

Grand Junction, Colorado

December 17, 1980

The City Council of the City of Grand Junction, Colorado, conveyed in regular session the 17th day of December, 1980, in the Civic Auditorium at City Hall. Those present were Council members Louis Brach, Frank Dunn, Robert Holmes, Dale Hollingsworth, Karl Johnson, Bill O'Dwyer, and Jane Quimby, a quorum. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and City Clerk Neva Lockhart.

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

INVOCATION

Reverend David Slotje, Valley Bible Church.

MINUTES

Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried, the minutes of the regular meeting November 19, 1980, were approved as written.

BEER - LIQUOR

Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried with Councilman HOLMES voting NO on Item A.1 and 2, the following applications to renew liquor licenses were approved.

A. Liquor License Renewals

1. VFW Beye Lots Post 1247, 1404 Ute
2. The Feed Lot, 118 Main Street

B. Application for 3.2% Beer License (Change of Ownership)

Applicant: Sal's Pizza, Inc.

President: Salvatore Sassano

Vice Pres: Kathleen Sassano

Sec/Treas: Nicholas Streza II

Trade Name: Sal's Pizza

Location: 755 North Avenue

HEARING - PRELIMINARY PLAN FOR WELLINGTON BUSINESS PARK LOCATED NE OF 11TH STREET AND WELLINGTON, SW OF GRAND VALLEY CANAL

A hearing was held after due notice on the petition by CBW Builders for approval of the preliminary plan for Wellington Business Park located northeast of 11th and Wellington, southwest of the Grand Valley Canal. The tract of land contains 5.4 acres designed for two lots in a business zone. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried, the preliminary plan for Wellington Business Park was approved.

HEARING - PROPOSED ORDINANCE - REZONE FROM H.O. TO PB AND PRELIMINARY PLAN FOR MESA PLAZA SUBDIVISION - TRACT LOCATED N OF U.S. HIGHWAY 50 AND W OF 27 ROAD

A hearing was held after due notice on the petition by Safeway Stores, Inc., to rezone land located north of U.S. Highway 50 and west of 27 Road from H.O. to PB and approve the preliminary plan for Mesa Plaza Subdivision. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried, the preliminary plan for Mesa Plaza Subdivision was approved.

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 Johnson and carried, the proposed ordinance was passed for publication.

EMERGENCY ORDINANCE TEMPORARILY PROHIBITING THE ESTABLISHMENT IN CERTAIN AREAS OF THE CITY OF GRAND JUNCTION OF "ADULT ENTERTAINMENT" BUSINESSES

The President of the Council announced that as a consensus of the Council, it has agreed that it will adopt the Riverside Ordinance with one amendment which is the deletion of the permit clause, and a change in the number of feet, 1000, and the zones will apply as stated in the City's ordinances.

The City Attorney stated this is in effect a zoning ordinance; it indicates where in the community enterprises of the type named in the ordinance may undertake their business. It is not a prohibiting ordinance in the sense that some of the audience may feel is necessary. In addition to the changes noted by the President of the Council, the City Attorney said that the definition of a "model studio" in the Riverside Ordinance was changed because it was felt that the definition as given in the Riverside Ordinance was too narrow and that it covered certain art schools and things of that type that are recognized generally as being in the area of legitimate enterprises as opposed to what was being considered in this type of a zoning ordinance. Additionally, escort services, which in some areas apparently have a bad connotation and in others a good connotation, was deleted from the Riverside Ordinance. There was an addition made that recites this

ordinance does not recognize the legitimacy of any business that might otherwise not be considered as legitimate because it exceeded some criminal law or some other regulation in the community. Mr. Ashby proposed that in order to tie this ordinance to the local ordinance in regard to zoning to add a particular section which merely says that any existing business in the community, if it does not fit within the criteria, becomes a non-conforming business and there are certain proscriptions that apply in regard to non-conforming businesses. They cannot be expanded for example, and that sort of thing. Other than that, what is being considered is the Riverside Ordinance; it's a zoning ordinance placing and permitting businesses only of the prescribed type in certain limited sections only of the community.

The Mayor acknowledged the presence of Reverend David Slotje and approximately 25 members of the congregation of Valley Bible Church in support of the proposed ordinance; a telephone call from Tina Brett, 521 Compton, who could not be present, but wished to make known her support of the proposal; a petition with 207 signatures emphatically opposed to the establishments featuring pornography movies; another petition with 39 signatures; and a petition with eight signatures.

Speaking in favor of the passage of the Ordinance:

Dr. Richard Huffaker

Doug Fraiser, 2899 Music Avenue

Carol Knapp, 2689 Caribbean Drive

George White, 969 25 Road

Leona Zeck, business address 748 North Avenue, and presentation of a petition with 1600 signatures

Tom Deister, Attorney

Darleen Gsell, 1930 Star Canyon

William Freyer, Administrator of VA Medical Center

Jack Lorey, 1818 Rood Avenue, stated he is very concerned with the inherent problems of pornographic material coming into town, even though he does not fully agree with the Right to Decency Committee's stand on many things. He stated he is very much for the ordinance under consideration. What he fears is what has happened to him as a business owner. He owns Tuby's Hot Tub Rentals. He intends to open a bathhouse in Grand Junction in the future. He submitted that this meeting has been pretty much precipitated by the opening of a bathhouse, not so much a bookstore, as the bookstore has been here for years, and will probably be here for years to come. Mr. Lorey's concern was very much with the bathhouse as he has been awarded the fame of owning

it, which he does not. The story has it that he is connected with it -- which he is not. He emphatically stated he has not worked for them, with them, and is in no way connected with them nor does he wish to be connected with them. He reported calls to his house asking if he would like to hire hostesses. Mr. Lorey said he has no desire to hire a hostess, he has no intention to hire a hostess. He wanted to make it clear for the record that he will be opening a bathhouse, probably within the year. He will be seeking the family environment. After much research, the family environment bathhouse is very profitable. He stated he has no need to go after someone leaving a bar at two o'clock in the morning to seek the company of a female. He wanted the record to reflect that Tuby's is in no way connected with anything other than Tuby's Home Rentals.

Opponents:

Jody O'Neil, 612 28-3/4 Road, author. Does not want censorship in any way, including this particular ordinance.

Jay Brodell, 712 N. 7th Street

Stated he is not in favor of pornography. Mr. Brodell stated that he seemed to be faced with an accomplished fact with regard to this ordinance. The only thing lacking was the formal vote. He stated he would like to have said something in the interim. His second point was to question where the little enclaves are that would permit the little hot tub place or something. He wanted to know, as a property owner, whether an area near where he lives is to be designated permitting these businesses.

The City Attorney stated that approximate locations have been designated, and he suggested Mr. Brodell contact him Thursday morning so he can see the designations.

Mr. Brodell stated that for public understanding, it should be specified and known before the passage of the ordinance the areas that are being set up as combat zones.

The City Attorney replied that the locations are limited. The President of the Council noted that this ordinance has a time limit of six months. During the interim, the Council and the community can evaluate and address further.

The title only to the Ordinance was read: AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, TEMPORARILY PROHIBITING THE ESTABLISHMENT IN CERATIN AREAS OF THE CITY OF GRAND JUNCTION OF "ADULT ENTERTAINMENT" BUSINESSES, AS DEFINED HEREIN, AND DECLARING AN EMERGENCY. Upon motion by Councilman O'Dwyer, seconded by Councilman Brach and carried by roll call vote, the Ordinance was passed and adopted as an emergency ordinance, numbered 1931, and ordered published.

The President declared a five-minute recess for the meeting to be

reconvened in the City Council Chambers. The seven members of Council were present when the meeting was reconvened.

HAC PROGRAM WITH MESA COUNTY

Mr. William Foster appeared before Council to request its authorization to work in conjunction with Mesa County in the next issue of HAC monies. The limitation of the joint bond issue would be approximately fifteen to sixteen million dollars in six to eight months.

Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the concept as outlined by Mr. Foster was approved for future HAC funds.

CITY CLERK'S CERTIFICATION REGARDING EXAMINATION OF PETITION SUBMITTED BY POLICE DEPARTMENT EMPLOYEES REQUESTING CHARTER AMENDMENTS TO PROVIDE FOR COLLECTIVE BARGAINING - ELECTION SET FOR FEBRUARY 10, 1981

The following Certificate was read:

STATE OF COLORADO)			
COUNTY OF MESA) SSCERTIFICATE			
CITY OF GRAND JUNCTION)			

I, Neva B. Lockhart, City Clerk of the City of Grand Junction, Colorado, do hereby certify that:

1. Upon examination of the abstract of votes cast in the City of Grand Junction for all candidates for Governor of the State of Colorado in November, 1978, I found that 8,651 votes were cast; and

2. Upon examination of the petition and amended petition filed by William Gaskill, John Jackson, and Gary Wallace, Police Department employees petitioning for Charter Amendments, I found that the petition has been signed by 865 petitioners, and that said petition meets the requirements of Sections 133 and 134, Article XVI, of the City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Grand Junction, this 17th day of December, 1980.

;sigl;
/s/ Neva B. Lockhart, CMC
City Clerk

The Certification was accepted.

Upon motion by Councilman Brach, seconded by Councilman Dunn and carried, the date of the special election was set February 10, 1981.

President Quimby noted that a special election will cost the City in the area of \$3000 to \$4500 with no participation by the petitioners.

HEARING - REVENUE SHARING FUNDS

A hearing on the distribution of Revenue Sharing funds was held after due notice.

Rex Critchfield, Planner for Colorado West CAP, appeared before Council and requested \$6000, a one-time request, for a financial management counseling program.

Mrs. Juanita Ulibarri, appearing on behalf of the Latin-Anglo Alliance Advocacy Program, requested \$15,000 for a van, their number one priority. She stated that the Alliance will hold certain fund-raising functions to provide liability insurance coverage, licensing and maintenance. This is a one-time request.

Upon motion by Councilman Holmes, seconded by Councilman Brach, with Council members HOLLINGSWORTH, JOHNSON, O'DWYER, and DUNN voting NO, that the requests of the above two requests along with the other eleven requests be denied. Motion lost.

Upon motion by Councilman Johnson, seconded by Councilman O'Dwyer and carried with Council members BRACH and HOLMES voting NO, the allocations of \$6000 to Colorado West CAP for the financial management counseling program and \$15,000 to the Latin-Anglo Alliance group when they have shown satisfactory proof that they are in a position to accept the money and apply it for the transportation program they have outlined with the balance of the revenue sharing monies being allocated to the funds as outlined by the City Manager less \$21,000 to the City Service Center.

The above motion was made on the basis that the requests are one-time requests only.

HEARING - PROPOSED 1981 BUDGET

A hearing was held after due notice on the proposed 1981 budget.

There were no speakers, letters, or counterpetitions.

HEARING CONTINUED FROM NOVEMBER 19, 1980, REGARDING REZONE FROM R-1-A TO PR-26 AND PRELIMINARY DEVELOPMENT PLAN FOR NORTHWOOD APARTMENTS, NW OF F 1/2 LINE AND 12TH STREET - PROPOSED ORDINANCE

A hearing on the petition by Destination Properties, Inc., to rezone from R-1-A to PR-26 and the preliminary development plan for Northwood Apartments, northwest of F 1/2 Line and 12th Street was continued from November 19, 1980, to permit the petitioner to meet with the petitioner of the Horizon Towers project adjacent to this property and resolve the access to the properties. The petition is to change from Single-Family Residential Use to Planned Residential Use with maximum design density of 91 units on 3.5 acres.

The petitioner was present at a Planning commission workshop and showed a revised plan which would include 12th Street as being a 40-foot from the center of the road with a frontage road to the rear portion of the development. The resolution was to permit two accesses from 12th Street on the north and the south. The City Engineer and Traffic Engineer felt this resolution of two accesses would be better than the one single common access to the two projects. A full 50-feet of right of way for 12th Street improvements will be required. The petitioner has agreed to the requirement.

Mr. Bill Boll, Horizon Towers Project, submitted that the two projects just were not compatible for a common access. He felt the separate access would be more workable.

The hearing was closed. 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 CERATIN LANDS WITHIN THE CITY. Upon motion by Councilman Johnson, seconded by Councilman Brach and carried, the proposed ordinance was passed for publication.

HEARING - CONDITIONAL USE - ELDERLY HOUSING LOCATED S OF MAIN STREET BETWEEN 8TH AND 9TH STREETS

A hearing was held after due notice on the petition by the Grand Junction, Colorado, Housing Authority to permit conditional use for elderly housing on 1.14 acres south of Main Street between 8th and 9th Streets. There were no opponents, letters, or counterpetitions.

Upon motion by Councilman Johnson, seconded by Councilman O'Dwyer and carried, the conditional use was approved subject to Staff and Planning Commission comments except pertaining to alley fencing and additional alley right of way since it has been determined that the additional right of way is not needed and fencing would be impractical at this location.

HEARING - PRELIMINARY PLAN FOR NORTH AVENUE WEST COMMERCIAL
SUBDIVISION LOCATED E OF 25 1/2 ROAD, SW OF HIGHWAY 6 & 50 -
TABLED TO NEXT MEETING

A hearing was held after due notice on the petition by Turtle Enterprises preliminary plan for North Avenue West Commercial Subdivision of 7.71 acres designed for 31 lots in a commercial zone located east of 25 1/2 Road, southwest of Highway 6 & 50.

Access and drainage were discussed. There were no opponents, letters, or counterpetitions.

Mr. Wysocki stated that Staff's primary concern with this development was that some of the concerns expressed by the Engineering Department have not been addressed, particularly the drainage question and the easement for the sanitary sewer and the access to the highway. Mr. Wysocki's concern is that these matters should be addressed at the preliminary stage.

Councilman Johnson agreed and stated that it would be understood by the petitioner that the review sheet comments must be satisfactorily resolved before this matter comes up for final. When it comes up for final, Councilman Johnson does not want to be placed in the position of sitting and hearing the petitioner say "we are willing to do this and we are willing to do that" in order to get final approval.

Councilman Hollingsworth said that it appears to him that there is a limited access road and it is being opened up on the southwest side. He asked if a similar thing would be done on the west side. Mr. Warner said the State has approved what is being done here.

Upon motion by Councilman Johnson, seconded by Councilman O'Dwyer and carried, the preliminary plan for North Avenue West Commercial Subdivision was tabled to the next City Council meeting so the developer can get with the City Engineering Department to resolve some of the questions and to provide the City with a firm commitment that he will resolve the problems.

LOS LUNEROS COMMITMENT

Midland Federal Savings will be the financing agent for the Los Luneros project. A letter was submitted for the President's signature setting forth the financing arrangements which has been made between the partnership and Midland Federal Savings.

Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the loan commitment was approved and the President of the Council was authorized to sign.

ORDINANCE NO. 1932 - 1981 APPROPRIATIONS

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the

following entitled proposed ordinance was accepted for filing: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1981, AND ENDING DECEMBER 31, 1981, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY.

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

There were no comments. Upon motion by Councilman O'Dwyer, seconded by Councilman Brach and carried by roll call vote, the Ordinance was passed and adopted as amended, numbered 1932, and ordered published.

ORDINANCE NO. 1933 - SUPPLEMENTAL APPROPRIATIONS

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS TO VARIOUS FUNDS WITHIN THE CITY OF GRAND JUNCTION.

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

There were no comments. Upon motion by Councilman Brach, seconded by Councilman Dunn and carried by roll call vote, the Ordinance was passed, adopted, numbered 1933, and ordered published.

PROPOSED ORDINANCE CHANGING SEWER RATES

The following entitled proposed ordinance was read: AN ORDINANCE CHANGING SEWER RATES. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE CHANGING THE CHARGES FOR WATER IN THE CITY

The following entitled proposed ordinance was read: AN ORDINANCE CHANGING THE CHARGES FOR WATER IN THE CITY. Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried with Councilman HOLMES voting NO, the proposed ordinance was passed for publication.

RESOLUTION CHANGING WATER TAP FEES

The following Resolution was read:

RESOLUTION

CHANGING WATER TAP FEES

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

That pursuant to Section 31-26 of the Code of Ordinances of the City of Grand Junction, the rates for service pipes for water service in the City shall be as follows:

<u>Size of Pipe</u>	<u>Cost</u>	
5/8 inch and 3/4 inch	\$ 500.00	
1 inch	\$ 750,000	
1-1/2 inch	\$ 1,750.00	
2 inch	\$ 2,500.00	
4 inch	\$11,000.00	
6 inch	\$17,000.00	

PASSED and ADOPTED this 17th day of December, 1980.

President of the Council

Attest:

City Clerk

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

RESOLUTION ADOPTING 1981 BUDGET

The following Resolution was read:

CITY OF GRAND JUNCTION 1981 BUDGET

IMPLEMENTING DOCUMENTS

RESOLUTION

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND

LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1981.

WHEREAS, in accordance with the provisions of Article VI Section 59 of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council, a budget estimate of the revenues of said City and the expenses of conducting the affairs thereof for the fiscal year ending December 31, 1981, and

WHEREAS, after full and final consideration of the budget estimate, the City Council is of the opinion that the budget should be approved and adopted.

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the fiscal year ending December 31, 1981, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget estimate for defraying the expenses and liabilities against said City for the fiscal year ending December 31, 1981.

ADOPTED and APPROVED this 17th day of December, 1980.

President of the Council

Attest:

City Clerk

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

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY - PROPOSED ORDINANCE

The following petition for inclusion of lands within the boundaries of the Grand Junction, Colorado, Downtown Development Authority was accepted for filing.

PETITION FOR INCLUSION WITHIN THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the City of Grand Junction, Colorado has established the Grand Junction, Colorado, Downtown Development Authority, and

WHEREAS, the boundaries of said Downtown Development Authority have been previously established and do not include the below

described property of the Petitioner, and

WHEREAS, the Petitioner desires that the below described property be included within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and subject to all obligations and privileges arising therefrom.

The Petitioner submits:

1. That the property to be included within the boundaries of the Downtown Development Authority is that property in Grand Junction, Mesa County, Colorado, described as, to wit:

Lots 9 and 10 in Block 83, Grand Junction, Mesa County, Colorado.

2. That said parcel is adjacent to the existing boundaries of the Grand Junction, Colorado, Downtown Development Authority and more specifically that property known as, to wit:

The S2 of Block 83 in Grand Junction, Mesa County, Colorado.

3. That the legal owner(s) in fee of said parcel is the Petitioner(s) and that said ownership is shown by Exhibit "A" which is attached hereto and incorporated herein as if set forth verbatim.

WHEREFORE, the Petitioner(s) request that the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority approve this Petition for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and submit this petition to the Grand Junction City Council for their approval.

DATED this 4th day of December, 1980.

MESA FEDERAL SAVINGS AND LOAN ASSOCIATION by:

;sigl;
/s/ Patrick A. Gormley
President

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

Subscribed and sworn to before me this 4th day of December, 1980.

;sigl;
/s/ Judith A. Chmielewski
Notary Public

My Commission expires: October 16, 1982

EXHIBIT "A"

State of Colorado)		
) ss		
County of Mesa)		

Recorded at 4:14 p.m. April 25, 1974 Book ??? Page ???

Reception No. 1066866

;sigl;
/s/ Annie M. Dunston, Recorder

CHARLENE A. GIEBLER, whose address is 763 White Avenue, Grand Junction, County of Mesa, State of Colorado, for the consideration of Twenty-eight Thousand dollars, in hand paid, hereby sell(s) and convey(s) to

MESA FEDERAL SAVINGS AND LOAN ASSOCIATION OF GRAND JUNCTION, a Corporation existing under and by virtue of the laws of the United States of America, whose address is 6th and Rood, Grand Junction, County of Mesa, and State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

Lots 9 and 10 in Block Eighty-three (83) in the City of Grand Junction.

with all its appurtenances, and warrant(s) the title to the same, subject to the payment of the 1974 taxes and assessments and thereafter.

Signed this 22nd day of April, 1974.

;sigl;
/s/ Charlene A. Giebler

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

The foregoing instrument was acknowledged before this 22nd day of April, 1974, by CHARLENE A. GIEBLER.

My Commission expires: June 19, 1976

Witness my hand and official seal.

;sigl;
/s/ Richard B. Williams
Notary Public

PETITION FOR INCLUSION WITHIN THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the City of Grand Junction, Colorado, has established the Grand Junction, Colorado, Downtown Development Authority, and

WHEREAS, the boundaries of said Downtown Development Authority have been previously established and do not include the below described property of the Petitioner, and

WHEREAS, the Petitioner desires that the below described property be included within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and subject to all obligations and privileges arising therefrom.

The Petitioner submits:

1. That the property to be included within the boundaries of the Downtown Development Authority is that property in Grand Junction, Mesa County, Colorado, described as, to wit:

Lots 13, 14, 15, and 16 of Block 82 in Grand Junction, Mesa County, Colorado.

2. That said parcel is adjacent to the existing boundaries of the Grand Junction, Colorado, Downtown Development Authority and more specifically that property known as, to wit:

The S2 of Block 82 in Grand Junction, Mesa County, Colorado.

3. That the legal owner(s) in fee of said parcel is the Petitioner(s) and that said ownership is shown by Exhibit "A" which is attached hereto and incorporated herein as if set forth

verbatim.

WHEREFORE, the Petitioner(s) request that the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority approve this Petition for inclusion within the boundaries of the Grand junction, Colorado, Downtown Development Authority and submit this petition to the Grand Junction City Council for their approval.

Dated this 4th day of December, 1980.

;sigl;
/s/ Patrick A. Gormley

STATE OF COLORADO)		
) SS		
COUNTY OF MESA)		

Subscribed and sworn to before me this 4th day of December, 1980.

;sigl;
/s/ Judith A. Chmielewski
Notary Public

My Commission Expires: October 16, 1982

EXHIBIT "A-1"

State of Colorado)		
) ss		
County of Mesa)		

Recorded at 3:04 p.m. August 18, 1975 Book 1043 Page 910

Reception No. 1091839

;sigl;
/s/ Earl Sayer, Recorder

FOREST H. CLEM and NELLIE S. CLEM, Husband and Wife, whose address is County of Mesa, State of Colorado, for the consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION, in hand paid, hereby sell(s) and convey(s) to

PATRICK A. GORMLEY, whose address is P. O. Box 1508, Grand Junction, County of Mesa, State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

Lots 13 and 14, Block 82, in the City of Grand Junction

with all its appurtenances, and warrant(s) the title to the same, subject to 1975 taxes due and payable in 1976;

Signed this 18th day of August, 1975.

Forest H. Clem and Nellie S. Clem by their attorneys in fact:

;sigl;
/s/ Margaret Clem Anklam

;sigl;
/s/ F. Wesley Clem

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

The foregoing instrument was acknowledged before this 18th day of August, 1975, by Forest H. Clem and Nellie S. Clem by their attorneys in fact Margaret Clem Anklam and F. Wesley Clem.

My Commission expires: 4-2-77

Witness my hand and official seal.

;sigl;
/s/ Dorothy V. Walters
Notary Public

EXHIBIT "A-2"

State of Colorado)		
)ss		
County of Mesa)		

Recorded at 4:33 p.m. June 30, 1969 Book 936 Page 717

Reception No. 973684

;sigl;
/s/ Annie M. Dunston, Recorder

GEORGE S. SHICORA and GERALDINE SHICORA whose address is Grand Junction, County of Mesa, State of Colorado, for the consideration of Ten Dollars and other valuable consideration in hand paid, hereby sell and convey to

PATRICK A. GORMLEY, whose address is Grand Junction, County of Mesa, and State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

Lots 15 and 16 in Block 82 of the City of Grand Junction, according to the recorded Plat thereof;

with all the appurtenances, and warrant the title to the same, subject to the general property taxes for the year 1969 and all subsequent years; also subject to special assessments, if any, created by special Storm Sewer District No. 1 of the City of Grand Junction;

Signed this 30th day of June 1969.

;sigl;
/s/ George S. Shicora

;sigl;
/s/ Geraldine Shicora

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

The foregoing instrument was acknowledged before me this 30th day of June, 1969, by George S. Shicora and Geraldine Shicora.

My Commission expires: September 28, 1970

Witness my hand and official seal.

;sigl;
/s/ Dan F. Eastman
Notary Public

The following entitled proposed ordinance was read: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY. Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

PETITION - RESOLUTION - PROPOSED ORDINANCE - Phipps Annexation No. 2, E of B 1/2 Road and Highway 50 South

The following petition for annexation was accepted for filing:

PETITION

WE, THE UNDERSIGNED, do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

A parcel of land in the SE 1/4, Section 25, T1S, R1W, Ute Meridian. Beginning at a point on the N right of way of Highway 6 & 50 which bears S 55 deg. 04 min. 27 sec. E 1165.40 feet from the northwest corner SE 1/4 of Section 25; thence S 69 deg. 29 min. E along said right of way 367.07 feet; thence N 794.73 feet to the centerline of B.5 Road; thence N 89 deg. 57 min. 00 sec. W along the centerline of B.5 Road 343.79 feet; thence S 666.38 feet to the point of beginning. Together with B 1/2 Road right of way on North.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each

signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>DATE</u> <u>SIGNATURE</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>			
<p>12-12-800.M. Development, Inc. Raymond G. Phipps P.O. Box 3360 Grand Junction, Colorado 81502A parcel of land in the SE 1/4, Section 25, T1S, R1W, Ute Meridian. Beginning at a point on the N right of way of Highway 6 & 50 which bears S 55 deg. 04 min. 27 sec. E 1165.40 feet from the NW Corner SE 1/4 of Section 25; thence S 69 deg. 29 min. E along said right of way 367.07 feet; thence N 794.73 feet to the centerline of B.5 Road; thence N 89 deg. 57 min. 00 sec. W along the centerline of B.5 Road 343.79 feet; thence S 666.38 feet to</p>			

the point of beginning.			
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STATE OF COLORADO)			
) SSAFFIDAVIT			
COUNTY OF MESA			

Raymond G. Phipps, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

;sigl;
/s/ Raymond G. Phipps

Subscribed and sworn to before me this 12th day of December, 1980.

Witness my hand and official seal.

;sigl;
/s/ Theodore E. Leonard
Notary Public

My Commission expires: July 10, 1984

The following Resolution was read:

RESOLUTION

WHEREAS, on the 17th day of December, 1980, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A parcel of land in the SE Quarter of Section 25, T1S, R1W, Ute Meridian; Beginning at a point on the N right of way of Highway 6 & 50 which bears S 55 deg. 04 min. 27 sec. E 1165.40 feet from the NW Corner of the SE Quarter of Section 25; thence S 69 deg. 29 min. E along said right of way 367.07 feet; thence N 794.73 feet

to the centerline of B.5 Road; thence N 89 deg. 57 min. 00 sec. W along the centerline of B.5 Road 343.79 feet; thence S 666.38 feet to the point of beginning. Together with B.5 Road right of way on N;

and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of 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 said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the owner of one hundred percent of the property has petitioned for annexation;

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

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

PASSED and ADOPTED this 17th day of December, 1980.

President of the Council

Attest:

City Clerk

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

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 Johnson and carried, the proposed ordinance was passed for publication.

RESOLUTION CONCERNING PAYMENT OF RANK ESCALATION BENEFITS UNDER THE POLICE AND FIRE PENSION PLANS

The following Resolution was read:

RESOLUTION

CONCERNING PAYMENT OF RANK ESCALATION BENEFITS UNDER THE POLICE

AND FIRE PENSION PLANS.

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

That Rank Escalation Benefits under the provisions of the Police and Fire Pension Plans be determined as follows:

1. Those persons presently receiving benefits under the plans, those persons who have attained required retirement status and the beneficiaries of either, shall receive the benefits of one-half of any escalation in pay for the ranks to which they relate under the pension plans, when upon retirement status.

2. Those persons, hired prior to April 8, 1978, and who have attained only a part of their retirement status, upon being pensioned, shall receive the benefits of escalation in pay for the ranks to which they relate under the pension plans for the percentage of the retirement status which they have attained, shall receive the cost of living increment provided in the pension plans for that portion of retirement status which has not been attained, and may receive additional amounts (not to exceed one-half of any escalation in pay for the ranks to which they relate under the plans, with any cost of living increment being considered as a part of the one-half, not as increasing that amount) as the City Council may, from time to time, determine on an annual basis.

3. All persons hired after April 8, 1978, upon being pensioned, shall receive those cost of living benefits as established by the Fire and Police Pension Laws.

PASSED and ADOPTED this 17th day of December, 1980.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Brach, seconded by Councilman Dunn and carried by roll call vote with Councilman JOHNSON ABSTAINING, the Resolution was passed and adopted as read.

RESOLUTION SETTING FEES FOR CEMETERY USES

The following Resolution was read:

RESOLUTION

SETTING FEES FOR CEMETERY USES.

WHEREAS, it is now necessary to increase the charges in connection with the cemeteries to reflect increased costs;

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

1. That fees and charges for cemetery uses shall be as follows:

Opening and closing of graves:

Regular . . . \$145.00

Child (3 feet by 5 feet) . . . 65.00

Infant . . . 50.00

Perpetual Care . . . 85.00

Monument Setting . . . \$5.00/sq ft

Grave Space . . . 175.00

Landscaping for Monuments . . . 60.00

Cremation Urns . . . 65.00

Disinterments . . . 325.00

Reinterments . . . 145.00

Addition to above charges when work performed on weekends and holidays . . . 90.00

2. This Resolution shall become effective January 1, 1981.

PASSED and ADOPTED this 17th day of December, 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.

GOLF FEES INCREASES

The following golf fees increases were proposed:

Golf Membership Fees for 1981

UNLIMITED - Lincoln Park-Tiara Rado \$215.00

LIMITED - Lincoln Park - Tiara Rado (Monday thru Friday) \$185.00

LIMITED - Seniors (Monday thru Friday) \$100.00

LIMITED - Juniors (Monday thru Friday) \$15.00

PLUS \$1.00 fee for 9 holes up to 4:00 p.m.

\$2.00 fee for 9 holes after 4:00 p.m.

Senior - 60 years of age and older

Junior - Thru High School until September 1

Green Fees for 1981

9 holes - \$4.25 Weekdays 9 holes - \$5.00 Weekends

18 holes - \$6.00 Weekdays 18 holes - \$7.00 Weekends

Note: No refunds will be made on Golf Memberships after July 1st and if there are any refunds authorized before July 1st, there will be a 15% administrative fee deducted from refund balance.

Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the golf fees increases were approved.

HORIZON TOWERS PROJECT

Mr. William Boll presented the plan for the Horizon Towers Project.

ADJOURNMENT

The President adjourned the meeting.

;sigl;

Neva B. Lockhart/Neva B. Lockhart, CMC
City Clerk