

Grand Junction, Colorado

June 4, 1975

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. June 4, 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 Attorney Gerald Ashby, City Clerk Neva B. Lockhart and Assistant City Manager James Wysocki. City Manager Harvey Rose was absent.

MINUTES

It was moved by Councilman Tufly and seconded by Councilman Van Houten that the Minutes of the Regular Meeting May 21, 1975, be approved as written. Motion carried.

APPOINTMENT TO MESA COUNTY FOUNDATION

Mrs. Norma J. Hamilton having submitted her resignation to the Board of Directors of the Mesa County Foundation, President of the Council Lawrence Kozisek submitted the name of Mary Ann Pack as her replacement. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the appointment of Mary Ann Pack to the Mesa County Foundation be ratified. Motion carried.

APPOINTMENT OF COUNCILMAN KARL JOHNSON TO SERVE ON THE CENTENNIAL BICENTENNIAL COMMITTEE

It was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the appointment of Karl Johnson to the Centennial-Bicentennial Committee be ratified. Motion carried.

DAYS - PERMISSION GRANTED SALE OF RODEO TICKETS ON MAIN STREET JUNE 18 & 19

Mr. Virgil Van Dyke, representing Colorado Stampede Rodeo, appeared before Council to request permission for rodeo ticket sale on Main Street June 18 and 19. It was moved by Councilman Tufly and seconded by Councilman Johnson that permission be granted. Motion carried.

DAYS - PERMISSION GRANTED FOR BAND CONCERT ON MAIN STREET JUNE 19TH FROM 1:30 P.M. TO 4:30 P.M.

Mr. Steve Foster requested permission of Council to block the 500 block of Main Street between the hours of 1:30 p.m. to 4:30 p.m. Thursday, June 19, for a band concert. It was moved by Councilman Colescott and seconded by Councilman Tufly that permission be granted. Motion carried.

DAYS - ICE CREAM SALE ON MAIN STREET, SATURDAY, JUNE 14TH

Granted

Mrs. Barbara Price, Worthy Matron, Chapter 103, Grand Junction Eastern Star, appeared before Council to request permission for Ice Cream Sale on Main Street, Saturday, June 14, between the hours of 11:00 a.m. to 3:00 p.m. at the corner of Fifth and Main Street. The proceeds are to be used for Community Services. It was moved by Councilman Tufly and seconded by Councilman Brown that permission be granted. Motion carried.

3.2 BEER LICENSE RENEWAL

7 to 11 Food Store 2231 N. 7th St.

Submitted for consideration was the application by Hobby Frazer, Seven To Eleven Food Store, 2231 North 7th Street, for the renewal of his 3.2 Beer License. A memorandum from the Police Department advised there have been no complaints or violations concerning this operation during the past licensing period.

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

DAYS - REQUEST BY GRAND JUNCTION KIWANIS CLUB TO CLOSE 500 BLOCK MAIN STREET JUNE 20 FOR THE ANNUAL PANCAKE DAY

Granted

It was moved by Councilman Colescott and seconded by Councilwoman Quimby that permission be granted the Grand Junction Kiwanis Club to close the 500 block Main Street June 20th between the hours of 4:00 a.m. to 4:00 p.m. for the Annual Pancake Day. Motion carried.

HEARING - SS 30-74 ASSESSMENTS (ORCHARD MESA SANITARY SEWER, PHASE I) PROP. ORD.

Advertised for hearing on this date was the Sanitary Sewer District No. 30-74 Assessments for Orchard Mesa Sanitary Sewer Phase I. Mr. Albert H. Wales, 1761 Palisade Street, noted a letter from the Public Works Director which stated a tap fee of \$1200. Mr. Wales said he made numerous attempts to pay the \$1299 tap fee but City Hall refused payment. Now in his assessment letter his sewer tap fee is \$1,318.26. Mr. Wallace T. Walker, 655 Grand Mesa Avenue also spoke upon this issue.

City Attorney Gerald Ashby advised Mr. Wales, Mr. Walker as well as others in the audience who objected to the assessment to give Council and the Administration time to resolve the issue pertaining to the interest on the bonds during construction and whether Council will forgive this interest charge; cash payment

would resolve the 6% cost of collection and incidentals and is so recited in the Ordinance. He recommended passing the assessing ordinance as is for publication, and at the next meeting July 2, Council will give its determination before final passage.

Public Information Officer Charles Teed took the names of all those present from that area who objected to the Assessments.

Council directed staff to provide the figures as to what the interest should be during the interim construction period. The President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF IMPROVEMENTS MADE IN AND FOR SANITARY SEWER DISTRICT NO. 30-74, 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 Colescott and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

HEARING - PRELIMINARY PLAN FOR INTERMOUNTAIN BIBLE COLLEGE DEVELOPMENT 27 1/2 ROAD AND F ROAD

Senior Planner Don Warner presented the plan and outlined it on the board. He stated this is just the same as the original development plan with the exception of a change which realigns the driveway. There being no letters filed on this matter and no one in the audience who indicated a desire to speak, the President closed the hearing.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the preliminary plan for Intermountain Bible College development be approved. Motion carried.

REZONING FROM R-1-C TO B-1 THE SOUTHEAST CORNER OF 7TH STREET & WELLINGTON AVE.

PROP. ORD.

Recommended from the Planning Commission and advertised for hearing on this date was the proposed rezoning from R-1-C to B-1 (limited business) for the property at the southeast corner of 7th Street and Wellington Avenue. Mr. Warner indicated there will be some land deeded on north Seventh Street for right-of-way. No letters having been filed and no one in the audience indicating 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 OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

HEARING - REQUEST FOR PD-12 ZONING FOR PATTERSON GARDENS PROP. ORD.

REQUEST DENIED

This date was advertised for hearing on the request for PD-12 zoning of Patterson Gardens. Mr. Warner outlined the area in question. The property is located on the SW corner of 15th Street and Patterson Road. The previous request for PD-20 zoning was denied at the Council Meeting on May 7, 1975. Mr. Al Goffredi, a resident of the area, was present to speak about the PD-12 zoning. He stated that 31 persons in the area met to explore the ramifications of the development in the northeast section of the town. The concern of the residents were the bridges, sewer, water run-off, water, roadway, and who would be paying for the development of these items. The group requested denial of the change of zoning. Mr. Chuck Wyman, Mr. Mike Hyer and Mr. Pat Edwards spoke for the developers and for the zoning change to PD-12. The President closed the hearing.

The following 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 OF CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilman Van Houten that the proposed ordinance be passed for publication. Councilman Tufly noted that everyone had presented arguments for both sides. What he would like to look at is the area as zoned. He feels that this would be spot zoning in that particular area. He noted an area that is already zoned for a development of this type and asked why not use this space. Councilman Johnson stated that he felt government should be responsive to the people and that it appears a majority of the people in this area opposes the new zoning. Councilwoman Quimby stated as a member of the Planning Commission she was opposed to the PD-20 zoning, but that she felt exceedingly more comfortable with PD-12. Councilman Brown also felt that this was spot zoning and stated that he felt the neighborhood has some rights too. Council voted unanimously opposing the passage of the ordinance for publication.

ORD. NO. 1566 AMENDING MISDEMEANOR OFFENSES

The Proof of Publication to the following Ordinance was presented: AN ORDINANCE AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, THE MISCELLANEOUS OFFENSE ORDINANCE, BY REPEALING CERTAIN SECTIONS THEREOF AND AMENDING OTHERS. 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 Johnson and seconded by Councilman Colescott 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 Johnson and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1566, and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

#### FALSE BURGLAR ALARM CALLS

Discussion was had about false burglar alarm calls with respect to the Police Department response and from subscribers of burglar alarm systems. Councilman Brown suggested that Council should not get involved with equipment or of any phase of the program, except that excessive false alarm calls must stop or the perpetrator must pay.

It was moved by Councilman Van Houten and seconded by Councilman Brown to direct the City Attorney to draw up an ordinance creating a fee or fine schedule for false alarm calls; that the City Council then shall look at this ordinance and determine how many free ones there shall be; and that a hearing be set up so the subscribers as well as the equipment installers may discuss the problem. Motion carried. President Kozisek recommended that copies of the model ordinance be available prior to the July 2 City Council meeting and suggested that the installers notify their customers of the hearing so they may attend if they wish to do so.

#### JUNE 18 COUNCIL MEETING CANCELLED

After determining that no public hearings are scheduled for the June 18 City Council meeting, it was moved by Councilman Johnson and seconded by Councilman Tufly that the City Council meeting on June 18 be cancelled in order for the Council members to attend the Colorado Municipal League Conference in Colorado Springs and that Council reconvene at its regular time on July 2, 1975. Motion carried.

#### 3.2 BEER LICENSE RENEWAL

Pretzel Factory 1230 North 12th

City Attorney Ashby said that some time ago a letter was received with regard to the Pretzel Factory. At that time some mention was made that a full investigation of this complaint should be made when the license comes up for renewal. The renewal date is June 18 and since Council will not be here on that date, Mr. Ashby recommended approving the application for the renewal of the license, with the understanding by the operator of the restaurant that on the 2nd of July there will be an advertised hearing at which time the license holder will be expected to show cause why

his license should not be revoked or suspended in accordance with the usual procedures. The report from the Police Department does bear out the complaint from the neighboring property owners. It was moved by Councilman Johnson and seconded by Councilman Colescott that the application be approved and the license issued when the State license is received, contingent upon the public hearing July 2 to determine whether the license should be suspended or revoked for cause. Motion carried.

RESOLUTION

MEMBERSHIP HOUSING AUTHORITY TO BE RESIDENTS OF CITY

Councilman Johnson moved to adopt the following resolution:

RESOLUTION

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

That the members of the Grand Junction Housing Authority be required to be residents within the City during their tenure on the Authority.

PASSED and ADOPTED this 4th day of June, 1975.

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President of the Council

Attest:

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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 the Resolution duly passed and adopted.

Councilman Brown suggested a pool of names be created from which the Council may draw for appointment to serve on various City boards.

STANLEY ANDERSON

Former Councilman Stanley Anderson was present for the meeting. President Kozisek thanked Mr. Anderson for his many years of service to the City of Grand Junction.

MULTI-PURPOSE BUILDING

Architect Robert Van Deusen reported that the Multi-Purpose Building completion date would be the end of October rather than

September due to the strike. Mr. Van Deusen extended thanks to the City Administration for its assistance. He noted that the building is 72% complete. At this time Steve Peters showed slides of the model and some sketches and also some samples of carpet and furniture that will be installed. Mr. Van Deusen noted that on June 5, he and Parks & Recreation Director James Wysocki would meet with the caterer.

#### COUNCIL COMMITTEE REPORTS

Housing Councilwoman Quimby reported that the Housing Authority meets the first and third Tuesday of each month. She asked about the status of the deed regarding property at 8th Street and Rood Avenue. She said that the Housing Authority will entertain a name for the proposed housing project. She also noted that the Housing Authority had scheduled a clean-up next Saturday for the property at 8th and Rood but had discovered the City cleaned it up today.

Centennial-Bicentennial Committee Councilman Johnson reported on some themes for projects which the committee is contemplating: (1) Heritage, (2) Festivals, (3) Horizons, (4) Ethnic Minority.

#### MISCELLANEOUS DISCUSSION

President Kozisek said that in line with the Centennial-Bicentennial Theme, plan to do something in 1976 with regard to an old-fashioned Fourth of July.

Councilman Tufly noted two complaints he has had about the 75-day notice for water turnoff. He stated that notices were sent to people who were not really in arrears. He asked this to be checked.

#### ADJOURNMENT

It was moved by Councilman Johnson and duly seconded that the meeting be adjourned. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk