Grand Junction, Colorado

April 19, 1978

### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session on Wednesday, April 19, 1978, at 7:30 p.m. in the Civic Auditorium. Council members present: Larry Brown, Robert Holmes, Karl Johnson, Bill O'Dwyer, Jane Quimby, Elvin Tufly, and President of the Council Lawrence Kozisek. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

#### MINUTES

Deferred approval to May 3 meeting.

### APPOINTMENTS TO PLANNING COMMISSION

By secret ballot Jim Pickens was elected to serve the unexpired term of Blake Chambliss, said term to expire October, 1979. Mr. Bill Mikesell was elected to serve the unexpired term of John Abrams, said term to expire May, 1981.

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the appointments of Jim Pickens and Bill Mikesell to the Planning Commission be ratified. Motion carried.

RESOLUTION OF DECISION GRANTING HOTEL-RESTAURANT LIQUOR LICENSE TO SANTY'S STOP, INC. AND PERMITTING THE CONDITIONAL USE FOR SUCH LICENSE AT PUFFERBELLY STATION, 337 S. FIRST STREET

The following Resolution was presented and read:

#### RESOLUTION

OF DECISION ON APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE AND CONDITIONAL USE BY SANTY'S STOP, INC., AT PUFFERBELLY STATION, 337 SOUTH FIRST STREET, GRAND JUNCTION.

A public hearing having been held on April 15, 1978, on the application by Santy's Stop, Inc. for a Hotel and Restaurant Liquor License and conditional use for Pufferbelly Station restaurant at 337 South First Street, Grand Junction, and the City Council having considered the evidence adduced at said hearing:

#### FINDS:

- 1. That the hearing was held after proper notice under the Liquor Code.
- 2. That the survey conducted by the City indicated that the needs of the neighborhood were not being met by other outlets within the

neighborhood and there was a need for this outlet in that 261 persons so stated while 35 felt the needs were being met by the other outlets, although there are 14 similar outlets within one mile of the proposed location.

- 3. That no one appeared at the hearing in opposition to the granting of the license and no petitions or letters of disapproval were received by the City Council.
- 4. That the character of the Applicant, as determined through a check of the fitness of the officers of said corporation, Marie N. Haupt, Marilyn L. Miller and Mark Holloway, by the Police Department and through letters attesting to their good characters, is good.
- 5. On the question of the conditional use of the property for a restaurant serving liquor, such use was approved by the Grand Junction Planning Commission, by the planning staff and engineering department of the City, and any requirements that were made concerning the site and its use have been agreed to or were already met by the proposal.
- 6. The evidence supports the position that the needs of the neighborhood are not being met by other outlets of the same type and the position that the desires of the inhabitants of the neighborhood are that the license issue.

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

That a Hotel and Restaurant LIQUOR License issue to Santy's Stop, Inc. doing business as Pufferbelly Station for the premises at 337 South First Street, Grand Junction, Colorado; and the conditional use of the premises for a liquor license outlet is also approved.

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Brown and seconded by Councilman Tufly that the Resolution be passed and adopted as read. Upon roll call Council members QUIMBY, JOHNSON, TUFLY, BROWN and KOZISEK voted AYE. Council members HOLMES and O'DWYER voted NO. A majority having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

The area to be annexed was outlined by Senior Planner Del Beaver. A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

The following Resolution was presented and read:

### RESOLUTION

WHEREAS, on the 19th day of April, 1978, a hearing was held before the City Council of the City of Grand Junction, Colorado, to determine the eligibility for annexation to said City of the following described territory, situate in Mesa County, Colorado, to wit:

Beginning at the Southwest Corner of Lot 1, Northside Park in Section 36, Township 1 North, Range 1 West of the Ute Meridian, thence Northeasterly along Westerly line said subdivision to the Northwest Corner Lot 4 said subdivision, thence North 15° 36' East 215.01 feet, thence North 53° 04' East 245.04 feet, thence North 32° 45' East 178.59 feet, thence North 32° 40' East to the Southwest Corner of the Northwest Quarter of the Southeast Quarter of Section 36, Township 1 North Range 1 West, thence North 26° 36' 07" East 737.69 feet, thence South 71.16 feet, thence South 62° 40' East 244.1 feet, thence South 27° 20' West 432 feet, thence Southwesterly along Northwesterly right of way line Horizon Drive to the Southeast Corner of Lot 1, Northside Park, thence West along South line said Lot 1 to point of beginning; ALSO Horizon Drive right of way on the East and G Road right of way on the South,

and

WHEREAS, the Council has found, and does hereby find, that one-sixth the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the territory is integrated or is capable of being integrated with said City; that no land in single ownership has been divided by the proposed annexation; no land held in identical ownership comprising more than twenty acres which, together with the building and improvements thereon has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; nor is any of the land now subject to other annexation proceedings; and that no election is required under the Municipal Annexation Act of 1965.

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

#### GRAND JUNCTION:

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

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

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

The following entitled proposed ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

HEARING - APPLICATION FOR 3.2% FERMENTED MALT BEVERAGE LICENSE BY EDDIE E. AND MARY H. DAVIS DBA THIS IS IT GROCERY, 215 S. 11TH STREET

A hearing was held after proper notice on the application by Eddie H. and Mary H. Davis dba This Is It Grocery, 215 South 11sth Street. Mr. and Mrs. Davis were present for the hearing. The Clerk reported that the application was complete and the appropriate fees were filed.

The boundaries for the City's independent survey were both sides of 14th Street on the east, Railroad right-of-way on the south, both sides of 8th Street on the west, and both sides of Rood Avenue on the north. Results are:

- (1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 234
- (2) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 86
- (3) Neutral, refused to vote, dog, undecided. 39
- (4) Vacant properties and on vacation. 23

#### Total 382

The report from the Police Department advises that Eddie Edwards Davis and Mary Helen Davis are clear NCIC, CCIC, and local files. Background checks reveal nothing of a derogatory nature on either individual. Print cards were mailed 3-21-78 with no return to date.

Similar type outlets within one mile: 10.

Resolution of Findings and Decision is scheduled on the May 3 agenda.

HEARING - FINAL PLAT - FIRST ADDITION MC FARLAND ESTATES, W OF MC FARLAND COURT AND CONSISTORY COURT (8 LOT SINGLE-FAMILY SUBDIVISION)

Senior Planner Del Beaver outlined the area in question. All items during the preliminary stage have been approved with the exception of the petitioner requesting Hollywood or rolled burb to be consistent with the rest of the neighborhood. Planning Staff and City Engineers have no strong objections, although it is not consistent with the policy which has been endorsed on other subdivisions, but it is consistent with the area.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak on this item and there were no letters filed.

Mr. Keith Mumby, 321 Mc Farland Court, representing Mr. Mc Farland, was present.

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the Final Plat for First Addition Mc Farland Estates be approved subject to Hollywood curb. Motion carried with Councilman HOLMES voting NO.

It was requested by Councilman Brown that City Staff send sidewalk, curb, gutter standards to Council, through the Planning Commission, as soon as possible.

HEARING - REZONE FROM R-2, DUPLEX/FOUR-PLEX, TO P, PARKING, 626 BELFORD AVENUE - PROPOSED ORDINANCE

Senior Planner Del Beaver outlined the subject area.

There was no one in the audience who indicated a desire to speak on this item and no letters were filed.

The following entitled proposed ordinance was introduced and read: 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 Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

### HEARING - CONDITIONAL USE - MEDICAL OFFICES IN R-3, 1230 BOOKCLIFF

Mr. Beaver reviewed the item in question. There was no one in the audience who indicated a desire to speak and there were no letters filed.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Conditional Use permitting medical offices in R-3, 1230 Bookcliff Avenue, be approved with a recommendation for landscaping by Parks and Recreation Director Ken Idleman. Motion carried with Council members KOZISEK and BROWN voting NO.

### HEARING - DEVELOPMENT IN HO.O. - POWER EQUIPMENT CO., 3720 HIGHWAY 50

Del Beaver reviewed this item. Conditions of the Planning Commission are as follows:

- (1) Access from Fischer;
- (2) Vegetative screening on the north and east sides of the property;
- (3) Power of attorney for full half street improvements to Fischer and to the frontage road south of the property;
- (4) Corner radius on Fischer and frontage road right of way needs to be deeded to the City;
- (5) Street trees required along Fischer when street is improved with City participation. Planning Commission would like to see Fischer Avenue improved as soon as possible.
- (6) Landscaping in front of building to be more clearly detailed.

Mr. Jerry Fossenier, CBW Builders, was present.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the Development in H.O. for Power Equipment Company, 2730 Highway 50, be approved subject to the conditions of the Planning Commission. Motion carried.

### HEARING - DEVELOPMENT IN H.O. - OFFICE BUILDING, 772 HORIZON DRIVE

Del Beaver outlined the area. Planning Commission has approved subject to the following conditions:

- (1) Power of attorney for full half-street improvements on Horizon Drive liable for 17 foot of mat. Anything beyond that, the City would handle.
- (2) Temporary sidewalk or pedestrian system between Horizon Drive and the front property line until improvements are made.
- (3) Acceleration and deceleration lanes in this area planned by Engineering Department.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman Johnson and seconded by Councilman O'Dwyer that the Development in H.O., Office Building, 722 Horizon Drive, be approved subject to the conditions of the Planning Commission. Motion carried.

# HEARING - FINAL PLAT - MONUMENT VIEW MINOR SUBDIVISION, NW CORNER INDEPENDENT AVENUE AND POPLAR AVENUE (3 LOT SUBDIVISION)

The area was outlined by Senior Planner Del Beaver. Stipulations of the Planning Commission approval are as follows:

- (1) Fire hydrant location must be worked out prior to Council action. Location has been worked out with the Fire Department and will be located at the east corner of Lot 1.
- (2) Power of attorney for full cost of one-half street improvement to Poplar Street and Independent Avenue.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak on this item and there were no letters filed.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Final Plat of Monument View Minor Subdivision be approved subject to the conditions of the Planning Commission. Motion carried.

### HEARING - FINAL PLAT - APPLECREST SUBDIVISION, NE OF F-3/4 RD AND 27 3/4 RD

Senior Planner Del Beaver outlined the area in question. The Planning Commission approves. All phases have been complied with (street sections, sidewalks, etc.).

Mr. Chris Gray, the petitioner, was present and stated he will be building 14 condominiums and 14 single-family lots.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilwoman Quimby and seconded by Councilman Johnson that the Final Plat of Applecrest Subdivision be approved subject to the avigation agreement. Motion carried.

### HEARING - PRELIMINARY PLAT - SROUFE SUBDIVISION (COUNTY TRANSITIONAL) SW OF 29 1/2 RD AND F RD

Senior Planner Del Beaver outlined the area. There were no conditions placed on this plat by the Planning Commission.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the Preliminary Plat of Sroufe Subdivision be approved provided the curbs, gutter and sidewalks are to City standards. Motion carried.

### HEARING - TEXT CHANGE SECTION 5 - PARKING AND LOADING, CHANGE IN SOME OFF-STREET PARKING REQUIREMENTS

Senior Planner Del Beaver reviewed the proposal. It was noted that the Downtown Development Authority area would be exempt from this ordinance for a period of six months from the passage of said ordinance, to enable the DDA to write a document that would be more appropriate for them. If no other Council approved alternative is established within the six-month period to cover the DDA, then said ordinance would apply to the DDA also.

Councilwoman Quimby noted that shopping complexes were mentioned in the Planning Commission minutes, but in the draft it is not included. Under Retail Sales/Services - (q)(1) "Shopping complexes" should be inserted after department stores.

Councilman O'Dwyer: This 2 parking spaces per dwelling unit (includes all dwelling units). This is the way the present text reads.

Del Beaver: The Planning Staff and the Planning Commission differed slightly in some regard on some of these points. In looking at the retail sector and looking at the residential sector, we were asked to go back a number of times to bring examples of where problems did or did not exist. Most of the problems existed as a result of poor parking lot circulation. In many instances, the existing regulation, if adopted and used by all commercial, business, and residential entities, from time one, may or may not have resulted in the parking problem. We could not find any parking problems associated with apartments or dwelling units that did in fact meet the existing requirements. We found only a few retail establishments that had problems in the existing requirements. Under the existing retail ordinance the parking requirements for the retail sector in the existing ordinance is a

flat rate and it doesn't begin to address high or low volume retail. That specific thing which was done by the Planning Commission in breaking these things out a little bit is very good. Staff disagreed with the Planning Commission on the change for residential because we didn't feel it could be justified.

Councilman O'Dwyer: You say the Planning Commission recommends 2 spaces or they recommend 1 1/2 spaces.

Del Beaver: They recommend 2 stalls per all dwelling units. Staff had some problems going that high, but at this point in time we don't see any case that will justify it. The apartment complexes that we have checked that are more than 4 dwelling units, where they have provided 1 1/2 stalls per unit, it appears to be meeting their parking demands. I would bring it to your attention that these are supposed to be minimum requirements and we are in no way restricted to these. If they feel they need more, they can put more in.

Councilman O'Dwyer: The only thing is that in some cases this might add quite an expense to the developer.

Councilman Brown: Do you have any figures at all with an average. I understand that you went out and looked at the lots, but do you have anything that shows that an average apartment, the dwellers have 1 1/2 cars and the visitors have an equivalent of 3/4, do you have any average?

Del Beaver: No, not in that regard, but there are national averages that have indicated that contrary to popular belief, there are more vehicles and recreational vehicles of this nature, and that is what prompted the Planning Commission to place that stipulation.

Councilman Brown: What does the average family own?

Del Beaver: It is difficult to answer that because you have a different strata occupying apartments, you have a different strata occupying condominiums. It is more than one, though, it is one plus. These stalls are supposed to address visitor parking as well as all excessive parking that you may need.

A hearing was held after proper notice.

Mr. Ward Scott, realtor representing the Board of Realtors, appeared before Council. Mr. Bob Gerlofs, member of the Home Builders Association appeared as did other interested people.

After a lengthy discussion, the hearing was closed.

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the six changes be made, including employees, (q)(1) and (q)(2), making Karl's changes in residential, striking Item 3, adding "Parking spaces in parking lot" in Item 7, and striking

Item 9; that said changes be incorporated in a new draft, and that it be sent to the Planning Commission for their comment, not for any formal process, and that their comment and the new draft be brought back to Council for consideration and publication. Motion carried.

### ORDINANCE NO. 1734 - ALLEY VACATION, SOUTH HALF OF N-S ALLEY BETWEEN NORTH AVENUE AND GLENWOOD AVENUE, E OF 7TH STREET

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

It was moved by Councilman Tufly and seconded by Councilwoman Quimby 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 Tufly and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1734, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

### ORDINANCE NO. 1735 - DEFINING INDECENT EXPOSURE AS A MISDEMEANOR IN THE CITY OF GRAND JUNCTION

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE DEFINING INDECENT EXPOSURE AS A MISDEMEANOR IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman 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 Johnson and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1732, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

## ORDINANCE - PROHIBITING THE EXHIBITION TO MINORS OF PATENTLY OFFENSIVE SEXUAL CONDUCT - FAILED TO PASS

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE PROHIBITING THE EXHIBITION TO MINORS OF PATENTLY OFFENSIVE SEXUAL CONDUCT. It was moved by Councilman Brown 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 Councilwoman

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

The Title of the Ordinance only was read.

The following persons were present and spoke in favor of this ordinance:

Lance Oswald Tim Osborne, Colorado Periodical Magazine Distributors Mary Gustafson, 251 29 Road, owner/operator, Bookcliff Books

The following persons were present and spoke in opposition to this ordinance:

Henrietta Hay
Phil Hogan, 2229 Broadway
Judy Huffaker
Richard Huffaker
Darlene Gsell, 1930 Star Canyon Drive
Patty Bowers, 3019 B1/2 Road
Rick Watts, 551 Village Way
Dale Ely, 2736 F Road
Sally Davie, 706 26 1/2 Road

Mr. George Van Camp, 327 Mesa Grand, Librarian, Mesa County Library, spoke and remained neutral on the subject.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1736, and ordered published. Upon roll call Council member BROWN voted AYE. Council members O'DWYER, QUIMBY, HOLMES, JOHNSON, TUFLY and KOZISEK voted NO. The President declared the motion lost.

### RESOLUTION AUTHORIZING CITY MANAGER TO SIGN ROW EASEMENT TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY

The following Resolution was presented and read:

### RESOLUTION

GRANTING AN EASEMENT TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY.

WHEREAS, the Mountain States Telephone and Telegraph Company has requested the City of Grand Junction to grant to it an easement involving the land hereinafter described; and

WHEREAS, the granting of such easement has been approved by the Engineering Department of the City and would not be to the detriment of the inhabitants of the City;

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

That the City Manager, as the act of the City and on behalf of the City, be authorized and directed to execute a right of way easement over, under the across lands situate in the County of Mesa, State of Colorado, and described as:

A strip of land 10 feet in width, being 2 feet on the right and 8 feet on the left of a centerline described as follows: Beginning at a point which bears North 84° 38' 24" West a distance of 493.11 feet from the Southeast Corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 1 South, Range 1 West of the Ute Principal Meridian, thence North 0° 02' 57" East, 527.79 feet; thence North 21° 04' 18" West 75.99 feet; thence North 0° 33' 40" West 217.25 feet; thence North 27° 57' 56" East 179.27 feet; thence North 64° 36' 02" East 308.33 feet; thence North 63° 34' 30" East, 118.0 feet to a point that bears South 7° 31' 48" West a distance of 131.39 feet from the Northeast Corner of the Northwest Quarter of said Section 26,

for the construction, operation, maintenance and removal of communication and other facilities operated by the Company.

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

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

ID ST-77 (STREET IMPROVEMENT DISTRICT 77) - RESOLUTION GIVING NOTICE OF HEARING ON ASSESSMENTS - ENGINEER'S STATEMENT OF COMPLETION

The Engineer's Statement of Completion was presented:

CONSTRUCTION COST

ID ST-77

TOTALS ON FINAL ESTIMATE:

Alley from 4th St. to 5th St. between Grand Ave. & Ouray Ave.

\$8,616.50

Alley from 20th St. to 21st St. at Mesa Avenue 5,362.05

Gunnison Ave. 13,494.20

Glen Road & Teller Ave. 29,495.55

Kimball Ave. 51,483.35

Texas Ave. 21,506.60

Walnut Ave. 29,386.80

19th St. 12,851.50

North 24th St. 13,372.10

C.O. No. 1 16,963.86

C.O. No. 2 829.60

C.O. No. 3 3,832.00

C.O. No. 4 1,379.00

SEALCOAT PROGRAM DONE BY CITY CREWS:

Aspen Street;		
Materials1,246		
Labor527.97		
Equipment 197.15		
1,971.73		

Bluegill Drive;			
Materials1,678 .86			
Labor813.63			
Equipment 247.77			
2,740.26			
WATER SERVICE AD	DJUST DONE BY CIT	Y CREWS:	
Glen Road;			
Materials158.0			
Labor141.28			
Equipment120.0 0			
419.28			
Kimball Ave.;			
$\frac{\text{Materials}530.4}{4}$			

Labor323.51		
Equipment262.0		
<u>1,115.95</u>		

TOTAL CONSTRUCTION COST ON FINAL ESTIMATE \$214,820.33

Bonds & Letters (Printing to Date) 590.58

Data Processing (contractial services to date) 226.73

Data Processing (estimated balance) 200.00

Professional Charges - Legal Aid 3,000.00

Advertising (to date) 162.32

Advertising (estimated balance) 478.60

Postage (to date) 26.64

Postage (estimated balance) 24.44

Engineering (wages, Soc. Sec., etc.) 22,212.64

Operating Supplies 264.00

Misc. - Business Trips (bonds) 97.50

Transportation (equipment rent) 558.92

COST OF BONDS DURING CONSTRUCTION:

Date bonds were sold August 1, 1977

Date construction bonds were closed (Note: estimated to fall on or short of the next council session when the bonds will be closed) June 24, 1978

Average interest on bonds 5.6044%

Amount of Bonds \$150,000.00

August 1, 1977 to June 24, 1978+

10 months & 24 days say 11 months @ 5.6044%

 $\frac{11 \text{ months}}{12 \text{ months}}$  = .9166666667 x 5.6044% = 5.1374%

5.1374% x \$150,000.00 = 7,706.10

SUB TOTAL 250,468.80

MINUS SALES & USE TAX REFUND

Colorado State Tax:		
Corn Constructio n287.62		
Mays Concrete1,0 30.56		
1,318.18		
City Tax:		
Corn Constructio n191.75		
Mays Concrete <u>691</u>		

.14		
882.89		
2,201.07		
TOTAL ID ST-COST\$248,267		

The following Resolution was presented and read:

### RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Improvement District No. ST-77; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Improvement District No. ST-77 and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same;

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

That the improvements connected therewith in said District be, and the same are hereby, approved and accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the assessable cost of the improvements of said Improvement District No. ST-77 to be assessed; and

BE IT FURTHER RESOLVED, that the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, together with interest at the average rate of 5.6044 per cent per annum to June 24, 1978; and

BE IT FURTHER RESOLVED, that the City Clerk shall immediately advertise for three days in the Daily Sentinel, a newspaper of general circulation published in said City notice to the owners of the real estate to be assessed, and all persons interested generally without naming such owner or owners, that said improvements have been completed and accepted, specifying the assessable cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints of objections that may be made in writing by such owners or persons shall be

made to the Council and filed with the Clerk within thirty (30) days from the first publication of said notice, that same may be heard and determined by the Council at its first regular meeting after said thirty (30) days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

The Notice shall be in the following form:

### NOTICE

NOTICE IS HEREBY GIVEN to the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Improvement District No. ST-77, and to all persons interested therein as follows:

That the improvements in and for said District, which are authorized by and are in accordance with the terms and provisions of a Resolution passed and adopted on the 15th day of June, 1977, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local street improvement district to be known as Improvement District No. ST-77, with the terms and provisions of a Resolution passed and adopted on the 15th day of June, 1977, adopting details, plans and specifications for said District; and with the terms and provisions of a Resolution passed and adopted on the 20th day of July, 1977, creating and establishing said District, all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction, Colorado;

That the whole cost of the improvements to be assessed has been definitely ascertained and is in the sum of \$160,553.02 said amount including six per cent (6%) for cost of collection and other incidentals and interest at the rate of 5.6044 per cent per annum to June 24, 1978; that the part apportioned to and upon each lot or tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinance, assessing the real estate in said District for the cost of said improvements, and that the owner so paying should be entitled to an allowance of six per cent (6%) for cost of collection and other incidentals.

That any complaints or objections that may be made in writing by the said owner, or owners of land within the said District and assessable for said improvements, or by any person interested, may be made to the City Council and filed in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the

said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively, as by law provided;

That the sum of \$160,553.02 for improvements is to be apportioned against the real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to wit:

2943-074-00-016Beg SE Cor N2SE4NW4SE4 Sec 7 1S 1E W 225 Ft N 122 Ft E 225 Ft S to Beg Exc E 25 Ft for Rd and also Exc S 10 Ft for Rd4457.83	
2943-074-00- 942SE4NW4SE4 Sec 7 1S 1E Exc S 122' of E 200' and Exc N 78' of S 200' of E 175' and Exc E 25' and S 25' for Rd9584.33	
2943-074-09-001Lot 14 Ormsbee Sub Sec 7 1S 1E1872.29	
2943-074-09-002Lot 13 Ormsbee Sub Sec 7 1S 1E1850.00	
2943-074-09-007Lot 8 Ormsbee Sub Sec 7 1S 1E2919.88	
2943-074-09-025E 66	

Ft Lot 12 Ormsbee Sub Sec 7 1S 1E1483.57	
2943-074-09-026E 50 Ft Lot 11 and W 17 Ft Lot 12 Ormsbee Sub Sec 7 1S 1E1512.31	
2943-074-09-027E 34 Ft Lot 10 and W 33 Ft Lot 11 Ormsbee Sub Sec 7 1S 1E1493.37	
2943-074-09-028E 17 Ft Lot 9 and W 49 Ft Lot 10 Ormsbee Sub Sec 7 1S 1E1471.08	
2943-074-09-029W 66 Ft Lot 9 Ormsbee Sub Sec 7 1S 1E1471.08	
2943-182-00-975N 405 Ft E2SE4NW4 Sec 18 1S 1E Exc Street in B-1117 P-9115773.78	
2943-182-01-001Lot 1 Blk 1 Dorris Sub Sec 18 1S 1E Exc S 20 Ft for Street as Desc in B-1067 P-987 Co Clerks Off and also Exc Beg SW Cor Lot 1 Blk 1 Dorris Sub Sec 18 1S 1E N 8 Ft S 36° 52' 11" E 10 Ft W 6 Ft to Beg for ROW Per B-1109 P-235 Co Clerks Off3825.26	

2943-182-01-002Lot 2 Blk 1 Dorris Sub Sec 18 1S 1E1627.11	
2943-182-01-003Lot 3 Blk 1 Dorris Sub Sec 18 1S 1E1627.11	
2943-182-01-004Lot 4 Blk 1 Dorris Sub Sec 18 1S 1E1627.11	
2943-182-01-005Lot 5 Blk 1 Dorris Sub Sec 18 1S 1E1627.11	
2943-182-01-006Lot 6 Blk 1 Dorris Sub Sec 18 1S 1E1627.11	
2943-182-01-007Lot 7 Blk 1 Dorris Sub Sec 18 1S 1E2518.68	
2943-182-01-014Lot 14 Blk 1 Dorris Sub Sec 18 1S 1E Exc S 20 Ft for Street as Desc in B-1064 P-987 Co Clerks Off1950.29	
2943-182-02-008Lot 8 Blk 2 Dorris Sub Sec 1S 1E Exc Street ROW as Desc in B-1106 P- 1423712.41	
2943-182-02-009Lot 9 Blk 2 Dorris Sub Sec 1S 1E1313.50	

2943-182-02-010Lot 10 Blk 2 Dorris Sub Sec 1S 1E1313.50	
2943-182-02-011Lot 11 Blk 2 Dorris Sub Sec 1S 1E1313.50	
2943-182-02-012Lot 12 Blk 2 Dorris Sub Sec 1S 1E1313.50	
2943-182-02-013Lot 13 Blk 2 Dorris Sub Sec 1S 1E1313.50	
2943-182-02-014Lot 14 Blk 2 Dorris Sub Sec 1S 1E1685.72	
2943-182-02-015Lot 1 to 7 Inc Blk 2 Dorris Sub Sec 1S 1E2340.36	
2945-104-05-001Lot 1 Blk 4 Westlake Park Sub Exc N 5 Ft Sec 10 1S 1W169.67	
2945-104-05-002Lot 2 Blk 4 Westlake Park Sub Exc N 5 Ft Sec 10 1S 1W169.67	
2945-104-05-003Lot 3 Blk 4 Westlake Park Sub Exc N 5 Ft Sec 10 1S 1W169.67	

2945-104-05-004Lot 4 Blk 4 Westlake Park Sub Exc N 5 Ft Sec 10 1S 1W169.67	
2945-104-05-006Lot 6 Blk 4 Westlake Park Sub Exc Nely 5 Ft Sec 10 1S 1W119.23	
2945-104-05-007Lot 7 Blk 4 Westlake Park Sub Exc 25 Ft Triag in NE Cor311.76	
2945-104-05-019Lot 5 Blk 4 West Lake Park Sec 10 1S 1W Exc Nely 5 Ft and Exc Beg SE Cor Lot 5 W 30 Ft N 62° 41' W 21.78 Ft E 49.35 Ft S 10 Ft to Beg158.59	
2945-104-06-001Lot 1 Blk 3 Westlake Park Sub Sec 10 1S 1W271.48	
2945-104-06-004Lot 4 Blk 3 Westlake Park Sub Exc Swly 5 Ft and Exc 36 Ft Triag in NW Cor233.02	
2945-104-06-005Lot 5 Blk 3 Westlake Park Sub Exc Swly 5 Ft Sec 10 1S 1W343.87	

2945-104-06-006Lot 6 Blk 3 Westlake Park Sub Exc S 5 Ft Sec 10 1S 1W169.67	
2945-104-06-007Lot 7 Blk 3 Westlake Park Sub Exc S 5 Ft Sec 10 1S 1W169.67	
2945-104-06-008Lot 8 Blk 3 Westlake Park Sub Exc S 5 Ft Sec 10 1S 1W441.16	
2945-104-07-005Lot 5 Blk 2 Westlake Park sub Sec 10 1S 1W88.23	
2945-104-07-006Lot 6 Blk 2 Westlake Park sub Sec 10 1S 1W174.20	
2945-104-07-007Lot 7 Blk 2 Westlake Park sub Sec 10 1S 1W174.20	
2945-104-07-008Lot 8 Blk 2 Westlake Park sub Sec 10 1S 1W174.20	
2945-121-00-951Beg 30 Ft N of SE Cor W2SE4NE4 Sec 12 1S 1W W 330 Ft N 281 Ft E 330 Ft S 281 Ft to Beg and also Beg SE Cor W2SE4NE4 E 75 Ft	

N 150 Ft W 75 Ft S 150 Ft to Beg Exc St ROW as Desc in B- 1088 P-153 Co Clerks Off6062.64	
2945-121-12-001Lot 5 Mc Clure Park Sub Sec 12 1S 1W1114.45	
2945-121-12-002Lot 4 Mc Clure Park Sub Sec 12 1S 1W1114.45	
2945-121-12-003Lot 3 Mc Clure Park Sub Sec 12 1S 1W1114.45	
2945-121-12-005E 48 Ft of Lot 1 Mc Clure Park Sub Sec 12 1S 1W2474.09	
2945-122-00-058Beg 30 Ft E and 30 Ft N of SW Cor Lot 25 Blk 8 Fairmount Sub Sec 12 1S 1W N 145 Ft E 100 Ft S 145 Ft W to Beg and That Pt Vacated on S Side of Parcel Being a 10 Ft Strip Per B-6 P-258 Co Clerks Off2169.07	
2945-122-00-942E 150 Ft of Lots 11 and 12 Blk 4 Fairmount Sub Sec 12 1S 1W Exc Rd ROW as Desc in B- 1115 P-179 Co Clerks Off13393.21	

2945-122-11-941Lot 1 Walnut Park a Replat of a Part of Lots 25 and 26 All of Lots 27 and 28 Blk 8 Fairmount Sub Sec 12 1S 1W and That Part of Vacated Street N of Blk 8 Being Adj to SD Parcel19249.38	
2945-124-04-018Lot 13 Blk 7 Sub Del Rey Replat696.54	
2945-124-04-019Lot 12 Blk 7 Sub Del Rey Replat696.54	
2945-124-12-001Lot 1 Blk 3 Del Mar Park Refile649.01	
2945-124-12-002Lot 2 Blk 3 Del Mar Park Refile278.61	
2945-124-12-003Lot 3 Blk 3 Del Mar Park Refile473.64	
2945-124-12-004Lot 4 Blk 3 Del Mar Park Refile278.61	
2945-142-40-005Lots 11 and 12 Blk 74 Grand Junction278.61	
2945-142-40-008Lots	

17 to 20 Inc Blk 74 Grand Junction557.23	
2945-142-40-951Lots 21 to 32 Inc Blk 74 City of Grand Junction Sec 14 1S 1W1671.68	
2945-142-40-952Lot 13 and W 20 Ft Lot 14 Inc Blk 74 City of Grand Junction Sec 14 1S 1W250.75	
2945-142-40-953Lots 1 to 10 Inc Blk 74 City of Grand Junction Sec 14 1S 1W1393.07	
2945-142-40-998E 5 Ft Lot 14 and Lots 15 and 16 Inc Blk 74 City of Grand Junction306.48	
2945-231-13-008Lots 19 to 21 Inc Blk 11 Benton Canon 1st Sub1671.68	
2945-231-13-009Lots 17 and 18 Blk 11 Benton Canon 1st Sub1343.59	
2945-231-13-012Lot 22 Blk 11 Benton Canon 1st Sub557.23	

2945-231-16-016Lots 24 to 27 Inc Blk 11 Benton Canon 1st Sub2228.92	
2945-231-16-017Lots 28 to 30 Inc Blk 11 Benton Canon 1st Sub1671.68	
2945-231-16-018Lots 31 and 32 Blk 11 Benton Canon 1st Sub1343.59	
2945-231-16-019Lots 17 and 18 Blk 10 Benton Canon 1st Sub1127.83	
2945-231-16-020Lots 19 to 22 Inc Blk 10 Benton Canon 1st Sub2228.92	
2945-231-16-021Lots 23 and 24 Blk 10 Benton Canon 1st Sub1114.45	
2945-231-16-022Lots 25 to 28 Inc Blk 10 Benton Canon 1st Sub2228.92	
2945-231-16-024S 62.5 Ft of Lots 29 to 32 Inc Blk 10 Benton Canon 1st Sub2242.28	

2945-231-17-004N2 of Lots 1 to 4 Inc Blk 15 Benton Canon 1st Sub2242.28	
2945-231-17-006Lot 5 Blk 15 Benton Canon 1st Sub557.23	
2945-231-17-007Lots 6 to 8 Inc and W2 of Lot 9 Blk 15 Benton Canon 1st Sub1950.29	
2945-231-17-008E2 of Lot 9 and All Lots 10 to 12 Inc Blk 15 Benton Canon 1st Sub1950.29	
2945-231-17-009Lots 13 to 16 Inc Blk 15 Benton Canon 1st sub2242.28	
2945-231-17-010Lots 1 to 4 Inc Blk 14 Benton Canon 1st Sub2458.04	
2945-231-17-011Lots 5 to 11 Inc Blk 14 Benton Canon 1st Sub2900.60	
2945-231-17-012Lot 12 Blk 14 Benton Canon 1st Sub557.23	
2945-231-17-013Lots	

13 and 14 Blk 14 Benton Canon 1st Sub1114.45	
2945-231-17-014Lots 15 and 16 Blk 14 Benton Canon 1st Sub1343-59	
2945-261-14-002Lots 9 and 10 Blk 27 Orchard Mesa Heights222.89	
2945-231-14-003Lots 11 and 12 Blk 27 Orchard Mesa Heights222.89	
2945-261-14-004Lot 13 and S 10 Ft of Lot 14 Blk 27 Orchard Mesa Heights156.02	
2945-261-14-005N 15 Ft of Lot 14 and All Lots 15 and 16 Blk 27 Orchard Mesa Heights334.33	
2945-261-23-001Lots 1 and 2 Blk 1 Canon Add to Orchard Mesa Heights222.89	
2945-261-23-002Lots 3 and 4 and S2 Lot 5 Blk 1 Canon Add to Orchard Mesa Heights278.61	

2945-261-23-003N2 Lot 5 and All Lots 6 and 7 Blk 1 Canon Add to Orchard Mesa Heights278.61	
2945-261-23-004Lot 8 and S 30 Ft of Lot 9 Blk 1 Canon Add to Orchard Mesa Heights289.76	
2945-261-23-005N 10 Ft of Lot 9 and All of Lot 10 Blk 1 Canon Add to Orchard Mesa Heights115.90	

Dated at Grand Junction, Colorado, this 19th day of April, 1978.

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

STATE OF COLORADO)	
)	
COUNTY OF MESA)	

I, LAWRENCE L. KOZISEK, President of the City Council of the City of Grand Junction, Colorado, do hereby certify that the above and foregoing is the statement showing the assessable cost of the improvements in Grand Junction Improvement District No. ST-77, and apportions the cost upon each lot or tract of land or other real estate to be assessed for the same, all in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as

amended.

Dated this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

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

RESOLUTION AUTHORIZING CITY MANAGER TO SIGN WARRANTY DEED FOR HALLENBECK PROPERTY

The following Resolution was presented and read:

#### RESOLUTION

CONVEYING PROPERTY.

WHEREAS, the City of Grand Junction has determined to convey the property hereinafter described to James L. Whaley, Jr. and Rosemarie Whaley as the highest bidders for the purchase of said property; and

WHEREAS, such conveyance is in the best interest of the City and its inhabitants and is of property not held or used for park or governmental purposes;

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

That the City Manager, as the act of the City and on behalf of the City, is authorized to convey to James L. Whaley, Jr. and

Rosemarie Whaley the property situate in the County of Mesa, State of Colorado, and described as:

That part of the Southwest Quarter of Section 36, Township 12 South, Range 98 West, Ute Meridian, described as follows: Beginning at a point which is the Southwest Corner of said Section 36; thence East 660.00 feet along the South line of said Section 36; thence North 2,310 feet parallel to the West line of said Section 36; thence West 660 feet to the West line of said Section 36; thence South 2,310 feet along the West line of said Section 36 to the point of beginning;

subject to certain conditions in regard to irrigation and domestic water service.

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

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

### RESOLUTION PROCLAIMING BICYCLE SAFETY WEEK IN THE CITY OF GRAND JUNCTION

The following Resolution was presented and read:

### RESOLUTION

PROCLAIMING BICYCLE SAFETY WEEK IN THE CITY OF GRAND JUNCTION.

WHEREAS, the City of Grand Junction is concerned with traffic safety, and particularly with bicycle safety because of the seriousness of the injuries which may be caused bicyclists; and

WHEREAS, the City Council recognizes the value of instruction in and promotion of bicycle safety and urges the participation of the citizens of the City in bicycle safety programs;

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

That, to further the ends mentioned, the week of April 23rd to April 29th, 1978, is proclaimed as BICYCLE SAFETY WEEK in the City

of Grand Junction.

PASSED and ADOPTED this 19th day of April, 1978.

President of the Council

Attest:

City Clerk

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

### PARKS AND RECREATION PROPOSAL

City Manager Jim Wysocki presented a Parks and Recreation Proposal. It was noted that the County Commissioners did act favorably on this proposal. Mr. Ken Idleman, Parks and Recreation Director, explained that the proposal is to employ Ted Swanson of Mesa College, to coordinate and put the master plan together. Estimated cost is \$4000. Funds are to be obtained from both the City and County Conservation Trust Funds, from PIAB, and from the Planning Department with the State 10-41 funds that they have appropriated for Parks and Recreation planning within the City.

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the proposal be accepted. Motion carried with Councilman HOLMES voting NO.

### MOUNTAIN BELL LETTER ACCEPTING RESPONSIBILITY IN ROW'S

City Manager Jim Wysocki stated Mountain Bell's letter says that Mountain Bell was asked to post bonds anywhere from \$200 to \$10,000 in various communities and counties within the State. In lieu of that, it is possible to have a letter of responsibility which states that they will take care of road cuts in rights of way and receive the proper permits to do so and will accept the responsibility for restoring any of those roadway cuts for a period of one year. Mr. Wysocki asked approval of this letter of responsibility.

It was moved by Councilman Tufly and seconded by Councilman Brown that the Mountain Bell letter of responsibility be approved permanently. Motion carried.

CONSIDER PARTICIPATION IN COLORADO MUNICIPAL LEAGUE'S PROPOSED SUIT IN PUBLIC SERVICE COMPANY'S RATE INCREASES

City Manager Jim Wysocki stated that the Colorado Municipal League has just finished filing suit against Public Service Company's rate increases. There is four cents per capita voluntary assessment for those cities or counties that may wish to participate. This is the same participation against Mountain Bell and Public Service as occurred the past couple of years.

It was moved by Councilman Brown and seconded by Councilman Johnson that the City Manager be authorized to notify the Colorado Municipal League that Council is keenly interested in supporting this program. Motion carried.

### STREET ILLUMINATION LIGHT AT 30 ROAD AND B ROAD - MR. WALLY TORFIN

Mr. Wally Torfin appeared before Council to thank Council for installing an illumination light at 30 Road and B Road. The petition for said light was filed earlier this year, and the light was installed sometime last week.

#### MISCELLANEOUS DISCUSSION

208 Water Quality - Councilman Kozisek requested that as many Council members as possible plan to attend the 208 Water Quality Plan to familiarize themselves with the plan. There will be some opposition. Local governments are being given the opportunity to manage themselves, and, if they don't wish to, someone else is going to do it for them.

Annexations - Councilwoman Quimby commented that at one point Council would have some kind of a fiscal impact or cost benefit ratio in relation to annexations. Does Council intent to ask the Development Department to provide it with this information (pros and cons, costs, etc.) on each annexation. Consensus of Council was to request this information from the Planning Department only on large annexations and development projects.

Rehabilitation -- Councilman Johnson brought Council up to date on Rehabilitation by stating there has been a total of 47 applicants so far - 31 of the applicants have been found eligible, and 6 projects have been completed. One of the problems that they are running into is that many of the homes that are to be considered for rehabilitation are not owner occupied - they are rentals, and therefore, cannot quality.

#### ADJOURNMENT

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

Neva B. Lockhart

Neva B. Lockhart, CMC City Clerk