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Grand Junction, Colorado

July 17, 1974

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. July 17, 1974, in the Civic Auditorium at City Hall. Present and answering roll call were President of the Council Lawrence Kozisek and Council Members Harry Colescott, Jane Quimby, Elvin Tufly, and Robert Van Houten. Councilmen Stanley Anderson and Silas Grantham were absent. Also present were City Attorney Gerald Ashby, City Clerk Neva Lockhart, and Acting City Manager James Wysocki. City Manager Harvey Rose was absent.

MINUTES

Councilman Colescott moved that the Minutes of the regular council meeting July 3, 1974, be approved as written, which motion was seconded by Councilwoman Quimby and said motion carried.

LIQUOR LICENSE

The Vault, 5th & Rood

approved

The following decision was read:

DECISION ON APPLICATION FOR HOTEL AND RESTAURANT LIQUOR LICENSE BY M & W OF GRAND JUNCTION dba THE VAULT, VALLEY FEDERAL PLAZA, 5th AND ROOD: GRAND JUNCTION, COLO.

The City Council of the City of Grand Junction, having reviewed the evidence adduced at the hearing on the application on July 3, 1974, and other facts:

FINDS:

1. That the survey of the neighborhood found that 96 were in favor of granting the license, 8 were opposed, and 18 expressed no opinion.
2. That the report of the Police Department indicates there are no problems in this regard with any of the principals.
3. That the needs of the neighborhood are not being met by existing outlets.

IT IS THEREFORE, the decision of the Council that the license be granted.

Councilman Tufly moved that the application by M&W dba "The Vault" for a Hotel-Restaurant Liquor License at the Valley Federal Plaza, 5th and Rood, be approved and that the license be issued when the State license has been received. Councilman Colescott seconded and said motion carried.

#### BEER LICENSE

City Mkt, Inc. Store #18, 2830 North Ave

approved

Councilman Tufly moved that the application by City Market, Inc., for a 3.2 beer license to be located at 2830 North Avenue be approved and that the license be issued when the State license has been received. Councilwoman Quimby seconded and said motion carried.

#### HEARING

Wellington Cove Bulk Development

Advertised for hearing on this date was the Wellington Cove Bulk Development involving 1.12 acres with R-1-C (Single-Family Residential) zoning. Eldorado Construction is the developer of the tract located north of Wellington, and east of 12th Street. Assistant Planning Director, Rick Cisar said this item was considered by the Planning Commission at its March 27, 1974, meeting and unanimously recommended approval subject to:

1. Elimination of the boat and camper parking area and an increase in the off-street parking spaces to sixteen (16) to comply with the current parking regulations.
2. Reorientation of the units for better use of the open space.
3. Replacement of entry area fences with landscaping. (This change was considered after the adjacent property owner complained about the proposed six (6) foot fences).

Mr. Cisar continued that the developer stated he would consider all the recommendations and work with the planning staff and neighbors to develop an acceptable plan.

The plan under consideration tonight has been changed in accordance with the Board's recommendations and suggestions.

Briefly, the proposed plan calls for the construction of four (4) duplex units on 1.12 acres of ground. The density is compatible with the current zoning in the area. Due to the lot configuration, the developer (at the staff's recommendation) chose to process a bulk development to attain the highest utilization of the ground. The bulk development provision in the zoning ordinance was

developed for this purpose.

No letters had been filed and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

Councilwoman Quimby moved to approve the Wellington Cove Bulk Development with the Planning Commission recommendations. Councilman Tufly seconded and said motion carried.

#### HEARING

Amend Sec 15, PD, B, to allow commercial use (5.10) Electronic Fabrication - Prop Ord

Due to his interest in the following matter, Councilman Tufly disqualified himself from voting on this matter.

Advertised for hearing on this date was the Amendment to Section 15, Planned Development, PB, Planned Business Zoning District, to allow commercial use (5.10) Electronic Fabrication.

Assistant Planning Director Rick Cisar said this amendment is proposed to complete the zoning of Orchard Mesa Annexation. This amendment would permit Electronic Fabrication in the PB zone and subsequently make Dixson, Inc., a legal use. No letters had been filed, and there was no one 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 AMENDING THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION PERMITTING ELECTRONIC FABRICATION WITHIN THE PLANNED BUSINESS DEVELOPMENT ZONE. Councilman Colescott moved that the proposed ordinance be passed for publication, seconded by Councilwoman Quimby and said motion carried.

#### HEARING

Final plat Finkel Sub - apprvd

Advertised for hearing on this date was the Final Plat of Finkel Subdivision involving two lots zoned R-1-C (Low-Density Residential) located north of Independent Avenue and 407 feet, plus or minus, west of First Street.

Assistant Planning Director Rick Cisar stated that this subdivision plat was considered by the Planning Commission at its June 26, 1974, meeting and was unanimously approved subject to the subdivider adding a statement that he and/or future owners will voluntarily enter into an improvement district for Independent Avenue.

This item is a minor subdivision involving the split of a metes and bounds parcel into two (2) single lots for the purpose of

constructing a new dwelling unit.

No letters had been filed and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

Councilman Tufly moved that Plat of Finkel Subdivision be accepted and signed by the President of the City Council and the City Manager; that it be approved and filed with the Mesa County Clerk and Recorder; and that a copy thereof be placed on file in the office of the County Assessor and the office of the City Engineer subject to the developers complying with the recommendations of the Planning Commission. Councilwoman Quimby seconded and said motion carried.

#### TRAFFIC

Req reduced speed limits in school zones - tabled

study session 7/29

Mrs. Carol Tyler, representing United Methodist Women for Service, appeared before Council to request reduced speed limit signs in school zones. A petition endorsing a 20 mile per hour speed limit in school zones was presented.

After discussion, Councilman Van Houten moved to table this item until August 7 and directed the City's Legal Department and Traffic Engineering Department to prepare opinions on this item. Councilman Tufly seconded and said motion carried.

President Kozisek requested that Mrs. Tyler make available for Council study the information obtained from Lakewood.

#### TRAFFIC

Req for trial bikeways on Elm and Gunnison - tabled

Study session 7/29

Mrs. Karen Cobb, representing Horizon Bikeways, appeared before Council to request that consideration be given trial bikeways on Elm Avenue and Gunnison Avenue. Discussion followed.

Consensus of Council was that the proposal as outlined was not very acceptable and that more study was needed to reach a workable solution. A special study session was scheduled for Monday, July 29, at 7:30 P.M. in the Civic Auditorium at City Hall at which time two representatives from the United Methodist Women for Service group and two representatives from the Horizon Bikeways group are to meet with Council. Public Works Director Gus Byrom, Police Chief Ben Meyers, and John Q. Motorist to consider bikeways and reduced speed in school zones.

### 3.2 BEER RENEWALS

City Mkt, 865 North  
City Mkt, 1909 N 1st  
L.P. Golf Course

Applications were submitted by the following businesses for the renewal of 3.2 beer licenses:

City Market, Inc., Store No. 2, 865 North Avenue

City Market, Inc., Store No. 9, 1909 No. 1st St.

Roy Reynolds, Sr., Lincoln Park Golf Course

A memorandum from the Police Department advised there have been no violations during the past year.

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

### LIVESTOCK

Petition for Ord Amendment to restrict

A petition signed by 14 people from the area of the 2200 block of Orchard Avenue and Linda Lane requesting an ordinance amendment pertaining to the restriction of livestock which create odor, attract flies, create dust, and make noise within the City of Grand Junction was accepted. The Building Department reported they have one complaint a week and recommended the City ordinance should have a 100-foot limit similar to the County's. Members of the audience noted they formerly lived in the County and have since been annexed into the City. They would not want restrictions that would force them either to give up their homes or get rid of their horses. It was also noted there are may 4-H projects involving livestock being done by youngsters who live within the City limits. Mr. Harold Boyles, Mesa County Health Department, noted that the State and County regulations exempt dairies. Councilman Tufly suggested that more study be given the request and the regulations before any amendment adoption. Other Council members present agreed.

### PROPERTY

Offer of mrs. Munequita Allen White to purchase Lots 27 & 28, Blk L, Keith's Addn for \$4500.

approved

A letter from Mrs. Munequita Allen White was read in which she offered to purchase Lots 27 & 28, Block L, Keith's Addition for \$4,500. Mr. Don Warner, Special Projects Coordinator, had advised

that an appraisal of the lots in question placed the value at \$4,500. He recommended acceptance of the offer. Mrs. White owns adjacent property.

Councilman Van Houten moved that the City Attorney be directed to draft a Resolution for Council consideration at the next meeting authorizing the sale of the lots, which motion was seconded by Councilman Tufly and said motion carried.

ORD. 1514

Vacate Glenwood Ct.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A PORTION OF STREET AND CUL-DE-SAC IN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Van Houten 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 Councilwoman Quimby that the ordinance be passed, adopted, numbered 1514, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

ORD. 1515

Annexing Green Acres - (O.M.)

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Van Houten and seconded by Councilman Tufly 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. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilman Van Houten that the ordinance be passed, adopted, numbered 1515, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

REV PMT FOR 4" IRRIGATION DITCH TO CROSS W MESA

Denied

Mr. Robert Kretschman, 440 West Mesa Avenue, requested a revocable permit to allow a 4-inch concrete irrigation pipe to be placed in the City street right of way across West Mesa Avenue for the purpose of bringing irrigation water to his property from the Westlake Park Water Company. A memorandum from the Engineering Department recommended denial of the request because:

1. City's policy of eliminating all ditches within the City.
2. High cost of maintenance.
3. Time of City's crews involved in maintaining ditches.
4. Street deterioration from overflowing ditches.

Councilman Colescott moved that this request be denied, which motion was seconded by Councilman Van Houten. The motion carried with Councilman Tuflly and President Kozisek voting NO.

#### PROP. ORD.

Amend Chapt 7 - Add contractor categories & licenses & bonds

At its regular meeting on July 12, 1974, the Contractor's Licensing Board considered and recommended amending Chapter 7 of the City of Grand Junction Code of Ordinances by including under the General Contractor an additional category "General Contractor Not to Exceed \$250,000 - \$85." The Board also recommended revision of the Special Contractor's licensing as there are no limitations on the contract amount a Special Contractor can handle. In accordance with these directions, the following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE CONTRACTORS' ORDINANCE OF THE CITY OF GRAND JUNCTION BY ADDING CONTRACTOR CATEGORIES. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

#### WATER POLLUTION CONTROL PLANT

Resol designating Patterson to sign grant application to E.P.A.

Councilman Tuflly moved the adoption of the following Resolution which motion was seconded by Councilwoman Quimby. 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.

#### RESOLUTION

WHEREAS, the City of Grand Junction, Colorado, is desirous of making application for grant funds from the Environmental Protection Agency for sewer plant planning and inflow-infiltration

study, and

WHEREAS, it is necessary to designate the representative of the City who will sign the various documents required for such project and will be the City's representative on the project as the primary contact between the Environmental Protection Agency and the City;

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

That James Patterson, the Deputy Public Works Director be, and he is hereby, designated as the City's representative for the purposes above stated.

PASSED and ADOPTED this 17th day of July, 1974.

Lawrence L. Kozisek

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President of the Council

ATTEST:

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City Clerk

WATER

Assign Darrell Ashburn agrmt on Click property to Keith Clark

Presented for consideration was the request by Keith Clark of Kannah Creek to assume the remaining four and one-half years on the Darrell Ashburn Lease Agreement for the Click property in the Kannah Creek area. Mr. Ashburn is moving from the area. Councilwoman Quimby moved to approve the assignment of Lease Agreement to Mr. Keith Clark, which motion was seconded by Councilman Tufly and said motion carried.

GJ COLO PARKING AUTH

Resol to accept Holsum Bakery land in lieu of conveyance of lots owned by Downtown Parking Corp

Councilman Van Houten moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, under agreement with Downtown Parking Corporation, the City has acquired an interest in properties owned by the Corporation through purchases, and

WHEREAS, it is proposed that the City receive Lots 3 through 8 in



Block 100 and Lots 17 through 19 and the East Half of Lot 20 in Block 99, all in City of Grand Junction, Mesa County, Colorado, in lieu of conveyance of those lands in the City has purchased under its agreement with the Corporation, and

WHEREAS, the value of the lots in Blocks 99 and 100 is at least equivalent to the value of any lots or lands purchased under said agreement,

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

That the City of Grand Junction accept the conveyance to the City of Lots 3 through 8 in Block 100 and Lots 17 through 19 and the East Half of Lot 20 in Block 99, all in the City of Grand Junction, Mesa County, Colorado, in lieu of conveyance of any interest the City may have acquired in lots or lands owned by the Downtown Parking Corporation under agreements between the City and the Corporation, and that upon the conveyance to the City of said lots, the Corporation be released from any requirement to convey any interest purchased by the City to the City.

PASSED and ADOPTED this 17th day of July, 1974.

Lawrence L. Kozisek

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President of the Council

ATTEST:

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City Clerk

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.

CARNIVAL

Req by D.R.T.C. for reduction in bill

Presented for consideration was the request by the Downtown Retail Trade Committee to have the City's billing statement charging for the carnival that was set upon on Main Street in May amended to reflect the deduction of the regular hours worked by police patrolmen and by firemen. The total bill charged was \$759.78. Acting City Manager Wysocki said the Committee felt it was being charged for something that other organizations have not been charged. He noted that the statement for the regular duty patrolmen was \$250,96 plus the \$12.55 retirement fee making a total of \$263.51. Councilman Van Houten said he is not trying to go against the Downtown Retail Trade Committee, but that the Committee agreed to pay all expenses involved when permission was

granted for the carnival. Councilman Van Houten moved that the bill stand and that the City should do the very same thing on any other users of Main Street for activities that require police patrolmen and firemen.

Councilman Colescott said he was against the motion because he feels promotions of this type are necessary to keep the downtown area going. He felt the fees collected for the licenses were sufficient to cover the amount that was charged for the regular-duty patrolmen. Councilman Van Houten stated that if the Downtown Retail Committee wanted an exemption from paying these expenses, it should have asked for it at the time permission was granted for the carnival.

The motion lost for lack of a second.

Councilman Colescott moved that the hours of the regular duty patrolmen be deducted from the statement to the Downtown Retail Trade Committee, which motion was seconded by Councilwoman Quimby and said motion carried with Councilman Van Houten and President Kozisek voting NO.

#### MISCELLANEOUS

Mrs. Jill Grubbs, League of Women Voters, representative, said thanks for mailing her a copy of the preliminary agenda.

#### PROCLAMATION

August "SCORE MONTH"

Councilman Van Houten moved to ratify the Proclamation by the Mayor designating August "SCORE MONTH" in the City of Grand Junction, which motion was seconded by Councilman Colescott and said motion carried.

#### ANNEXATIONS & ZONING

Recommend requests be processed thru Planning Comm

Assistant Planning Director Rick Cisar recommended that the annexation and zoning of any property should be considered at the same time and should be processed through the Planning Commission. Mr. Cisar stated that he has been asked for a staff recommendation concerning two parcels of ground along Highway 50 which were zoned to R-1-C and R-2-A. At the Council meeting when the Orchard Mesa zoning was considered, the property owners requested the HO designation for their properties based on previous County zoning. As was stated at that meeting, the overall zoning plan along Highway 50 was based on:

1. The implementation of the "development plan" as proposed by the staff and Commission;

2. The alleviation of the problems associated with strip commercialism;

3. And, the results of the land-use study conducted by the Commission and staff. Further, as was expressed at that meeting, zoning district lines are not cast in concrete and can be changed. On the other hand, the HO zone is a performance zone which requires the submission of plans in conjunction with a rezoning proposal. This district like many Planned Development Zoning Districts, precludes speculation zoning and rezoning for zoning's sake. Mr. Cisar again strongly recommended that the zoning of Orchard Mesa remain as unanimously recommended by the Planning Commission and staff. If the Council would like to review the properties in question, the staff can schedule a field trip prior to the next Council meeting.

POLICE DEPT.

Chief Meyers apptd alternate to Criminal Justice Program

Councilman Colescott moved that Police Chief Ben Meyers be appointed as alternate to the Criminal Justice Program, which motion was seconded by Councilman Tufly and said motion carried.

ADJOURNMENT

The President adjourned the meeting.

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City Clerk