

Grand Junction, Colorado

July 6, 1977

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., July 6, 1977, in the Council Chambers at City Hall. Council members present and answering roll call: Larry Brown, Robert Holmes, Karl Johnson, Bill O'Dwyer, Jane Quimby, Elvin Tufly and President of the Council Larry Kozisek. Also present: City Attorney/Acting City Manager Gerald Ashby and City Clerk Neva Lockhart. City Manager Jim Wysocki was absent.

MINUTES

It was moved by Councilman Tufly and seconded by Councilman Johnson that the minutes of the regular meeting June 15, 1977, be approved as written. Motion carried.

RENAISSANCE COMMITTEE

Mr. Rob Jenkins, representing the Grand Junction Renaissance Committee, was present and explained that this group is a Citizen's Committee fostering renaissance of the older community of Grand Junction, both from a residential and a business standpoint. The makeup of the Committee is representative of the entire area of Grand Junction. The Committee is as varied as the community is varied. The Committee is working for a better quality of life in Grand Junction and in the center city area. The Committee thinks the entire Grand Valley, from Fruita to Palisade, relies upon the center area for its vitality. The Committee is now actively working with the Planning Commission, with local real estate interests, with local lending institutions and financial institutions. The Committee requested City Council endorsement. The Committee is not looking for money. He stated the Committee meets the third Thursday of every month. The next meeting will be July 21 at 7:00 p.m. in the "Friendship Room" of Valley Federal.

Senior Planner Don Warner advised that during the recent Colorado Municipal League meeting in Colorado Springs he attended a session which dealt with renaissance. He acquired from the Denver Director of Planning Denver's Historical Zoning Ordinance and the Director will be sending to Mr. Warner a section of Denver's Building Code which has just been revised to allow the renovation or saving of existing structures.

It was moved by Councilman Brown and seconded by Councilman Quimby to encourage this Committee to continue its work, report its progress to Council and to feel free to request assistance of Council if the need arises. Motion carried.

3.2 Beer Renewal

Submitted for consideration was the application by Roy L. Reynolds, Sr. for the renewal of his 3.2 Beer License at Lincoln Park Golf Club. A report from the Police Department advised there have been no complaints or violations during the current 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 with Councilman Holmes voting NO.

LIQUOR - "NIGHT GALLERY," 1900 MAIN STREET

Submitted for consideration was the application by Robert J. Stack dba "Night Gallery," 1900 Main Street, to renew his Tavern Liquor License. A report from the Mesa County Health Department advised that an inspection was made of this establishment and that it meets health standards for the renewal of its Liquor License.

A report from the Fire Department advised that the Fire Department inspection revealed that all life safety requirements are being met and that maintenance is well done. The occupancy load for this building has been posted at 78 persons not including employees. The report from the Police Department advised that during the past licensing period there have been no complaints or violations in connection with the sale of liquor by this establishment.

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 with Councilman Holmes voting NO.

LIQUOR - ADDITION OF CORPORATE OFFICER TO RETAIL LIQUOR STORE LICENSE "CENTENNIAL LIQUORS," 2721 NORTH 12TH ST

Submitted for consideration was the application to add Karen D. Nafstad as Secretary-Treasurer of 543 Rood, Inc., "Centennial Liquors," 2721 North 12th Street. Joe Hambright and Warren Lowe are being dropped from the license. The President of this corporation is Pamela S. Hambright. The Vice President is Barbara A. Lowe. A report from the Police Department advised that Karen D. Nafstad is clear NCIC and CCIC and local files. A records check was made in all cities where Ms. Nafstad has resided and all reported "no record found." During the background investigation, nothing was revealed which would prohibit Karen D. Nafstad from being added to the Retail Liquor Store License of Centennial Liquors. A print card has been mailed to the FBI, but has not been returned as of June 21, 1977.

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

RESOLUTION OF FINDINGS AND DECISION REGARDING CONDITIONAL USE EXPANSION OF 3.2% BEER LICENSE, "SUDS 'N SOUND," 2825 NORTH AVENUE

City Attorney Ashby reviewed the Police Department incident reports filed against "Suds 'N Sound" since January 1, 1977, through June 10, 1977.

The following Resolution was presented and read:

RESOLUTION

ON APPLICATION FOR EXPANSION OF CONDITIONAL USE

WHEREAS, Bruce Troy doing business as Suds 'N Sound, 2825 North Avenue, Grand Junction, has applied for the expansion of his conditional use to provide volleyball courts at the rear of the building; and

WHEREAS, after considering the evidence adduced at the various hearings by the Council, the Council FINDS:

1. That proper hearing was held after due notice thereof.
2. The proposed expansion, properly controlled, will apparently fill a community need for recreational facilities of this type.
3. That the location of the proposed use is suitable in that the area is commercial in zoning and generally so in development.
4. That property values in the area will not be adversely affected by the proposed facility, properly operated.
5. That the plan of development of the use is acceptable as it attempts to minimize the impact on the neighborhood, a condition the applicant recognizes must be met.

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

That the application for expansion of the conditional use as proposed be granted with the specific understandings that it must be conducted in a manner not offensive to its neighbors and that the supervision of the parking lots indicated as usual by the applicant be required of applicant during the hours after 6:00 p.m. until closing.

PASSED and ADOPTED this 6th day of July, 1977.

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.

Councilman Brown stated a man on the scene in the parking lot at this location allows him to approve the conditional use. He noted, however, that failure by Management to cooperate with the Police would put the volleyball courts in jeopardy.

Councilman Johnson observed that the noise level concerned him. He personally visited the area at various times in the last couple of weeks. He noted that the noise level coming from this operation is no greater if as great as the noise on North Avenue. The fact that Mr. Troy has raised the height of the fence from the original application satisfies some of his concerns. Personal contact with some of the neighboring business concerns and others in the area revealed one additional objection, and that is that Mr. Troy provide additional parking. Mr. Troy is proposing to do this.

Councilman Holmes read the complaint filed against this operation on March 12 of this year.

Councilman Brown stated that this Council has suspended license for 10 to 20 days for less violation than the one read by Councilman Holmes. He admonished Mr. Troy to take note.

Councilman Johnson stated that he would hope that the Police Department would exercise its authority in filing charges in some incidents observed.

Upon roll call, Council members JOHNSON, TUFLY, BROWN, QUIMBY, KOZISEK voted AYE. Council members O'DWYER and HOLMES voted NO. A majority having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

3.2% BEER - APPLICATION FOR CHANGE OF OWNERSHIP AFFECTING "SUDS 'N SOUND," 2825 NORTH AVENUE

Submitted for consideration was the application by B.D.W., Inc. for a 3.2% Beer License for "Suds 'N Sound," 2825 North Avenue. President of the Corporation: Bruce E. Troy; Secretary/Vice President: Dale A. Troy; Director: Eddie G. Distel. A report from the Police Department advised that a background check has been made on Bruce E. Troy, Dale A. Troy and Eddie G. Distel. Fingerprint cards have been mailed to the FBI, but have not been returned as of June 28, 1977. All three applicants are clear CCIC, NCIC and local Police Department files.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the application be approved and the license issued when the State license has been received. Motion carried with Councilman Holmes voting NO.

HEARING - VACATION OF RIGHT OF WAY IN CHARLA MINOR SUB - PROPOSED ORDINANCE

A hearing on this item was held after proper notice. Senior Planner Don Warner reviewed the vacation request.

The following entitled proposed ordinance was introduced and read: VACATING A RIGHT OF WAY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

HEARING - REZONING LOT 2, BENNETT SUBDIVISION, FROM R-1-A TO R-3

A hearing on this item was held after proper notice. Senior Planner Don Warner located the area at approximately 26-3/4 Road and Patterson Road.

The Planning Commission recommended against R-3 zoning. The reason: it did not feel R-3 zoning should be extended further down Patterson Road as it felt the density was already a problem.

Mr. Jerry Basquette, 235 Little Park Road, representing Dorothy Bennett, the principal property owner, noted no objections from any of the single family dwellings in the area. He stated Bray and Co. has completed an appraisal of the property. The recommendation was that the highest and best use of Lot 2 would either be light commercial or multi-family residential. Mr. Basquette agreed with the appraisal as the lot has been on the market for three months as single-family residential. There has not been an offer for the lot.

It was noted Lot 2 is 16,109 square feet. A plan which Mr. Basquette presented indicated 12 units in a two-story structure, all one bedroom units, catering to new families, couples, or singles.

After review of the plan Mr. Warner advised that the parking would have to be relocated.

A Resolution of Findings and Decision is scheduled for the July 20 Council Agenda.

HEARING - DEVELOPMENT IN H.O. ZONE - FARMER-HEALD-VALLEY TRASH

A hearing on this item was held after proper notice. Senior Planner Don Warner advised that the Planning Commission reconsidered this item and recommended its approval with the change in landscaping.

It was moved by Councilman Johnson and seconded by Councilman Brown that the development proposed for the H.O. Zone by Farmer-Heald and Valley Trash be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - FINAL PLAT, NORTHRIDGE SUBDIVISION FILING NO. 2

A hearing on this item was held after proper notice. Senior Planner Don Warner reviewed the area and stated that a Planning Commission condition was that the plat should not be recorded until such time as the right of way access road has been acquired. Also required: street lighting, sewer line grade should be increased, needs a change in one of the street names, also improve the street with curb, gutter and sidewalk. No Certificate of Occupancy could be issued until improvements are in front of that house. The Fire Department required a fire hydrant on the southwest corner of Lot 14.

Mr. Victor Daniel represented Mr. and Mrs. Miracle. He noted that two or three weeks ago Council approved a plat for a mini-subdivision due west of this subdivision. He stated this is really an identical situation although involving more lots. He stated that the Miracles are simply asking for a final approval of the plat subject to the access question being resolved. Mr. Daniels indicated he met today with Mr. Traylor and his clients of the bigger subdivision. A tentative agreement is being drafted in the next couple of days for perusal by the various parties involved. He asked that upon receipt of the signed copy of that Agreement, the plat be recorded.

ORDINANCE NO. 1689 BAR X ALLEY VACATION

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A PORTION OF ALLEY 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.

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.

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 1689 and ordered published. Upon roll call, all Council members voted AYE. The President declared the motion carried.

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the Final Plat of Northridge Subdivision Filing No. 2 be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - EASEMENT VACATION - BOOKCLIFF VIEW SUBDIVISION - PROPOSED ORDINANCE

A hearing on this item was held after proper notice. Senior Planner Don Warner stated the applicants have requested vacation

of a 6-foot easement of the perimeter area. The Utility Companies have no objection to the 6-foot easement vacation.

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

ORDINANCE NO. 1686 CHANGES TO THE PRELIMINARY AND FINAL PLAT REQUIREMENTS, CHAPTER 27, CODE OF ORDINANCES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS OF THE CITY OF GRAND JUNCTION AS TO CERTAIN ASPECTS OF THE PRELIMINARY PLATS AND FINAL PLATS. It was moved by Councilman Tufly and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Brown and seconded by Councilman Tufly 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 Brown that the Ordinance be passed, adopted, numbered 1686, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

ORDINANCE NO. 1687 ZONING TEXT CHANGES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION THROUGH CHANGES IN TEXT. It was moved by Councilman Brown and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

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.

The Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1687, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

ORDINANCE NO. 1688 EASEMENT VACATION TECH DEL SOL SUBDIVISION

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING CERTAIN EASEMENT IN TECH DEL SOL SUBDIVISION. It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the Proof of Publication be accepted for filing. Motion carried.

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.

The Ordinance was read. There being no comments, it was moved by Councilman tufly and seconded by Councilman Johnson that the Ordinance be passed, adopted, numbered 1688, and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

ORDINANCE NO. 1690 VACATING 4TH AVENUE BTN 10TH AND 11TH, AND EAST-WEST ALLEY IN BLOCK 17 MILLDALE SUB

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING PORTIONS OF STREETS AND AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Tufly and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

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.

The Ordinance was read. City Attorney Ashby stated that the ordinance should be amended to indicate vacation of a portion of two streets. It was moved by Councilman O'Dwyer and seconded by Councilman Johnson that the Ordinance be passed as amended, adopted, numbered 1690, and ordered published. Upon roll call Council members QUIMBY, HOLMES, JOHNSON, TUFly, O'DWYER, KOZISEK voted AYE. Councilman BROWN voted NO. A majority having voted in favor of the motion, the President declared the motion carried.

ORDINANCE NO. 1691 EMERGENCY ORDINANCE INCREASING WATER RATES FOR BULK USERS OF WATER WITHIN THE CITY LIMITS

It was moved by Councilwoman Quimby and seconded by Councilman Johnson that the Emergency Ordinance increasing water rates for bulk users of Ute water within the City Limits be called up and read. Motion carried.

The following entitled proposed emergency ordinance was read: AN ORDINANCE RAISING THE RATES FOR USERS OF WATER FROM THE UTE WATER CONSERVANCY DISTRICT SYSTEM IN THE CITY OF GRAND JUNCTION AND DECLARING AN EMERGENCY. There being no comments, it was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Ordinance be passed and adopted as an Emergency Ordinance, numbered 1691, and ordered published. Upon roll call, all Council members voted AYE. The President declared the motion carried.

GRAND VALLEY RECREATION CENTER STEERING COMMITTEE

Mrs. Margaret Mayer, representing the Grand Valley Recreation Center Steering Committee, filed a report on the work that the

Steering Committee has accomplished to date for a Recreation Center. The report was received by Council for review.

SANITATION COLLECTION

Utility Engineer Duane Jensen reviewed Sanitation Collection Methods. He stated that the division is having all kinds of maintenance problems as the trucks now in use are just worn out. He requested approval of concept and authorization to go and find a good lease purchase AGREEMENT PLAN AND PREPARE TO ENTER INTO IT. DISCUSSION FOLLOWED REGARDING LEASE PURCHASE of equipment and total capital outlay. Council requested Mr. Jensen and Mr. Tasker to prepare a lease purchase proposal for consideration by Council in two weeks.

The President declared a five-minute recess. Upon reconvening, all Council members were present.

ACCEPTANCE OF LEAA GRANT FOR THE SCHOOL LIAISON COMMUNITY RELATIONS PROGRAM - CITY'S SHARE - \$19,805

Police Chief Ed Vander Took advised this is the third year of funding for the LEAA Grant pertaining to the School Liaison Community Relations Program. The total grant is some \$40,000; \$19,805 is the City's share; \$1,165 is the State's share, \$20,970 Federal share. This is a 50/50 Grant.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Grant be accepted.

After discussion, it was resolved that a formal request over the Mayor's signature, be directed to the Chairman of the School Board suggesting that it budget for half of the funding for this program this Fall. In that request, there should also be the suggestion that the Board provide for a formal presentation of the program by someone involved to justify it.

Motion carried.

FLOWLINE CUSTOMERS

City Attorney Ashby asked the Council to approve the concept of continuing with those people by some means on the flow line where there is no alternate source of water. He outlined the proposal. The company agrees the City is not acting as a public utility in furnishing water and the company shall not obtain any vested right to receive water from the City. The City customers have priority rights. The provisos concern the quality of the water and that there is no guarantee and that any treatment that is demanded by environmental quality people will have to be provided by the company. Utility Engineer Duane Jensen stated this concerns those flow line customers the other side of Whitewater Hill, mainly E. E. Kaufman, Home Water Supply Company that furnishes water to Whitewater, Whiskey Flats Water & Sanitation District, William

Blair, Cross Bar Cross Cattle Company, Craft Black, Clifford Davis, Roy Anderson and K & P Water Company.

Staff will proceed along this line.

ROUND HILL SEWER AGREEMENT - TABLED

There are 18 lots in Round Hill Subdivision. All lots have agreed to the sewerage Agreement with the exception of Lot 11. Council felt it could approve the Agreement if it included Lot 11.

It was moved by Councilman O'Dwyer and seconded by Councilman Holmes to table this item until such time as information about the location of Lot 11 is provided. Motion carried.

JOB CORPS AGREEMENT FOR USE OF LINCOLN PARK OFFICE COMPLEX

The following Agreement with Job Corps for the use of Lincoln Park Office Complex was presented:

AGREEMENT

The following will be the requirements the City of Grand Junction will ask for the use of the Lincoln Park Office complex by the Job Corps for the purpose of having a meeting place for all of the Job Corps corpsmen to utilize for a meeting place on Friday, Saturday and Sunday evenings to wait for the Job Corps bus for transportation back to Collbran:

1. The Job Corps will furnish all labor for the remodeling of the existing facility and the construction of a new addition, 20 x 36 feet, on the south side of the existing facility, with the exception of electrical, plumbing and heating work.
2. The Job Corps will participate in the purchasing of materials and supplies in the amount of \$10,000 from both 1977 fiscal year budget and 1978 fiscal year budget.
3. When the Job Corps is utilizing the facility they will have a staff supervisor there at all times and if any severe problems occur of such nature that both entities feel cannot be tolerated, the City of Grand Junction would have the right to ask the Job Corps to find other facilities for their use and reimburse the Job Corps for any monies they have incurred in the remodeling and new construction of the facility in question at the following rate:

First year: 80%

Second year: 60%

Third year: 40%

Fourth year: 20%

Fifth year: The City would have no reimbursement responsibilities

4. The Job Corps will be responsible for any repairs or damages caused by any vandalism that might occur from time to time as a result of the corpsmen utilizing the facility.

5. The Job Corps agrees to construct a 20 x 36 foot single story, concrete block addition to the existing structure located in Lincoln Park which is near 12th Street and Gunnison Avenue, Grand Junction, Colorado. The building will have concrete slab floor, concrete block walls with native flagstone veneer exterior. The roof will be flat, wood-framed with built up roof covering. Floor will be wood deck. Footings will be concrete, wall type. Project also includes refinishing old existing 36 x 36 foot single story masonry-walled building which was originally constructed in 1936. The new addition will be attached to the existing building; refinishing includes installing 5/8inch sheet rock on walls and then covering with vinyl paper and wood paneling. Existing sheet rock ceilings will be covered with blowed aristex. Old existing oak floors will be leveled by sanding and then refinished and varnished. The building will be re-wired, heating remodeled and plumbing. New plumbing for rest rooms, wiring and heating will be installed in the new addition.

This structure will be a multi-use facility to be used by five City Administrative employees during normal working hours and by Center personnel and corpsmen during evenings, weekends and holidays. This meeting place is essential to provide a place for Corpsmen on pass nights and for new incoming Corpsmen. The city will furnish the land, existing building and about 1/3 of the materials. The Center will provide the remainder.

The items which we have listed above we feel are the requirements of the City of Grand Junction must have to allow the Job Corps to utilize this facility in the future.

Ken Idleman
Director, Parks and Recreation

James E. Wysocki
City Manager

Lawrence L. Kozisek
Mayor

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Council approve the Agreement with the Job Corps. Motion carried.

EXTENSION OF HEAD START LEASE FOR THE ACE KINDERGARTEN BUILDING

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Head Start Lease for the ACE Kindergarten Building be extended for one year. Motion carried.

RATIFICATION OF REDLANDS POWER AGREEMENT

It was moved by Councilman Brown and seconded by Councilman Johnson that the Agreement with Redlands Power Company for 8 cubic feet of water per second be ratified and directed the Utilities Director to go back and pursue the possibility of the acquisition of an additional 8 cubic feet of water per second at the same rate. Motion carried.

SENATOR HART TO VISIT GRAND JUNCTION JULY 13

President Kozisek announced that the Council is to meet with Senator Hart when he is in Grand Junction on July 13, 1977, at 4:30 p.m.

AMPRA WEATHER SERVICE AGREEMENT

Police Chief Ed Vander Took explained that the purpose of the Ampra Weather Service location in Grand Junction is to house a transmitter for transmitting 24-hour weather information.

It was moved by Councilman Johnson and seconded by Councilman O'Dwyer that Chief Vander Took be authorized to continue negotiating with Ampra Weather Service for a generator and that the Agreement be brought back to Council for ratification. Motion carried.

CITIZEN COMPLAINT

Mr. Raymond De Rose of 133 Gunnison, filed a petition which outlined a complaint regarding the parking problem that has been created by the location of the American Beauty College in their part of town. They petitioned to Council that the businesses on North 1st Street, more specifically, the American Beauty College, either restrict its capacity to the parking spaces available on its own property, or secure sufficient additional off-street parking to remove the curb side parking from the adjacent residential area.

It was moved by Councilman Johnson and seconded by Councilman O'Dwyer that the traffic engineer be directed to survey the residents in the area who are inconvenienced by the parking, and determine whether or not a time limit on the parking would alleviate the problem, and if so, to take appropriate action. Motion carried.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart
City Clerk