

Grand Junction, Colorado

September 3, 1969

#### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock p.m. September 3, 1969 in the Civic Auditorium at City Hall. Councilman present and answering roll call were Raymond R. Paruch, Harry O. Colescott, Stanley R. Anderson, R. B. Evans and President Richard G. Youngerman. Councilmen Ray A. Meacham and Theodore N. Naff were absent. Also present were City Manager R. N. Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

#### INVOCATION

The invocation was given by Reverend Hollis Cook, Galilee Baptist Church.

#### MINUTES

It was moved by Councilman Anderson and seconded by Councilman Colescott that the minutes of the regular meeting held August 20, 1969 be approved as written. Motion carried.

#### FIREMEN'S PENSION

Approve Escalator clause

Mr. McCurry, representative of the Fire Department, came to the Council meeting concerning recent legislation concerning the Firemen's Pension laws. He asked the Council to approve the escalator clause of the law. Mr. Ashby, City Attorney, explained that this section of the law would allow those firemen who retire either on disability or retirement to be eligible for one-half of any pay raises granted to members of the Fire Department. The general opinion of attorneys in other cities is that this would apply only to those firemen who go on retirement after the approval of the clause by the City Council. It could not be retroactive as this would then amount to the City paying a gratuity, which is illegal under the State constitution. A law was also passed by the last legislature which provided that the Cities would guarantee the payment of pensions to members of the Police Department. It is felt that the Firemen will be trying to get the same law passed in the near future.

At the present time it will not be necessary for the City to appropriate funds to take care of an escalator clause, unless by chance someone who is presently retired would take the matter to court and prove that it was legal to pay all firemen now on pension the increase in wages since their retirement. Mr. Ashby stated that he had been talking to the various members of the fire department suggesting that they try to make the Firemen's Pension

fund actuarially sound. 1970 will be the first year that the State will be required to match the funds the City and firemen put in to the fund.

Jack Schmidt, who will retire on Sept. 5th from the position of Assistant Chief, spoke to the Council and explained some of the items in the law. It was moved by Councilman Anderson and seconded by Councilman Colescott that the Council approve the escalator clause in the State Firemen's pension fund law, which will allow those firemen retiring after this date the privilege of having their pensions increased in accordance with the salary increase of positions of the same rank, at one-half the salary increase. This would not be retroactive to cover firemen already on retirement. Motion carried.

### WATER IMPROVEMENT

Filter Plant Approve change Order No. 4 - Pay Titan \$10,567 more

Messrs. Wm. Bredar and Bob Radcliffe of Henningson, Durham & Richardson were present and spoke to the Council concerning Change Order No. 4 for Titan Construction Company. At the time it became necessary to change the plans for the foundation of the water treatment plant, a negotiated price was made between the engineers, City and Titan Construction Company at \$64,500. This price included the use of drilling equipment furnished locally. After it was found that this equipment could not do the job, it cost more to get drillers in from outside this area, so Titan is asking an additional amount of \$10,567. As there was no possible way that engineers or soil analysts could tell just what the conditions were going to be in drilling the holes for the 90 caissons, considerable blasting had to be done, and also the pilings had to be larger than anticipated. Mr. Bredar stated that the City was getting a lot of water treatment facilities for the money. A time delay was caused by the necessary drilling through the hard sandstone lenses and a request is made that Titan Construction be granted an additional 36 days of construction time.

It was moved by Councilman Anderson and seconded by Councilman Evans that Change Order No. 4 be approved. Motion carried.

### 3.2 BEER LICENSE

Gilbert's Mkt, 1625 N 15th apprvd

An application for renewal of 3.2 beer license was presented by Carroll and Vera J. Gilbert, dba Gilbert's Thriftway Market, 1625 North 15th Street. A letter from Police Chief Karl M. Johnson was read which stated that there had been no complaints or violations and he knew of no reason why the application should not be approved. It was moved by Councilman Colescott and seconded by Councilman Evans that the application be approved and license issued when State license has been received. Motion carried with Councilman Paruch voting NAY.

### 3.2 BEER LICENSE

1230 N 12th St Pizza Hut Delbert E. Hahn Hearing 9-17-69

Mr. Delbert E. Hahn is applying for a 3.2 beer license at 1230 North 12th Street, now the Pizza Hut. A hearing has been scheduled for Sept. 17th for approval of the character of the applicant only, as the location has been approved, and he is asking for a transfer of the license.

ORD. 1331

Use of Lincoln Park & Fees for use of fields

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS 20-27 AND 20-28 (a) AND (b) OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, CONCERNING THE USE OF LINCOLN PARK AND ITS FACILITIES AND CHARGES FOR SUCH USE. It was moved by Councilman Colescott and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Evans and seconded by Councilman Anderson that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Evans and seconded by Councilman Anderson that the ordinance be passed and adopted as read, numbered 1331, and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

ORD. 1332

Zoning Tupper Annex R-3 & R-1-A

The Proof of Publication to the following entitled proposed ordinance was presented and 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 ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Paruch and seconded by Councilman Evans that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Colescott and seconded by Councilman Evans that the ordinance be passed and adopted as read, numbered 1332, and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

ORD. 1333

Zoning County Shops Annex to I-2

The Proof of Publication to the following entitled proposed ordinance was presented and 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 ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Anderson and seconded by Councilman Paruch that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Anderson that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Colescott and seconded by Councilman Paruch that the ordinance be passed and adopted as read, numbered 1333, and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

ORD. 1334

Zoning Freeway at 28 1/4 Road Annex to I-1

The Proof of Publication to the following entitled proposed ordinance was presented and 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 ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Anderson and seconded by Councilman Evans that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Paruch and seconded by Councilman Colescott that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman Anderson and seconded by Councilman Paruch that the ordinance be passed and adopted as read, numbered 1334, and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

TELLER ARMS PARKING LOT

Grant request for parachute jump 9-13

Dale Luke and David Gross asked the Council for permission for Mr. Gross to make a "sky dive" at Teller Arms Parking lot on Saturday, Sept. 13th. Mr. Gross is a licensed parachute jumper and teacher in the Los Angeles area. He stated that he carries liability insurance to cover anything that might cause injuries by his landing.

Mr. Gray stated that the Jaycee's had been turned down on a similar request at the Home and Boat Show in Lincoln Park. Lincoln Park is, of course, City-owned property, and there could be some liability on the City's part. He also asked about precedent. Councilman Anderson stated that he would not be in favor of such a jump in Lincoln Park.

It was moved by Councilman Paruch and seconded by Councilman Colescott that the sky jump at Teller Arms Shopping Park on Saturday, Sept. 13th, be approved. Motion carried with Councilman Anderson voting NAY.

#### POST OFFICE PARKING

Councilman Paruch stated that he and Councilman Naff had talked with the Postmaster concerning the opening of a door on the north side of the Post Office building and changing the parking pattern on White Ave. They were given the name of a person to write to concerning this, and will follow through on it.

#### WEEDS

Councilman Anderson reported that he had visited some cities in Nebraska and found that they really had problems, worse than ours. Weeds were in evidence all over as no attempt was made to clean them up as we do here. He stated he thought that our new Ordinance was working well, as we have done a better job this year than before. He stated he was sorry to have missed the last Council meeting.

#### ADJOURNMENT

President Youngerman declared the meeting adjourned.

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Helen C. Tomlinson\City Clerk