

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

SEPTEMBER 15, 1993

The City Council of the City of Grand Junction, Colorado, convened in regular session the 15th day of September, 1993, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, Bill Bessinger, R.T. Mantlo, Ron Maupin, Dan Rosenthal, and President of the Council Reford Theobold. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Theobold called the meeting to order and Council-member Mantlo led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Dan Dudley, First Church of God.

PROCLAMATION DECLARING SEPTEMBER 22, 1993, AS "AMERICAN BUSINESS WOMEN'S ASSOCIATION (ABWA) DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING SEPTEMBER 20, 1993, AS "GRAND JUNCTION RSVP RECOGNITION DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS TO DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion by Councilmember Rosenthal, seconded by Councilmember Maupin and carried, Glen Dennis was reappointed to a four-year term on the Downtown Development Authority, and Bruce Hill was appointed to fill an unexpired term on the Downtown Development Authority; said term to expire June, 1995.

CONSENT ITEMS

Upon motion by Councilmember Baughman, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **BESSINGER** voting **NO** on Item 4, the following Consent Items 1-13 were approved:

1. **Approval** of the minutes of the Regular Meeting September 1, 1993
2. **Acceptance** of Bid for the Ridges Metropolitan Office Building located at 372 Ridges Boulevard.
Recommended Bid: Ernest C. Hunt, etal - \$78,700

The following bids were opened on September 3, 1993, for the purchase of the Ridges Metropolitan District office building:

Ernest C. Hunt, etal	\$78,700
V&L Properties	\$65,000
YO Investments	\$56,001

3. **Motion** to delete the requirement of Note #5 on the Horizon Park Subdivision Plat and Requirement #7 of Ordinance No. 2508.

Note #5 was approved by City Council in February of 1991. Ordinance No. 2508 was introduced February 6, 1991, and passed and adopted on March 5, 1991. Staff is requesting to delete the requirement for the Horizon Park Subdivision that a final development plan be submitted for each of the three lots on or before September 1, 1993. The purpose of this requirement was to ensure that street improvements would be completed. This requirement is no longer necessary since subsequent text amendments require road improvements at the time a building permit is requested.

4. **Approval** of the FY94 Contract for PL & HPR Funds between the Colorado Department of Transportation (CDOT) and the Grand Junction/Mesa County Metropolitan Planning Organization (GJ/MC MPO); and

Approval of the FY94 Contract for FTA Section 8 Funds for the Grand Junction/Mesa County Urbanized Area.

These two contracts allow the Metropolitan Planning Organization to access the grants used to finance the Unified Planning Work Program (UPWP), which was previously adopted by the County Commissioners on June 29, 1993 (MCM#93-82), and the City Council on July 7, 1993 (GJCC#40-93).

5. **Proposed Ordinance** Amending Chapter 25, Article VI, Use of the Public Sewers, City of Grand Junction, Code of Ordinances.

Establishes limitations on discharging certain substances, materials, water and wastes into the joint City/County sewer collection system.

a. **First reading** of proposed Ordinance

6. **Acceptance** of annual bulk space contract with The Daily Sentinel in the amount of \$30,804.40 for the period September 1, 1993, through August 31, 1994.

Each year since 1988, the City signs a contract with The Daily Sentinel to establish a bulk advertising rate for all City advertising. The contract establishes a guaranteed minimum expenditure during the 12-month contract period. The contract shall run from September 1, 1993, through August 31,

1994; the City's minimum dollar liability is \$30,804.40. The contract reflects a per column inch advertising rate increase of 4% (\$10.65 to \$11.08) for daily advertising and an increase of 5% (\$12.06 to \$12.66) for Sunday advertising.

7. **Authorization** to contract with the low bidder, Marcal Construction of Rifle, Co., for the remodel contract of the Grand Junction Regional Communication Center. Marcal's responsive bid for the 5,000 sq. ft. construction project is \$293,740.00.

Bids were received August 31, 1993 for remodel construction of the Grand Junction Regional Communication Center, 625 Ute Avenue. Invitation for Bids were sent to 11 general contractors; the City received the following two (2) responsive bids:

Marcal Construction: \$293,740.00 **
McClure Construction: \$314,584.00
**recommended award

Design specifications were prepared by Dillon-Hunt, P.C. Bids were evaluated by the architect with a recommendation to accept the low bid.

8. ***Resolution No. 58-93** - A Resolution Accepting a Contract with the Colorado Department of Transportation (CDOT) for ISTEA Funding.

A request for Council to accept a contract with the Colorado Department of Transportation (CDOT) for a \$28,000 grant through the ISTEA enhancement monies. The grant is to be used to repair and stabilize the roof of the D&RGW railroad depot in downtown Grand Junction.

9. **Proposed Ordinance** - An Ordinance Vacating an Alley Right-of-Way at 2651 and 2659 Highway 50.

A request to vacate the north-south alley located between the properties at 2651 and 2659 U.S. Highway 50.

a. First reading of Proposed Ordinance

10. **Proposed Ordinance** - An Ordinance Specifying Uses on Lots 3 and 4, Hilltop Subdivision #2, Located on the northwest corner of 15th and Patterson Road.

The proposed Hilltop Subdivision #2, located on the northwest corner of 15th Street and Patterson Road is currently zoned Planned Business (PB). Lot 1 contains Hilltop's Files Center

and Lot 2 is proposed for a nursing home facility. Staff is proposing that the uses to be considered for Lots 3 and 4 be those allowed in the B-1 (limited business) zone.

a. First reading of proposed Ordinance

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11. **Proposed Ordinance** - An Ordinance Rezoning Volunteers Of America, Inc., Elderly Housing, Northwest Corner of First Street and Independent Avenue, from B-2 and P to PR-23.72.

Petitioners are requesting a rezoning from B-2 and P (Parking) to Planned Residential for a 60 unit elderly housing complex. Planning Commission has recommended approval for the rezoning and has approved a final development plan for the site.

a. First reading of proposed Ordinance

12. **Approval** of Fireline Upgrade Project Addendum I of the Agreement between the City of Grand Junction and the Ute Water District regarding the Ute Water fire line upgrade project.

As provided in paragraph 1.f. of the City/Ute Agreement dated August 17, 1993, each project is to be approved by the City Council. This is the first such addendum.

13. **Approval** of Second Supplemental Agreement between the City of Grand Junction and the Central Grand Valley Sanitation District.

In 1970, Central Grand Valley Sanitation District entered into an agreement with the City of Grand Junction to transport and treat all of the sewage from the District. This agreement also required the City to perform all collection system maintenance and to bill District customers for all sewer charges. The agreement was amended in 1980 and 1984. The current agreement expires in 2010. The District has asked for a contract amendment to allow them to do their own maintenance.

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

APPROVAL OF THE ALLOCATION OF \$10,000 IN LOTTERY FUNDS AND \$40,000 FROM THE CIP CONTINGENCY FUND AND THE ACCEPTANCE OF THE BID SUBMITTED BY TIC FOR THE CONSTRUCTION OF THE STOCKER STADIUM LOCKER ROOM AND AUTHORIZATION TO SIGN THE CONSTRUCTION CONTRACTS

Bids were opened August 11, 1993 for the construction of a new locker room facility at Stocker Stadium. Seven general contractors picked up plans and specifications and four bids were returned. Low bid was submitted by TIC at \$398,405. Because the bids were over the \$300,000 budget, staff and architect Frank Wagner have worked with the low bidder to reduce construction costs by \$20,905 or a total of \$377,500. Architect fees and reimbursables are \$15,000 and contingency funds are \$7,500 for a total facility cost of \$400,000.

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Parks & Recreation Director Ted Novack stated that the project should be completed within 90 days and ready for spring functions and JUCO.

Upon motion by Councilmember Mantlo, seconded by Councilmember Rosenthal and carried, the allocation of \$10,000 in Lottery Funds, \$40,000 in CIP Contingency Funds was approved, and the bid by TIC for the construction of a new locker room facility at Stocker Stadium was accepted, and the City Manager was authorized to sign the Contract.

REQUEST THAT \$20,000 BE ALLOCATED FROM THE LOTTERY FUND FOR EAST MIDDLE SCHOOL BASKETBALL COURTS

Mr. Jamie Hamilton, Parks and Recreation Advisory Board, requested \$20,000 be allocated from the Lottery Fund to build a basketball court at East Middle School. The project will cost \$40,000. East Middle School staff, the Resource Officers of the Police Department, and parents are raising \$20,000 through their own fund raising efforts.

Upon motion by Councilmember Baughman, seconded by Councilmember Afman and carried, the request that \$20,000 be allocated from the Lottery Fund for East Middle School Basketball Courts was approved.

APPEAL OF PLANNING COMMISSION DECISION ON PRELIMINARY PLAN APPROVAL FOR RIDGE HEIGHTS, AN 11-LOT SUBDIVISION ON 51.62 ACRES IN THE RIDGES, NORTH OF BELLA PAGO - APPEAL APPROVED

Planning Commission has approved a preliminary plan for Ridge Heights Subdivision, consisting of 11 lots on 51 acres located east of the Ridges and north of Bella Pago Drive. An appeal to the Planning Commission decision has been filed in accordance with the procedures for appeal contained in the Zoning and Development Code. The appeal is based on the additional traffic that would be generated on Bella Pago Drive and Country Club Park Road and the unsafe conditions of these roads.

Karl Metzner, Community Development Department, reviewed this

item, along with the plats. Three of the lots proposed access onto the Ridges through Hidden Valley Drive (in City). The other eight lots proposed access onto Bella Pago Drive (a County road).

This is in the Ridges Metropolitan District and was annexed as part of the Ridges Annexation. There are no internal roads proposed in the project. Originally a preliminary plan was approved by the County for 180 units with 12 of those units accessing onto Bella Pago. There was no final on that plan. It is currently zoned Planned Residential, 4 units per acre.

President of the Council Theobald opened the public hearing.

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The appeal was filed by Mr. Paul Hittle, 407 Country Club Park, an adjacent property owner. Other letters have been submitted in opposition to the project.

Developer Mr. Barry Tharaud, business address 202 North Avenue, #144, stated that he has designed 11 homesites that range from 2.5 acres to 8 acres. He stated that 208 units could be built on this parcel. He urged the City Council to consider this project on its own merit and not be swayed by political or emotional issues presented by those that are appealing.

Mr. Tom Rolland, Rolland Engineering, did some of the planning and technical work on this project. He gave some background on the property and the proposed development. He stated that Ken Simms, Mesa County Engineering Department, originally made review comments that were critical of the proposal due to the existing conditions of the access, and had recommended denial of the driveway permits if the City approves the development. Through discussions with County, that issue has been resolved. The sewer issue will be addressed when filing the final plat and plan.

Mr. Ken Simms, Mesa County Engineering, Traffic Section, recommended that, if at all possible, a local road should be constructed between Bella Pago Drive and Hidden Valley Drive. However, the terrain perhaps makes it financially unfeasible to do so. Nonetheless, the other outlet is definitely needed. He stated that Country Club Park Road is unsafe. He would like another plan submitted that would not create additional traffic to Country Club Park Road but this plan has less impact than the previous plan. It is not a capacity issue; it is strictly a safety issue. There are tight curves, blind corners, steep inclines with north-facing grades and shaded corners affecting winter driving, etc. on Country Club Park Road.

Those speaking in opposition were as follows:

1. Mr. Keith Mumby, Golden, Mumby, Summers & Livingston,

attorney representing Laurie Hill, owner of a residence south of Bella Pago Drive. He opposed this application on a purely legal and proper application procedures basis. He felt there are two reasons why this plan should not even be considered at this time.

- a. Mr. Tharaud is not a proper applicant for this parcel as he is not the legal owner, which is a requirement of the Development Code. The owner of the property is Community Hospital. The City's regulations very clearly state that one of the submittal requirements is a title commitment. One of the main requirements is Evidence of Title. Section 11(a) reads: "ODPs and major subdivisions (preliminary) - an exact copy of a current Certificate or

Commitment of Title for insurance company option which shall set forth the names of all owners of the property included in the plan, and include a list of all persons who may have an interest via liens, encumbrances, including mortgages, judgements, easements, contracts or other agreements of record which shall affect the property covered by the plan." Mr. Mumby stated there is no Title commitment in the file. The only thing in the file is a contract from Community Hospital to Mr. Tharaud which is specifically conditioned upon a zoning change. Mr. Mumby seriously questioned that Mr. Tharaud can be considered an owner of this property.

- b. The second provision in 11(a) says "Minor subdivisions or major subdivisions (final) - an exact copy of a current Certificate of Title which shall identify the names of each owner of all property included in the plat, and each person who may have an interest." Laurie Hill has an adverse possession interest on part of this property. Community Hospital was advised by Mr. Mumby's office in May of 1992 of Ms. Hill's interest.

Mr. Mumby stated that although this portion of the 51 acres may be small, legally Laurie Hill's interest in this property cannot be denied. She is not a petitioner. She has not signed the application. Mr. Mumby did feel that it is improper for the City to approve zoning unless it has been requested by all persons who have an interest in this property. He suggested that these proceedings be stayed until either Community Hospital or the developer, Mr. Tharaud, addresses this encroachment and this adverse possession situation.

Mr. Mumby informed the Council that Assistant City Attorney John Shaver advised the Planning Commission that this was a civil matter and did not need to be addressed in zoning request. Mr. Mumby disagreed with Mr. Shaver's advice to the Planning Commission. He felt that this does not relieve the City of the obligation that its own regulations provide, that it cannot approve a plat unless all owners of the property join in the petition. He said Community Hospital has chosen not to address the claim of Ms. Hill and is attempting to force this rezoning change through the procedure. Mr. Mumby feels this appeal should not be addressed further until the matter is resolved.

City Attorney Dan Wilson could not address the question of whether the Title Commitment is in the file. He agreed that the regulations say that the legal owner must file the application but there have been situations in the past where both the Planning Commission and the City Council decided to proceed when an

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enforceable contract is on file. Regarding the issue of adverse possession and treating Mr. Mumby's client as an owner, Mr. Wilson respectfully disagreed with Mr. Mumby. It is Mr. Wilson's view of the Law of Adverse Possession that Mr. Mumby's client has the burden of seeking a judicial decree. At this point, Mr. Wilson would characterize it as a claim only, an assertion. The City cannot rely on such a claim where the City has no ability to be able to judge the merits of that claim. Currently, record title is in the name of Community Hospital. That is not a dispute. The question is whether or not this land has been used openly, notoriously, and hostilely for a period of time. Mr. Wilson feels the City has no choice but to go with the record title owner on issues like this. Mr. Wilson advised that when it comes time for final platting, Mr. Tharaud will need to make a decision as to how to proceed. He has three options:

- a. Plat Lot 11 as legal title suggests, and include the corrals.
 - b. Negotiate with Mr. Mumby's client, plat around it and deal with that issue separately.
 - c. Plat Lot 11 with a note on the plat stating the existence of the adverse possession claim.
2. Mr. Paul Hittle, petitioner, 407 Country Club Park, feels the road is unsafe now, and with more traffic it will make it just that much

more unsafe.
Mr. Hittle has
filed on behalf
of all the
people on
Country Club
Park.

3. Mr. Scott Huska, 312 Country Club Park, spoke against the petition. He is not against development of the area. He is against the increased traffic that the proposed development will bring to Country Club Park. The dangerous intersection of Country Club Park and Highway 340 is another safety concern. He requested that the application be denied.
4. Ms. Laurie Thompson, 321 Country Club Park Road, stated that she is not opposed to the proposed development, but is very concerned over the preliminary plan approval by the Grand Junction Planning Commission regarding the additional traffic which will be routed through Country Club Park Road and onto Bella Pago. She read a statement of opposition into the record citing a memo to the State Highway Department from Ken Simms, County Engineering Department, which noted serious safety concerns regarding the impact of this proposed development, and recommended denial of this application as submitted. Additional traffic which would impact Country Club Park Road was her main concern.

5. Mr. Terry Wakefield, 2429 Bella Pago Drive, agreed with Ms. Thompson's statements. He spoke in opposition to this development. Lots 4,5,6,7 all access onto his cul-de-sac. Height of dwellings was also an issue of concern. He requested that the cul-de-sac, Bella Pago, not be compromised by making it a through street.
6. Kathleen Faulkner, 2449 Bella Pago Drive, spoke in opposition. Ms. Faulkner is an engineer with 15 years experience. She stated that the topography of this area is much more severe than that of the Ridges. The potential for erosion is enormous. The ability to successfully locate septic systems is questionable. She questioned whether this area is suitable at all for development. Safety was also her concern.
7. Margo Smedley, 219 Country Club Park, was concerned with septic tanks. She asked if there is a possibility of installing a sewer system in that area. Response from Council was that it would be expensive and difficult, but not

impossible. Increased traffic on Country Club Park was also a concern.

8. Charles Betton, 217 Country Club Park, was concerned with the traffic volume, which would increase 28% as a result of this development, and safety. He feels that access through the Ridges should be more extensively addressed. Mr. Betton presented a sketch to the City Council proposing an internal road system for Ridge Heights. The sketch was made a part of the record and received by the City Clerk.
9. Dan Roberts, 313 Country Club Park, stated that his yard would be encroached upon if the intersection at Bella Pago and Country Club Park was improved, and would result in a great economic impact to his property. He requested that Council deny the subdivision as he felt the impact to the area is greater than the advantage.
10. Lee Gillett, 320 Country Club Park, agreed that the existing conditions on Country Club Park are dangerous. He stated that there are times in the winter when the steep access that goes down to Highway 340 is hazardous. He requested that any proposal that adds more traffic to Country Club Park be denied. However, he was pleased with the fact that the City is addressing the feasibility of trails in the area.
11. Tom Moran, 406 Country Club Park, witnessed a sand truck slide off the hill and out into the middle of Highway 340.
12. Jackie Roberts, 313 Country Club Park Drive, stated that several "little bikers" play on Bella Pago and cannot be seen by drivers when coming down Bella Pago. Dump trucks must back

into her driveway to make a run up Bella Pago. There is no shoulder on Bella Pago on which to walk clear of traffic.

13. Paul Hittle, 407 Country Club Park, again stated that in the winter time the school buses won't even go up that hill. The children have to walk down to the highway. It is a very dangerous thoroughfare for children in the winter time. He requested that Council consider this.

Barry Tharaud stated that "public benefit" came up several times last week at the Planning Commission meeting. He commented that it would be a public benefit for the residents of the Ridges, Country Club Park and Bella Pago to have this parcel of land vacant next to them so that they could use it for hiking, riding, dirt bikes, etc. The property has been on the market for a good

amount of time. All of the residents had an opportunity to purchase this property if they desired, either singly or in combination, and none of them chose to do so. He felt there is a larger issue as to whether a property owner has the right to develop a piece of property.

Councilman Bessinger pointed out that there has been no one that has objected to the development, primarily their concerns have been with the safety.

Mr. Tharaud continued regarding the road conditions issue, especially winter road conditions. He noted that "This is Colorado. We get ice and snow." He stated that the Highway Patrol has recorded no accidents in this area. He also reminded Council of a comment by Ken Simms stating "traffic capacity is not the concern here, but rather the condition of the road." Mr. Simms had also stated that he would recommend against approval of Country Club Park Subdivision today if that were before him. Mr. Tharaud found that there are large bushes and sage brush that block the view at the intersection of Highway 340 and Country Club Park. He felt that if this is such an important concern of the residents that they would have done something about those obstructions. There are other examples in the area of this kind of thing. He pointed out that many of the concerns with winter road conditions could be resolved by another egress to this area. He stated that people have chosen to live in an area with poor road conditions, partly because they like living near the city with a bit of country atmosphere, etc. Now they are arguing that these same conditions should be the basis of denying someone else from living in that area. In response to Mr. Mumby's statement about the owner not signing the application, the owner's name is on the application as Community Hospital. Joe Boyle, representative of the Hospital Foundation, signed the application. Mr. Tharaud is listed as the developer only. Mr. Tharaud advised the covenants limit building height to 25 feet, no 3-story homes will be allowed. The Lincoln-DeVore company has compiled a 22-page soil analysis of the property and they see no reason why this property cannot be developed.

Reports concerning viability for septic sewer have been filed with the project. Mr. Tharaud stated that he has very restrictive envelopes that would be part of any final plat on this project. He stated that he would also consider mitigating some of the traffic concerns headed down Country Club Park Drive, including the intersection of Highway 340.

Tom Rolland, engineer, stated that he and Mr. Tharaud are not opposed to the right-of-way that City Planning has asked to be dedicated from the cul-de-sac west. The residents, however, are opposed to any access to the west to either the subdivision or

into the Ridges.

Emergency services were discussed by Karl Metzner, Community Development Department. Public Works Director Jim Shanks discussed drainage, sewer and water lines in the area.

There being no additional comments, President Theobold closed the hearing.

President of the Council Theobold expressed his appreciation to the developer and those voicing opposition for the manner in which the hearing was conducted. He stated that the owner of the property has a right to develop the land, but with that right is a responsibility to the neighborhood to mitigate impact. President Theobold appreciated the developer's efforts to make this a lower density development. However, he expressed a higher density might be needed in this case as it will require more property owners to pay for the required infrastructure in this area for the project to be financially feasible.

Councilmembers Maupin and Mantlo agreed with President Theobold.

Councilmember Afman did not wish to make a decision in favor of the plat without the opportunity for the City staff to look at the engineer's report. She felt it is an important aspect in designing a development such as this.

Councilmember Baughman agreed with President Theobold. He felt safety on Country Club Heights is uppermost in importance. He cannot approve a development in the Ridges that will compound the already poor road conditions on Country Club Heights. He felt any development in the Ridges must have access through the Ridges.

Councilmember Rosenthal believed there is a great safety issue here. He thought any access to this development should come through the Ridges. He could not endorse this plan because of traffic impact.

Councilmember Bessinger also could not support increased hazards on the existing streets in this area.

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It was moved by Councilmember Maupin and seconded by Councilmember Bessinger and carried that the development/subdivision for Ridge Heights, an 11-lot subdivision on 51.62 acres in the Ridges, north of Bella Pago, be approved.

A vote was called on the motion with the following result:

IN FAVOR: NONE.

OPPOSED: AFMAN, BAUGHMAN, BESSINGER, MANTLO, MAUPIN, ROSENTHAL,

THEOBOLD.

The preliminary plat for the Ridge Heights Subdivision was denied.

RESOLUTION NO. 59-93 ACCEPTING A CONTRACT WITH STERLING COMPANY TO PURCHASE THE PROPERTY AT 521 UTE AVENUE (\$56,000), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DOCUMENTS

Upon motion by Councilmember Mantlo, seconded by Councilmember Bessinger and carried by roll call vote, Resolution No. 59-93 was adopted, and the City Manager was authorized to execute the documents.

RESOLUTION NO. 60-93 ACCEPTING A CONTRACT WITH VIRGINIA M. SACCOMANNO FOR THE PURCHASE OF 30.6 ACRES (\$318,000), LOCATED AT THE SOUTHWEST CORNER OF 26-1/2 AND H ROADS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DOCUMENTS

Upon motion by Councilmember Mantlo, seconded by Councilmember Rosenthal and carried by roll call vote, Resolution No. 60-93 was adopted and the City Manager was authorized to execute the documents.

RESOLUTION NO. 61-93 ACCEPTING A CONTRACT FOR LAND PURCHASE FOR PROPERTY TO BE USED FOR A NORTH AREA NEIGHBORHOOD PARK (\$173,340), LOCATED ON THE WEST SIDE OF 27 ROAD (12TH STREET) BETWEEN G ROAD AND INTERSTATE 70, CONSISTING OF APPROXIMATELY 13 ACRES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DOCUMENTS

Upon motion by Councilmember Bessinger, seconded by Councilmember Afman and carried by roll call vote with Councilmembers **MAUPIN** and **BAUGHMAN** voting **NO**, Resolution No. 61-93 was adopted.

EXECUTIVE SESSION

Upon motion by Councilmember Bessinger, seconded by Councilmember Rosenthal and carried, City Council adjourned into Executive Session at 10:45 p.m. to discuss property negotiations.

Stephanie Nye, CMC
City Clerk