

Grand Junction, Colorado

January 21, 1981

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of January, 1981, in the City Council Chambers at City Hall at 7:30 p.m. 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 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 Clarence Cope, First Assembly of God Church.

MINUTES

Consideration of the Minutes of the regular meeting January 7, 1981, was deferred.

APPOINTMENTS TO PERFORMING ARTS CENTER COMMITTEE

Statement of Purpose for the Performing Arts Center Committee:

1. To develop criteria for design - size, number of seats, inventory;
2. To survey potential users as to their needs;
3. To review financial resources and potential funding for a Performing Arts Center;
4. To work with the comprehensive planning effort in making recommendations for the City Council's consideration.

90 days - Preliminary report due

180 days - Final report due

Appointees are: L. Brooke Burkey, John J. Collier, Dennis L. Granum, Kirk Rider, Grove Thomas, Jake Vickery, and Cynthia Wyman.

CHANGES IN CORPORATE OFFICERS ON 3.2% BEER LICENSES

Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the application by Skaggs Companies, Inc., to add Richard Shanaman as Vice-President/Treasurer and Scott Bergeson as Secretary to its 3.2% beer license, and the application by Safeway Stores, Inc., to add Clifford L. Gant as Treasurer to its 3.2% beer license were approved.

3.2% BEER LICENSE RENEWALS APPROVED

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

1. Seven-Eleven Store No. 1821, 666 Patterson Road
2. Safeway Store No. 600, 23rd and North Avenue
3. Safeway Store No. 602, 644 North Avenue

HEARING - DEVELOPMENT IN H.O. FINAL PLAN FOR ENERGY PLAZA I, 2759 CROSSROADS BOULEVARD

A hearing on the final plan for Energy Plaza I, 2759 Crossroads Boulevard, was held after due notice. The request is for office and storage use on 1.39 acres in an H.O. zone. The petitioner is Energy Center Partnership, Ltd., CBW Builders. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the final plan for Energy Plaza I was approved subject to the conditions of the Planning Commission.

HEARING - FINAL PLAN FOR MEDICAL OFFICES AT 710 BUNTING APPROVED

A hearing on the final plan for medical offices at 710 Bunting was held after due notice. The petitioner, Dr. Fred Wessels, is requesting a medical office on .35 acres in planned business zone. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the final plan for medical offices at 710 Bunting was approved subject to the conditions of the Planning Commission.

HEARING - FINAL PLAN AND PLAT FOR PHEASANT RUN CONDOMINIUMS, NE OF F AND 28 ROADS - APPROVED

A hearing on the final plan and plat for Pheasant Run Condominiums was held after due notice. The petition contains 12.5 acres designed for 108 units in planned residential zone. The petitioner is David T. Peterson. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the final plan and plat for Pheasant Run Condominiums were approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - UTILITY DRAINAGE EASEMENT VACATION BETWEEN LOTS 10 AND 11, CREST VIEW SUBDIVISION

A hearing was held after due notice on the petition by Noel B. Norris for utility drainage easement vacation between Lots 10 and 11 of Crest View Subdivision. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the proposed drainage

easement between Lots 10 and 11, Crest View Subdivision was approved subject to conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN EASEMENT IN THE CITY. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - UTILITY EASEMENT VACATION, LOTS 14 THROUGH 17, HORIZON PARK PLAZA SUBDIVISION

A hearing was held after due notice on the petition by Jerome Fossenier for utility easement vacation of Lots 14 through 17, Horizon Park Plaza Subdivision. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the proposed utility easement for lots 14 through 17, Horizon Park Plaza Subdivision, was approved subject to the conditions of the Planning Commission.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN EASEMENT IN THE CITY. Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - ALLEY VACATION REVISED, SPARN SUBDIVISION, LOTS 4 THROUGH 27, BLOCK 5

A hearing was held after due notice on the petition by Walter Thoms for alley vacation, revised, Lots 4 through 27, Block 5, Sparn Subdivision. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the alley vacation revised for Lots 4 through 27, Block 5, Sparn Subdivision, was approved.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY. Upon motion by Councilman O'Dwyer, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - REZONE FROM R-3 AND R-1-C TO PR-18 AND FORESIGHT VILLAGE PRELIMINARY PLAN - SE OF 25-1/2 ROAD AND F-1/4 ROAD

A hearing was held after due notice on the proposal by Colorado Land and Exploration Company, represented by Sam Haupt, for rezone from R-3 and R-1-C to PR-18 and the preliminary plan for Foresight Village located southeast of 25-1/2 Road and F-1/4 Road. The proposal is to change from single-family duplex and multi-family residential use to Planned Residential use on ten acres with a maximum design density of 18 units per acre. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the rezone and the preliminary plan for Foresight Village 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 CHANGING 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 - FINAL PLAT OF WELLINGTON BUSINESS PARK LOCATED NE OF WELLINGTON AND 11TH STREET, BOUNDED BY THE GRAND VALLEY CANAL

A hearing was held after due notice on the final plat of Wellington Business Park, located northeast of Wellington and 11th Street, bounded by the Grand Valley Canal. The petitioner is CBW Builders and the property contains 5.4 acres with 2 lots in a business zone. Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the final plat of Wellington Business Park was approved subject to the conditions of the Planning Commission.

3.2% BEER - RESOLUTION OF FINDINGS AND DECISION REGARDING APPLICATION BY MORRISON REFINING COMPANY DBA PENNY SAVER SERVICE, 459 PITKIN AVENUE, FOR 3.2% BEER LICENSE TO PERMIT SALES FOR OFF-PREMISE CONSUMPTION - APPROVED

The following Resolution was read:

RESOLUTION

OF DECISION ON APPLICATION FOR A FERMENTED MALT BEVERAGE LICENSE BY MORRISON REFINING COMPANY AT 459 PITKIN AVENUE, GRAND JUNCTION.

A public hearing having been held on January 7, 1981, on the application by Morrison Refining Company for a fermented malt beverage license for sales in sealed containers for consumption off the premises for Penny Saver Service at 459 Pitkin Avenue, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. That the hearing was held on January 7, 1981, on the application after proper notice thereof under the Beer 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 108 persons so stated while 47 felt the needs were being met by the other outlets.
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 by the Police Department of the corporate officers and through letters attesting to their good character, is good.

5. 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 fermented malt beverage license for sales in sealed containers for consumption off the premises issue to Morrison Refining Company doing business as Penny Saver Service at 459 Pitkin Avenue, Grand Junction.

PASSED and ADOPTED this 21st day of January, 1981.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Brach, seconded by Councilman Dunn and carried by roll call vote with Council members HOLMES and O'DWYER voting NO, the Resolution was passed and adopted as read. Councilman Holmes stated that his NO vote is that it is highly inconsistent for the Council to be voting YES when the mixture of alcohol and gasoline (results) in an admonition by the State Patrol and all law enforcement officers in the State (not to drive and drink makes it appear) that a YES on this seems to be contrary to good judgment.

HEARING - APPLICATION BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMIT FOR FEBRUARY 6, 1981, 8:00 P.M. TO MIDNIGHT IN THE COLLEGE CAFETERIA - FIRST PERMIT

A hearing was held after due notice on the application by Mesa College for 3.2% Beer Special Events Permit to be used February 6, 1981, from 8:00 p.m. to midnight in the college cafeteria. Jim Eby, Vice President of the Student Body Association, appeared in behalf of the request. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried with Council members HOLMES and O'DWYER voting NO, the application by Mesa College for 3.2% Beer Special Events Permit for February 6, 1981, was approved.

HEARING - ZONING TEXT AMENDMENT TO DELETE CONDITIONAL USE 4.1, OFFICE USE, AND 4.6, RESTAURANT USE FROM R-3 MULTI-FAMILY

RESIDENTIAL ZONE - RESOLUTION OF FINDINGS AND DECISION ON FEBRUARY 4 AGENDA

A hearing was held after due notice on the petition by City Staff at the request of the City Council for zoning text amendment deleting Conditional Use 4.1-Office Use, and 4.6-Restaurant Use from R-3 Multi-Family Residential Zone. Don Warner, Planning Staff, explained that offices and restaurants were added to the ordinance in 1974 -- they were added to the ordinance -- and the basic purpose was to serve large apartment areas with either offices or restaurants that were oriented to those areas. According to Mr. Warner, they have not worked out that way. They have become spotted throughout the residential R-3 area, and it is felt the use should be withdrawn. The use, if necessary, is still available through Planned Development.

Mr. Charles Reicks, 775 25-3/4 Road, appeared before Council and expressed concern in the conditional uses on older homes for office uses in that there may be a requirement for quite extensive hearings and going through planned zoning. He requested that Council give special consideration in its deliberations to the Main Street corridor, 12th and 7th Street corridors, and some areas on Pitkin Avenue.

There were no other speakers, letters, or counterpetitions.

A Resolution of Findings and Decision is scheduled February 4, 1981

CITY CLERK'S CERTIFICATION REGARDING ORDINANCE NO. 1927, LODGING TAX

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

CERTIFICATION

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 for all candidates for Governor of the State of Colorado in November, 1978, I found that 8651 votes were cast;

2. Upon examination of the petition filed January 2, 1981, protesting the passage of Ordinance No. 1927, entitled "An Ordinance Imposing a Lodgers' Tax for the City of Grand Junction, Colorado, Setting Forth Purposes, Definitions, Providing for Exemptions and Enforcement Procedures, Establishing Administrative Procedures, and Providing for an Effective Date," I found that the petition had been signed by 865 registered electors of the City of Grand Junction, and that the petition meets the requirement as set forth in the City Charter, Article XVI, Section 136.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Grand Junction, Colorado, this 8th day of January, 1981.

/s/ Neva B. Lockhart, CMC

City Clerk

"President Quimby: Do we need any kind of action to accept the certification?

Mr. Ashby: I think there should be a motion to accept the certification.

Councilman O'Dwyer: Madam Chairman. I make a motion to accept the certification.

Councilman Brach: I second the motion.

President Quimby: It's been moved and seconded to accept the City Clerk's certification of the signers of the petition regarding Ordinance No. 1927. All those in favor?

AYE: Unanimous.

President Quimby: Opposed?

None.

President Quimby: Now, Council has two alternatives in dealing with this. One of the alternatives that we have is to accept the petitions and accept that as opposition to the Ordinance and drop it. The other alternative we have is referring this to a vote of the people at the next general election which will be in April. Those are the two alternatives that the Council has in regard to this particular item on the agenda.

Councilman Holmes: Madam Chairman.

President Quimby: Yes, Bob.

Councilman Holmes: I would like to put forth a motion that we repeal Ordinance No. 1927 and consider it a closed matter.

Councilman Brach: I would second that.

President Quimby: It's been moved and seconded that Ordinance No. 1927 be repealed. All those in favor?

AYE;

President Quimby: Opposed?

None.

President Quimby: Is there anything additional that Council members wish to say regarding this action?

Councilman Brach: Well, I just made some notes this afternoon, Madam Mayor. I think that our timing on it was wrong. I think the way the money was supposed to be spent wasn't defined close enough. I think it was too broad. I think it needed to be more specific where this money was going to go is why I voted like I did. That's all I've got.

President Quimby: Other comments. From any of the Council members.

Councilman Hollingsworth: I think it is unfortunate that . . . Madam Chairman . . . that we are not allowing the citizens to have the opportunity of making a determination as to whether they want to establish a visitor's and convention tourist bureau and fund it with this type of funding. It seems unfortunate that the citizens are going to have an election that will cost . . . there will be no additional cost involved and it would seem this is a prerogative that usually follows a petition process. I don't know . . . obviously, that is not share by all the other Council people. I would trust, of course, the decision of the people.

President Quimby: I think it should be understood that this does not necessarily preclude the fact that the lodging tax is done and gone for the reasons that Mr. Brach submitted, I would suggest that there could possibly be a different ordinance, if you will, with a different specificity as to how the expenditure of those funds might come about. And I guess that the other thing that I would say to all of you who have been so vehemently opposed, I deplore somewhat the emotionalism and the confrontation that we seem to have gotten into over this particular issue. I don't think it serves the community well at all and I don't think basically it serves any of us well. I would hope that if this issue comes about again that there will be a time when we can all sit down and reason together and make some compromise on both parts and see if we can't do something that will be of mutual benefit to the whole community. I would also like to say from my particular personal standpoint there seemed to be some feeling that perhaps we were singling out, if you will, the motel industry. That was not our intention, and I'm sorry if you felt that way. It was not directed at you as motel owners. It was simply that that seemed to be a vehicle by which some revenue could be raised in order to do

something. And so I would hope that if we have a new ordinance that before we get to the point of making a decision that we can all sit down and reason together and see if there isn't some way that we can come up with something . . . I see some of you shaking your heads, and I expect to hold you to that. And for the record I think it's too bad that we got to this point so far down the road with so many hard feelings, and so forth, and that I hope next time maybe we can do a better job of resolving things as they should be resolved.

Councilman Dunn: Madame Chairman.

President Quimby: Yes, Frank.

Councilman Dunn: The reason that I was against that and I really, as you know and I know that it sounds corny, as an ex-businessman still being in business, I guess that if I was . . . and I did own a motel at one time . . . I guess I wouldn't want somebody to tell me to collect a tax if all the people in my industry were against it there and we didn't feel like it was necessary. And I just . . . that's the way I feel. And if I was in the automobile business and somebody . . . some organization decided the automobile dealers should collect a certain tax for the good of the community and we were all opposed to it, I just would be against it . . . I just feel that way. And I can understand their feelings because I'd feel the same way.

President Quimby: Anyone else? Bob.

Councilman Holmes: My feeling in this matter is that the petitions are, in effect, a mandate of the people indicating their expressed desire, and as we have over the many, many times solicited the participation of the citizens or the expression of their desires regarding the decisions that would be made by Council as it affects their businesses and their lives and their families we responded to their input and to their desires. And I certainly think this is the democratic process in operation at grassroots level in the community this evening. And I for one feel that it's been handled properly.

Councilman O'Dwyer: Madam Chairman.

President Quimby: Yes, Bill.

Councilman O'Dwyer: I would just like to say that I concur with Mr. Holmes that this is the democratic process. If it were to come back or when it comes back, whichever the case may be, I would hope it'd come back on the ballot and let the people of the community decide as opposed to having an industry or a Council force it upon an industry or however you want to put it. I would think that maybe on an issue like this that the people of the community ought to vote on it. That's my thought on it.

President Quimby: Thank you. Anything else from anyone? If not,

we'll move on to the next item."

ORDINANCE NO. 1939 REZONE FROM R-1-A TO PR-26 PROPERTY LOCATED NW OF F-1/2 LINE AND 12TH STREET

Upon motion by Councilman O'Dwyer, seconded by Councilman Johnson and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: 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 called up for final passage and read.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried by roll call vote, the Ordinance was passed, adopted, numbered 1939, and ordered published.

I.D. ST-80, PHASE A - ENGINEER'S STATEMENT OF COMPLETION - RESOLUTION GIVING NOTICE OF HEARING ON ASSESSMENTS - HEARING SET FOR SPECIAL MEETING MARCH 16, 1981

The Engineer's statement of completion of I.D. ST-80 Phase A, was accepted for filing.

STREET IMPROVEMENT DISTRICT 1980 - PHASE A
CITY ENGINEER'S STATEMENT OF COMPLETION

This project consists of two arterial streets designated by the City Council for improvements construction in 1980. These streets are Patterson Road from Park Drive to Mira Vista Road and 28-1/4 Road from Orchard Avenue to Patterson Road. Patterson Road from Park Drive to Mira Vista Road was petitioned in May, 1979, with 82% of the eligible property frontage signing in favor of the improvements. Most of the east side of 28-1/4 Road from Orchard Avenue to Patterson Road was committed to the street improvements as a routine element of land development petitions considered by the recent City Planning Commission and City Council. These land developments are known as Grand Minor and The Falls.

28-1/4 Road was constructed in two phases. Phase I consisted of constructing the crossing structure over the Grand Valley Canal and earthwork between the canal and Patterson Road. Construction bids for that work were presented to City Council on January 16, 1980, and they authorized the contract be awarded to Leon B. Parkerson Construction, who submitted the lowest of eight (8) bids opened on January 15, 1980. Construction Notice to Proceed for Phase I was on January 23, 1980. On April 10, 1980, the Grand Valley Canal structure was complete prior to water being turned into the canal for the irrigation season. The balance of the construction work was final-inspected on May 20, 1980 and final-payment to the contractor was authorized on August 13, 1980. The

total contract amount to Leon B. Parkerson Construction was \$125,468.80 which includes three (3) change orders which total a net amount of \$4,027.70. We also contracted with Armco Steel Corporation for purchase of materials for the canal crossing structure for a total amount of \$17,966.25.

Phase II of 28-1/4 Road consisted of constructing the balance of the improvements. That work along with the work on Patterson Road from Park Drive to Mira Vista Road was performed with a single construction contract.

On April 2, 1980, City Council adopted the plans and specifications for the improvements. On May 7, 1980, the City Council created the district and authorized award of construction contract to Corn Construction, the lowest of three (3) bidders of the May 7, 1980, bid opening. Construction Notice to Proceed was on June 2, 1980. On September 24, 1980, I final-inspected Patterson Road from Park Drive to Mira Vista Road. On October 23, 1980, I final-inspected 28-1/4 Road from Orchard Avenue to Patterson Road. Final payment was authorized to the contractor on December 9, 1980. The total contract amount to Corn Construction was \$457,649.66 which includes five (5) change orders which total a net amount of \$809.75.

Detailed below are the Improvement District costs and proposed assessments based on consultations with the City Manager and City Attorney concerning current City policies on improvements assessments.

/s/ Ronald P. Rish, P.E.

 City Engineer
 December 24, 1980

PATTERSON ROAD FROM PARK DRIVE TO MIRA VISTA ROAD:

Construction Costs =\$133,398.25	
Right-of-Way Acquisition =94.48	
Administration, Engineering, Financial & Legal Costs = <u>17,537.19</u>	
Subtotal\$151,029.92	

Costs which will not be assessed to property owners because of current City policies concerning arterial streets:

Extra cost of wider sidewalks=\$1,781.30		
Right-of-Way Acquisition=94.48		
Traffic Detour= <u>1,347.74</u>		
Subtotal=\$3,223.52		

28-1/4 ROAD FROM ORCHARD AVENUE TO PATTERSON ROAD:

Phase I Construction Costs=\$143,435.05		
Phase II Construction Costs=342,064.15		
Right-of-Way Acquisition=105,686.75		
Administration, Engineering, Financial & Legal Costs= <u>52,936.67</u>		
Subtotal\$644,122.62		

Costs which will not be assessed to property owners because of current City policies concerning arterial streets:

Grand Valley Canal structure=\$ 69,848.25		
Earthwork fill from Brittany Way to Grand		

Valley Canal=46,115.50		
Extra cost of wider street section=68,514.60		
Extra cost of wider sidewalks=3,918.04		
Traffic Signals at Orchard Avenue=15,816.94		
Medians at Orchard Ave Intersections=2,645.64		
Right-of-Way Acquisition= <u>105,686.75</u>		
Subtotal=\$312,545.72		
Patterson Road Cost=\$151,029.92		
28-1/4 Road Cost=644,122.62		
Cost of Bonds during Construction= <u>32,157.24</u>		
<u>(Assessed to Properties)</u>		

Street Improvement District 1980, Phase A = \$827,309.78
Assessment Revenue = \$354,227.31

Resulting City Cost of Street Improvement District, Phase A = \$473,082.47

The following Resolution was read:

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Improvement District No. ST-80, Phase A; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Improvement District No. ST-80, Phase A, 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-80, Phase A, 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 9.6743 percent per annum to May 4, 1981; 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 or 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 a special meeting to be held at 7:30 o'clock p.m. on March 16, 1981, 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-80, Phase A, 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 2nd day of April, 1980, 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-80, Phase A, with the

terms and provisions of a Resolution passed and adopted on the 2nd day of April, 1980, adopting details, plans and specifications for said District; and with the terms and provisions of a Resolution passed and adopted on the 14th day of May, 1980, 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 \$795,152.54, said amount including six percent (6%) for cost of collection and other incidentals and interest at the rate of 9.6742 percent per annum to May 4, 1981; 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 Finance Director 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 percent (6%) for cost of collection and other incidentals.

That any complaints or objections that may be made in writing by the 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 a special meeting of the City Council to be held in City Council Chambers at 7:30 o'clock p.m. on the 16th day of March, 1981, 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 \$795,152.54 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:

PARCEL NO. DESCRIPTION ASSESSME NT		
2943-072-00- 009E4SW4NW4 Sec 7 1S 1E Exc S 200		

Ft\$50,983.95		
<p>2943-072-00-035That Pt of W4SE4NW4 Sec 7 1S 1E N of Grand Valley Canal Exc for Rd ROW as Desc in B-1245 P- 841 & 842 Mesa County Recorder\$ 5,631.89</p>		
<p>2943-072-00-048Beg N 0 deg. 23 min. 16 sec. W 60 ft fr SW Cor SE4NW4 Sec 7 1S 1E N 0 deg. 23 min. 16 sec. W 991.98 ft N 34 deg. 28 min. 04 sec. E 35.35 ft N 88 deg. 24 min. 51 sec. E 307.15 ft S 0 deg. 21 min. 35 sec. E 917.81 ft N 89 deg. 58 min. 01 sec. W 80 ft S 0 deg. 21 min. 35 sec. E 112 ft N 89 deg. 58 min. 01 sec. W 246.79 ft Beg Exc for Rd ROW as Desc in B- 1239 P-450, 451, 453, 454, 457, 458 and B- 1264 P-820 County Recorder\$75,367.01</p>		
<p>2943-072-00-051NE4NW4 Sec 7 1S 1E Exc Beg 30 ft S fr NW Cor Sd NE4NW4 S 350 ft E 420 ft N 350 ft W to Beg and Exc Bg 420 ft E fr Sd NW Cor E 240 ft S 400 ft W 240 ft N 400 ft to Beg Exc for Rd on N and Exc The Falls Filing No. One and also Exc for Rd ROW as Desc B-1245 P-841 and 842 Mesa County Recorder\$75,639.27</p>		
<p>2943-072-01-021Lots 7, 8 and that Pt of Lot 65 Beg 313.84 ft S 89</p>		

<p>deg. 50 min. W fr SE Cor Mantey Heights Sub Sec 7 1S 1E N 17 deg. 44 min. W 520.13 ft N 31 deg. 40 min. W 274.33 ft N 13 deg. 12 min. W 179.62 ft S 31 deg. 25 min. W 170 ft S 57 deg. 33 min. E 86 ft S 11 deg. 09 min. E 37 ft S 27 deg. 08 min. E 478.1 ft N 46 deg. 31 min. W 138 ft S 17 deg. 44 min. E 350 ft N 89 deg. 50 min. E 125 ft to Beg and Lot 66 Exc that Pt of Lot 66 Lyg in Landing Heights Nursing Care Center and also Exc for Rd ROW as Desc in B-1245 P-841 and 842 of Mesa County Recorder\$44,517.48</p>		
<p>2943-072-12-005Lot 1 Blk 1 Landing Heights Nursing Care Center Sec 7 1S 1E Exc Beg N 89 deg. 50 min. E 1023.7 ft fr NW Cor Sd Sec 7 N 89 deg. 50 min. E 235 ft S 0 deg. 11 min. E 400 ft S 89 deg. 50 min. W 225 ft NWly to Beg and also Exc for Rd ROW as Desc B-1245 P-841 and 842 Mesa County Recorder\$ 5,249.72</p>		
<p>2943-072-12-974Beg N 89 deg. 50 min. E 1023.7 ft fr NW Cor Sec 7 1S 1E N 89 deg. 50 min. E 235 ft S 0 deg. 11 min. E 400 ft S 89 deg. 50 min. W 225 ft NWly to Beg being Pt of Lot 1 Blk 1 Landing Heights</p>		

Nursing Care Center\$14,975.23		
2945-023-00-037Beg SE Cor SW4SW4 Sec 2 1S 1W W 173 ft N 391 ft N 75 deg. 02 min. E 175.3 ft S 406 ft to Beg\$ 7,039.22		
2945-023-00-038Beg 30 ft N of SW Cor SE4SW4 Sec 2 1S 1W N 127.8 ft E 100 ft S 127.8 ft W to Beg\$ 4,068.92		
2945-023-00-039Beg 30 ft N and 100 ft E of SW Cor SE4SW4 Sec 2 1S 1W E 85 ft N 127.8 ft W 85 ft S to Beg\$ 3,458.58		
2945-023-00-040Beg 30 ft N and 185 ft E of SW Cor SE4SW4 Sec 2 1S 1W N 127.8 ft E 115 ft S 127.8 ft W to Beg\$ 4,679.25		
2945-023-03-002Lot 9 Blk 1 Willowbrook Sub Replat Sec 2 1S 1W\$ 3,403.07		
2945-023-03-003Lot 8 Blk 1 Willowbrook Sub Replat Sec 2 1S 1W\$ 3,988.94		
2945-023-03-004Lot 7 Blk 1 Willowbrook Sub Replat Sec 2 1S 1W\$ 2,991.70		
2945-023-03-005Lot 6 Blk 1 Willowbrook Sub Replat Sec 2 1S 1W\$ 3,093.04		

<u>2945-023-03-006</u> Lot 5 <u>Blk 1 Willowbrook Sub</u> <u>Replat Sec 2 1S 1W\$</u> <u>3,093.04</u>		
<u>2945-023-03-007</u> Lot 4 <u>Blk 1 Willowbrook Sub</u> <u>Replat Sec 2 1S 1W\$</u> <u>3,093.04</u>		
<u>2945-023-03-008</u> Lot 3 <u>Blk 1 Willowbrook Sub</u> <u>Sec 2 1S 1W\$ 3,093.04</u>		
<u>2945-023-03-009</u> Lot 2 <u>Blk 1 Willowbrook Sub</u> <u>Replat Sec 2 1S 1W\$</u> <u>3,093.04</u>		
<u>2945-112-00-004</u> Beg <u>734.07 ft E of NW Cor</u> <u>NW4 Sec 11 1S 1W S 20</u> <u>deg. 10 min. E 622.5</u> <u>ft S 65 deg. 30 min. E</u> <u>113.3 ft N 631.27 ft W</u> <u>317.6 ft to</u> <u>Beg\$12,922.86</u>		
<u>2945-112-11-018</u> Lot 20 <u>Vanderen-Ford Heights</u> <u>Replat\$ 3,662.02</u>		
<u>2945-112-11-019</u> Lot 21 <u>Vanderen-Ford Heights</u> <u>Replat\$ 3,662.02</u>		
<u>2945-112-11-021</u> Lot 24 <u>Vanderen-Ford Heights</u> <u>Replat\$ 4,996.63</u>		
<u>2945-112-11-023</u> Lot 25 <u>Vanderen-Ford Heights</u> <u>Replat and Beg NE Cor</u> <u>Lot 25 S 89 deg. 54</u> <u>min. E 30 ft S 9 deg.</u> <u>56 min. W 74.5 ft N 13</u> <u>deg. 08 min. W 75.5 ft</u> <u>to Beg\$ 1,220.67</u>		

<p>2945-112-11-024Lot 27 Vanderen-Ford Heights Replat Exc Beg NE Cor Lot 25 Sub S 89 deg. 54 min. E 30 ft S 9 deg. 56 min. W 74.5 ft N 13 deg. 08 min. W 75.5 ft to Beg\$ 2,400.66</p>		
<p>2945-112-11-025Lot 27 Vanderen-Ford Heights Replat Sec 11 1S 1W Exc Beg NE Cor Lot 27 S 00 deg. 32 min. 00 sec. E 10 ft N 56 deg. 18 min. 36 sec. W 18.03 ft S 89 deg. 54 min. E 15.00 ft to Beg\$ 4,068.92</p>		
<p>2945-112-13-002Lots 20 and 21 Blk 1 Park Lane Sub Sec 11 1S 1W Exc for Rd ROW Desc as Foll Beg NW Cor Sd Lot 21 E 15 ft S 25 deg. 12 min. 04 sec. W 18.79 ft W 7 ft N 17 ft to Beg Recorded in B-1251 P-252 of Mesa County Recorder\$ 3,255.61</p>		
<p>2945-112-13-003Beg 69.6 ft W of NE Cor Lot 17 Park Lane Sub Sec 11 1S 1W S 3 deg. 6 min. E 149.9 ft W 92 ft to W Li Lot 19 Park Lane Sub N 151 ft to NW Cor Lot 19 E to Beg\$ 1,761.86</p>		
<p>2945-112-13-004Beg NE Cor Lot 17 Park Lane Sub Sec 11 1S 1W S 20 deg. 10 min. E 158 ft S 89 deg. 21 min. W 116 ft N 3 deg. 6 min.</p>		

W 149.9 ft E 69.6 ft to Beg\$ 1,332.89		
2945-112-13-044Lot 3 and 4 Blk 1 Olympic Acres Sub Sec 11 1S 1W\$ 906.15		

DATED at Grand Junction, Colorado, this _____ day of _____, 1981.

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

By:

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

I, JANE S. QUIMBY, 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-80, Phase A, 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 _____ day of _____, 1981.

President of the Council

Attest:

City Clerk

PASSED and ADOPTED this 21st day of January, 1981.

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 APPOINTING JUDGES OF ELECTION FOR FEBRUARY 10, 1981, SPECIAL ELECTION

The following Resolution was read:

RESOLUTION

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

That the following persons be, and they are hereby appointed as Judges of Election and Alternates for the Special Municipal Election to be held in the City on Tuesday, February 10, 1981:

DISTRICT A, Precinct 1

Judges:

Josephine Manzanares
644 W. Colorado Avenue

Mildred Sawyer
249 Grand Avenue

Julia Maldonado
402 West Grand

Alma Melton
539 Highway 50

Alternates:

Clarence Melton
539 Highway 50

Josie Bonilla
745 Winters

DISTRICT A, Precinct 2

Judges:

Wesley Miller
288 26 1/4 Road

Margaret Kunz
1015 UnawEEP

Glenna Barger
230 26 1/4 Road

Patricia Parrish
310 E. Highland

Alternates:

Joyce Seibert
314 Cherry Lane

Norma Jones
259 Lauralee

Alice Arcieri
2690 B-3/4 Road

DISTRICT B

Judges:

Carol Cadez
2256 Knollwood Lane

Helen Kephart
435 North Avenue

Maxine Daniels
230 Mesa Avenue

Barbara Gale
308 Willowbrook Road

Mildred Wing
205 Teller Avenue

Alternates:

Elsie Woldruff
306 Ridgewood Lane

Helen Dixon
2562 F Road

Patricia Mehs
455 Mesa Court

DISTRICT C

Judges:

Helen Johnston
1920 N. 17th Street

Berdine Colescott
2236 N. 17th Street

Hazel Hurd
1931 N. 17th Street

Ethel Sutrina
2012 N. 22nd Street

Aura Moon
564 Normandy Drive

Alternates:

Helen Overdorf
2433 Texas Avenue

J. R. (Jack) Gidney
1705 N. 21st Street

Lenore Ellis
2042 N. 22nd Street

DISTRICT D

Judges:

Nora Peterson
2540 N. 12th Street

Marjorie Green
1320 Elm

Frances H. Mark
1330 Elm

Mae Uhlemann
1234 Texas

Basil Knight
1110 Gunnison

Alternates:

Ester Granat
1055 Chipeta

Alice Norgaard
1131 Grand Avenue

Mary Colosimo
1032 Lakeside Drive

DISTRICT E

Judges:

Helen Youngerman
535 N. 17th Street

Irene Abbey
1805 Grand Avenue

Pauline Bynum
2022 Gunnison Avenue

Marie Nowlan
1220 Main Street

Mary Ann Warner
1340 N. 21st Street

Alternates:

Kathryn Harper
518 N. 22nd Street

Mildred Collins
2845 Elm Avenue

Margie Lopas
1261 Colorado Avenue

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

That each Judge of Election serving on the day of election be
compensated for his/her time by the payment of fifty dollars
(\$50).

PASSED and ADOPTED this 21st day of January, 1981.

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.

CONSIDERATION OF BIDS - AWARD OF CONTRACT - SEWER REPLACEMENT PROJECT 1980-81 AND CLIFTON WATER LINE PRESSURE REDUCING VALVE - CONE CONSTRUCTION, INC. \$121,682

Bids were received and opened at 2:00 p.m. January 6, 1981, on the Sewer Replacement Project 1980-1981 and Clifton Water Line Pressure Reducing Valve. Bidders were:

1. Grand Construction Company \$239,888.00
2. Daco Construction, Inc. \$143,249.90
3. R. L. Atkins Construction Company \$135,516.65
4. Franklin Construction Company \$127,404.30
5. Cone Construction, Inc. \$121,682.00
6. Engineer's Estimate \$132,370.00

Upon motion by Councilman O'Dwyer, seconded by Councilman Holmes and carried, the contract was awarded Cone Construction, Inc., for its bid of \$121,682 and ratified the City Manager's signing the contract.

LODGING TAX

Mr. Bob Richardson, 104 White, owner of Travel Lodge Motel, said his group has the feeling that Council thinks they (his group) are gloating over this but they are not. He said that in some way the Council and the Chamber think they are not responsible members of the City. He stated that they are going to do their share, do everything it can to work with the City.

INTERNATIONAL YEAR OF DISABLED PERSONS

Councilman Holmes reported that he met at Hilltop House where the activities of the year for disabled persons were reviewed. He noted that the Mayor will participate in the kickoff of the International Year of Disabled Persons, and that he is excited at the enthusiasm demonstrated by these people to make the people of the community aware of their special needs and special circumstances.

CLEAN COMMUNITY SYSTEMS PROGRAM

Councilman Hollingsworth filed a report on the activities of the Clean Community Systems Program. He noted it is a very difficult program to stimulate community-wide pride and understanding. It tends to be a rather frustrating program when it is known what one would like to accomplish but are not able to put together the type

of program and activities to get it done. He noted the attractive folder that will be forthcoming soon which will be circulated explaining many of the basic things about policy on trash.

HOUSING AUTHORITY

Councilman Johnson reported that the Housing Authority's project is almost complete. Six of the public housing units are occupied and they will start filling 32 units on Wellington this month. The Authority has advertised for bids for the removal of the old church building at 8th and Main and an old building on the Wellington property.

UPTOWNERS, INC.

Councilman Dunn reported that he attended a meeting this morning of the Grand Junction Downtown Association and they renamed themselves UPTOWNERS, INC. They have a lot of promotional ideas for downtown activities.

RECREATION BOARD

Council Dunn reported that he attended the meeting of the Recreation Board. The Recreation Department is going great guns. He noted that a lot more golf has been played this December than every before. Lincoln Park Barn is in use constantly. He feels the community can take great pride in it.

AIRPORT

Councilman Brach reported that the earth moving project at the Airport is about 60% complete and that if the weather holds it could be completed by the middle of March. Regarding the covenant on the deed to the land for the Airport, Councilman Brach said the airport Manager went to Denver to get it clarified and he was told not to worry as it was just a simple matter to get it changed. Councilman Brach, however, is not that optimistic as it was a bill passed in Congress, and he believes someone will have to walk an amendment through to get it changed.

The Airport Manager talked to the Job Corps about moving the earth to the east side of Runway 4-22. They estimated 60,000 yards of dirt to be moved. The Job Corps is willing to do it but since it is a training program for the young men it will take them 60 to 90 days to move the dirt. A bid was taken from a private contractor. He can move the dirt in 30 days for a cost of \$90,000. Councilman Brach said that no matter how you look at it there are going to be some delays letting out the bid for the building.

Councilman Brach reported there will be a WCHSA meeting with Council tomorrow night.

COG

Councilman Brach reported that at the last COG meeting they postponed lowering the severance tax on oil shale for two reasons: new legislation coming out and they met a lot of resistance at the meeting on the part of the oil companies.

COG turned down a study prepared by Peat, Merrick, and Mitchell as it was prepared by the oil people.

Councilman Brach is now the Vice Chairman of COG.

VOTEK SCHOOL

Councilman Brach reported that a week ago he and Jim Gigoux were in Denver and talked to the Serry people and (name of group not clear on tapes) about the Votek School. They are eager to get started and a meeting will be held in Grand Junction in February.

PLANNING COMMISSION

President Quimby announced the resignations of Janine Rider and Jim Pickens from the Planning Commission and requested names to fill the positions.

JBC COMMITTEE

President Quimby noted that last week a delegation of City people spent some time in Denver before the JBC Committee.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk