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Grand Junction, Colorado

February 6, 1974

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. February 6, 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 16, 1974, Councilman Van Houten moved they be approved as written. Councilman Grantham seconded and the motion carried unanimously.

NEW CITY EMPLOYEES

Introduction of

The following new City employees were introduced to Council:

Ben Meyers - Police Department - Chief of Police  
Dennis Hudgens - Police Department - Police Patrolman  
Mrs. Evelyn Moser - Police Dept. - Intermediate Clerk-Typist  
Eddie Serrano - Fire Department, Fireman  
Jas. Kirkpatrick - Fire Dept. - Senior Clerk-Typist  
Leroy Ellis - Parks Dept. - Crewman 2  
Kim Woyonowski - Pub. Works Dept. - Engr. Technician  
David J. Bergren - Pub. Works Dept. - Traffic-Crewman 1

Mr. Robert Quimby introduced the Diplomat from the Netherlands, Mr. Beelearts, to Council. Mr. Beelearts and other U.N. dignitaries were visiting Grand Junction today.

HEARING

Beer-Wine License-Pauline M. Reyes, Los Reyes Rest. 811 S 7th

Advertised for hearing on this date was the application of Pauline M. Reyes, doing business as the Los Reyes Restaurant, 811 South 7th Street, for a beer-wine license. A notice of the hearing was posted on the property on January 25, 1974. A total of 108 property owners in the immediate area were notified of the survey to determine the needs and desires of the neighborhood. Mr. Al Wing canvassed the area for the City with the following result:

No Opinion 17  
In favor 24  
Opposed 37  
Total Responding 78

Reasons given for opposing the issuance of the beer-wine license are as follows:

1. Not needed, present 3.2% adequate (2)
2. Vandalism and disturbance (3)
3. No shortage of taverns (1)
4. Liquor License not needed (3)
5. Drinking not needed for this part of town (4)
6. Opposed to alcohol and tobacco (1)
7. Have church near here (1)
8. Enough liquor licenses, beer, and bars already (6)
9. Not enough Police protection (1)
10. Small children, don't need type of people this place would attract (1)
11. Preach against it (Assembly of God) (1)
12. Chicanos cause enough trouble in this area (1)
13. Traffic can't get through due to parking (3)
14. Opposed (no reasons given) (5)
15. Had trouble with Bimbo's before (2)
16. Do not believe in liquors (religious) (1)
17. Area more favorable to industrial than business (1)

A map showing the location of Los Reyes Restaurant in relation to the other beer-wine license locations was presented for consideration.

Mr. Augie Reyes, representing Mrs. Reyes, was present for the hearing. Mr. Reyes said that he has owned and operated the Los Reyes Restaurant for two years, presently operating under a 3.2 beer license in his name. The application for the beer-wine license in his wife's name is so they will have the ability to sell Mexican beer which has an alcoholic content of more than 3.2 percent. Mr. Reyes has applied for an importer's license in his name. Mr. Reyes presented a petition signed by 112 people in favor of the issuance of the license. He noted that his petition was signed by people who came to the Restaurant. A letter from former Chief of Police Karl Johnson advised that his investigation finds this applicant qualified for this type of license.

Mr. Robert Quimby, an interested citizen, stated that he has found Mr. Reyes to be a reputable business man. He noted that most of the objections to the issuance of this type license appear to be very prejudicial. He felt the prejudicial objections should be cast out, as he would sincerely hate to see Mr. Reyes denied this opportunity. Councilman Grantham noted that he, too, has known Mr. Reyes for a number of years and would recommend approval of the application. The President closed the hearing.

It was moved by Councilman Kozisek and seconded by Councilman

Grantham that the application be approved and the license issued when the State license has been received. Motion carried with Councilman Van Houten voting NO.

Councilman Van Houten commented that he was under the impression that these license applications would be considered as a hearing at one Council meeting with the approval or denial at a subsequent Council meeting. President Anderson said this suggestion would be taken under advisement.

#### HEARING

I.D. ST-73 Assessments. Proposed Ord.

Advertised for hearing on this date was the assessment notice for Street Improvement District No. 73. A letter from Mr. Irvin E. Ihrig, 529 28 1/2 Road was noted. Mr. Ihrig protested the assessments, although he indicated in his letter that he had purchased his property after the petition for improvements had been filed. Mr. Tom Brimhall stated that he understood these improvements would not exceed \$10.00 per front foot. He said he was assessed more than the \$10.00 per front foot on Lot 14. City Attorney Ashby suggested that Mr. Brimhall check with the Engineering Department tomorrow to see if an error had been made in the computation. If an error has, in fact, occurred, the correction can be made before final adoption of the assessing ordinance. No other letters had been filed, and there were no others in the audience who indicated a desire to speak on this matter. The President closed the hearing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-73, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Grantham and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried unanimously.

#### CITY HALL REMODELING

Bids - Contract Blaylock \$266,720

Four bids were received and opened at 4:00 p.m. Tuesday, January 29, 1974, on the City Hall remodeling project. Bids were as follows:

Base BidAlternateTo tal			
H.E. Anderson, Inc.\$269,000\$3 ,512\$272,512			
Henry Blaylock263,60 03,120266,720			
Phipps Construction27 7,5075,200282, 707			
Fred Sperber297,134 11,534308,668			

Mr. Pat Dwyer of the firm of Nelson, Haley, Patterson and Quirk, Architects, advised Council that the low bid from Mr. Blaylock is in order. Mr. Dwyer said that he has talked with the Administration regarding the alternate bid which is for a concrete entry ramp from 5th Street, and the recommendation is to accept the alternate bid for this item.

It was moved by Councilman Van Houten and seconded by Councilman Kozisek that the bid of Henry Blaylock, including the alternate, be accepted and the contract awarded. Motion carried unanimously. It was noted that Mr. Blaylock will be instructed to purchase the majority of the material before construction starts.

HEARING

REZONING 2.26 A fr R-1-C to PD8 S of G.V. Canal, 125' N of Cedar & E of 13th St.

Advertised for hearing on this date was the petition for rezoning

2.26 plus acres from R-1-C (One-Family Residential) to PD8 (Planned Unit Development). This tract is located east of 13th Street, south of the Grand Valley Canal and approximately 125 feet north of Cedar Avenue. The petitioner is Mr. M. E. McCallister representing R. W. and W. F. Loebe. Plans are for an apartment complex on the tract. Assistant Planning Director Rick Cisar presented a map and slides outlining the area in question. He said this item was considered at the Planning Commission meeting on September 26, 1973, when the petitioner had requested R-3 zoning (Multi-Family Residential). The recommendation at that meeting was that the petition be amended to PD8 (Planned Unit Development) because the existing developments in the area are presently zoned Single-Family Residential. Mr. McCallister has now presented a general plan with 24 units which would require R-3 or PD-12 zoning. Mr. Cisar recommended this petition be referred back to the Planning Commission for further consideration. Mr. McCallister was present and requested R-3 zoning or PD-12 zoning. He said the developers want to get to work. Council Members Van Houten and Quimby agreed that the Planning Commission would not approve this for R-3 zoning, but that it might be approved as PD-12. The recommendation was to refer this back to the Planning Commission for consideration at its meeting on February 27 with advertising running concurrently for hearing before the City Council again on March 6. The President closed the hearing.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the petition be referred back to the Planning Commission for further study and recommendation. Motion carried unanimously.

#### DAYS

Request for booth on Main St. Saturday, Feb. 9, approved. G.J. Bicycle Coalition

Mr. Steve Madsen and Dr. Bruce Baurle representing the Grand Junction Bicycle Coalition, requested Council's permission for a booth on the corner of 5th Street and Main for the purpose of disseminating information about bikeways and obtaining signatures on a petition for bikeways. Discussion then followed on the proposal by the Coalition for a center-of-the-road bikeway on 10th Street, Elm Avenue, and Gunnison Avenue. The safety factor of this method was requested. Doctor Baurle didn't have that information but stated that he would get it prior to petitioning Council for the bikeway. The group plans to petition the Planning Commission and discuss the method with the Traffic Department.

City Manager Rose said he feels the City is ready to look into providing bikeways; it is a matter of method and routing.

President Anderson advised the group to make the date and time they want to be on Main Street known to the City Manager and permission would be granted.

## MESA GARDENS

City to req. assistant fr GJ Drainage Dist. for drainage pump

Mr. William Hill, representing the residents of Mesa Gardens, requested that the City ask for some monetary assistance from the Grand Junction Drainage District for the pump in the Mesa Gardens area. Most of the residents in the Mesa Gardens area are paying a monthly fee for the pump to continue in service as they feel it is doing some good.

Mr. Hill noted that only one Grand Junction resident is on the Board of the Grand Junction Drainage District and that most of the funds collected by this agency are expended outside the City limits. Another resident of the area agreed with Mr. Hill that the pump is doing the job for them. City Manager Rose said the City Administration will contact the Grand Junction Drainage District and try to get some assistance.

## 3.2 BEER LICENSES

Renew 7-2-11 Store No. 18, 2355 Belford; Pizza Hut of G.J., Inc., 1440 North Ave.

Presented for consideration were the applications by Hobby Frazer, 7-2-11 Food Store No. 18, 2355 Belford Avenue, and Pizza Hut of Grand Junction, Inc., 1440 North Avenue, for the renewal of 3.2 beer licenses. A letter from former Police Chief Karl Johnson advised there have been no complaints or violations by either of these licensees during the past year.

It was moved by Councilman Grantham and seconded by Councilman Tufly that the applications be approved and the licenses issued when the State licenses have been received. Motion carried unanimously.

## 3.3 BEER LICENSE

Change of owners-Paddock's, 1625 N. 15th

Presented for consideration was the application by Terry L. and Jackie Paddock for a 3.2 beer license at Paddock's Meat Market & Grocery Store, 1625 North 15th Street. The former owners were Vera and Carroll Gilbert doing business as Gilbert's Market. A letter from former Chief of Police Karl Johnson advised that the Paddock's previously owned and operated a similar business in Boulder for which they held a beer license. A check with the Boulder Police Department revealed nothing of a derogatory nature. It was moved by Councilman Colescott and seconded by Councilman Kozisek that the application be approved and the license issued when the State license has been received. Motion carried unanimously.

## TRAFFIC

1-way plans for Rood westbound & Colo. eastbound bet 1st & 7th - approved

The discussion of the proposed plans to one-way Rood Avenue westbound and Colorado Avenue eastbound was moved forward on the agenda. The Staff members noted that the traffic volumes toward First Street become minimal, but increase substantially between 3rd Street and 7th Street. Staff recommended implementing the one-way traffic flow on Rood and Colorado between 3rd and 7th Streets at the present time. This would alleviate some of the problems presently. The feeling is that the development of a Multi-Purpose Building and the development of a super block would force the area between First Street and 3rd Street on Rood and Colorado into the one-way concept in the near future.

Mr. Sam Antonopulous, owner of the Athens Motel, 145 Rood Avenue, said he would like to see Colorado Avenue left as is and suggested Rood become one-way eastbound and White become one-way westbound. Staff noted that parking would have to be removed from both sides of the street on White Avenue if this plan were to be used.

Mr. Bill Jarvis, Jr., Mr. Bill Jarvis Sr., Mr. Romaine Stein, and Mr. Robert Quimby commented on the plan. Staff noted some repaving to be done on Colorado Ave., and recommended a target date of August 1 to implement the one-way concept.

It was moved by Councilman Van Houten and seconded by Councilman Kozisek that the concept to one-way Rood Avenue westbound and Colorado Avenue eastbound be approved and that the one-way pattern extend from First Street to 7th Street. Motion carried unanimously.

President Anderson commented that he feels it is only a matter of time before automobile traffic on Main Street between First Street to 7th Street will be a thing of the past.

ORD. NO. 1483

Rezone bet. Texas & Mesa, W of 28 1/2 Rd. to PDM (Planned Development Mobile Home)

The Proof of Publication to the following entitled proposed ordinance was presented: 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 Councilman Colescott that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was read and there being no comments, it was moved by Councilman Grantham and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1483, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORD. NO. 1484

Rezone NW Cor 12th & Patterson to PDB

The Proof of Publication to the following entitled proposed ordinance was presented: 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 Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Grantham and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read.

The Ordinance was read and there being no comments, it was moved by Councilman Colescott and seconded by Councilman Van Houten that the Ordinance be passed, adopted, numbered 1484, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORD. NO. 1485

Rezone E Side of Court Rd., North of North Ave. to Light Commerce

The Proof of Publication to the following entitled proposed ordinance was presented: 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 Councilman Kozisek that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Tufly that the proposed ordinance be called up for final passage and read.

The Ordinance was read. There being no comments it was moved by Councilman Tufly and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1485, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORD. NO. 1486

AMEND ZONING TEXT Density in PDB Dist. & Size of Public Notice Signs

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION CONCERNING PLANNED DEVELOPMENTS AND DEFINITIONS OF PUBLIC NOTICE. It was moved by Councilman Grantham and seconded by Councilman Tufly that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Colescott and Seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1486, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

#### LEASE AGREEMENT

Extension of term Clifford Davis (Anderson property on Kannah Creek)

Presented for consideration was Amendment No. 2 to the Lease Agreement between the City of Grand Junction and Clifford Davis. Mr. Davis is leasing City-owned property known as the old Anderson Ranch and wishes to enter into some ranching activities which requires that he be assured of the use of the leased land for five years beyond his present lease. It is proposed that the term of the lease expire May 14, 1981. Councilman Colescott questioned whether there is something in the leases regarding feed lots--he expressed concern in that the quality of water return flow would be affected. City Attorney Ashby said he thinks the Environmental Protection Agency protects against this, and he will check it out.

It was moved by Councilman Tufly and seconded by Councilman Kozisek that Amendment No. 2 to the Lease Agreement between the City and Clifford Davis be approved and the City Manager is authorized to sign the Amendment. Motion carried unanimously.

#### ORD. NO.1487 (E)

Annexation 7.39A N of F3/4 Rd. bet. 27 1/2 & 28 Roads (WALDROP)

The following petition for annexation to the City of Grand Junction was presented and accepted:

#### PETITION FOR ANNEXATION

WE, THE UNDERSIGNED, do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

The West 488 feet of Lot 19 of Jaynes Subdivision of Section 1 of

Township 1 South of Range 1 West of the Ute Meridian, Mesa County, Colorado

As ground therefore, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE, these petitions pray that petition be accepted and that the said annexation be approved and accepted by ordinance.

DATE SIGNATURE ADDRESS PROPERTY DESCRIPTION			
1/30/74 William L. Waldrop The West 488 feet of Lot 19 of Jaynes Subdivision of Section 1 of Township 1 South of Range 1 West of the Ute Meridian, Mesa County, Colorado			
1/30/74 Barbara Price Waldrop			

STATE OF COLORADO)		
)SS		
COUNTY OF MESA		

AFFIDAVIT

Edwin S. Lamm, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

;sigl;

/s/ Edwin S. Lamm

Subscribed and sworn to before me this 31st day of January, 1974.

Witness my hand and official seal.

/s/ Donald H. Warner, Jr.

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

My Commission expires: April 3, 1975

The following Resolution was presented and read:

RESOLUTION

WHEREAS, on the 6th day of February, 1974, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property, to wit:

The West 488 feet of Lot 19 of Jaynes Subdivision of Section 1 of Township 1 South of Range 1 West of the Ute Meridian, Mesa County, Colorado.

WHEREAS, the Council has found and determined, and does hereby find and determine, that said petition is in substantial compliance with statutory requirements thereof, that one-sixth of 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 integrated or is capable of being integrated with said City, and, that no election is required under the Municipal Annexation Act of 1965, as the owners of one hundred per cent of the property have petitioned for annexation;

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

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

PASSED and ADOPTED this 6th day of February, 1974.

Stanley R. Anderson

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

ATTEST:

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

It was moved by Councilman Grantham 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.

The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, AND DECLARING AN EMERGENCY. It was moved by Councilman Grantham and seconded by Councilman Kozisek that the Ordinance be passed and adopted as an emergency Ordinance, that it be numbered 1487, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

POLICE PENSION FUND

Escalation clause included

City Manager Rose reported that the Police Pension Board approved the inclusion of the Escalation Clause to the Police Pension Fund and that it be implemented effective February 1 from the Police Pension Fund itself. Projected figures for implementing the

Escalation Clause:

1974 \$25,000  
1975 29,000  
1976 35,000

Mr. Rose said these figures are based on an annual increase in pay of five percent and two retirees per year.

It was moved by Councilman Van Houten and seconded by Councilman Kozisek that the inclusion of the Escalation Clause to the Police Pension Fund be approved effective February 1, 1974, and the funding be taken from the Police Pension Fund. Motion carried unanimously.

19TH STREET

Plan Director to check into opening from Freeway to Grand

Councilman Colescott requested that the Planning Director check into the possibility of opening up 19th Street from the freeway to Grand.

BEER & LIQUOR LICENSES

Policy change re date of determination

It was moved by Councilman Van Houten and seconded by Councilman Colescott that the determination on future beer and liquor license applications be made at the subsequent Council meeting after the hearing. Motion carried with Councilman Tufly voting NO.

ADJOURNMENT

The President adjourned the meeting at 10:30 P.M.

Neva B. Lockhart

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