

Grand Junction, Colorado

July 21, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., July 21, 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 were City Manager James Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the minutes of July 7, 1976, be approved as written. Motion carried unanimously.

APPOINTMENT OF BRUCE JONES TO LINCOLN PARK BARN COMMITTEE

At the request of the Lincoln Park Barn Committee, President Kozisek appointed Bruce Jones to serve as a member of the Committee. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the appointment of Bruce Jones to the Lincoln Park Barn Committee be ratified. Motion carried unanimously.

CAPTAIN LEE BURG APPOINTED TO LEAA REGION 11 CRIMINAL JUSTICE BOARD WITH POLICE CHIEF ED VANDER TOOK APPOINTED AS ALTERNATE

The following Resolution was read:

RESOLUTION

APPOINTING REPRESENTATIVES TO THE REGION 11 LEAA CRIMINAL JUSTICE BOARD

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

That Captain Lee Burg of the Grand Junction Police Department be appointed as the representative of the City of the Region 11 LEAA Criminal Justice Board; and that the Police Chief of the City, Ed Vander Took, be designated as an alternate to such Board.

PASSED and ADOPTED this 21st day of July, 1976.

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President of the Council

Attest:

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City Clerk

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon roll call all members of Council voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

KQIL REQUEST TO USE LINCOLN PARK AUGUST 14 FOR COMMERCIAL AUCTION  
- DENIED

Mr. Gerald Reisinger, Station Manager, KQIL, appeared before Council to request permission to use Lincoln Park August 14, from 10:00 a.m. to 4:00 p.m. for an auction. He stated that although it was listed on the agenda as a commercial auction, he would note that it is more of a promotional venture than commercial. He has hired J. W. Wilson, a licensed auctioneer, to conduct the auction. Councilman Brown and President Kozisek stated that it has not been the policy of City Council to use Lincoln Park for a commercial venture. They feel that this would be a conflict with Two Rivers Plaza.

It was moved by Councilman Brown and seconded by Councilman Van Houten that the request be denied. Motion carried unanimously.

PERMISSION GRANTED FOR SALE OF ICE CREAM, CAKE SOFT DRINKS AS FUND  
RAISING EVENT FOR THE MESA COUNTY DEMOCRATIC PARTY IN LINCOLN PARK  
AUGUST 1, 1976

Mr. Kermit Hearst, Chairman of the Mesa County Ice Cream Social for the Democratic Party, appeared before Council to request permission for sale of ice cream, cake, soft drinks as a fund raising event in Lincoln Park on August 1, 1976, between the hours of 2:00 to 5:00 p.m. They would need until 6:00 p.m. for the clean-up. It was moved by Councilman Brown and seconded by Councilman Van Houten that permission be granted conditional upon Mr. Hearst getting approval of the Mesa County Health Department. Motion carried unanimously.

TEXT CHANGE TO ZONING AND SUBDIVISION REGULATIONS - STREETS

The Proof of Publication for the following entitled proposed ordinance was presented: AN ORDINANCE CHANGING THE CLASSIFICATION OF CERTAIN STREETS WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Brown and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Brown and seconded by Councilman Van Houten that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. At this point, the President opened the hearing for audience participation in the discussion. There were approximately 180 people in the audience. The following people spoke representing the group from Grand Avenue and the group from Willowbrook Subdivision: Rex Sidener, 1537 Grand, Dick Shay, 1201 Grand, Mike Nilgaris, 1616 Grand, Joan Felts, 414 North 26th, Ron Eams, 1515 Grand, Jerry Woosley, 1353 Grand, Eugene Grutt, 1325 Grand, A. J. Ludwig, 209 Willowbrook, Pauline Michel, Willowbrook, Forest Rasmussen, 2634 F Road, Harry Forsheimer, Patterson Road, Don Coakley, 150 Willowbrook, Mary Lee Flower, 205 Willowbrook.

Senior Planner Don Warner explained that Patterson Road has been a major arterial since 1967. The Ordinance is proposing to designate Patterson Road as a major principle arterial. Grand Avenue has been a major arterial since 1967. The Ordinance is proposing to drop the requirement for that street by 20 feet and classifying it as a secondary minor arterial. Orchard Avenue is proposed to go to a minor arterial.

Primarily, the people in the audience were concerned that the designation of Patterson Road, Grand Avenue, Horizon Drive, and Orchard Avenue would be the key to the City acquiring right-of-way for the four-laning of these streets. Many of the people on Grand Avenue and in Willowbrook Subdivision stated they would lose part of their front or back yards if this should come to pass. Mr. Coakley, 151 Willowbrook, expressed concern about the center line arrangement at the intersection of 1st Street and Patterson Road. He also commented that pedestrians cannot walk on the north side of Patterson Road because of tree limbs hanging over the walk area.

Councilman Brown commented that he did not believe that enough consideration had been given to impact on the various streets before the street designation change.

Councilman Van Houten commented that: (1) Most of the streets under discussion tonight actually have been what they are called tonight for 10 years, and the fact that Council is proposing to change the Ordinance is to meet the requirements that have been in existence for 10 years, and does not, in any way, change the character of the streets; (2) The people in the audience are not going to end up with a four-lane street in the middle of their front yards for the simple reason that if the City wished, it could not even four-lane one of those streets. It couldn't afford it. He felt that what the audience was actually telling Council was that Council slam the door and not look ahead 20 years and keep over an alternate for the people that come behind us. He stated that his only interest in this is not what is going to happen to Grand Avenue tomorrow, but what is going to happen 20 years from now when the City of Grand Junction is no longer 25,000, but is 180,000 to 200,000 and you have to have a place for people to go as well as to live. He noted that as the Small-Cooley Report had set forth in 1967, Grand Avenue was designated a major arterial requiring 100 feet of right-of-way. Through this

Ordinance tonight, it is proposed that Grand Avenue would be designated a secondary minor arterial requiring 80 foot right-of-way. It was moved by Councilman Brown that the proposed ordinance be passed, adopted, numbered 1623, and ordered published, with Grand Avenue being designated a minor arterial from 1st to 12th Street, and as a collector from 12th Street to the City limits, and that Patterson Road and Orchard Avenue be designated as minor arterials from the west City limits for four months, so that the City Council, along with the Planning Commission and the City Staff, can consider a City policy with regard to streets and existing neighborhoods, and directing the City Engineering Department to consider every option available, and the ramifications of those options, and that within four months the matters be brought back to Council with, hopefully, the same people in the audience so that the City can get off the dime on these three streets. Motion lost for lack of a second.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the proposed ordinance be passed, adopted, numbered 1623, and ordered published with the three streets temporarily carrying the designation called for in the ordinance until such time as the City Council, along with the Planning Commission members, and the City Staff, can consider a City policy with regard to streets and existing neighborhoods and directing the City Engineering Department to consider every option available and the ramifications of them, and that this be brought back to Council for consideration within four months.

Councilman Colescott rose to a point of order, and noted the hearing had not been closed.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the hearing be closed. The motion carried.

Councilman Tufly commented that the City Council should be looking at this Ordinance and trying to come up with something else. He did not feel that it is right to pass on this ordinance, and cut out anyone else who may be affected. He felt that if alternates are made they are going to affect other streets and impacts on other streets. If Council restricts this to only the three streets being changed, he feels there will be others who will be affected by an alternate proposal.

Councilman Brown withdrew his second and Councilman Van Houten withdrew the main motion.

It was moved by Councilman Van Houten and seconded by Councilman Colescott that the proposed ordinance be tabled for four months, and that during the four-month period of time the City Council, the City Staff, the City Planning Commission, and community representatives study alternatives, and that at the end of four months, some proposal be submitted for action. Motion carried.

A lady in the audience stated that she felt the problem is one of

approach. She felt that the people of the community are not trying to put Council down, but she felt that other alternatives should be considered and that if there is really concern about the growth 50 years from now, then one of the alternatives that could be considered is to look at mass transit.

REQUEST BY AIME FOR CLOSING OF MAIN STREET BETWEEN 2ND AND 3RD ON SEPTEMBER 18 FOR BARBECUE AND STREET DANCE

Presented for consideration was the request by AIME for the closing of Main Street between 2nd and 3rd on September 18 for a barbecue and street dance. It was moved by Councilman Colescott and seconded by Councilman Johnson that the request be granted provided there are no other conflicts on that day. Motion carried.

\$125 AUTHORIZED FROM COUNCIL CENTENNIAL-BICENTENNIAL FUNDS FOR THE MAX MORATH CONCERT ON AUGUST 1, 1976

Presented for consideration was the recommendation of the Centennial-Bicentennial Committee to expend \$350 from Council Contingency Funds for the Mining-Petroleum presentation on September 17th and 18th, and \$125 for the Max Morath Concert on August 1. It was moved by Councilman Tufly and seconded by Councilwoman Quimby to approve the \$125 expenditure from Council Centennial-Bicentennial Funds for the Max Morath Concert, and that the \$350 for the Mining-Petroleum presentation be held in abeyance. Motion carried unanimously.

CHANGE OF OWNERSHIP AFFECTING THREE 7-11 FOOD STORES - APPROVED

Submitted for consideration were the applications by the Southland Corporation dba 7-11 Stores for 3.2% Beer licenses. This is a change of ownership affecting three 7-2-11 Food Stores presently owned by Hobby Frazer. The location of the stores affected: 1117 N. 1st Street, 1134 N. 12th Street, and 2355 Belford Avenue. A report from the Police Department advised that background investigation of the Corporation revealed nothing of a derogatory nature.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the applications be approved and the City licenses issued when the State licenses have been received. Motion carried.

3.2 BEER LICENSE RENEWAL AUTHORIZED LINCOLN PARK GOLF CLUB HOUSE

Submitted for consideration was the application by Roy Reynolds, Sr., Lincoln Park Golf Club House, to renew his 3.2 Beer license. A report from the Police Department advised there have been no complaints or violations concerning the sale of 3.2 beer at this location. It was moved by Councilman Tufly and seconded by Councilman Johnson that the application be approved, and the license issued when the State license has been received. Motion carried unanimously.

APPLICATION BY PAUL MITCHELL DBA THE SIR LOYNE RESTAURANT & LOUNGE, TO CHANGE THE TRADE NAME TO "MITCH'S" - APPROVED

Submitted for consideration was the application by Paul Mitchell dba The Sir Loyne Restaurant & Lounge, to change the trade name to "Mitch's." It was moved by Councilman Tufly and seconded by Councilman Johnson that the application be approved. Motion carried.

CONSIDERATION OF BIDS - AWARD OF CONTRACT - S.S. 33-76, PHASE 3 ORCHARD MESA SEWER LEON PARKERSON - \$479,775

On Thursday, July 15, 1976, the City opened bids for construction of Phase 3 of the Sanitary Sewer System for Orchard Mesa. Four bids were received as follows:

Kelran Construction Co. \$870,764.95

Schmidt-Tiago Construction Co. 680,983.00

Industrial Co. of Steamboat Springs 575,622.55

Leon Parkerson Construction Co. 479,775.00

Engineering Estimate 417,635.00

The estimated revenues from assessments is \$475,000. This is \$4,775 less than the bid price. In addition to the \$4,775, the City's share of the cost will include street repair estimated at \$185,000. THIS GIVES A TOTAL CITY SHARE OF THE COST \$189,775. The 1976 City budget includes \$200,000 budgeted for Phase 2 and Phase 3 of Orchard Mesa; \$110,000 was required for Phase 1 leaving a total of \$90,000 for Phase 3. This means that we need an additional \$99,775 to complete the City's share for Phase 3 construction.

It was recommended that the City accept the low bid from Leon Parkerson with the City's share to come from the following sources: \$90,000 remaining in the 1976 budget for Phase 2 and Phase 3 of Orchard Mesa; \$85,000 from account 005.36-901 designated for accrual toward Purdy Mesa enlargement. This amount was an accrual toward Purdy Mesa enlargement and cannot be expended toward that enlargement this year because the construction work has to be done and completed at one time. This accrual of course would have to be made up before the actual construction work on Purdy Mesa: \$15,000 to be taken from account 057.36-901. This is the account for matching funds for modifications to the existing sewer plant. There was enough money in that account for both plans and specifications and construction of the plant modifications. Since we will not have enough time to enter into the construction of the plant modifications this year, we will be able to use part of this matching money for the Orchard Mesa Phase 3 project and replace the \$15,000 in next year's budget.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the low bid of Leon Parkerson in the amount of \$479,775 be accepted and directed that the Staff make the recommendation budgetary changes. Motion carried.

HEARING - BULK DEVELOPMENT, 715 NORTH 7TH STREET

A hearing on this item was duly conducted. No letters were filed and there was no one in the audience who indicated a desire to speak regarding this item. It was moved by Councilman Johnson and seconded by Councilman Tufly that the bulk development plan be approved. Motion carried unanimously.

HEARING - PROPOSED PETERSON-IRWIN SUBDIVISION REPLAT - 2100 BLOCK NORTH SIDE OF I-70 BUSINESS

City Planner Don Warner advised this is a replat of Lots 5 and 7, with a division of the existing subdivision. A hearing on this item was duly conducted. No letters were filed, and there was no one in the audience who indicated a desire to speak regarding this item.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the peterson-Irwin replat be approved. Motion carried.

HEARING - PROPOSED FINAL PD-B PLANNED DEVELOPMENT BUSINESS, VIDA ALLEGRE APARTMENTS, 209 28 1/2 ROAD

City Planner Don Warner advised this item was approved by the Planning Commission, and recommended for Council consideration, subject to bulk easement requested by Public Service being complied with, the design for detached sidewalk has been complied with, the coverage by power of attorney on adjoining area for future development and street development on 28 1/2 Road has been complied with. It was moved by Councilman Tufly and seconded by Councilman Brown that the final planned development business for Vida Allegra Apartments be approved. Motion carried unanimously.

It was moved by Councilwoman Quimby and seconded by Councilman Johnson that the one lot subdivision be approved. Motion carried unanimously.

HEARING - PROPOSED FINAL ON CAVANAUGH SUBDIVISION, SE CORNER C ROAD AND HOLLY LANE

A hearing on this item was duly conducted. No letters were filed, and there was no one in the audience who indicated a desire to speak. City Planner Don Warner explained that it has been approved by the Planning Commission, and there followed discussion regarding street right-of-way. It was moved by Councilman Brown and seconded by Councilman Johnson that the proposed final on Cavanaugh Subdivision be approved with the appropriate right-of-

way. Motion carried unanimously.

HEARING - PROPOSED FINAL FOR BOOKCLIFF VIEW SUBDIVISION, 27-3/4 ROAD AND C1/4 ROAD

A hearing on this item was duly conducted. No letters were filed, and there was no one in the audience who indicated a desire to speak. Senior Planner Don Warner advised that this proposal for Bookcliff View Subdivision has been before Council previously in the preliminary stages. There is one change. The Telephone Company originally had requested a 20-foot easement. They have now agreed that all they need is a 14-foot easement. Also, the Planning Commission had questioned the scale on the plan. Mr. Warner advised that the engineers have re-drawn the subdivision plat on the proper scale.

It was moved by Councilman Tuflly and seconded by Councilman Brown that the final for Bookcliff View Subdivision be accepted. Motion carried.

HEARING - PROPOSED DEVELOPMENT IN H.O. ZONE (CATERING SERVICE), HORIZON PARK PLAZA, 2795 SKYLINE COURT

A hearing on this item was duly conducted. No letters were filed. Mr. Dick Pond, the petitioner, was present and stated that the Federal Health people have advised them that they are no longer able to cater from the present facility in the restaurant at the airport. City Planner Don Warner stated that this is a building to be built for the Pond brothers to provide catering service to United and Frontier Airlines. It is to be located just east of the Howard Johnson Motel, and just west of the proposed tennis courts. One request from the Fire Department is that a fire hydrant be located within 150 feet from the building.

It was moved by Councilman Tuflly and seconded by Councilman Johnson that the proposed development in the H.O. zone be approved. Motion carried unanimously.

HEARING - PROPOSED AMENDMENT TO ZONING AND SUBDIVISION REGULATIONS, SECTION 3.A USE GROUPS (5) COMMERCIAL USE 5.1 DRIVE-IN BUSINESS - PROPOSED ORDINANCE

A hearing on this item was duly conducted. No letters were filed and there was no one in the audience who indicated a desire to speak. City Planner Don Warner stated this is a proposal to clarify drive-in business. The City Attorney read the proposed ordinance and stated that he did not feel that he had addressed the comments of Council, and he would recommend the proposed ordinance be tabled until the next meeting. It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the proposed ordinance be tabled until the next meeting of Council. Motion carried unanimously.

ORDINANCE NO. 1623 - REPEALING SECTIONS 4.1.b. AND 4.1.c CODE OF



ORDINANCE ALCOHOLIC BEVERAGES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE REPEALING SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION RELATING TO THE CARRYING OF DRINKS IN BARS AND THE LIGHTING IN BARS IN THE CITY. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

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 1623, and ordered published. Upon roll call all members of Council voted AYE. The President declared the motion carried.

ORDINANCE NO. 1624 - CONTROLLING MOTORCYCLES AND MOTORBIKES ON PRIVATE PROPERTY

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE REGULATING THE USE OF MOTORCYCLES AND OFF-HIGHWAY MOTOR VEHICLES. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. Councilman Tufly commented that although he does not care for the restrictive ordinance, he would vote affirmatively for the adoption of the ordinance in order to give private property owners another tool in their battle against invasion of private property rights.

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the ordinance be passed, adopted, numbered 1624, and ordered published. Upon roll call all members of Council voted AYE. The President declared the motion carried.

PROPOSED ORDINANCE AMENDING SECTION 4-13 BUSINESS CLASSIFIED BY ADDING "TAVERN OPERATOR" AND SECTION 4-15 TAX LEVY - TABLED

It was the consensus of Council that this proposed ordinance be tabled, and they requested that Staff come up with a recommendation as to the tax to be levied. The City Clerk's office is to provide the time and effort involved in processing license renewals.

RESOLUTION CONCERNING DISPOSAL OF CITY-OWNED REAL ESTATE

The following Resolution was presented and read:

RESOLUTION

CONCERNING DISPOSITION OF CITY-OWNED REAL ESTATE

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

That it is the policy of the City Council to dispose of City-owned real estate in exchange for real estate that better suits the City's needs whenever possible.

PASSED AND ADOPTED this 21st day of July, 1976.

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

Attest:

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

Mr. Butch Jarvis asked if this means the Council would only trade property, and would not sell. He was advised that Council would have more intent to trade rather than outright sale, however, the policy could be changed at any time.

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon roll call all members of Council voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

ID ST-76 - STREET IMPROVEMENT DISTRICT - RESOLUTION OF INTENT TO  
CREATE DISTRICT - RESOLUTION ADOPTING DETAILS, PLANS AND SPECS  
GIVING NOTICE OF HEARING

The Resolution of Intent to Create ID ST-76 was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT NO. ST-76 AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, the City Council has determined the desirability of the construction of the following improvements:

1. East and West Parkview Drive between B1/2 Road and drainage

ditch 1,290 feet ± North of B1/2 Road. To include combination vertical curb, gutter, and sidewalk on both sides of above said streets. Also to include a minimum of 6 inches base course surfacing with 2 inch mat of Hot Mix Bituminous paving from lip of gutter to lip of gutter. This work will be in accordance with plans and specifications as approved by the City Engineer.

2. Bonita Avenue between 12th Street and 13th Street. To include combination vertical curb, gutter and sidewalk on both sides of above said street. Also to include a minimum of 6 inches of base course surfacing with 2 inch mat of Hot Bituminous paving from lip of gutter to lip of gutter. This work will be in accordance with plans and specifications as approved by the City Engineer.

3. Walnut Avenue from 13th Street to 15th Street. To include combination vertical curb, gutter and sidewalk on both sides of above said street. Also to include a minimum 6 inch base course with a 2 inch mat of Hot Mix Asphaltic Bituminous paving from lip of gutter to lip of gutter. This work will be in accordance with plans and specifications as approved by the City Engineer.

4. The alley from 7th Street to 9th Street between 3rd Avenue and 4th Avenue. Paving to be 16 feet wide with a 2 inch Hot Mix Bituminous mat with a minimum of 3/4 inch base course surfacing. This work will be in accordance with the plans and specifications as approved by the City Engineer.

5. Epps Drive comprising a circle from 29 Road. To include a double penetration surfacing using rubberized oil with 3/4 inch chips on the bottom course and 3/8 inch chips on the top course. All work to be done by City forces and equipment. Mat width to be 22 feet. The City does not guarantee the service life of this surfacing.

6. 8th Street from Wellington Avenue centerline to 280 feet North. To include combination vertical curb, gutter, and sidewalk; also to include a minimum of 6 inches of base course surfacing with a 2 inch mat of Hot Mix Bituminous paving from lip of gutter to lip of gutter. This work will be in accordance to the plans and specifications as approved by the City Engineer. All work will be done by the developer.

Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement district;

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

That the district of land to be assessed is described as follows:

1. Lots 1 to 15 included and Lots 19 and 20 Block 7, Lots 1 to 19 include in Block 6, Lots 1 to 18 included in Block 5; all in Parkview Subdivision Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

2. Lots 1 to 8 included in Block 2, Lots 11 to 20 included in Block 1 of Eagleton Subdivision all contained in Section 1, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

3. Lots 6 to 10 included in Block 3; Lots 1 to 5 included in Block 2 Smith Addition and Lots 1 to 5 included in A.C. Nelms Subdivision; Also those parcels contained in the following described tract; Beginning 125 feet North of the Southwest corner of Lot 20 Fairmount Subdivision; thence East 290 feet to the East Right of Way line of Fifteenth Street; thence South 125 feet to the North Right of Way line of Walnut Avenue; thence West to the Point of Beginning; all in Section 12 Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

4. Lot 1 to 28 included in Block 20 Milldale Subdivision and Lots 1 to 32 included in Block 19 Milldale Subdivision; all contained in Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, Mesa County, Colorado.

5. Lots 2 to 18 included in Block 2 and Lots 1 and 4 to 13 included in Block 1 Epps Subdivision Section 7, Township 1 South, Range 1 East of the Ute Principal Meridian; all contained in the City of Grand Junction, Mesa County, Colorado.

6. Lot 1 Wellington Medical Subdivision Filing No. 1 and Lot 4 Block 1 La Villa Grand all contained in Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

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

That the City Engineer be, and he is hereby, authorized and directed to have prepared and filed full details, plans and specifications for such sidewalk, curb, gutter and street paving, and estimate of the total costs thereof, exclusive of the per centum for cost of collection and other incidentals; and of interest to the time the first installment becomes due; and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178, as amended, of the City of Grand Junction, Colorado.

ADOPTED AND APPROVED this 21st day of July, 1976.

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President of the Council

Attest:

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City Clerk

It was moved by Councilman Johnson and seconded by Councilman Tufly that the Resolution of Intent to Create the District be passed and adopted as read. Upon roll call all members of Council voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

The Resolution adopting details, plans and specs and giving notice of hearing was introduced 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-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 OF A HEARING THEREON.

WHEREAS, on July 21st, 1976, 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-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:

Section 1. That said details, plans and specifications, estimates 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. Lots 1 to 15 included and Lots 19 and 20 Block 7, Lots 1 to 19

included in Block 6, Lots 1 to 18 included in Block 5; all in Parkview Subdivision Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

2. Lots 1 to 8 included in Block 2, Lots 11 to 20 included in Block 1 of Eagleton Subdivision all contained in Section 1, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

3. Lots 6 to 10 included in Block 3; Lots 1 to 5 included in Block 2 Smith Addition and Lots 1 to 5 included in A.C. Nelms Subdivision; Also those parcels contained in the following described tract; Beginning 125 feet North of the Southwest corner of Lot 20 Fairmount Subdivision; thence East 290 feet to the East Right of Way line of Fifteenth Street; thence South 125 feet to the North Right of Way line of Walnut Avenue; thence West to the Point of Beginning; all in Section 12 Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

4. Lots 1 to 28 included in Block 20 Milldale Subdivision and Lots 1 to 32 included in Block 19 Milldale Subdivision; all contained in Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, Mesa County, Colorado.

5. Lots 2 to 18 included in Block 2 and Lots 1 and 4 to 13 included in Block 1 Epps Subdivision Section 7, Township 1 South, Range 1 East of the Ute Principal Meridian; all contained in the City of Grand Junction, Mesa County, Colorado.

6. Lot 1 Wellington Medical Subdivision Filing No. 1 and Lot 4 Block 1 La Villa Grande all contained in Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, Grand Junction, Mesa County, Colorado.

All in the 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 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, 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-76, 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-76 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-76 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:

2943-074-11-002 Lot 2 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-003 Lot 3 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-004 Lot 4 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-005 Lot 5 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-006 Lot 6 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-007 Lot 7 & 8 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-008 Lot 9 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-009 Lots 10 & 11 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-010 Lots 12 & 13 Blk 2 Epps Sub Sec 7 1S 1E Exc Beg SE Cor Lot 13 W to W Li Lot 13 N 15 ft. E to Beg.

2943-074-11-011 Beg SE Cor Lot 13 Blk 2 Epps Sub Sec 7 1S 1E SWly to SW Cor Lot 13 N 15 ft NELY to Beg & all Lot 14 Epps Sub

2943-074-11-012 Lot 15 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-013 Lot 16 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-014 Lot 17 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-11-015 Lot 18 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-12-001 Lot 1 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-003 Lot 6 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-004 Lot 7 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-005 Lot 10 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-006 Lot 11 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-007 N2 Lot 12 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-008 S2 Lot 12 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-009 Lot 13 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-010 Lots 8 & 9 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-011 Lot 5 Blk 1 Epps Sub Sec 7 1S 1E  
2943-074-12-013 Lot 4 Blk 1 Epps Sub Sec 7 1S 1E  
2945-111-15-001 Lot 1 Wellington Medical Sub Filing No. 1 Sec 11  
1S 1W Exc street as described in B-1054, P-180.  
2945-111-16-004 Lot 4 Blk 1 LaVilla Grande Sec 11 1S 1W  
2945-122-02-008 W 10 ft. of Lot 9 and all Lot 10 Blk 3 NW Smith  
Add Sec 12 1S 1W  
2945-122-02-009 E 50 ft. of Lot 9 Blk 3 N W Smith Add Sec 12 1S 1W  
2945-122-03-001 Lot 1 Blk 2 N W Smith Add Sec 12 1S 1W  
2945-122-03-002 Lot 2 Blk 2 N W Smith Add Sec 12 1S 1W  
2945-122-03-003 W 50 ft. of Lot 3 Blk 2 NW Smith Add Sec 12 1S 1W  
2945-122-03-004 E 10 ft. of Lot 3 & all Lot 4 Blk 2 NW Smith Add  
Sec 12 1S 1W  
2945-122-03-005 Lot 5 Blk 2 N W Smith Add Sec 12 1S 1W  
2945-122-03-006 Lot 5 A.C. Nelms Sub Sec 12 1S 1W  
2945-122-00-085 W 90 ft. of S 125 ft. of W2 Lot 20 Blk 6 Fairmount  
Sub Sec 12 1S 1W  
2945-122-00-086 Beg SE Cor W2 Lot 20 Blk 6 Fairmount Sub Sec 12 1S  
1W N 125 ft. W 60 ft. S 125 ft. E. to Beg.  
2945-122-00-087 Beg 75 ft. N of SE Cor Lot 20 Blk 6 Fairmount Sub  
Sec 12 1S 1W N 50 ft. W 150 ft. S 50 ft. E to Beg.



2945-122-00-088 S 75 ft. of E2 Lot 20 Blk 6 Fairmount Sub Sec 12 1S 1W

2945-122-02-006 W2 Lot 7 & all Lot 8 Blk 3 N W Smith Sub Sec 12 1S 1W

2945-122-02-007 Lot 6 & E2 of Lot 7 Blk 3 NW Smith Sub Sec 12 1S 1W

2945-122-03-007 Lot 4 A.C. Nelms Sub Sec 12 1S 1W

2945-122-03-008 Lot 3 A.C. Nelms Sub Sec 12 1S 1W

2945-122-03-009 Lot 1 A.C. Nelms Sub Sec 12 1S 1W

2945-122-03-010 Lot 2 A.C. Nelms Sub Sec 12 1S 1W

2945-231-08-001 Lots 1 to 5 Inc. Blk 20 Milldale Sub Beg NW Cor Lot 5 Blk 20 of Milldale Sub S to SW Cor Lot 1 Blk 20 W 15 ft. N 125 ft. E 15 ft. to Beg. Sec 23 1S 1W

2945-231-08-004 Lots 11, 12 & 13 Blk 20 Milldale Sub Sec 23 1S 1W

2945-231-08-005 Lots 14 & 15 Blk 20 Milldale Sub Sec 23 1S 1W

2945-231-08-006 Lots 16 & 17 Blk 20 Milldale Sub Sec 23 1S 1W

2945-231-08-007 Lots 18 & 19 Blk 20 Milldale Sub Sec 23 1S 1W

2945-231-08-008 Lots 20 to 28 Blk 20 Milldale Sub Sec 23 1S 1W

2945-231-08-009 Lots 6 to 10 Inc. Blk 20 Milldale Sub & Beg NW Cor Lot 10 S 125 ft. W 15 ft. N 125 ft. E 15 ft. to Beg.

2945-231-09-002 Lots 3 & 4 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-003 Lots 5 & 6 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-005 Lots 9, 10 & 11 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-006 Lots 12, 13 & 14 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-007 Lots 15 & 16 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-008 Lots 17 to 32 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-001 Lots 1 & 2 Blk 19 Milldale Sub Sec 23 1S 1W

2945-231-09-900 Lots 7 & 8 Blk 19 Milldale Sub Sec 23 1S 1W

2945-252-18-001 Lot 1 Blk 7 Parkview Sub Sec 25 1S 1W

2945-252-18-002 Lot 2 Blk 7 Parkview Sub Sec 25 1S 1W

2945-252-18-003 Lot 3 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-004 Lot 4 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-005 Lot 5 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-006 Lot 6 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-007 Lot 7 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-008 Lot 8 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-009 Lot 9 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-010 Lot 10 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-011 Lot 11 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-012 Lot 12 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-026 Lot 13 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-027 Lot 14 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-028 Lot 15 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-023 Lots 16, 17 & 18 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-019 Lot 19 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-18-024 Lot 20 Blk 7 Parkview Sub Sec 25 1S 1W  
2945-252-19-001 Lot 1 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-002 Lot 2 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-003 Lot 3 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-004 Lot 4 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-005 Lot 5 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-008 Lot 8 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-009 Lot 9 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-010 Lot 10 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-011 Lot 11 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-012 Lot 12 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-013 Lot 13 Blk 6 Parkview Sub Sec 25 1S 1W

2945-252-19-014 Lot 14 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-015 Lot 15 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-016 Lot 16 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-017 Lot 17 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-018 Lot 18 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-019 Lot 19 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-19-020 N 23.9 ft. of Lot 6 Blk 6 Parkview Sub Sec 25 1S  
1W  
2945-252-19-021 S 51.1 ft. of Lot 6 Blk 6 & N 45 ft. of Lot 7 Blk  
6 Parkview Sub Sec 25 1S 1W  
2945-252-19-022 S 30 ft. of Lot 7 Blk 6 Parkview Sub Sec 25 1S 1W  
2945-252-20-001 Lot 1 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-002 Lot 2 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-003 Lot 3 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-004 Lot 4 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-005 Lot 5 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-006 Lot 6 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-007 Lot 7 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-008 Lot 8 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-009 Lot 9 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-011 Lot 11 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-013 Lot 18 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-941 Lot 10 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-252-20-951 Lot 14 to 17 Inc. & Lot 19 to 21 Inc. Blk 5  
Parkview Sub Sec 25 1S 1W  
2945-252-20-953 Lots 12 & 13 Blk 5 Parkview Sub Sec 25 1S 1W  
2945-013-01-001 Lot 20 Blk 1 Eagleton Sub Exc W 1 ft. thereof Sec  
1 1S 1W  
2945-013-01-002 Lot 19 Blk 1 Eagleton Sub Sec 1 1S 1W

2945-013-01-003 Lot 18 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-004 Lot 17 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-005 Lot 16 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-006 Lot 15 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-007 Lot 14 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-008 Lot 13 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-009 Lot 12 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-01-010 Lot 11 Blk 1 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-002 Lot 8 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-003 Lot 7 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-005 Lot 5 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-006 Lot 4 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-007 Lot 3 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-008 Lot 2 Blk 2 Eagleton Sub Sec 1 1S 1W  
 2945-013-02-009 Lot 1 Blk 2 Eagleton Sub Sec 1 1S 1W Exc W 5 ft.  
 thereof  
 2945-013-02-956 Lot 6 Blk 2 Eagleton Sub Sec 1 1S 1W

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 Engineers is \$228,800 exclusive of collection, interest and incidentals.

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

East and West Parkview Drive between B1/2 Road and drainage ditch  
1,290 + North of B1/2 Road . . . \$15.00 per front foot

Bonita Avenue between 12th Street and 13th Street . . . \$15.00  
per front foot

Walnut Avenue from 13th Street and 15th Street . . . \$15.00 per  
front foot

The Alley from 7th Street to 9th Street between 3rd Avenue and 4th

Avenue . . . \$4.50 per front foot

Epps Drive comprising a circle from 29 Road . . . \$2.00 per front foot

8th Street from Wellington Avenue centerline to 280 feet North . . . \$Full cost per front foot

To the estimated assessable cost of \$130,200.00 (said amount reflects estimated credit for existing curb, gutter and sidewalk) to be borne by the property owners, there shall be added six (6) percent for costs of collection and incidentals, and also interest at the rate borne by 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 extra 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 annual 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 September 1, 1976, at the hour of 7:30 o'clock p.m. in the Council Chambers in the City Hall of the 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 \_\_\_\_\_ day of \_\_\_\_\_, 1976.

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

By:

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1976.

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

Attest:

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

It was moved by Councilman Johnson and seconded by Councilman Brown that the Resolution be passed and adopted as read. Upon roll call all members of Council voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

REPORT ON WATER POLLUTION CONTROL MODIFICATION GRANT - \$50,625

Public Works Director Jim Patterson reported that after environmental studies had been completed the City has received notification that it has been awarded \$50,625 which equals 75% of the funds to be used for the drawing of the plans and specifications for the modifications to the existing water treatment plant. he stated that we are looking at the last of this year and into February or March for the completion of the plans and specifications. President Kozisek advised that he had received a letter from the Colorado Water Control Commission which asked for a meeting on August 3 between the City Council and the Commission. What they are asking for are some intents regarding the Water Pollution Control Plant and what measures the Council proposed to take and the timetable for completions.

REPORT ON COLORADO RIVER PARK GRANT - RESOLUTION-MEASURE PLAN

City Manager James Wysocki advised he has received a letter dated July 8, 1976, from the Colorado Board of Parks & Outdoor Recreation concerning the review of land and water projects for this period. The project application for Colorado River Park for acquisition was approved in the amount of \$31,000. This is a 50% match. It states that the target date to begin the project is the spring season of 1977. Mr. Wysocki presented this as a matter of information and recommended further discussion at Budget time.

Councilman Colescott expressed concern that the City is acting as the fiscal agent.

Councilman Tufly said that when this grant came before the Council it was for \$50,000. At that time the concern was getting the grant. If the grant was forthcoming, then the City was to concern itself with how it was going to match it. Now, if the City can match the funds fine; if not, the it loses the grant.

Councilman Johnson said there was nothing in this grant that specified which property is to be acquired. If the grant is accepted and matched, there is nothing to prevent the City from

spending it all within the City limits.

City Manager Wysocki said it could possibly be used for extension of Riverside Park or along the river Master Plan.

There were approximately 15 people in the audience concerned with this matter. A lady stated they object to the City or the County or anyone else taking their land and doing what they will with it. She said she has a petition which she and her husband circulated along the north side of the river bank. The majority of the landowners have signed opposing any kind of a Greenbelt proposal. She feels no one is listening; they do not wish to sell their land.

Councilman Brown suggested that rather than letting this item go for an arbitrary budget session, would not the Council be better off to schedule a meeting with County Commissioners, the Greenbelt Board, and the property owners in order to approach the problem. Councilman Tufly advised that he and Councilman Johnson serve as Council's representatives on the Committee. He addressed the problems that the governing Board has nothing to do anything with, no control over this, that, or the other; they cannot commit money, they have none to commit, and they have no support from either side.

They receive a lot of support from the Greenbelt side. He stated that he feels very frustrated because as with this grant it is a "do or die" situation.

Councilman Brown said that his proposal for this meeting among the parties of interest is to bring the buck back to Council.

Councilman Johnson said the next item on the agenda is a Measure Plan which outlines what the various agencies involved have discussed and what the total project would be over a period of years. If the Measure Plan is adopted, then copies will be made and distributed to everyone and hearings can be held as to the implementation of any part of it or the abandonment of the whole thing as far as the public agencies are concerned.

It was clarified by City Attorney Ashby that Greenbelt is a body of people that is interested in the development of parks essentially along the river.

Mr. Bill Jarvis, Chester Kaytn, Normal Hodgekiss, Frank Dunn, Donna Skinner, Nita Hamlin, Alan Goebbel, and Bob Mather, residents in the river area, opposed the river park.

City Manager James Wysocki clarified that the grant of \$31,000 would be matched by another piece of ground, money, or with all money. The Measure Plan before Council this evening was prepared by the Colorado Big Country Research Conservation & Development group which is through the United States Department of Agriculture and is only a plan and does not obligate the City. It does serve

as a guideline for whatever the City might do in however many years it may take to do it. He equated it to the preliminary design plans and specifications that the City puts together by some of its Engineering people. It is a 5-year plan, to be updated annually and to include or exclude any portion thereof. There is a timetable involved in accepting the Measure Plan.

Councilman Van Houten said he does not wish to take another step until he knows what is at the end of the line.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the City Council tonight not accept the measure plan and that it be tabled until such time as a majority of Council calls it up for consideration.

It was moved by Councilman Brown to amend the motion by specifying that Council meet with the County Commissioners and members of Greenbelt and property owners within 30 days. Motion carried.

HEAD START REQUEST FOR RENEWAL OF LEASE ON ACE KINDERGARTEN BUILDING, 134 ROOD AVENUE

It was moved by Councilman Colescott and seconded by Councilman Johnson that the lease between the City and Head Start be extended to July, 1977. Motion carried unanimously.

RECESS

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

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk