

City of Grand Junction, Colorado

April 7, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. April 7, 1976, in the Council Chambers at City Hall. Members present and answering roll call: Larry Brown, Harry Colescott, Karl Johnson, Elvin Tufly, Robert Van Houten and President of the Council Lawrence Kozisek. Members absent: Jane Quimby. Also present: City Manager Harvey Rose, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Colescott and seconded by Councilman Brown that the Minutes of the regular meeting March 17, 1976, be approved as written. Motion carried unanimously.

RESOLUTION OF CONDOLENCE - MARK R. SCHMIDT

The following Resolution was presented and read:

RESOLUTION

WHEREAS, life came to a close for Mark R. Schmidt on April 7, 1976, ending a career which had been devoted to service to his fellow man; and

WHEREAS, his service took many forms as an active community participant. He was Past President of the Grand Junction Rotary Club, Past Vice President of the Chamber of Commerce of Grand Junction, member of Mason Masonic Lodge, member of Grand Junction Consistory, Past President of World Friendship Council, member of Direct Relief Foundation and Unity Center, member of Mountain States Hardware and Implement Association, Past Trustee of American Retail Federation, Past President of Colorado Retailers Association, served on Colorado Public Expenditures Council for a number of years, he was a member of Sigma Nu, Trojan Club and Commercial Associates related to his alma mater, the University of Southern California.

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

That with the death of Mark R. Schmidt the City of Grand Junction and its people have lost a valued leader and friend.

That this Council joins with the family and friends in sorrow over his loss and extends its sympathy and hope for comfort to those who were near him.

That the City Clerk be and is hereby directed to have a copy of

this resolution delivered to the family in token of our sympathy.

PASSED and ADOPTED this 7th day of April, 1976.

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

Attest:

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

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

INTRODUCTION OF NEW CITY EMPLOYEES

City Manager Rose presented the following new City employees:

Ed Jezwinski - Data Processing - Finance  
Helen Miller - Sales Tax Division of Finance  
Roy Godfrey - Police Department

RESOLUTION OF CONGRATULATIONS - HANNA VAN HOUTEN BECOMING UNITED STATES CITIZEN

The following Resolution was presented and read:

RESOLUTION

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

That we, the Members of the Council, do hereby take this occasion to extend to Mrs. Hanna Van Houten our heartiest congratulations in recognition of her initiative and effort in becoming a United States Citizen on March 26, 1976.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Mrs. Van Houten in recognition of her achievement.

PASSED and ADOPTED this 7th day of April, 1976.

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

Attest:

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

It was moved by Councilman Johnson and seconded by Councilman Colescott that the Resolution be adopted and read. Upon roll call, all members of Council present voted AYE. The President of the Council declared the Resolution duly passed and adopted.

MR. RICHARD R. MCELROY, RIO BLANCO OIL SHALE PROJECT - DISCUSSION OF CLEAN AIR ACT

Mr. Richard McElroy, approached Council stating that the Clean Air Laws are being considered in Washington, D.C. by Congress, both in the House and the Senate. Some of the amendments being introduced to the present Clean Air Act would further restrict development in this area. In fact, it may dictate a no-growth area. He urged the City Council to write to our elected representatives in Washington, expressing its concern on restrictions that may result in a no-growth area.

President Kozisek requested copies of the regulations under the Clean Air Act. He recommended that this item be tabled until next week's meeting on the 13th of April, at 1:00 p.m. President Kozisek directed City Attorney Ashby to draw up a Resolution containing any objections Council may have concerning the regulation of the Clean Air Act.

DISCUSSION OF TWO RIVERS PLAZA USE POLICY, MEETING ROOMS, MEALS AND CONCESSIONAIRE

Assistant City Manager Jim Wysocki distributed copies of the Two Rivers Plaza Policy at Monday's Council luncheon for Council's review. He introduced Mary Hurst of the Holiday Inn who represents the committee. Mary Hurst stated that the committee was formed about three months ago to try to resolve the seemingly existing conflicts. After much discussion and several meetings, the committee wishes to offer this proposal for Council's consideration. The following Proposal was read by Mrs. Hurst:

TWO RIVERS PLAZA USE POLICY

Meeting Rooms, Meals and Concessionaire

February, 1976

A conflict has developed between restaurant and lodge owners and operators over the meeting room use of Two Rivers Plaza. It is recognized that the concessionaire has a valid contract to serve food and beverage in the facility, a contract that was open to all to seek on a bid basis. The concessionaire has invested considerable private funds in the operation at the Plaza, and as a free enterprise entrepreneur, deserves to take what actions he can make his venture profitable. For him to do otherwise would be planning for losses and ultimate financial failure.

The City's role is in promoting use of the facility and is the key to the conflict. The building was constructed for the people, with tax funds - it should be available for use by any citizens group who desires it on an appointment basis.

"Solicitation" defined:

The City will not engage in mass mailings of promotional brochures and will not approach local groups unless requested by local groups.

Solicitation will be permitted in the form of a brochure available upon request by all groups. A dedication ceremony, including tours, refreshments and entertainment will be done in a two-day program.

Along with this policy of solicitation, the Two Rivers Plaza will maintain a brochure rack for materials on meeting rooms and banquet facilities available in the area.

The Chamber of Commerce will provide a list of meeting rooms, number of beds, pillows and other pertinent information on various facilities in the area along with its "Chamber of Commerce Area Information" packet. This packet will be available at the Two Rivers Plaza.

Referrals for all events will be made by both parties to accommodate all groups.

The City will not refuse any group use of the facility if the contact request is not solicited. In other words, the City should assume a policy of non-solicitation of meetings for a period of one year.

An exception to the non-solicitation policy would be conventions, trade shows or other gatherings that cannot - because of size or special requirements - be held in some existing facility.

The charge that the City or any governmental entity is a competitor to private business is a very legitimate concern of the Council and the Committee. Recognizing the inability of anyone to predict the future, and further determining the influence the newness of Two Rivers Plaza is having on groups and organizations, a proposal is made for an in-depth study of the effects of the Two Rivers Plaza following twelve months of operation. If there is still a need for a study after meeting with the various lodge and restaurant owners, this would be done by a competent firm, not connected with the City, with the results to be made public.

The twelve month period referred to herein would begin with the issuance of a liquor license by the State of Colorado.

Mrs. Hurst strongly urged the establishment of a convention

committee for the benefit of the business people in the area.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Use Policy be approved and adopted. Motion carried with Councilman Brown voting NO.

JERRY GADDY - PROPOSAL FOR THE BEAUTIFICATION OF THE "DUCK POND" STREAM ON ORCHARD MESA

Mr. Jerry Gaddy, sixth grade instructor at Columbus Elementary School, approached Council to present a proposal for the beautification of the "Duck Pond" stream on Orchard Mesa. Seven of Mr. Gaddy's pupils, representing Orchard Mesa Elementary and Columbus Elementary Schools, accompanied Mr. Gaddy with comments. They were Mike Rosette, 148 32 Road, Gerald Byrum, 2981 B Road, Shari Silzell, 278 28 1/2 Road, Bonnie Price, 585 25 1/2 Road, Ramona Hutton, 225 21 Road, Doug Young, 232 Montgomery Street, and Kevin Lemarr, 176 Edlun Road. Each student expressed his desire to help beautify the "Duck Pond," describing some of his ideas for improvement. Mr. Gaddy distributed copies of the Environmental Impact Statement.

Purpose: Multiphase stream amelioration at the "Dick Pond" Park on Orchard Mesa.

Manpower: Sixth grade Lincoln Orchard Mesa Elementary (106 students). Volunteers from Colorado National Guard.

The project will involve cleaning the stream of debris, placing riprapping along stream banks at trouble spots, lining bottom with flagstone to help stabilize stream bottom, creating water terraces, willow bush shoots may be planted later to provide shade for the stream.

Benefits: The project will beautify the stream so that it will complement the park that it flows through. Removal of trash and elimination of raw sewage flowing into the stream will make it less of a health hazard. The riprapping will help to stop soil erosion from the stream banks. The placing of water terrace structures in the stream will help aerate the water and provide small waterfalls pleasing to the eye with no stagnate water. Bottom lining will help to stabilize the stream bottom. Planting low shrubs or willow bushes along the stream bank will help to reduce the water temperature during the summer months which would limit algae growth and other plant life on the bottom. The cooler water may also hinder bacterial growth.

The proposed total expenditure is \$550.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the project to beautify the "Duck Pond" be conducted. Motion carried unanimously.

Councilman Brown stated that since this project concerns a City

park, he would like to have the group feel free to utilize the resources of the parks Department whether it be materials or labor.

MARK WILLIAMS - REQUEST FROM COUNCIL CONTINGENCY - FUNDS FOR CENTENNIAL-BICENTENNIAL - \$1335 APPROVED

City Manager Rose requested from the Council Contingency, funds in the amount of \$1,000 for the Women's Division of the Chamber of Commerce, \$100 for the Senior Citizens Group, \$110 for the Standing Room Only, multi-media excursion group. The added amount is \$125 that would be matched with another \$125 that has already been raised for the State Home and Training School for their super graphics projects.

It was moved by Councilman Brown and seconded by Councilman Johnson that the appropriations for \$1,335 of Council's Centennial-Bicentennial funds be made. Motion carried unanimously.

APPLICATION FOR CORPORATE OFFICER CHANGE - B.P.O. ELKS #575, 249 SOUTH 4TH STREET

Submitted for consideration this date was the application for Corporate Officer Change by B.P.O. Elks #575, 249 South 4th Street. Corporate Officers are: President: Ned P. Crawford, Vice President: Norman L. Cooper, Treasurer: George Richardson, Secretary: Glen I. Dollar, Manager: Lester G. Smith, Directors: F. Lee Miller, Dale G. Muff, J. R. Montgomery, and Milan Dunivent. The report from the Police Department indicated that nothing was found in the background of the proposed Corporate officers that would make them ineligible for licensing within this State. It was moved by Councilman Tufly and seconded by Councilman Johnson that the change in corporate officers be approved. Motion carried unanimously.

HEARING - CONDITIONAL USE FOR RESTAURANT WITH LIQUOR LICENSE AT 227 ROOD

Submitted for consideration by the Council was the request by Michelle Garcia for Conditional Use for restaurant with liquor license at 227 Rood. Mr. Gary Cowan, representing Michelle Garcia, stated the conditional use for this location has been recommended by the Planning Commission.

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

HEARING - APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE, MICHELLE GARCIA, EL CHARRO Y LA BARRA FAMOSA SUPPER CLUB, 227 ROOD AVENUE

Advertised for hearing on this date was the application by Michelle Garcia for a Hotel-Restaurant Liquor License at 227 Rood

Avenue, for El Charro Y La Barra Famosa Supper Club. Submitted for the record was the map of the surveyed area along with the results of the survey of the area between Spruce Avenue on the west to Grand Avenue on the north to 5th Street on the east to Colorado Avenue on the south. Results were:

- (1) I favor the issuance of the license . . . 67
- (2) I believe the needs of the neighborhood are being met by existing outlets . . . 30
- (3) Otherwise Opposed . . . 4
- (4) No Opinion . . . 31

Also entered for the record was Mrs. Garcia's Statement of Intent and three character reference letters.

A petition with 625 signatures from the trade area favoring the issuance of the license was also submitted.

The map showing similar outlets was reviewed.

Council did place the stipulation that the remodeling of the site begin within a six-month period upon issuance of the license should said license be issued. The applicant agreed to the stipulation.

There was no one at the meeting who spoke in opposition to the license, and no letters of opposition were filed.

The President of the Council stated that it is Council policy to table at this meeting and a decision will be offered on April 21, 1976. The President closed the hearing.

ORDINANCE NO. 1618 - REZONING FROM R-1-C AND C-2 TO I-2 - GUNNISON AVENUE EAST OF HARRIS ROAD

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 CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. 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 Van Houten and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilman Van Houten that the Ordinance be passed, adopted, numbered 1618, and ordered published. Roll was called upon the motion with all Council members present voting AYE. The President declared the motion carried.

PROPOSED ORDINANCE IMPOSING RESPONSIBILITY ON OWNERS OF PREMISES UNDER THE GARBAGE AND TRASH ORDINANCE

The following entitled proposed ordinance was presented and read: AN ORDINANCE IMPOSING RESPONSIBILITY ON OWNERS OF PREMISES UNDER THE GARBAGE AND TRASH ORDINANCE. It was moved by Councilman Colescott and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

PROPOSED ORDINANCE CORRECTING ORDINANCE NO. 1542 - ALLEY VACATION IN PARK TERRACE SUBDIVISION

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF ALLEY WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Tuflly and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried with Councilman Van Houten abstaining.

FRANCHISE ORDINANCE FOR PUBLIC SERVICE

City Manager Rose advised Council that he had received late today from the City's Attorney, Mr. Roviera, the final Public Service Franchise Ordinance. Mr. Rose said he would have copies prepared early tomorrow and delivered to the members of Council for their review. Mr. Rose recommended that Council recess the meeting tonight until 1:00 p.m., Tuesday, April 13, 1976.

CITY MANAGER REPORT ON MEETINGS ATTENDED

City Manager Rose reported briefly on three meetings he attended:

Executive Board of the Colorado Municipal League. It was noted that Mayor Bill Van Arsdale of Rifle was no longer eligible to serve on the Executive Board. As Chairman of the Nominating Committee, Mr. Rose requested the board to keep that position open to a Western Slope city, and nominated a Councilwoman from Basalt to fill out that term which the board accepted.

Personnel Advisory Committee. This is a newly organized committee. The purpose of this group will be to conduct training programs and labor relations of personnel and administration around the State of municipalities and act as collection source for information on labor relations and union contracts.

Parking Authority. Mr. Rose reported that specs are out on the demolition of the Treece Property on Rood, as well as the property on 7th. Any bids that are received will be brought to the next meeting of Council for consideration.

COUNCIL COMMITTEE REPORTS

Councilman Brown attended the Planning Commission Meeting last week for Mrs. Quimby.

It was moved by Councilman Brown and seconded by Councilman Johnson that the administration be directed to coordinate with the County any activities that may be applicable to the City in the removal of junk cars from the area inside the City limits. Motion carried unanimously.

Appointment of Planning Commission Members to Sign Code Appeals Board.

President Kozisek stated that with the adoption of the Sign Code, Council must now appoint an Appeals Committee with 7 voting members and 2 non-voting members.

The suggestion was made that the 7 members of the Planning Commission be appointed as the Appeals Board. It would have to include in that the 2 non-voting members. One of the non-voting members would have to be from the Sign Industry itself, and one from the Environmental Department.

It was moved by Councilman Brown and seconded by Councilman Van Houten that the Planning Commission be appointed to serve as the 7 voting members of the Appeals Board. Motion carried unanimously.

Ouray, Colorado, Grand Ball

President Kozisek wished to compliment the community of Ouray, Colorado, on the fine job it did in putting on a "Grand Ball" April 3, 1976. Much work was put into it, and it was very enjoyable. It was attended by Mayor and Mrs. Kozisek, Councilman and Mrs. Brown, Councilman and Mrs. Van Houten.

"Attention to Youth" Basketball Game

President Kozisek wished to announce the "Attention to Youth" basketball game this Friday night. The team will be the "Bouncing Bureaucrats" composed of city officials.

RECESS

It was moved by Councilman Van Houten and seconded by Councilman Brown that the meeting be recessed until Tuesday, April 13, 1976, at 1:00 p.m. Motion carried.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk