

Grand Junction, Colorado

January 15, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. January 15, 1975, 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 J. Ashby, City Manager Harvey M. Rose, and City Clerk Neva B. Lockhart.

MINUTES

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Minutes of the Regular Meeting January 2, 1975, be approved as written. Motion carried.

BOARD OF ADJUSTMENT & APPEALS Appointments

President Kozisek reappointed the following three members to the Board of Adjustment and Appeals:

Appointment Expires

Warren L. Turner, 1460 East Sherwood Drive 1-15-78

George E. Randolph, 159 Colo. Ave. 1-15-78

Cecil C. Hobbs, 1267 Texas Avenue 1-15-78

and the following new members:

Chuck Wiman, 2030 Poplar Drive 1-15-78

Chuck Brumbaugh, 1725 North 21st Street 1-15-78

Councilman Anderson moved that the appointments be ratified, which motion was passed by Councilman Tufly and said motion carried unanimously.

HEARING I.D. ST-74-PHASE "D" Assessments Prop. Ord.

This date was advertised for hearing on the assessments for Street Improvement District No. 74, Phase "D". No letters were filed regarding the assessments and there was no one in the audience who indicated a desire to speak relevant to this item. The President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-74, PHASE "D", 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 Anderson that the proposed ordinance be passed for publication. Motion carried.

HEARING Request for conditional use (office building) at SW Cor 12th & Patterson

This date was advertised for hearing upon the request for conditional use for an office building in an R-3 zone. The property in question is located on the southwest corner of 12th Street and Patterson Road. Mr. Don Warner, Senior Planner, explained that the proposal includes two buildings, one of which is an allowed use in this zoning district (dental clinic), but that the attached wing will contain offices and requires the conditional use. The Planning Commission has considered this item and recommended approval subject to the required right of way of twenty feet on the north and fifteen feet on the east being acquired. Mr. Warner indicated that the developers and architects agreed to this acquisition. No letters were filed and there was no one in the audience who indicated a desire to speak on this request. The President closed the hearing.

It was moved by Councilman Grantham and seconded by Councilman Tufly that the conditional use be granted subject to the acquisition of right of way as required by the Planning Commission. Motion carried.

BRODAK ANNEXATION

Senior Planner Don Warner reviewed the area under discussion for annexation to the City. This enclave involves approximately 65 acres located at Patterson Road north to the Canal between 15th Street to 23rd Street if extended. Mr. Warner said the area has City water; sewer is in the approximate area; no roads within the area. The area can easily be served by the City. Councilman Colescott had talked with Mr. Harold Boyles, Mesa County Health Department, regarding the septic tanks in the area. Mr. Boyles reported that any future development in this area would be required to have sewer service. Mr. Brodak said there are only two residents who are within 400 feet of the sewer.

The following residents went on record opposing annexation:

Mr. Leo Huper, 2771 Patterson Road

Mr. Lee Pease, 2777 Patterson Road

Mrs. Gerald Kelley, 2737 Patterson Road

Mr. Charles Forney, 1631 Wellington Avenue

Councilman Van Houten stated that he could see no hazard to residents being annexed. He could see some benefit to the property owner.

Councilman Van Houten moved that the entire area be annexed at this time, which motion was seconded by Councilwoman Quimby. Motion carried with Councilman Grantham voting NO.

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

LIQUOR LICENSE Oliver's 323 Rood Ave. Bobby Earl Wilson approved

Submitted for consideration was the application by Bobby Earl Wilson for a hotel-restaurant liquor license to be used in connection with Oliver's, 323 Rood Avenue. On June 26, 1974, an application submitted by Bobby Earl Wilson and Robert C. Miller, to do business as The Frontier Steak House, 323 Rood Avenue, was approved by the City Council. A license has not been issued because the building is not ready for occupancy. Mr. Wilson explained that the partnership is no longer in effect signified by his filing of a Dissolution of Partnership Agreement along with the application for the license in his own name. When questioned about his proposed opening date, Mr. Wilson indicated it would be approximately the last day of February. A report from the Police Department indicated that the applicant is known to be a responsible member of the community. The investigation revealed nothing that would preclude issuance of license.

It was moved by Councilman Grantham and seconded by Councilman Tufly that the application be approved and the license issued when the State License has been received. Councilman Van Houten moved to amend the motion to include a review date in June, 1975, on the status of the license, which motion was seconded by Councilman Anderson. Motion carried. Councilman Grantham had no objections to the amendment. Motion carried unanimously.

3.2 BEER RENEWAL Safeway Store #602, 644 North Ave.

Submitted for consideration was the application by Safeway Stores, Inc., for renewal of its 3.2 beer license for Store No. 602 located at 644 North Avenue. The investigative report from the Police Department indicated there have been no violations or complaints during the past licensing period.

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

ORD. NO. 1544 Zone Orchard Ave Annex R-2-A

The Proof of Publication to the following entitled 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. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Grantham and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1544, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORD. NO. 1545 Amend Zoning Ord. Sec. 11 Definition of lot

The Proof of Publication to the following entitled ordinance was presented: AN ORDINANCE AMENDING SECTION 11 b. OF THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION PERTAINING TO DEFINITION AND LIMITATION OF LOT. It was moved by Councilman Tufly 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 Grantham that the proposed ordinance be called up for the final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Van Houten and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1545, and ordered published. Roll was called upon the motion with all the Council members voting AYE. The President declared the motion carried.

ORD. NO. 1546 Amendment to Subdiv. Regulations by adding Sub-paragraph 4 to Sec 27-1.2-c

The Proof of Publication to the following entitled ordinance was presented: AN ORDINANCE AMENDING CHAPTER 27, SUBDIVISION REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY ADDING A SUBSECTION 27-1.2-c (4) THERETO. It was moved by Councilman Colescott and seconded by Councilman Tufly that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Grantham 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 Grantham that the Ordinance be passed, adopted, numbered 1546, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

1975 NATL ELECTRICAL CODE Tabled indefinitely

Councilman Anderson stated that he understands the reasoning for the new Code is for the protection of the people, but on the other hand compliance with the new Code would increase the price of a new home. Since the City has an operable Code and due to the stringency of the 1975 Revised Edition of the National Electrical Code, Councilman Anderson moved that the adoption by reference of the 1975 Edition be tabled indefinitely, which motion was seconded by Councilman Colescott. Councilwoman Quimby asked if there would be any problems obtaining HUD or Federal funds for housing if the City does not adopt this edition. She said she would like to hear some comments from the Electrical Inspectors. Arrangements will be made to have Mr. Hollinger at the Friday meeting. Motion carried.

PROP. ORD. Appropriate \$2,524.04 to Sanitation Fund

The following entitled proposed ordinance was read: AN ORDINANCE APPROPRIATING MONIES WITHIN THE SANITATION FUND. It was moved by Councilman Tufly and seconded by Councilman Grantham that the proposed ordinance be passed for publication. Motion carried.

ANNEXATION Bookcliff Enclave - Proposed Ordinance - 20 Acres

Senior Planner Don Warner discussed the proposal to annex Bookcliff Enclave bordered by Bookcliff Avenue on the south, Grand Valley Canal on the north, 12th Street on the east, and Cannell Avenue, if extended, on the west. The construction work on 12th Street with regard to the siphon at the bridge crossing of the Grand Valley Canal is progressing, and it is felt that if the City had this tract of land, there would be one less governmental agency to work with in obtaining the funding necessary for the project.

Mr. Horace Nelson, 842 Orchard Avenue, owns approximately 16 acres of farmland in the area. He went on record opposing the annexation. He noted the additional expense for sewer taps, curbs, gutters, widening of the street.

It was moved by Councilman Van Houten that Bookcliff Enclave be annexed unilaterally, which motion was seconded by Councilman Colescott.

Mr. Charles Desrosiers, 2643 F 1/2 Road, asked what the intent of the City would be with regard to the right of way necessary to widen Bookcliff Avenue. Mr. Warner stated the City would buy the right of way and would have the trees removed when it became necessary.

Motion carried.

The following proposed ordinance was read: ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Van Houten and seconded by Councilman Anderson that the proposed ordinance be passed for publication. Motion carried.

LEASE AGREEMENT - Grand Junction Federal Credit Union - Property 6th & Ute

City Manager Rose presented a proposal for lease agreement between the City and the Grand Junction Federal Credit Union for city-owned property at 222 South 6th Street. It is proposed to offer a five-year lease, with option to renew, at a monthly rental rate of \$60 per month with the lease cancelable upon 90-day notice to lessee and paying lessee any unamortized expenses of the lessee in the interior and exterior painting or other interior work computed on the basis of the five-year term.

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Lease Agreement be approved and authorized the City Manager to sign said Agreement. Motion carried.

AGREEMENT North 26 1/2 Road Sewer Association

Presented for consideration was the proposed Agreement between the City and the North 26 1/2 Road Sewer Association. There will be approximately 80 charter members with the potential of 200 more taps when development starts.

It was moved by Councilman Van Houten and seconded by Councilman Grantham that the Agreement be approved and that the City Manager be authorized to sign said Agreement. Motion carried.

\$2,000 ALLOCATION Grand Junction Housing Authority - Budget Acct. NO. 001.42-000

It was moved by Councilman Van Houten and seconded by Councilman Anderson that the Finance Department be authorized to pay bills up to \$2,000 from Budget Account No. 001.42-000 for the Grand Junction, Colorado, Housing Authority. Motion carried.

TIARA RADO GOLF COURSE

City Manager Rose said the bonding agent is ready to complete official action on the bond issue for Tiara Rado Golf Course. He recommended Council recess tonight's meeting to be reconvened Friday, January 17, at noon. Time and place to be announced later.

MISCELLANEOUS DISCUSSION Services to Brodak Annexation

Mr. Brodak questioned how soon the fire plugs and street lights will be installed in Brodak Annexation. Mr. Rose explained that

the City has three years in which to complete all services to the area. In the meantime, the Fire Chief will be reviewing the area and the Traffic Department will review and recommend the placement of street lights.

Councilman Anderson suggested that the Administration review the legislation on the last remaining enclave and prepare the annexing ordinance at an early date.

Councilman Van Houten said he feels the action on annexing all the enclaves is reasonable and justified.

RECESS

It was moved by Councilman Van Houten and seconded by Councilman Anderson that the meeting be recessed to Friday noon. Motion carried.

Neva B. Lockhart

City Clerk