

Grand Junction, Colorado

May 7, 1975

ROLL CALL

The City Council of the Grand Junction, Colorado, met in regular session at 7:30 P.M., 1975, in the Civic Auditorium at City Hall. Members present for roll call: Larry Brown, Harry Colescott, Karl Johnson, Jane Quimby, Elvin Tufly, Robert Van Houten and President of the Council Lawrence Kozisek. Also present: City Manager Harvey Rose, City Attorney Gerald Ashby, and City Clerk Neva B. Lockhart.

MINUTES

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Minutes of the Regular Meeting April 16, 1975, be approved as written. Motion carried.

ELECTION OF COUNCIL PRESIDENT EX-OFFICIO MAYOR

It was moved by Councilman Tufly and seconded by Councilwoman Johnson that Lawrence Kozisek be Nominated for Council President Ex-Officio Mayor. Motion carried. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that all nominations cease and Lawrence Kozisek be elected by unanimous ballot. Motion carried.

ELECTION OF COUNCIL PRESIDENT PRO-TEM EX-OFFICIO MAYOR PRO-TEM

It was moved by Councilman Colescott and seconded by Councilman Brown that Jane Quimby be nominated as Council President Pro-Tem Ex-Officio Mayor ProTem. Motion carried. It was moved by Councilman Tufly and seconded by Councilman Johnson that nominations cease and Jane Quimby be elected by unanimous ballot. Motion carried.

Lawrence Kozisek and Jane Quimby were sworn into their respective offices.

REORGANIZATION OF COUNCIL

Airport Authority:

Harry Colescott  
Larry Brown  
Lawrence Kozisek

Housing Authority:

Jane Quimby

Parking Authority:

Elvin Tufly

Colorado West Area Council of Governments:

Lawrence Kozisek

L.E.A.A.:

Harry Colescott  
Karl Johnson, Alternate

Planning Commission:

Jane Quimby

Recreation Board:

Elvin Tufly

P.I.A.B.:

Karl Johnson

Grand Junction Employees Supplemental Retirement Board:

Karl Johnson

Council of Human Resources:

Karl Johnson

It was moved by Councilman Tufly and seconded by Councilman Brown that the Council Committee appointments be ratified. Motion carried.

#### RESOLUTION

Appointment of Larry Brown to Walker Field, Colorado, Public Airport Authority

Councilman Colescott moved to adopt the following Resolution:

#### RESOLUTION

A RESOLUTION APPOINTING LARRY BROWN AS A MEMBER OF THE BOARD OF COMMISSIONERS OF THE WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY.

WHEREAS, Walker Field, Colorado, Public Airport Authority was incorporated March 24, 1971, as a body corporate and politic pursuant to the Public Airport Authority Act of Colorado (L.65, p. 164) by combined action of the City of Grand Junction and the County of Mesa, Colorado (C.R.S. 1973, 41-3-104) and pursuant to said statutes and by-laws governing said Authority and the

respective governing boards of the said City and County, each are to furnish from its members three commissioners to sit upon the Board of Commissioners of the said Authority; and

WHEREAS, a vacancy of one member from the City Council of Grand Junction has occurred by reason of expiration of the term of Stanley Anderson on March 29, 1975, who has continued to serve until his replacement is appointed at the expiration of his term as City Councilman, May 5, 1975; and

WHEREAS, the President of the Council has proposed the name of Larry Brown to fill the said vacancy and to continue for a term of four years; and

WHEREAS, the said Larry Brown, as of May 5, 1975, is holding office as a Councilman for the city of Grand Junction and is, pursuant to statutes and by-laws of the said Authority, a resident of the City of Grand Junction and a taxpaying elector as defined in Section 1-1-104(28) C.R.S. 1973 (C.R.S. 1963 49-1-4(6) and By-laws of said Authority, Article III, Section 2):

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

That commencing as of May 5, 1975, Larry Brown is appointed as a Commissioner to the Board of Commissioners of the Walker Field, Colorado, Public Airport Authority for a term of four years or until the said term expires or is continued by operation of law or by the By-laws of the said Airport Authority.

PASSED and ADOPTED this 7th day of May, 1975.

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

Attest:

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

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

#### RESOLUTION

Reappointing Municipal Judge K. Kelly Summers and His Assistant Vincent King

Councilman Colescott moved to adopt the following Resolution:

RESOLUTION

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

That K. Kelly Summers be and he is hereby appointed Municipal  
Judge for the City of Grand Junction for a two-year term, unless  
sooner removed and Vincent King is appointed as Assistant  
Municipal Judge under the direction of the Municipal Judge.

PASSED and ADOPTED this 7th day of May, 1975.

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

Attest:

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

which motion was seconded by Councilman Van Houten. Roll was  
called upon the motion with all members of Council voting AYE.

APPOINTMENT OF MEMBER TO PLANNING COMMISSION TO FILL VACANCY  
CREATED BY RESIGNATION OF EUGENE MC EWEN

Upon the recommendation of the Planning Commission, Janine Rider  
was appointed to the Planning Commission. It was moved by  
Councilwoman Quimby and seconded by Councilman Tufly that the  
appointment be ratified. Motion carried.

PROCLAMATION DECLARING THE MONTH OF MAY "COLORADO RIVER PARK  
MONTH"

President of the Council Lawrence Kozisek read a proclamation  
which declared the month of May "Colorado River Park Month". It  
was moved by Councilman Van Houten and seconded by Councilwoman  
Quimby that the proclamation be ratified. Motion carried.

PROCLAMATION DECLARING MAY 4 TO MAY 10 "MINUTEMAN WEEK"

Council President Lawrence Kozisek read a proclamation declaring  
May 4 to May 10 "Minuteman Week". It was moved by Councilman  
Johnson and seconded by Councilman Tufly that the proclamation be  
ratified. Motion carried.

PROCLAMATION DECLARING MAY 15 "FLIGHT ATTENDANT DAY" IN GRAND  
JUNCTION

Council President Lawrence Kozisek read a proclamation which  
declared May 15 "Flight Attendant Day" in Grand Junction. It was  
moved by Councilman Colescott and seconded by Councilman Tufly

that the proclamation be ratified. Motion carried.

#### PRESENTATION

Of Members Designated to Serve on The Human Resources Central Committee

Mrs. Annie Albrethsen, President of the Human Resources Council presented the membership who has been designated to serve on the Human Resources Central Committee. They are:

#### Officers

President: Annie Albrethsen  
Vice-President: George Van Camp  
Secretary/Treasurer: Mike Pacheco

#### Chairmen

Directory: George Van Camp  
Community Relations: Capt. Al Jarvis  
Budget & Finance: Mike Pacheco  
Membership: Annie Albrethsen  
Communications (internal): Kenna Gallegos

Mrs. Albrethsen noted that there will be 26 members when all the alternates are named. The Human Resources Council will meet once a month on the last Tuesday at 3:30 P.M.

Councilman Karl Johnson has been appointed liaison officer to represent the City Council.

#### REPORT

Mesa County Head Start Program

Proclamation Week of May 10-17 Head Start Week

Mrs. Sharon Meiklejohn, Head Start Director, gave a brief report on the Mesa County Head Start Program. She noted they will be having open house on May 10 from 1:00 to 3:00 at three of the local Head Start locations. Council President Lawrence Kozisek read a proclamation which declared the week of May 10 to May 17 Head Start Week. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proclamation be ratified. Motion carried.

#### REQUEST

To Transfer City Property to Housing Authority

Mr. Chan Edmonds, representing the Grand Junction, Colorado, Housing Authority, requested that Council authorize the transfer of City-owned property at Eighth Street and Rood Avenue to the

Housing Authority for development. The Planning Commission has recommended approval of the transfer. It was noted there are existing water and sewer taps. The property has been appraised for \$18,000 within the past five months.

Council directed the City Attorney to prepare a Resolution authorizing the City Manager to convey the property for adoption at the next meeting of Council.

#### DAYS

Demolay Request for Ice Cream Sale on Main Street, Saturday, May 10 - Approved

Mr. Robert Corneille, representing DeMolay, appeared before Council to request permission for an ice cream sale on Main Street at the northeast corner of Fifth and Main on Saturday, May 10, between the hours of 9:30 A.M. and 3:00 P.M. Proceeds are to be used to defray expenses of the boys to the State Conclave.

It was moved by Councilman Tuflly and seconded by Councilman Brown that permission be granted. Motion carried.

#### DAYS

Permission Granted The VFW Post and Auxiliary and American Legion Auxiliary for Buddy Poppy Sale on Main Street Saturday, May 24

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that permission be granted the Veterans of Foreign Wars Post and Auxiliary and the American Legion Auxiliary for the annual Buddy Poppy Sale on Main Street Saturday, May 24. Motion carried.

#### DAYS

Plant Sale on Main Street Saturday, May 10, as Benefit for Association of Retarded Persons

It was moved by Councilman Tuflly and seconded by Councilman Colescott that permission be granted for a plant sale on Main Street, Saturday, May 10, for the benefit of the Association of Retarded Persons. Motion carried.

#### RENEWAL OF 3.2 BEER LICENSE

West Side Grocery 505 West Colorado

Submitted for consideration was the application by Laurence Flanagan, West Side Grocery, 505 West Colorado, to renew his 3.2 beer license. A report from the Police Department indicated there have been no complaints or violations during the past licensing period.

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

#### RECOMMENDATION

By Emergency Medical Council Proposing Rates for Emergency Ambulance Services

A letter from the Mesa County Emergency Medical Services Council was read which recommended that all ambulance services in Mesa County establish a uniform rate for service. The rate recommended is a \$30 base fee and a \$1 per loaded patient mile mileage charge. Councilman Tufly noted that he would not be in favor of raising the rates at this time. City Manager Rose indicated that in conversations he has had, rates of \$30 to \$35 have been suggested for a private ambulance service. However, a governmental agency would not need to charge as much since it would not have the overhead. It was recommended that encouragement be given any private agency who wishes to establish an ambulance service in Grand Junction.

Councilman Colescott moved that this matter be tabled until budget time which motion was seconded by Councilman Tufly and said motion carried.

#### MESA COUNTY CENTENNIAL-BICENTENNIAL COMMITTEE

Requests Formal Recognition in Order to Obtain Tax-Exempt Status

A letter from Mr. Carter Elliott, Treasurer, of the Mesa County Centennial-Bicentennial Committee was read in which they requested formal recognition as the official Committee for the City and County Governments in order to obtain tax-exempt status. It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the City Attorney be directed to prepare a Resolution for adoption at the next meeting of Council. Motion carried.

#### HEARING

Application for Hotel-Restaurant Liquor License at Freeway Bowl, 1900 Main Street

Advertised for hearing on this date was the application by Robert J. Stack, Freeway Bowl, 1900 Main Street, for a Hotel-Restaurant Liquor License. Results of the City-conducted survey of the neighborhood indicated that 78 were in favor of the issuance of the license, 41 believed the needs of the neighborhood were being met by existing outlets. The map indicating locations of similar outlets was presented for consideration. A memorandum from the Police Department indicated that the lounge will be managed by David Eugene Perry. Background investigations on both Mr. Stack and Mr. Perry revealed nothing of a derogatory nature. Mr. Stack presented architects' drawings of what he proposed to do with the

bowling alley. He submitted a petition with 509 signatures of people who were in favor of the issuance of the license. Discussion followed regarding the other two bowling lanes and their possible requests for liquor licenses. It was noted that the bowling lanes on North Avenue are located within the 500 foot limitation near the High School. Mr. Stack indicated that he has recently acquired the Orchard Bowl and in accordance with State Statutes, will continue to have a 3.2 beer license at that location.

No letters having been filed, and no others in the audience who indicated a desire to speak on this matter, the President closed the hearing.

In line with Council policy, this matter will come up for decision at the next meeting of Council.

#### HEARING

Request for Zoning Change from R-1-C to PD-20 for Patterson Gardens, SW Corner of 15th Street and Patterson Road

Advertised for hearing on this date and recommended from the Planning Commission, was the request for zoning change from R-1-C to PD-20 for the property to be known as Patterson Gardens, SW Corner of 15th Street and Patterson Road. Senior Planner Don Warner outlined the area in question and noted that the Planning Commission voted 3 to 2 in favor of PD-20 zoning. Mr. Keith Mumby representing Mr. Gene Hansen, Wellington Gardens area, presented a petition signed by residents of the area refuting the Daily Sentinel report which stated that the City-County Development Department had been contacted by residents within a 100-foot proximity to the proposed development favoring the measure, when in fact the residents are opposed to the PD-20 zoning. This reflects a 20% signatory objecting and would require six votes of Council to approve PD-20 zoning. The owners in Wellington Gardens feel that since PD-8 zoning was established in 1971, it should be upheld. Mr. Al Goffredi, a resident in the area, opposed the PD-20 zoning and requested that Council allow the area to remain PD-8. Mr. Pat Edwards appeared on behalf of the developers of the project. Mr. Joe Abell, 1212 Wellington, asked about the water. He noted that there are times during heavy usage hours when it is almost impossible to take a shower. Mr. Jim Patterson, Utilities Director, said some of this area is served from the old Fruitridge water line. There are plans by the City to replace these lines over the next few years. President of the Council Kozisek stated that Council would need time to consider the validity of the petition that was presented by Mr. Mumby.

Councilman Van Houten moved to close the hearing and to table a decision on this item until the next meeting of Council which motion was seconded by Councilman Johnson and said motion carried.

Mr. Mike Hearn questioned the petitions and was advised by City



Attorney Ashby that he would have an opportunity to be heard with regard to the petitions.

The President declared a five-minute recess.

#### HEARING

#### Proposed Ordinance - Zoning Bookcliff Enclave Annexation R-3

Advertised for hearing on this date and recommended from the Planning Commission for R-2-A zoning was the Bookcliff Enclave Annexation. City Planner Don Warner said this area was annexed just recently. It has not been zoned yet by the City, but was zoned R-4 in the County at the time of annexation. It is bounded on the south by Bookcliff Avenue, on the east by 12th Street, on the northeast by the Grand Valley Canal, on the west by the Little Bookcliff Railroad and by Monterey Park Apartments. Mr. Warner indicated there was a 100% petition submitted from the people in the area objecting to the R-2-A zoning and requesting R-3. He noted that the Planning Commission unanimously voted R-2-A. R-3 is unlimited zoning; R-2-A is no more than two living units per 6,000 square feet.

Mr. Warren Reams, in behalf of the property owners in the area who are requesting R-3 zoning, stated the residents want R-3 zoning so the area would be compatible with the surrounding area that is zoned R-3. It was noted that if it is zoned R-3 now, it would not have to be re-zoned tract by tract later. Proponents who appeared in favor of R-3 zoning were Mrs. May Ann Goodnight, 1158 Bookcliff, and Mr. Charles Desrosiers, 2643 F 1/2 Road. Written statements of Horace Nelson, 842 Orchard, and Carl Kopane, 2403 N. 12th, were presented by Mr. Reams.

Councilwoman Quimby stated that in the past it has been the Planning Commission policy to zone newly annexed areas as nearly as possible to the County zoning. Councilman Tufly said that it just does not make sense to go against the wishes of the property owners.

It was moved by Councilman Van Houten and seconded by Councilman Colescott that the hearing be closed. Motion carried.

Councilman Van Houten moved that the area be zoned R-2-A which motion was seconded by Councilman Brown. Roll was called upon the motion with the following results: Council members voting AYE: Quimby, Colescott and Brown. Council members voting NO: Johnson, Tufly, Van Houten, Kozisek. The President declared the motion lost.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the area be zoned R-3. Roll was called upon the motion with the following results: Council members voting AYE: Colescott, Johnson, Tufly, Van Houten, Brown, Kozisek. Council members voting NO: Jane Quimby. The President declared the motion

carried.

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 ADDING THE ZONING OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Tufly and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

#### HEARING

Final PUD Grand Valley Apartments (NE Corner 13th and Bookcliff) and Consideration of The Subdivision Plat

Advertised for hearing on this date and recommended from the Planning Commission was the final planned unit development for Grand Valley Apartments located on the Northeast Corner of 13th Street and Bookcliff Avenue and submission for consideration of the one lot subdivision plat. City Planner Don Warner reviewed the planned unit development and the subdivision plat. No letters having been filed and no one in the audience speaking for or against the proposal, the President closed the hearing.

It was moved by Councilman Tufly and seconded by Councilman Johnson to approve the final planned unit development for Grand Valley Apartments. Motion carried.

It was moved by Councilman Tufly and seconded by Councilman Colecott to approve the one lot subdivision plat. Motion carried.

#### HEARING

Final Planned Unit Development Northwest Corner 12th and Ute for Proposed Car and Trailer Sales

Advertised for hearing on this date and recommended from the Planning Commission was the final planned unit development for the Northwest Corner of 12th Street and Ute Avenue subject to 10 foot right-of-way dedication on 12th Street. Senior Planner Don Warner said he received word from Mr. Orr's attorney that Mr. Orr does not wish to give up the right-of-way because of the time involved in getting approval of the final plan. Mr. J. D. Snodgrass, local attorney, appeared on behalf of the owner and indicated that the owner is not willing to give right-of-way as his renter is no longer interested in the property. Mr. Snodgrass stated that he would like to work with the City Council and the Planning Commission to consider some kind of streamlined procedures by which a small lot such as this can be brought to the Planning Commission for quick approval, assuming there are no objections from neighboring properties. He noted that the preliminary plan was approved in January. No letters having been filed and no others in the audience indicating a desire to speak, the President closed the hearing.

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Final Planned Unit Development for the Northwest Corner of 12th & Ute be approved subject to the Planning Commission's recommendation for the right-of-way dedication. Motion carried.

#### HEARING

Request for Rezoning at 11th & Ute Avenue from B-1 to H.O.

Prop. Ord.

Advertised for hearing on this date was the request by Bob Gerlofs for rezoning the area at 11th Street and Ute Avenue from B-1 to H.O. The Planning Commission recommended that the H.O. zoning be granted. The proposal for the development of the area calls for small retail outlets located on the ground level and apartments above. No letters having been filed and no others in the audience indicating a desire to speak, 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 LAND WITHIN THE CITY. It was moved by Councilman Tufly and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

#### ORD. NO. 1559

I.D. ST-74 Phase "B" Assessments

City Attorney Ashby explained the 150 feet gradations in the local improvements ordinance. He noted there are ten properties affected by the 150 foot assessment rule, at a total of \$1,831.90 plus the collection fees and the interest on the bonds. City Attorney Ashby stated that the time to object to inclusion in the improvements is before the District is created. However, he recommended passing the ordinance and deleting the ten properties affected. This includes the property of Mr. J. D. Abell, 1212 Wellington. It was moved by Councilman Brown and seconded by Councilman Tufly that the recommendation be accepted by Council. Motion carried.

The proof of publication to the following Ordinance was presented: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-74, PHASE "B", 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 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 Tufly and seconded by Councilman Van Houten that the proof of publication be accepted for filing.

Motion carried.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the 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 1559 and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President the motion carried.

#### RESOLUTION

No Thoroughfare Canyon Road - Painted Bowl Area to "The Ridges"

Councilman Johnson moved to adopt the following Resolution:

#### RESOLUTION

WHEREAS, a request has been made to the City Council of Grand Junction to provide an access road to an area denominated "The Ridges" over lands owned by the City of Grand Junction; and

WHEREAS, the location of the proposed roadway has the approval of the Engineering Department of the City and is consistent with an orderly development of the City-owned land; and

WHEREAS, it is necessary to record some document indicating the laying out of the roadway for public use;

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

That there is hereby dedicated to the public as a roadway over and across land owned by the City of Grand Junction a roadway described as follows:

A road right-of-way situate in the West one-half of the Southwest one-quarter of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being 80 feet in width and lying 40 feet on each side of the following described centerline:

Beginning at a point in the right-of-way of a County Road as built and in place whence the Southwest corner of said Section 21 bears South 42° 45' 41" West 1560.99 feet; thence North 45° 52' 38" West 151.24 feet; thence 151.78 feet along the arc of a 301.56 foot radius curve to the right which arc subtends a chord bearing North 31° 27' 30" West 150.18 feet; thence North 17° 02' 23" West 236.28 feet; thence 98.61 feet along the arc of a 200.00 foot radius curve to the left, which arc subtends a chord bearing North 31° 09' 55" West 97.62 feet; thence North 45° 17' 27" West 602.76

feet; thence 119.54 feet along the arc of a 200.00 foot radius curve to the left which arc subtends a chord bearing North 62° 24' 49" West 117.77 feet; thence North 79° 32' 11" West 175.19 feet to a point on the westerly line of said Section 21 whence the West one-quarter corner of said Section 21 bears North 01° 15' 11" East 385.60 feet. The sidelines of the above described road right-of-way being lengthened or shortened on the northwesterly end to terminate on said westerly line of Section 21.

Said roadway to be installed under the City of Grand Junction's specifications and approval by the developers of The Ridges development for "access".

PASSED and ADOPTED this 7th day of May, 1975.

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

Attest:

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

which motion was seconded by Councilman Van Houten. Roll was called upon the motion with all members of the Council voting AYE. The president declared the motion carried and Resolution duly passed and adopted. The road is proposed to be constructed by Doremus/Fleisher/Mason to City or County specifications subject to written notice from the County that it will accept this road into its system.

#### DISCUSSION

##### Paradise Hills Sewer Service Agreement

City Attorney Ashby reviewed the memorandum agreement which involves two sewage plants. The City would take over the operation of the plants. Discussion then followed regarding the \$150 per tap plant investment fee.

It was moved by Councilman Johnson and seconded by Councilman Colescott to table this item until Council's next meeting pending resolving the \$150 per tap plant investment fee. Motion carried.

#### DISCUSSION

##### Contract Proposal between City and Doremus/Fleisher/Mason Company for Sewer Service

City Attorney Ashby reviewed the agreement for sewer service to the proposed Ridges development on the Redlands with the statement

that the City did not agree to subsidizing the system. A provision was added that Doremus/Fleisher/Mason or its successor pay to the City monthly of as the City may determine, any difference between the cost of operating and maintaining the system and the revenue therefrom until the area is annexed to the City. Mr. Bob Gerlofs said he reviewed this agreement point by point with his client today, and his client agreed to all points. Discussion followed regarding condemnation and the City's purchase of the plant site. It was noted that the ideal location is Government-owned.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the agreement be approved and authorized the City Manager to sign. Motion carried.

Gerlofs then discussed the time frame for annexation to the City. It was stated that until the area starts to develop, the City would not rush to annex. Mr. Gerlofs said the developers have PD-4 zoning in the County, and plans have been approved. He said that the area is located one mile from the river and the one-sixth contiguity would be sometime in the future. Final consensus of Council was no guarantees could be offered.

#### CITIZEN COMPLAINT

Mr. Al Goffredi, 2716 Patterson Road, appeared before Council and reported inappropriate activity of the City and at least one of its employees. On or about April 17, Mr. Don Warner called Mr. Goffredi to suggest that the Engineering Department was developing plans to install traffic signals at 12th and F Road. Mr. Goffredi informed Mr. Warner he would be there Friday, the next day, and the next week. The next week, work started; digging the holes and pouring the concrete. On April 24, Mr. Goffredi talked to Public Works Director Gus Byrom and asked for his suggestions as to how he (Mr. Goffredi) might proceed since nothing had been done with regard to a contract and yet the work was proceeding. Mr. Byrom said that was unusual and he would ask Mr. Warner to contact Mr. Goffredi immediately. Two matters of trespass on Mr. Goffredi's property were discussed by Mr. Byrom and Mr. Goffredi . . . 12th and F, and when 12th Street was widened last year, no provision was made with Mr. Goffredi to put in a curb and gutter drain, and ye it was put in. Mr. Goffredi said he let that go by.

He told Mr. Byrom he would be out of town April 17, 28, 29 and 30, but would return on May 1, Thursday. Mr. Byrom agreed that he would have Mr. Warner get in touch with him. Mr. Warner did not contact Mr. Goffredi on Thursday. On Friday, he walked into Mr. Goffredi's office unannounced and gave Mr. Goffredi the drawing and said the City would need thirty-five square feet. Mr. Goffredi at that time said he would need to study the drawing and do some measuring, and Mr. Warner said "give me a call." Mr. Goffredi said that is where things stand right now. Mr. Goffredi said the traffic light is needed at 12th and F, and he hates to enter into any action that would slow up that light, but he thought the activity had been inappropriate and asked guidance of Council as

to how he should proceed.

Mr. Warner said he was not notified by the Engineering Department that it was going ahead with the project at 12th and F before he had obtained the agreement with Mr. Goffredi. He said he did not make a monetary offer to Mr. Goffredi when he delivered the map because Mr. Goffredi said he would like to look it over first. Also, walking into Mr. Goffredi's office unannounced was at his (Mr. Goffredi's) invitation as he had said "Come and see me at the office at any time." There was discussion about the appraised value of the land; however, consensus of Council was that the monetary offer was not the issue in this instance.

Mr. Warner stated that it is unusual for the Engineering Department to proceed with a project until he has gotten at least a verbal agreement with the property owner.

City Manager Rose said it appeared that the Engineering Department had overstepped its bounds, and he apologized to Mr. Goffredi. Mr. Rose offered to meet with Mr. Goffredi to negotiate for the land. In the meantime, Mr. Rose would authorize that all work cease.

It was moved by Councilman Van Houten and seconded by Councilman Brown that the pair who are involved in this type of activity be instructed not to move onto the owner's property until the deed is available. Motion carried.

Councilman Tufly requested an investigation as to how this incident occurred.

#### ORD. NO. 1560

Zoning Howard Johnson Annexation H.O.

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 ADDING THE ZONING OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilwoman Quimby and seconded by Councilman Colescott that the Proof of Publication be accepted for filing.

It was moved by Councilman Colescott and seconded by Councilman Tufly that the 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 1560 and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

#### ORD. NO. 1561

Amending Sales Tax Ordinance Pertaining to Casualty Losses

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE SALES AND USE TAX ORDINANCE IN REGARD TO CASUALTY LOSSES. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the 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 Colescott that the Ordinance be passed, adopted, numbered 1561 and ordered published. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried.

ORD. NO. 1562

Kanaly Annexation

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 Tufly and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

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

The Ordinance was read. There being no comments, it was moved by Councilwoman Quimby and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1562 and ordered published. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried.

HOWARD JOHNSON ANNEXATION NO. 2

Petition

Resolution

Prop. Ord.

The following Petition requesting annexation to the City of Grand Junction was accepted for filing:

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:



That part of the Northeast one quarter at Section 36 Township 1 North Range 1 West Ute Meridian lying Southeast of Horizon Drive and Southwest on the U.S.B.R. Highline Canal and Northeast of a line described as beginning at a point on the South line of Horizon Drive which point is North 82° 02' 56" West 684.53 feet and North 54° 46' 30" East 360 feet from the East one quarter corner of said Section 36 and running South 20° 26' East to the U.S.B.R. Highline Canal and that part of the Northeast one quarter of the Southeast one quarter of said Section 36 lying Southeast of Horizon Drive and West of U.S.B.R. Highline Canal and Northeast of above described South 20° 26' East line and all that part of Section 31 Township 1 North Range 1 East Ute Meridian lying West of U.S.B.R. Highline canal.

As ground therefor, 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 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 petitioners pray that petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>DATE</u> <u>SIGNATURE</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>			
Karl Larson (Signature) Ronald L. Bonds (Signature) Dennis L.			

<p>Granum (Signature) That part of the Northeast one quarter at Section 36 Township 1 North Range 1 West Ute Meridian lying Southeast of Horizon Drive and Southwest on the U.S.B.R. Highline Canal and Northeast of a line described as beginning at a point on the South line of Horizon Drive which point is North 82° 02' 56" West 684.53 feet and North 54° 46' 30" East 360 feet from the East one quarter corner of said Section 36 and running South 20° 26' East to the U.S.B.R. Highline Canal and that part of the Northeast one quarter of the Southeast one quarter of said Section 36 lying Southeast of Horizon Drive and West of U.S.B.R. Highline Canal and Northeast of above</p>			
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described South 20° 26' East line and all that part of Section 31 Township 1 North Range 1 East Ute Meridian lying West of U.S.B.R. Highline canal.			
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AFFIDAVIT

STATE OF COLORADO)		
) SS		
COUNTY OF MESA)		

DENNIS L. GRANUM, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circular of the foregoing petition;

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

Signature

\_\_\_\_\_  
Dennis L. Granum

Subscribed and sworn to before me this 21st day of April, 1975.

Witness my hand and official seal.

Beverly Bruce

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

My Commission expires: July 12, 1978

Councilman Colescott moved to adopt the following Resolution:

RESOLUTION

WHEREAS, on the 7th day of May, 1975, 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:

That part of the Northeast one quarter at Section 36 Township 1 North Range 1 West Ute Meridian lying Southeast of Horizon Drive and Southwest on the U.S.B.R. Highline Canal and Northeast of a line described as beginning at a point on the South line of Horizon Drive which point is North 82° 02' 56" West 684.53 feet and North 54° 46' 30" East 360 feet from the East one quarter corner of said Section 36 and running South 20° 26' East to the U.S.B.R. Highline Canal and that part of the Northeast one quarter of the Southeast one quarter of said Section 36 lying Southeast of Horizon Drive and West of U.S.B.R. Highline Canal and Northeast of above described South 20° 26' East line and all that part of Section 31 Township 1 North Range 1 East Ute Meridian lying West of U.S.B.R. Highline canal, 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 therefor; 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 owner of one hundred percent of the property has 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 7th day of May, 1975.

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

Attest:

\_\_\_\_\_

City Clerk

which motion was seconded by Councilman Van Houten. 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.

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

#### COUNCIL AUTHORIZES EXPENDITURE

From Council Contingency Fund of \$589.80 to Colorado Municipal League for PUC Hearing Regarding Mountain Bell Rate Increase

City Manager Rose discussed the request by the Colorado Municipal League for the City's participation in the proposed Mountain Bell rate increase. A 2 1/2 cents per capital assessment, or \$589.80, would be required for the City's participation. It was moved by Councilman Van Houten and seconded by Councilman Colescott that the expenditure of \$589.80 be authorized from the Council Contingency Fund for the purpose of assisting the Colorado Municipal League in the PUC hearing on the proposed Mountain Bell rate increase. Motion carried.

Councilman Brown stated that in line with this, he would move that the City of Grand Junction go on record encouraging the Colorado Municipal League to get involved in rate increases proposed by Public Service Company as they are with Mountain Bell. The motion was seconded by Councilman Van Houten. Motion carried. It was moved by Councilman Brown and seconded by Councilman Johnson that a Resolution be directed to the PUC when the Public Service hearings on rate increases are held over here. Motion carried.

#### REPORT

Interim Committee May be Appointed for the Purpose of Studying State Liquor Code for Needed Revisions

City Manager Rose reported there is a possibility that an interim committee will be appointed to study the State Liquor Code for needed revisions. He suggested that a Resolution be directed to Governor Lamm to appoint a committee to study the State Liquor Code for revisions. It was moved by Councilman Van Houten and seconded by Councilman Johnson that a Resolution be prepared. Motion carried.

#### GRANTS

City Manager Rose discussed the LEAA Grant which would provide for the placement of police officers in the high schools. He stated

that our staff, mainly the Police Department, has worked hard on getting this grant and that the staff has met once with the staff at the school district. He stated that when this grant was first proposed, he felt Council was amenable to receiving the grant. President Kozisek suggested approving the grant subject to an annual evaluation.

It was noted that the first year the City's contribution would be 10%, the grant 90%. The second year, 40% City participation and 60% grant. The third year it would be funded 70% by the City and 30% by the grant, and thereafter, if the program were continued, the City would fund the entire amount. It is proposed that two police officers will work in this program with clerical help being provided parttime. It was noted that this is the first large grant for Western Colorado.

Councilman Brown said this would be the addition of at least three more employees and asked what provision could be made to hold the line at the budgeted number of 310 employees. He asked Council to consider making up for these 2 1/2 people through attrition.

Councilman Johnson said that he is concerned with any grant whereby the City would at some later date pick up the total cost. He suggested that all grants applications come before the City Council for review prior to submission.

Councilman Colescott said he would like to give the proposal at least a year's time.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the grant be accepted for one year with an avaulation scheduled for June 1976 prior to budget preparation. Motion carried.

#### ADJOURNMENT

It was moved by Councilman Van Houten and seconded by Councilman Tufly that the meeting be adjourned to 7:30 P.M. May 8, 1975. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk

OFFICE OF  
MESA COUNTY ROAD DEPARTMENT  
P. O. BOX 1237  
GRAND JUNCTION  
COLORADO  
81501

May 12, 1975

Mr. Harvey Rose, City Manager  
City of Grand Junction  
Box 968  
Grand Junction, Colorado

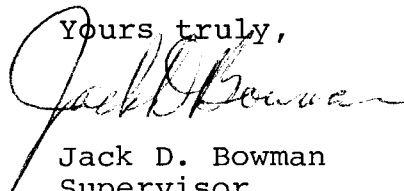
Dear Sir:

In reply to your request received on April 28, 1975, I am taking this opportunity to assure you that Mesa County will accept into our maintenance system the access road to the Ridges property.

It is my understanding that this road will be constructed to the Mesa County Road Standards and its acceptance construction conditions guaranteed by the existing Road and Bridge Construction Manual.

If additional information is required, please call me.

Yours truly,



Jack D. Bowman  
Supervisor

JDB:nm

cc: Board of County Commissioners  
Mesa County

File

Enclosure

**ROBERT P. GERLOFS**

*Engineering Consultant*

April 22, 1975

Jack Bowman  
Mesa County Road Department  
1000 So. 9th Street  
Grand Junction, Colorado 81501

Dear Jack,

Enclosed is a plat and legal description of a right-of-way through some city owned property. The road will be used as access to the Ridges.

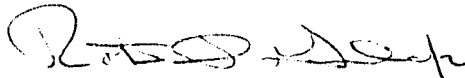
It is the intention of the developer of The Ridges to have the road dedicated to the county. The developer will then improve the roadway to county standards and ask that it be taken into the county system for maintenance.

Prior to dedicating the right-of-way the City Council would like a clarification of policy on maintenance of the road.

Please review the plat and comment, in writing, to Harvey Rose regarding the County's policy on these matters.

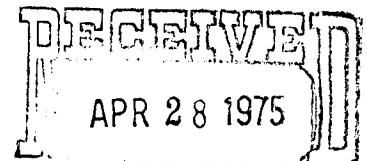
Thank you.


Very truly yours,



Robert P. Gerlofs

RPG/sm



MESA CO. ROAD DEPT. 

552 E. MAIN

GRAND JUNCTION, COLORADO 81501

(303) 243-8966



CITY OF GRAND JUNCTION, COLORADO

MEMORANDUM

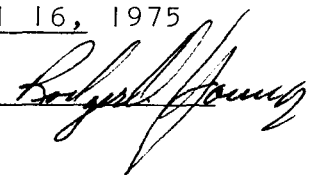
Reply Requested

Yes  No

Date

April 16, 1975

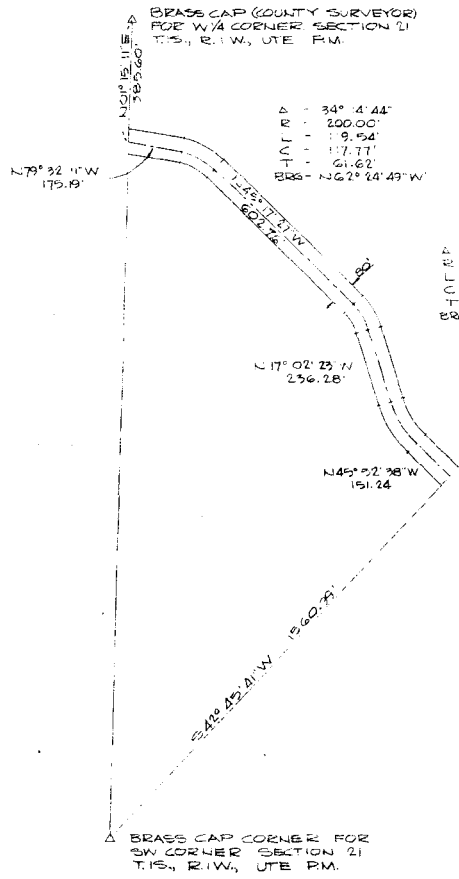
To: (From:) Gerald Ashby From: (To:) Rodger Young  
City Attorney City Engineer



Subject: Right-of-Way through City Property to The Ridges

On Tuesday, April 15, Gus Byrom and I inspected the proposed right-of-way through City owned property to the Ridges. The consulting engineer doing the work for the developer has indicated that they will keep the slope of the proposed road to a maximum of 7 percent. The 7 percent grade is criteria established by this office. Since they have indicated that they will maintain a 7 percent maximum, I see no objection to granting of a right-of-way for a public road through our property to the Ridges.

RY:tm



Δ - 34° 4' 44"  
 R - 200.00'  
 L - 9.54'  
 T - 17.77'  
 BRG - N 62° 24' 49" W

Δ - 28° 15' 04"  
 R - 200.00'  
 L - 93.61'  
 C - 97.62'  
 T - 50.33'  
 BRG - N 31° 09' 55" W

Δ - 28° 50' 15"  
 R - 501.56'  
 L - 151.78'  
 C - 150.18'  
 T - 77.54'  
 BRG - N 31° 27' 30" W

N 17° 02' 23" N 256.28'

N 45° 52' 28" W 151.24'

S 41° 42' 41" W 1560.71'



BEARINGS ARE RELATIVE TO TRUE NORTH DERIVED BY OBSERVATION OF STATE PLANE COORDINATE MONUMENTS N.P.S. H.G.E.H.T.

**Right-of-Way Description**  
 A road right-of-way situated in the West 1/2 of the SW 1/4 of Section 21, Township 7 South, Range 1 West of the Ute Principal Meridian being 80 feet in width and 1/2 mile long on each side of the following described centerline: Beginning at a point in the right-of-way of a County Road as built and in place whence the SW corner of said Section 21 bears S 45° 45' 49" W 1560.99 feet; thence N 45° 52' 28" W 151.24 feet; thence 151.78 feet along the arc of a 200.00 foot radius curve to the right which arc subtends a chord bearing N 31° 27' 30" W 151.78 feet; thence N 31° 09' 55" W 97.62 feet; thence N 31° 27' 30" W 151.78 feet; thence N 31° 09' 55" W 97.62 feet; thence N 45° 52' 28" W 151.24 feet; thence N 45° 45' 49" W 1560.99 feet to a point on the westerly line of said Section 21 whence the West 1/4 corner of said Section 21 bears N 07° 15' 11" E 385.80 feet. The sideslins of the above described road right-of-way being lengthened or shortened on the northerly and southerly ends to terminate on said westerly line of Section 21.

I HEREBY CERTIFY THAT IN MARCH 1975, I DIRECTED THE SURVEY SHOWN ON THIS PLAT AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.  
 Norman H. Hunt  
 NORMAN H. HUNT LS 10752



<b>THE RIDGES ACCESS ROAD ON EAST SIDE PROPERTY</b>		Job 75004 Drawn L.W. App'd N.H.H. Date 21 Mar 75 Scale 1"=400' Sheet 1 of 1
ELDORADO ENGINEERING COMPANY CONSULTING ENGINEERS REGISTERED LAND SURVEYORS 803 COLORADO AVENUE P.O. BOX 659 GLENWOOD SPRINGS, COLORADO 81601 303-946-6917		