

Grand Junction, Colorado

October 18, 1978

ROLL CALL

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of October, 1978, at 7:30 p.m. in Council Chambers at City Hall. Those present were Council members Larry Brown, Robert Holmes, Larry Kozisek, Jane Quimby, Bill O'Dwyer, and Karl Johnson, a quorum. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

The meeting was called to order by President Johnson.

MINUTES

The Minutes of October 4, 1978, were corrected to reflect "that the Staff assist Mr. Kearl in every way possible to get him off the line." The minutes were approved as corrected.

OATH OF OFFICE - FRANK DUNN, COUNCILMAN, DISTRICT D

The oath of office was administered to Frank Dunn, Councilman, District.

TRAFFIC CONTROL MEASURES 9TH, 10TH AND GRAND

Mr. Greg Robson advised Council that a petition signed by more than 400 concerned citizens is to be presented soon for traffic control measures either at 9th and Grand or 10th and Grand for the safety not only of children attending Columbine Elementary and East Junior High but also for senior citizens crossing Grand to the hospital and churches. He noted that studies by Engineering Department personnel indicate the intersections are borderline and do not warrant traffic control at this time.

Councilman Brown: "Mr. Chairman. I would like to add to your suggestions that there may be several similar spots throughout the entire City and we have limited funds and limited things we can do so I would like to see the City Engineer survey all possible like places because noting our limitations if we do anything I would like to see it done at the most appropriate places. I am talking about all of the primary routes for kids, primarily school crossings."

REPORT ON LAMPWICK RESTAURANT STOCKHOLDERS

Received for filing: Police Department report on Lampwick Restaurant stockholders.

Laird Milburn, attorney, was present representing Pitkin County Food and Beverage Company. Mr. Milburn reviewed the situation and

stated that Mr. Fleisher is willing to attempt to purchase Mr. Kopper's 10% stock interest by November 15 or get adequate fingerprints from Mr. Kopper that can be run through the computer.

Moved by Councilman Kozisek: That at the meeting on November 15 the information that has been requested on several occasions be obtained in a form that can be utilized or that the transfer of ownership is evident and if neither are evident, immediate revocation of license be instituted. Motion seconded by Councilman Holmes.

Vote: Unanimous.

LIQUOR - RENEWAL OF HOTEL-RESTAURANT LIQUOR LICENSE FOR HOWARD JOHNSON'S RESTAURANT, 753 HORIZON DRIVE

Considered application by Howard Johnson's for renewal of hotel-restaurant liquor license at 753 Horizon Drive. Fire Department report: Fire and safety codes being met. Health Department report: Health Code being met. Police Department report: No violations observed or recorded during the past licensing period.

Moved by Councilman Dunn: That the application be approved and the license issue when the State license has been received. Motion seconded by Councilman Kozisek.

AYES: BROWN, DUNN, KOZISEK, O'DWYER, QUIMBY, JOHNSON

NOES: HOLMES

LIQUOR - RENEWAL OF RETAIL LIQUOR STORE LICENSE FOR HILLTOP LIQUOR STORE, 1563 HIGHWAY 50

Considered application by Daniel and Linda Olson to renew retail liquor store license for Hilltop Liquor Store, 1563 Highway 50. No complaints or violations noted during past licensing period.

Moved by Councilman Kozisek: That the application be approved and the license issue when the State license has been received. Motion seconded by Councilwoman Quimby.

AYES: BROWN, DUNN, KOZISEK, O'DWYER, QUIMBY, JOHNSON

NOES: HOLMES.

CONSIDERATION OF BIDS - AWARD OF CONTRACT TO WHITE & SONS CONSTRUCTION FOR JUNIATA DITCH DIVERSION WORKS AND DITCH PIPING - \$181,492

Five bids received and opened on October 6, 1978, on above-captioned project:

Cone Construction Company \$231,500
Schmidt-Tiago Construction Company \$197,975

Grand Construction Company \$195,915
Pascal Construction Company \$188,000
White & Sons Construction Company \$181,492

Engineer's Estimate \$189,325

Moved by Councilman Brown: To accept the bids and award the contract to White and Sons Construction in the amount of \$181,492 and authorized the City Manager to sign the contract. Motion seconded by Councilwoman Quimby.

Vote: Unanimous.

HEARING - H.O. DEVELOPMENT PLAN FOR PROPOSED OFFICE BUILDING BETWEEN SKYLINE COURT AND HORIZON COURT SOUTH OF HORIZON DRIVE

Hearing on above-captioned proposal held after proper notice. No letters or counter petitions filed. No opponents.

Moved by Councilman Kozisek: That the H.O. development plan for proposed office building between Skyline Court and Horizon Court, south of Horizon Drive be approved subject to conditions of Planning Commission. Motion seconded by Councilman O'Dwyer.

Vote: Unanimous.

HEARING - PROPOSED ALLEY VACATION IN BLK 4 MOBLEY SUBDIVISION, E-W ALLEY SOUTH OF WHITE AVENUE BTN RICE AND SPRUCE STREETS - PROPOSED ORDINANCE

Hearing was held on above request after proper notice.

Mr. Virgil Van Dyke was present.

No letters or counter petitions were filed. No opponents.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN ALLEY IN THE CITY OF GRAND JUNCTION.

Moved by Councilman Kozisek: That the proposed ordinance be passed for publication. Motion seconded by Councilman Brown.

Vote: Unanimous.

HEARING - SUBDIVISION PHEASANT RUN SPRING VALLEY #6, FINAL PLAN, W OF 28 ROAD FROM F-1/4 ROAD TO F-3/4 ROAD DENIED

Hearing on above-captioned proposal held after proper notice.

No letters or counter petitions filed.

Present for hearing: Doug Holling, Co-developer; Bob Gerlofs, Paragon Engineering.

No opponents present.

Moved by Councilman Brown: That the final subdivision plat for Pheasant Run Spring Valley, Filing #6, be denied. Motion seconded by Councilman Kozisek.

AYES: BROWN, DUNN, HOLMES, KOZISEK, O'DWYER, JOHNSON

NOES: QUIMBY

Main issues for denial: additional lengths of streets, parking on one side, Council's preference for detached sidewalks and vertical curbs.

HEARING - STREETS AND ALLEY VACATION, GRAND JUNCTION STEEL, 2ND AVENUE AND PART OF 3RD AVENUE E OF 10TH STREET - PROPOSED ORDINANCE

Hearing was held on above-captioned proposal after proper notice.

No letters or counter petitions filed.

Present for hearing: Mr. Ford, local senior officer of Grand Junction Steel.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING STREETS AND AN ALLEY WITHIN THE CITY OF GRAND JUNCTION.

Moved by Councilman Brown: That the proposed ordinance be passed for publication. Motion seconded by Councilwoman Quimby.

AYES: BROWN, DUNN, HOLMES, KOZISEK, QUIMBY, JOHNSON

NOES: O'DWYER

Councilman Kozisek and Brown requested: how much vacated tonight and how much has been vacated for Grand Junction Steel since 1970.

AIR QUALITY ATTAINMENT PLAN

Reviewed by Harold Boyles, Mesa County Health Department, the Air Quality Attainment Plan for Grand Junction.

Comments were taken under advisement. Council indicated a representative will appear before the Commission hearing November 16 or 17 to submit any suggestions or modifications it may have regarding the recommendations proposed by the Committee.

HEARING - WINTERS AVENUE INDUSTRIAL PARK FINAL PLAT

Hearing on above-captioned proposal was held after proper notice.

No letters or counter petitions filed.

No opponents.

Present for hearing: Chuck Wendlin representing Folkestad. Stated he received a call from the railroad an engineer will be sent out from Salt Lake as work permits to review the closing of the rail spur.

Moved by Councilman Brown: To approve Winters Avenue Industrial Park Final Plat subject to conditions of the Planning Commission and Planning Staff and contingent upon the rail spur coming out. Motion seconded by Councilman Kozisek.

Vote: Unanimous.

ORDINANCE NO. 1775 STREET VACATION, BOOKCLIFF AVENUE W OF 17TH STREET

Proof of Publication to following entitled proposed ordinance presented: AN ORDINANCE VACATING A PORTION OF A STREET WITHIN THE CITY OF GRAND JUNCTION.

Moved by Councilman Brown: To accept Proof of Publication for filing. Motion seconded by Councilwoman Quimby.

Vote: Unanimous.

Moved by Councilman O'Dwyer: To call up proposed ordinance for final passage and read. Motion seconded by Councilman Brown.

Vote: Unanimous.

The Ordinance was read. No comments.

Moved by Councilman Brown: That the Ordinance be passed, adopted, numbered 1775, and ordered published. Motion seconded by Councilwoman Quimby. Roll call vote:

AYES: Unanimous

ORDINANCE NO. 1776 WALT ANNEXATION, W SIDE OF 27 ROAD, N OF HORIZON DRIVE

Proof of Publication to following entitled proposed ordinance was presented: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

Moved by Councilman Kozisek: To accept Proof of Publication for filing. Motion seconded by Councilman Brown.

Vote: Unanimous.

Moved by Councilwoman Quimby: To call up proposed ordinance for final passage and read. Motion seconded by Councilman O'Dwyer.

Vote: Unanimous.

The Ordinance was read. No comments.

Moved by Councilman Holmes: That the Ordinance be passed, adopted, numbered 1776, and ordered published. Motion seconded by Councilman O'Dwyer. Roll call vote: AYES: Unanimous.

PROPOSED ORDINANCE AMENDING CHAPTER 25, CODE OF ORDINANCES, SEWERS

The following entitled proposed ordinance was read: AN ORDINANCE SETTING SEWER DISTRICT ASSESSMENTS, SEWER PLANT INVESTMENT FEES, AND PROVIDING FOR CONNECTION TO THE SEWERAGE SYSTEM.

Moved by Councilman Brown: That the proposed ordinance be passed for publication. Motion seconded by Councilman Kozisek.

Vote: Unanimous.

RESOLUTION ABOLISHING PLANNING COMMITTEE

The following Resolution was read:

RESOLUTION

ABOLISHING THE PLANNING COMMITTEE

WHEREAS, the City Council of the City of Grand Junction and the Board of County Commissioners of the County of Mesa have heretofore established a Planning Committee to provide direction and control over the joint Planning and Development Department; and

WHEREAS, the Committee approach has not had the results hoped for by many of the members of the governing bodies;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA:

1. That the Planning Committee be abolished.
2. That the City Manager of the City of Grand Junction and the County Administrator of the County of Mesa have equal, joint responsibility as follows:
 - a. Concurrence in the hiring and firing of the Director of the Department of Planning and Development.
 - b. Providing the liaison between their respective elective bodies and the Department to insure that the wishes of the bodies are reflected by the actions of the Department in establishing Department priorities, determining work programs and coordinating planning in the City and County where that is desired.

3. That this method of operation will be reviewed and evaluated around June 1, 1979.

PASSED and ADOPTED this 18 day of October, 1978.

President of the Council

Attest:

City Clerk

Chairman of the Board of County
Commissioners of the County of Mesa

Attest:

County Clerk

Moved by Councilman O'Dwyer: To pass and adopt the Resolution as read. Motion seconded by Councilwoman Quimby. Roll call vote:

AYES: DUNN, O'DWYER, QUIMBY, JOHNSON

NOES: BROWN, HOLMES, KOZISEK

RESOLUTION RECOGNIZING MESA COLLEGE "STUDENT AWARENESS DAY"
NOVEMBER 1, 1978

The following Resolution was read:

RESOLUTION

RECOGNIZING MESA COLLEGE AWARENESS DAY

WHEREAS, the community of which the City of Grand Junction is a part has had a long and beneficial relationship with Mesa College; and

WHEREAS, the City is happy to join with the College in activities which will continue this valuable and important association for the betterment of the College and the community;

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

That November 1, 1978, be recognized within the City of Grand Junction as "Mesa College Awareness Day" as a day for exploring and enhancing community and College cooperation for the betterment of both.

PASSED and ADOPTED this 18 day of October, 1978.

President of the Council

Attest:

City Clerk

Moved by Councilman Kozisek: To pass and adopt the Resolution was read. Motion seconded by Councilman O'Dwyer. Roll call vote:

Vote: Unanimous.

RESOLUTION FOR INDUSTRIAL COST RECOVERY - TABLES TO LATER DATE

A Resolution for industrial cost recovery was read. Moved by Councilman Brown: That the Resolution be tabled until a later date. Motion seconded by Councilman O'Dwyer.

Vote: Unanimous.

RESOLUTION SETTING STREET IMPROVEMENT ASSESSMENT RATES, ADDRESSING DOUBLE PENETRATION AND OVERLAY

The following Resolution was read:

RESOLUTION

CONCERNING ASSESSMENTS FOR IMPROVEMENT DISTRICTS.

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

That the following be established as the policy of the City Council for assessments within improvement districts in the City:

1. The costs of streets and alleys improved within improvement districts in the City shall be assessed at one-third to each abutting owner other than a developer and one-third to be paid by the City.

2. The cost of sidewalks improved within an improvement district in the City shall be borne two-thirds by the abutting owner other than a developer and one-third by the City.

3. Real estate developers shall bear the whole cost of improvements for improvements abutting lands owned and developed by them.

4. The total cost for double penetration treatment of streets shall be borne by the abutting owners; however double penetration is not to be offered unless the City Council has approved it for a particular location prior to the circulation of petitions for such treatment.

5. Streets shall not be overlaid except through Council action unless full improvements have been previously done on said streets.

PASSED and ADOPTED this 18 day of October, 1978.

President of the Council

Attest:

City Clerk

Councilman Brown: "One thing I would like to see is that on the double penetration where it is Council's approval, I would like to see that in advance. In other words, prior to petitions and people in an area getting excited about a cheap job, word so that it is considered in advance."

Moved by Councilman Kozisek: That the Resolution as amended be passed and adopted. Motion seconded by Councilman O'Dwyer. Roll call vote:

AYES: Unanimous.

RESOLUTION REGARDING ABSTENTION FROM ISSUANCE OF COMPETING BONDS TO COUNTY'S LOW-COST HOUSING BONDS

The following Resolution was read:

RESOLUTION

WHEREAS, by resolutions adopted on the 26th day of July, 1978, and on the 27th day of September, 1978, the Board of County Commissioners of Mesa County, Colorado (hereinafter "County") has expressed its intention to authorize the issuance of the single family mortgage revenue bonds by the County in the approximate amount of \$15,000,000 (hereinafter "Bonds"); and

WHEREAS, the City Council of the City of Grand Junction, Colorado (hereinafter "City") has determined, and does hereby determine,

that the mortgage loan program to be financed by the issuance of the Bonds by the County is in the best interests of, and will promote the prosperity and welfare of, the inhabitants of the City; and

WHEREAS, the success of such mortgage loan program will be promoted by assuring that single family mortgage revenue bonds are issued by all counties and municipalities only in amounts which correspond to the demand and the need for single family mortgage loans for low and middle income persons and families within such counties and municipalities.

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

Section 1. The City Council of the City of Grand Junction hereby expresses that it has no present intention of issuing any bonds payable from single family mortgage revenues.

Section 2. This resolution shall insure to the benefit of the holders of the Bonds, if and when the Bonds are issued.

Section 3. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 4. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution, or part thereof.

Section 5. All action (not inconsistent with the provisions of this resolution) heretofore taken by the City Council and the officers of the City with respect to cooperation with the County in effectuating its mortgage loan program and issuing the Bonds be, and the same hereby is, ratified, approved and confirmed.

PASSED, ADOPTED, SIGNED and APPROVED this 18 day of October, 1978.

President of the Council

Attest:

City Clerk

Moved by Councilman Brown: That the Resolution be passed and adopted as read. Motion seconded by Councilman Kozisek. Roll call vote:

AYES: BROWN, QUIMBY, KOZISEK, DUNN, JOHNSON

NOES: HOLMES, O'DWYER

MEETINGS

The City Manager reminded Council of the Budget Meetings.

KEEP COLORADO CLEAN COMMITTEE LUNCHEON

Jim Patterson invited Council to attend a luncheon on Thursday with the "Keep Colorado Clean" committee.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk