

Grand Junction, Colorado

December 5, 1979

The City Council of the City of Grand Junction, Colorado, convened in regular session the 5th day of December, 1979, in Council Chambers at City Hall. Those present were Council members Louis Brach, Frank Dunn, Robert Holmes, Karl Johnson, Bill O'Dwyer, Jane Quimby. Councilman Dale Hollingsworth was absent. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Quimby called the meeting to order and led the audience in the Pledge of Allegiance.

SILENT PRAYER

There was a moment of silent prayer for Councilman Dale Hollingsworth who is scheduled for surgery Thursday morning at Saint Luke's Hospital in Denver.

MINUTES

Councilman Holmes requested that the minutes henceforth list the name of the Council member who seconds motions. The Minutes of November 20, 1979, were corrected to reflect that under Ordinance No. 1849 - Increasing Sewer Rates, John Barnes, 469 N. Sherwood Drive, did not oppose the rate increase, he asked for information about the rates. Upon motion by Councilman Brach, duly seconded by Councilman Dunn and carried, the Minutes of November 20, 1979, were approved as corrected.

3.2% BEER - LICENSE RENEWAL FOR PIZZA HUT, 1440 NORTH AVENUE

Upon motion by Councilman Brach, duly seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the application by Pizza Hut, 1440 North Avenue, to renew its 3.2% beer license was approved.

LIQUOR - RESOLUTION OF FINDINGS AND DECISION REGARDING APPLICATION BY PAULINE REYES FOR HOTEL-RESTAURANT LIQUOR LICENSE AT LOS REYES RESTAURANT, 811 SO. 7TH STREET - APPROVED

The following Resolution was read:

RESOLUTION

OF DECISION ON APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE FOR LOS REYES RESTAURANT AT 811 SOUTH SEVENTH STREET, GRAND JUNCTION, COLORADO.

A public hearing having been held on November 20, 1979, on the application by Pauline Reyes for a Hotel and Restaurant Liquor License for Los Reyes Restaurant at 811 South Seventh Street,

Grand Junction, and the City Council having considered the evidence adduced at said hearing FINDS:

1. That the hearing was held after proper notice under the Liquor Code.
2. That the survey conducted by the City indicated that the needs of the neighborhood were not being met by other outlets within the neighborhood and there was a need for this outlet in that 286 persons so stated while 67 felt the needs were being met by the other outlets.
3. That no one appeared at the hearing in opposition to the granting of the license and no petitions or letters of disapproval were received by the City Council.
4. That the character of the Applicant is good as determined by a check done by the Police Department and through letters attesting to her good character.
5. That evidence supports the position that the needs of the neighborhood are not being met by other outlets of the same type and the position that the desires of the inhabitants of the neighborhood are that the license issue.

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

That a Hotel and Restaurant Liquor License issue to Pauline Reyes for Los Reyes Restaurant at 811 South Seventh Street, Grand Junction, Colorado.

PASSED and ADOPTED this 5th day of December, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Johnson, duly seconded by Councilman Brach and carried with Council members HOLMES and O'DWYER voting NO on roll call, the Resolution was passed and adopted as read.

ORDINANCE NO. 1853 - ZONING MESA MALL ANNEXATION H.O. (HIGHWAY ORIENTED)

Upon motion by Councilman Johnson, duly seconded by Councilman O'Dwyer and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: 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.

Upon motion by Councilman O'Dwyer, duly seconded by Councilman Johnson and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Brach, duly seconded by Councilman Dunn and carried on roll call vote the Ordinance was passed, adopted, numbered 1853, and ordered published.

ORDINANCE NO. 1854 - INCREASING WATER RATES

Upon motion by Councilman O'Dwyer, duly seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE CONCERNING CHARGES FOR THE USE OF WATER WITHIN THE CITY OF GRAND JUNCTION AND INCREASING THE SAME.

Upon motion by Councilman Johnson, duly seconded by Councilman O'Dwyer and carried with Councilman HOLMES voting NO, the proposed ordinance was called up for final passage and read.

Kirk Rider, 1050 Gunnison, and Dick Coakley, 150 Willowbrook Road, spoke in opposition to the rate increase. Utilities Director Jim Patterson pointed out there are no special rates for metered accounts. John Barnes, 469 N. Sherwood Drive, questioned how school and City parks are handled in accounting. Mr. Patterson said that schools presently are charged on an acreage basis. This is to change when those accounts were metered which is planned for sometime in the near future. Councilman Johnson explained that each City Department has a line item in their budget to transfer money to the water account for the water they use. Councilman O'Dwyer commented that several City parks have been put onto irrigation water just recently, some during the '77 drought. Also, the City is looking at watering the cemeteries with untreated water, but this will require an expenditure to bring the water down from the treatment plant in a by-pass arrangement. The City is still looking at Lincoln Park and a possible expenditure to bring in Grand Valley irrigation water for irrigation purposes.

Councilman Holmes expressed concern over the sales tax. He felt the opportunity to repeal the sales tax should be given to the people so they can be given a share in the decision-making process.

Upon motion by Councilman Johnson, duly seconded by Councilman O'Dwyer and carried with Councilman HOLMES voting NO on roll call, the Ordinance was passed, adopted, numbered 1854, and ordered published.

APPROPRIATIONS ORDINANCE

The changes to the appropriations ordinance were reviewed. There were no public comments. The appropriations ordinance was tabled until December 19, 1979.

RESOLUTION INCREASING WATER TAP FEES - APPROVED

The following Resolution was read:

RESOLUTION

INCREASING WATER TAP FEES.

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

That the fees to be charged for tapping onto the water system of the City of Grand Junction in accordance with the provisions of Section 26 of Chapter 31 of the Code of Ordinances of the City of Grand Junction shall be as follows:

<u>Tap Size</u>	<u>Fee</u>
5/8 " & 3/4 "	\$ 300.00
1 "	\$ 375.00
1-1/2 "	\$ 875.00
2 "	\$1,250.00
4 "	\$5,500.00
6 "	\$8,500.00

PASSED and ADOPTED this 5th day of December, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Johnson, duly seconded by Councilman Brach and carried by roll call vote, the Resolution was passed and adopted as read.

MESA MALL #2 ANNEXATION - PETITION - RESOLUTION - PROPOSED ORDINANCE

The petition for Mesa Mall #2 Annexation was accepted for filing. The following Resolution was read:

RESOLUTION

WHEREAS, on the 5th day of December, 1979, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at a point on the south right-of-way line of F Road which bears N 0° 06' 21" E 980.02 feet and N 89° 59' 40" E 597.20 feet from the SW Corner of Section 4, T1S, R1W of the Ute Meridian; thence S 0° 00' 20" E 25.0 feet; thence along the arc of a 505 foot radius curve to the left 29.22 feet (the chord of which bears S 1° 39' 46" E 29.21 feet); thence S 62° 10' W 181.86 feet; thence along the arc of a 255 foot radius curve to the left 232.17 feet (the chord of which bears S 36° 05' 00" W 224.24 feet); thence S 10° 00' 00" W 198.55 feet; thence along the arc of a 255 foot radius curve to the left 221.34 feet (the chord of which bears S 14° 52' 00" E 214.46 feet); thence S 39° 44' 00" E 528.21 feet; thence along the arc of a 405 foot radius curve to the left 81.52 feet (the chord of which bears S 45° 30' 00" E 81.39 feet); thence S 51° 16' 00" E 307.91 feet; thence along the arc of a 550 foot radius curve to the right 60.16 feet (the chord of which bears S 48° 08' 00" E 60.13); thence S 45° 00' 00" E 191.36 feet; thence along the arc of a 455 foot radius curve to the left 32.03 feet (the chord of which bears S 47° 00' 59" E 32.02 feet); thence N 45° 00' 00" E 338.71 feet; thence along the arc of a 120 foot radius curve to the left 73.30 feet (the chord of which bears N 27° 30' 00" E 72.17 feet); thence N 10° 00' 00" E 91.46 feet; thence along the arc of a 120 foot radius curve to the left 188.50 feet (the chord of which bears N 35° 00' 00" W 169.71 feet); thence N 80° 00' 00" W 95.84 feet; thence along the arc of a 168 foot radius curve to the right 63.91 feet (the chord of which bears N 69° 06' 05" W 63.53 feet); thence N 58° 12' 11" W 114.61

feet; thence N 10° 00' 00" E 36.44 feet; thence N 80° 00' 00" W 541.33 feet; thence N 10° 00' 00" E 338.82 feet; thence along the arc of a 230 foot radius curve to the right 135.05 feet (the chord of which bears N 26° 49' 17" E 133.12 feet); thence along the arc of a 30 foot radius curve to the left 40.37 feet (the chord of which bears N 5° 05' 16" E 37.40 feet); thence N 33° 28' 02" W 28.44 feet; thence along the arc of a 500 foot radius curve to the right 292.01 feet (the chord of which bears N 16° 44' 11" W 287.88 feet); thence N 0° 00' 20" W 25.00 feet; thence S 89° 59' 40" W 5.00 feet to the point of beginning.

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the owner of one hundred percent of the property has petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of December, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman O'Dwyer, duly seconded by Councilman Brach and carried by roll call vote, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman O'Dwyer, duly seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

REA ANNEXATION, 28 ROAD AND GRAND AVENUE - PETITION - RESOLUTION - PROPOSED ORDINANCE

The petition for REA Annexation was accepted for filing. The following Resolution was read.

RESOLUTION

WHEREAS, on the 5th day of December, 1979, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 18; thence South $0^{\circ} 5' W$ along the west line of said southwest quarter of Section 18, a distance of 290.6 feet to the northwest corner of land conveyed to the State Highway Commission of Colorado by deed, dated September 28, 1954; thence N $72^{\circ} 52' E$ along a northwesterly line of said Highway land 272.3 feet; thence North $0^{\circ} 05' E$, 209.9 feet to a point in the north line of said southwest quarter of Section 18; thence North $89^{\circ} 54' W$ along the North line of said southwest quarter of Section 18, a distance of 260.0 feet to the point of beginning.

Commencing at said northwest corner of the southwest quarter of Section 18; thence South $89^{\circ} 54' E$ along said N line of the southwest quarter of Section 18, a distance of 260 feet to the point of beginning; thence S $89^{\circ} 54' E$ along said N line of the southwest quarter of Section 18, a distance of 336.7 feet to the most northwesterly corner of said highway land; thence S $0^{\circ} 06' W$ along a northwesterly line of said highway land, 30 feet; thence S $55^{\circ} 06' W$ along a northwesterly line of said highway land, 236.3 feet; thence South $72^{\circ} 52' W$ along a northwesterly line of said highway land, 149.8 feet; thence N $0^{\circ} 05' E$, 209.9 feet to the point of beginning.

Also Grand Avenue right of way on North.

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the owner of one hundred percent of the property has petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of December, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Brach, duly seconded by Councilman O'Dwyer and carried by roll call vote, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman Johnson, duly seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HETLAND ANNEXATION - 3100 BLOCK OF NORTH 12TH ST (EAST SIDE) -
PETITION - RESOLUTION - PROPOSED ORDINANCE

The petition for Hetland Annexation was accepted for filing. The following Resolution was read:

RESOLUTION

WHEREAS, on the 5th day of December, 1979, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Lots 53, 54, 55 and 56 in Block 15 and the W2 of the vacated road between Blocks 15 and 16 and the road adjoining Block 15 on the north thereof; AND Beginning at the NW Corner of Lot 54, thence N 30 feet, thence W 10 feet, thence S to a point 10 feet W of the SW Corner of Lot 53, thence E 10 feet, thence N to point of beginning; ALL in FAIRMOUNT SUBDIVISION, according to the recorded plat thereof AND the S 1 acre of W2NW4SW4 of Section 1, T1S, R1W, Ute Meridian, EXCEPTING from the above described tracts the following:

Beginning at a point 30 feet E and 30 feet N of the SW Corner of the NW4SW4SW4 Section 1, T1S, R1W, Ute Meridian, thence N 320 feet to the Drain Ditch, thence N 44° 30' E 50 feet, thence N 78° 10' E 147 feet, thence N 68° 25' E 103 feet, thence S 88° 05' E 201 feet, thence N 40° E 240 feet, more or less to a point 30 feet E of the NE Corner of Lot 55 of Block 15 of FAIRMOUNT SUBDIVISION,

thence S 600 feet to a point 30 feet E of the SE Corner of Lot 56 of Block 15 of FAIRMOUNT SUBDIVISION, thence W 630 feet to the point of Beginning.

ALSO road right of way for 12th Street on the West.

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the owner of one hundred percent of the property has petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of December, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Dunn, duly seconded by Councilman Holmes and carried by roll call vote, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman Holmes, duly seconded by Councilman Johnson and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - SUPPLEMENTARY APPROPRIATIONS The following entitled proposed ordinance was read: AN ORDINANCE MAKING SUPPLEMENTARY APPROPRIATIONS FOR THE CITY OF GRAND JUNCTION. Upon motion by Councilman Brach, duly seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

MED-ASSIST AGREEMENT

After review of the Med-Assist Agreement, and upon motion by

Councilman O'Dwyer, duly seconded by Councilman Holmes and carried, the Med-Assist Agreement was approved and the City Manager was authorized to sign said agreement.

COLORADO WEST COMMUNITY ACTION COUNCIL NEEDS ASSESSMENT SURVEY

Rex Critchfield of the Colorado West Community Action Council appeared before Council to report that CAC is conducting a city and county-wide needs assessment survey on a random basis late in December. The purpose of the survey is to provide planners and funders with additional data.

WALKER FIELD AIRPORT BOARD

Councilman Holmes reported that the Airport Board met yesterday with the selected team that will be involved at the air terminal.

MEETINGS

Tuesday, November 11, 1979, CML District meeting in Rifle at the Fireside Inn. December 13th and 14th long sessions.

Saturday, December 8, City Awards Dinner.

ADJOURNMENT

Upon motion by Councilman Johnson, duly seconded by Councilman O'Dwyer and carried, the meeting was adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk