

Grand Junction, Colorado

October 20, 1971

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. October 20, 1971, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson and Councilmen Harry Colescott, Lawrence Kozisek, Theodore Naff, Richard Youngerman. Councilmen Silas Grantham and Raymond Paruch were absent. Also present were City Attorney Gerald Ashby, City Manager Richard Gray, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Youngerman and seconded by Councilman Colescott that the minutes of the regular Council meeting held on October 6, 1971, be approved as written. Motion carried.

HEARING - LIQUOR LICENSE - CHANGE OF OWNERSHIP - DENNIS H. BARBOUR - APPROVED

Scheduled for hearing on this date was the application by Dennis H. Barbour for a retail liquor license change of ownership who wishes to do business under the name of Barbour's Foresight Drive-In Liquors, Inc. Mr. Barbour and his attorney, Mr. Tom Elder, were present for the hearing. A letter from Chief of Police Karl Johnson was read in which he said there has been a liquor store at 201 Main Street for approximately eight years. Chief Johnson said his investigation of the applicant indicates that Mr. Barbour meets all the qualifications Mr. Barbour is a native of Grand Junction and has recently been engaged in a cigarette vending machine business. Chief Johnson said he knew of no reason why the application for change of ownership should not be approved. There was no one in the audience who spoke for or against approval of the application, and there were no other written communications regarding this application. The President closed the hearing.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the application be approved and the license issued when the State license has been received. Motion carried.

HEARING - ENCLAVE ANNEXATION - RESOLUTION - PROPOSED ORDINANCE - FAIRMOUNT SUBDIVISION ANNEXATION

This was the date set for hearing upon the Enclave Annexation located between 15th Street and 19th Street from Walnut Avenue to the Grand Valley Canal. This Enclave Annexation was recommended to the City Council from the Planning Commission.

Mr. Don Warner, Development Director, was present for the hearing. He said the request for sewer service initiated the annexation. Mr. Donald Curry was present for the hearing and asked who would be responsible for the maintenance of the bridge across the Canal. Mr. Warner explained that the annexation boundary is south of the Grand Valley Canal, so the bridge would remain the responsibility of Mesa County. Mr. C. W. Taylor asked what the tap fees would be. City Manager Gray explained that individuals who request taps for single family homes will pay a tap fee of \$800 plus \$1.85 per month sewer service charge. Mr. Taylor was also interested in knowing what the mill levy would be in this area after annexation. City Manager Gray explained it would be a net increase of approximately 11 mills. In addition, Mr. Warner noted this area will be serviced with City water. The fire insurance rate would go from a Zone 9 in the County to a Zone 6 within the City. The President closed the hearing.

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, on October 20, 1971, a hearing was held before the City Council of the City of Grand Junction, Colorado, to determine the eligibility for annexation to said City of the following described territory, situate in Mesa County, Colorado, to wit:

Beginning at the Northeast Corner of Lot 11, Block 4, Fairmount Subdivision; thence East twenty-six feet to present City limit line; thence North along said line to the South line of the Grand Valley Canal thence Westerly along South line of the Grand Valley Canal to intersection with Northerly projection center line 15th Street; thence South along said center line to a point thirty feet West and thirty feet South of the Southwest Corner of Lot 21, Block 7, Fairmount Subdivision; thence East to the East line of 17th Street right of way; thence South thirty feet; thence East to the point of beginning; and

WHEREAS, the Council has found, and does hereby find, that said territory has had a two-third boundary contiguity with the City of Grand Junction for over three years prior to the commencement of these proceedings; that no land in identical ownership has been divided by the proposed annexation; that there is no land in identical ownership in the territory proposed to be annexed which comprises twenty or more acres and has an assessed valuation in excess of Two Hundred Thousand Dollars; and, that said territory is not subject to a petition for annexation to another municipality;

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

That said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 20th day of October, 1971,

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Youngerman, seconded by Councilman Naff that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council present voting AYE. The President declared the motion carried unanimously and the Resolution duly passed and adopted.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the proposed ordinance be passed for publication. Motion carried.

HEARING - PEACH ANNEXATION II - RESOLUTION - PROPOSED ORDINANCE

This was the date scheduled for a hearing upon Peach Annexation II. This is an area north of Patterson Road roughly delineated by 27 1/2 Road and 28 Road from F Road to F 3/4 Road. This area has approximately 250 acres within its boundary. Mr. Don Warner, Development Director, explained that nearly all the property is owned by the Peach family. This area is within the Ute Water Conservancy District. The Peaches have indicated that they recognize the City's contract with Ute. Mr. Peach commented that they are served by Public Service rather than REA. The Planning Commission recommended this annexation to the Council. The President closed the hearing.

The following Resolution was presented and read:

R E S O L U T I O N

WHEREAS, on October 20, 1971, a hearing was held before the City Council of the City of Grand Junction, Colorado, to determine the eligibility for annexation to said City of the following describe territory, situate in Mesa County, Colorado, to wit:

The Southeast Quarter of the Southeast Quarter of Section 1, Township One South, Range One West, Ute Meridian EXCEPT the East thirty feet thereof. That portion of the Northeast Quarter of the Northeast Quarter of Section 12, Township One South, Range One West, Ute Meridian, North of the South right of way line of "F" Road.

ALSO, The North half of the Southwest Quarter of the Southeast Quarter of Section 1, Township One South, Range One West, Ute

Meridian,

ALSO, The North half of the Southeast Quarter of Section 1, Township One South, Range One West, Ute Meridian, EXCEPT the EAST thirty feet thereof, and, EXCEPT the West half of the South 13.5 acres of the Northwest Quarter of the Southeast Quarter of Section 1, Township One South, Range One West, Ute Meridian,

ALSO, The South half of the Northeast Quarter of Section One, Township One South, Range One West, Ute Meridian, EXCEPT the East thirty feet thereof,

ALSO, The North half of the Southeast Quarter of the Southwest Quarter of Section One, Township One South, Range One West, Ute Meridian,

ALSO, Lots 26 and 27 of Jayne's Subdivision in the Southeast Quarter of the Northwest Quarter of Section One, Township One South, Range One West, Ute Meridian,

ALSO, All right of way for 27 1/2 Road from the North Right of way line of "F" Road to the South right of way line of "F 3/4" Road.

WHEREAS, the Council has found, and does hereby find, that one-sixth 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 integrate or is capable of being integrated with said City; that no land in single ownership has been divided by the proposed annexation nor is any of the and now subject to other annexation proceedings; 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:

THAT said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this _____ day of _____ 1971.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Kozisek, seconded by Councilman Youngerman that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members present voting AYE.

The President declared the motion carried and the Resolution duly passed and adopted.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

It was moved by Councilman Youngerman, seconded by Councilman Kozisek that the proposed ordinance be passed for publication. Motion carried.

HEARING - ZONING ORDINANCE - SECTION 3b (15) PLANNED DEVELOPMENT

This was the advertised date for a hearing upon the proposed addition of Section 3b (15) Planned Development to the Zoning Ordinance. This was recommended to the City Council by the City Planning Commission. Mr. Robert Engelke, Regional Planning Director, was present and explained Planned Development which is to be published in pamphlet form. There was no one in the audience who appeared for or against Planned Development, and there were no letters. The President closed the hearing.

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that the rules of the Council be suspended, that the reading of the Ordinance be dispensed with, that the Ordinance be passed and published in pamphlet form with copies available for public inspection with the City Clerk and notice thereof be given by publication. Motion carried.

HEARING - ZONING SE CORNER 28 1/2 ROAD AND ELM AVENUE FROM R-1-C TO R-2-A

Recommended from the Planning Commission was a request for rezoning from R-1-C (Single-Family Residence) to R-2-A (Two-Family Residence) (Low Density) the Southeast Corner of 28 1/2 Road and Elm Avenue. Mr. Don Warner was present for the hearing. Mr. Marian Crenshaw was in the audience and asked Mr. Warner about the two-family and four-family designation. Mr. Warner explained that two-family is the designation under R-2 in our Ordinance, but it allows up to fourplexes if there is sufficient area. R-2-A is the same except for the density. There will be nothing over four-family in the area. The President closed the hearing.

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 OF CERTAIN LANDS WITHIN THE CITY.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the proposed ordinance be passed for

publication. Motion carried.

HEARING - ZONING FROM P TO C-1 CITY MARKET PROPERTY BETWEEN 8TH AND 9TH STREET

Recommended from the Planning Commission was a request for rezoning from P (Parking) to C-1 (Light Commerce) of the City Market property between 8th and 9th Streets and Belford Avenue and the alley on the North. There being no one in the audience to protest and no letters protesting, the President closed the hearing.

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 Youngerman, seconded by Councilman Naff that the proposed ordinance be passed for publication. Motion carried.

3.2% BEER LICENSE RENEWAL - SKAGGS DRUG CENTERS, INC., 1834 N. 12TH STREET

An application for the renewal of a 3.2 beer license for Skaggs Drug Centers, Inc., 1834 North 12th Street was presented. A letter from Skaggs Drug Centers, Inc. Chief of Police Karl Johnson was read stating there have been no complaints or violations reported during the past year, and he knew of no reason why the application for renewal should not be approved.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the application for renewal be approved and the license issued when the State license has been received. Motion carried.

COMPLIMENTARY LETTERS

Complimentary letters received during the past two weeks with regard to the personnel in both the Fire and Police Departments were read. The first letter from Mr. Ralph W. Wobick, Principal of the Orchard Avenue School, commended Fire Chief Kreps and his men for their quick response to a fire call at the Elm Cottage Kindergarten on October 6. Mr. Wobick noted that Fire Chief Kreps and his men were swift, efficient, courteous, and extremely well-controlled and thanked them for a job well-done.

The second letter from M. J. Mooshie, Atlanta, Georgia, said that the City has a very efficient and laudable Police Department. The letter continued that Detective Ron Smith, who was instrumental in finding the lost daughter of M. J. Mooshie, is a remarkably compassionate and understanding young man. The writer wished it were possible for all those who often speak of police

brutality to see the other side as represented by Mr. Smith.

OCTOBER 30, 1971, DESIGNATED "GATEWAY TO SKI COUNTRY DAY" AT WALKER FIELD

City Manager Gray read a proclamation designating October 30, 1971, as "Gateway to Ski Country Day" at Walker Field.

WATER BILL ADJUSTMENT - MRS. JEAN MIZELLE, 2933 HWY 50 - \$116.40

City Manager Gray read a memorandum from Malcolm McGregor, Utility Accounts Supervisor, regarding a request from Mrs. Jean Mizelle, 2933 Hwy 50, for a water bill adjustment for the September billing. Due to a service line leak, 209,000 gallons of water was used. The water leak was discovered September 22, 1971, and repairs were made on September 25, 1971. Mrs. Mizelle's water bill amounted to \$136.50. Usage for September, 1970, was 15,000 gallons amounting to \$20.10. An adjustment of \$116.40 was recommended.

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that the account of Mrs. Jean Mizelle, 2933 Hwy 50, be credited in the amount of \$116.40. Motion carried.

AGREEMENT - CLIFFORD H. JEX, ENGINEERS - ANDERSON RESERVOIRS NO. 1 & 2

City Manager Gray read a letter from Mr. Clifford H. Jex outlining his proposal for plans and specifications of improvements to Anderson Reservoirs No. 1 and 2.

Clifford H. Jex, Engineers

October 18, 1971

Mr. Richard N. Gray
City Manager
Grand Junction, Colorado 81501

Dear Mr. Gray:

Reference is made to the September 22 conference in your office regarding the proposed betterments work for the Anderson No. 2 Reservoir located an Grand Mesa.

It is my understanding you desire that I submit a proposal for the work of preparation of plans and specifications for the needed reservoir betterments construction work and that my work also include the processing of the plans and specifications for approval by the Forest Service and the Office of the State Engineer. During the conference in your office it was stated that the needed field surveys should be completed this fall prior to the closing of Grand Mesa by winter snow and that the approved plans and specifications are desired in sufficient time that the construction work can be completed next summer.

During the conference we also discussed the matter of preparing area-capacity information for both the Anderson Reservoir No. 1 and the Anderson Reservoir No. 2. This information is badly needed by the City for the proper operation of the two reservoirs. Since the field data required for the preparation of the construction plans and specifications will also provide the base data needed for the area capacity information, it is suggested that the entire job be undertaken under one assignment.

This is my proposal for running the necessary field surveys, the preparation of plans and specifications and the processing of the plans and specifications for approval by the Forest Service and the Office of the State Engineer for the Anderson Reservoir No. 2. The suggested fee for the above work is \$2900. For an additional fee of \$300 for each of the two Anderson Reservoirs, I will prepare and provide the City with complete reservoir topography on a scale of 200 feet to the inch and area-capacity information for each foot of water depth for the two reservoirs. The total fee for the entire job would thus be \$3500. A suggested schedule of payment for the above work is \$1000 for the completion of field survey work, \$1400 for the completion of plans and specifications, and \$500 for approval of the plans and specifications. The \$300 fee for area-capacity information for each of the two reservoirs would be paid on the submittal of area- capacity data.

Anticipating that field survey information will be needed in the preparation of plans and specifications, which I understand the City is obligated to submit next year, and also anticipating that we could have a major snow storm on Grand Mesa, at which time the access road may be closed, I have taken the necessary steps for the collection of field survey information. The cost of such work is \$950.

If this proposal is satisfactory, I would appreciate your notice on the same so that the work may be undertaken immediately and completed as discussed above.

Yours very truly,

/s/ Clifford M. Jex

CHJ:lpb

AGREED to this _____ day of October, 1971.

CITY OF GRAND JUNCTION

BY:

City Manager Gray requested authorization to sign the agreement with Mr. Jex. Mr. Gray read a letter dated September 3, 1970, from C. J. Kuiper, State Engineer, which noted that during an

inspection of Anderson Reservoir No. 2 on August 19, 1970, two swedish circle type slips were detected on the right side of the outlet pipe in the upstream portion of the embankment. Mr. Kuiper requested that the City retain a registered engineer to prepare plans and specifications for repair and rehabilitation of the embankment and that actual repair work should be accomplished at the earliest possible date.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the City Manager be authorized to sign the agreement with Mr. Clifford Jex. Motion carried.

DISCUSSION OF VACATING NORTH 10TH STREET FROM WALNUT TO BOOKCLIFF

Mr. Blake Chambliss, Architect, representing Monterey Park Senior Citizens Foundation, presented development plans they have for addition to their units. To accomplish the best possible design, they are proposing the vacation of North 10th Street from Walnut Avenue to Bookcliff Avenue. This was a discussion only, to get the thinking of Council. The request for vacation will be presented later.

Council agreed that if the conditions of the Planning Commission are met, they felt they could go along with the vacation of North 10th Street.

DAYS - EAST-WEST JUNIOR HIGH TO SELL POPCORN THROUGH OCTOBER 30

Mr. Ace Ballaro, Principal of Grand Junction East Junior High School and representing the vocal groups of both East Junior High and West Junior High, appeared before the Council to request permission for the sale of popcorn from the Antique Wagon on Main Street through October 30, 1971. Proceeds will be used to purchase choir robes. Band mothers will operate the machine, and they plan to be open from 12:00 noon to 5:00 P.M. daily.

It was moved by Councilman Colescott and seconded by Councilman Kozisek that permission be granted the East-West Junior High Schools to sell popcorn from the Antique Wagon on Main Street from October 21 through October 30, 1971. Motion carried.

ADJOURNMENT

Motion was made by Councilman Youngerman, seconded by Councilman Kozisek, to adjourn the meeting.

/s/ Neva B. Lockhart
City Clerk