

Grand Junction, Colorado

February 19, 1986

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of February, 1986, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were John Bennett, James Leland, Steve Love, Gary Lucero, Timothy Mannion, Reford Theobald, and President of the Council Ray Phipps. Also present were City Manager Mark Achen, City Attorney Gerald Ashby and City Clerk Neva Lockhart.

Council President Phipps called the meeting to order and Councilman John Bennett led in the Pledge of Allegiance.

INVOCATION

Reverend Cynthia Moore, First Christian Church.

MINUTES

Upon motion of Councilman Leland, seconded by Councilman Love and carried, the minutes of the February 5, 1986, meeting were approved as submitted.

PROCLAMATION DECLARING FEBRUARY 24 THROUGH MARCH 2, 1986, "POWDERHORN WEEK"

HEARING - PROPOSED ORDINANCE - ZONING SUNSET TERRACE REPLAT ANNEXATION RSF-4, NW CORNER OF 261/2 ROAD AND G ROAD

A hearing was held after proper notice on the petition by the City of Grand Junction to zone Sunset Terrace Replat Annexation RSF-4 (Residential Single-Family, approximately 4 units per acre). The Annexation consists of approximately 40 acres located on the northwest corner of 261/2 Road and G Road. There were no opponents, letters or counterpetitions.

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

HEARING - PROPOSED ORDINANCE - REZONE NEIGHBORS RV PARK FROM PREC TO PRVR - NW CORNER OF 24 ROAD AND G ROAD

A hearing was held after proper notice on the petition by the Grand Junction Planning Department to rezone Neighbors RV Park from PREC (Planned Recreation Zone) to PRVR (Planned Recreational Vehicle Resort Zone). The area is approximately 77.8 acres located on the northwest corner of 24 Road and G Road. 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 of Councilman Lucero, seconded by Councilman Mannion and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - TEXT AMENDMENT TO THE GRAND JUNCTION ZONING & DEVELOPMENT CODE - SECTION 4-4-2F REGARDING THE VOTE REQUIRED OF THE CITY COUNCIL TO OVERTURN A PLANNING COMMISSION DECISION APPROVING A CHANGE OF ZONING

A hearing was held after proper notice on the petition by the City Attorney for an amendment to the Grand Junction Zoning and Development Code in Section 4-4-2F regarding the vote required of the City Council to overturn a Planning Commission decision approving a change of zoning. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE CHANGING THE VOTE REQUIRED OF THE CITY COUNCIL TO OVERTURN A PLANNING COMMISSION DECISION APPROVING A CHANGE OF ZONING. Upon motion of Councilman Love, seconded by Councilman Leland and carried with Councilman LUCERO voting NO, the proposed ordinance was passed for publication.

HEARING - RESOLUTION NO. 11-86 - PROPOSED ORDINANCE - PARADISE HILLS ANNEXATION #1, NW CORNER OF H ROAD AND 27 ROAD

A hearing was held after proper notice on the petition for Paradise Hills Annexation #1 located on the northwest corner of H Road and 27 Road. There were no opponents, letters or counterpetitions.

The following Resolution was read:

RESOLUTION NO. 11-86

WHEREAS, on the 15th day of January, 1986, 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:

Beginning at the Southeast corner of Lot 12, Block 2, Crossroads Colorado West, Filing #2, thence westerly along the North line of Interstate 70 right-of-way to the West line of Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North along said West line to the Northwest corner of said Section 36, thence North along the East line of Section 26, Township 1 North, Range 1 West, Ute Meridian to the Northeast corner of Lot 10, Block 2, Paradise Hills Subdivision, Filing #6, thence Westerly along the Northerly line of said Filing #6 to the East line of Lanai Drive, thence Southerly along said East line of Lanai Drive to the

intersection with the Northerly line of Mazatlan Drive, thence proceeding Easterly, South and West along the right-of-way of Mazatlan Drive (which is the property line for Block 2), Paradise Hills Subdivision, Filing #6) to the intersection with the East line of Lanai Drive, thence South along said East line of said East line project to the South line of Section 26, Township 1 North, Range 1 West, Ute Meridian, thence East along said South line to a point 30 feet West of the Southeast corner of said Section 26, thence South along the West line of 27 Road right-of-way to the centerline of Interstate 70 right-of-way, thence Easterly along said centerline to a point South of the point of beginning, thence North to the point of beginning;

and

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of February, 1986; 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; that no land held in single ownership has been divided by the proposed annexation; that no land held in identical ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent, and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, 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 19th day of February, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Love, seconded by Councilman Theobold and carried by roll call vote with Councilman LUCERO voting NO, the Resolution was passed and adopted as read.

The following proposed ordinance was called up for final passage and the title read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. Upon motion of Councilman Love, seconded by Councilman Theobald and carried with Councilman LUCERO voting NO, the proposed ordinance was passed for publication.

BIDS - AWARD OF CONTRACT - 28.6 ORCHARD AVENUE REPLACEMENT BRIDGE PROJECT - 40-DAY CONTRACT - BEN DOWD EXCAVATION - \$115,477.06

Bids were received and opened February 13, 1986, on the 28.6 Orchard Avenue Bridge Replacement Project. Bidders were:

	Total Bid (40 Days)	Total Bid (30 Days)
Ben Dowd Excavation	\$115,477.06	\$132,027.06
G.R. Construction, Inc.	\$119,336.22	\$128,936.22
Commercial Services Construction	\$121,134.00	\$126,134.00
Parkerson Construction	\$122,394.65	\$128,394.65
Francis Construction	\$129,843.33	\$134,843.33
United Companies of Mesa County	\$138,431.32	\$152,431.32
Pipeline Services, Inc.	\$140,311.15	\$143,311.15
Roche Constructors, Inc.	\$143,699.86	\$147,699.86
Lyle States Construction, Inc.	\$151,158.61	\$158,358.61
Johnson Construction	\$153,282.39	\$159,540.39
Elam Construction, Inc.	\$154,869.91	\$163,569.91
Franklin Construction Co.	\$156,883.20	\$165,883.20
Engineer's Estimate	\$140,283.10	\$148,283.10

Staff did not feel that the time saved by the 30-day contract time warranted the additional expense of \$10,656.94. They recommended award of contract to Ben Dowd Excavating for the 40-day contract time. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the bids were accepted, the contract was awarded to Ben Dowd Excavation, 40-days, for its bid of \$115,477.06, and authorized the City Manager to sign said contract.

BIDS - AWARD OF CONTRACT - REPLACEMENT TRAFFIC PAINT STRIPER - WESTERN STATES MACHINERY - \$62,000

City Manager Achen explained that this bid was for the purchase of a new paint striper to replace the existing unit. This unit has a faster speed and higher capacity. The proposal is related to some extent to action Council took at its last Council meeting authorizing a contract with the State Department of Highways to expand the amount of work that the City does on State Highways. Mr. Achen stated that the increase in that contract will be sufficient to cover the City's cost for the purchase of this equipment above and beyond what we would normally expect to just replace the equipment we have. Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the bid was accepted from Western States Machinery in the amount of \$62,000.

PROPOSED ORDINANCE CONCERNING HOLIDAYS AS DEFINED IN THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES

The following entitled proposed ordinance was read: AN ORDINANCE CONCERNING HOLIDAYS AS DEFINED IN THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES. Upon motion of Councilman Leland, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE SETTING THE SALARY OF THE CITY MANAGER

The following entitled proposed ordinance was read: ESTABLISHING THE SALARY OF THE CITY MANGER. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

Proofs of Publication on the following Ordinances proposed for final passage have been received and filed. Copies of the Ordinances proposed for final passage have been submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2267 - CONCERNING CHILDREN IN BARS OR LOUNGES

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final

passage and the title read: CONCERNING CHILDREN IN BARS OR LOUNGES.

There were no comments. Upon motion of Councilman Lucero, seconded by Councilman Mannion and carried by roll call vote, the Ordinance was passed, adopted, numbered 2267, and ordered published.

ORDINANCE NO. 2268 - AMENDING THE NON-SMOKING ORDINANCE IN PREMISES LICENSED FOR ON-PREMISES CONSUMPTION OF BEER OR MALT, VINOUS OR SPIRITUOUS LIQUORS

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AMENDING THE NON-SMOKING ORDINANCE IN PREMISES LICENSED FOR ON-PREMISES CONSUMPTION OF BEER OR MALT, VINOUS OR SPIRITUOUS LIQUOR.

There were no comments. Upon motion of Councilman Lucero, seconded by Councilman Love and carried by roll call vote with Councilman BENNETT ABSTAINING, the Ordinance was passed, adopted, numbered 2268, and ordered published.

RESOLUTION NO. 12-86 APPOINTING A DEPUTY MUNICIPAL COURT JUDGE - ELIZABETH K. JORDAN

The following Resolution was presented and read:

RESOLUTION NO. 12-86

APPOINTING A DEPUTY MUNICIPAL COURT JUDGE.

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

That Elizabeth K. Jordan is hereby appointed Deputy Municipal Court Judge of the Municipal Court of the City of Grand Junction until further resolution of the City Council.

PASSED and ADOPTED this 19th day of February, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Love, seconded by Councilman Theobold and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 13-86 RENAMING EAST FORESIGHT STREET TO EISENHAUER

STREET

The following Resolution was presented and read:

RESOLUTION NO. 13-86

CONCERNING THE RENAMING OF A CERTAIN STREET IN THE CITY OF GRAND JUNCTION.

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

That EAST FORESIGHT STREET North from the Southwest corner of Lot 8, Block 10, Foresight Park for Industry Filing #3 shall be renamed EISENHAUER STREET.

PASSED and ADOPTED this 19th day of February, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Love, seconded by Councilman Theobold and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 14-86 PROVIDING FOR THE INCLUSION OF AN ORDINANCE AUTHORIZING OFF-STREET PARKING DISTRICTS INTO THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION

The following Resolution was presented and read:

RESOLUTION NO. 14-86

PROVIDING FOR THE INCLUSION OF AN ORDINANCE AUTHORIZING OFF-STREET PARKING DISTRICTS INTO THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION.

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

That Ordinance No. 1807, adopted on the 21st day of March, 1979, entitled:

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF PUBLIC OFF-STREET PARKING DISTRICTS AND ENUMERATING THE POWERS OF THE CITY COUNCIL WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, INSTALLATION, FINANCING, AND OPERATION OF IMPROVEMENTS THEREIN,

is hereby included in the Code of Ordinances of the City of Grand

Junction as Article II of Chapter 18 of said Code of Ordinances.

PASSED and ADOPTED this 19th day of February, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Lucero, seconded by Councilman Love and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 15-86 ESTABLISHING THE COMPENSATION SCHEDULE FOR THE NON-CLASSIFIED PERSONNEL OF THE CITY

The following Resolution was presented and read:

RESOLUTION NO. 15-86

ESTABLISHING THE COMPENSATION SCHEDULE FOR THE NON-CLASSIFIED PERSONNEL OF THE CITY.

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

1. The salaries for the year 1986 for the non-classified personnel of the City are as follows:

Classification Monthly Salary

Assistant to the Manager \$2275

City Attorney \$3825

City Council Member (P/T) \$100

City Council President (P/T) \$125

City Manager \$4500

Finance Director \$3584

Fire Chief \$3750

Information Services Director \$3542

Municipal Court Judge (P/T) \$1350

Parks & Recreation Director \$3465

Personnel Director \$2908

Planning Director \$2936

Police Chief \$3897

Public Works & Utilities Director \$3938

2. In addition to the base salary listed above, each employee is eligible for a performance-based bonus which is not to exceed 2% of the employee's salary.

3. Salaries indicated in this Resolution are maximum salaries to be paid for all offices and positions and are not automatic, but are subject to the discretion of the City Manager.

4. This Resolution amends Resolution No. 8-86.

PASSED and ADOPTED this 19th day of February, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Love, seconded by Councilman Leland and carried by roll call vote, the Resolution was passed and adopted as read.

CONTRIBUTION TO MCEDC FOR TUMAC DEVELOPMENT - \$21,000

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the expenditure of \$21,000 from the General Fund Contingency Funds was authorized to be paid to the Mesa County Economic Development Council for the City's portion of TUMAC development.

PROPOSED POLICY ADOPTED FOR PETITIONED STREET AND ALLEY IMPROVEMENT DISTRICTS

The following Policy Recommendation for PETITIONED Street and Alley Improvement Districts was reviewed:

Policy Recommendation for PETITIONED Street and Alley Improvement Districts

Department of Public Works

Engineering Division

The policy recommendations contained in this outline are intended for use on petitioned improvement districts only and at this time are not applicable to improvement districts which have been prescribed by the City Council.

I. Requirements for an Eligible Petition:

- 1) The owners of one-third or more of the frontage of the real estate to be assessed in the improvement district must have legally signed the petition for improvements.
- 2) Only landowners are eligible to sign the petition for improvements. A landowner is defined by statute as persons in whom the record fee title is vested. In the case of joint tenancy, both vested parties must sign the petition in order to bind the land.
- 3) To permit sufficient time for budgeting, design, and the creation of the district, all signed petitions must be submitted to the office of the City Engineer no later than August 31 of the year proceeding the creation of the district.
- 4) Petitions for double penetration seal coats must be approved by the City Council prior to the circulation of the petition. Double penetration seal coating will only be considered on low-volume residential streets that have adequate drainage and a sufficient base for supporting a seal coat.

II. Right to Protest:

If within the time specified in the Notice of Intention to Create the District, a protest against the making of all the improvements may be filed with the City Council. If the owners of a greater percent of the frontage of the real estate to be assessed for the improvements than had signed the petition file for protest, the improvements shall not be made. No owner, his heirs or assigns, who shall have signed a petition or a Power of Attorney with the City shall be permitted to sign a protest against the proposed improvements.

III. Withdrawal of Signatures:

Only if the City Council fails to order such improvements within nine (9) months from the time the petition is filed shall a petitioner, his heirs or assigns be allowed to withdraw his name from the petition.

IV. Distribution of Street and Alley Assessment Costs:

- 1) The distribution of street and alley improvements costs between the individual property owner and the City is primarily a function of the present zoning of the parcel in question. For the purposes of this policy, the following zoning classifications will be used

when determining cost distribution.

a) Residential Classification

Parcels zoned "RSF-4", residential single family, thru "RMF-64", residential multi-family, and all "PR", planned residential zonings.

b) Non-Residential Classification

Parcels zoned "B-1", Business, thru "B-3", "C-1" and "C-2", Commercial, "I-1" and "B-2", Industrial, "P", Parking, "HO", Highway Oriented, or "PZ", Public Zone.

NOTE: Parcels for which Powers of Attorney for street or alley improvements have been acquired by the City to provide the petitioned improvements or those which have been required under the subdivision process of the City to provide such improvements will be classified as non-residential.

2) For the purposes of this policy, the assessable project costs will be apportioned as follows:

a) Streets and Unimproved Alleys

1) For residential properties abutting or contiguous to the street or right-of-way in which the improvements are created, the City and each abutting property owner shall pay for one-third of the total assessable cost of a residential street or alley.

2) All non-residential property shall be assessed the full assessable cost for one-half of the street or alley improvement abutting their property, not to exceed the cost of one-half of a commercial street or alley.

b) Previously Improved Alleys

1) For residential properties abutting or contiguous to the alley improvements, the City will pay for one-half of the total assessable alley cost and each abutting property owner shall pay for one-quarter of the total assessable alley cost.

2) For non-residential properties abutting or contiguous to the alley improvements, the City will pay for one-third of the total assessable alley cost and each abutting property owner shall pay for one-third of the total assessable alley cost.

c) Double Penetration Street Surfacing - Total cost for double penetration treatment shall be borne by the abutting property owners.

d) Residential Corner Lots

A residential corner lot is defined as a subdivided lot that abuts

intersecting streets on adjacent sides. Corner lots meeting this criteria shall be assessed only the amount of footage equaling that of the longest side that abuts one of the streets. Non-residential corner lots may be assessed on all sides abutting improvements.

- 3) The assessable project costs shall include the following costs:
 - a) Construction costs.
 - b) Administrative costs.
 - c) Engineering design and inspection costs.

Each owner's share of these project costs plus the interest on the improvement district bonds shall be the entire assessment except in the case of election to pay in installments.

- 4) The property owner's share of the project cost shall be given in the petition as a dollar amount per abutting foot. There shall be two amounts stated; a cost per foot for residential property, and a cost per foot for non-residential property. This cost shall be a maximum, and is not to be exceeded, although actual costs may cause it to be reduced. Once the project is completed, the actual total cost per abutting foot is computed. The appropriate percentage is then applied to the total cost per foot and multiplied by the footage of the property owner's lot line abutting the improvements. This shall be the owner's share of the project cost.

- 5) The entire assessment shall be due and payable within thirty (30) days after notification by final publication of the assessing ordinance. At this time the property owner has the choice to pay the entire assessment in cash or elect to pay in installments. If the owner elects to pay in installments there will be a one time charge of 6% for the cost of collection and other incidentals added to the assessment, and then this amount will be amortized over a ten (10) year period (except for streets treated with a double penetration surfacing which will be amortized over a four (4) year period) with simple interest at the same rate of the average interest of the improvement district bonds when they were sold.

V. Timetable for Improvement District Procedures:

For the purposes of establishing a firm and consistent yearly schedule, the Public Works Staff recommends that the following timetable be adopted:

- 1) Notice that petition for street and alley improvement districts are being accepted by the Office of the City Engineer, Public Works Department, is planned to be published in a local newspaper of general circulation in the City once in March, April, and May of the year preceding the district. The Public Works Department

will also distribute notices to individual locations throughout the City which have been targeted as needed street and alley improvements.

2) Requested petitions will be prepared by the Office of the City Engineer and circulated by the owners of the property desiring improvements. The deadline for the return of the petitions shall normally be August 31 of the year preceding the improvement district.

3) The Public Works Department will assign priorities to those streets and alleys for which petitions have been returned. The following criteria will be used for assigning priorities for street and alley improvements;

a) Percentage of the owners of the assessable footage signing the petition. For the reason that protest filed by the owners of a greater percent of the assessable footage can cancel the improvement district, petitions signed by owners of more than 50% of the assessable footage will be given greater consideration.

b) The physical condition and serviceability of the petitioned improvement districts will be a factor when assigning properties.

c) The Public Works Department will take traffic counts on petitioned improvement districts to determine if traffic volume necessitates a higher priority.

4) The prioritized list of eligible improvement districts will be submitted to the City Manager by October 1st.

5) The list of streets and alleys to be designed should be approved by the City Council in November.

6) Engineering design of the proposed list of streets and alleys should begin in February. Construction plans, specifications and estimates of construction costs should be prepared for City Council review in March. At that time the Council may:

a) State their Intent to Create an Improvement District in the form of a resolution, which identifies those streets and alleys to be included.

b) Adopt the construction plans, specifications and engineer's cost estimates in the form of a resolution.

c) Give Notice of Hearing to Create the Improvement District.

1) The notice of this hearing shall be published in a local newspaper thirty (30) days before the hearing date.

2) The City Engineering Department will send a letter to all affected property owners with a copy of the published notice attached.

7) Following the City Council's resolution for their Intent to Create the Improvement District, the Engineering Department will advertise for bids for bonds and for the construction of the improvements. The opening of construction and bond bids to determine the successful bidder should be held before the end of March.

8) At the City Council session in the month of April, the Council may:

a) Hold a hearing for the creation of the Improvement District.

b) Consider public input from the affected property owners in the district.

c) Award construction contracts and bonding contracts to the successful bidders.

9) Construction of the improvement district will begin soon after the award of the contract and should be completed before October.

10) Following the contractor's completion of the contract and the Public Works Department acceptance of the work the City Engineer shall prepare a statement of completion, listing the details of the improvement district costs and proposed assessments.

11) At the first City Council session in October, the City Council may present the City Engineer's statement of completion and give Notice of Assessments affecting property owners.

a) The notice is to be advertised three (3) times within the next thirty (30) days.

b) The Public Works Department will send a letter to all affected property owners with a copy of the published notice attached.

12) At the City Council session in November, the Council may:

a) Determine final assessments to affected property owners.

b) Consider public input from the affected property owners.

c) Propose the assessment ordinance which will be published once within ten (10) days after this Council session.

13) At the second City Council session in November, the Council may hold the final reading of the assessing ordinance.

14) The Public Works Department will advertise the ordinance once within three (3) days and send a letter giving final Notice of Assessments with a copy of the published notice attached to the affected property owners.

15) The property owner has thirty (30) days after the published notice to pay the assessment in cash. At the end of the thirty (30) day period all of the remaining unpaid assessments will be given to the County Treasurer for collection over a ten (10) year period with annual installments.

16) The first installment on the ten (10) year payment plan should be in January 1.

NOTE: The above timetable should be implemented in 1986 for the 1987 Street Improvement District. This timetable shall not apply to the 1986 Street Improvement District.

VI. City's Obligation for Maintenance of Improved Streets and Alleys:

1) Streets:

a) There is no time limit governing the City's responsibility for maintenance of streets improved through a special improvement district. The City shall be responsible for the continual maintenance of streets improved through this process.

2) Alleys:

a) The minimum serviceable life of an alley improved with an asphalt pavement is approximately twenty (20) years. The City will be responsible for the maintenance of alley surfaces improved with asphalt paving for a minimum of twenty (20) years, beginning on the date that the alley improvements are accepted by the City Engineer. Alleys improved with asphalt paving which remain serviceable beyond the twenty (20) year period will continue to be maintained by the City. When an alley improved with asphalt pavement has become more than twenty (20) years old, and has deteriorated to the extent that it can no longer be reasonably maintained in a serviceable condition, the abutting property owners may again be subject to assessment for improvements.

b) There shall be no time limit governing the City's responsibility for the maintenance of alleys surfaced with Portland Cement Concrete Pavement through a special improvement district. The City shall be responsible for the continual maintenance of alleys improved through this process. Alleys improved with concrete pavement may have a higher initial cost than those improved with asphalt pavement.

3) Double Penetration Surfaced Streets.

The average serviceable life of a street improved with double penetration seal coat is approximately five (5) years. However, double penetration street surfacing is considered to be a temporary improvement and the City is not obligated to replace these improvements in the occurrence of deterioration. Should the City Council determine that full street improvements are necessary

in these areas at some time in the future, the benefited property may be assessed in accordance with Section IV of this document.

Upon motion of Councilman Leland, seconded by Councilman Love and carried, the Policy Recommendation for Petitioned Street and Alley Improvement Districts was adopted as presented.

APPROVAL OF CONTRACT WITH DEPT. OF LOCAL AFFAIRS FOR ECONOMIC DEVELOPMENT INCENTIVE GRANT - EMERSON MUSIC - \$100,000

Upon motion of Councilman Mannion, seconded by Councilman Lucero and carried, the Contract with the Department of Local Affairs for Economic Development Incentive Grant in the amount of \$100,000 for the Emerson Music project was approved and the President of the Council was authorized to sign said Contract.

ORCHARD AVENUE STOP SIGNS

Comments were had from Leola Springer, 1725 Orchard, who appeared before Council to oppose the removal of the Stop Signs on Orchard Avenue at 15th Street and 23rd Street. She stated that she believed Council made a mistake and she would like them to reconsider the action to remove the Stop Signs. She presented a petitioned signed by a number of people objecting to the removal of the 4-way stop signs at 15th and Orchard and 23rd and Orchard.

Muriel Myers, 1700 Orchard Avenue, read a letter from a parent, Mary Whillhite, 1630 North 15th Street, requesting that the stop signs be replaced and make it safer for children to play and walk to school. Mrs. Myers also requested the signs be replaced. She said she felt she had a contract with the City when the 4-way stop signs were installed, and now the problem is worse since the removal of the signs.

Lorraine Boskey, 552 28 Road, said that she lives at 28th and Orchard and she was in a pretty good position to tell Council what was going on with the changing or taking away of the stop signs at 15th and 23rd. The traffic is barreling down there very, very fast and reaching her corner with screeches. She said the corner was a problem until it was restriped and the flashing red light was put in. After that, everything was fine. She felt the City should know about it because it's creating a problem that is more than the City realizes. She asked if the City, before making a decision like that, could consult the residents or at least do it on an experimental basis.

Mike Rogers, 1400 Block Orchard, appeared before council in support of the ladies regarding the signs at 15th and Orchard and 23rd and Orchard. He requested that Council reconsider the safety, if nothing else, of the traffic signs being reinstalled.

Councilman Lucero encouraged Council to consider the petition and the comments of the people regarding the 15th Street and Orchard Avenue stop sign.

CITIZEN COMPLAINT

Bill Solinski, Northwest Machine Works, telephone number 242-1356, appeared before Council to ask why the City has never placed a bid with his company. Council told him they would look into it and try to get back to him.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk