

Grand Junction, Colorado

August 15, 1979

The City Council of the City of Grand Junction, Colorado, convened in regular session the 15th day of August, 1979, at 7:30 p.m. in Council Chambers at City Hall. Those present were Council members Louis Brach, Frank Dunn, Dale Hollingsworth, Robert Holmes, Karl Johnson, Bill O'Dwyer, and Jane Quimby, a quorum. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Quimby called the meeting to order.

PLEDGE OF ALLEGIANCE

INVOCATION

Reverend T. J. Franklin

MINUTES

Upon motion by Councilman Dunn, seconded by Councilman O'Dwyer and carried, the minutes of the regular meeting August 1, 1979, were approved as submitted.

GRAND JUNCTION SOCCER CLUB PRESENTS \$2000 TO HELP PROMOTE SOCCER

Ted Straughan, representing the Grand Junction Soccer Club, presented a \$2000 check to help promote soccer in Grand Junction.

CONSENT AGENDA

Planning Commission (Subject to conditions of Planning Commission)

Recommended by Planning Commission for approval:

1. Hearing - Petition for rezone from R-1-C to PR and Preliminary Development Plan, Wellington Condominiums.

The following entitled proposed ordinance was read: 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 OF CERTAIN LANDS WITHIN THE CITY.

2. Hearing - Conditional Use Revision for Addition to El Escondido Restaurant at 509 28 1/2 Road.

3. Hearing - Conditional Use to Permit Colorado Rural Legal Services Office in R-3 Zone at 858 Grand Avenue.

4. Hearing - Conditional Use to Permit Medical Clinic in R-3 Zone, NE Corner Little Bookcliff Drive and Wellington Avenue.

5. Hearing - Little Bookcliff Subdivision Final Plat, E of Little Bookcliff Drive, S of Grand Valley Canal, N of Bookcliff Avenue. 8.34 Acres. 4 Lots in R-3 Multi-Family Residential.

6. Hearing - Brawley Subdivision Final Plat, NE Corner 28 1/2 Road and I-70 Business Loop. 3.10 Acres. 5 Lots in Industrial zone.

7. Hearing - Road Vacation - Knollwood Lane. Vacating portions of unused cul-de-sac approximately 200 feet N of Ridgewood Street.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A ROADWAY WITHIN THE CITY OF GRAND JUNCTION.

Moved by Councilman Johnson: That all items on consent agenda be approved and that the proposed ordinances be passed for publication. Seconded by Councilman Brach.

Vote: AYES: Unanimous.

3.2% BEER - APPLICATION BY GILLIN'S COMPANY, INC., FOR LICENSE AT 1230 NORTH 12TH STREET, MR. G'S PLACE

Considered was the application by Gillin's Company, Inc., for a 3.2% beer license at 1230 North 12th Street under the trade name of Mr. G's Place. The Fire Department report stated that 7 items listed on June 29 have not been corrected. A letter from William Kane, Attorney representing the Rocky Mountain Game & Entertainment Corporation who are the present owners of the license, stated that all corrections listed in the June 29 report will be accomplished on or before August 25, 1979.

Applicants were present.

Moved by Councilman Johnson: That the application by Gillin's Company, Inc., for 3.2% beer license be approved and that the license issue when the State license has been received subject to a letter from the Fire Department that the 7 items listed June 29 for correction have been completed. Seconded by Councilman Hollingsworth.

Vote: AYES: HOLLINGSWORTH, JOHNSON, DUNN, BRACH, QUIMBY,

NOES: HOLMES, O'DWYER.

HEARING - ID. ST-79 - RESOLUTION CREATING DISTRICT

This date was advertised for hearing upon the creation of I.D. ST-79.

Appearing in opposition to paving the alley, 8th to 9th Street between Hill and Teller:

The City Manager reported that this petition was altered by writing the requirement for speed bumps and it is not known when

this was written in.

Louis P. Mendicelli, 814 Hill Avenue  
Opal Northrup, 804 Hill Avenue

The following questioned type of street and costs:

Maple Court: Ken Hainer, 1605 Maple Court

Melody Lane, N from North Avenue: Wayne Beeds, 414 Stoneridge Court

Patterson Road, 7th to Mira Vista: Harold Boyles, Dr. Robert Orr also representing Dr. Gilmore and read letter from Dr. Patterson.

No objections to improvements on Patterson, only to the design of the raised concrete medians between 7th and Mira Vista. Doctor Orr believes strongly that improvements need to extend to First Street.

Moved by Councilman Johnson: That the alley from 8th to 9th between Hill and Teller be deleted from the District, to be reconsidered at a later date. Seconded by Councilman O'Dwyer.

Vote: AYES: Unanimous.

Moved by Councilman Brach: That Maple Court remain in the District. Seconded by Councilman Dunn.

Vote: AYES: Unanimous.

Moved by Councilman Johnson: That the two inner concrete medians be deleted from the Patterson Road project between 7th and Mira Vista with the understanding that if major hazards develop, the medians will be put in. Seconded by Councilman Hollingsworth.

Vote: AYES: Unanimous.

The amended Resolution Creating the District was read:

#### RESOLUTION

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. ST-79, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO; AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS, SIDEWALKS AND PAVING ON STREETS THEREIN AND PROVIDED FOR THE PAYMENT THEREOF.

WHEREAS, on July 5, 1979, the City Council of the City of Grand Junction, Colorado, passed a Resolution Adopting Details, Plans and Specifications for Improvement District No. ST-79, and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice of Intention to Create said District was duly published; and

WHEREAS, written complaints or objections have been made concerning only the alley from 8th to 9th Street between Teller and Hill and Patterson Road from Mira Vista to 7th Street;

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

1. That said Improvement District No. ST-79, be and the same is hereby created and established; and that construction of curbs and gutters, sidewalks and paving of streets therein be and the same are hereby authorized and directed, in accordance with the Resolution Adopting Details, Plans and Specifications prepared and filed therefor, except that the alley from 8th to 9th Streets between Teller and Hill and the two middle medians on the Patterson Road - Mira Vista to 7th Street project are deleted from the District.

2. That the construction of curbs and gutters, sidewalks and paving of streets shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment.

3. That the improvements in said District were duly ordered, after notice duly given; and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the curbs and gutters, sidewalks and paving of streets to be constructed, the boundaries of said Improvement District No. ST-79, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 5th day of July, 1979, and in accordance with the published Notice of Intention to Create said District, except as to the aforementioned deletions, and except that Maple Court south from West Mesa and Melody Lane north from North Avenue are to be included in the District at full cost, and except savings may have been effected in the construction bids accepted.

5. That after the construction of said improvements in said District has been let, the Council shall, by resolution, provide for the issuance of public improvement bonds for said Improvement District No. ST-79, for the purpose of paying the cost and expenses of construction of said District.

PASSED and ADOPTED this 15th day of August, 1979.

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

Attest:

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

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

Roll Call vote: AYES: Unanimous.

BIDS - AWARD OF CONTRACT - ID ST-79 - CORN CONSTRUCTION  
\$640,448.90

On Monday, August 13, 1979, two bids were received and opened for I.D. ST-79.

Elam Construction, Inc. \$656,377.25  
Corn Construction, Inc. \$640,448.90  
Engineer's Estimate \$548,872.72

Staff recommended award of contract to Corn Construction for its apparent low bid.

Moved by Councilman Johnson: That the bids be accepted and that the I.D. ST-79 construction contract be awarded Corn Construction Company for its low bid of \$640,448.90. Seconded by Councilman Dunn.

Vote: AYES: Unanimous.

HEARING - CONDITIONAL USE - LIQUOR LICENSE TO BE LOCATED AT 623  
MAIN STREET FOR TALLEY'S BAR-B-QUE & BISCUIT FACTORY IN A B-3 ZONE

A hearing on this item was held after proper notice. Elizabeth Talley, petitioner, was present.

Moved by Councilman Johnson: That the petition for conditional use to permit a liquor license at Talley's Bar-B-Que & Biscuit Factory, 623 Main Street, be approved subject to the conditions of the Planning Commission. Seconded by Councilman Hollingsworth.

Vote: AYES: HOLLINGSWORTH, JOHNSON, DUNN, BRACH, QUIMBY,

NOES: HOLMES, O'DWYER.

HEARING - POLICY STATEMENTS FOR DRIVE-UP WINDOWS IN GRAND JUNCTION

A hearing was held on this item after proper notice. The following statements were read:

PROPOSED POLICY STATEMENTS FOR DRIVE-UP WINDOWS IN GRAND JUNCTION

1. A drive-up window's vehicular traffic pattern should not conflict with other vehicular and pedestrian traffic (For example, sit-down restaurant traffic.) This includes control of the speed of the traffic, as well as the flow.
2. Drive-up facilities should not require traffic to travel completely around the facility and egress at the point of ingress.
3. The area between the front of the building and the street should consist of a buffer area.
4. Drive cuts in proximity to major intersections should not be permitted if they are deemed hazardous.
5. Traffic circulation should be designed to prevent undue traffic burdens at median breaks or intersections (U-turns, etc.).
6. Concentration of drive-up facilities should be discouraged with the impact on adjacent uses - especially in regard to residential areas - considered for each use on a case-by-case basis.

Harold Boyles questioned whether observations concerning the traffic hazards at some of the drive-ins on North Avenue were taken in formulating this statement. No other comments, no letters, no counterpetitions.

Moved by Councilman Brach: That with the change in wording item 3, the policy statement as amended for drive-up windows in Grand Junction be adopted. Seconded by Councilman Dunn.

Vote: AYES: Unanimous.

HEARING - CONDITIONAL USE FOR DAY CARE PRESCHOOL, W SIDE OF 29 ROAD, APPROX 70 FEET N OF TEXAS AVENUE - RESOLUTION OF DECISION ON SEPTEMBER 5, 1979

A hearing on this item was held after proper notice. The Planning Commission recommended denial of this petition by Lee and Joan Fetters. Petitioners were not present.

Opponents present were:

Mamie Bean, 539 29 Road  
Alice Buchner, 541 29 Road

A Resolution of Findings and Decision is scheduled September 5, 1979.

HEARING - PETITION TO REZONE FROM C AND R-1-C TO PR, AND FINAL

PLAN FOR C.D.K. APARTMENTS SUBDIVISION (MINOR) ON E SIDE HARRIS ROAD, 274 FT S OF NORTH AVENUE REFERRED BACK TO PLANNING COMMISSION FOR RECONSIDERATION

A hearing on this item was held after proper notice. The Planning Commission recommended denial. Major consideration was Harris Road and existing right of way.

Tom Logue, Paragon Engineering, was present representing the petitioner. Additional right of way has been found since the Planning Commission hearing.

No opponents, no letters, no counterpetitions.

Moved by Councilman Johnson: That the petition to rezone and the final plan for C.D.K. Apartments Subdivision (minor) be returned to the Planning Commission for reconsideration in view of the new information regarding right of way. Seconded by Councilman Hollingsworth.

Vote: AYES: Unanimous.

Councilman O'Dwyer discussed the 15 feet of right of way to be given by AMPCO. Suggested that the giving of 15 feet may require cars waiting to be serviced to be parked on the street. Suggested this be investigated.

The President declared a five-minute recess. Upon reconvening all seven Council members were present.

FINAL PASSAGE OF ORDINANCE VACATING EASEMENT BETWEEN SOUTH AVENUE AND FIRST STREET - DRGW POSTPONED

The Proof of Publication to the following entitled proposed ordinance presented: AN ORDINANCE VACATING AN EASEMENT IN THE CITY. Moved by Councilman Johnson: That the Proof of Publication be accepted for filing. Seconded by Councilman Hollingsworth.

Vote: AYES: Unanimous.

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

Vote: AYES: Unanimous.

The Ordinance was read. Sam Haupt stated that the cost to make the improvements in the public right of way is more than they want to accept right now unless it can be put into an improvement district. Mr. Haupt is to get a permanent easement from the Railroad and get an agreement from the railroad to sign a petition for improvements.

Moved by Councilman Johnson: That the final passage of the ordinance vacating the easement be postponed until the appropriate

documents are presented. Seconded by Councilman Dunn.

Vote: AYES: Unanimous.

RESOLUTION ESTABLISHING POLICY AS TO CITY REPRESENTATION ON THE BOARD OF WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY, WITH SUGGESTED PROPOSALS

The following Resolution was read:

RESOLUTION

ESTABLISHING POLICY AS TO THE CITY REPRESENTATION ON THE BOARD OF THE WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY, WITH SUGGESTED PROPOSALS.

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

That Walker Field is vital to the economic well-being of the City of Grand Junction and the County of Mesa and every possible effort should be explored toward a modernization program for the airport; and, to facilitate and aid in the achieving of that end, the following is established as the policy of the Council:

1. The Airport Authority members are not elected to the Board by the citizens of Grand Junction but are appointed by the Grand Junction City Council to serve at their approval.
2. Members of the City Council serving on the Airport Authority Board should submit regular reports of the Authority's activities. Major actions by the Council members serving on the Board should be in conformity with the majority opinion of the Council members.
3. Although the major emphasis of the Airport Authority and the public has focused on the new terminal need, there is also a need for financing and construction for a runway, taxiway, approach roads, beautification, airport land acquisition and parking. Every financing avenue should be explored.
4. Any Airport Authority by-law change proposal should be discussed thoroughly by the City Council and that discussion should guide the City Council members on the Airport Authority.

PASSED and ADOPTED this 15th day of August, 1979.

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

Attest:

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



After City Attorney Ashby clarified a point for Councilman Holmes, it was moved by Councilman Hollingsworth: That the Resolution be passed and adopted as read. Seconded by Councilman Brach.

Roll call vote: AYES: JOHNSON, DUNN, O'DWYER, BRACH, HOLLINGSWORTH, QUIMBY,

NOES: HOLMES.

#### AGREEMENT WITH REDLANDS WATER AND POWER RATIFIED

Moved by Councilman Johnson: That the Agreement with Redlands Water and Power Company be ratified. Seconded by Councilman Hollingsworth.

Vote: AYES: HOLMES, HOLLINGSWORTH, JOHNSON, DUNN, O'DWYER, QUIMBY,

ABSTAINING: BRACH.

#### CONTRACT WITH VEATCH & BLACK - CITY SHOPS COMPLEX

Moved by Councilman Brach: That the contract with Veatch & Black for study of the City Shops Complex, fees not be exceed \$34,500 for the study, be approved. Seconded by Councilman O'Dwyer.

Vote: AYES: Unanimous.

#### ROBERT VAN HOUTEN

Former Councilman Van Houten stated that he has visited the Councils of this City for 23 years and that he has served as a member of the Council and that tonight was the first time a Council has cut off a citizen who wanted to say something. He wanted to address remarks to the Resolution on the Airport Authority, but it was not opened up for public comment.

#### MISCELLANEOUS DISCUSSION

Councilman Holmes stated the construction to the bus station is causing buses to be parked along 5th Street causing a hazard.

#### COUNCIL COMMITTEE REPORTS

##### Parking Authority and DDA

Councilman Johnson filed a report about the activities of DDA and the Parking Authority. They have authorized petitions to be circulated for a parking district.

##### Elks Pool & COMACT Housing

Councilman Dunn filed reports on the Elks Pool and COMACT Housing.

### Two Rivers Plaza Roof, Valley Wide Sewer

Councilman O'Dwyer questioned whether the roofing of Two Rivers Plaza has been accomplished. Response was that it will be done late next month.

Councilman O'Dwyer suggested that Council address those questions left unsettled with regard to the Valley Wide Sewer; for example, ownership and operation. President Quimby said that some Council members are to meet with the County Commissioners as soon as the agreement from Englewood is received. Councilman O'Dwyer said this information should be passed on to the Valley Wide Committee and Fruita.

Rap session next Tuesday night at Two Rivers Plaza and Revenue Sharing hearing. To be confirmed is the meeting of Ute Water representatives, County Commissioners, and City Council on Wednesday the 22nd.

An Emergency Ordinance is scheduled for September 5 which requires full vote of Council.

### EDA Study

Councilman Brach reported that COG has accepted a no-match grant of \$50,000 from the Four-Corners area for an EDA Study.

### Carless Day

President Quimby reported that Channel 9 was in Grand Junction today to do a story on Grand Junction's carless day or alternate transportation day. Many inquiries are being received.

### Request Names for Planning Commission Appointment

President Quimby requested names for Planning Commission appointment.

### Planning Commission/City Council Workshop

President Quimby said the Planning Commission would like to have a workshop with City Council.

### Highway Department Hearing on Limited Access

On Monday the 27th of August in Civic Auditorium at 7:30 p.m. a hearing by the Highway Department on limited access.

### City Supervisors/City Employees Ball Game

Ron Ruskey reported that on Thursday, the 23rd of August, the City Supervisors/City Employees will be playing a ball game at 7:00 p.m. If the weather is nice, there will be swimming at 9:00 p.m. at Lincoln Park pool.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk