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Grand Junction, Colorado

January 16, 1974

#### ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. January 16, 1974, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson and Council members Harry Colescott, Silas Grantham, Lawrence Kozisek, Jane Quimby, Elvin Tufly and Robert Van Houten. Also present were City Attorney Gerald Ashby, City Manager Harvey Rose, and City Clerk Neva Lockhart.

#### MINUTES

There being no corrections or additions to the Minutes of the Regular Council Meeting held on January 2, 1974, Councilman Van Houten moved they be approved as written. Councilman Grantham seconded and said motion carried unanimously.

#### HEARING

Application by Teller Arms Liquor Shoppe to change location  
Approved

Advertised for hearing on this date was the application by Rufus M. and Florence M. Jones doing business as the Teller Arms Liquor Shoppe to change the location of their retail store liquor license from 2401 North Avenue Unit 5, to 2353 Belford Avenue. Mr. and Mrs. Jones were present for the hearing and presented petitions signed by 31 people in the immediate area and 326 signatures of people from the general area in favor of the location change. Included also was the plan. A letter from Chief Johnson advised that Mr. and Mrs. Jones have owned and operated a liquor store in the Grand Junction area for some time, and he has found them to be cooperative. No other letters had been filed regarding the application, and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

It was moved by Councilman Kozisek and seconded by Councilman Tufly that the application by Rufus and Florence Jones to change the location of the Teller Arms Liquor Shoppe to 2353 Belford Avenue be approved. Motion carried unanimously.

#### HEARING

Proposal to one-way Rood & Colo. Aves bet 1st St. & 7th St.

Senior Engineering Technician Steve McKee presented the proposal to one-way Rood Avenue westbound and Colorado Avenue eastbound. Letters were mailed to property owners and businesses along these

streets. Three responses were received -- two in favor of the proposal and one against. Mr. Richard Stranger, Mr. Bill James, Mr. Pat Gormley, Mr. Pat Dwyer, and Mr. Bob Quimby were present for the hearing. Consensus of the group was that more planning and more input is required prior to any final decision. Mr. Gormley felt that the plan needs more than a presumption for the traffic patterns. It was suggested that Rood and White be considered as the one-way pair. Mr. Stranger suggested an origin and destination study. The President closed the hearing. Councilman Van Houten moved that alternative plans be prepared and brought to the next meeting of Council for consideration. The motion was seconded by Councilman Kozisek and said motion carried unanimously.

#### BIDS

1974 Gravel supply contract awarded to Whitewater Bldg Material Co. - \$34,050

One bid was received and opened on January 9, 1974, to provide the City's 1974 gravel supply. Whitewater Building Materials Company bid \$34,050. Staff recommended award of the contract to this company.

It was moved by Councilman Grantham and seconded by Councilman Kozisek that the contract be awarded to Whitewater Building Materials Company for its bid of \$34,050 for the gravel supply. Motion carried unanimously.

#### HEARING

Rezoning to P.D. Mobile Home-bet Texas & Mesa Aves W of 28 1/2 Rd. Proposed Ord.

Considered by the Planning Commission at its meeting on December 27, 1973, and recommended to the City Council for action was the request by petitioner Thomas J. Brimhall to rezone approximately 3.3 acres from R-1-D (Single-Family Residential) to PDM (Planned Development Mobile Home). Mr. Tom Brimhall was present and stated that the property is presently zoned to permit only factory-built units, and he is requesting the change to permit the conventional mobile homes. Mr. Vince Luze, Surplus City Mobile Homes, and Jim Lyon, Mobile Home Dealer, also favored the zone change. There was no opposition to the zone change by other property owners in the area. Mr. Brimhall has stated that he will replant the landscape screen around the property this spring. 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 Van Houten and seconded by Councilman Tuflly that the proposed ordinance be passed for publication. Motion carried unanimously.

## HEARING

Rezoning to PDB the NW Cor 12th St. & Patterson Rd. Prop. Ord.

This request was considered by the Planning Commission on December 27, 1973, and unanimously recommended for hearing before the City Council. The request is a rezoning petition of approximately 1.96 acres from R-3 (Multi-family Residential), P (Parking), and B-2 (Neighborhood Business) to PDB (Planned Development Business). The petitioner is CBW Builders, Inc., Ben Carnes. The plans for the property is to construct an office complex and surgi-center. It was difficult for the petitioner to site the building on the property and plan the on-site traffic pattern under the present zoning. The Planning Commission recommended approval of the preliminary Planned Unit development subject to the petitioner dedicating 50 feet of right of way from the center line of 12th Street along the east side of the property and 50 feet of right of way from the center line of Patterson Road along the south side of the property. No letters were filed and no one in the audience indicated a desire to speak. 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 Colescott and seconded by Councilman Grantham that the proposed ordinance be passed for publication. Motion carried unanimously.

## HEARING

Rezoning to C-1 200 ft North of North Ave. & E of Court Rd. Prop. Ord.

Considered by the City Planning Commission on December 27, 1973, and unanimously recommended for hearing before the City Council was the petition by Mr. and Mrs. P. Donovan to rezone approximately .19 acres located approximately 300 feet north of North Avenue and east of Court Road. Rezoning from R-1-D (Single-Family Residential) to C-1 (Light Commerce) is requested by the petitioner so he can build a new 20-unit, two-level efficiency apartment house. There were no letters on file regarding this request, and there was no one in the audience who indicated a desire to speak. 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 Grantham and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried unanimously.

## HEARING

Zoning text changes Amendment to density in PDB Dist. & size of public notice signs. Prop. Ord.

Considered by the Planning Commission on December 27, 1973, and unanimously recommended for hearing before the Council were amendments to the Zoning Ord. text. PDB (Planned Development Business) zoning district to specify the density requirement for multi-family developments. Change size and readable distance for public notices (signs) posted on properties prior to public hearings (4 square feet and readable distance of 20 feet). There were no letters on file and no one in the audience indicated a desire to speak on these changes. The President closed the hearing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION CONCERNING PLANNED DEVELOPMENTS AND DEFINITION OF PUBLIC NOTICE. It was moved by Councilwoman Quimby and seconded by Councilman Kozisek that the proposed ordinance be passed for publication. Motion carried unanimously.

## ORDINANCE NO. 1482

Flood plain regulations

The Proof of Publication of the Notice of publishing in pamphlet form the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING THERETO A ZONING CATEGORY AND REGULATIONS THEREUNDER TO CONTROL LAND USE AND CONSTRUCTION, ALTERATION OR RECONSTRUCTION OF BUILDINGS WITHIN ANY FLOOD REGULATORY AREA WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilman Kozisek that the Proof of Publication be accepted and filed.

It was moved by Councilman Kozisek and seconded by Councilman Tufly to suspend the rules of the Council and waive the reading of the Ordinance; that the Ordinance be passed, adopted, numbered 1482, and a Notice of its final passage be published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

## RESOLUTION

Raising fee schedule for Cemetery services

The following Resolution was presented and read:

## RESOLUTION

WHEREAS, by Ordinance, it is required that the City Council set the fees and charges at the Municipal Cemetery; and

WHEREAS, it is necessary to establish new fees and charges for conducting the operations of said cemetery;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction:

That the following prices be charged for services performed in any and all sections of the Municipal Cemetery under the jurisdiction of the City of Grand Junction:

Opening and closing graves - adults (standard to vault size) \$75.00  
Child's grave - 3 to 5 feet 35.00  
Infant's size grave 25.00  
Perpetual care for one grave space (P.C.) 45.00  
Cost of each grave space (Lot) 90.00  
Setting monuments \$2.60 per sq. ft.  
Protective measure for monuments:  
Monument up to 24 inches 25.00  
Monument up to 25 inches to 36 inches 32.50  
Monument over 36 inches 40.00  
Setting cremation urns 35.00  
Disinterment 150.00  
Re-interment 75.00

Grave openings for funerals held on holidays, Sundays or Mondays until 1:00 o'clock p.m., or whenever it requires that City employees work on an overtime basis shall be charged for on a basis of \$25.00 additional for each grave opened.

Grave spaces in Blocks "D" and "E" in Orchard Mesa Cemetery are to be sold without choice by the purchaser, for the amount of \$20.00. This does not include perpetual care or annual care. Regular rates for grave operations will be charged in these locations, and only grass or flat markers may be used.

PASSED and ADOPTED this 16th day of January, 1974.

/s/ Stanley R. Anderson

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President of the Council

ATTEST:

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City Clerk

It was moved by Councilman Van Houten and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Councilman Tufly said he has no argument with the proposed increase for perpetual care, but he is having a hard time justifying the rate increase for the grave spaces. He feels this

increase could be subsidized from Council's Contingency Fund. Roll was called upon the motion with the following result:

Council Members voting AYE: Quimby, Colescott, Kozisek, Van Houten, Grantham, Anderson

Council Member voting NO: Tufly

The majority of the Council members having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

HANDICAPPED DRIVERS

Resol-implement House Bill No. 1566

The following Resolution was presented and read:

RESOLUTION

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

That a vehicle bearing distinguishing license plates or an identifying placard identifying the vehicle as being used by or transporting a person with mobility handicap, in accordance with Chapter 13-5-171, C.R.S., 1963, as amended, may be parked in public parking areas regardless of any time limitation imposed upon parking in such area; provided that such privilege shall not apply in zones in which:

- a. Stopping, standing or parking of all vehicles is prohibited;
- b. Only special vehicles may be parked;
- c. Parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

PASSED and ADOPTED this 16th day of January, 1974.

Stanley R. Anderson

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President of the Council

ATTEST:

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City Clerk

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried and the Resolution duly

passed and adopted.

PROPERTY

Correct description of land exchanged with Veterans Adm. Resol.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, THE UNITED STATES OF AMERICA acting through the Administrator of Veterans Affairs has requested an exchange of land between the UNITED STATES and the CITY OF GRAND JUNCTION to effect a boundary change between lands owned by the entities; and

WHEREAS, such exchange of land would not be detrimental to the citizens of the City of Grand Junction and would aid the Veterans' Administration in its proposed construction, the land not being held or used for park or governmental purposes;

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

That the City Manager be, and he hereby is, authorized to convey to the United States of America, as the act of the City, the land situated in Mesa County, Colorado, and described as:

Beginning at a point whence North Quarter Corner Section 13 Township 1 South, Range 1 West bears North 36° 14' West 1015.3 feet; thence running North 58° 33' East a distance of 722.2 feet; thence running North 89° 55' 30" West a distance of 149.4 feet; thence running South 51° 04' 30" West 600.0 feet to Point of Beginning,

such deed to be delivered upon receipt of a deed from the United States conveying to the City of Grand Junction the land necessary to effect the boundary changes.

PASSED and ADOPTED this 16th day of January, 1974.

Stanley R. Anderson

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President of the Council

ATTEST:

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City Clerk

It was moved by Councilman Van Houten and seconded by Councilman Tufly that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE. The

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

#### POLICE PENSION

Discuss escalation clause

Discussion was had regarding the request by the Police Department employees for an escalation clause to the Police Pension Fund. If Council chooses to approve this request, it has the option of implementing it from the General Fund or from the Police Pension Fund.

It was moved by Councilman Van Houten and seconded by Councilman Grantham that the request be referred to the Police Pension Board for its recommendation. Motion carried unanimously.

#### PROPERTY

Sell property on Kannah Creek to Monastery of the Visitation, Inc. for \$1,597.95 Resol.

The following Resolution was presented and read:

#### RESOLUTION

WHEREAS, MONASTERY OF THE VISITATION, INCORPORATED, has offered to purchase the property hereinafter described from the City of Grand Junction for the sum of One Thousand Five Hundred Ninety Seven and 95/100 Dollars (\$1,597.95); and

WHEREAS, said property is not used or held for park or governmental purposes, and the sale of said property for the price stated would be in the best interest of the City and its inhabitants;

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

That the City Manager, as the act of the City and on behalf of the City, be, and he is hereby, authorized to convey by Warranty Deed to MONASTERY OF THE VISITATION, INCORPORATED, upon receipt of the purchase price, the following real property situate in Mesa County, Colorado, and owned by the City of Grand Junction and described as follows:

PARCEL NO. 1

A parcel of land situated in Lots 9 and 15 Section 32 Township 12 South Range 97 West and Lot 2 Section 5 Township 13 South Range 97 West 6 P.M. described as follows: Beginning at the Southwest corner Lot 15 Section 32 (point is also North quarter corner Section 5 Township 13 South Range 97 West and corner 6 TR 43



Township 12 South Range 97 West 6 P.M.) being South 89° 45' 26" East 66.00 feet from a 1908 witness corner brass cap in place; thence South 00° 00' 666.00 feet along the West line of Lot 2 Section 5; thence South 89° 45' 26" East 659.26 feet; thence North 00° 00' 866.00 feet; thence North 73° 20' 46" East 688.13 feet to the East line of Lot 15 Section 32 (Line is also West line of TR 46); thence North 00° 00' 1008.25 feet along the East line of Lot 15 and Lot 9 (or the West line TR 46) to a fence line; thence South 64° 51' West 1101.69 feet along the fence line; thence South 62° 21;' West 362.43 feet along the fence line to the West line of Lot 15 (or the East line of TR 43); thence South 00° 01' West 766.30 feet along the West line of Lot 15 to the point of beginning containing 38.645 acres more or less.

PARCEL NO. 2

A parcel of land situated in Lot 15 Section 32 Township 12 South Range 97 West and Lot 2 Section 5 Township 13 South Range 97 West 6 P.M. described as follows: Beginning at the Southeast corner of Lot 15 Section 32 (also corner 3 TR 46) a 1908 brass cap in place; thence South 00° 00' 666.00 feet; thence North 89° 45' 26" West 659.26 feet; thence North 00° 00' 866.00 feet; thence North 73° 20' 46" East 688.13 feet to the East line of Lot 15 Section 32; thence South 00° 00' 400.00 feet along the East line of Lot 15 Section 32 to the point of beginning containing 14.620 acres.

PASSED and ADOPTED this 16th day of January, 1974.

Stanley R. Anderson

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President of the Council

ATTEST:

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City Clerk

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

AUDITORS APPTD

Dalby, Wendland & Jensen for 1973 & McNulty, Chadwick & Steinkirchner for 1974

It was moved by Councilman Kozisek and seconded by Councilman Van Houten that the firm of Dalby, Wendland, & Jensen be appointed to

audit the 1973 City records and that the firm of McNulty, Chadwick & Steinkirchner be appointed to audit the 1974 City records. Motion carried with Councilman Grantham voting NO.

#### PLANNING COMMISSION

Meeting with members at 4 PM 1-17-74

Councilwoman Quimby reminded Council members of the meeting with the City Planning Commission members at 4:00 p.m. Thursday, January 17.

#### HEARING

Oil Shale with Sen. Floyd Haskell. Statement of Pres. Anderson adopted

President of the Council Stanley Anderson presented the following statement for adoption:

#### "GROWTH"

The Western Slopes of the Rocky Mountains of Colorado, Utah and Wyoming have long been known as a repository of vast mineral resources and have, more recently, become the center of a growing tourism and recreation industry. The national energy crises has focused attention on the region as a most promising supplier of resources to meet the present emergency as well as future needs. Accelerated growth and its resultant demand for expanded and improved urban services may come from one or several sources but it appears to be a fact of life in the future of western Colorado.

Services provided by most local and county governments in the region have been confined traditionally to barest minimums simply because of limits imposed by a depressed, seasonal economy. Service levels are increasing slowly and will continually be imposed. But major new growth demand, without accompanying resource increases, can be expected to overload governmental systems and public facilities to their detriment and possible destruction.

Governmental systems and processes, like their counterparts in the private sector, have developed traditional methods of operations. A minimum of 18 months is presently required for preliminary design and approvals for highways, waterworks, sewer treatment plants and other facilities requiring state and/or federal assistance. Experience indicates that a similar schedule is necessary for final plans, bid-lettings and construction of most public facilities. These schedules and activities are predicated on the immediate availability of funds for their initiation and completion.

Unlike elements of the private sector, local governments are severely restricted from appropriating, obligating or expending monies which they do not have. The availability of funds is a

statutory requisite to applications for federal and state grants in-aid and for the initiation of activity to seek bids and award contracts for public improvements. Lacking adequate plans and financing and the technical and professional staffs in a sufficiency and of a competency to obtain them, the suggestion that communities appear reluctant to proceed with the planning process is a gross understatement. We are simply incapable of generating such activities or the revenues they require on short notice.

Local governmental agencies have traditionally been denied the research and development capabilities that have become the basis of success in industry. If, as has been suggested, the national energy crisis is the result of poor planning and miscalculation at the national level, where virtually unlimited funds have been available, how can we now expect or require that limited local resources are equal to the task of its solution? Local communities can and will participate in research, planning and development for growth. But we must be accorded an equal status in the decision-making process from the beginning; an equal share in the benefits as well as in the costs. In short, we must be allowed to determine our own destinies.

Considering the foregoing, we submit that any major growth impact or demand must be viewed with an eye to preventing the "boom-or-bust" frustrations of the past, to protecting our developing socio-economic situations and to preserving the natural, physical and human resources of the region. A comprehensive plan based on the best and most complete information obtainable must precede the development of public facilities. Such a plan must begin with acceptable methods for its financing and continue through firm commitments for funding all improvements which it contemplates.

The goals and objectives of the planning process will be first to inventory the quantity and quality of existing community facilities and services, assuming that growth activity has no responsibility for existing inadequacies. Secondly, the planning process will identify the needs and demands occasioned by growth and provide for their satisfaction on a cost-benefit basis without undue burden to the existing population.

The regional plan should be the culmination of specific plans drawn from and by each urban area, coordinated through the existing county planning agencies and consolidated under existing county planning agencies and consolidated under existing regional agencies. We assume intrastate planning and coordination will be carried out as determined by the Governor. Only through coordinated planning can needless duplication, waste and frustration be prevented and historical animosities within and between jurisdictions be eliminated.

The single point of contention at the outset of impacted growth will be for the allocation of "front-end" monies. Both the stimulators of growth impact and the local government agencies

which are expected to respond to that impact, will require vast sums initially. Means must be found for equitable participation and reciprocity on both short and long term commitments by each participant. It should be remembered, however, that there is no method by which local government can "write off" or subsidize research and development activity. The local public official simply cannot gamble, speculate or hedge public monies or public resources. Once begun, planning and development of public facilities must proceed to completion or be relegated to waste.

Governmental agencies and officials at all levels must be as committed to the solution of growth problems as are those representatives of the private sector who propose growth activity. That commitment must also extend to the fulfillment of responsibility for high levels of public service and preservation of the public health, safety and general welfare. It must be clearly understood that no authority exists for compromising this responsibility. Any conflict between expediency or private economic advantage and the public welfare must be resolved in favor of the latter or constitute an admission of the failure of man's capacity for self government.

COLORADO WEST AREA COUNCIL OF GOVERNMENTS

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Chairman

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Secretary

He will present this statement before the Oil Shale Hearing to be held in the Civic Auditorium by Senator Floyd Haskell on Saturday, January 17, 1974.

It was moved by Councilman Kozisek and seconded by Councilman Tufly that the statement be adopted as read. Motion carried unanimously.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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City Clerk