

Grand Junction, Colorado

December 19, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of December, 1984, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Gary Lucero, Ray Phipps, and President of the Council Mike Pacheco. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Mike Pacheco called the meeting to order and Councilman Holmes led in the Pledge of Allegiance.

#### INVOCATION

Pastor Jack Olsen, Columbus Evangelical Free Church.

#### MINUTES

Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried, the minutes of the regular meeting held December 5, 1984, were approved as submitted.

COUNCILMAN ROBERT HOLMES DISTRICT "A", SUBMITS LETTER OF RESIGNATION - AWARD OF SERVICE PLAQUE - JOHN BENNETT SELECTED TO COMPLETE TERM

Councilman Robert Holmes, Council representative for District "A" since 1977, submitted his letter of resignation from the Council effective December 31, 1984, so that he can assume his new office of County Commissioner on January 8, 1985. Councilman Frank Dunn presented to Mr. Holmes the service plaque expressing appreciation for his many years of service to the community.

By secret ballot, John Bennett, 296 Cedar Street, was selected to complete the term through April of 1985.

#### CONTRACTORS' LICENSING BOARD - APPOINTMENTS - 2-YEAR TERMS

Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, Greg Robson, Architect, Grant Moon and Robert Morris were appointed to serve two-year terms on the Contractors' Licensing Board.

#### LIQUOR-BEER - APPLICATIONS TO RENEW LICENSES APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the applications by the following business concerns to renew their liquor and beer licenses were approved subject to the matter of alleged violations of the Colorado Beer Code by Bradley Petroleum, 2833 North Avenue, being turned over to the Liquor and Beer Hearing Officer:

Pizza Hut, 1440 North Avenue 3.2% Beer	
Pizza Hut, 704 Horizon Drive 3.2% Beer	
Pizza Hut, 601 North 1st Street 3.2% Beer	
Bradley Petroleum, 2833 North Avenue 3.2% Beer	
7-Eleven Store, 666 Patterson 3.2% Beer	
Holiday Liquors, 755 Horizon Drive Retail Liquor Store	

LIQUOR - APPLICATION BY LONNIE J. MILLER FOR HOTEL-RESTAURANT LIQUOR LICENSE AT 103 N. 1ST STREET UNDER TRADE NAME OF THE SPORTS PAGE - APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the application by Lonnie J. Miller for a hotel-restaurant liquor license at 103 N. 1st Street under trade name of The Sports Page was approved. This was a change of ownership - license presently held by Herbert Tribolet dba Pepi's.

HEARING #30-84 - PROPOSED ORDINANCE - REZONE FROM C-1 TO PB, LA MEXICANA RESTAURANT FINAL PLAN APPROVED

A hearing was held after proper notice on the petition by Patsy Arguello to rezone from C-2, Heavy Commercial Zone, to PB, Planned Business Zone and a final plan of one lot on .28 acre at 1310 Ute Avenue. 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 Holmes, seconded by Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried, the final plan for La Mexicana Restaurant was approved.

HEARING - APPLICATION BY THE DISTINGUISHED SERVICE AWARD AND RETIREMENT ASSOCIATION FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON JANUARY 26, 1985, 6 PM TO 12:30 AM AT LIFF AUDITORIUM - AWARDS DINNER FOR CITY MARKET EMPLOYEES APPROVED - FIRST PERMIT

A hearing was held after proper notice on the application by The Distinguished Service Award and Retirement Association for a malt, vinous and spirituous liquor special events permit on January 26, 1985, 6:00 p.m. to 12:30 a.m., at Liff Auditorium, Mesa College Campus, 12th Street and North Avenue, for the awards dinner for City Market employees. Kim A. McGinnis, 474 Meadow Avenue, was present on behalf of the request. There were no opponents, letters or counterpetitions. The President closed the hearing. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried with Councilman HOLMES voting NO, the application was approved.

HEARINGS - APPLICATIONS BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMITS - APPROVED

Hearings were held after proper notice on the application by Mesa College for two 3.2% beer special events permits:

1. January 25, 1985, 7:00 p.m. to midnight - College Center Liff Auditorium for "Back to School Bash"
2. April 20, 1985, 1:00 to 5:00 p.m. - West Saunders Practice Field for "Battle of the Bands"

Rosella Lambert, representing the Mesa College Student Association, was present on behalf of the applications. There were no opponents, letters or counterpetitions. The President closed the hearing. Upon motion of Councilman Dunn, seconded by Councilman Phipps and carried with Councilman HOLMES voting NO, the applications were approved.

HEARING #31-84 - REZONE FROM RSF-8 AND PB TO PB AND OUTLINE DEVELOPMENT PLAN FOR SMITH'S FOOD AND DRUG, SE CORNER OF 12TH STREET AND PATTERSON ROAD

A hearing was held after proper notice on the petition by Smith's Management Corporation, John L. Ballagh representative, to rezone from RSF-8 and PB to PB and outline development plan for Smith's Food and Drug. The request was to change from Residential Single-Family at 8 units per acre and Planned Business to Planned Business and an outline development plan of one lot on 5.525 acres on the southeast corner of 12th Street and Patterson Road. Introductory remarks were made by City Attorney Ashby. Mr. Ashby noted receipt from David McKinley originals of petitions in opposition to this matter and they were turned to the Clerk to become a part of the proceedings.

John Ballagh, representing Smith's Management Corporation, presented the request for the rezone and the outline development

plan. Tom Welch, Vice President of Smith's Management Corporation, 1028 Donner Way, Salt Lake City, was present.

Bob Goldin, Senior Planner, outlined and reviewed the proposal.

Opponents: David McKinley, 1308 Wellington; Paulene Lyttle, 1441 Patterson; Dick Fulton, 1556 Wellington; Claudia McKinley, 1308 Wellington.

The President declared a five-minute recess. Upon reconvening all Council members were present.

Opponents: Joe Abell, 1212 Wellington; May Kanavel, 1313 Wellington; Florence Collins, 1321 Wellington; Harland Huskey, President of Patterson Gardens Town Homes; Wilda Maxim, Wilda's Dress Shop, 2531 N. 12th Street; Mary Fulton, 1556 Wellington; Stella Rector, 1441 Patterson; Patricia Coats, Patterson Gardens; John Porter.

Speaking in favor of the development: Glen Green, 2708 F Road; Ed Clements, 2528 N. 12th; Bernard Coulson, 2510 N. 12th.

Mr. Welch was given the opportunity to respond to some of the comments.

The hearing was closed. A Resolution of findings and decision scheduled on the January 16, 1985, City Council Agenda.

#### ORDINANCE NO. 2220 - AIRPORT ANNEXATION #2

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO:

There were no comments. Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2220, and ordered published.

STREET IMPROVEMENT DISTRICT ID ST-85, PHASE A - 15TH STREET FROM PATTERSON ROAD TO RIDGE DRIVE; 13TH STREET N OF HERMOSA TERMINATING AT CUL-DE-SAC; AND HERMOSA AVENUE FROM 13TH TO 15TH - RESOLUTION NO. 69-84 OF INTENT TO CREATE DISTRICT RESOLUTION NO. 70-84 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution was read:

#### RESOLUTION NO. 69-84

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT NO. ST-85, PHASE A, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

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

15th Street from Patterson Road (F Road) to F 1/4 Road; Hermosa Avenue from 13th Street to 15th Street; and 13th Street North of Hermosa Avenue and terminating at a cul-de-sac:

To include combination concrete vertical curb, gutter and sidewalk with a base course material under a 34-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

15th Street from F 1/4 Road to Ridge Drive:

West side:

To include a base course material under a 12-foot wide mat of Hot Mix Bituminous Paving to match east side improvements with such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

East side:

To include combination concrete vertical curb, gutter and sidewalk with a base course material under a 17-foot wide mat of Hot Mix Bituminous Paving from the lip of gutter to match the west side improvements and such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

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

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

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

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

Beginning 145 ft. N of the SW Cor of the SE4 of the SW4 of said Sec 1, thence E 114 ft., thence N to the N line of the S4 of the SE4 of the SW4 of said Sec 1, thence W to the NW Cor of said S4 of the SE4 of the SW4, thence S to the place of beginning, EXCEPT tract to Mesa County, Colorado, as described in document recorded in Book 898 on Page 310 of said records;

That part of the NW4NW4NE4SW4 said Sec 1, lying N of government Lateral #2.

All that part of the E2W2NE4SW4 of said Sec 1 lying N of what is

known as Lateral #2 BB of the U.S. Reclamation Service.

Lot 27 Jaynes Sub EXCEPT Bell Ridge Sub Filing No. One; ALSO EXCEPT roads.

The W 430 ft. of the following tract:

Beginning at a point 194 ft. E of the NW Cor of the S2 of the S2 of the SE4 of the SW4 of said Sec 1, thence E to a point 396 ft. W of the NE Cor of the S2 of the S2 of the SE4 of the SW4 of said Sec 1, thence S 72.5 ft., thence S 72 deg. 36 min. W 156.3 ft., thence N 84 deg. 25 min. W 213.8 ft., thence S 62 deg. 04 min. W 160.1 ft., thence S 88 deg. 26 min. W 220.3 ft., thence S 77 deg. 32 min. W to a point S of the Point of Beginning, thence N to the Point of Beginning, EXCEPT beginning 330 ft. N and 344 ft. E of the SW Cor of SW4SW4 of said Sec 1, thence E 25 ft.; thence S 174.9 ft.; thence W 25 ft.; thence N to Beginning; ALSO EXCEPT Beginning at a point 105 ft. N of the SW Cor of the SE4SW4, said Sec 1; thence running N 40 ft.; thence E 194 ft.; thence S 77 deg. 32 min. W 198 ft. to the Point of Beginning, ALSO EXCEPT ROADS.

Beginning at a point 105 ft. N, thence N 77 deg. 32 min. E 198.6 ft. from the SW Cor of the SE4SW4 said Sec 1, thence N 157.13 ft., thence W 80 ft., thence S to a point which is W of the Point of Beginning, thence E to Point of Beginning;

Lots 10 and 11 in Blk 1 and Lots 8 and 9 in Blk 2 of Eagleton Subdivision.

The E 35 ft. of Lot 53 in Blk 15 N of the drain ditch as described in the parcel excepted in the land description recorded in Book 922 Page 209 of said records, and the vacated road between Blks 15 and 16, and E 65 ft. of the road adjoining Blk 15 on the N thereof; All in Fairmount Subdivision, Land being a portion of Sec 1, T1S, R1W of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado more particularly described as follows:

Lots 1 through 5 inclusive Treehaven Sub as recorded in Plat Book 10 Page 58 in the office of the Mesa County Clerk and Recorder;

Lots 1 through 20 inclusive of Blk 1 and Lots 1 through 20 inclusive of Blk 2 Fairmount N Sub, a replat of Lots 57, 58, 59 and 60 in Blk 16 of Fairmount Sub, as recorded in Plat Book 11 Page 336 in said office;

Lot 1 Blk 1 Hilltop Sub as recorded in Plat Book 13 Pages 233 and 234 in said office;

Lots 16-1 through 16-4 and Lots 17-2 through 17-6 of Crest View Townhomes a replat of Lots 16 and 17 Crest View Subdivision as recorded in Plat Book 12 Pages 351 and 352 in said office;

Lots 8 and 9, a replat of Lots 5 through 14 Crest View Sub, as

recorded in Plat Book 12 Page 235 in said office;

Lots 1 and 2 Spomer Sub as recorded in Plat Book 12 Page 105 in said office;

SE4NW4SW4 said Sec 1;

The N2 of the NW4 of the SE4 of SW4 of said Sec 1;

The W 660 ft. of the following described tract of land;

The S2N2SE4SW4 said Sec 1;

The N2 of S2 of the SE4 of the SW4 of said Sec 1; EXCEPT the E 698.5 ft.; ALSO EXCEPT the S 25 ft.;

Beginning at the SE Cor of the W4NE4SW4 of said Sec 1, thence N 338.36 ft. to the center of the drain ditch, thence Westerly along the center of said drain ditch to the W line of said W4NE4SW4, thence S to the SW Cor of said W4NE4SW4, thence E of the Point of Beginning;

The NE4 of the NW4 of the SW4 of said Sec 1;

Beginning at the SW Cor of the SE4 of the SW4 of said Sec 1, thence N 105 ft., thence N 77 deg. 32 min. E 196.6 ft., thence S 147 ft., thence W 192 ft., to the point of beginning, excepting therefrom any and all right of way for roads, ditches and all legal highways;

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

PASSED and ADOPTED this 19th day of December, 1984.

/s/ J.P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried by roll call vote with Councilman LUCERO voting NO, the Resolution was passed and adopted as read.

The following Resolution was read:

RESOLUTION NO. 70-84

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT ST-85, PHASE A, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on December 19, 1984, the City Council of the City of Grand Junction, Colorado, by a Resolution authorized the City Engineer to prepare and file full details, plans and specifications for constructing sidewalks, curbs, gutters and paving streets in said City within proposed Improvement District No. ST-85, Phase A, together with an estimate of the total cost of such improvements and map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City.

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

Section 1. That said details, plans and specifications, estimates and map be and the same are hereby approved and adopted.

Section 2. That the district of lands to be assessed are as follows:

(Descriptions identical to those described in previous Resolution No. 69-84.)

All installations to be constructed in accordance with General Conditions, Specifications and Details for Street Improvement Projects, City of Grand Junction, Colorado. Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvement shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided that all such assessments



may, at the election of the owner of the property in said District be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed the amount established by the City Council in the assessing ordinance.

Section 4. Notice of Intention to Create said Improvement District No. ST-85, Phase A, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-85, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the district hereinafter described, and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-85, Phase A, in said City for the purpose of constructing sidewalks, curbs and gutters and paving streets to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

(Descriptions identical to those in previous Resolution No. 69-84.)

15th Street from Patterson Road (F Road) to F 1/4 Road; Hermosa Avenue from 13th Street to 15th Street; and 13th Street North of Hermosa Avenue and terminating at a cul-de-sac:

To include combination concrete vertical curb, gutter and sidewalk with a base course material under a 34-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

15th Street from F 1/4 Road to Ridge Drive:

West side:

To include a base course material under a 12-foot wide mat of Hot Mix Bituminous Paving to match east side improvements with such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

East side:

To include combination concrete vertical curb, gutter and sidewalk with a base course material under a 17-foot wide mat of Hot Mix Bituminous Paving from the lip of gutter to match the west side improvements and such storm drainage and irrigation facilities as deemed necessary by the City Engineer.

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

<u>15th Street from Patterson Road (F Road) to F 1/4 Road:</u>	
Residential	
375 abutting feet\$51.00 per abutting foot	
Lot 1 Treehaven Sub\$4,263	
Lot 6 Treehaven Sub\$3,251	
Lot 2 Treehaven Sub\$1,290	
Lot 3 Treehaven Sub\$1,290	
Lot 4 Treehaven Sub\$1,290	
Lot 5 Treehaven Sub\$1,290	
Beg 145 ft. N of SW Cor SE4SW4 Sec 1 1S 1W E 114 ft. N to N Li S4SE4SW4 Sec 1 W to W Li S4SE4SW4 S to beg exc N 25 ft. for Road\$4,395	
Beg pt 105 ft. N and N 77 deg. 32 min. E 198.6 ft. fr SW Cor SE4SW4 Sec 1 1S 1W N 175.13 ft. W 80 ft. W to a pt W of beg E to beg\$1,290	
<u>13th Street North of Hermosa Avenue terminating at cul-de-sac:</u>	
Residential:	
436.11 abutting feet\$43.00 per abutting foot	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Subpartial \$623 per lot	
<u>Hermosa Avenue from 13th Street to 15th Street:</u>	

Residential:	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Subpartial \$643 per lot	
Levied by Power of Attorney:	
620.00 abutting feet\$72.00 per abutting foot	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Sub maximum share of total cost is \$2,016 per each lot for 15th Street, 13th Street and Hermosa Avenue.	
Beg 194 ft. and 330 ft. N of SW Cor SE4SW4 Sec 1 1S 1W E 68 ft. S 177.87 ft. S 88 deg. 26 min. W 56.3 ft. S 77 deg. 32 min. W 12 ft. N 182 ft. to beg exc N 25 ft. for Road\$1,290	
Beg 262 ft. E and 330 ft. N of SW Cor SE4SW4 Sec 1 1S 1W S 177.87 ft. N 88 deg. 26 min. E 82.03 ft. N 175.23 ft. W 82 ft. to beg exc N 25 ft. for Road\$1,290	
Beg 330 ft. N and 369 ft. E of SW Cor SE4SW4 Sec 1 1S 1W E 150 ft. S 122.9 ft. S 62 deg. 04 min. W 107.9 ft. S 88 deg. 26 min. W 56.9 ft. N 174.9 ft. to beg exc Road\$1,290	
Beg 519 ft. E of NW Cor S4SE4SW4 Sec 1 1S 1W E 405 ft. S 72.5 ft. S 72 deg. 36 min. W 156.3 ft. N 84 deg. 25 min. W 2.318 ft. S 62 deg. 04 min. to a pt S of Beg N to Beg exc Road\$1,290	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Subpartial \$744 per lot	
Levied by Power of Attorney:	

854.50 abutting feet\$76.00 per abutting foot	
<u>15th Street from F 1/4 Road to Ridge Drive:</u>	
Residential east side:	
750.49 abutting feet\$51.00 per abutting foot	
Levied by Power of Attorney east side:	
713.00 abutting feet\$76.00 per abutting foot	
Residential west side:	
1,773.00 abutting feet\$32.00 per abutting foot	
<u>13th Street North of Hermosa Avenue terminating at cul-de-sac:</u>	
Residential:	
436.11 abutting feet\$43.00 per abutting foot	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount north sidepartial \$623 per lot	
<u>Hermosa Avenue from 13th Street to 15th Street:</u>	
Residential:	
Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Subpartial \$643 per lot	
Levied by Power of Attorney:	
620.00 abutting feet\$72.00 per abutting foot	

Lots 1 thru 20 Blk 5 and Lots 1 thru 20 Blk 6 Fairmount North Sub maximum share of total cost is \$2,016 per each lot for 15th Street, 13th Street and Hermosa Avenue.

To the estimated assessable cost of \$385,507.00 (said amount

reflects estimated credit for existing curb, gutter and/or sidewalk) to be borne by the property owners, there shall be added six (6) percent for costs of collection and incidentals, and also interest at the rate borne by the special assessments bonds of said district to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided that all such assessments, at the election of the owners of the property in said district, may be paid in ten (10) annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Interest not to exceed the amount established by the City Council in the assessing ordinance shall be charged on unpaid installments.

On \_\_\_\_\_, at the hour of 7:30 o'clock p.m. in the City-County Auditorium at City Hall of said City, the Council will consider objections that may be made in writing concerning the proposed improvements, by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado this 19th day of December, 1984.

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

By: /s/ Neva B. Lockhart, CMC

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

PASSED and ADOPTED this 19th day of December, 1984.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

Upon motion by Councilwoman Kreissler, seconded by Councilman

Holmes and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 71-84 CONCERNING DIRECTORS' TERMS ON THE WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY

The following Resolution was read:

RESOLUTION NO. 71-84

CONCERNING DIRECTORS' TERMS FOR WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY.

WHEREAS, certain members of the Board of Directors of the Walker Field Airport Authority have been appointed to complete terms of prior members, and;

WHEREAS, the Board of Directors of Walker Field Airport Authority desire to adjust the terms of the members of the Board of Directors so that no more than two terms will expire in any one year; and

WHEREAS, the existing directors and the expiration of their terms are as follows:

1. Maxine Albers (completing George White's term) 12/31/84
2. M.A. Cornelison (completing Maxine Albers' term) 12-31-84
3. Bill Love (completing Dick Pond's term) 12/31/84
4. Frank Dunn (appointed to his own four year term) 5/28/85
5. Janine Rider (appointed to her own four year term) 9/21/87
6. Dave Humphries (completing Louie Brach's term) (now vacant) 5/26/87
7. Ron Gibbs (appointed to his own four year term) 5/17/88

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION that the following terms be adopted by the Walker Field Airport Authority Board of Directors:

<u>Term Begins</u> <u>Term Expires</u>		
Director #1 County Commissioner	1/1/85	12/3

1/88		
Director #2 County Resident 7/1/85 6/30/89		
Director #3 County Resident 1/1/83 12/31/86		
Director #4 City Council 1/1/86 12/31/89		
Director #5 City Resident 1/1/84 12/31/87		
Director #6 City Resident 7/1/83 6/30/87		
Director #7 At- large 7/1/84 6/30/88		

BE IT FURTHER RESOLVED that future Directors shall be appointed to commence their terms as set out above, and, as allowed by Article III, Section 3, the existing Directors shall continue to serve until a successor shall have been appointed and qualified.

PASSED and ADOPTED this 19th day of December, 1984.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

RESOLUTION NO. 72-84 EXPRESSING OPPOSITION TO SALES TAX "SIMPLIFICATION" LEGISLATION WHICH WOULD ELIMINATE LOCAL CONTROL OF MUNICIPAL SALES TAX BASE AND SALES AND USE TAX ENFORCEMENT

The following Resolution was read:

RESOLUTION NO. 72-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, EXPRESSING OPPOSITION TO SALES TAX "SIMPLIFICATION" LEGISLATION WHICH WOULD ELIMINATE LOCAL CONTROL OF THE MUNICIPAL SALES TAX BASE AND LOCAL CONTROL OF SALES AND USE TAX ENFORCEMENT.

WHEREAS, the City of Grand Junction has a sales and use tax which is levied, collected and enforced locally; and

WHEREAS, the municipal sales and use tax is the principal tax source for our municipality, raising in 1983 \$5,627,187 in revenue in comparison with only \$1,644,654 raised from the municipal property tax; and

WHEREAS, sales tax simplification legislation recommended by the interim Business Issues Committee for consideration during the 1985 legislative session would require the local sales tax base and definitions to conform with the state base and definitions, centralize enforcement and auditing powers and procedures in the State Department of Revenue, prohibit application of use taxes to storage, and generally reduce local sales and use tax revenues of home rule municipalities; and

WHEREAS, the state base has become unreliable and smaller in recent years through enactment of many exemptions; and

WHEREAS, the City of Grand Junction supports many revisions in the sales and use tax system which will streamline state and local sales and use taxes without major loss of local control or local revenues;

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

That the City Council:

\* Opposes any sales tax legislation which ties the local sales and use tax to the state tax base with or without local options because it eliminates local control of a major revenue source;

\* Opposes granting the Department of Revenue unilateral authority to determine and control all definitions relating to local sales tax bases because this lessens vital local control of the tax;

\* Opposes centralization of auditing, enforcement and appeals authority in the Department of Revenue because Department staffing does not permit adequate auditing and enforcement;

\* Opposes loss of authority for municipalities to impose use taxes on storage because of the revenue loss to the City;

\* Opposes state legislative control of exemptions because while it is normally otherwise, lobbying at the state level has been more effective in securing exemptions than at the local level;



\* Supports legislation drafted by the Colorado Municipal League which would simplify the sales tax system without unduly interfering with local control of the sales and use tax by, among other things:

Requiring use of a standardize sales and use tax reporting form for all home rule municipalities which collect their own sales tax;

Providing single audit sales and use tax protection at the option of the taxpayer rather than mandatorily for all taxpayers operating in more than one jurisdiction;

Authorizing statutory municipalities and counties to conduct sales tax audits subject to procedures and requirements established by the Department of Revenue;

Making procedures of home rule municipalities uniform with the state's with respect to various collection and enforcement procedures;

Prohibiting double taxation of sales and use tax transactions;

Accelerating remittance of Department of Revenue collections to those municipalities and counties whose sales taxes are collected by the state;

Simplifying taxation of construction and building materials;

Requiring municipalities to provide geographical maps or location guides to retailers; and

Establishing a task force within state government of state and local officials and business representatives to standardize sales and use tax definitions and otherwise streamline state sales and use tax practices.

BE IT FURTHER RESOLVED that the City Council urges its senators and representatives to support sales tax simplification legislation as outlined above and vigorously oppose any state legislation which would provide for state control of the local sales and use tax base, centralize enforcement activities in the Department of Revenue, or otherwise result in the loss of local control and local revenues, and support the Colorado Municipal League toward these ends.

PASSED and ADOPTED this 19th day of December, 1984.

/s/ J. P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried by roll call vote, the Resolution was passed and adopted as read.

GRAND JUNCTION RURAL FIRE DISTRICT CONTRACT - CITY MANAGER AUTHORIZED TO SIGN - \$817,792

Upon motion by Councilman Phipps, seconded by Councilman Holmes and carried, the Contract with the Grand Junction Rural Fire District was approved and the City Manager was authorized to sign.

AGREEMENT BETWEEN CITY AND COUNTY JOINTLY ESTABLISHING OFFICE OF EMERGENCY PREPAREDNESS AND AUTHORIZING THE PRESIDENT OF THE COUNCIL TO SIGN

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried, the Agreement between the City of Grand Junction and the County of Mesa jointly establishing the office of emergency preparedness was approved and the President of the Council was authorized to sign said Agreement.

RESOLUTION NO. 73-84 SEEKING THE LOCATION OF A PSYCHIATRIC FACILITY IN THE CITY OF GRAND JUNCTION

The following Resolution was read:

RESOLUTION NO. 73-84

SEEKING THE LOCATION OF A PSYCHIATRIC FACILITY IN THE CITY OF GRAND JUNCTION.

WHEREAS, St. Mary's Hospital is involved with Health Care International in a joint venture seeking a 50-bed, free-standing psychiatric facility in the City of Grand Junction and is seeking approval from the Health Facilities Review Council for such a facility; and

WHEREAS, there is a need for such a facility as the area does not have an appropriate level of care and many persons are forced to leave the area for in-patient care in Denver or Salt Lake City; and

WHEREAS, the City of Grand Junction affords an accessibility for Western Slope which is not afforded by other cities and may more cost effectively operate such a facility than other locations;

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

That the Health Facilities Review Council be strongly urged to

issue the certificate of necessity to permit the location of the psychiatric facility in the City of Grand Junction under the joint venture proposed by St. Mary's Hospital and Health Care International.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Council to become a part of the record in the hearing.

PASSED and ADOPTED this 19th day of December, 1984.

/s/ J. P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried by roll call vote, the Resolution was passed and adopted as read.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk