

Grand Junction, Colorado

February 4, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. February 4, 1976, in the Council Chambers at City Hall. Members present and answering 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 Tufly and seconded by Councilman Brown that the minutes of the regular meeting January 21, 1976, and the minutes of the adjourned meeting January 22, 1976, be approved as written. Motion carried unanimously.

INTRODUCTION OF NEW CITY EMPLOYEES

The following new employees were present and introduced to Council:

John Simpkins, Crewman - Utilities Department
Valorie Southard - Customer Service Division

AGENDA ITEM IX A - DISCUSSION OF MORATORIUM ON SEWER TAPS - Tabled until February 18

City Manger Rose announced that because of considerable community interest in the above topic, he would recommend tabling this item until the next regular meeting of Council. Council accepted the recommendation.

COUNCIL DECISION - 3.2% BEER LICENSE (ON PREMISE CONSUMPTION) GRANTED BRUCE E. TROY FOR "SUDS AND SOUND," 2825 NORTH AVENUE

The following decision was read:

Bruce E. Troy applied for a Fermented Malt Beverage License for on-premises consumption at 2825 North Avenue in the City of Grand Junction.

The City survey found that 116 persons in the neighborhood favored the issuance of the license, feeling that the needs of the neighborhood were not being met by existing outlets near the neighborhood; 76 persons opposed the issuance of the license believing that the needs of the neighborhood were being met; 5 were otherwise opposed; and 29 did not express any opinion on the issuance of the license. The applicant provided a petition bearing 598 signatures of persons in the neighborhood, mostly out of the

immediate neighborhood but in the broader trade area potential for the outlet.

Opposition came from the owners of the Columbine Motel at 2824 North Avenue, and opposition was expressed at the hearing by two persons. The opposition concerned itself with the general difficulty of motel operation on North Avenue and the probability that this difficulty would be increased by an outlet of this type. There was also expressed a concern as to the particular intersection and the use of the motel property by motorists who used 28 1/4 Road to go north from North Avenue.

The police report did not indicate any reason that Mr. Troy could not hold the license.

Having considered the evidence presented at the hearing, the City Council finds:

1. That Bruce E. Troy is qualified legally and as to character to hold the license applied for.
2. That the desires of the inhabitants of the neighborhood, as evidenced by the City survey and petition, are that the license issue.
3. That the closest outlet where fermented malt beverages are consumed on the premises is at the Shakey's, a distance of about one-half mile, with the next nearest outlet, the Pizza Hut, a distance of about one mile. That both of these outlets are essentially family eating places and do not cater to the clientele anticipated for the outlet proposed.
4. That the distance to other outlets and the survey and petitions show that the needs of the neighborhood are not being met by other outlets.
5. That North Avenue is a high traffic arterial providing traffic for the commercial establishments and motels on the Avenue. That, while the proposed outlet may lead to some increase in traffic, particularly in the immediate area, of the proposed location, this is consistent with the use of North Avenue and expansion on it to the east. That localized special areas of hardship will have to be handled through traffic control rather than prohibition of ground use.

It is, therefore, the decision of the Council that the license issue to Bruce E. Troy to dispense fermented malt beverages for consumption on the premises at 2825 North Avenue as soon as he has obtained proper authority from the State and has constructed the proposed building and grounds arrangement. Additionally, it is the wish of the Council, to ameliorate the problem of traffic in the area, that ingress only be permitted on North Avenue from the premises, with ingress and egress permitted on 28 1/4 Road.

It was moved by Councilman Brown and seconded by Councilman Tufly that Council delay razing or demolition work on the Auditorium for 60 days which Youth Commission works to raise all or part of the money for its restoration. Motion carried unanimously.

The President declared a five-minute recess.

PROPOSED ORDINANCE REGULATING WRECKER SERVICE

After discussion by Council and representatives of Wrecker Services in the community, the following entitled proposed ordinance was read: AN ORDINANCE ESTABLISHING A SYSTEM FOR PROVIDING WRECKER SERVICE AT ACCIDENT SCENES; REQUIRING CERTAIN ACTION BY WRECKERS AT SUCH SCENE; AND PROVIDING FOR THE REMOVAL OF THE PRIVILEGE OF COVERING ACCIDENTS BY WRECKERS. It was moved by Councilman Colescott and seconded by Councilman Van Houten that the proposed ordinance be passed for publication. Motion carried with Council members Tufly, Quimby, and Kozisek voting NO.

RENEWAL OF 3.2% BEER LICENSES

Submitted for consideration was the application by Mesa Farmers Market, Inc., 2651 Highway 50 South for renewal of its 3.2% Beer License. The report from the Police Department advised there have been no violations during the past licensing period. It was moved by Councilman Johnson and seconded by Councilman Brown that the application be approved and the license issued when the State license has been received. Motion carried unanimously.

Submitted for consideration was the application by Gerald Wieker to renew the 3.2% beer license at the Corral, 539 Colorado Avenue. A report from the Police Department advised there have been no complaints or violations concerning the sale of 3.2% beer during the past licensing period. A memorandum dated May 22, 1975, from the State Liquor Enforcement Officer Jim Gilliam noting a violation of gambling was attached to the report. During a telephone conversation with Mr. Gilliam on February 3, he advised that Mr. Wieker had taken steps to correct the problem. 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 unanimously.

HEARING - 3.2% BEER SPECIAL EVENTS PERMIT GRANTED MESA COLLEGE FEBRUARY 21, 1976

Advertised for hearing on this date was the application by Mesa College for 3.2% fermented malt beverage Special Events Permit February 21, 1976, 8:00 p.m. to midnight, Houston Hall Auditorium, Mesa College Campus. Mr. Tom O'Connor was present representing the Mesa College Student Body Association.

It was moved by Councilman Johnson and seconded by Councilman Brown that the application by Mesa College for 3.2% fermented malt

beverage Special Events Permit on February 21, 1976, be approved. Motion carried.

PROPOSED ORDINANCE TO PROVIDE FOR LICENSING OF CONTRACTORS WORKING ON RIGHTS OF WAY

Mr. Harold Elam of Elam Construction, Inc., was present for discussion of this item.

It was moved by Councilman Van Houten and seconded by Councilman Johnson that this particular ordinance be dropped. Motion carried unanimously.

It was moved by Councilman Brown and seconded by Councilman Tufly that the City Attorney be directed to draft recommendations for revising the existing ordinance. Motion carried unanimously.

ORDINANCE NO. 1608 - REZONING 2865 ELM FROM R-1-C TO R-2-A

The Proof of Publication to the following entitled ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF THE 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 Colescott and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Brown and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. There being no comments, it was moved by Councilwoman Quimby and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1608, and ordered published. Roll was called upon the motion with all members of Council voting AYE. The President declared the motion carried.

ORDINANCE NO. 1609 - REZONING NW CORNER 7TH STREET AND PATTERSON ROAD FROM B-1 TO PDB

The Proof of Publication to the following entitled proposed 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, COLORADO, BY CHANGING THE ZONING ON CERTAIN LAND WITHIN THE CITY. It was moved by Councilman Johnson and seconded by Councilman Colescott that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. There being no comments, it was moved by Councilman Brown and seconded by Councilman Tufly that the

Ordinance be passed, adopted, numbered 1609, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORDINANCE NO. 1610 - ZONING TEXT CHANGE, SECTION 11, STREETS, SECONDARY NO. 3 TO READ: MAIN STREET 7TH STREET EAST TO HIGHWAY 6 & 24

The Proof of Publication to the following entitled proposed ordinance was presented. AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, BY CHANGING THE DEFINITION OF STREETS SECONDARY IN SECTION 11 OF SAID CHAPTER 32. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1610 and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORDINANCE NO. 1611 - HIGHWAY ORIENTED ZONING FOR CROSSROAD ANNEXATION (NW CORNER OF HORIZON DRIVE AND I-70)

The Proof of Publication to the following entitled proposed 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 LANDS WITHIN THE CITY. It was moved by Councilman Colescott and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. There being no comments, it was moved by Councilman Colescott and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1611 and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORDINANCE NO. 1612 - VACATION OF 14 FEET OF 19TH STREET (HOUSING AUTHORITY)

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A PORTION OF A STREET WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilman Brown that the Proof

of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Tufly and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried unanimously.

The Ordinance was read. There being no comments, it was moved by Councilman Van Houten and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1612 and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

PROPOSED ORDINANCE PERMITTING THE USE OF PLASTIC PIPE FOR WATER SERVICE LINE

The following entitled proposed ordinance was presented and read: AN ORDINANCE PERMITTING THE USE OF CERTAIN PLASTIC PIPE FOR WATER SERVICE LINES. It was moved by Councilman Colescott and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

REQUEST FOR COUNCIL ENDORSEMENT FOR MATCHING FUNDS FOR REHABILITATION OF OLDER HOMES

This item was tabled until material has been received.

COLORADO REGION IV PROJECT \$15 GRANT

City Manager Harvey Rose discussed matching funds on a \$15 grant from Colorado Region IV Project. The purpose is to determine the needs of the Communications Network in this area so there is no duplication of service and equipment. It was moved by Councilman Johnson and seconded by Councilman Brown that the City Manager be authorized to enter into the Agreement. Motion carried unanimously.

COUNCIL COMMITTEE REPORTS

Councilman Johnson reported on the Centennial-Bicentennial Committee meeting held on Monday. The Committee was brought up-to-date on the projects. Multi Media Image Show is to be completed this week and ready for showing. A lady's group is going to promote a dress contest to match the beard-growing contest.

Councilman Tufly reported on a meeting he had with Greenbelt.

ADJOURNMENT

It was moved by Councilman Van Houten and duly seconded that the meeting be adjourned.

Neva B. Lockhart

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City Clerk