

Grand Junction, Colorado

February 5, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. February 5, 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 and Elvin Tufly. Councilman Robert Van Houten was absent. Also present: City Attorney Gerald Ashby, City Manager Harvey M. Rose, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Tufly and seconded by Councilman Grantham that the Minutes of the Regular Meeting January 15, and the Recessed Meeting January 17, 1975, be approved as written. Motion carried.

3.2 BEER RENEWAL

Submitted for consideration were the application by the following businesses for the renewal of 3.2 beer licenses:

Safeway Store No. 600, 23rd Street and North Avenue

Hobby Frazer, 7-2-11 Food Store No. 18, 2355 Belford Avenue

City Market, Inc., Store No. 1, 433 Grand Avenue

Reports from the Police Department indicated there have been no complaints or violations during the past licensing period on any of the above establishments.

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

"THE WHATEVER" 1603 Highway 50 South

Reports were submitted by the Mesa County Department of Public Health, Building Department, Police Department, and the Fire Department regarding the progress made by Mr. John Dunlap, operator of "The Whatever", 1603 Highway 50 South in complying with the various codes. Fire Chief R. T. Mantlo indicated in his report that another inspection will be required by his Department on February 15, to determine whether Mr. Dunlap has installed exit lights and has completed the electrical wiring. It was moved by Councilman Anderson and seconded by Councilwoman Quimby that this item be tabled until the next meeting at which time a report from the February 15 inspection will be available. Motion carried.

INTERMOUNTAIN CHAPTER OF NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION, INC. Urges adoption of 1975 National Electrical Code

Submitted for consideration was a letter from Mr. Don S. Taft, Manager of the Intermountain Chapter of National Electrical Contractors Association, Inc., in which he asked Council to reconsider adoption of the 1975 National Electrical Code. It was noted that a letter from Mr. James Burke had been submitted to Council requesting that consideration be given to its adoption.

HEARING James J. Kerski, Jay's Liquors, 401 North Avenue - Report of Sale to Minor

Scheduled for hearing by the City Council was the report that Mr. James J. Kerski, Jay's Liquors, 401 North Avenue, did on the evening of December 13, 1974, sell liquor to a young man under 21 years of age. State Liquor Enforcement Officer James E. Gilliam, 539 Pierce, Clifton, Colorado, testified that on the evening of December 13, 1974, he observed the young man through the window of Jay's Liquors, identified him as Wesley Maynes, 18 years old, from Mr. Maynes' driver's license, impounded the bottle of tequila, and had Mr. Kerski identify Mr. Maynes as the purchaser of tequila. At this time Mr. Gilliam had Mr. Maynes taken to the County Jail for interrogation and booking. Mr. Maynes was issued a summons and did appear in Court on December 18 where he was fined. On December 17, 1974, a summons was issued to Mr. Kerski. Mr. Kerski appeared in Court on December 27, pled guilty to violation of State Liquor Code Section 75-2-37 paragraph 1, sale of liquor to person under twenty-one years of age. His penalty was a \$100 fine and \$6 Court cost with a 30-day suspended jail sentence to run for six months.

Mr. Robert Hober represented Mr. Kerski. Mr. Kerski testified that he did in fact sell the spirituous liquor to Mr. Maynes. Mr. Hober said that Mr. Kerski was guilty, but in mitigation Mr. Kerski has never had any previous problems.

The President closed the hearing.

Councilman Grantham moved that nothing further be done as Mr. Kerski has had his warning. Motion lost for lack of a second.

It was moved by Councilman Tufly and seconded by Councilman Anderson that the retail store liquor license held by Mr. James J. Kerski, Jay's Liquors, 401 North Avenue be suspended for 10 days with that suspension to be suspended concurrently with the six-month Court suspension and that if there are no further violations within that six months, the 10-day suspension to be lifted. Motion carried.

ORD. NO. 1547 I.D. ST-74 Assessments, Phase "D"

The Proof of Publication to the following entitled ordinance was presented: 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 Anderson and seconded by Councilman Grantham that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilwoman Quimby 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 1547, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

ORD. NO. 1548 Brodak Annexation

The Proof of Publication to the following entitled proposed ordinance was presented: ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. 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 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 Grantham and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1548, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

ORD. NO. 1549 Appropriating Monies within the Sanitation Fund

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE APPROPRIATING MONIES WITHIN THE SANITATION FUND. It was moved by Councilman Tufly and seconded by Councilman Grantham 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 Grantham that the Ordinance be passed, adopted, numbered 1549, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

ORD. NO. 1550 Bookcliff Enclave Annexation

The Proof of Publication to the following entitled proposed ordinance was presented: ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. 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 Tufly and seconded by Councilman Grantham 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 1550, and ordered published. Roll call upon the motion with all Council members voting ANY. The President declared the motion carried.

PROP. ORD. Vacating Subdivision Plat of Spring Valley Filing No. 1 and Streets and Easements Thereon

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING THE SUBDIVISION PLAT FOR SPRING VALLEY FILING NO. 1 TOGETHER WITH THE EASEMENTS THEREIN AND CERTAIN OF THE ROADWAYS PLATTED THEREIN. It was moved by Councilman Grantham and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

PROP. ORD. Regarding General Obligation Bond Issue for Multi-Purpose Building

The following entitled proposed ordinance was presented and read: AN ORDINANCE TO CONTRACT AN INDEBTEDNESS ON BEHALF OF THE CITY OF GRAND JUNCTION, COLORADO, AND UPON THE CREDIT THEREOF BY ISSUING GENERAL OBLIGATION BONDS OF SAID CITY IN THE PRINCIPAL AMOUNT OF \$600,000 FOR THE PURPOSE OF PAYING, IN WHOLE OR IN PART, THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A MUNICIPAL COMMUNITY CENTER AND SITE THEREFOR, TOGETHER WITH ALL NECESSARY INCIDENTALS; PRESCRIBING THE FORM OF SAID BONDS: PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS AND THE INTEREST THEREON: AND PROVIDING OTHER MATTERS RELATING THERETO. It was moved by Councilman Colescott and seconded by Councilman Grantham that the proposed ordinance be passed for publication. Motion carried.

MEMORANDUM OF AGREEMENT With Mesa County for Jail Service

Submitted for consideration was a Memorandum of Agreement with Mesa County for jail service. It was moved by Councilwoman Quimby

and seconded by Councilman Colescott that the Memorandum of Agreement be approved and authorized the President of the Council to sign said Agreement. Motion carried.

RESOLUTION Affirmative Action Program - Tabled

City Manager Rose presented and read a proposed Resolution which would adopt the Affirmative Action Program for the City of Grand Junction. The following were present and suggested they be given an opportunity for more input prior to adoption of the Resolution:

Mr. Jose Cruz, Mr. Louis Pedillo, Mr. Richard Baca, Miss Linda Trujillio, Mr. Larry Marquez, and Mr. Chris Holloway.

A meeting between this group and the City Manager and the Personnel Director was set for Wednesday, February 12, 1975, at 7:30 P.M. at City Hall.

It was moved by Councilman Anderson and seconded by Councilman Tufly that this matter be tabled until the next meeting of Council. Motion carried.

\$3,000 COUNCIL CONTINGENCY Pledged to Chamber of Commerce Centennial/Bicentennial Project

Mr. Ken Baird, Mrs. Dorothy Dillard, and Mrs. Bengé were present in support of the request by the Chamber of Commerce for a commitment of funds for the Centennial/Bicentennial project. The Centennial/Bicentennial Committee is proposing to prepare slides and historical narration of the area for use during the Centennial/Bicentennial activities.

It was moved by Councilwoman Quimby and seconded by Councilman Grantham that the \$3,000 request be approved and the funds expended from Council Contingency Account. Motion carried with Councilman Tufly and Councilman Anderson voting NO.

The President declared a five-minute recess.

PRESENTATION OF PRELIMINARY REPORT Report of Waste Water Treatment Improvements

Utilities Director Jim Patterson summarized a memorandum by recommending that the City back off from any fast action plans with regard to the Waste Water Treatment improvements.

Mr. Gordon Bruckner of Nelson, Haley, Patterson and Quirk presented the second of three reports dealing with improvements to the Water Pollution Control Plant.

LEVI LUCERO APPOINTED To One-Year Term on Planning Commission

It was moved by Councilman Grantham and seconded by Councilman Anderson that the appointment of Levi Lucero to a one-year term on

the Planning Commission be ratified. Motion carried.

PROP. ORD. Regarding Revenue Bond Issue for Tiara Rado Golf Course

The following entitled proposed ordinance was presented and read: ORDINANCE AUTHORIZING THE ISSUANCE AND DELIVERY OF THE CITY OF GRAND JUNCTION GOLF COURSE REVENUE BONDS, SERIES MARCH 1, 1975, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$450,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION AND PROVISION OF REAL AND PERSONAL PROPERTY FOR THE RECREATIONAL PURPOSES OF THE CITY, CONSISTING OF A GOLF COURSE AND APPURTENANT FACILITIES; PRESCRIBING THE FORM AND TERMS OF THE BONDS TO BE ISSUED; DETERMINING THE REVENUES TO BE USED TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING THE METHOD OF SALE OF SAID BONDS AND THE EXECUTION OF AN UNDERWRITING CONTRACT IN CONNECTION THEREWITH; AND PROVIDING FOR THE SECURITY, RIGHTS AND REMEDIES OF THE HOLDERS, FROM TIME TO TIME, OF SAID BONDS. It was moved by Councilman Grantham and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried with Councilman Colescott voting NO.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

City Clerk