

Grand Junction, Colorado

October 5, 1977

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. Wednesday, October 5, 1977, in the Council Chambers at City Hall. Present and answering roll call were Council members: Larry Brown, Robert Holmes, Karl Johnson, Bill O'Dwyer, Jane Quimby, Elvin Tufly, and President of the Council Lawrence Kozisek. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman O'Dwyer and seconded by Councilman Johnson that the minutes of the regular meeting of September 21, 1977, be approved as written. Motion carried.

COMMEND POLICE OFFICERS

City Manager Jim Wysocki presented a memo to the Police Department commending Police Officers George Baxter, Doug Jackson and Chuck Ornellas. This memo pertains to the professional manner in which the above-mentioned officers helped to save lives in a fire at 138 1/2 White on September 23, 1977. The City Council also commended the officers.

LARREE LAWRENCE ANNOUNCES MARCH OF DIMES WALKATHON SATURDAY, OCTOBER 15

Larree Lawrence, representing the Western Slope Chapter of the March of Dimes, extended an invitation to Council to join the walkers in the "walkathon" on Saturday, October 15, 1977, at 8:00 a.m. Due to the fact that none of the Council members will be able to participate in the 1977 March of Dimes Walkathon, Mr. and Mrs. John Patterson have volunteered to walk on behalf of the Council at the rate of 5¢ each per mile. Mr. Wysocki will sponsor them at 25¢ each per mile.

HEARING - APPLICATION FOR 3.2% BEER LICENSE, SOUTHLAND CORPORATION, 7-ELEVEN STORE, 2000 N. 12TH STREET

A hearing on this item was held after proper notice of hearing published in the newspaper and posting of the property. A report from the Police Department advised that a background check was made on each of the listed applicants: Jere W. Thompson, Wilford W. Ruppenkamp, and R. G. Smith. All applicants were cleared through CCIC, NCIC and local files. Fingerprint cards were mailed on all three applicants, but have not been returned as of this date.

A survey of the immediate neighborhood resulted in:

(1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 146

(2) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 168

(3) Neutral 27

(4) Refused to Sign 16

(5) Vacant 4

(6) One form not counted as signer listed an address outside the surveyed area. 1

(7) One form not counted as it was received after the September 19 deadline. (Voting no) 1

Total 363

The map showing similar type outlets was reviewed by Council. No letters were received which oppose the granting of the license and no petitions were received opposing this application.

Mr. Donald La Mora, attorney for Southland Corporation, submitted petitions signed by 168 residents and 401 patrons in favor of the issuance of the license. Mr. La Mora indicated that Mr. Nelson Ramos, 922 N. 7th Street, will be the manager of this particular store. Mr. Ramos was present at the hearing to answer questions of Council. Mr. Arthur Cox, 324 Taos, supervisor of local 7-11 stores, was present and answered questions of Council.

Mr. Ed Moran, 2005 N. 13th Street, spoke in opposition of the issuance of this license. Several concerns were mentioned. Mr. Moran felt that he was speaking for several of his neighbors as well as himself. He has experienced problems regarding loud stereos, traffic, parties, etc.

Mr. Ted Moran, 1610 N. 17th Street, owner of property at 2006 N. 13th Street, spoke in opposition of this license. The litter with beer cans was of concern to him.

The hearing was closed.

In line with Council policy, this item was tabled with a Resolution of Findings and Decision scheduled for the October 19 Agenda.

HEARING - APPLICATION FOR 3.2% BEER LICENSE, SOUTHLAND CORPORATION, 7-ELEVEN STORE, NW CORNER 7TH AND PATTERSON

It was requested by the applicant that this item be rescheduled for hearing on December 7, 1977, at which time the 7-Eleven store at the corner of 7th and Patterson should be open for business. It was also requested that a new survey be taken, republication of display ad advertising Hearing and new sign posted on the property advertising new Hearing date. The applicant is to submit fee of \$350 for these procedures to occur. The requests were granted.

HEARING - APPLICATION FOR 3.2% BEER LICENSE, SOUTHLAND CORPORATION, 7-ELEVEN STORE, 2847 NORTH AVENUE

A hearing on this item was held after proper notice of hearing published in the newspaper and posting of the property. A report from the Police Department advised that a background check was made on each of the listed applicants: Jere W. Thompson, Wilford W. Ruppenkamp, and R. G. Smith. All applicants were cleared through CCIC, NCIC and local files. Fingerprint cards were mailed on all three applicants, but have not been returned as of this date.

A survey of the immediate neighborhood resulted in:

(1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 142

(2) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 79

(3) Neutral 7

(4) One form not counted as signer did not list an address. 1

Total 229

The map showing similar type outlets was reviewed by Council. No letters were received which oppose the granting of the license and no petitions were received opposing this application.

Mr. Donald La Mora, attorney for Southland Corporation, submitted petitions signed by 306 patrons and 152 residents in favor of the issuance of the license. Mr. La Mora indicated that Mr. Lawrence Raymond De Rosier, 3261 E Road, Clifton, will be the manager of this particular store. Mr. D Rosier was present and answered questions of Council. Mr. Arthur Cox, 324 Taos, supervisor of local 7-11 stores, was present and answered questions of Council.

The hearing was closed.

In line with Council policy, this item was tabled with a Resolution of Findings and Decision scheduled for the October 19 Agenda.

CONSIDERATION OF BIDS - AWARD OF CONTRACT - PIPING OF DITCH FROM THE NORTH FORK OF KANNAH CREEK TO PURDY MESA RESERVOIR

One bid was received on September 29 at 2:00 p.m.:

Atkins Construction - \$43,163.40

The bid is 41% over the Engineer's Estimate of \$30,702. Staff's recommendation is that the bid not be accepted.

It was moved by Councilman Johnson and seconded by Councilman Brown that the bid by Atkins Construction for \$43,163.40 be rejected and that the City forces be authorized to proceed with the construction of the piping of the ditch from the North Fork of Kannah Creek to Purdy Mesa Reservoir. Motion carried.

APPOINTMENTS TO THE CONTRACTORS' LICENSING BOARD

The terms of Aubrey Harwood and Harry McGrarry have expired.

The following persons were recommended for appointment of a two-year term to the Contractors' Licensing Board:

Mr. Tom Swenson, 445 W. Scenic Drive, Contractor  
Mr. J. D. Lunsford, 2481 Commerce, Contractor

Tom Swenson and J. D. Lunsford were appointed to the Contractors' Licensing Board by President of the Council Lawrence Kozisek.

ORDINANCE NO. 1703 - REZONING SE CORNER OF 12TH AND PATTERSON TO PD-B

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 Tufly and seconded by Councilwoman Quimby 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 O'Dwyer that the Ordinance be passed, adopted, numbered 1703 and ordered published. Upon roll call, Council members HOLMES, JOHNSON, O'DWYER, QUIMBY, TUFLY and KOZISEK voted AYE. Councilman BROWN voted NO. The President declared the motion carried.

RESOLUTION DISCOURAGING THE CONTINUED EXPANSION OF THE WILDERNESS DESIGNATIONS IN COLORADO

The following Resolution was presented and read:

RESOLUTION

OF THE CITY OF GRAND JUNCTION, COLORADO, CONCERNING THE ESTABLISHMENT, REGULATION AND USE OF PRIMITIVE AREAS UNDER THE WILDERNESS ACT.

WHEREAS, the Wilderness Act permitted the designation of areas as Primitive areas with regulations of such areas to be determined by the Forest Service; and

WHEREAS, certain areas were designated and regulations were developed covering such areas; and

WHEREAS, it is now proposed to designate further lands as Primitive areas and to further proscribe through regulation the use of those lands as well as the lands already designated; and

WHEREAS, while the setting aside of Primitive areas has value for the country even though it effectively reserves the use of such lands to a very small portion of the public, the better concept is the multiple use of public lands making them usable in ways in which many more may participate;

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

That the Congress, the Department of Agriculture and the Forest Service be urged to stop the consideration of further lands being included within Primitive areas; that consideration be given to permitting the greatest possible use of those areas already so designated without the imposition of further limiting regulations; and, that each be urged to work toward the development of the multiple-use concept as being in the best interest of the citizens.

PASSED and ADOPTED this 5th day of October, 1977.

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President of the Council

Attest:

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City Clerk

It was moved by Councilman Brown and seconded by Councilwoman Quimby 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.

ORDINANCE NO. 1704 - STREET VACATION, NORTH 9TH STREET

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A STREET WITHIN THE CITY LIMITS. 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 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 Johnson and seconded by Councilman Brown that the ordinance be passed, adopted, numbered 1704 and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

ORDINANCE NO. 1705 - STREET VACATION IN ORMSBEE SUBDIVISION, TEXAS AVENUE EAST OF NORMANDY DRIVE

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A STREET WITHIN THE CITY LIMITS. It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

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.

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 1705 and ordered published. Upon roll call all Council members voted AYE. The President declared the motion carried.

EMERGENCY ORDINANCE NO. 1706 - AMENDING THE SALES AND USE TAX ORDINANCE OF THE CITY OF GRAND JUNCTION TO CHANGE THE POINTS AT WHICH THE TAXES ARE LEVIED

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Emergency Ordinance amending the Sales and Use Tax Ordinance of the City of Grand Junction to change the points at which the taxes are levied be called up and read. Motion carried.

The following entitled proposed emergency ordinance was read: AN ORDINANCE AMENDING THE SALES AND USE TAX ORDINANCE OF THE CITY OF GRAND JUNCTION TO CHANGE THE POINTS AT WHICH THE TAXES ARE LEVIED AND DECLARING AN EMERGENCY. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Ordinance be passed, adopted as an Emergency Ordinance, numbered 1706, and ordered published. Upon roll call, all Council members voted AYE. The

President declared the motion carried.

COUNCIL COMMITTEE REPORTS

CML Workshop - Councilwoman Quimby reported that she had attended the CML Workshops in Montrose on Unemployment Insurance and Energy Impact. Four of the City's staff attended the workshop.

Progress Report on Traffic Problems at 4th and Grand and 7th and North Avenue - Councilman Holmes questioned City Manager Wysocki as to the progress of the Traffic investigation of problems at intersections of 7th and North Avenue and 4th and Grand Avenue. Mr. Wysocki has spoken to the 1st National Bank regarding the matter at 4th and Grand with no objection from the Manager to anything that the City might do to rectify the situation. In the area of Spruce and Highway 340, contact was made with the owner to explain the problem with the trucks and the request to remove some of the hazardous materials in the rear part of his property to the south. No response has been taken on the part of the owner. More stringent action is being considered in that regard.

Future Power Workshop - Councilman Johnson reported on the progress of Future Power Workshop regarding ways in which energy can be conserved. It was reported by Councilman O'Dwyer that the playing lights at Columbine Park are staying on until 3:00 a.m. The lights are not on a time clock - they are on a switch. Mr. Wysocki is to check this out with the City Engineer.

ADJOURNMENT

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

Neva B. Lockhart, CMC  
City Clerk