

Grand Junction, Colorado

August 16, 1978

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session Wednesday, August 16, 1978, at 7:30 p.m. in Council Chambers at City Hall. Present were Council members Larry Brown, Robert Holmes, Larry Kozisek, Bill O'Dwyer and President of the Council Karl Johnson. Councilwoman Jane Quimby was absent. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and City Clerk Neva Lockhart.

MINUTES

Corrections to Minutes of July 5th under the heading Indian Village Subdivision, (County Transitional), third paragraph, following the word "variances" insert "that is following Council's adoption of the policy which has not taken place,"

Corrections to the July 19th minutes under heading Hearing - ID ST-78, Phase B, letter from Larry Lehl was speaking in favor of the improvement of his street, not the entire improvement district. Strike "CBS" and "low" under heading CBS Television Report on Low Radiation in Grand Junction.

The minutes of the regular meeting July 5th and July 19th were approved as corrected, and the minutes of the adjourned meeting July 24th and the regular meeting of August 2, 1978, were approved as written.

REQUEST APPLICANTS FOR BOARD OF ADJUSTMENT & APPEALS TERM EXPIRES MARCH, 1981

President of the Council Karl Johnson requested applications from people interested in filling the vacancy on the Board of Adjustment and Appeals. The appointee will serve a term to expire in March, 1981.

AUDITOR'S REPORT ACCEPTED

Mr. Jerry Chadwick of the auditing firm was present to answer questions. After discussion it was moved by Councilman O'Dwyer and seconded by Councilman Kozisek to accept the auditor's report for filing. Motion carried.

EMPLOYEES INSURANCE PROPOSALS

John Tasker, Finance Director, reviewed the employees insurance proposals. He stated that the dental package has changed since Monday's review. Council has indicated that it wants to cover exams, cleaning, and regular routine type things, but when the employee goes in for something special such as crowns it wants the

employee to absorb a bigger portion of the cost. In the review package Plan 2 was recommended on Monday. Mr. Tasker stated, however, that after listening to Council, Plan 3 has been reviewed and is now recommended. Under Plan 3 it will cost the City approximately 10 cents more a month for a single employee and approximately 80 cents more a month for family. In Plan 3 the basics for diagnostic and preventive are 100%, for oral surgery and other services it is an 80-20, and for major services it is 50-50. The \$100 deductible on the major has been withdrawn. Plan 3 is a 2-year guarantee through Colorado Dental.

The Blue Cross-Blue Shield representative was present and explained that the great reduction, if it could be called that, by Blue Cross-Blue Shield is primarily due to the efforts of the City's Consultant working with Blue Cross-Blue Shield to develop a full coverage program yet keeping the cost factors in mind and by adjusting the Blue Cross Hospitalization contract - the number of days of benefit. Throughout the last accounting period the City's group did experience overall good utilization. The primary difference is in the area of the days of coverage for health care. The former program, the one in effect until September 1st, provides 120 days of hospitalization. The new program will provide 45 days of hospitalization. From all the millions of claims processed annually, the average stay in a hospital is something like 7.2 days. The new program provides 6 times as many days as would be required for the average situation. In addition to that, Blue Cross-Blue Shield has increased major medical protection under the health insurance program from \$25,000 per lifetime to a quarter of a million dollars per lifetime at very little additional expense.

Councilman Brown asked if the employees have had an opportunity to review the proposal.

City Manager Wysocki stated that if Council wishes to adopt the Blue Cross-Blue Shield Health Plan, Colorado Dental Plan Number 3 and with an option to go to HMO the staff will proceed to canvass the employees immediately and get the enrollment going so that the September 1st payment can be made.

The Finance Director stated that Blue Cross-Blue Shield, HMO, and Colorado Dental representatives will present the proposal to the employees next Monday, Tuesday and Wednesday, and that a newsletter to all employees will be sent out tomorrow morning. He stated that the change isn't really that drastic, the biggest change will be the employees switching from HMO back to Blue Cross-Blue Shield since the rates for Blue Cross-Blue Shield will be so much cheaper. He indicated that 75% of the employees would make no changes to their health plan.

Councilman Kozisek asked if Council could approve the program subject to the approval of the majority of the employees.

City Manager Wysocki stated that it is the prerogative of the

Council to offer the benefit package. There are a number of alternatives within the package for the employee to choose from.

It was moved by Councilman Brown and seconded by Councilman Kozisek to empower the staff to proceed with the employees along the lines discussed so long as the cost to the City does not increase, the package to include the Blue Cross-Blue Shield proposal, Colorado Dental Plan 3, the HMO package so long as participation is 10% or more, and the life insurance change December 31st. Motion carried.

BEER - RENEWAL OF LICENSE AT COLESCOTT'S 551 SOUTH AVENUE

Submitted for consideration was the application by R.B. and J.B. Company, Inc. to renew its 3.2% fermented malt beverage license at Colecott's, 551 South Avenue. A report from the Police Department advised there have been no reports of problems or liquor violations concerning the sale of 3.2% beer during the past licensing period.

It was moved by Councilman Kozisek 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 - CORK 'N EMBERS, 105 N. 2ND STREET (TAVERN LIQUOR LICENSE APPLICATION-FOLLOW-UP REPORTS

The following reports were read into the record. A letter from Frank R. Brewes, Triple A Builders, which stated, "I am presently engaged in the remodeling of the men's and women's bathrooms at the Cork 'N Embers lounge. As I understand it the deadline for completion was to have been August 16, 1978. Due to material shortages and two of my major subcontractors going on vacation at the same time I cannot make this completion date. I feel that by the end of August, or earlier, I can have this project completed." The above letter was directed to Don Whetstone, of the Colorado Department of Health. The following report from Mr. Whetstone, sanitarian, stated a follow-up progress inspection was made at the Cork 'N Embers on August 14, 1978, by Donald Whetstone of the Mesa County Health Department. All restrooms are still under construction at this time. They are not completed for use at this time. Carpet needs replaced behind the bar, floors need resurfaced under the ice machine, in the store room, under the ice machine, and on the north end of the bar. Walls need repaired behind the ice machine. A report from the building department stated an inspection was made at 3:00 p.m., Friday, at the Cork 'N Embers. The remodeling of the restrooms was in progress and will be completed in approximately 7 days time. All work inspected did meet the uniform building code. A report from Battalion Chief Wes Painter, Fire Prevention Officer, stated that upon a follow-up inspection of the Cork 'N Embers, August 10th, construction was not completed. He was asked to return August 15th and all work would be completed. Reinspection by Building Inspector Fred

Fuhrmeister and Mr. Painter at 2:30 p.m. on August 15th revealed the following conditions existing at that time: the building under remodel construction

(1) All old electrical wiring in abandoned kitchen has been removed;

(2) Fire door between abandoned kitchen and bar assemble area is inadequate, installation not completed;

(3) Floor in kitchen not completed with covering, large hole in floor;

(4) Hole in ceiling of game room;

(5) Bathrooms not completed;

(6) Exit sign to front exit not in operation, must be repaired immediately;

(7) Rear exits from game room and bar assembly area blocked with table and chair, adequate aisle width of 44 inches must be maintained free of obstruction at all times, these aisles must be cleared immediately;

(8) Electrical wire for light to band stand passing through ceiling must be in electrical conduit;

(9) Light over bulletin board being supplied power with two long extension cords, must be in conduit and wired properly;

(10) Combustible storage has been removed from attic area;

(11) Electrical wiring in attic possibly does not meet electrical code, should be checked by City Electrical Inspector;

(12) Basement has an accumulation of old construction material, records, etc.

Owner has been told of these problems and has been pointed out to the owner several times.

Councilman Kozisek stated that the fire department report goes into greater detail this time than it did 60 days ago. He thought that tonight's discussion was to be only on those things that needed to be corrected which was reported 2 months ago. He was amenable to going along with the contractor's report and if those things Council has been made aware of had not been corrected by the end of August it be brought back to Council's attention.

Councilman Brown stated he was not amenable to that at all. He said that the violations at this location were given 60 days more than any other license holder. As he recalled this outlet did not qualify for either license -- the one it was under or the one it

wanted. This Council gave them 60 days to comply.

Councilman Holmes concurred. He felt there was a sufficient demonstration of an attempt to be reasonable on this matter the last time and there are sufficient deficiencies that have not been met.

President Johnson noted that Mr. Painter's report states that the owner has been advised of these problems on several occasions. Although Mr. Painter may not have gone into as much detail in his report at the time of the application, there was a statement made at the time that there were a number of building deficiencies including electrical safety, etc., but if these same conditions had been pointed out to the owner previously and not been corrected then that is a matter for consideration.

Mrs. Vera Mulder, wife of the owner, stated that number 3 of the report, the hole in the floor in the kitchen was for the safety of the plumber who is going to need this for his work, he couldn't very well get under the floor without the hole. The hole in the ceiling of the game room happened just recently when her son climbed up a ladder and struck his foot through the ceiling tile. Number 8 has never been brought to their attention and was not on the previous report. Number 9, the bulletin board, she said when you have a painting or something and you wish to call attention to it you put a small light over it and you plug this in. Various restaurants and homes have it. It has never been used since they tried it. It will be taken down which is a matter of five minutes. Number 10 complies with the last report they were given and it has been done. Number 11 also complies with the last report they were given and they have complied. Number 12, the records taken out of the attic were put down in the basement, these were tax records and things that were necessary to the business. Construction material and all the janitors stuff has been taken to the city dump or disposed of otherwise. The things down there now are electrical wiring of noncombustible rubber coated copper links, signed doors of value which cannot be thrown away and must be stored some place, and some booths taken from the dining room. In response to the remarks of Councilman Holmes and Councilman Brown she stated they had tried very hard to comply.

It was moved by Councilman Holmes and seconded by Councilman Brown that the existing license be suspended effective tomorrow morning until the deficiencies are corrected to the satisfaction of the Fire Department, Building Department and Health Department. It was the consensus of the Council that this licensee could be back in operation in 48 hours or 24 hours provided the City Clerk receives certification from the Fire Department, the Building Department and the Health Department that everything has been complied with. At that time the license can be issued. Motion carried.

Mr. Mulder stated that it is his understanding that Council cannot suspend his license based on the Fire Department report.

President Johnson advised Mr. Mulder that if he gets a legal opinion, he should have his attorney discuss it with the City Attorney so the matter can be resolved. But the Council has taken this action and until it is overturned by a legal authority, the action stands.

LIQUOR - REPORT ON LAMPWICK RESTAURANT FOR RENEWAL OF HOTEL-RESTAURANT LIQUOR LICENSE

The City Clerk reported that since the fingerprint card of Mr. Jorge Kopper from Costa Rica has not been received, the Police Department investigation is not complete. She reported that State Liquor Enforcement Officer Stan Mena talked to Mr. Don Fleisher on August 15th. Mr. Fleisher was advised to get the fingerprint card of Mr. Kopper to the Police Department immediately so the Police Department background investigation can be completed. In lieu of the fingerprint card it was requested that Mr. Fleisher have Mr. Kopper arrive in Grand Junction within two weeks for fingerprinting and the completion of the investigation. Otherwise, Mr. Mena will request a suspension hearing by the City Council. The State license has been received and the City license has been prepared for issuance.

Council directed that the license be issued contingent upon the completion of the investigation. Mr. Mena is to request a hearing before the City Council within two weeks if nothing has been received from Mr. Kopper and/or Mr. Fleisher.

3.2% BEER - RESOLUTION OF FINDINGS & DECISION ON APPLICATION FOR CONDITIONAL USE AND 3.2% BEER LICENSE AT THE GOLDEN DRAGON RESTAURANT, 1037 NORTH AVENUE - APPROVED

The following Resolution was presented and read:

RESOLUTION

ADOPTING A DECISION ON AN APPLICATION FOR A FERMENTED MALT BEVERAGE LICENSE AT PREMISES 1047 NORTH AVENUE.

A hearing having been held on the 2nd day of August, 1978, on the application of To Tay Truong and Bich Kim Truong for an on-premises consumption Fermented Malt Beverage License for the premises at 1037 North Avenue in the City of Grand Junction, and the City Council having considered the evidence presented at said hearing,

FINDS:

1. That the hearing was held after proper notice thereof under the Colorado Beer Code.
2. That, in the survey of the neighborhood conducted by the City, 171 persons favored the issuance of the license feeling that the needs of the neighborhood were not being met by existing outlets,

while 100 persons opposed the issuance of the license feeling that the needs of the neighborhood were being met by such outlets.

3. That the application should be approved as the desire of the inhabitants is that the license issue and the needs of the neighborhood are not being met by existing outlets.

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

That the application of To Tay Truong and Bich Kim Truong for an on-premises consumption Fermented Malt Beverage License for the premises at 1037 North Avenue be granted.

PASSED and ADOPTED this 16th day of August, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Brown and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Upon roll call Council members BROWN, KOZISEK, and JOHNSON voted AYE. Council members HOLMES and O'DWYER voted NO. A majority of Council having voted in favor of the motion, the President declared the motion carried and the Resolution duly passed and adopted.

HEARING - APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE, JAMES F. RAMSEY DBA THE GRAND RESTAURANT, VALLEY FEDERAL PLAZA, TERRACE NO. 1, 225 NORTH 5TH STREET-APPLICATION FOR REGISTRATION OF LONNIE WHITE AS MANAGER

The following report was presented and read: On July 13, 1978, James F. Ramsey filed an application for a hotel-restaurant liquor license to be located at The Grand Restaurant, Valley Federal Plaza, Terrace No. 1, 225 North 5th Street. Filed with his application were the appropriate fees, an Affidavit disclosing his source of money, an Affidavit that The Grand will be a bonafide restaurant and that meals will be served regularly during the hours required by law and that 25% or more of the gross income will be from the sale of food items, a lease between Valley Federal Savings and Loan Association of Grand Junction and Ex Caliber Enterprises, Inc., a Colorado corporation, a sublease between Ex Caliber Enterprises, Inc., and James F. Ramsey, and architect's drawing of the restaurant. He filed a manager's registration form, contract, and fees for Lonnie White.

The display ad giving Notice of Hearing was published in The Daily

Sentinel on Friday, August 4th, and the sign giving Notice of Hearing was posted on the property August 4th.

A conditional use hearing was waived as this location was previously been a restaurant with a liquor license. The license expired May 18, 1978.

The area bounded by both sides of Ouray to the north, both sides of 8th Street to the east, both sides of Colorado to the south, and both sides of 2nd Street to the west was surveyed by Mr. Ed White. The survey commenced July 21st and concluded July 31st. Results are:

(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. 322

(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. 34

(3) No Opinion 19

(4) Refused to Vote 18

(5) Vacant 18

There are 14 similar type outlets in the downtown area.

The Police Department report advises that both James R. Ramsey and Lonnie White, Manager, are clear NCIC, CCIC, and local criminal history. Fingerprint cards have been mailed to authorities with no return to date. The Fire Department states that due to the remodeling in progress, no report can be made at this time, but will submit a report as soon as all work has been completed -- mid-August to mid-September. A progress inspection was made of The Grand on August 11, 1978, by Donald E. Whetstone, of the Mesa County Health Department. The total restaurant is still under complete remodeling. Mr. Ramsey took Mr. Whetstone through the facility and explained what he is doing and going to do. At present, he is satisfied that Mr. Ramsey will and is complying with the regulations of the Health Department.

There was discussion regarding the survey of "inhabitants of the neighborhood." It was the City Attorney's opinion that an employee working in the area of survey is to be considered an "inhabitant" during the working hours and should be permitted to vote in the survey.

Councilman Holmes questioned the procedure to be followed regarding the 25% gross food audit. When advised that the procedure has not been formally adopted by Council, Councilman Brown directed that the procedures be scheduled on the next Council agenda.

The hearing was opened. Mr. Loran Dake, representing Mr. Ramsey, reviewed the renovation being done to the restaurant.

There was no one in the audience who appeared to oppose the application and no letters or counter petitions were filed.

A Resolution of Findings and Decision is scheduled on the September 6th agenda. The registration of Lonnie White, Manager, will be included in the Resolution.

RESOLUTION OF FINDINGS & DECISION ON CONDITIONAL USE REQUEST BY THE JUNCTION CORPORATION FOR RESTAURANT WITH DRIVE-UP WINDOW S OF NORTH AVENUE, 126 FEET W OF 28 1/2 RD-REQUEST DENIED

The following Resolution was presented and read:

RESOLUTION

OF DECISION ON APPLICATION FOR CONDITIONAL USE BY THE JUNCTION CORPORATION.

WHEREAS, the Junction Corporation sought to obtain a conditional use for a restaurant with a drive-up window at the following location: 176 feet west of 28 1/2 Road, South of North Avenue; and

WHEREAS, the hearing before the City Council was held on the 2nd day of August, 1978; and

WHEREAS, the Council having considered the evidence presented at the hearing and the zoning maps and regulations of the City, FINDS AND CONCLUDES AS FOLLOWS:

The hearing before the City Council came after a recommended denial of the application by the City Planning Commission on the following bases:

1. Circumnavigation of the restaurant is required to use the facility;
2. Ingress-egress to 7-11 Store was not rectified.
3. Two curb cuts as proposed would conflict with pedestrians at two (2) points rather than the single point which exists.
4. The 25-foot curb cut as proposed in the alternative is inadequate for the restaurant and drive-up window facility.
5. Both drives from North Avenue are ingress and egress in a congested area.
6. The proximity of the proposed use to a controlled, but congested intersection by high traffic generator.

The site of the proposed conditional use is near the intersection of North Avenue and 28 1/2 Road, North Avenue is one of the principal carriers of traffic in the area, and the intersection with 28 1/2 Road is of sufficient importance in traffic and traffic circulation that a traffic control light will be installed at the intersection.

CONCLUSION

While the applicant has offered to make some changes in the plan of circulation and the egress availability onto North Avenue from the site, the difficulties with the plan and the nature of the use with the 7-11 store on the east make the granting of the conditional use undesirable.

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

That the application of the Junction Corporation for a conditional use for a restaurant with a drive-up window be denied.

PASSED and ADOPTED this 16th day of August, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Brown 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 declared the motion carried and the Resolution duly passed and adopted.

HEARING - PROPOSED ORDINANCE - EASEMENT VACATION, THIRD STREET AND SHERWOOD STREET - PATRICK J. BERRY, PETITIONER

Senior Planner Del Beaver reviewed the request. A hearing was held after proper notice. There was no one in the audience who opposed and no letters were filed.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING AN EASEMENT FOR UTILITIES. It was moved by Councilman Holmes and seconded by Councilman Kozisek that the proposed ordinance be passed for publication. Motion carried.

HEARING - PLANNED DEVELOPMENT BUSINESS, THE WILLIAM BUILDING, FINAL PLAT, NORTHEAST CORNER OF 11TH STREET AND BELFORD

Senior Planner Del Beaver reviewed staff comments on this proposal. He stated the Planning Commission delineated some neighborhood retail uses. The petitioner understands the uses as outlined by the Planning Commission. Planning Commission approved it with the access to the alley. This access to the alley is the only point of contention between the Planning Commission and Staff.

Tom Logue of Paragon Engineering was present representing the owner-developer. He pointed out that the developer is not limited to the five uses. Mr. Logue does feel that enough flexibility has been granted the owner-developer to permit a fair ratio of retail outlets. He noted that the owner-developer desires to maintain an access to the alley. With respect to the telephone poles as commented on by Public Service, there are no telephone poles in the parkway access.

When discussing the permitted uses, Councilman Holmes asked by whom was determined through this corridor of Glenwood, North Avenue, Belford what is happening? and was it determined within the Planning Department by Staff or were there public hearings or were the citizens allowed any input into this or was it a determination that was primarily made by Staff and developers.

In response, Mr. Beaver stated that the policy is solely that of the Planning Commission at this point. It was generated in response to many things that were beginning to happen in that corridor between the alley south of Belford to the alley North of Glenwood. They (the Planning Commission) looked specifically at the area between 1st Street and 18th Street. He advised that Council would be seeing these as formal policies when the Planning Commission completes meetings with the North Avenue merchants and holds public hearings on them. Short of that, it is the Planning Commission's intent to use the policy until Council either overturns it or whatever. Mr. Beaver stated that the Planning Commission felt it had to come to some common ground in looking at developments in this area short of having it as adopted Council policy. This is the direction the Planning Commission is collectively using at this point.

Councilman Brown stated he did not know how they (the Planning Commission) can use that policy as a justification for certain things until they have notified everybody along both sides of those streets that that is what they are considering and they have some kind of hearing.

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

Councilman O'Dwyer expressed concern about the alley and the generation of more traffic. He noted that if other lots in that area develop there may be a need for a traffic patrolman or traffic signals in that alley.

Mr. Bernard Brodak commented there are only 4 lots left. The rest are already zoned commercial. The four lots are a total of 100 feet.

It was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the planned development business final plat for the William Building, northeast corner of 11th Street and Belford, be approved subject to eliminating alley access to the main parking lot and subject to the Planning Commission conditions. Motion carried with Councilman HOLMES voting NO.

Councilman Holmes suggested that since this was a pioneer situation in this corridor that the Council be apprised of any further such things on the part of the Planning Commission and that there would be an attempt made to have public input from this point on without making reservation and trying to correct some of the miscalculation as he sees it in this planned development at this point.

Councilman Brown stated that there is something inappropriate about the way this is being handled. The Planning Commission is making up its mind that this is going to be a commercial type corridor and the City Attorney says that various things are satisfied by the hearings on each individual one. Councilman Brown stated that there is something about the piecemeal approach whereby you do it at 11th and the guy at 6th doesn't object, and you do it at 2nd and the guy at 8th doesn't object, and little by little all these people are whittled out of there and they have never really had a chance to speak to the future of their street. He continued that it would seem to him that if the Planning Commission is going to use this it should not cost them a heck of a lot to have a formal advertised hearing, formally adopt the policy, and formally sent it to the Council which would formally deal with it. Then if a majority of the people on those streets do not like the direction the City is taking with their streets, they would have an opportunity to speak to it before it's committed.

It was moved by Councilman Holmes and seconded by Councilman Brown that the Planning Staff and the Planning Commission make no more deliberations along this corridor until the hearings have been properly published and held and Council has had an opportunity to consider the policy at a formal hearing. Motion carried with President JOHNSON voting NO.

HEARING - PROPOSED ORDINANCE - ZONING FALLS ANNEXATION PD-8, SOUTH OF PATTERSON ROAD, EAST OF MANTEY HEIGHTS TANK

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

The following entitled proposed ordinance was introduced and read:
AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCE OF THE CITY OF GRAND JUNCTION, BY ADDING THE

ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Kozisek and seconded by Councilman Holmes that the proposed ordinance be passed for publication. Motion carried.

HEARING - PLANNED DEVELOPMENT BUSINESS, FINAL PLAT FOR GLENWOOD CENTER ON THE NW CORNER OF 7TH STREET AND GLENWOOD AVENUE

Senior Planner Del Beaver reviewed the area. He stated that the petitioner has complied with all review requests.

A hearing was held after proper notice. There was no one in the audience to speak and no letters had been filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Kozisek that the final planned development business for Glenwood Center be approved. Motion carried with Councilman HOLMES voting NO.

HEARING - PROPOSED ORDINANCE - ZONING AMERICAN FAMILY ANNEXATION, W SIDE OF HORIZON DRIVE BETWEEN G RD AND I-70, TO H.O. (HIGHWAY ORIENTED)

A hearing 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 introduced 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 ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Kozisek and seconded by Councilman Holmes that the proposed ordinance be passed for publication. Motion carried.

HEARING - LAMPLITE PARK SUBDIVISION, FILING #1, AMENDED FINAL PLAT, E END OF SANTA CLARA AVENUE

Senior Planner Del Beaver reviewed the amended plat of Filing #1 for the Lamplite Park Subdivision at the east end of Santa Clara Avenue. The petitioner is asking a replat in order to achieve an FHA Agreement for financing. FHA requirement is that internal streets must be public streets. Review comments:

- (1) Walkway from Tract F must line up with walkway from Tract E;
- (2) Need parking layout for the temporary lot;
- (3) Requested sidewalks on both sides of all streets except for a portion of Olson;
- (4) Engineering wants a sign that there should not be any on-street parking on 24-foot mat roads;
- (5) Fire Department wants a revision of hydrant locations;
- (6) Parks and Recreation Plan indicated the same comments as

previously submitted concerning the species;

(7) Public Service Company needs additional easements.

Councilman Brown questioned what had happened to the study that was asked for three months ago.

City Attorney Ashby said Staff would take up the easement situation with Public Service at the same time it takes up the 3, 10 and 2.

(8) Planning Staff suggested to petitioner that they revert to the original submittal to create off-street parking facilities for the street node.

Mr. Bob Gerlofs was present representing the petitioner.

A hearing 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 Kozisek and seconded by Councilman O'Dwyer that the amended final plat for Lamplite Park Subdivision Filing #1 be approved subject to the conditions of the Planning Commission. Motion carried with Councilman HOLMES voting NO.

HEARING - REPLAT OF CROSSROADS COLORADO WEST SUBDIVISION - FINAL PLAT, BETWEEN I-70 AND HIGHLINE CANAL WEST OF HOLIDAY INN

Review comments:

(1) Parks and Recreation easement for trial system;

(2) Fire Department needs 8-inch mains;

(3) Problems with Ute Water have been worked out with respect to the placement of water lines versus placement of sewer lines;

(4) Public Service needs front lot 10-foot easements.

Mr. Jerry Fossenier was present representing the petitioner.

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 O'Dwyer and seconded by Councilman Holmes that the Replat or Crossroads Colorado West Subdivision final plat be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - PROPOSED ORDINANCE - TEXT CHANGE TO CHAPTER 32 OF GRAND JUNCTION COMPILED ORDINANCES, SECTION 6, PARAGRAPH B, FIRE ZONES

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.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION IN REGARD TO FIRE ZONES. It was moved by Councilman Brown and seconded by Councilman Holmes that the proposed ordinance be passed for publication. Motion carried.

ORDINANCE NO. 1759 - TREECE PROPERTY ANNEXATION, SW OF HORIZON DRIVE AND I-70 INTERSECTION

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Kozisek and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Holmes and seconded by Councilman Kozisek that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance as amended was read. There being no comments, it was moved by Councilman Holmes and seconded by Councilman O'Dwyer that the Ordinance be passed, adopted as amended, numbered 1759, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

RESOLUTION - HORIZON DRIVE CORRIDOR

The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, together with the United States Department of Transportation, the Colorado Division of Highways and the County of Mesa, has caused to be prepared a Draft Environmental Impact Statement for Project M7500(4) - Horizon Drive; and

WHEREAS, the Council is now required to select an alternative from those considered within the statement;

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

That the City Council select Alternate 3, Extend Horizon Drive and Widen Patterson Road, as the same appears on page 43 of the Impact Statement, with the understanding that grade separation at both 7th Street and 1st Street will be among those matters considered at the time of design of the project.

PASSED and ADOPTED this 16th day of August, 1978.

President of the Council

Attest:

City Clerk

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

HOME BUILDERS SEWER AGREEMENT

Mr. Paul Barru, representing the Home Builders Association, appeared before Council to present a proposal for interim sewer plant.

It was moved by Councilman Brown and seconded by Councilman Kozisek that Council endorse the spirit of the proposal to take interim measures so as to open up the availability of sewer taps and a method whereby there would be no need whatsoever for subsidies from existing tax funds. Motion carried with Councilman HOLMES voting NO.

PARKING LOT, NORTHEAST CHRISTIAN CHURCH, 22ND AND BUNTING AVENUE

City Manager Wysocki submitted a proposal for a 10-year lease agreement with the Northeast Christian Church to use the land at 22nd and Bunting for parking purposes with the stipulation that the church do the bulk of the improvements and still allow recreational activities.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the Staff be instructed to negotiate a contract with the Northeast Christian Church for parking use with the stipulation that the predominate use of that land must remain recreational use. Motion carried.

AIRPORT PARKING LOT PROJECT - MEMORANDUM OF UNDERSTANDING

It was moved by Councilman Kozisek and seconded by Councilman Holmes that the City Manager be authorized to sign a Memorandum of Understanding with Ted Ford, County Budget Officer, and Jim Spelman, Airport Manager, to accomplish the Airport Parking Lot Project. Motion carried.

FLOOD PLAIN HEARING DATE SCHEDULED FOR REGULAR MEETING SEPTEMBER 6, 1978

CONSIDERATION OF THE ADOPTION OF LIQUOR AND BEER PROCEDURES
SCHEDULED FOR REGULAR MEETING SEPTEMBER 20TH

MEETINGS

Valley Wide Sewer Committee meeting with City Council and County Commissioners 7:30 p.m., Tuesday, August 22nd, in County Commissioners Room.

Wednesday, August 23rd, 7:30 p.m. City Manager's Office, meeting with MedAssist. Also discuss further about capital improvements.

August 25th, Water Quality Control Commission Meeting in Rifle.

August 25th, Air Quality Control meeting in Grand Junction.

August 28th, Colorado Department of Highways hearing. August 28th, Review the Police Department capital improvement program. September 15th, tentative joint government meeting with the College, School District, County, and City.

SEWER MORATORIUM POLICY

Utility Engineer Duane Jensen requested guidance on sewer agreements. Councilman Brown said that the City's policy of a partial moratorium is still in existence.

BOY SCOUTS IN ATTENDANCE AT COUNCIL MEETING

Mr. Ted Miller and Mr. Bill Miller of Troop 303 were present for the City Council meeting.

OPEN AIR FARMERS MARKET

Mr. George Kidd appeared before Council and stated he would like to get approval by Council to continue having the open air Farmers Market at the Two Rivers Plaza parking lot on Wednesday mornings. President Johnson advised that on Monday the City Council directed the City Manager to work with the group. Council feels it is a good program it would like to see continued.

SPEED BUMPS AT THE HIGH SCHOOL

Councilman Holmes had a citizen inquire whether there has been a commitment to put speed bumps in the alley at the high school. City Manager Wysocki stated there will be 6 bumps put in before school starts.

POLICE OFFICER PRAISED FOR RESCUING MAN FROM RIVER

Councilman O'Dwyer praised the Police Officer who last night pulled from the river the gentleman who had jumped in.

ACQUISITION OF MORE LAND FOR PARK PURPOSES

President Johnson discussed acquisition of more land for Park purposes for the future. He requested that Council be thinking of ways in which this can be accomplished.

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