

CITY OF GRAND JUNCTION, COLORADO MINUTES OF THE REGULAR MEETING OF  
THE CITY COUNCIL

July 5, 1989

The City Council of the City of Grand Junction, Colorado, convened in regular session the 5th day of July, 1989, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, Bill McCurry, Conner Shepherd, Reford Theobold, and President of the Council R.T. Mantlo. Councilmen Paul Nelson and O.F. Ragsdale were absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

President of the Council Mantlo called the meeting to order, and Councilman Theobold led in the Pledge of Allegiance.

INVOCATION - Jack Cronkhite, Clifton Christian Church.

MINUTES

There being no corrections or additions to the minutes of the June 7, 1989, regular City Council meeting, they were approved as submitted.

PROCLAMATION DECLARING JULY, 1989, AS "RECREATION AND PARKS MONTH"  
IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING JULY 21 THROUGH JULY 29, AS "DINOSAUR DAYS  
1989"

APPOINTMENT TO THE GRAND JUNCTION PLANNING COMMISSION

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried, Sheilah Renberger was appointed to the Grand Junction Planning Commission with the term expiring May 30, 1993.

APPOINTMENT TO THE CONVENTION AND VISITORS BUREAU

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried, Juli Henrikson was appointed to fill the unexpired term of Mike Serra on the Convention and Visitors Bureau; said term to expire December 31, 1989.

APPOINTMENT TO THE PARKS AND RECREATION ADVISORY BOARD

Upon motion by Councilman McCurry, seconded by Councilman Shepherd and carried, Lynn James, M.D., was reappointed to a three-year term on the Grand Junction Parks and Recreation Advisory Board; said term to expire August, 1992.

BIDS - AWARD OF CONTRACTS

Street Reconstruction, 1989 - Elam Construction - \$184,984.65

Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the bids were accepted and the Contract for Street Reconstruction, 1989, was awarded to Elam Construction in the amount of \$184,984.65, and the City Manager was authorized to sign said Contract.

Street Patching, 1989 - G & G Paving - \$46,975.00

Upon motion by Councilman Shepherd, seconded by Councilman McCurry and carried, the bids were accepted and the Contract for Street Patching, 1989, was awarded to G & G Paving in the amount of \$46,975.00, and the City Manager was authorized to sign said Contract.

Traffic Signal Poles and Installation for Horizon Drive/Crossroads Project - Signal Poles (4 each) - Marquardt/Herbert Lighting Systems - \$12,920 - Installation of Signal Poles - Colorado Signal - \$22,032

Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the bids were accepted and the Contract for four (4) each signal poles was awarded to Marquardt/Herbert Lighting Systems in the amount of \$12,920, and the Installation of the Signal Poles was awarded to Colorado Signal in the amount of \$22,032, and the City Manager was authorized to sign said contracts.

Water Slide Landscaping - Sarg Construction - \$15,696 and Clarke and Company - \$6,299

Upon motion by Councilman McCurry, seconded by Councilman Shepherd and carried, the bids were accepted and the Contract for the Water Slide Landscaping was awarded to Sarg Construction in the amount of \$15,696 and to Clarke and Company in the amount of \$6,299, and the City Manager was authorized to sign said contracts.

HEARING - APPLICATION BY THE GRAND JUNCTION DOWNTOWN ASSOCIATION FOR A FERMENTED MALT BEVERAGE SPECIAL EVENTS PERMIT ON JULY 22, 1989, IN THE 300 BLOCK OF MAIN STREET FOR DINOSAUR FAIR AND FOOD FEST AND STEGASOURAS STOMP - FOURTH PERMIT

A hearing was held after proper notice on the application by the Grand Junction Downtown Association for a Fermented Malt Beverage Special Events Permit on July 22, 1989, from 2:00 p.m. to 11:30 p.m. in the 300 block of Main Street for the Dinosaur Fair and Feed Fest and Stegasouras Stomp. Jeff Bassinger, Vice President of the Downtown Association, was present to speak in favor of the application. There were no opponents, letters, or counterpetitions. Upon motion by Councilman McCurry, seconded by Councilman Shepherd and carried, the application was approved.

PROPOSED ORDINANCE - ANNEXING PATTERSON ROAD RIGHT-OF-WAY BETWEEN APPROXIMATELY 25 3/4 ROAD AND 26 ROAD

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication.

#### ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2432 - REPEALING AND REENACTING THE CITY OF GRAND JUNCTION ZONING AND DEVELOPMENT CODE (PARTS OR ALL OF CHAPTERS 32 AND 27,) AUTHORIZING PUBLICATION IN PAMPHLET FORM, AND GIVING NOTICE OF HEARING BEFORE ITS FINAL ADOPTION

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AN ORDINANCE REPEALING AND REENACTING THE CITY OF GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Attorney Mark Hermanstadt, 200 N. Sixth Street, representing Ute Water Conservancy District, spoke concerning the wording of this ordinance as it pertains to Ute Water's contract with the City.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed and adopted as amended (deleting Item 6.c.), numbered 2432, and ordered published.

ORDINANCE NO. 2433 - RENUMBERING SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION INVOLVING SUBDIVISIONS AND REPEALING A PROVISION CONCERNING THE KEEPING OF ANIMALS

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried, the following entitled proposed ordinance was called up for final passage and read by title only: RENUMBERING SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION INVOLVING SUBDIVISIONS AND REPEALING A PROVISION CONCERNING THE KEEPING OF ANIMALS.

There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Theobold and carried by roll call vote, the Ordinance was passed, adopted, number 2433, and ordered published.

ORDINANCE NO. 2434 - REZONE FROM PZ TO PR-43-88 (PLANNED RESIDENTIAL 12.3), 3032 NORTH 15TH STREET (NELLIE BECHTEL GARDENS)

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried, the following entitled proposed ordinance was called up for final passage and read by title only: REZONING FROM PZ TO PR 43-88, WITH A DENSITY OF 12.3 UNITS PER ACRE, THE PROPERTY

LOCATED AT 3032 NORTH 15TH STREET, GRAND JUNCTION, COLORADO.

There were no comments. Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2434, and ordered published.

RESOLUTION NO. 24-89 GRANTING REVOCABLE PERMIT TO FRANK AND MARIA CORDOVA, 401 WEST GRAND, FOR RIGHT-OF-WAY ON VINE STREET BETWEEN WEST GRAND AVENUE AND THE HIGHWAY 340 VIADUCT TO CONSTRUCT A CARPORT

The following Resolution was read:

RESOLUTION NO. 24-89

GRANTING A REVOCABLE PERMIT TO FRANK AND MARCIA CORDOVA

WHEREAS, Frank M. and Marcia Cordova have petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to utilize for parking purposes, and for the construction and installation of a carport, all of the road right-of-way for Vine Street lying south of West Grand Avenue and north of the right-of-way for State Highway No. 340 in Carpenter's Subdivision No. 2; and

WHEREAS, the City Council of the City of Grand Junction has determined that such action would not be detrimental to the inhabitants of the City;

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

That the City Manager, on behalf of the City and as the act of the City, is hereby directed to grant the attached Revocable Permit to the above-named petitioners for the purpose above described upon the execution by the petitioners of an agreement that the petitioners will save and hold the City harmless from, and indemnify the City, its officers, employees and agents, any claims or causes of action however stated arising out of the encroachment or use granted, that the City reserves the right to service and maintain any utilities existing within said right-of-way, and that upon revocation of such permit, the petitioners will, within thirty (30) days of notice of revocation, discontinue said encroachment and, at their own expense, restore the right-of-way to its original condition.

PASSED and ADOPTED this 5th day of July, 1989.

/s/ R. T. Mantlo

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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

REVOCABLE PERMIT

WHEREAS, Frank M. and Marcia Cordova have petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to utilize for parking purposes, and for the construction and installation of a carport, all of the road right-of-way for Vine Street lying south of West Grand Avenue and north of the right-of-way for State Highway No. 340 in Carpenter's Subdivision No. 2; and

WHEREAS, the City Council is of the opinion that such action would not be detrimental to the inhabitants of the City at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Frank M. and Marcia Cordova a Revocable Permit to allow use of the property described above for parking purposes; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided, further that the above-named petitioners, in and through the use of the right-of-way as contemplated herein, hereby agree to indemnify the City, its officers, agents and employees and to hold it, its officers, agents and employees harmless from any kind in any manner arising out of, or resulting from the permitted use of the right-of-way for Vine Street, that the City reserves the right to service and maintain any utilities exiting within said right-of-way, and further provided that said petitioners hereby agree that within thirty (30) days of notice of the revocation of such permit, they will, at their sole expense, remove said encroachment and restore the right-of-way to its original condition.

DATED this 6th day of July, 1989.

/s/ Mark K. Achen

\_\_\_\_\_  
City Manager

Attest:

/s/ Neva B. Lockhart, CMC

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

ACCEPTANCE:

;sigl;

/s/ Frank M. Cordova

;sigl;  
/s/ Marcia Cordova

AGREEMENT

Frank M. Cordova and Marcia Cordova, for themselves, their heirs and assigns, do hereby agree that they will abide by each and every condition contained in the foregoing Permit and that they will indemnify the City of Grand Junction, its officers, employees and agents and hold it, its officers, employees and agents harmless from all claims and causes of action as recited in said permit; and further, upon revocation of the permit, they agree to within thirty (30) days of notice of revocation, remove said encroachment and restore the right-of-way to its original condition, all at their own expense.

DATED at Grand Junction, Colorado, this 6th day of July, 1989.

;sigl;  
/s/ Frank M. Cordova

;sigl;  
/s/ Marcia Cordova

STATE OF COLORADO	)	
	)	SS:
COUNTY OF MESA	)	

The foregoing Agreement was acknowledged before me in Mesa County, Colorado, this 6th day of July, 1989, by Frank M. Cordova and Marcia Cordova.

Witness my hand and official seal.

My Commission expires: June 13, 1991

/s/ Theresa F. Martinez

\_\_\_\_\_  
Notary Public

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

RESOLUTION NO. 25-89 AUTHORIZING SALE OF CITY-OWNED PROPERTY

(PARCEL AT APPLEWOOD STREET AND ELDERBERRY CIRCLE) TO DISCOVERY 76 CORPORATION (\$6,000)

The following Resolution was read:

RESOLUTION NO. 25-89

AUTHORIZING THE CONVEYANCE OF LOT 9, BLOCK 19 OF PHEASANT RUN, SPRING VALLEY - FILING NO. SIX

WHEREAS, the City of Grand Junction is the owner of Lot 9, Block 19 of Pheasant Run, Spring Valley - Filing No. Six situate in Section 1, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado; and

WHEREAS, at the regular municipal election held on April 4, 1989, and pursuant to City of Grand Junction Ordinance No. 2402, the registered electors of the City of Grand Junction authorized the City Council to sell the above described property for at least the appraised value thereof, with the requirement that the monies received from said sale shall be deposited in the City's Open Space Fund for the acquisition and/or improvement of park lands; and

WHEREAS, Discovery 76 Corporation, a Colorado corporation, has offered to purchase the above described real estate for Six Thousand Dollars (\$6,000), which is the appraised value of said property.

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

That the City Manager be authorized, as Commissioner to Convey on behalf of the City and as the act of the City, to convey the above described property to Discovery 76 Corporation upon receipt of Six Thousand Dollars (\$6,000) on or before July 31, 1989; provided, however, that the City shall make no warranties concerning the usability of the property nor the stability of the soils thereon; provided, further, that the monies received from said sale shall be deposited in the City's Open Space Fund for the acquisition and/or improvement of park lands.

PASSED and ADOPTED this 5th day of July, 1989.

/s/ R. T. Mantlo

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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

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

RESOLUTION GRANTING REVOCABLE PERMIT TO RAY E. JOHNSTON, 1030 TEXAS AVENUE, TO ERECT FENCE BETWEEN CURB AND SIDEWALK - REMOVED AT THE REQUEST OF MR. RAY E. JOHNSTON

RESOLUTION NO. 26-89 GRANTING A REVOCABLE PERMIT TO CHRISTY BROST AND WILLIAM HERTWIG FOR THE PLACEMENT OF A BURIED 2" IRRIGATION LINE IN THE MOUNT VIEW ROAD RIGHT-OF-WAY FROM THE GREENLINE LATERAL LOCATED AT THE INTERSECTION OF MOUNT VIEW AND SANTA FE DRIVE

The following Resolution was read:

RESOLUTION NO. 26-89

GRANTING A REVOCABLE PERMIT TO CHRISTY G. BROST AND WILLIAM S. HERTWIG

WHEREAS, Christy G. Brost and William S. Hertwig, who represent that they are the owners of the real property described as Lot 58, Mantey Heights Subdivision in Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, have petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow the installation of a buried 2 inch irrigation line in the public right-of-way for Mount View Drive more particularly described as follows:

Beginning at the Greenline Lateral in the intersection of Santa Fe Drive and Mountain View Drive, then North along the right-of-way for Mount View Drive to the Southwest corner of said Lot 58 of Mantey Heights Subdivision, being the point of terminus, and;

WHEREAS, the City Council of the City of Grand Junction has determined that such action would not be detrimental to the inhabitants of the City;

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

That the City Manager, on behalf of the City and as the act of the City, is hereby directed to grant the attached Revocable Permit to the above-named petitioners for the installation of a buried 2 inch irrigation line; provided, however, that the petitioners will not hold the City liable for any damages caused to said irrigation line as a result of the City's maintenance or future installation of roadway improvements within the said Mount View road right-of-way; provided, further, that said Revocable Permit shall be issued only upon the concurrent execution by the petitioners of an agreement that the petitioners will save and hold the City harmless from, and indemnify the City, its officers, employees and



agents, any claims or causes of action however stated arising out of the encroachment or use granted, and that upon revocation of such permit, the petitioners will, within thirty (30) days of notice of revocation, peaceably surrender said right-of-way to the City and, at their own expense, remove any encroachment so as to restore the right-of-way to its original condition.

PASSED and ADOPTED this 5th day of July, 1989.

/s/ R. T. Mantlo

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

Attest:

/s/ Neva B. Lockhart, CMC

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

#### REVOCABLE PERMIT

WHEREAS, Christy G. Brost and William S. Hertwig, who represent that they are the owners of the real property described as Lot 58, Mantey Heights Subdivision in Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, have petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow the installation of a buried 2 inch irrigation line in the public right-of-way for Mount View Drive more particularly described as follows:

Beginning at the Greenline Lateral in the intersection of Santa Fe Drive and Mountain View Drive, thence North along the right-of-way for Mount View Drive to the Southwest corner of said Lot 58 of Mantey Heights Subdivision, being the point of terminus, and;

WHEREAS, the City Council of the City of Grand Junction has determined that such action would not be detrimental to the inhabitants of the City;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Christy G. Brost and William S. Hertwig a Revocable Permit to allow the use of the Mount View road right-of-way described above for the purposes described above; provided, however, that the petitioners will not hold the City liable for any damages caused to said irrigation line as a result of the City's maintenance or future installation of roadway improvements within the said Mount View road right-of-way; provided, further, that said Revocable Permit shall be issued only upon the concurrent execution by the petitioners of an agreement that the petitioners will save and hold the City harmless from, and indemnify the City, its officers, employees and agents, any claims

or causes of action however stated arising out of the encroachment or use granted, and that upon revocation of such permit, the petitioners will, within thirty (30) days of notice of revocation, peaceably surrender said right-of-way to the City and, at their own expense, remove any encroachment so as to restore the right-of-way to its original condition.

DATED this \_\_\_\_\_ day of July, 1989.

/s/ Mark K. Achen

\_\_\_\_\_  
City Manager

Attest:

/s/ Neva B. Lockhart, CMC

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

Acceptance:

\_\_\_\_\_  
Christy G. Brost

\_\_\_\_\_  
William S. Hertwig

#### AGREEMENT

Christy G. Brost and William S. Hertwig, for themselves, their heirs and assigns, do hereby agree that they will abide by each and every condition contained in the foregoing Permit and that they will indemnify the City of Grand Junction, its officers, employees and agents and hold it, its officers, employees and agents harmless from all claims and causes of action as recited in said permit; and further, upon revocation of the permit, they agree to within thirty (30) days peaceably surrender said right-of-way to the City and, at their own expense, remove any encroachment so as to restore the right-of-way to its original condition.

DATED at Grand Junction, Colorado, this \_\_\_\_\_ day of July, 1989.

\_\_\_\_\_  
Christy G. Brost

\_\_\_\_\_  
William S. Hertwig

STATE OF COLORADO	)	
	)	SS.
COUNTY OF MESA	)	

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of July, 1989, by Christy G. Brost and William S. Hertwig.

Witness my hand and official seal.

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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

RESOLUTION NO. 27-89 - INTENT TO CREATE IMPROVEMENT DISTRICT ST-89 (DENNING ALLEY) LOCATED BETWEEN FOURTH AND FIFTH STREETS, NORTH AVENUE AND GLENWOOD AVENUE

The following Resolution was read:

RESOLUTION NO. 27-89

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-89, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME

WHEREAS, the owners of more than one-half of the real property to be assessed have petitioned the City Council, under the provisions of Chapter 18 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33 that a Local Improvement District be created for the construction of improvements as follows:

Location of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches adjacent to 5th Street and 6th Street as deemed necessary by the City Engineer; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local Improvement

District.

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

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

Beginning at a point 1719 feet East and 40 feet North of the Southwest corner of the Southwest Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, thence North 360 feet, thence East 65 feet, thence South 360 feet, thence West 65 feet to the Point of Beginning, Except the North 10 feet thereof; and

All of Block 6 in Shafroth-Rogers Subdivision in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado; and

Lots 5 and 6, inclusive, Block 11 in Sherwood Addition in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

2. That the assessment levied against the respective properties will be \$18.00 per each lineal foot directly abutting the alley right-of-way. The total amount of assessable footage is 808.5 feet.

3. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

PASSED and ADOPTED this 5th day of July, 1989.

/s/ R. T. Mantlo

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

RESOLUTION NO. 28-89 - I.D. ST-89, ADOPTING DETAILS, PLANS AND SPECIFICATIONS AND GIVING NOTICE OF HEARING

The following Resolution was read:

RESOLUTION NO. 28-89

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION AND PAVING OF AN ALLEY IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT ST-89, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS BORNE BY THE PROPERTIES IN THE DISTRICT SHALL BE PAYABLE, THE RATE OF INTEREST ON THE UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE RATE OF ASSESSMENT, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on July 5, 1989, 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 paving an alley in said City within proposed Improvement District No. ST-89, together with a 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, 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, and map be and the same are hereby approved and adopted.

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

Beginning at a point 1719 feet East and 40 feet North of the Southwest corner of the Southwest Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, thence North 360 feet, thence East 65 feet, thence South 360 feet, thence West 65 feet to the Point of Beginning, Except the North 10 feet thereof;

All of Block 6 in Shafroth-Rogers Subdivision in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado;

Lots 5 and 6, inclusive, Block 11 in Sherwood Addition in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

All installations to be constructed in accordance with the General Conditions, Specifications and Details for Street District Projects, City of Grand Junction, Colorado.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements 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 after the expiration of said thirty-day period, all such assessments may, at the election of the owner of the property in said District, be paid in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simply interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

Section 4. Notice of Intention to Create said Improvement District No. ST-89, 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 form set forth in the attached "NOTICE".

#### N O T I C E

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-89 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, 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-89 in said City for the purpose of reconstructing and paving an alley to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

Beginning at a point 1719 feet East and 40 feet North of the Southwest corner of the Southwest Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, thence North 360 feet, thence East 65 feet, thence South 360 feet, thence West 65 feet to the Point of Beginning, Except the North 10 feet thereof; and

All of Block 6 in Shafroth-Rogers Subdivision in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado; and

Lots 5 and 6, inclusive, Block 11 in Sherwood Addition in Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

Location of Improvements - The alley running east and west between 4th Street and 5th Street and between North Avenue and Glenwood Avenue;

Type of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches adjacent to 5th Street and 6th Street as deemed necessary by the City Engineer.

The assessment to be levied against the respective properties will be \$18.00 per each lineal foot directly abutting the alley right-of-way. The total amount of assessable footage is 808.5 feet. To the total assessable cost of \$14,553.00, to be borne by the property owners, there shall be added six (6) percent for costs of collection and incidentals, and also simple interest at the rate of eight (8) percent per annum 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. Simple interest at the rate of eight (8) percent per annum shall be charged on unpaid installments.

On August 16, 1989, at the hour of 7:30 o'clock P.M. in the City Council Chambers in 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 share of the total cost to be assessed upon each parcel 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 5th day of July, 1989.

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

By: /s/ Neva B. Lockhart, CMC

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

PASSED and ADOPTED this 5th day of July, 1989.

/s/ R. T. Mantlo

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

CONVENTION AND VISITORS BUREAU BUDGET - \$183,636

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried, the 1989 Convention and Visitors Goals and Budget was approved as follows:

Administration	\$77,737
General Advertising	\$48,110
Targeted Advertising	\$23,501
Tourist Information Center	\$15,954
Contingency Fund	\$18,334
	\$183,636

Lou Ann Hughes, 555 North Avenue, asked if the Convention and Visitors Bureau budget would be published in The Daily Sentinel and if a copy of said budget could be obtained. City Manager Achen responded that copies of the budget are available. It will not be published in the local newspaper. Ms. Hughes also discussed the recent change in the Visitors and Convention Bureau to "Convention and Visitors Bureau," expressing her opinion that the original name "Visitors and Convention Bureau" should be retained.

ADJOURN TO EXECUTIVE SESSION

The City Council adjourned into Executive Session to discuss property negotiations. Upon reconvening the above listed Council members were present.

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried, the Mayor was authorized to meet with Mr. Al Schiesswohl regarding a small corner of his property for a deceleration lane.



ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk