

Grand Junction, Colorado

February 18, 1976

ROLL CALL

The City Council of Grand Junction, Colorado, met in regular session at 7:30 p.m. February 18, 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 Lockhart.

MINUTES

It was moved by Councilman Tufly and seconded by Councilman Johnson that the minutes of the regular meeting February 4, 1976, be approved as written. Motion carried.

APPOINTMENT TO PLANNING COMMISSION - LEVI LUCERO - ONE-YEAR TERM

The following names were submitted by President Kozisek as candidates for a one-year term on the Planning Commission:

John Schoening  
Vernon Denison  
Chuck Wiman  
Levi Lucero

By secret ballot, the majority vote was Levi Lucero. It was moved by Councilman Tufly and seconded by Councilman Johnson that the appointment of Levi Lucero to a one-year term on the Planning Commission be ratified. Motion carried.

APPLICATIONS TO RENEW 3.2% BEER LICENSES - Safeway Store No. 600, 23rd & North Avenue, Safeway Store No. 602, 644 North Avenue

Submitted for consideration were the applications by Safeway Store No. 600, 23rd and North Avenue, and Safeway Store No. 602, 644 North Avenue for renewal of their 3.2% Beer Licenses. The reports from the Police Department advised there have been no violations during the past licensing period. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the applications be approved and the licenses issued when the State licenses have been received. Motion carried.

APPLICATION FOR TRADE NAME CHANGE - Presently: Freeway Bowl & Lounge, 1900 Main, Proposed New Trade Name: "Night Gallery"

Submitted for consideration was the application for trade name change by Robert Stack doing business as Freeway Bowl & Lounge, 1900 Main, to "Night Gallery." It was moved by Councilman Johnson and seconded by Councilman Colescott that the trade name change be

granted. Motion carried.

CONSIDER GIFT TO POLICE DEPARTMENT FOR THE POOR AND UNDERPRIVILEGED

The Police Department was given a \$250 gift by Myrtle A. Reed for the poor and underprivileged. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the gift be accepted. It was the consensus of Council that the gift be utilized to send 25 youths to summer camp (sponsored jointly by the Mesa County Social Services and Salvation Army).

HEARING - APPLICATION FOR SPECIAL EVENTS PERMIT, 6:00 P.M., MARCH 3, TO 2:00 A.M. MARCH 4, 1976, (BEER, WINE & LIQUOR)

Advertised for hearing on this date was the application by Grand Junction Rotary Club for a special events permit to serve beer, wine and liquor at Two Rivers Plaza, Second and Main, 6:00 p.m. March 3, to 2:00 a.m. March 4, 1976. Mr. Reynold Remington and Mr. Kent Webster, Rotary Club representatives, were present. No letters were filed regarding this application, and there was no one in the audience who indicated a desire to speak. The report from the Police Department advised that inquiries concerning the applicant revealed nothing to preclude the issuance of the Permit. The President closed the hearing.

It was moved by Councilman Johnson and seconded by Councilman Brown that the application be approved. Motion carried unanimously.

HEARING - PROPOSED BULK DEVELOPMENT FOR PARK PLACE APARTMENTS (1ST STREET AND PARK AVENUE)

Advertised for hearing this date was the proposed bulk development for Park Place apartments (1st Street and Park Avenue). Senior Planner Don Warner reviewed the area and noted that the Planning Commission has approved this with two conditions imposed: (1) that the necessary right-of-way be deeded for Park Drive; (2) that the petitioner enter with a Power of Attorney for an improvement district when the time comes to pave the street.

No letters were filed, and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

It was moved by Councilman Colescott and seconded by Councilman Johnson that Park Place Bulk Development be approved contingent upon the two conditions made by the Planning Commission. Motion carried unanimously.

HEARING - TENNIS CLUB PLAN MODIFICATION - HORIZON PARK PLAZA - (SOUTHEAST OF HOWARD JOHNSON MOTEL)

Advertised for hearing this date was the Tennis Club Plan

Modification Horizon Park Plaza (southeast of Howard Johnson Motel). The only change to the plan is the number of tennis courts which has been reduced. They do not intend to cover the courts as previously planned.

No letters were filed and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

It was moved by Councilman Tuflly and seconded by Councilman Johnson that the Tennis Club Plan Modification be approved. Motion carried unanimously.

HEARING - PROPOSED BULK DEVELOPMENT (27 1/2 ROAD & C ROAD)

Advertised for hearing this date was the Proposed Bulk Development at 27 1/2 Road and C Road. This is a proposal to allow a duplex. Petitioner is Mr. Alvin Ricks. Senior Planner Don Warner indicated this lot is 58 feet wide by 230 feet deep. Planning Commission approved subject to the modular unit meeting Building Code.

No letters were filed, and there was no one in the audience who indicated a desire to speak. The President closed the hearing.

It was moved by Councilman Tuflly and seconded by Councilman Brown that the bulk development be approved contingent upon Planning Commission requirement. Motion carried unanimously.

HEARING - PATTERSON GARDEN PLAN MODIFICATION (SOUTHWEST CORNER 15TH AND PATTERSON)

Advertised for hearing this date was the Patterson Garden Plan Modification (southwest corner 15th and Patterson). Senior Planner Don Warner stated that the modification includes (1) addition of carports; and (2) two units going to two-story buildings in order to make room for the carports. This modification has been approved by the Planning Commission. A Mr. Larry Warren was present and indicated the pool will be covered. No letters were filed and no one in the audience indicated a desire to speak. The President closed the hearing.

It was moved by Councilman Brown and seconded by Councilman Johnson that the Patterson Garden Plan Modification be approved. Motion carried unanimously.

It was requested that the Planning Commission comment on the covering of the pool.

HEARING - PROPOSED BARGER MINOR SUBDIVISION PRELIMINARY PLAT (28 ROAD AND ORCHARD AVENUE)

Advertised for hearing on this date was the Preliminary Plat for Barger Minor Subdivision. The area in question was reviewed by Mr. Warner who noted Planning Commission approval subject to curb,

gutter and sidewalk along Hall Avenue. This condition has been agreed to by Bennett Realty the petitioner.

No letters were filed regarding this plat, and there was no one in the audience who indicated a desire to speak. The President closed the hearing.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Preliminary Plat for Barger Minor Subdivision be approved contingent upon petitioner complying with Planning Commission requirement. Motion carried unanimously.

HEARING - FINAL DEVELOPMENT PLAN - PD-12 - GRAND JUNCTION HOUSING AUTHORITY (WALNUT TO BOOKCLIFF BETWEEN 17TH AND 19TH)

Advertised for hearing this date was the Final Development Plan - PD-12 - on Grand Junction Housing Authority Property (Walnut to Bookcliff between 17th and 19th Streets). Senior Planner Don Warner reviewed the plan. The Planning Commission has approved the plan with the following conditions: (1) Public Service easement in the area that is to be vacated; (2) placement of sidewalk along 17th Street; (3) fencing along the north edge from canal; (4) meet requirements on water lines and fire hydrants (Fire Department). Lighting was requested by residents. There was a question as to who will pay for the lighting in the alley. The answer was not resolved. Mrs. Weaver, of 1625 Walnut Avenue, questioned Council as to where the senior citizens will be located in this development. Blake Chambliss stated they would be located on the southerly half of the development, on Walnut across from Orchard Avenue School.

It was moved by Councilman Brown and seconded by Councilman Johnson that the plan be approved with the condition that the Housing Authority provide some lighting in the alley.

It was moved by Councilman Tufly and seconded by Councilman Colescott that the motion be amended to the effect that the lighting not be a mandatory stipulation. Motion carried with Councilman Brown voting NO.

The question being upon the approval of the final development plan, motion carried with conditions imposed by Planning Commission.

There was some discussion as to putting in a cul-de-sac on 19th Street. Public Works Director Gus Byrom indicated there would be some right of way to obtain. He recommended allowing the housing project to proceed. If there is some problem in the future with respect to the traffic, it could be reviewed at that time and barricading might be the answer. Council directed that the Public Works Director keep it advised of the situation after the development is in.

HEARING - PROPOSED ORDINANCE - EASEMENT VACATION IN BLOCK 1 OF

## OLYMPIC ACRES SUBDIVISION

Advertised for hearing on this date and recommended for approval by the Planning Commission was the petition for Easement Vacation in Block 1 of Olympic Acres Subdivision. No letters having been filed and no one in the audience indicating a desire to speak, the President closed the hearing.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN EASEMENT LOCATED WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried unanimously.

## HEARING - PROPOSED DEVELOPMENT IN HIGHWAY ORIENTED ZONE - 12TH AND UTE

Advertised for hearing on this date was the proposed development in Highway Oriented Zone at 12th and Ute Avenue for car sales lot. Senior Planner Don Warner stated this plan has been before Council once before by a previous petitioner. Planning Commission recommended approval of the plan. Mr. Warner advised that the petitioner has requested permission to occupy immediately with improvements to start May 1 and completed July 1 (planters along 12th and along Ute). The petitioner is to deed a 10 foot strip of right of way on 12th Street. No letters were filed, and no one in the audience indicated a desire to speak. The President closed the hearing.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the proposed development be approved and that the petitioner be granted immediate occupancy and extending improvement completion to July 1, 1976. Motion carried unanimously.

## ORDINANCE NO. 1613 - REGULATING WRECKER SERVICE

The Proof of Publication to the following entitled proposed ordinance was presented: 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 Brown that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Johnson and seconded by Councilman Tufly 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 Johnson and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1613 and ordered published. Roll was called upon the motion with all Council members voting

AYE. The President declared the motion carried.

ORDINANCE NO. 1614 - PERMITTING USE OF CERTAIN PLASTIC PIPE FOR WATER SERVICE LINES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE PERMITTING THE USE OF CERTAIN PLASTIC PIPE FOR WATER SERVICE LINES. It was moved by Councilman Colescott and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried unanimously.

It was moved by Councilman Tufly 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 Colescott and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1614 and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

PROPOSED ORDINANCE APPROVING THE LEASE BY THE CITY OF TREECE PROPERTY FROM PARKING AUTHORITY

The following entitled proposed ordinance was presented and read: AN ORDINANCE OF THE CITY OF GRAND JUNCTION COLORADO, PROVIDING FOR FURTHER OFF-STREET PARKING FACILITIES BY MEANS OF THE LEASING OF SUCH OFF-STREET PARKING FACILITIES BY THE CITY OF GRAND JUNCTION FROM THE GRAND JUNCTION, COLORADO, PARKING AUTHORITY, A COLORADO NON-PROFIT CORPORATION; APPROVING THE FORM OF LEASEHOLD AGREEMENT WITH OPTION TO PURCHASE BETWEEN THE CITY AND SAID AUTHORITY FOR SAID PURPOSE, AND PROVIDING OTHER MATTERS RELATING THERETO. It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried unanimously.

DISCUSSION OF LICENSING OF CONTRACTORS FOR WORK ON PUBLIC RIGHTS OF WAY

City Attorney Ashby reported to Council that with some minor changes to the ordinance presented two weeks ago he would recommend that Council pass it for adoption. He advised that there is not much in the Code of Ordinances to work with.

Consensus of Council was that copies of the changes be made available to it for study, and that copies be mailed to the contractors with a notice there will be further discussion on this item at the next meeting of Council.

RESOLUTION - AGREEMENT BETWEEN CITY AND COUNTY WITH CH2M HILL FOR ROADWAY AND TRAFFIC SAFETY STUDY

The following Resolution was presented and read:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, that certain Agreement to furnish engineering services to the City of Grand Junction, Colorado, and the county of Mesa, Colorado, for traffic engineering services and a roadway and traffic safety plan between the CH2M Hill, Inc. and the City of Grand Junction and County of Mesa, Colorado, be and the same is hereby approved, and the City Manager and the City Clerk are authorized and directed to execute the same on behalf of the City and as the act of the City.

PASSED and ADOPTED this 18th day of February 1976.

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President of the Council

Attest:

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

It was moved by Councilman Johnson and seconded by Councilman Tufly that the Resolution be passed and adopted as read. Upon roll call all members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

RESOLUTION - AUTHORIZE CONVEYANCE OF WATER RIGHTS

The following Resolution was presented and read:

RESOLUTION

AUTHORIZING THE CONVEYANCE OF WATER AND WATER RIGHTS.

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

That City Manager, Harvey M. Rose, be authorized and directed to execute a conveyance of water and water rights located in Mesa County, Colorado, and described as:

The right to divert Twenty (20) cubic feet of water per second of time out of the Colorado River under Priority No. 787, Conditional, awarded by the District Court of Mesa County in Civil Action 8303, (a Supplemental Adjudication proceeding pertaining to water rights in former Colorado Water District No. 42) to the Grand Junction-Colorado River Pipe Line, which water right is now designated as Basin Rank No. \_\_\_\_\_, in Water District No. 5, pursuant to the tabulation dated \_\_\_\_\_, prepared by the Office of the State engineer of Colorado.

Priority no. 787, Conditional, referred to above was awarded to the Grand Junction-Colorado River Pipe Line out of the Colorado River for a total of One Hundred (100) cubic feet of water per second of time. The remainder of such water i.e. One Hundred (100) cubic feet of water per second of time is reserved and retained by Grantor,

to Water Development Company, a joint venture, the same being in accordance with agreement heretofore reached with said company.

PASSED and ADOPTED this 18th day of February 1976.

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President of the Council

Attest:

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City Clerk

It was moved by Councilman Tufly and seconded by Councilman Brown that the Resolution be passed and adopted as read. Upon roll call all Council members voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

#### MISCELLANEOUS DISCUSSION

##### COG - Valley Wide Sewer Service - Funding

Councilwoman Quimby requested that Council designate Lawrence Kozisek as City representative to attend a meeting in Denver on Thursday, February 26, 1976, requesting monies that have been asked for by COG - \$850,000 for Valley Wide Sewer System. Consensus of Council was to designate Lawrence Kozisek as City representative.

##### Human Resources Council

Councilman Johnson reported on the Human Resources Council. The Council is compiling a directory of all organizations who provide services to the community. The group has obtained funds from the Federal Bicentennial for funding and implementation. Some of the funding will be used to establish an office for a rental clearing house and hire a part-time executive secretary.

##### Public Service Franchise

Councilman Brown questioned where the Public Service Franchise stands. Approximately one month ago, he understood that it was not too far away. City Manager Harvey Rose stated there is no additional information. President of the Council Lawrence Kozisek



strongly concurred with Councilman Brown's interest in the status of this item.

#### Recreation Board - Rifle Range

Councilman Tufly reported on a meeting of the Recreation Board. He clarified that the Recreation Board members will help coordinate 4th of July festivities and will work with the Women's Division of the Chamber of Commerce and other groups to make it a success.

Also discussed by the Recreation Board was a plan for a rifle range on BLM land that will be working its way to Council for funding. The Recreation Board approved the concept, and it will try to make the facilities such that all groups will use it.

#### 1974 Audit

City Manager Rose recommended Council table this item until the first meeting in March. Council accepted the recommendation and requested that a representative of the auditing firm be invited to be present for this meeting and requested update information from the Finance Department. Mr. Rose said Council could consider at the meeting in March the appointment of Auditor for calendar year 1976.

#### Community Action Program

President Kozisek reported that Bob Silva had attended only one meeting of the Western Colorado Community Action Programs since his appointment early last fall. He advised Council that a letter will be sent to Mr. Silva notifying him that he is no longer an active member of the board. At some future date, President Kozisek will submit a name for appointment to fill the vacancy.

#### RECESS

It was moved by Councilman Brown and duly seconded that the meeting be recessed to 7:30 p.m. Wednesday, February 25, 1976. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk