

Grand Junction, Colorado

November 1, 1978

The City Council of the City of Grand Junction, Colorado, convened in regular session the 1st day of November, 1978, at 7:30 p.m. in Council Chambers at City Hall. Those present were Council members Larry Brown, Frank Dunn, 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

Consideration of the October 18, 1978, Minutes was deferred to November 15.

REQUEST APPLICANTS TO FILL VACANCIES ON CONTRACTORS' LICENSING BOARD

President Johnson announced that the terms of Robert Jenkins, Architect, and Grant Moon, Electrical Engineer, on the Contractors' Licensing Board are expiring and requested applications from people in these fields for appointments to this Board.

JOSE PACHECO, JR., APPOINTED TO COMMUNITY ACTION BOARD

By secret ballot, Jose Pacheco, Jr., was elected to serve as Council's representative on the Community Action Board.

LUCILLE CRUMBAKER REAPPOINTED TO HOUSING AUTHORITY - TERM TO EXPIRE OCTOBER, 1983

Moved by Councilwoman Quimby: That Lucille Crumbaker be reappointed to the Housing Authority, term to expire October, 1983. Motion seconded by Councilman Kozisek.

Vote: Unanimous.

LIQUOR - APPLICATION BY JAMES F. RAMSEY TO RENEW HOTEL-RESTAURANT LIQUOR LICENSE AT FREDDIE'S STEAK & LOBSTER HOUSE, 1320 NORTH AVENUE - TABLED

Considered application by James F. Ramsey to renew hotel-restaurant liquor license at Freddie's Steak & Lobster House, 1320 North Avenue. Fire Department report: building appears to be closed for remodeling. Could not gain entry (for inspection). Health Department report: Past inspections have revealed that there are no serious health problems at Freddie's Steak & Lobster House. However, at the present time they are closed and do not meet health regulations. Police Department report: During the past

licensing period there have been no recorded complaints or violations concerning the sale of liquor by this establishment.

Loran Dake, representing Mr. Ramsey, was present to explain that at the suggestion of the State Liquor Inspector, the filing of the application to renew in a timely manner was in order. Expiration date of the license is December 16, 1978. The modification of premises application is to be filed shortly. The building will be closed until extensive remodeling is complete.

Moved by Councilman Brown: That the application be tabled until all reports are in.

Vote: Unanimous.

LIQUOR - 543 ROOD, INC., DBA CENTENNIAL LIQUORS, 2721 N. 12TH STREET - MARY LOUISE THOMPSON ADDED TO CORPORATION - APPLICATION FOR RENEWAL OF LICENSE APPROVED

Considered new corporate officer for 543 Rood Inc., dba Centennial Liquors, 2721 North 12th Street. Mary Louise Thompson, Vice President, is replacing Barbara Lowe. Police Department report: Thompson is clear NCIC, CCIC and local files.

Moved by Councilman Dunn: That the application to add Mary Louise Thompson to the license be approved. Motion seconded by Councilman Kozisek.

Vote:

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

NOES: HOLMES

The application to renew license was considered. Police Department report: There have been no recorded violations concerning the sale of packaged liquor from this establishment. During checks made by Police, management has been very cooperative.

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.

Vote:

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

NOES: HOLMES

LIQUOR - APPLICATION BY LEVI LUCERO TO RENEW HOTEL-RESTAURANT LIQUOR LICENSE AT EL ESCONDIDO RESTAURANT, 509 28-1/2 ROAD - APPROVED

Considered application by Levi Lucero to renew hotel-restaurant

liquor license at El Escondido Restaurant, 509 28-1/2 Road. Fire Department report: A reinspection of the El Escondido Restaurant & Lounge was made October 16, 1978. All items noted October 6 have been corrected. Health Department report: A recent inspection of the El Escondido Restaurant revealed no serious health violations. Police Department report: During the past licensing period there have been no complaints or violations recorded in connection with the sale of liquor by this establishment.

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

Vote:

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

NOES: HOLMES

HEARING - APPLICATION BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMIT FOR FRIDAY, DECEMBER 8, 8:00 P.M. TO MIDNIGHT, HOUSTON HALL (10TH PERMIT)

A hearing was held after proper posting of property on the application by Mesa College for 3.2% Beer Special Events Permit for Friday, December 8, 1978, 8:00 p.m. to midnight in Houston Hall. No proponents present; no opponents present; no letters or counter petitions. Police Department report: No 3.2 beer will be served before 8:00 p.m. or after 11:40 p.m. All those entering will be checked to verify minimum age restrictions. The college will have four off-duty police officers hired to supervise this event.

Moved by Councilman Kozisek: That the application by Mesa College for 3.2% Beer Special Events Permit be approved for Friday, December 8, 1978, 8:00 p.m. to midnight, in Houston Hall on the college campus. Motion seconded by Councilman Dunn.

Vote:

AYES: BROWN, DUNN, KOZISEK, QUIMBY, JOHNSON

NOES: HOLMES, O'DWYER

HEARING - JACKSON BULK DEVELOPMENT, SE CORNER OF 23RD AND ELM, DUPLEX IN SINGLE-FAMILY ZONE (BULK DEVELOPMENT)

A hearing on the Jackson Bulk Development on the southeast corner of 23rd and Elm was held after proper notice.

Keith Mumby, attorney representing Mrs. Jackson, was present. Mr. Mumby feels the petitioner has met all requirements under the ordinance for bulk development.

William Mitchell, 1435 North 24th, and Mrs. Donna Roth, 2304 Elm, appeared on behalf of the proposal.

Mr. Owen Aspinall, attorney representing Robert Bacon who owns and resides next door to the proposed bulk development, opposed the proposal. Contended the site plan has failed to show drainage and screening.

Mr. Bill Schroeder, resident, opposed.

Resolution of findings and decision scheduled on the November 15 agenda.

HEARING - FINAL DEVELOPMENT PLAN IN H.O. ZONE - ALL THE KINGS MEN RESTAURANT, SW CORNER OF I-70 AND HORIZON DRIVE

A hearing on the final development plan for All the Kings Men Restaurant on the southwest corner of I-70 and Horizon Drive in highway oriented zone was held after proper notice. Review comments of the Planning Commission and Staff were noted.

Mr. Bob Coburn was present representing petitioner.

Ms. Jeanne Gordon questioned whether traffic flow had been considered.

No opponents. No counter petitions filed.

Moved by Councilman O'Dwyer: That the final development plan in H.O. Zone for All the Kings Men Restaurant be approved subject to the conditions of the Planning Commission. Councilman Brown seconded.

Vote: Unanimous.

HEARING - FINAL DEVELOPMENT PLAN, JENKINS FLORAL, 2806 C ROAD

A hearing was held after proper notice on the final development plan for Jenkins Flora, 2806 C Road. Review comments from Planning Commission and Staff were considered.

Mr. and Mrs. Jenkins were present. No letters, no opponents, no counter petitions.

Moved by Councilman Brown: That the final development plan for Jenkins Floral be approved subject to conditions of the Planning Commission. Councilman O'Dwyer seconded.

Vote: Unanimous.

ORDINANCE NO. 1777 - VACATION OF E-W ALLEY S OF WHITE AVENUE BTN RICE AND SPRUCE IN BLOCK 4, MOBLEY SUBDIVISION

Proof of Publication to following entitled proposed ordinance

presented: AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. Moved by Councilman Brown: That the Proof of Publication be accepted for filing. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

Moved by Councilman Holmes: That the proposed ordinance be called up for final passage and read. Seconded by Councilwoman Quimby.

Vote: Unanimous.

The Ordinance was read. No comments. Moved by Councilman Holmes: That the Ordinance be passed, adopted, numbered 1777, and ordered published. Seconded by Councilwoman Quimby.

Roll call vote: AYES Unanimous.

ORDINANCE NO. 1778 - STREETS AND ALLEY VACATION, 2ND AVE AND PART OF 3RD AVE E OF 10TH STREET FOR GRAND JUNCTION STEEL

Proof of Publication to following entitled proposed ordinance presented: AN ORDINANCE VACATING STREETS AND AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. Moved by Councilman Brown: That the Proof of Publication be accepted for filing. Seconded by Councilman Kozisek.

Vote: Unanimous.

Moved by Councilman Brown: That proposed ordinance be called up for final passage and read. Seconded by Councilwoman Quimby.

Vote: Unanimous.

The Ordinance was read. No comments. Moved by Councilman Dunn: That the Ordinance be passed, adopted, numbered 1778, and ordered published. Seconded by Councilman Holmes.

Roll call vote: AYES Unanimous.

ORDINANCE NO. 1779 - AMENDING CHAPTER 25, CODE OF ORDINANCES, SEWERS

Proof of Publication to following entitled proposed ordinance presented: AN ORDINANCE SETTING SEWER DISTRICT ASSESSMENTS, SEWER PLANT INVESTMENT FEES, AND PROVIDING FOR CONNECTION TO THE SEWERAGE SYSTEM. Moved by Councilman Kozisek: That the Proof of Publication be accepted for filing. Seconded by Councilman Brown.

Vote: Unanimous.

Moved by Councilwoman Quimby: That proposed ordinance be called up for final passage and read. Seconded by Councilman Holmes.

Vote: Unanimous.

The Ordinance was read and amended. No other comments. Moved by Councilman Brown: That the Ordinance be passed, adopted, numbered 1779, and ordered published. Seconded by Councilman O'Dwyer.

Roll call Vote: AYES Unanimous.

RESOLUTION ADOPTING MILL LEVY DEFERRED TO MONDAY, NOVEMBER 13, 1978, AT NOON

RESOLUTION GRANTING 15-FOOT PERMANENT EASEMENT ACROSS CITY-OWNED PROPERTY IN WHITEWATER FOR MOUNTAIN BELL

The following Resolution was read:

RESOLUTION

GRANTING A RIGHT OF WAY EASEMENT TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY

WHEREAS, the Mountain States Telephone and Telegraph Company has requested the easement hereinafter described over certain lands owned by the City of Grand Junction; and

WHEREAS, the granting of such easement would not be adverse to the interests of the citizens of the City of Grand Junction;

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

That the City Manager be authorized and directed to execute the right of way easement granting to the Mountain States Telephone and Telegraph Company an easement over the lands described as follows:

A strip of land 15 feet in width being 7-1/2 feet on each side of a centerline described as follows: Beginning at a point that bears North 14° 55' 29" West a distance of 745.70 feet from the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 30, Township 2 South, Range 2 East of the Ute Principal Meridian; thence South 30° 30' East 388.53 feet; thence South 01° 39' 48" West 400 feet; thence South 00° 01' 52" West 1323.90 feet; thence North 89° 47' 06" West 1301.45 feet; thence South 00° 00' 10" West 1286.32 feet to a point that bears North 90° 00' 00" East a distance of 7.50 feet from the Southwest Corner of said Section 30, all in Mesa County, Colorado.

PASSED and ADOPTED this 1 day of November, 1978.

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President of the Council

Attest:

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City Clerk

Moved by Councilman Brown: That the Resolution be passed and adopted as read. Seconded by Councilman Kozisek.

Roll call vote:

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

NOES: O'DWYER

RESOLUTION REGARDING RURAL FIRE DISTRICT

The following Resolution was read:

RESOLUTION

DETERMINING NECESSARY BUDGET CONTRIBUTION FOR FIREFIGHTING AND OTHER SERVICES FURNISHED THE GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT BY THE CITY OF GRAND JUNCTION.

WHEREAS, the City of Grand Junction and the Grand Junction Rural Fire District have been meeting to consider the portion of the budget of the City for firefighting and certain related services which is to be born by the District for the services of firefighting, rescue squad, fire prevention and inspection rendered the District by the City; and

WHEREAS, it has been determined that 21% is the proper percentage of the City budget presently attributable to District services, this requiring an amount of \$309,628.00, the amount not including monies for capital expenditures for buildings, fire equipment and maintenance and equipment supplies for that equipment;

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

That after a full analysis and approval for the providing of the services to the District;

1. That the District share provide for the services stated for 1979 budget year the sum of \$309,628.00 to be paid as follows:

(a) \$41,000.00 to be paid prior to mill levy certification;

(b) \$268,628.00 to be raised through property taxation within the District, payment to be made to the City, one-half on or before June 1, 1979, and the balance on or before December 1, 1979, of which \$40,890.00 is allocable to pensions and the balance of

operations.

2. That the District shall in future years bear 100% of the cost of District services.

3. That contractual negotiations continue on other matters of concern between the City and the District so that the entire agreement between them may be reduced to writing if desired.

4. That the City respectfully requests the Division of Local Government to act favorably on the application of the District for increased mill levy so that adequate services may continue to be provided the district.

PASSED and ADOPTED this 1 day of November, 1978.

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President of the Council

Attest:

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City Clerk

Moved by Councilman Brown: That the Resolution be passed and adopted as read. Seconded by Councilman O'Dwyer.

Roll call vote: AYES Unanimous.

AGREEMENT BETWEEN CITY AND ANDERSON WATER COMPANY

Reviewed submitted agreement between City and Anderson Water Company. Moved by Councilman Brown: That the Agreement between City and Anderson Water Company be approved. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

AGREEMENT BETWEEN CITY AND KENT RIDDLE WATER COMPANY TABLED TO NEXT MEETING

Reviewed submitted agreement between City and Kent Riddle Water Company. Discussed distance between property and Ute Water District.

Moved by Councilman Brown: That the Agreement with Kent Riddle Water Company be tabled to the next meeting so more information can be obtained. Seconded by Councilman Brown.

Vote: Unanimous.

PROPOSAL BY DAVID A. STAERCKE TO PURCHASE LOT 26, BOOKCLIFF MANOR



SUBDIVISION - RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING CITY  
MANAGER TO SIGN WARRANTY DEED

Considered proposal by David A. Staercke to purchase Lot 26,  
Bookcliff Manor Subdivision for \$500.

The following Resolution was read:

RESOLUTION

AUTHORIZING CONVEYANCE OF PROPERTY IN THE CITY OF GRAND JUNCTION

WHEREAS, David A. Staercke has submitted an offer to purchase Lot  
26, Bookcliff Manor Subdivision, situate in the City of Grand  
Junction, County of Mesa, Colorado, for the sum of \$500; and

WHEREAS, the land was formerly held for park purposes but was  
authorized to be conveyed by the electorate in the election of  
1977; and

WHEREAS, the price offered is a fair one according to the  
appraisal by the City;

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

That the City Manager be authorized and directed to execute a  
special Warranty Deed conveying the property above described to  
David A. Staercke on behalf of the City of Grand Junction and as  
the act of said City.

PASSED and ADOPTED this 1 day of November, 1978.

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President of the Council

Attest:

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City Clerk

Moved by Councilman O'Dwyer: That the Resolution be passed and  
adopted as read. Seconded by Councilman Brown.

Roll call vote: Unanimous.

PARKING SITUATION

Councilman Holmes requested the City Manager to check out the  
number of cars parked at Jones Realty at the top of 5th Street  
Hill. Unsightly situation.

CLOUD SEEDING

Councilman O'Dwyer queried whether the City is setup for cloud seeding this year. Response: Yes, provided Council approves budget appropriation.

ADJOURNMENT

Moved by Councilman O'Dwyer: To adjourn Meeting until Monday, November 13, 1978, at 12:00 noon. Motion seconded and carried.

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk