

Grand Junction, Colorado

October 20, 1976

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. October 20, 1976, in the Council Chambers at City Hall. Members present and answering roll call: Larry Brown, Karl Johnson, Jane Quimby, Elvin Tufly. Councilman Harry Colescott and Robert Van Houten, and President of the Council Lawrence Kozisek were absent. Also present was City Manager James Wysocki, City Attorney Gerald Ashby and City Clerk Neva Lockhart.

It was moved by Councilman Johnson and seconded by Councilman Brown that Jane Quimby be appointed Acting President of the Council. Motion carried.

MINUTES

It was moved by Councilman Brown and seconded by Councilman Johnson that the minutes of the regular meeting October 6, 1976, be approved as written. Motion carried unanimously.

MR. JIM MANK - GRAND JUNCTION TENNIS CLUB

Mr. Jim Mank, President of the Grand Junction Tennis Club, appeared before Council and discussed the progress that has been made this past year by the Tennis Club and the City in the development of tennis courts. He presented a check in the amount of \$700.

APPOINTMENT TO RECREATION BOARD

Two names were submitted to fill a vacancy on the Recreation Board: Betsy Clark and Jeanne Ballard. Paper ballots were distributed for voting. After two tie votes this item was tabled until the next regularly scheduled meeting when all members of Council will be present to vote.

BEER - APPLICATIONS TO RENEW LICENSES - CIRCLE K CORP. AND SAFEWAY STORES, INC.

Submitted for consideration were the applications by the following businesses to renew 3.2 beer licenses:

- (1) Circle K Corp. Store No. 560, 2685 Unaweep
- (2) Safeway Stores, Inc., Store No. 603, 2686 U.S. Hwy 50

A report from the Police Department advised that during the past licensing period there have been no reported complaints or violations noted in the sale of 3.2 beer by these establishments. It was moved by Councilman Tufly and seconded by Councilman Brown

that the applications be approved and the licenses issued when the State licenses have been received. Motion carried unanimously.

LIQUOR - FRATERNAL ORDER OF EAGLES #595, 1764 HWY 50, CHANGE OF CORPORATE OFFICERS APPROVED

Submitted for consideration was the club liquor license application addendum change of corporate officers affecting Fraternal Order of Eagles #595, 1764 Hwy 50. Listed officers: President: Norman McAllister, Vice President: Robert A. Evans, Treasurer: Chester V. Kinzie, Secretary: Fred Pahlke, Manager: Leroy E. Coe. A report from the Police Department advised a records check and background investigation was conducted on the corporate officers. Nothing of a derogatory nature was disclosed during the investigation which would prevent this change of corporate officers.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the club liquor license application addendum changing the corporate officers of Fraternal Order of Eagles #595, 1764 Hwy 50, be approved. Motion carried unanimously.

LIQUOR - APPLICATION FOR RETAIL LIQUOR STORE LICENSE - CHANGE OF OWNERSHIP - STATE LIQUORS 659 ROOD CORPORATION

Submitted for consideration was the application by 659 Rood Corporation, a Colorado Corporation, for a retail liquor store license to be used in conjunction with State Liquors, presently owned by Richard Stranger. Proposed Corporate Officers: President: Jerry C. Knight, Vice President: Joy A. Barnett, Secretary/Treasurer: Harold R. Barnett. A report from the Police Department advised that a background investigation was completed on the above corporate officers. There was nothing of a derogatory nature reported that would prevent any of the officers from being licensed.

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

HEARING - PROPOSED JIM ARNOLD BULK DEVELOPMENT, 2217 NORTH 1ST STREET

A hearing on this item was duly held after proper notice. Senior Planner Don Warner described this as a duplex in an R-1-B zone. The Planning Commission approved subject to the deeding of right of way on 1st Street. The developer agreed to the condition.

It was moved by Councilman Brown and seconded by Councilman Johnson to approve the Jim Arnold Bulk Development subject to the conditions imposed by the Planning Commission. Motion carried.

HEARING - PROPOSED SUNDANCE BULK DEVELOPMENT - 15TH AND KENNEDY

A hearing on this item was duly held after proper notice. Senior Planner Don Warner advised that the Planning Commission approved subject to the plan reflecting more green space and a curb be provided between the six-plex and the single-family residence.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Sundance Bulk Development at 15th and Kennedy be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - PROPOSED ORD. ROAD EASEMENT VACATION LA VILLA GRANDE NORTH OF 8TH STREET AND WELLINGTON

A hearing on this item was duly held after proper notice. The Planning Commission recommended approval of this item.

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

HEARING - PROP. ORD. - ALLEY VACATION - 10TH STREET AND SECOND AVENUE - TOPLINE SUPPLY

A hearing on this item was duly held after proper notice. This alley vacation was approved by the Planning Commission subject to retaining utility easements as requested by Public Service Company and Mountain Bell.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING A PORTION OF ALLEY WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Tufly and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

HEARING - BULK DEVELOPMENT - PONDEROSA APARTMENTS, 1541 WHITE AVENUE

A hearing on this item was duly held after proper notice. The Planning Commission recommended approval of the bulk development.

It was moved by Councilman Tufly and seconded by Councilman Brown that the bulk development plan for Ponderosa Apartments at 1541 White Avenue be approved. Motion carried.

HEARING - PRELIMINARY PLAN FOR NORTHRIDGE ESTATES - NORTH OF PATTERSON ROAD, SOUTH OF F1/2 ROAD, EAST OF 26 ROAD

A hearing on this item was duly held after proper notice. The Planning Commission recommended approval subject to the drainage being coordinated with the Grand Valley Irrigation Company and the exit onto North 1st Street being coordinated with the City Engineer. It was suggested that the developers proceed to find a

second access before the next filing.

Mr. Dick Coakley, 150 Willowbrook Road, complained about the bad intersection at 1st Street and Patterson Road.

Mr. Kent Webster commented that 1st and Patterson and 7th and Patterson would be impacted.

Mr. Bob Gerlofs and Mr. Steve Foster, developers, spoke for the proposal.

It was moved by Councilman Tufly and seconded by Councilman Johnson that the preliminary plan for Northridge Estates be approved. Motion carried.

HEARING - PROP. ORD. - ROAD VACATION - SOUTH 5TH ST AND NOLAND AVE

A hearing on this item was duly conducted after proper notice. It was recommended by the Planning Commission that this item be approved subject to easement being retained and a requirement that curb and gutter be continued by applicant.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING A PORTION OF ROAD WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Tufly and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

HEARING - PROP. ORD. - VACATION OF BOOKCLIFF AVENUE BETWEEN 17TH AND 19TH

A hearing on this item was duly held after proper notice. The Planning Commission recommended approval of the vacation.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING A PORTION OF BOOKCLIFF AVENUE WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Johnson and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

ORDINANCE NO. 1631 - ID ST-75 ASSESSMENTS

The Proof of Publication to the following entitled ordinance was presented: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-75, 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 Tufly and seconded by Councilman Johnson that the Proof of Publication be accepted for

filing. Motion carried unanimously.

It was moved by Councilman Brown and seconded by Councilman Tufly that the 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 Tufly that the Ordinance be passed, adopted, numbered 1631, and ordered published. Roll was called upon the motion with all members of Council present voting AYE. The Acting President declared the motion carried.

PROP. ORD. - PARKING METER POLICY ON CERTAIN HOLIDAYS

The following proposed ordinance was introduced and read: AN ORDINANCE CONCERNING HOLIDAYS AS DEFINED IN THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES. It was moved by Councilman Johnson and seconded by Councilman Tufly that the proposed ordinance be passed for publication. Motion carried.

RESOLUTION - AUTHORIZING EXPENDITURE OF PUBLIC FUNDS

The following Resolution was read:

RESOLUTION

AUTHORIZING EXPENDITURE OF PUBLIC FUNDS

WHEREAS, the Campaign Reform Act of 1974 authorizes political subdivisions to participate in campaigns on issues in which they have an official concern; and

WHEREAS, the City Council of the City of Grand Junction, Colorado, supports Propositions 1 and 2 and opposes Propositions 7 and 10 appearing on the general election ballot and has expressed its official concern thereon; and

WHEREAS, the adoption of Propositions 1 and 2 and the defeat of Propositions 7 and 10 are in the interest of the citizens of Grand Junction;

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

That said Council specifically approves:

- (a) The expenditure of public funds in the campaign;
- (b) The expenditure of public funds for actual expenses incurred by any employee authorized to participate in the campaign during or outside of working hours;
- (c) Allowing any employee or officer to work on the campaign

during working hours or using any public facility, equipment or supplies on the campaign during working hours;

(d) The use of transportation or advertising involving public property or funds in the campaign;

(e) Granting any employee or officer leave with pay from his job or office with the City to work on the campaign.

BE IT FURTHER RESOLVED That the City Council of the City of Grand Junction, Colorado, authorizes and directs the City Manager to place appropriate limitations and controls on the activities and expenditures listed above.

PASSED and ADOPTED this 20th day of October, 1976.

Acting President of the Council

Attest:

City Clerk

It was moved by Councilman Johnson and seconded by Councilman Brown that the Resolution be passed and adopted as read. Upon roll call Council members QUIMBY, JOHNSON, BROWN voted AYE; TUFLY voted NO. A majority having voted in favor of the motion, the Acting President declared the motion carried and the Resolution duly passed and adopted.

RESOLUTION IN SUPPORT OF PROPOSITION #1

The following Resolution was read:

RESOLUTION

IN SUPPORT OF PROPOSITION #1

WHEREAS, parks and open space areas enhance the environment and improve the quality of life for citizens of Colorado; and

WHEREAS, citizens look to local government to provide parks and open space areas; and

WHEREAS, escalating land costs and serious revenue limitations make it virtually impossible for local governments to provide sufficient recreational lands without state assistance; and

WHEREAS, the Conservation Trust Fund was designed to foster parks, recreation and open space through direct appropriations to local governments for acquiring, developing and maintaining such areas;

and

WHEREAS, in 1976 the General Assembly appropriated \$725,000 to the Conservation Trust Fund to be distributed among approximately 60 counties and 200 municipalities; and

WHEREAS, Proposition 1 authorizes the Colorado Racing Commission, a state agency, to conduct sweepstakes races and appropriates the net proceeds of such races to the Conservation Trust Fund for distribution to municipalities and counties for park, recreation and open space purposes; and

WHEREAS, estimates prepared for the Colorado Racing Commission indicate that the sweepstakes will make available at least \$10 million annually to local governments through the Conservation Trust Fund;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Grand Junction, Colorado, supports and urges the favorable adoption of Proposition 1 on November 2nd.

PASSED and ADOPTED this 20th day of October, 1976.

Acting President of the Council

Attest:

City Clerk

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

PROPOSED ORDINANCE - DETERMINING APPLICATION FEES - FERMENTED MALT BEVERAGE AND ALCOHOLIC BEVERAGE LICENSES

The following proposed ordinance was introduced and read: AN ORDINANCE DETERMINING APPLICATION FEE FOR ACTUAL AND NECESSARY EXPENSES IN CONNECTION WITH THE PROCEEDINGS INVOLVING FERMENTED MALT BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE LICENSES. It was moved by Councilman Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

RESOLUTION IN SUPPORT OF PROPOSITION #2

The following Resolution was read:

RESOLUTION

IN SUPPORT OF PROPOSITION #2

WHEREAS, mobile homes account for an increasing share of the housing market; and

WHEREAS, mobile homes are taxed on the same basis as motor vehicles although most mobile homes are now used as permanent dwellings; and

WHEREAS, some mobile homes placed on permanent foundations are being taxed on an ad valorem basis while others are subject to the specific ownership tax, thus creating confusion and inequity in taxation of mobile homes; and

WHEREAS, in contrast to ad valorem taxes, the specific ownership tax is a fixed statewide tax and is not responsive to local revenue needs; and

WHEREAS, a mobile home owner may be paying more or less taxes than a comparably priced conventional home, depending upon the mill levy; and

WHEREAS, Proposition 2 amends the constitution to remove the requirement that mobile homes be subject to the specific ownership tax, and allows the legislature to tax mobile homes in the same manner as conventional housing;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Grand Junction, Colorado, supports and urges favorable adoption of Proposition 2 on November 2nd.

PASSED and ADOPTED this 20th day of October, 1976.

Acting President of the Council

Attest:

City Clerk

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

RESOLUTION IN OPPOSITION TO PROPOSITION #7

The following Resolution was read:

RESOLUTION

IN OPPOSITION TO PROPOSITION #7

WHEREAS, the repeal of sales tax on food could lessen the stability otherwise available to the sales tax concept, a stability provided most importantly to the Old Age Pension Fund; and

WHEREAS, the repeal of the sales tax on food would deprive the State of important income derived from tourists, which income helps defray some of the expenses incident to their being within the State; and

WHEREAS, the pattern of inflation would clearly show that any saving to families generated by repeal of the sales tax on food would be quickly taken through inflation, leaving no savings and lost tax revenues which would have to be replaced; and

WHEREAS, although the sale tax is a regressive tax, its regressivity is being handled through rebate procedures;

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

That for the reasons stated above, the City Council opposes and urges the defeat of Proposition 7 on November 2nd.

PASSED and ADOPTED this 20th day of October, 1976.

Acting President of the Council

Attest:

City Clerk

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

RESOLUTION IN OPPOSITION TO PROPOSITION #10

The following Resolution was read:

RESOLUTION

IN OPPOSITION TO PROPOSITION #10

WHEREAS, Proposition 10 amends the constitution to require all new

or increased taxes of state of local governments be approved by a majority of the registered electors rather than by a majority of registered electors voting thereon; and

WHEREAS, Proposition 10 is an attempt by those who have not been able to achieve their ends within the operation of representative government, a concept fundamental to the American system of government, and therefore seek to destroy that concept to the harm of the public generally; and

WHEREAS, the amendment defines tax so broadly as to possibly include non-tax items such as user fees and charges necessary to offset operating expenses for various government services; and

WHEREAS, placing additional burdens on the power to tax would hamper the ability of municipalities to provide necessary services and improvements for their citizens and to fulfill the expanding obligations imposed on municipalities by federal and state government; and

WHEREAS, the election requirement of Proposition 10 imposes unnecessary financial and administrative costs on government which the taxpayers ultimately must absorb; and

WHEREAS, Proposition 10 may require an annual election on taxes which are reimposed each year; and

WHEREAS, it is unclear whether the election requirement applies to increases in the tax levy, tax revenues or both; and

WHEREAS, Proposition 10 would be detrimental to the citizens of our community;

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

That the City Council opposes and urges the defeat of Proposition 10 on November 2nd.

PASSED and ADOPTED this 20th day of October, 1976.

Acting 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 Council members present voted AYE. The Acting President

declared the motion carried and the Resolution duly passed and adopted.

EMPLOYEES' SALARY-BENEFIT PACKAGE FOR 1977, 1978, 1979 - ADOPTED

Presented for consideration was the recommendation by the City of Grand Junction Employees' Association Executive Board to adopt the salary-benefit package for 1977, 1978, and 1979. The Committee voted to use the IPA Survey as the basis for salary adjustment January 1, 1977, with cost of living adjustment of 5.4 to be given to all employees July 1, 1977. For the years 1978-1979 the cost of living increase would be based on the Consumer Price Index from July to July of each year and to be paid January 1, 1978-1979. The merits to remain 100% available to those eligible with the ability to reclassify an employee at any time during the year. All other benefits to remain the same with City participation to remain as present policy. Any changes in the Benefit Package will, before change is made, be agreed upon by both employer and employee.

Appearing in opposition to the salary cuts for 15 employees were Pete Riskovich, Mrs. Wanda Standley, and Darrel Most. It was recommended these employees take their complaint to the Grievance Committee of the Employees' Association.

It was moved by Councilman Brown and seconded by Councilman Johnson that the Employees' Salary-Benefit Package for 1977, 1978, 1979 be accepted. Motion carried.

Councilman Tufly suggested that rather than cut the salaries of 15 employees now with the idea that the salaries will be adjusted and brought back in six months, to investigate holding present salaries.

HOUSING AND COMMUNITY DEVELOPMENT REPORT

Housing Authority Chairman Dave Humphries, Planning Staff member John Ballagh, and City Manager Jim Wysocki presented for consideration an administrative budget proposal for the Community Development Block Grant.

It was moved by Councilman Brown and seconded by Councilman Johnson that the City hire a full-time director for the duration of the grant for the Community block development and that he be responsible to the City Manager and that the Housing Authority serve in an advisory capacity to this particular program and that all expenses of this department be directed through the City Manager's office. Motion carried.

HOUSING AUTHORITY DEVELOPMENT OF WALNUT PARK - \$36,000 TO BE MADE UP BY REDUCTION IN TAXES

Housing Authority Chairman Dave Humphries reported that the Authority needs approximately \$36,000 to complete the development of Walnut Park. He suggested one alternative: the projects are

tax-exempt but HUD created a payment in lieu of taxes to pay the City a portion of taxes it would have collected if it were a privately owned project. The portion proposed to be paid the City is \$4,680 a year. FHA has said that if the City will accept \$1,560 a year, the balance will go toward making up the \$36,000 over the 40 years of the mortgage.

The second alternative suggested was to mortgage the lot at 8th and Rood. The contractor has indicated he would take a note and deed of trust.

It was moved by Councilman Johnson and seconded by Councilman Tufly that the City accept the reduction in tax payment. Motion carried.

COUNCIL SCHEDULES TRIP TO KANNAH CREEK

Councilman Brown requested that a date be set for a trip to the Kannah Creek Area so Council could view City-owned properties. Saturday, November 6, at 8:00 a.m. was scheduled.

ADJOURNMENT

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

Neva B. Lockhart

Neva B. Lockhart
City Clerk