

Grand Junction, Colorado

November 16, 1977

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. Wednesday, November 16, 1977, in the Council Chambers at City Hall. Present and answering roll call were Council members: Larry Brown, Robert Holmes, Bill O'Dwyer, Jane Quimby, and Elvin Tufly, and President Pro Tem Karl Johnson. The meeting was chaired by President Pro Tem Johnson in the absence of Council President Lawrence Kozisek. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the consideration of the minutes of the regular meeting November 2 be tabled until December 7. Motion carried.

COUNCILWOMAN QUIMBY APPOINTED TO PLANNING REVISION PROGRAM

President Pro Tem Karl Johnson appointed Councilwoman Jane Quimby to the Planning Revision Program. It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the appointment be ratified. Motion carried.

REQUEST FOR NAMES IN ORDER TO FORM TRANSPORTATION TASK FORCE COMMITTEE

A recommendation by the Planning Committee is for the formation of a Transportation Task Force Committee -- five members to be appointed by the City, and five members to be appointed by the County. The Committee is to have 90 days to make recommendations on their desires as to how to move people through the Valley. Councilman Brown requested that the City specifically contact the 50 to 100 people who have appeared before Council in recent months when there have been hearing regarding Transportation so these people may be given the opportunity to serve on this Committee. Anyone who is interested in serving on this Committee is to contact the City Manager or the Community Representative.

COMMUNITY SOCIAL SERVICES REQUESTS CITY TO ACT AS SPONSOR FOR TRANSPORTATION PROGRAM

Mr. Chuck Rupp of Community Social Services appeared to request that the City Council consider:

(1) Allowing Community Social Services to purchase gasoline through the City in order to save the tax which they are presently paying;

(2) Request the City to act as sponsors of their Transportation system.

He stated they are attempting to find possible funding sources for the Transportation System, and one source recommended in the study was initiating a subscription service. In order to do this they need sponsorship by a local government or obtain a public utilities permit. Community Social Services prefers the local government sponsorship because of the legal expense involved in getting a PUC permit. The Agency is fully covered in terms of liability insurance and financial liability. They have working agreements with the Mesa County Commissioners, Montrose and Delta County Commissioners. They are receiving free gasoline through Montrose, Delta, San Miguel, Ouray, and Hinsdale Counties.

President Pro Tem Johnson suggested that copies of Agreements between other governmental entities and Community Social Services be provided the City Attorney so he can study the implications and advise Council in order that it may react to the requests.

#### DISCUSSION OF TWO RIVERS PLAZA FEES

Mrs. Dottie Geist, Branch Coordinator of local Multiple Sclerosis, appeared before Council to state that after payment for the rental of Two Rivers Plaza and the payment for police officers at a recent fundraising dance, proceeds of \$185 were all that was raised for MS. She felt that out of \$600 it was rather a shame that \$185 was all that went to MS. She asked that 9 people donate \$25 to help pay for the hall so the profit for MS would be a little more realistic. She noted that an upcoming dinner will be held at the Ramada Inn as the food at Two Rivers is too expensive. She also commented there were less than 300 attending the dance, but there were 6 police officers required. She felt that 2 to 3 police officers at \$10 per hour would have been sufficient.

Consensus of Council was that when the rates were set for Two Rivers Plaza, non-profit organizations were given consideration and since the fees were set, and may need to be set higher to meet costs in 1978, it did not feel it could sit as a Board of Appeals each time a non-profit organization felt the fees were too high.

Mrs. Geist thanked the Council for permitting her to appear and make her comments.

#### REQUEST FOR STOP SIGNS OR TRAFFIC SIGNALS ON ORCHARD AVENUE

Members of the Orchard Avenue Beautification Committee appeared before Council to request an ordinance for the placement of stop signs or traffic signals on Orchard Avenue at 5th Street, 15th Street, 23rd Street, 28 Road, 28 1/2 Road, and 28-3/4 Road to slow the traffic on this street. They requested that the push-button school light at 18th and Orchard be activated as a full traffic signal. Also noted were non-local trucks using Orchard Avenue.

The following people appeared: Mrs. Joan Raser, 1630 Orchard Avenue, Mrs. Cheryl Lynn, 2852 Orchard Avenue, Mrs. Peggy Foster, 1701 Orchard Avenue, Mrs. Georgia Munro, 350 Orchard Avenue, Mrs. Sydney Smith, 1925 Orchard Avenue.

Mr. John Caldwell, 2313 Orchard Avenue, requested information about improvements to Orchard Avenue east of 23rd. He was told that this project is stalled because there are no funds to complete the Environmental Impact Statement, and there seems to be little support for improvements by the residents in that area.

Mr. John Patterson requested a commitment by Council that Orchard Avenue would not be widened so that beautification can proceed. President Pro Tem Johnson stated that this Council and this Administration has never taken the position that Orchard Avenue be widened. It has, however, taken the position that improvement needs to be made. He noted that any commitment made by this Council would not be binding on any future Council.

In reply to Mrs. Raser's request for an ordinance, President Pro Tem Johnson said that Council would meet with the staff and try to resolve the problem as expeditiously as possible -- perhaps by the 7th of December.

#### RENEWAL OF RETAIL LIQUOR LICENSES FOR 1978

Submitted for consideration were the applications by the following businesses to renew their retail liquor licenses for 1978:

##### Hotel-Restaurant Liquor Licenses

Cafe Caravan, 105 Main Street

Far East Restaurant, 1530 North Avenue

Holiday Inn (Western States Restaurant), 755 Horizon Drive

Mitch's 2579 North Avenue

The Office, 159 Colorado Avenue

Ramada Inn, 718 Horizon Drive

The Winery, 642 Main Street

##### Tavern Liquor Licenses

Arn's, 2882 North Avenue

Beacon Lounge, 609 Main Street

The Brass Rail, 476 28 Road

Flamingo Lounge, 201 Colorado Avenue

Ivanhoe Inn, 233 North Avenue

St. Regis Lounge, 4th and Colorado Avenue

Reverse R. Bar, 122 S. 5th Street

V.F.W. Post 1247, 1404 Ute Avenue

Beer-Wine License

Los Reyes Restaurant, 811 S. 7th Street

Club License

Elks, 2495 S. 4th Street

Retail Liquor Store Licenses

Barbour's Foresight Liquors, 740 Pitkin

Don Burgess Liquors, 202 Ute Avenue

City Liquor Store, 901 N. 1st Street

Centennial Liquors, 2721 N. 12th Street

Crown Liquor Store, 2851 1/2 North Avenue

D & D Liquors, 401 North Avenue

The Jolly Jug, 220 W. Grand Avenue

Holiday Liquors, 755 Horizon Drive

Johnnie's Liquor Store, 1000 N. 5th Street

Last Chance Liquor Store, 1203 Pitkin Avenue

North Avenue Liquor Store, 801 North Avenue

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the applications be approved and the licenses issued when the State licenses have been received with the exception of Eagles Lodge, which application is to be held until such time as word has been received that the improvements required by the Fire Department have been accomplished.

Councilman Holmes requested information about gambling, and noted specifically Elks Lodge. City Attorney AShby is to check this out.

Motion carried with Councilman Holmes voting NO.

LIQUOR - ADDITION OF JAMES E. SCHOONOVER TO ORCHARD MESA LIQUOR

LICENSE, 2706 U.S. HWY 50 SOUTH

Submitted for consideration was the application by Rex and Elizabeth Schoonover with the addition of James E. Schoonover for Retail Liquor Store License at 2706 U.S. Highway 50 South under the trade name of Orchard Mesa Liquors. A report from the Police Department advised there have been no complaints or violations during the past licensing period. The background investigation of James E. Schoonover revealed nothing through NCIC, CCIC, and local files. Fingerprint cards have been mailed in (on November 29 word was received that the fingerprint card has been returned indicated "no record").

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

3.2 BEER - APPLICATIONS TO RENEW 3.2 BEER LICENSES

Submitted for consideration were the following applications to renew 3.2 Beer Licenses:

- (1) Gloria, Scott and Del Howard, Williams 7-Eleven Market, 801 N. 1st Street
- (2) Safeway Store No. 603, 2686 U.S. Highway 50
- (3) Circle K Corporation, Store No. 560, 2685 Unawep

Reports from the Police Department advised that there have been no complaints or violations by Williams 7-Eleven Market or Safeway Store No. 603. The Police Department noted the violation by Circle K Corporation Store No. 560 and the penalty assessed by the City Council. The Health Department Report on Williams 7-Eleven Market indicated that the Health inspection was made and meets with the Health Department's approval. A report from the Fire Department advised that the Williams 7-Eleven Market was notified earlier this year that it must provide an emergency fire exit door. The department has been working with the applicant. The door has been ordered and has arrived and just as soon as the contractor can get the space cut for the door it will be installed.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the applications be approved and the licenses issued subject to the Fire Department continuing to work with Williams 7-Eleven Market to see that the emergency door is installed and a follow-up report filed with Council. Motion carried with Councilman Holmes voting NO.

LIQUOR - APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE, CHANGE OF OWNERSHIP AFFECTING "THE TIMBERS," 1810 NORTH AVENUE

Submitted for consideration was the application by Restaurant Services Corporation for a hotel-restaurant liquor license to be

used at "The Timbers Restaurant," 1810 North Avenue. Officers: President/Manager, Kenneth B. Baiardi; Vice President/Secretary/Treasurer, Steven M. Hale. The Health Department has advised that the Timbers Restaurant meets health safety regulations. The Fire Department report advises that remodeling is in progress. Occupant load posted for the lounge, 30, dining room, 78; recommended approval. The Police Department advised that Kenneth Bruce Baiardi is clear NCIC, CCIC and local files. Steven Manford Hale is clear NCIC, CCIC and local files, however, an FBI arrest record on Hale indicates arrests by the Sheriff's Office, Placerville, California, on 6-19-72 for possession of dangerous drugs and drunk driving with disposition of \$300 fine, \$150 suspended; also arrests by the Sheriff's Office, Boulder, Colorado, on 11-26-74 for driving while under the influence of alcohol, with a fine of \$100 plus \$8 court costs and 10 days in jail, which was suspended and probation for one year.

City Attorney Ashby advised that Council consider anything with regard to fitness that could be related to the operation of the outlet, and he felt that these items listed in the Police Department report were items that can be considered. He recommended, however, that if they are to be considered, that certainly a time and place for hearing be set so that Mr. Hale can be present to answer any questions in regard to the incidents.

Mr. Steven Hale was present at this meeting and answered questions directed to him by the City Council and the City Attorney.

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

LIQUOR - HOTEL-RESTAURANT LIQUOR LICENSE GRANTED VERA AND MEL MULDER AND HINE QUARTER, INC. FOR "CORK 'N EMBERS," 105 N. 2ND STREET

Submitted for consideration was the application by Melvin W. and Vera Mulder and Hine Quarter, Inc. for a hotel-restaurant liquor license to be used at the "Cork 'N Embers," 105 N. 2nd Street. The Corporate Officers of Hine Quarter, Inc.: President/Manager, John B. Fox; Vice President/Secretary/Treasurer, Diane L. Fox. The Fire Department Report had listed that the Cork 'N Embers was reinspected November 14, 1977, and all corrections had been made. The Health Department report submitted that the Cork 'N Embers meets health regulations for renewal of their license. The Police Department Report advised there have been no complaints or violations during the past licensing period. It stated that John B. Fox and Diane L. Fox are both clear NCIC, CCIC and local files. Teletypes were sent to areas of former residency and all returned with no arrest record found. Nothing of a derogatory nature was found which would prohibit John and Diane Fox being added as co-owners/managers of the license held by Mel and Vera Mulder. Print cards were mailed November 8, 1977, with no return as of this

date.

It was moved by Councilman Tufly 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.

The President Pro Tem declared a five-minute recess. Upon reconvening, all Council members present at the beginning of the meeting were in place.

LIQUOR - RENEWAL OF LIQUOR APPLICATION BY 543 ROOD, INC.,  
CENTENNIAL LIQUORS, 2721 N. 12TH STREET

Submitted for consideration was the renewal application by 543 Rood, Inc. dba Centennial Liquors, 2721 N. 12th Street. Police Department reports stated there have been no complaints or violations during the past licensing period.

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 - FIRST ADDITION, ARBOR VILLAGE, NW CORNER OF ORCHARD  
AVENUE AND 26TH ST

It was moved by Councilman Brown and seconded by Councilman O'Dwyer that this item be referred back to the Planning Commission. Motion carried.

HEARING - ROAD VACATION, BUNTING AVENUE WEST OF 23RD STREET -  
PROPOSED ORDINANCE

This item recommended for approval to the City Council from the Planning Commission. The area was outlined and a hearing was held thereon after proper notice. No one in the audience indicated a desire to speak and there were no letters filed regarding this application.

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

HEARING - REVISION OF USE IN H.O. ZONE, AMOCO OIL COMPANY SERVICE  
STATION, I-70 AND HORIZON DR

The area was outlined by noting that the revision of use in H.O. zone for Amoco Oil Company Service Station is located on the NE corner of I-70 and Horizon Drive. It is for a pre-fabricated car wash installation addition. General comments were that engineering will require traps for grease and sand and waste water. It was

noted that this area has very low pressure and water flow, but it is serviced by Ute Water. The applicant has assured there will be sufficient flow for the addition of the facility.

A representative of the company was present for the hearing.

A hearing was held on this item after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Tufly that the revision for this use in the H.O. Zone be approved. Motion carried.

HEARING - LAMP LITE PARK, FILING NO. 1, EAST END OF SANTA CLARA AVENUE

The Grand Junction Planning Commission at its regular meeting October 26, 1977, approved the final plat plan of Lamp Lite Park Filing No. 1 with the following requirements which must be met prior to recording of the final plat:

(1) A written statement from Paragon Engineering or the geologist addressing stabilization of the units to be built on the edge of the scarp;

(2) Final signed utilities and roadway composite with all easements and utilities as required. Roadway plan should include all utilities in the right of way including the irrigation system;

(3) Vertical face curb, gutter and sidewalk required on all public rights of way;

(4) Olson Avenue construction to consist of 6-foot curb walk on north right of way line with 19-foot mat. A temporary undedicated turn around is to be provided in place of the recreational vehicle parking area. One lot on Olson is to be reserved for additional parking. When Olson Avenue is continued, the recreational vehicle storage will be installed and the lot used for parking may revert to a building site.

(5) Final plat to contain written statement that engineered foundation shall be submitted on lot as required by Building Department;

(6) Require sidewalks on all street frontages in this filing with single walkway through open space connecting with pedestrian access to the school;

(7) Some minor street name changes will be required;

(8) The provision of water for street trees on public right of way.

A hearing on this item was held after proper notice. There was no one in the audience who indicated a desire to speak, and there had been no letters filed.

It was moved by Councilman Tufly and seconded by Councilman O'Dwyer that the Lamp Lite Park Filing No. 1 at the east end of Santa Clara Avenue be approved subject to the conditions of the Planning Commission. Motion carried with Councilman Holmes voting NO.

HEARING - PRELIMINARY PLAT, GOLDEN COURT SUBDIVISION SOUTH OF PATTERSON

The Grand Junction Planning Commission at its regular meeting October 26, 1977, approved the preliminary plat of Golden Court Subdivision subject to the following stipulations:

- (1) Fire hydrants and water line sizes as required by the City Fire Department (minimum 8 inch deadend line);
- (2) Engineered foundations will be required on all structures built in this subdivision. A statement to this effect must be on the final plat;
- (3) Power of attorney for half street improvements on Patterson Road;
- (4) Rename Glendale to 11th Court;
- (5) Use and necessary improvement of existing waste ditch must be coordinated with the City Engineer prior to final plat submission. This ditch should also be included in the utilities composite required to be submitted with the final plat;
- (6) The canal be fenced for safety.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the preliminary plat for Golden Court Subdivision be approved subject to the stipulations outlined. Motion carried.

HEARING - REVISION OF CONDITIONAL USE, FIRST CHRISTIAN CHURCH, 1326 NORTH 1ST ST

The Grand Junction Planning Commission at the regular meeting October 26 approved the Conditional Use application for the First Christian Church subject to the following stipulations:

- (1) Dedication of required right of way for 1st Street;
- (2) Bumper blocks be installed for all parking spaces projecting

into the public right of way;

(3) Remove two parking spaces at NE corner of site to provide adequate sight distance.

A hearing on this item was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Tufly that the revision of the Conditional Use for the First Christian Church be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - PDB PRELIMINARY PLAN, POWELL APARTMENT AND BUSINESS CENTER, NE CORNER OF 27 1/2 ROAD AND BELFORD AVE

At the regular meeting of the Planning Commission October 26, 1977, the Preliminary Plan of Powell Apartments and Business Center was approved subject to the following conditions:

(1) Revision of landscaping as required by the City Parks and Recreation Department;

(2) Address trash collection and screening on the final plan;

(3) Fire hydrants and water lines as required by the City Fire Department;

(4) Power of attorney for full cost half-street improvements on 28 1/2 Road;

(5) Improvements on Belford Avenue to consist of 22-foot pavement centered in the right of way and power of attorney for future curb, gutter and sidewalk. This item should be coordinated with the City Engineer prior to preparation of the final utilities composite and roadway plan;

(6) Visual screening should be provided to the north. Paragon Engineering should talk with the Planning staff about the specific type and location of this screening;

(7) All documentation concerning the common access easements should be submitted with the final plat plan.

A hearing on this item was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman Tufly and seconded by Councilman Brown that the PDB Preliminary Plan for Powell Apartments and Business Center on the NE corner of 28 1/2 Road and Belford Avenue be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - APPLICATION FOR CONDITIONAL USE FOR MBI DRIVE-IN RESTAURANT, 19TH AND MAIN ST

Reconsidered by the Planning Commission at its meeting on October 26, 1977, was the application for a conditional use for MBI Drive-In Restaurant at 19th and Main Streets. The MBI Drive-In is a hamburger restaurant and the reason for the request of conditional use is for the drive-up window. The review comments were: Public Service Company needs a 10-foot easement within the site; City Engineer stated this is an improved submission over the last one, and would require curbs, gutters and sidewalks in accordance with City standards. City Utilities comment that they would like to see a relocation of the traffic to facilitate trucks coming in and also recommend utilization of a stationary compactor. The only staff requirements on the resubmitted plan was to connect the sidewalk to the existing sidewalk on Rood and landscape improvements. Ingress and egress layout has been generally approved by Engineering and Traffic.

Discussion was had regarding the continuing access to the bowling alley and whether the owner could be approached and asked to curb along the front to eliminate the hazard. It was pointed out that if the drive-up window is removed, the restaurant would be a permitted use in C-1 and C-2. Concern was expressed that the existing problem at the intersection is not being addressed.

Tom Logue, Paragon Engineer, representing the petitioner, was present. He requested on behalf of the petitioner that City Council exempt the sidewalk, curb and gutter improvements along Rood as required by the staff stating that the petitioner feels the improvements are unwarranted due to the fact he will not be using Rood in any manner except as pedestrian access.

A hearing on this item was held after proper notice. There was no one in the audience who indicated a desire to speak and there were no letters filed.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the application for a conditional use for MBI Drive-In Restaurant be approved subject to the conditions of the Planning Commission. Upon roll call, Council members QUIMBY, TUFLY and JOHNSON voted AYE. Council members HOLMES, O'DWYER and BROWN voted NO. There being a lack of majority, the motion was defeated.

HEARING - PROPOSED H.O. ZONING FOR THE ORCHARD MESA BANK ANNEXATION, SW OF 27 ROAD AND HIGHWAY 50 - PROPOSED ORDINANCE

A hearing on this item was held after proper notice. No letters were filed and there was no one in the audience who indicated a desire to speak.

The following entitled proposed ordinance was presented and read: 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 Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

PEOPLE'S ORDINANCE NO. 32 - GAS AND ELECTRIC FRANCHISE, PUBLIC SERVICE COMPANY OF COLORADO

The Proof of Publication to the following entitled people's ordinance was presented: AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTENT, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH SAID CITY OF GRAND JUNCTION, A PLANT OR PLANTS, SUBSTATIONS AND WORKS FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, DISTRIBUTE AND SELL SAID ELECTRICITY AND GAS TO THE CITY OF GRAND JUNCTION, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN THE CITY OF GRAND JUNCTION, AND AUTHORIZING SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, TO USE CERTAIN STREETS AND PUBLIC PLACES FOR THE PURPOSE OF FURNISHING SAID SERVICES; AND FIXING THE TERMS AND CONDITIONS THEREOF IF THE RESULTS OF THE VOTE OF THE QUALIFIED ELECTORS SHALL HAVE BEEN DETERMINED TO HAVE BEEN AFFIRMATIVE FOR THE GRANT OF SAID FRANCHISE. 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 Tufly and seconded by Councilwoman Quimby that the Ordinance be called up for final passage and the title read. Motion carried.

The title of the Ordinance was read. There being no comments, it was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered People's Ordinance No. 32 and ordered published. Upon roll call Council members O'DWYER, QUIMBY, HOLMES, TUFLY, JOHNSON votes AYE. Councilman BROWN voted NO. The President Pro Tem declared the motion carried.

ORDINANCE NO. 1707 - REZONING FROM R-2 TO C-1, 23RD STREET SUBDIVISION

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 CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Brown and seconded by Councilman Tufly that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Brown and seconded by Councilman

O'Dwyer 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 Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1707 and ordered published. Upon roll call, all Council members present voted AYE. The President Pro Tem declared the motion carried.

ORDINANCE NO. 1708 - REZONING FROM R-1-C TO R-2-A TRACTS OF LAND LOCATED AT THE EAST END OF SANTA CLARA AVENUE

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 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.

It was moved by Councilman Brown 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 Councilman Tufly and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1708 and ordered published. Upon roll call all Council members voted AYE. The President Pro Tem declared the motion carried.

ORDINANCE NO. 1709 - RESETTING COMMERCIAL SEWER RATES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE SEWER CHARGE FOR COMMERCIAL PROPERTIES INCLUDING HOTELS AND MOTELS. 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 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 Councilman Tufly and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1709 and ordered published. Upon roll call all Council members present voted AYE. The President Pro Tem declared the motion carried.

ORDINANCE NO. 1710 - APPLICABILITY OF THE VARIOUS WATER RATES

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE CHANGING THE APPLICABILITY OF CERTAIN OF THE WATER RATES IN THE CITY OF GRAND JUNCTION AND IN THOSE AREAS SERVED BY THE CITY WATER SYSTEM. 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 Tufly and seconded by Councilman O'Dwyer 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 Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1710 and ordered published. Upon roll call all Council members present voted AYE. The President Pro Tem declared the motion carried.

PROPOSED ORDINANCE VACATING AN EASEMENT OVER SITE OF ST. MARY'S FAMILY CARE CENTER

City Attorney Ashby indicated that he has a document which is evidence that Mountain States Telephone Company and Public Service Company are giving up the interest they have in the easement. The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING CERTAIN EASEMENTS WITHIN THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

PROPOSED ORDINANCE REPEALING THE FOOD SALES TAX REBATE

The following entitled proposed ordinance was introduced and read: AN ORDINANCE REPEALING THE FOOD SALES TAX REBATE. It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the proposed ordinance be passed for publication. Motion carried with Council members QUIMBY and TUFLY voting NO.

RESOLUTION URGING CONSTRUCTION OF DOMINGUEZ DAM

The following Resolution was presented and read:

RESOLUTION

SUPPORTING THE DOMINGUEZ RESERVOIR PROJECT

WHEREAS, the City of Grand Junction, Colorado, operates a municipal water system serving about thirty thousand people; and

WHEREAS, it has been demonstrated that the City must look for additional sources of water to continue to provide complete domestic service in its area of supply;

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

1. That the City would intend to negotiate for 10,000 acre feet of water annually from the Dominguez Project.

2. That the Council recommend that the United States Bureau of Reclamation consider in the planning and development of the Dominguez Project an additional allocation of 10,000 acre feet per year for light industrial purposes.

PASSED and ADOPTED this 17th day of November, 1977.

\_\_\_\_\_  
President Pro Tem 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 as read. Upon roll call all Council members present voted AYE. The President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

PROPOSED ORDINANCE AUTHORIZING DEVELOPMENT BOND ISSUE FOR TRI-STATE TRACTOR COMPANY AND GIVING NOTICE OF HEARING

The following title of ordinance was read: AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,400,000 FIRST MORTGAGE DEVELOPMENT REVENUE BONDS OF THE CITY OF GRAND JUNCTION FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, BY PURCHASE AND CONSTRUCTION, AND INSTALLATION OF REAL AND PERSONAL PROPERTY CONSTITUTING AN INDUSTRIAL PROJECT WITHIN THE CITY OF GRAND JUNCTION FOR LEASE AND SUBSEQUENT SALE TO TRI-STATE TRACTOR COMPANY IN ORDER TO PROMOTE INDUSTRY, TRADE AND OTHER BUSINESS ACTIVITY, TO MITIGATE THE SERIOUS THREAT OF UNEMPLOYMENT, TO SECURE AND MAINTAIN A BALANCED AND STABLE ECONOMY AND TO PROVIDE FOR THE HEALTH, SAFETY, WELFARE, CONVENIENCE AND PROSPERITY OF THE INHABITANTS OF THE CITY OF GRAND JUNCTION, AND TO CREATE JOBS AND OPPORTUNITIES FOR EMPLOYMENT AND IMPROVE THE ECONOMIC WELFARE OF THE PEOPLE OF THE CITY OF GRAND JUNCTION; AUTHORIZING THE ISSUANCE OF ADDITIONAL REVENUE BONDS; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AND AUTHORIZING A MORTGAGE AND TRUST AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND FURTHER TO SECURE THE PAYMENT OF PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON SUCH BONDS. It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Ordinance be passed on first reading with publication to be in pamphlet form with proper notice of such manner of publication being given by the City Clerk setting the hearing on the Ordinance for December 7, 1977. Motion carried with Councilman HOLMES and O'DWYER voting NO.

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Agreement with CVR Finance Corporation to provide financial consultation services on this project be approved and

authorized the execution of that Agreement by the President of the Council. Motion carried with Council members HOLMES and O'DWYER voting NO.

#### APPROPRIATIONS ORDINANCE

The following entitled proposed ordinance was introduced and read: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1978, AND ENDING DECEMBER 31, 1978, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY. It was moved by Councilman Tufly and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

#### MISCELLANEOUS DISCUSSION

##### Water Rates

Councilwoman Quimby commented that one of the antagonists of the water rate increases last spring has expressed appreciation for the action taken by the City Council, He has made considerable changes in his operation; thereby saving water. He hopes the rates will not be increased again but feels some good has come from it.

##### Gravel Spills at Intersections

Councilman Holmes requested the City Manager to take whatever steps are necessary to control overloaded gravel trucks spilling in intersections and creating a hazard.

##### Intersection at 19th and Main

Councilman Tufly requested that the Engineering Department be requested to take a realistic look at the intersection of 19th and Main to see if something can be done.

#### ADJOURNMENT

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

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk