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December 18, 1974

ROLL CALL

The City Council of Grand Junction, Colorado, met in regular session at 7:30 p.m. December 18, 1974, in the Civic Auditorium at City Hall. Members present for roll call: President of the Council Lawrence Kozisek, Stanley Anderson, Harry Colescott, Silas Grantham, 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

Councilwoman Quimby corrected the Minutes of the Regular Meeting December 4, Ordinance No. 1538, to reflect that the motion by Councilman Anderson to call the proposed ordinance up for final passage . . . was seconded by Councilman Colescott. There being no other corrections or additions to the Minutes of December 4, Councilman Tufly moved the minutes be approved as corrected, which motion was seconded by Councilman Grantham and said motion carried.

1975 AUDITOR

McNulty, Chadwick & Steinkirchner

appointed

Upon recommendation by the City Staff that the present auditors be reappointed to review the 1975 City records, Pension Funds, Airport Authority, and Parking Authority, Councilman Van Houten moved that McNulty, Chadwick & Steinkirchner be appointed to review the 1975 records, which motion was seconded by Councilman Grantham and said motion carried unanimously.

LIQUOR LICENSE

Denies Eastgate Liquor, Inc. 2840 North Ave.

A map was submitted for consideration which plotted the signatures and addresses of all interested persons within the boundary delineated by the City as the neighborhood relative to the application by Eastgate Liquor, Inc., for a retail store liquor license to be located at 2840 North Avenue. The revised tabulation after map preparation indicated:

<u>In Favor</u> <u>No</u> <u>Opinion</u> <u>Opposed</u>		
124 (City Survey)		
61 (City Survey)		
57 (City Survey)		
28 (Applicant's Survey)--173 (Jones- Benetti Survey)		
Total 15261230		

It was moved by Councilman Anderson that, in view of the petitions brought to the attention of the City Council, the application by Eastgate Liquor, Inc., for a retail liquor license at 2840 North Avenue be denied as the needs of the community are being met, which motion was seconded and amended (accepted by Councilman Anderson) by Councilman Van Houten to the effect that there are more apparent residents in the area in which it would serve who are opposed than who are in favor. Motion carried with Councilman Grantham voted No.

City Attorney Ashby will present a written decision for Council consideration at the next meeting.

HEARING

Rezone E si 15th St fr Walnut N to Canal R-2-A

Prop Ord.

Advertised for hearing on this date was the request to rezone from R-1-C (Single-Family Residential) to R-2-A (Two-Family Residential) the properties on the east side of 15th Street from Walnut Avenue north to the Canal. Senior City Planner Don Warner presented a transparent copy of the area. He noted the Planning Commission approved and recommended this action to Council subject to the acquisition of right of way along 15th Street. Mr. Warner indicated that the owner is out of town at the present time and has not signed the deed. This will be accomplished prior to the

next meeting when the ordinance comes up for final passage. Mr. Buttolph, developer of the Cedar Circle Subdivision, was present and is in favor of the zoning change. There being no others present who indicated a desire to speak on this matter and no letters having been filed, the President closed the hearing.

The following entitled proposed ordinance was 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 Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

HEARING

Zone Etter Annex. H.O.

Prop Ord.

Advertised for hearing on this date and recommended unanimously by the Planning Commission was zoning Etter Annexation H.O. (Highway Oriented). This 200 feet by 200 feet tract is located on the southwest corner of 27 1/2 Road and G Road. It is adjacent to the recent Partee Heights Annexation, and the owner requested annexation so that he could be included in the Sanitary Sewer District for Partee Heights. No letters were 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 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 Tufly that the proposed ordinance be passes for publication. Motion carried.

HEARING

Vacate alley alg Gunnison bet 19/22

Prop Ord.

Because of ownership of property in the affected area, Councilman Van Houten disqualified himself from discussion and voting on this item.

Advertised for hearing on this date and recommended from the Planning Commission was the vacation of alley from 19th Street to where 22nd Street would be extended if projected. Mr. Warner said the vacation of the alley was subject to retaining utility easements. Mr. Warner noted that the City does not have any utilities in this alley. Public Service, the Telephone Company, and Comtronics Cable T.V. have been notified. Mr. Warner said the 100 percent of the abutting property owners on the alley have

signed cards saying they are in favor of the alley vacation. The land will revert back to the abutting property owners. No letters were filed regarding this matter and there was no one in the audience who indicated a desire to speak on this item. The President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A PORTION OF ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Grantham that the proposed ordinance be passed for publication. Motion carried.

AIRPORT-FAA GRANT

Co-sponsorship

After discussion by Airport Manager Jim Spelman, Councilman Grantham moved the adoption of the following Resolution

RESOLUTION

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT OFFER FROM THE UNITED STATES RELATING TO THE DEVELOPMENT OF THE WALKER FIELD AIRPORT

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

Section 1. That the City of Grand Junction, Colorado, shall as Co-sponsor with the County of Mesa, Colorado, and Walker Field, Colorado, Public Airport Authority accept the Grant Offer from the Federal Aviation Administration, dated December 13, 1974, for the purpose of obtaining federal aid in the development of the Walker Field Airport, and that such Grant Offer shall be as set forth herein below.

Section 2. That the City of Grand Junction, Colorado, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application, which is incorporated by reference in the said Grant Offer.

Section 3. That the Mayor is hereby authorized and directed to execute said Grant Offer on behalf of the City of Grand Junction, Colorado, and the City Clerk is hereby authorized and directed to impress thereon the official seal of the City of Grand Junction, Colorado, and to attest said execution

Section 4. That the Grant Offer referred to hereinabove shall be as follows:

See Instrument NO. _____

PASSED and ADOPTED This 18th day of December, 1974.

Lawrence L. Kozisek

President of the Council

ATTEST:

City Clerk

which motion was seconded by Councilwoman Quimby. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

3.2 BEER LICENSE

Williams 7 to 11 Market, 801 N 1st

change of ownership to Gloria & H. Scott Howard & Del Howard

approved

Submitted for consideration was the application by Gloria Howard, H. Scott Howard, and Del Howard for 3.2 beer license at Williams 7 to 11 Market, 801 North First Street. The Police Department report indicated that the investigation of the applicants had revealed nothing which would disqualify them from holding this type license. It was moved by Councilman Tufly and seconded by Councilman Grantham that the application be approved and the license issued when the State license has been received. Motion carried.

3.2 BEER LICENSE

Renew Pizza Hut of GJ Inc, 1440 North

Submitted for consideration was the application by Pizza Hut of Grand Junction, Inc., 1440 North Avenue, to renew its 3.2 beer license. The Police Department report stated there have been no complaints or violations in connection with the operation during the past year. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the application be approved and the license issued when the State license has been received. Motion carried.

VACATE RESIDUAL

RIGHTS IN #RD AVE BET 11th/12th STS

Prop Ord.

The following entitled proposed ordinance was read: VACATING RESIDUAL EASEMENT RIGHTS IN THIRD AVENUE BETWEEN ELEVENTH AND

TWELFTH STREET, CITY OF GRAND JUNCTION. It was moved by Councilman Anderson and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

Ord. No. 1539 (E)

Appropriate \$30,000 to Sanitation Fund

The following entitled proposed ordinance was read: AN ORDINANCE APPROPRIATING MONIES TO THE SANITATION FUND AND DECLARING AN EMERGENCY. It was moved by Councilman Grantham that the Ordinance be passed and adopted as an emergency, numbered 1539, and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

WATER POLLUTION CONTROL PLANT

NHPQ presents Infiltration-Inflow analysis

Mr. Gordon Bruckner of the consulting engineering firm of Nelson, Haley, Patterson, and Quirk presented the first of three studies or analyses that must be performed as a prerequisite for application to EPA for grant funds in connection with the infiltration-inflow to the Water pollution Control Plant. Mr. Bruckner stated that at such time when funds are available, it will be necessary to construct a detention pond which will allow the City of Grand Junction to store runoff waters in excess of the amounts that can be put through the plant. This report does not address itself to the design of that facility but does point out its general size, general cost, and the need for it. The design would come at a later time when monies are more identifiable. A second report will be forthcoming shortly after the first of the year regarding modifications and equipment to the present sewer plant facility. The third report to be available the first of March will address itself to a water quality type approach on a valley-wide basis. Council granted Mr. Bruckner permission to submit copies of this report to the State Health Department, the Environmental Protection Agency, and the County Health Department.

WASTE TREATMENT

Support area-wide planning

Councilman Grantham moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, on September 3, 1974, the COLORADO WEST AREA COUNCIL OF GOVERNMENTS directed the Executive Director of the Council to seek resolutions from local units of government to support an area-wide planning and management process for waste treatment under Section 208 of the Federal Water Pollution Control Act Amendments of 1972, and

WHEREAS, under applicable Federal Statutes and Environmental Protection Agency guidelines and regulations it is necessary for the local units of government within the boundaries of the 208 planning area to formally adopt a Resolution indicating their intent to assist the COLORADO WEST AREA COUNCIL OF GOVERNMENTS to conduct and implement waste treatment management planning.

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

That it indicates its intention to participate in and render what assistance it can to the COLORADO WEST AREA COUNCIL OF GOVERNMENTS to conduct and implement waste treatment management planning which will result in a coordinated waste treatment system for State Planning Region 11. Further, all proposals for grants for the construction of publicly owned treatment works will be consistent with the approved plan for the coordinated system and will be made only by the designated management agency.

BE IT FURTHER RESOLVED:

That the City Council urge the Council of Governments to exercise caution to avoid any overlap with studies already completed or presently underway.

PASSED and ADOPTED this 18th day of December, 1974.

Lawrence L. Kozisek

President of the Council

ATTEST:

City Clerk

which motion was seconded by Councilwoman Quimby. Roll was called upon the motion with the following result: Council members voting AYE: QUIMBY, COLESCOTT, TUFLY, VAN HOUTEN, GRANTHAM, KOZISEK. Council members voting No: ANDERSON. The President declared the motion carried and the Resolution duly passed and adopted.

CITY SEAL

Winner of contest and winning design selected

Four entries were selected by the Committee for consideration by the Council as the new City Seal. The No. 4 entry was selected. The winner's name: Tom Jones, 1415 North 12th Street.

The No. 3 entry was submitted by Gloria Vermilyea, 305 Alcove Drive; the No. 2 entry was submitted by John G. Henson, 1505 North

20th Street; and the No. 1 entry was submitted by D. E. Arnold, 1720 North 7th Street.

Councilman Van Houten moved that in addition to the letter of appreciation, Council should also pass a Resolution of appreciation for all artists involved and particularly the four finalists and to include those people who served on the selection committee, which motion was seconded by Councilman Anderson and said motion carried.

Mr. Jones will be invited to attend the next meeting of Council on January 2, 1975, at which time the \$200 check will be presented to him.

URBAN BOUNDARY MAP

Adopted

Councilman Van Houten moved the adoption of the following Resolution.

RESOLUTION

WHEREAS, it is necessary that the City Council of the City of Grand Junction approve urban boundaries in connection with urban system projects, and in particular in connection with present Urban Project M 8433 (001), and

WHEREAS, an urban boundary map has been submitted for the consideration and approval of the City Council, a copy of said map being attached hereto as Exhibit "A" and made a part hereof by reference,

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

That Exhibit "A" be, and the same is hereby, adopted as the urban boundary map as required under the guidelines of the State Department of Highways and the Federal Highway Administration.

PASSED and ADOPTED this 18th day of December, 1974.

Lawrence L. Kozisek

President of the Council

ATTEST:

City Clerk

which motion was seconded by Councilman Tufly. 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.

MISCELLANEOUS DISCUSSION

Councilman Colescott referred to a recent newspaper article regarding the court hearing on certain reservoir rights. City Manager Rose said that Mr. Jim Dufford, the City's Water counsel, and Mr. Jim Patterson are checking to be sure everything is all right.

Councilman Tufly discussed some problem areas with regard to sanitation. Mr. Rose said the City is proceeding in trying to resolve the problem.

ADJOURNMENT

It was moved by Councilman Grantham and seconded by Councilman Van Houten that the meeting be adjourned. Motion carried.

Neva B. Lockhart

City Clerk