO AREA - RESOLUTION ADOPTING DETAILS, PLANS AND SPECS - NOTICE OF HEARING

The following Resolution was read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SANITARY SEWER DISTRICT NO. 34-76, 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 A HEARING THEREON.

WHEREAS, on the 19th day of May, 1976, the City Council of the said City of Grand Junction, Colorado, by Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for construction of a sanitary sewer within proposed Sanitary Sewer District No. 34-76, together with an estimate of the total cost of such improvements, and a map of the District to be assessed; and,

WHEREAS, said City Engineer 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:

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

2. That the District of Lands to be assessed with the cost of said improvement is described as follows:

- Lots 1 thru 22 inclusive of Block 1, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 2, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 3, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 4, Carpenters Sub No. 2;

Plus the following described parcels listed by Mesa County Assessors tax numbers:

<p>2945-151-00-038Beg 335 ft N &amp; 410 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft S 125 ft E 50 ft N to Beg</p>	
<p>2945-151-00-047Beg 60 ft W &amp; 535 ft N of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	
<p>2945-151-00-048Beg 535 ft N &amp; 110 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	
<p>2945-151-00-049Beg 160 ft W &amp; 535 ft N of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg</p>	
<p>2945-151-00-050Beg 535 ft N &amp; 235 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 25 ft N 125 ft E 25 ft S 125 ft to Beg</p>	
<p>2945-151-00-051Beg 535 ft N &amp;</p>	

<p>260 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 25 ft N 125 ft E 25 ft S to Beg</p>	
<p>2945-151-00-052Beg 535 ft N &amp; 285 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 50 ft N 125 ft E 50 ft S to Beg</p>	
<p>2945-151-00-053Beg 535 ft N &amp; 335 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 75 ft N 125 ft E 75 ft S 125 ft to Beg</p>	
<p>2945-151-00-054Beg 535 ft N &amp; 410 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft N 125 ft E 50 ft S to Beg</p>	
<p>2945-151-00-055Beg 395 ft N &amp; 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 150 ft N 125 ft E 150 ft S to Beg</p>	
<p>2945-151-00-056Beg 295 ft N &amp; 235 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 75 ft N 125 ft E 75 ft S to Beg</p>	
<p>2945-151-00-057Beg 295 ft N &amp; 160 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	
<p>2945-151-00-058Beg 395 ft N &amp; 210 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg</p>	
<p>2945-151-00-059Beg 395 ft N &amp; 110 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	

<p>2945-151-00-060 Beg 395 ft N &amp; 60 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	
<p>2945-151-00-061 Beg 335 ft N &amp; 60 ft W of SW Cor SE4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E to Beg</p>	
<p>2945-151-00-062 Beg 335 ft N &amp; 110 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 100 ft S 125 ft E 100 ft N to Beg</p>	
<p>2945-151-00-063 Beg 70 ft N &amp; 160 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg</p>	
<p>2945-151-00-064 Beg 335 ft N &amp; 210 ft W of SW Cor SE4NE4 Sec 15 1S 1W S 50 ft S 125 ft E 50 ft N to Beg</p>	
<p>2945-151-00-065 Beg 335 ft N &amp; 260 ft W of SE Cor SW4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E 50 ft to Beg</p>	
<p>2945-151-00-066 Beg 335 ft N &amp; 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E 50 ft to Beg</p>	
<p>2945-151-00-067 Beg 335 ft N &amp; 360 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft S 125 ft E 50 ft N 125 ft to Beg</p>	
<p>2945-151-00-068 Beg 1800.3 ft W &amp; 270.9 ft N of E4 Cor Sec 15 1S 1W N 96 ft W 55 ft S 96 ft E</p>	

to Beg	
2945-151-00-069Beg S 89° 45' W 1800.3 ft fr E4 Cor Sec 15 1S 1W N as Recd Book 897 Pg 473 Mesa Co. Clerk	
2945-151-00-073Beg 70 ft N & 460 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 40 ft S 125 ft E to Beg	
2945-151-00-074Beg a Pt 70 ft N & 385 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg	
2945-151-00-075Beg 70 ft N & 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg	
2945-151-00-076Beg 70 ft N & 285 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg	
2945-151-00-077Beg a Pt 70 ft N & 210 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg	
2945-151-00-078Beg 70 ft N & 235 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg	
2945-151-00-079Beg 70 ft N & 185 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg	
2945-151-00-081Beg 70 ft N & 60	

ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 100 ft S 125 ft E to Beg	
Part of Block 7 Carpenters Sub, No. 2 described as follows:	
2945-154-11-001S 25 ft of Lots 1 to 8 Inc Blk 7 Carpenter Sub 2 Exc Hwy as Desc in B-983 P 91 Co. Clerks Office	
2945-154-11-002N 100 ft of Lots 1 to 3 Inc Blk 7 Carpenters Sub No. 2 Exc Beg S 42° 95' W 178.4 ft fr NE Cor NW4SE4 of Sec 15 1S 1W N 89° 45' E Alg S Li of Prop 61.7 ft to E Li Lot 1 N Alg E Li Lot 1 30.6 ft S 63° 23' W 69 ft to Beg	
2945-154-11-003N 100 ft of Lots 4 to 8 Inc Blk 7 Carpenter Sub 2	
2945-154-11-004Lots 9 to 17 Inc Blk 7 Carpenters Sub 2	
2945-154-11-008Lot 18 to 23 Inc Blk 7 Carpenters Sub 2 Lyg N of Hwy 340	

All in Mesa County, Colorado.

3. that the cost of said improvement shall be assessed upon the improved real estate in the District against those people with developed property and those who have vacant property who choose to be assessed at the time of construction of the district in accordance with those tap charges as the same are set out in Section 19, Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado.

4. The assessments to be levied against the property in said District to pay the cost of such improvement, shall be due and payable, without demand, within thirty (30) days after the final

publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) days, 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 (8%) per annum.

5. Notice of Intention to Create said Sanitary Sewer District, and of 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, to wit:

NOTICE

OF INTENTION TO CREATE SANITARY SEWER DISTRICT NO. 34-76, IN THE CITY OF GRAND JUNCTION, COLORADO, AND 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 Sanitary Sewer District No. 34-76 in said City for the purpose of constructing a sanitary sewer to serve the property hereinafter described:

- Lots 1 thru 22 inclusive of Block 1, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 2, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 3, Carpenters Sub No. 2;
- Lots 1 thru 22 inclusive of Block 4, Carpenters Sub No. 2;

Plus the following described parcels listed by Mesa County Assessors tax numbers:

<p>2945-151-00-038 Beg 335 ft N &amp; 410 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft S 125 ft E 50 ft N to Beg</p>	
<p>2945-151-00-047 Beg 60 ft W &amp; 535 ft N of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg</p>	

2945-151-00-048Beg 535 ft N & 110 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg	
2945-151-00-049Beg 160 ft W & 535 ft N of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg	
2945-151-00-050Beg 535 ft N & 235 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 25 ft N 125 ft E 25 ft S 125 ft to Beg	
2945-151-00-051Beg 535 ft N & 260 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 25 ft N 125 ft E 25 ft S to Beg	
2945-151-00-052Beg 535 ft N & 285 ft W of SW Cor SE4NE4 Sec 15 1S 1W W 50 ft N 125 ft E 50 ft S to Beg	
2945-151-00-053Beg 535 ft N & 335 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 75 ft N 125 ft E 75 ft S 125 ft to Beg	
2945-151-00-054Beg 535 ft N & 410 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft N 125 ft E 50 ft S to Beg	
2945-151-00-055Beg 395 ft N & 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 150 ft N 125 ft E 150 ft S to Beg	
2945-151-00-056Beg 295 ft N & 235 ft W of SW Cor SE4NE4 Sec	

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2945-151-00-060Beg 395 ft N & 60 ft W of SW Cor SE4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg	
2945-151-00-061Beg 335 ft N & 60 ft W of SW Cor SE4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E to Beg	
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2945-151-00-064Beg 335 ft N & 210 ft W of SW Cor SE4NE4 Sec 15 1S 1W S 50 ft S 125 ft E 50 ft N to Beg	

<p>2945-151-00-065 Beg 335 ft N &amp; 260 ft W of SE Cor SW4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E 50 ft to Beg</p>	
<p>2945-151-00-066 Beg 335 ft N &amp; 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W S 125 ft W 50 ft N 125 ft E 50 ft to Beg</p>	
<p>2945-151-00-067 Beg 335 ft N &amp; 360 ft W of SE Cor SW4NE4 Sec 15 1S 1W W 50 ft S 125 ft E 50 ft N 125 ft to Beg</p>	
<p>2945-151-00-068 Beg 1800.3 ft W &amp; 270.9 ft N of E4 Cor Sec 15 1S 1W N 96 ft W 55 ft S 96 ft E to Beg</p>	
<p>2945-151-00-069 Beg S 89° 45' W 1800.3 ft fr E4 Cor Sec 15 1S 1W N as Recd Book 897 Pg 473 Mesa Co. Clerk</p>	
<p>2945-151-00-073 Beg 70 ft N &amp; 460 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 40 ft S 125 ft E to Beg</p>	
<p>2945-151-00-074 Beg a Pt 70 ft N &amp; 385 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg</p>	
<p>2945-151-00-075 Beg 70 ft N &amp; 310 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 75 ft S 125 ft E to Beg</p>	
<p>2945-151-00-076 Beg 70 ft N &amp; 285 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125</p>	

ft E to Beg	
2945-151-00-077Beg a Pt 70 ft N & 210 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg	
2945-151-00-078Beg 70 ft N & 235 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 50 ft S 125 ft E to Beg	
2945-151-00-079Beg 70 ft N & 185 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 25 ft S 125 ft E to Beg	
2945-151-00-081Beg 70 ft N & 60 ft W of SE Cor SW4NE4 Sec 15 1S 1W N 125 ft W 100 ft S 125 ft E to Beg	
Part of Block 7 Carpenters Sub, No. 2 described as follows:	
2945-154-11-001S 25 ft of Lots 1 to 8 Inc Blk 7 Carpenter Sub 2 Exc Hwy as Desc in B-983 P 91 Co. Clerks Office	
2945-154-11-002N 100 ft of Lots 1 to 3 Inc Blk 7 Carpenters Sub No. 2 Exc Beg S 42° 95' W 178.4 ft fr NE Cor NW4SE4 of Sec 15 1S 1W N 89° 45' E Alg S Li of Prop 61.7 ft to E Li Lot 1 N Alg E Li Lot 1 30.6 ft S 63° 23' W 69 ft to Beg	
2945-154-11-003N 100 ft of Lots 4 to 8 Inc Blk 7 Carpenter Sub 2	
2945-154-11-004Lots 9 to 17 Inc	

Blk 7 Carpenters Sub 2	
2945-154-11-008 Lot 18 to 23 Inc Blk 7 Carpenters Sub 2 Lyg N of Hwy 340	

All in Mesa County, Colorado.

The City Engineer has made an estimate of the total cost of the improvements.

The maximum share of said estimate to be borne by the properties within the District, as based upon the size of water service line serving the improvements on the property, is as follows:

<u>Water</u> <u>Service</u> <u>Size</u> <u>Capital</u> <u>Improvement</u> <u>Charge</u> <u>Plan</u> <u>Investment</u> <u>Fee</u> <u>Total</u>					
1" or less \$1,050.00+\$150.00=\$1,200.00					
1 1/2" 1,400.00+200.00=1,600.00					

2"1,900.0 0+300.00= 2,200.00					
4"3,650.0 0+500.00= 4,150.00					
6"5,650.0 0+700.00= 6,350.00					

Such assessment shall be made against all of the improved property in the district at the time of the installation of the sewers in the district; provided, however, that nothing herein shall relieve the owner of property within the district from paying other tap fees as portions of his property are improved even though they may have been assessed within this district.

To all of such estimated costs there shall be added six per centum (6%) 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 final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided that all such assessments may, at the election of the City be paid in ten equal annual installments of principal; with interest in all cases on the unpaid principal payable annually at a rate not exceeding eight per centum (8%) per annum; provided, however, that nothing herein shall prevent the Council from providing that interest may be added onto the principal, the entirety to then be repaid in monthly installments as a part of the sewerage charges on the monthly water bill, as is herein set out. The number of installments, the period of payment and the rate of interest may be determined by the Council.

On the 28th day of July, 1976, at the hour of 7:30 p.m. at Community Action Building, 322 Main Street, Grand Junction, Colorado, the Council will consider the ordering of the proposed

improvements and will hear all complaints and objections that may be made in writing concerning the proposed improvements by the owner 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, on the 16th day of June, 1976.

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

By

\_\_\_\_\_  
Neva B. Lockhart  
City Clerk

PASSED and ADOPTED this 16th day of June, 1976.

\_\_\_\_\_  
Lawrence L. Kozisek  
President of the City Council

Attest:

\_\_\_\_\_  
Neva B. Lockhart  
City Clerk

(ALSO PUBLISHED IN SPANISH - SEE LEGAL TRANSCRIPT S.S. 34-76)

It was moved by Councilman Tufly and seconded by Councilman Brown that the Resolution be passed and adopted as read. Roll call resulted in all members of Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

CONSIDERATION OF SEWER AGREEMENT BETWEEN CITY AND TERA DEL VISTA  
SEWER ASSOCIATION

Submitted for consideration was the Agreement between the City and Tera Del Vista Sewer Association. After review, it was moved by Councilman Brown and seconded by Councilman Van Houten that the Sewer Agreement be accepted and authorized the City Manager to sign. Motion carried.

AWARD OF CONTRACT - BIDS ON TENNIS COURT LIGHTING AT LINCOLN PARK  
CONSIDERED

City Manager Wysocki advised that bids were opened at 10:00 a.m. June 16, 1976, for the tennis court lighting at Lincoln Park on specifications prepared by Vern Dennison of Vanderwood & Henry.

Bids were: Highline Electric \$25,785.  
Midwest Electric 21,253.  
Wesco Electric 19,800.  
B & B Electric 16,900.  
Amco Electric 16,650.

Recommendation was that the bid be awarded Amco Electric Company for its low bid of \$16,650.

It was moved by Councilman Brown and seconded by Councilman Tufly to accept the bids and award the contract to the low bidder, Amco, in the amount of \$16,650. Motion carried.

CURB CUTS

Policy for curb cuts is that the petitioner will go through both the Engineering Office and the Planning Office. The Engineering Office and Planning Office are to be more careful about the criteria before issuing curb cuts in the future.

MISCELLANEOUS COMMENT

Councilman Van Houten commented about the Fireworks display on Lake Michigan in Chicago. Councilman Van Houten was visiting in the Chicago area the last couple of weeks.

ADJOURNMENT

It was moved by Councilman Johnson and seconded by Councilman Tufly that the meeting be adjourned. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk