

Grand Junction, Colorado

November 2, 1977

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. Wednesday, November 2, 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 Attorney/Acting City Manager Gerald Ashby and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Johnson and seconded by Councilman Brown that the minutes of the regular meeting October 19, 1977, be approved as written. Motion carried.

INTRODUCTION OF NEW CITY EMPLOYEES

The following new City employees were present and introduced to Council:

Steven Hanson - Assistant Finance Director

Verda Huff - Maintenance

Paul Mays - Public Works

Elmer Martinez - Police Department

MR. GEORGE MURRAY, 335 WEST KENNEDY, TO DISCUSS DUST PROBLEM AND REQUEST PAVING

Mr. George Murray, a retired teacher, approached Council to request the dust control of the unpaved dead-end of Poplar and Kennedy. Mr. Murray suggested that the dust be controlled by an oiling process. It was suggested by President Kozisek that Mr. Murray poll the immediate neighbors with different assessment possibilities: (1) double penetration-prime treatment at \$5.00 per linear foot; (2) bituminous paving with concrete curb, gutter and sidewalk at \$20.00 per linear foot. Mr. Murray requested a memo stating the above options and costs. Mr. Murray is to come back to Council at a later date. He expressed his appreciation for Council's time and consideration.

MRS. DARLENE GSELL SPEAKS ON THE RIGHT TO DECENCY

Darlene Gsell introduced Dr. Richard Huffaker, Chairman of the Board of Directors. Dr. Huffaker represents the Right to Decency, Inc., an organization that was born out of a few interested people in our community relative to the malignant disease that is going

on in our country and community - that of pornography. Many of the leaders of the cities in the United States met during July, 1977, in Cincinnati, Ohio, under the organization of the National Conference on the Blight of Obscenity. Seventy-five cities were represented at this conference. They formed a proposal and sent petitions throughout the country requesting support. Dr. Huffaker expressed this concern as he sees the undertow of pornography coming into our community and beginning to destroy the very basis of our country. Dr. Huffaker presented a check in the amount of \$175 for membership dues for the organization along with a petition with 1000 signatures of citizens concerned about this subject to the President of the Council.

Mrs. Gsell requested that a local Ordinance be drawn up governing and protecting this community from the problems of pornography and obscenity.

It was moved by Councilman O'Dwyer and seconded by Councilman Holmes that the check in the amount of \$175 from the group of the Right to Decency be accepted and applied toward the membership of this City to the National Conference on the Blight of Obscenity. Motion carried.

Councilman Johnson suggested that the legal counsel of this organization consult with Mr. Ashby in drawing up an ordinance for this purpose. Council requested copies of the Detroit Zoning Ordinance.

DR. GABRIEL BONNET TO DISCUSS RELATIONSHIP BETWEEN RECREATION DISTRICT AND CITY

Dr. Bonnet stated that the final hearings in District Court are scheduled for November 28, 1977, at 3:00 p.m. The Metropolitan Recreation District is faced with a very tight time frame at this time. Notices of hearings must be published in the newspaper before the hearings are held. There are many steps that must be worked out before said hearings.

Dr. Bonnet stated that the Council made some statements that the City may intend to construct an overhead cover on the existing pool at Lincoln Park and repair the pool. These statements have been published by the newspapers, and now the District is faced with the dilemma in that many people feel that the City is going to build an indoor swimming pool. This creates a problem for the District in that they have suggested in their recreation center that they would provide an indoor swimming pool, with a gymnasium, basketball courts, handball courts, game rooms, locker facilities, etc. They have discussed the possibility of locating this project at Lincoln Park keeping it centrally accessible to as many people as possible. In order to repair the existing swimming pool which is 50 meters would cost at least \$200,000. Estimates in analyzing costs for recreational facilities is that a 50-meter pool to build from scratch would cost approximately \$320,000. The price for providing an overhead structure for a year-round indoor swimming

pool measuring 50 meters in length is a minimal expense of \$750,000 required. The cost could run all the way up to \$1,000,000.

The Metropolitan District is suggesting that in the City's considerations for either improving the pool at Lincoln Park or developing a year-round indoor facility, that the City and the District work together on the project and try to determine what would be the most profitable way to provide recreation for both the City and County residents.

The problem the District is faced with now is whether it is to go ahead with the hearings, and ultimately with an organization election, in view of the fact that people are confused as to whether the City is or is not going to build an indoor facility.

Dr. Bonnet requested some thoughts as to how the Council sees the City relating to the District so that the District can have some idea as to whether it should proceed or not. With present day inflation rates, it is expected that today's cost of the facility which is estimated at 1.6 million dollars without land and other expenses, will cost \$300,000 more next year and every year to come.

Councilman Tufly felt that Council's endorsement had been made known previously and Council had encouraged Dr. Bonnet to proceed with the Recreation District.

Councilman Johnson wished to clarify the idea of a new enclosed pool. Council has been discussing the present pool at Lincoln Park and the large amount of repairs that have been done on the pool in the past and the repairs that will have to be done in the future. City Manager Jim Wysocki and Parks and Recreation Director Ken Idleman were instructed to get an assessment of what was needed and how extensive the repairs would be, if it requires rebuilding the pool, then to look at the overall feasibility of doing it and enclosing it so that it would serve as a year-round facility. He did not feel that this closed out the Recreation District in that kind of a project.

Councilman Brown assured Dr. Bonnet that the City does not have the funds at the present time to construct a \$700,000 enclosed pool, and hoped that the press would give the information to the public, making the District's position much more clear.

Dr. Bonnet stated that the Metropolitan Recreation District will go ahead and proceed with its plans. He thanked Council for its cooperation.

LIQUOR - APPLICATION TO RENEW HOTEL-RESTAURANT LIQUOR LICENSE,
JAMES F. RAMSEY DBA "LA COQUILLE CONTINENTAL RESTAURANT," 1320
NORTH AVENUE - REQUEST FOR CHANGE OF TRADE NAME TO "FREDDIE'S"

Submitted for consideration was the application by James F. Ramsey

dba "La Coquille Continental Restaurant," 1320 North Avenue, to renew his hotel-restaurant liquor license and request for change of trade name to "Freddie's." The Fire Department report recommended renewal of the license, and stated the building is in satisfactory condition, with minimum safety rules being observed. The occupant load of the lounge was posted at 41 persons, and the dining room at 65 persons. A report from the Health Department advised that the restaurant meets minimum health standards for the renewal of the license. The report from the Police Department advised that during the past licensing period there have been no violations or complaints regarding the operation of this establishment.

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, and the request for trade name change to "Freddie's" be approved. Motion carried with Councilman Holmes voting NO.

LIQUOR - APPLICATION TO RENEW HOTEL-RESTAURANT LIQUOR LICENSE - HOWARD JOHNSON CO. DBA "HOWARD JOHNSON'S RESTAURANT & MOTOR LODGE," 752 HORIZON DRIVE

Submitted for consideration was the application by Howard Johnson Company to renew its license for Howard Johnson's Restaurant, 752 Horizon Drive. The Health Department advised that the restaurant meets minimum health standards for the renewal of the hotel-restaurant liquor license for this establishment. The Fire Department report listed three items that need attention:

- (1) Two light exit signs are out and need new bulbs;
- (2) Rear exit door for kitchen area and rear corridor for Banquet Room has had a bolt type lock added, which has made Panic Hardware inoperable. This lock must be removed and replaced with one that will not hinder and prevent the door from opening with Panic Hardware.
- (3) Emergency lighting system must have battery replaced, or battery recharged.

The occupant load of the lounge was posted for 66 persons. The occupant load of the dining room as posted at 85 persons. The Fire Department report recommends approval upon the correction of the above-mentioned items. A follow-up inspection will be made to assure that the deficiencies have been corrected. The Police Department report stated the establishment received a one (1) day suspension running from 12:00 noon, July 3, 1977, to 12:00 noon July 4, 1977, for having watered down liquor on the premises imposed by the Department of Revenue. No other problems or complaints were reported during the past licensing period.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the application be approved subject to the re-

inspection by the Fire Department with approval, and that the license be issued when the State license is received. Motion carried with Councilman Holmes voting NO.

LIQUOR - APPLICATION TO RENEW RETAIL LIQUOR STORE LICENSE - DANIEL AND LINDA OLSON DBA HILLTOP LIQUOR STORE, 1563 HIGHWAY 50

Submitted for consideration was the application by Daniel and Linda Olson dba "Hilltop Liquor Store," 1563 Highway 50, to renew their retail liquor store license. The Police Department report stated there have been no complaints or violations during the past licensing period.

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 with Councilman Holmes voting NO.

HEARING - FERMENTED MALT BEVERAGE VIOLATION AT CIRCLE K FOOD STORE NO. 560, 2685 UNAWEEP AVE - SALE OF 3.2% BEER TO A MINOR

Scheduled for hearing on this date was the fermented malt beverage violation at Circle K Food Store No. 560, 2685 UnawEEP Avenue, which occurred September 7, 1977. The violation was sale of 3.2% beer to a minor. Appearing before Council were James E. Gilliam State Liquor Enforcement Officer; William Prakken, Attorney representing Circle K; Brenda (Slogar) Martin, purchaser of the beer; Louis Mashburn, Circle K Zoning Supervisor, Mr. Sang Chac, Manager of Circle K Food Store No. 560; Mr. Kim Chac, Clerk of Circle K Food Store No. 560; and Denny Stull, interested citizen.

It was moved by Councilman Johnson and seconded by Councilman Brown that the license be suspended for a period of 5 days commencing November 3, 1977. Motion carried with Councilman TUFly voting NO.

RESOLUTION APPOINTING JUDGES OF ELECTION

The following Resolution was presented and read:

RESOLUTION

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

That the following persons be, and they are hereby appointed as Judges of Election and Alternates for the Special Municipal Election to be held in the City on Tuesday, November 22, 1977:

DISTRICT "A"

<u>Judges:Alternates:</u>	
Josephine Manzaneres Mary H. Traynor	
644 West Colorado 290 Cedar Street	
Julia Maldonado Rosa M. Lent	
402 West Grand 1741 Escalante	
Wesley Miller	
288 26 1/4 Road Ina M. Pitts	
296 W. Parkview Drive	
Berdine Colescott	
661 Highway 50	
Ray Gilbert	
313 E. Highland Drive	

DISTRICT "B"

<u>JudgesAlternates:</u>	
Carol Cadez Edna Mae McElvain	
2256 Knollwood Lane 1025 N. 5th	

Street	
Helen KephartPatricia L. Mehs	
435 North Avenue455 Mesa Court	
Zeda ArantJean Mumby	
624 Grand Avenue321 McFarland Court	
Lonnie R. Suplizio	
145 N. 4th Street	
Diane E. Reimer	
2201 Idella Court	

DISTRICT "C"

<u>Judges:Alternates:</u>	
Cathy NasalroadEthel Sutrina	
1605 N. 20th Street2012 N. 22nd Street	
Charlotte DyarAura Moon	
1742 N. 20th Street564 Normandy Way	
Gwendoline BushAlice Miller	

2005 N. 17th Street 2541 Mesa Avenue	
Helen Johnston	
1920 N. 17th Street	
Vivian Logue	
2307 Orchard Avenue	

DISTRICT "D"

<u>Judges</u> <u>Alternates:</u>	
Nora Peterson Joyce Jenkins	
2540 N. 12th Street 859 Ouray Avenue	
Marjorie Green Mae Uhlemann	
1320 Elm 1234 Texas	
Frances H. Mark Norma Anderson	
1330 Elm 1018 Lakeside Court	
Ester Granat	
1055 Chipeta	

Dorothy Evans	
1141 Lowell	

DISTRICT "E"

Helen Youngerman Irene Abbey	
535 N. 17th Street 1805 Grand	
Marie Nowlan Kathryn C. Harper	
1220 Main Street 518 N. 22nd Street	
Mary Anne Warner Ina Rae McLaughlin	
1340 N. 21st Street 1424 Rood Avenue	
Shirlee Roth	
2837 Elm	
Pauline Bynum	
2022 Gunnison	

PASSED and ADOPTED this 2nd day of November, 1977.

President of the Council

Attest:

City Clerk

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the Resolution be passed and adopted. 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 and the Resolution duly passed and adopted.

RESOLUTION SETTING MILL LEVY FOR 1978 - 10 MILLS

The following Resolution was presented and read:

RESOLUTION

CITY OF GRAND JUNCTION, 1978 BUDGET

IMPLEMENTING DOCUMENTS

LEVYING TAXES FOR THE YEAR 1977 IN THE CITY OF GRAND JUNCTION, COLORADO.

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

That there shall be and hereby is levied upon all taxable property within the limits of the City of Grand Junction, Colorado, for the year 1977 according to the assessed valuation of said property, a tax of ten (10) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado, for the purpose of paying the expenses of the municipal government of said City, and certain indebtedness, including interest upon indebtedness of the City, for the fiscal year ending December 31, 1978.

APPROVED and ADOPTED this 2nd day of November, 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 commented that the Sales Tax Rebate is just a fiasco, and it has become extremely unacceptable to him because of the difficulty that he believes it causes in the Valley. It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the motion be amended to set the Mill Levy at 10 mills and that the City Attorney be directed to bring an ordinance to the Council repealing the Food Sales Tax Rebate. Upon roll call, Council members HOLMES, O'DWYER, BROWN and KOZISEK voted AYE. Council members QUIMBY, JOHNSON and TUFLY voted NO. The President declared the motion carried.

Upon roll call of the adoption of the Resolution as amended Council members HOLMES, O'DWYER, BROWN and KOZISEK voted AYE. Council members QUIMBY, JOHNSON and TUFLY voted NO. The President declared the motion carried and the Resolution as amended duly passed and adopted.

RESOLUTION SETTING MILL LEVY FOR DOWNTOWN DEVELOPMENT AUTHORITY - 5 MILLS

Mr. Loren Dake was present to answer questions of Council. The following Resolution was presented and read:

RESOLUTION

LEVYING TAXES FOR THE YEAR 1977 IN THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY.

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

That in accordance with the provisions of 31-25-817 of Colorado Revised Statutes, 1973, there shall be and hereby is levied upon all taxable property within the Grand Junction, Colorado, Downtown Development Authority limits, for the year 1977 according to the assessed valuation of said property, a tax of five (5) mills on the dollar (\$1.00) upon the total assessment of taxable property within the Grand Junction, Colorado, Downtown Development Authority, for the purpose of paying the expenses of said Authority for the fiscal year ending December 31, 1978.

APPROVED and ADOPTED this 2nd day of November, 1977.

President of the Council

Attest:

City Clerk

It was moved by Councilman Johnson and seconded by Councilwoman

Quimby that the Resolution be passed and adopted. Upon roll call all Council members voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

COUNCIL COMMITTEE REPORTS

Councilman Johnson will be going to Denver on the 3rd of November to attend the meeting of the Police/Fire Pension Advisory Board to CML to finish up some of the work that has been done by the Staff and the Legislative Interim Committee during the past summer.

ADJOURNMENT

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

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk