

Grand Junction, Colorado

January 3, 1979

The City Council of the City of Grand Junction, Colorado, convened in regular session the 3rd day of January, 1979, 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 Deputy City Clerk Teddy Martinez.

The meeting was called to order by Council President Johnson.

#### MINUTES

Consideration of the Minutes of December 20, 1978, Council meeting were deferred to January 17, 1979, meeting.

#### INTRODUCTION OF NEW CITY EMPLOYEES

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

Howard Hopkins - Data Processing  
Lee Vitgenos - Police Department  
Doris Barchenger - Police Department  
Patricia Preston - Police Department  
Dana Howell - Police Department

#### CLIFFORD DAVIS - AGREEMENT AS TO GROUND RENTAL AND WATER FEES - TABLED

Jim Patterson, Utilities Director, stated that Mr. Cliff Davis has asked for an amendment to his lease with the City for 500 acres of land. The present lease, as amended, expires May 15, 1981. The new Amendment No. 3 would read identically as before with an expiration date of May 15, 1985. The last Lease Agreement was dated May 15, 1968, and has been amended with Amendments No. 1, 2A, 2B, and now No. 3. Amendment No. 3 would make the 4th amendment.

Consensus of Council was that an appraisal be made of the ground to find out what its rental value is, work toward parity on the water rates has been instituted in the previous lease, making sure that the land involved will not be needed by the City, and write Mr. Davis a new 10-year lease, with a renegotiation on the rent after the first 5 years. Mr. Davis would have the first right of refusal of any proposition.

This item will be brought back to Council possibly by the next meeting of Council (January 17, 1979) or first meeting in February (February 7, 1979) depending on whether an appraisal can be made before either date.

LIQUOR - APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE (CHANGE OF OWNERSHIP - LICENSE IS NOW ISSUED TO A PARTNERSHIP) HOLIDAY INN, 755 HORIZON DRIVE

Considered application by Western States Restaurant for a hotel-restaurant liquor license for Holiday Inn, 755 Horizon Drive, changing from a Partnership to a Corporation. Corporate Officers: President: Errett C. Sechler; Vice President: H. T. Teters; Treasurer: Doyle C. McCraw; Secretary: Terry Patrick; Manager: Mary Hurst. Police Department Report dated January 1, 1979: A manual check has been made of local files, NCIC, CCIC regarding the above corporate officers. They are clear of any wants, warrants and/or recorded criminal history. A fingerprint card was mailed to the FBI for Terry Patrick, with no return to date. Fire Department Report dated December 22, 1978: A reinspection of Holiday Inn was made on December 22, 1978, and found all items listed on the inspection of December 20, 1978, have been completed. Health Department Report dated December 18, 1978: A recent inspection of the Holiday Inn, 755 Horizon Drive, revealed no serious health violations.

Mr. Rich Krone, Attorney representing the applicant, was present.

Moved by Councilman Kozisek: That the application for a Change of Ownership by Holiday Inn, 755 Horizon Drive, be approved. Seconded by Councilman Dunn.

Vote: Unanimous.

HEARING - AWARD OF CONTRACT FOR PAINTING OF MANTEY HEIGHTS WATER TANK

On December 28, 1978, the City received bids for painting the Mantey Heights Water Storage Tank. The following bids were received.

<p>Sched I (inside) Sched II (outside) Total</p>			
<p>Engineer's Estimate \$38,280 \$15,860 \$54,140</p>			

Special Coatings, Inc. Littleton, CO44,8808,3825 3,262			
Clark Painting Salt Lake City, UT51,89512,285 64,180			
Jim Easter Coatings, Inc. Grand Junction, CO bid10,570			
Cheyenne Painting Co. Cheyenne, Wyoming54,1601 0,78064,940			
Manual Hastings Farmington, N.M.72,26325,4 8597,848			
Don Stack Palisade, CO43,83315,814 59,647			

Bid Bond - O.K. on all bidders except no bond for Don Stack, Palisade, Colorado.

The Council has appropriated \$34,500 during 1978 for the painting

of the tank and \$11,000 in 1979 for the painting of the tank for a total of \$45,500. Mr. Jensen recommended, due to the deteriorating condition of the tank interior, that the contract be awarded for Schedule I only to Special Coatings, Inc., of Littleton, Colorado, in the amount of \$44,880.00. The exterior portion of the tank, though pitted and chipped, could be made to last three to four more years without any significant deterioration to the tank structure. At the end of that time period, the painting of the exterior might be scheduled in conjunction with the painting of the tanks located on Reservoir Hill on Orchard Mesa.

In a telephone conversation with Special Coatings, Inc., they offered to prepare the tank exterior in accordance with the specifications except placing one coat on the outside instead of the two specified for a cost of \$6,382. This type of coating would probably last about 7 to 8 years as opposed to the 10 to 12 year life that would be achieved with the specified paint schedule.

Moved by Councilman Holmes: That the contract for painting of both the interior and the exterior of Mantey Heights Water Tank be awarded to Special Coatings, Inc., in the amount of \$53,262.00 Seconded by Councilman O'Dwyer.

Vote: Unanimous.

HEARING - APPLICATIONS BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMITS - HOUSTON HALL, FRIDAY, JANUARY 26, 1979, AND STUDENT CENTER CAFETERIA, THURSDAY, FEBRUARY 8, 1979 (1ST & 2ND PERMITS)

A hearing was held after proper posting of property on the applications by Mesa College for 3.2% Beer Special Events Permits for Friday, January 26, 1979, from 8:00 p.m. to midnight, in Houston Hall, and for Thursday, February 8, 1979, from 8:00 p.m. to midnight in the Student Center Cafeteria. Karen Alley, Vice President of Campus Affairs, Mesa College, was present at the hearing to enlarge on both applications.

Police Department Report: No. 3.2 beer will be served prior to 8:00 p.m. nor after 11:40 p.m. on January 26 and February 8, 1979. All those entering the authorized areas will have their identification checked to verify a minimum age of 18. Consumption of beverages will not be allowed off the authorized premises. Four (4) special duty officers will be requested from the City of Grand Junction to serve as supervising authorities. Additional college personnel will also be in attendance to help supervise both events.

Moved by Councilman Kozisek: That the applications by Mesa College for 3.2% Beer Special Event Permits be approved for Friday, January 26, 1979, 8:00 p.m. to midnight in Houston Hall, and Thursday, February 8, 1979, from 8:00 p.m. to midnight in the Student Center Cafeteria. Seconded by Councilwoman Quimby.

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

NOES: HOLMES, O'DWYER.

HEARING - CHANGE IN BUILDING PERMIT AND DEVELOPMENT PROPOSAL FEES  
- PROPOSED ORDINANCE

Conni McDonough, Director of Development Department, reviewed the recommended changes to the existing fees charged by the City for development proposal applications and building permit applications which were adopted in 1974.

Dick Hollinger, Chief Building Inspector, reviewed the Building Code fees, the Plumbing Code fees, the Mechanical Code fees, and Electrical fees.

Mr. Doug Muth, 664 29-1/2 Road, a local builder, and Mr. Harold Dawson, 2873 Unawoop, builder at Spring Valley, were present to question Mr. Hollinger regarding fees.

Moved by Councilman Brown: That the development fees be tabled to the next meeting of Council for figures on actual costs of other City departments. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

The following entitled proposed ordinance was read by title only: AN ORDINANCE CHANGING THE BUILDING CODE FEES, THE PLUMBING CODE FEES, THE MECHANICAL CODE FEES, AND ELECTRICAL FEES. Moved by Councilman Kozisek: That the proposed ordinance be passed for publication. Councilman Brown seconded the motion.

Vote: Unanimous.

The following Resolution was presented and read:

RESOLUTION OF DECISION REGARDING APPLICATION BY ARCTIC CIRCLE FOR  
DRIVE-UP WINDOW AT 709 NORTH AVENUE - DENIED

RESOLUTION

OF DECISION ON APPLICATION FOR A CONDITIONAL USE BY ARCTIC CIRCLE.

This application by Arctic Circle for a conditional use permitting a drive-up window at the business at 709 North Avenue in Grand Junction came on for hearing before the City Council on the 20th day of December, 1978, and the Council having considered the evidence presented at that hearing.

FINDS:

1. That the hearing was properly held after due notice thereof.
2. The Grand Junction Planning Commission had approved the

granting of the conditional use.

3. The Arctic Circle has operated for a long period of years without the drive-up facility as a part of that operation and no apparent community need for the use at this location was presented in evidence.

4. The location of the operation is on one of the busiest intersections within the City and the proposed use would add to the congestion at and within the intersection at periods of the most heavy use of the streets and the intersection.

5. The location and the proposal require alley usage to a level generally associated with street traffic, putting a burden on the alleys which they are not designed to handle.

6. For the reasons stated the granting of the conditional use would not be in the best interest of the public peace, health and safety.

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

That the application of the Arctic Circle for a conditional use for a drive-up window operation be denied.

PASSED and ADOPTED this 3rd day of January, 1979.

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President of the Council

Attest:

\_\_\_\_\_  
Deputy City Clerk

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

Roll call vote: AYES: Unanimous.

HEARING - PROPOSED OUTLINE DEVELOPMENT PLAN FOR PD-8, SPRING VALLEY TOWNHOUSES, NW CORNER OF PATTERSON ROAD AND 28 ROAD - PETITIONER: BEN CARNES

A hearing was held after proper notice. Mr. Paul Barru, representing petitioner, was present raising the issue of who should be responsible for streets that are internal in a rental project such as the above captioned. No opponents, no letters, or counter petitions.

Moved by Councilman O'Dwyer: That the proposed outline development

plan for PD-8, Spring Valley Townhouses, northwest corner of Patterson Road and 28 Road, be approved subject to the conditions of the Planning Commission, and with the stipulation that the internal streets, regardless of ownership, conform with all City Street Specifications. Seconded by Councilman Dunn.

Vote: Unanimous.

HEARING - PRELIMINARY PLAN - THE FALLS PD8 ZONE, BETWEEN 28-  
;frac;1/4 ROAD AND 28-1/2 ROAD, S OF PATTERSON ROAD PETITIONER:  
BOB GERLOFS

A hearing was held after proper notice. Mr. Tom Logue representing petitioner, was present. No opponents, no letters, or courter petitions. Moved by Councilman Holmes: That the developer be directed as the preliminary plan for The Falls PD8 Zone, that Council is not satisfied with the lack of parking facilities throughout the development, that it be tabled for review and brought back to Council for further consideration. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

Councilman Kozisek requested that the City departments be given an opportunity to review this preliminary plan pertaining to parking and street specifications.

- (1) Fire Department: addressing narrow streets, emergency accessibility;
- (2) Police Department: addressing potential problems or non-existent problems from a parking enforcement standpoint;
- (3) Sanitation Department: addressing trash pick-up, leaf pick-up, etc., in its ability to move large vehicles through such confined areas.

HEARING - FINAL PLAT PETERSON MINOR SUBDIVISION, E SIDE OF 27-1/2  
ROAD, ORCHARD MESA, APPROXIMATELY 500 FEET S OF UNAWEEP -  
PETITIONER: MR. AND MRS. LEE PETERSON

A hearing was held after proper notice. Mr. Tom Logue representing petitioner, was present. No opponents, no letters, or counter petitions. Moved by Councilman Dunn: That the Final Plat of Peterson Minor Subdivision be approved subject to the conditions of the Planning Commission.

Vote: Unanimous.

ORDINANCE NO. 1790 - REZONE FROM R-1-C TO C-1, PROPERTY LOCATED S  
OF E-1/4 ROAD, E OF 28-1/2 ROAD

Proof of Publication to 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. Moved by Councilman O'Dwyer: That the Proof of Publication be accepted for filing. Seconded by Councilman Holmes.

Vote: Unanimous.

Moved by Councilman Holmes: That the proposed ordinance be called up for final passage and read. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

The Ordinance was read. No comments. Moved by Councilman O'Dwyer: That the ordinance be passed, adopted, numbered 1790, and ordered published. Seconded by Councilman Kozisek.

Roll call vote: AYES: Unanimous.

ORDINANCE NO. 1791 - ALLEY VACATION S OF BUNTING, W OF 23RD STREET

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

Vote: Unanimous.

Moved by Councilman Holmes: That the proposed ordinance be called up for final passage and read. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

The Ordinance was read. No comments. Moved by Councilman Holmes: That the ordinance be passed, adopted, numbered 1791, and ordered published. Seconded by Councilman Kozisek.

Roll call vote: AYES: Unanimous.

ORDINANCE NO. 1792 - ZONING NELSON-STEWART ANNEXATION PD-8, PD-B, R-1-A

Proof of Publication to 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 ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Moved by Councilman Kozisek: That the Proof of Publication be accepted for filing. Seconded by Councilman Holmes.

Vote: Unanimous.

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

Vote: Unanimous.



The Ordinance was read. No comments. Moved by Councilman Kozisek: That the ordinance be passed, adopted, numbered 1792, and ordered published. Seconded by Councilman Holmes.

Roll call vote: AYES: Unanimous.

ORDINANCE NO. 1793 - ZONING WALT ANNEXATION PD-8

Proof of Publication to 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 ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Moved by Councilman Holmes: That the Proof of Publication be accepted for filing. Seconded by Councilman Kozisek.

Vote: Unanimous.

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

Vote: Unanimous.

The Ordinance was read. No comments. Moved by Councilman Holmes: That the ordinance be passed, adopted, numbered 1793, and ordered published. Seconded by Councilman Brown.

Roll call vote: AYES: Unanimous.

PETITION FOR POMONA SCHOOL ANNEXATION - RESOLUTION GIVING NOTICE OF HEARING

The petition for Pomona School Annexation was presented and accepted for filing. The following Resolution was presented and read.

RESOLUTION

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

The Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 1 West, Ute Meridian, and the West Half of the Northwest Quarter of the Northeast Quarter of said Section 10 and the West Half of the Southwest Quarter of the Southeast Quarter of Section 3, Township 1 South, Range 1 West, Ute Meridian; also right of way for 25-1/2 Road West of foregoing tracts,

has been submitted to the City Council of the City of Grand Junction; and

WHEREAS, said petition substantially complies with the requirements of 31-8-107, Colorado Revised Statutes, 1973, as

amended:

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 104 and 105 of said 31-8 of the Colorado Revised Statutes, 1973, will be held on February 7, 1979, in the City Council Chambers at City Hall at 7:30 o'clock p.m. and that Notice of such hearing be given as required by law.

PASSED and ADOPTED this 3rd day of January, 1979.

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President of the Council

Attest:

\_\_\_\_\_  
Deputy City Clerk

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

Roll call vote: AYES: Unanimous.

ENGINEERING CONTRACT - STUDY OF INTERIM SEWER PLANT AND RIVER ROAD INTERCEPTOR

Utilities Director Jim Patterson reviewed the proposed Engineering Contract with HDR for a Study of Interim Sewer Plant and River Road Interceptor. City Manager Wysocki stated that he spoke with Ted Ford, County Commissioner, and Mr. Ford felt there would be no problem with the County Commissioners signing this Agreement also. Moved by Councilman Brown: That the Engineering Contract with HDR for a Study of Interim Sewer Plant and River Road Interceptor be approved, and authorize the City Manager to sign said Agreement, contingent upon it being signed by the Mesa County Commissioners. Seconded by Councilman Kozisek.

Vote: Unanimous.

EMPLOYEES SUPPLEMENTAL RETIREMENT, REVISED PLAN - RESOLUTION

The following Resolution was presented and read:

RESOLUTION

ADOPTING CITY OF GRAND JUNCTION, COLORADO EMPLOYEES RETIREMENT PLAN.

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

That the Retirement Plan designated as City of Grand Junction, Colorado Employees Retirement Plan involving Pacific Mutual Life Insurance Company is hereby approved as the City's supplemental retirement plan until further order of the Council.

PASSED and ADOPTED this 3rd day of January, 1979.

\_\_\_\_\_  
President of the Council

Attest:

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Deputy City Clerk

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

Roll call vote: AYES: QUIMBY, KOZISEK, DUNN, O'DWYER, BROWN, JOHNSON

NOES: HOLMES.

EASEMENT AGREEMENT AND HEADGATE INSTALLATION AGREEMENT BETWEEN CITY AND GRAND VALLEY IRRIGATION COMPANY ON CLIFTON WATER TRANSMISSION LINE APPROVED AND CITY MANAGER AUTHORIZED TO SIGN SAID AGREEMENTS

Moved by Councilman Brown: to approve the Easement Agreement between City and Grand Valley Irrigation Company on Clifton Water Transmission Line and Headgate Installation Agreement between City and Grand Valley Irrigation Company on Clifton Water Transmission Line, and authorize City Manager to sign said Agreements. Seconded by Councilman Kozisek.

Vote: Unanimous.

STATUS OF CROWN LIQUOR CHANGE OF OWNERSHIP, 2851 1/2 NORTH AVENUE

Mr. Warren Reams, attorney representing Mary Ann Benetti, appeared before Council at the recommendation of State Liquor Enforcement Officer Stanley Mena. He spoke regarding Dale Mitchell, applicant for Change of Ownership affecting Crown Liquors, 2851 1/2 North Avenue. He wished to apprise Council of the Management Agreement under which Mr. Mitchell will be operating effective January 5, 1979, during the interim period until Council consideration which is scheduled to take place on January 17, 1979.

SEWER REPLACEMENT PROJECT AWARDED CONE CONSTRUCTION - \$49,090

It was recommended by Duane Jensen that Council award the contract

for Sewer Replacement Project in the amount of \$27,770 to Cone Construction and authorize the City Manager to sign said Contract, and also authorize City Manager to sign Change Order No. 1 in the amount of \$21,320. Moved by Councilman Brown: That the Contract for Sewer Replacement Project in the amount of \$27,770 be awarded Cone Construction and authorized the City Manager to sign said Contract, and Change Order No. 1 in the amount of \$21,320. Seconded by Councilwoman Quimby.

Vote: Unanimous.

#### MISCELLANEOUS

##### Vacancies on State Boards and Commissions

Councilwoman Quimby reported that there are a number of vacancies occurring on State Boards and Commissions between January and July of 1979 - Air Pollution Control, State Board of Health, State Highway Commission, Water Quality Control. they are all Governor appointments.

##### Harvey M. Rose

Mrs. Quimby also reported that she received communication from Harvey M. Rose during the Christmas season, and informed Council that Mr. Rose is now Business Manager for the Medical School at the University of Miami.

##### City Directory of City Employees

Mrs. Quimby questioned whether there are any plans to update the City Directory and Departments. It was recommended that individual sheets be updated.

##### Legislative Sessions in Denver

Councilwoman Quimby will be attending Legislative Sessions in Denver, and requested input on various bills. Mr. Kozisek stated there are approximately 1500 bills to be considered. He felt that Council should scrutinize those bills to see which will affect the City of Grand Junction, take a stand and let legislators know Council's feeling on any subject. Mr. Kozisek felt 1979 may be a critical year.

##### Lack of Concern for the Public

Mr. Holmes noted some problems within some of the departments where he felt there was room for improvement in the manner in which the following items were taken care of:

(1) A police officer stopped a citizen at the intersection of North and 7th Street showing lack of concern for the public;

(2) A traffic light was out at the intersection of 5th and Main

Streets for approximately 3 to 4 hours. Mr. Holmes felt the length of time the light was out was a lack of concern for the public, and also a real hazard.

(3) The Utilities Companies (Public Service and Mountain Bell) interfering with traffic with cones, and hoses during the peak traffic hours and on main arteries of the City.

#### Synchronization of Signals

Mr. O'Dwyer questioned how long it would take to synchronize the signals on North Avenue. Jim Patterson stated this could not be accomplished at the control box. Charles Teed reported that synchronization of North Avenue will begin on January 16, 1979, and may take only a couple of days.

#### Airport Authority

Councilman Brown stated that the Airport Authority has voted to contribute \$2500 to the City Attorney's operation.

#### Sidewalks

Councilman Dunn spoke of concern about the condition of many sidewalks within the City as a result of recent snows. He felt something should be done to see that the walks are kept shoveled or swept clear for safety reasons.

#### RECESS MEETING TO TUESDAY, JANUARY 9, 1979, 7:00 P.M.

Moved by Councilman Brown: That this meeting be recessed to Tuesday, January 9, 1979, at 7:00 p.m. Seconded by Councilman O'Dwyer.

Vote: Unanimous.

Teddy Martinez

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Teddy Martinez  
Deputy City Clerk