

Grand Junction, Colorado

May 21, 1980

The City Council of the City of Grand Junction, Colorado, convened in regular session at 7:30 p.m. on the 21st day of May, 1980, in City Council Chambers at City Hall. Those present were Council members Frank Dunn, Robert Holmes, Dale Hollingsworth, Karl Johnson, Bill O'Dwyer, and Jane Quimby, a quorum. Councilman Louis Brach was absent. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Jane Quimby called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Reverend Robert Labig, Clifton Christian Church.

MINUTES

The Minutes of the regular meeting May 7, 1980, were corrected to include Bill O'Dwyer as a member of the Airport Authority and were approved as corrected.

The minutes of the adjourned regular meeting May 14, 1980, were approved as submitted.

BOARD OF ADJUSTMENT AND APPEALS - REAPPOINTMENT OF MEARLEN BROWN TO 3-YEAR TERM AND VIRGINIA FLAGER TO JANUARY, 1981

Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried, the reappointment of Mearlen Brown to a 3-year term on the Board of Adjustment and Appeals and the reappointment of Virginia Flager to a term to expire in January, 1981, were ratified.

TWO RIVERS PLAZA STUDY

Mr. Larry Cobb presented for Council review the results of the Two Rivers Plaza study. The report was received for review and subsequent study session.

RENEWAL OF 3.2% BEER LICENSES

Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the applications to renew the 3.2% beer licenses at the following locations were approved:

1. Pizza Hut, 704 Horizon Drive
2. City Market, 865 North Avenue

3. City Market, 1909 N. First Street

HEARING - PROPOSED ORDINANCE - CONDITIONAL USE - DRIVE-UP WINDOW AT 499 28-1/4 ROAD - EMPIRE SAVINGS AND LOAN ASSOCIATION

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the conditional use for drive-up window at the Empire Savings and Loan Association building, 499 28-1/4 Road, was approved subject to the conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE GRANTING A CONDITIONAL USE FOR EMPIRE SAVINGS AND LOAN ASSOCIATION. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - CONDITIONAL USE TO PERMIT SEMINARY CLASSROOM AT 1521 N. 7TH STREET FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the conditional use to permit seminary classroom at 1521 N. 7th Street was approved subject to the conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS. Upon motion by Councilman Johnson, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - PRELIMINARY PLAN FOR CRESTVIEW TOWNHOMES, NW CORNER OF F-1/4 ROAD AND 27-1/2 ROAD - HENRY FAUSSONE

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the preliminary plan for Crestview Townhomes was approved subject to the conditions of the Planning Commission.

HEARING - AMENDED FINAL PLAN AND PLAT FOR EASTGATE PLAZA SUBDIVISION FILING #1, SW CORNER OF ELM AVENUE AND 28-1/4 ROAD - REAL ESTATE INVESTMENTS

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the amended final plan and plat for Eastgate Plaza Subdivision, Filing #1, was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - ZONING GONZO ANNEXATION PR-34.9 AND HORIZON TOWERS SUBDIVISION PRELIMINARY PLAT, SW CORNER 12TH AND HORIZON - WILLIAM BOLL

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the preliminary plan for Horizon Towers Subdivision was approved subject to conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

HEARING - PRELIMINARY PLAN FOR INDEPENDENT AVENUE COMMERCIAL PARK, SE OF HIGHWAY 6 & 50 AND INDEPENDENT AVENUE INTERSECTION - ROBERT WILSON

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the preliminary plan for Independent Avenue Commercial Park was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - ZONING MC KEE ANNEXATION FROM COUNTY AFT TO CITY PR-21 AND PRELIMINARY PLAN FOR COUNTY GLEN SUBDIVISION, NE CORNER F-1/2 ROAD AND 25 ROAD

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. President Quimby received a telephone call from a neighbor in the vicinity of the proposed development who is supportive of the plans. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the preliminary plan for County Glen Subdivision was approved subject to the conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - DEVELOPMENT IN H.O. ZONE - CROSSROADS BUSINESS CENTER, S OF CROSSROADS BLVD AT CROSSROADS COURT - MSP INVESTMENT CO.

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and

carried, the Crossroads Business Center development in H.O. Zone was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - ZONING INDEPENDENT AVENUE ANNEXATION FROM COUNTY C TO CITY C-2, SE OF INTERSECTION OF HIGHWAY 6 & 50 AND INDEPENDENT AVENUE

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - ZONING MESA MALL ANNEXATION #3 FROM COUNTY C TO CITY H.O. ZONE, NE CORNER HIGHWAY 6 & 50 AND 24 ROAD

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Holmes, seconded by Councilman Hollingsworth and carried, the proposed ordinance was passed for publication.

HEARING - ZONING TEXT AMENDMENT CHAPTER 32, SECTION 11, PARA B, AMENDMENT TO "STREETS, SECONDARY" AND "STREETS, MAJOR" - PROPOSED ORDINANCE

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING CERTAIN STREETS TO THE MAJOR AND SECONDARY STREET CATEGORIES. Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - REZONE FROM R-1-A TO PR-7.2, SE CORNER OF CORTLAND AVENUE AND 27-1/2 ROAD - K. M. MATCHETT

A hearing on the above, item was held after due notice. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman

O'Dwyer, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - ZONING FLYNN ANNEXATION FROM COUNTY C TO CITY C-1, NE COR 29 ROAD AND NORTH AVENUE

A hearing on the above item was held after due notice. Mrs. Doris McGill, 508-1/2 29 Road, asked whether this area was annexed because a liquor store was going in there. City Planner Don Warner responded that the area was annexed because a small shopping center was planned for this location and the developer wanted the advantage of working with the City. The liquor license, if approved, is a permitted use in either the City or the County. The annexation and the zoning has nothing to do with the liquor license.

Sharon Brenner, 2576 Young Court, asked if the zoning of McKee Annexation and the approval of the County Glen Subdivision preliminary plan means that the developer can start breaking ground tomorrow. President Quimby responded with a no, the developer still has other hearings to go through.

There were no other questions, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the proposed ordinance was passed for publication.

RESOLUTION OF FINDINGS & DECISION ON APPLICATION BY MARVIN J. AND LESLIE L. SOMERVILLE TO MOVE RETAIL LIQUOR STORE LICENSE FROM 817 N. FIRST STREET TO 2902 NORTH AVENUE - DENIED

The following Resolution was read:

RESOLUTION

OF DECISION ON APPLICATION FOR TRANSFER OF RETAIL LIQUOR STORE LICENSE FROM 817 NORTH FIRST STREET TO 2902 NORTH AVENUE, GRAND JUNCTION, BY MARVIN J. SOMERVILLE AND LESLIE L. SOMERVILLE.

A public hearing having been held on May 7, 1980, on the application by Marvin J. and Leslie L. Somerville for transfer of retail liquor store license from 817 North First Street to 2902 North Avenue, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. That the hearing was held on May 7, 1980, on the application after proper notice thereof under the Liquor Code.
2. The survey conducted by the City indicated that the needs of the neighborhood were being met by other outlets and it was the

desire of the inhabitants of the neighborhood that the transfer of location of the license not be approved, as 304 persons so stated, while 227 felt the license would issue as the needs of the neighborhood were not being met by other outlets. Additionally, a petition was presented bearing the signatures of 338 persons, most of them were in the trade area but without the surveyed area, asking that the change in location of the license be denied.

3. That the character of the applicants is good on the evidence from the various checking agencies.

4. The evidence does not support the approval of the change of license location.

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

That the application of Marvin J. and Leslie L. Somerville for transfer of license location be denied, as the desire of the inhabitants of the area is that the license not be transferred to the proposed location and the needs of the neighborhood are being met by other outlets.

PASSED and ADOPTED this 21st day of May, 1980.

President of the Council

Attest:

City Clerk

Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried by roll call vote, the Resolution was passed and adopted as read.

HEARING - APPLICATION FOR PLANNED DEVELOPMENT TO PERMIT ON-PREMISE SALES OF 3.2% BEER AT 1450 N. 12TH ST, AND APPLICATION BY BY THE WAY, INC., FOR 3.2% BEER LICENSE AT 1450 N. 12TH ST

A hearing on the above item was held after due notice. The following report was read:

On April 15, 1980, an application was filed by By The Way, Inc., for a 3.2% beer license to permit the sale of fermented malt beverages by the drink only on the premises of the licensee at 1450 N. 12th Street under the trade name of "By The Way." The application was accepted. The sign giving Notice of Hearing was posted on the property Friday, May 9, and the display ad giving Notice of Hearing was published in The Daily Sentinel on Friday, May 9, 1980. Officers of the Corporation are: Pres: John L. Green;

Vice President: Bill J. Green; Secretary/Treasurer: Lena L. Green.

The petition for final plan and alley vacation was held before the Planning Commission on April 29, 1980.

A survey of the area from Cannell Avenue on the west, Hall Avenue on the north, N. 15th Street on the east, and North Avenue on the south commenced April 25 and was concluded May 11, 1980. Results:

(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. 382

a. Owner of property in the neighborhood. 84

b. Employee or business lessee of property in the neighborhood. 33

c. Inhabitant of the neighborhood. 104.

(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. 334

a. Owner of property in the neighborhood. 185

b. Employee or business lessee of property in the neighborhood. 37

c. Inhabitant of the neighborhood. 99

(3) No Opinion. 33

a. Owner of property in the neighborhood. 11

b. Employee or business lessee of property in the neighborhood. 4

c. Inhabitant of the neighborhood. 10

(4) Vacant 12

(5) Refused 5

(6) Non-Residents 19

Two letters of opposition have been received along with a letter of position from John U. Tomlinson, President of Mesa College.

The Fire Department advises that the restaurant at 1450 N. 12th Street must meet the requirements of the Uniform Fire and Uniform Building Codes. Final inspection after completion.

The Health Department states that the submitted plans must be followed and the Application for Food Equipment must be completed. The above requirements will be determined at an inspection to be held at a later date.

Police Department Report stated files were checked, and it was determined there was nothing derogatory regarding the above mentioned applicants.

Similar type outlets: 6 - three are located within the survey area.

The applicant filed a petition signed by 319 people from the trade area. The map showing similar type outlets was reviewed. President Quimby reported she had one telephone call from an individual who is opposed to the granting of this license. Councilman Holmes was stopped on the street by an individual who is opposed to the granting of this license.

Mr. Ashby advised that since the Planning Commission took no action, some action by that Board will have to be made prior to action by the City Council.

John Green, applicant, appeared for the license.

There were no opponents or counterpetitions.

A resolution of Findings and Decision is scheduled on the June 4, 1980, agenda.

Councilman Holmes suggested that the street "no parking" signs in this area be enforced or those signs should be removed. It was suggested that staff visit with the writer of the letter and also the owner of the establishment in this area.

BIDS - AWARD OF CONTRACT - MAIN STREET RENOVATION PROJECT - DACO CONSTRUCTION CO. - \$36,928.20

This project is to redo some of the storm drainage in the 500 and 600 block of Main Street to redo some of the lighting.

Three bids were received and opened on Tuesday, May 20, 1980. They were:

Fred Cunningham Construction Co. \$97,312.37

Corn Construction, Inc. \$87,032.00

Daco Construction Company \$36,928.20

Engineer's Estimate \$53,165.75

Staff recommends award of contract to Daco Construction Company for its low bid of \$36,928.20.

Upon motion by Councilman Johnson, seconded by Councilman O'Dwyer and carried, the bids were accepted and the contract for Main Street Renovation was awarded Daco Construction for its bid of

\$36,928.20.

BIDS - AWARD OF CONTRACT - STREET PAVEMENT OVERLAY, PHASE I, CORN CONSTRUCTION, \$347,650 - PHASE II ASPHALT CONSTRUCTION CO., \$30,480

Three bids were received on street pavement overlay; two bids included Phase I and II, one bid was for Phase II only:

Phase I

Elam Construction \$369,980.00

Corn Construction \$347,650.00

Asphalt Construction, Inc. No Bid

Engineer's Estimate \$377,610.00

Phase II

Corn Construction \$36,500.00

Elam Construction \$32,580.00

Asphalt Construction \$30,480.00

Engineer's Estimate \$29,190.00

Staff recommended award of Phase I to Corn Construction and Phase II to Asphalt Construction Company. Corn Construction has submitted a letter stating they have no objections to splitting the two phases of the street overlay project.

Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried, the contract for Phase I of the Street Overlay project was awarded Corn Construction Company for its low bid of \$347,650 and the contract for Phase II of the project was awarded Asphalt Construction Company for its low bid of \$30,480.

I.D. ST-80, PHASE A - CONSIDERATION OF BIDS ON SALE OF BONDS - RESOLUTION

Bids on the sale of \$475,000 Improvement District ST-80 Bonds were:

Kirchner Moore & Company 11.005468%

E. F. Hutton & Company, Inc. 10.67458%

Beottcher & Company 10.447%

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the sale of the bonds was awarded to

Boettcher & Company.

A letter from Robert P. Gerlofs was read. As a condition of approval for the Falls project, Mr. Gerlofs was required to cooperate with the City in some form or other to insure the completion of 28-1/4 Road and Patterson Road adjacent to his property. ST-80, Phase A, will satisfy that requirement for 28-1/4 Road. Mr. Gerlofs requested that the City include that portion of F Road adjacent to the Falls in ST-80, Phase A, and that the City turn the corner on F Road and complete the improvements in front of City-owned property.

After discussion and upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, it was determined that Mr. Gerlofs' request be included in Phase B.

The following Resolution was read:

RESOLUTION

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. ST-80, PHASE A.

WHEREAS, the City Council of the City of Grand Junction, Colorado, adopted Resolution Creating Improvement District No. St-80, Phase A, on May 7, 1980, within said City;

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

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Improvement District No. ST-80, Phase A, including engineering, inspection and other incidental expenses, the City shall issue public improvement bonds of said Improvement District No. ST-80, Phase A, dated the 1st day of June, 1980, in the denomination of \$1,000.00 each, numbered 1 to 475, inclusive, due and payable on the 1st day of December, 1990, subject to call and payment, however, at any time prior to the maturity of said bonds, said bonds shall bear interest, payable semi-annually, on the first day of June and the first day of December of each year, as evidenced by coupons to be attached to said bonds as follows:

<u>Bond Nos.</u>	<u>Maturity</u>	<u>Amount</u>	<u>Interest Rates</u>
1 -			
4512/1/81		\$45,000	

9%			
46 - 9912/1/8254,0009 -1/8%			
100 - 14612/1/8347,000 9-1/4%			
147 - 19312/1/8447,000 9-3/8%			
194 - 24012/1/8547,000 1-1/2%			
241 - 28712/1/8647,000 9-5/8%			
288 - 33412/1/8747,000 9-3/4%			
335 - 38112/1/8847,000 9-7/8%			
382 - 42812/1/8947,000 10%			
429 - 47512/1/9047,000 10%			

In addition to the above interest rates, bonds will bear Supplemental Coupons commencing to accrue interest on June 1, 1980, and continuing until June 1, 1981, as follows:

Bonds Nos. 1 to 381 bearing 5% Supplemental Interest Coupons.

Bond Nos. 382 to 475 bearing 2% Supplemental Interest Coupons.

The principal of, and interest on, said bonds shall be payable at the office of the City Finance Director of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of the City and attested by the City Clerk, the coupons shall be signed with the original or facsimile signatures of the City Finance Director, and when so executed, said bonds shall be registered by the City Finance Director.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, especially benefited by said improvements, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of the said City, which tax was voted and authorized to make up deficits in special improvement district funds.

3. Said bonds, the coupons to be attached and the registration certificate to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO COUNTY OF MESA

CITY OF GRAND JUNCTION PUBLIC IMPROVEMENT BOND IMPROVEMENT
DISTRICT NO. ST-80, PHASE A

No. _____ \$1,000.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of

ONE THOUSAND DOLLARS (\$1,000.00)

in lawful money of the United States of America, on the 1st day of December, 1990, subject to all call and payment, however, at any time prior thereto with interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the first day of June and the first day of December each year, both principal and interest being payable at the office of the City Finance Director in Grand Junction, Colorado, upon surrender of the attached coupons and this bond as they severally come due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Improvement District No. ST-80, Phase A, in the City of Grand Junction, by virtue of, and in full conformity with, the Constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and

ordinances of the said City, duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Improvement District No. ST-80, Phase A, especially benefited by said improvements, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, which tax was voted and authorized to make up deficits in special improvements district funds, and the amount of the assessments upon real estate in said District for the payment hereof, with the accrued interest, shall be a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City.

It is hereby certified and recited that the total issue of bonds of said City for said District including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said IMPROVEMENT DISTRICT NO. ST-80, PHASE A, AND THE MAKING OF SAID improvements and the issuance of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issuance of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the President of the City Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Finance Director, as of the first day of June, 1980.

President of the Council

Attest:

City Clerk

(SEAL)

(Form of Coupon)

No. _____ \$ _____

On the first day of (December) June, A.D. 19 _____, the City of

Grand Junction, Colorado, will pay the bearer

_____ DOLLARS

in lawful money of the United States of America, at the office of the City Finance Director, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Improvement District No. ST-80, Phase A, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated June 1, 1980.

No. _____

(Facsimile Signature)

City Finance Director

(Registration Certificate)

It is hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the office of the City Finance Director of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, A.D., 1980.

City Finance Director

The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Finance Director, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

ADOPTED and APPROVED this 21st day of May, 1980.

President of the Council

Attest:

City Clerk

Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried by roll call vote, the Resolution was passed and adopted

as read.

ORDINANCE NO. 1886 - MC KEE ANNEXATION, NE CORNER 25 ROAD AND F-1/2 ROAD

Upon motion by Councilman Holmes, seconded by Councilman O'Dwyer and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried by roll call vote, the ordinance was passed, adopted, numbered 1886, and ordered published.

ORDINANCE NO. 1887 - WESTERN FEDERAL ANNEXATION, NE COR OF 24-1/2 ROAD AND F ROAD

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried by roll call vote, the Ordinance was passed, adopted, numbered 1887, and ordered published.

PROPOSED ORDINANCE CONCERNING DUST CONTROL AND CLEARED AREAS

The following entitled proposed ordinance was read: AN ORDINANCE ADDRESSING THE ENVIRONMENTAL CONCERNS OF CONTROLLING DUST-PRODUCING AREAS AND LITTER AND DUST PRODUCTION FROM THE USE OF OPEN-BODIED TRUCKS.

Councilman Holmes asked whether it is the City's intent to enforce this ordinance or is it being passed just for compliance with EPA.

President Quimby said she would expect it to be enforced when it is passed.

Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried with Councilman O'DWYER voting NO, the proposed ordinance was passed for publication.

REPORT ON RIVER ROAD INTERCEPTOR SEWER BID

The City Manager filed a report on the bids received for the construction of the River Road and Paradise Hills Interceptor sewers.

LEASE AND CONCESSION AGREEMENT - TWO RIVERS PLAZA - UTE CATERING

Members of the City Council had reviewed the lease and concession agreement for Two Rivers Plaza with Ute Catering.

Upon motion by Councilman O'Dwyer, seconded by Councilman Johnson and carried, the lease and concession agreement between the City and Ute Catering was approved and the City Manager was authorized to sign.

RESOLUTION CHANGING GUIDELINES FOR INDUSTRIAL REVENUE BOND COMMITTEE

Mr. Ashby met with the IRB group this morning, and the position of this committee is that they would like to have the one-tenth of one percent up front with everything being refunded except the \$500 should the bond issue not go.

Councilman Hollingsworth proposed two things:

1. A \$500 nonrefundable application fee; and
2. One-fourth of one percent of the total amount of the bond issue, having deducted from such amount the \$500 previously paid.

After discussion, and upon motion by Councilman Hollingsworth and seconded by Councilman Johnson and carried by roll call vote with Council members HOLMES and QUIMBY voting NO, the amended Resolution as outlined was passed and adopted.

RESOLUTION

CHANGING GUIDELINES FOR INDUSTRIAL REVENUE BOND COMMITTEE.

WHEREAS, the City Council has asked that the Committee formed to screen applicants for Industrial Revenue Bonds secure from the applicant monies to help defray costs to the City of processing the applications to the issuance of bonds; and

WHEREAS, further consideration of the amounts to be paid and the times at which they are to be paid has resulted in a change in position by the Council;

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

That each applicant for Industrial Revenue Bonds shall submit with his application \$500.00, an amount which will not be returned but which will be considered as a part of the total amount he may be called upon to pay in the event bonds are issued. Upon the

issuance of bonds, the applicant will pay one-fourth of one percent of the total amount of the bond issue, having deducted from such amount the \$500.00 previously paid.

PASSED and ADOPTED this 21st day of May, 1980.

President of the Council

Attest:

City Clerk

Copies of IRB Minutes should go to all Council members.

A study session with the IRB Committee was suggested.

PUBLIC SERVICE RATE INCREASES

Councilman Holmes requested that Council submit a letter to the PUC protesting the proposed rate increases by Public Service. Council members Dunn, O'Dwyer and Quimby did not object to the letter being sent. President Quimby said that individuals should appear at the hearings in person in order to have more impact.

Councilman Hollingsworth did not favor sending a letter without being familiar with the purpose of the rate increase.

Councilman Johnson said he feels individual letters are more effective, however, he had no objection to expressing Council's concern.

INCIDENT IN 900 BLOCK OF TELLER

Councilman Holmes said there is a report from the Police Department in Council folder upstairs regarding the incident April 25th and 26th in the 900 block of Teller, with a near riot of some estimated 400 to 500 people. There were broken beer bottles and one squad car damaged and two that had the air let out of the tires. Councilman Holmes said he did not believe many people in the Community knew what happened unless they read it in the classified or the obituary column somewhere.

HOUSING AUTHORITY

Councilman Johnson reported on the ground breaking ceremony yesterday for the Housing Authority's project of 32 units at 1104 Bookcliff.

SITE SELECTION COMMITTEE - PERFORMING ARTS CENTER

President Quimby said the Council needs to get together with the Site Selection Committee for the Performing Arts Center. She is not sure they understand what Council has in mind, and she feels the dialogue would be beneficial for all.

GOVERNOR TO VISIT ON FRIDAY, MAY 23

President Quimby reported that the Governor would be in town Friday afternoon. All members were invited to come and meet with him at the Holiday Inn from 3:00 p.m. to 5:00 p.m.

AIRPORT AUTHORITY

President Quimby said that at the last meeting she failed to forward to the Airport Authority a recommendation that, as a result of the conversations during Council's retreat, an additional person be added to the Airport Authority.

ADJOURNMENT

Upon motion by Councilman O'Dwyer, duly seconded and carried, the meeting was adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk