

Grand Junction, Colorado

June 18, 1980

The City Council of the City of Grand Junction, Colorado, convened in regular session at 7:30 p.m. the 18th day of June, 1980, in City Council Chambers at City Hall. Those present were Council members Louis Brach, Frank Dunn, Robert Holmes, Dale Hollingsworth, 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 and led in the Pledge of Allegiance.

INVOCATION

Reverend Jim Tadlock, Friendly Bible Church.

MINUTES

Upon motion by Councilman Brach, seconded by Councilman O'Dwyer and carried unanimously, the minutes of the regular meeting May 21, 1980, and regular meeting June 4, 1980, were approved as written.

ACCEPT RESIGNATION OF SARAH SIMPSON, ARCHITECT, FROM BOARD OF ADJUSTMENT AND APPEALS

A letter of resignation from Sarah Simpson resigning from the Board of Adjustment and Appeals was read. Upon motion by Councilman Hollingsworth, seconded by Councilman O'Dwyer and carried unanimously, the resignation of Sarah Simpson was accepted.

The President of the Council requested names of licensed architects that would like to serve on the Board of Adjustment and Appeals.

3.2% BEER - APPLICATION BY JACK SOMMERS FOR 3.2% BEER LICENSE AT LINCOLN PARK GOLF CLUB HOUSE, 14TH AND GUNNISON - CHANGE OF OWNERSHIP

Upon motion by Councilman Dunn, seconded by Councilman Brach and carried with Councilman HOLMES voting NO, the application for change of ownership affecting Lincoln Park Golf Club House, 14th and Gunnison, was approved.

LIQUOR RENEWALS

Upon motion by Councilman Dunn, seconded by Councilman Brach and carried with Councilman HOLMES voting NO, the applications to renew liquor licenses were approved for the following establishments:

1. The Jolly Jug, 220 W. Grand (Retail Liquor Store).
2. Teddy's Pub Cafe & Lounge, 603 Hwy 50 South (Tavern).

HEARING - DEVELOPMENT IN H.O. ZONE - FINAL PLAN FOR CROSSROADS COLORADO WEST, 2754 COMPASS DRIVE

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the final plan for Crossroads Colorado West, 2754 Compass Drive, was approved subject to the conditions of the Planning Commission.

HEARING - DEVELOPMENT IN H.O. ZONE - FINAL PLAN FOR FRITZ WAREHOUSE, SW CORNER OF SHERMAN DRIVE AND DOROTHY AVENUE

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the final plan for Fritz Warehouse, southwest corner of Sherman Drive and Dorothy Avenue, was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - ZONING WESTERN FEDERAL SAVINGS AND LOAN ANNEXATION FROM COUNTY AFT TO CITY PB (PLANNED BUSINESS) AND PRELIMINARY PLAN, NE CORNER OF 24-1/2 ROAD AND F ROAD - APPROVED

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the Preliminary Plan for Western Federal Savings & Loan Annexation was approved.

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. Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and carried unanimously, the proposed ordinance was passed for publication.

HEARING - PLANNED DEVELOPMENT FINAL PLAN, S OF UNAWEEP, APPROX 500 FEET W OF 27 ROAD - APPROVED

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the planned development final plan south of UnawEEP, approximately 500 feet west of 27 Road, was approved subject to the conditions of the Planning Commission.

HEARING - VILLAGE FAIR SHOPPING PARK FINAL PLAN AND PLAT, SW CORNER OF 12TH AND PATTERSON

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the Village Fair Shopping Park final plan and plat at southwest corner of 12th and Patterson was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - ZONING REDDING ANNEXATION FROM COUNTY AFT TO CITY R-1-C, N OF PATTERSON ROAD, 660 FEET E OF 25-1/2 ROAD

A hearing on the above item was held after due notice. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried unanimously, the zoning of Redding Annexation from County AFT to City R-1-C was approved.

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. Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried unanimously, the proposed ordinance was passed for publication.

HEARING - LIQUOR RENEWAL - APPLICATION BY DICK WILL ENTERPRISES, LTD DBA JIM'S LIQUORS, 1560 NORTH AVENUE - CONTINUED TO JULY 2, 1980, MEETING

A hearing was held on the above item. City Attorney Ashby explained that because of the unavailability of one witness which was needed by the City, the matter must be continued to the July 2, 1980, meeting. Mr. Ashby recommended that the application for renewal of the liquor license be approved with the understanding that this will not, in any way, affect any possible action by Council that may be taken at the July 2 hearing. Council would still have the same options open to it that it would have had had the hearing been held tonight. It does give the applicant the opportunity to proceed with the renewal so that he will not be delayed on the renewal if Council determines to do something other than revoke the license.

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried with Council members HOLMES and O'DWYER voting NO, the renewal application by Dick Will Enterprises, Ltd., dba Jim's Liquors, 1560 North Avenue, to renew its retail liquor store license was approved subject to the stipulations stated by City Attorney Ashby.

HEARING - PROPOSED ORDINANCE - G & S INVESTMENTS, LTD., FINAL PLAN AND ALLEY VACATION E OF 12TH STREET BETWEEN ELM AND KENNEDY AVENUES - APPROVED

A hearing on the above item was held after due notice.

Mr. Art Ingvertsen, 1257 Elm Avenue, appeared before Council, and asked for clarification on whether tonight's hearing was on Phase 1 of the Final Plan. Karl Metzner stated that it is on Phase 1. Mr. Ingvertsen also questioned how much of the alley is to be vacated. Mr. Ingvertsen stated that he felt that when a zoning is instituted in a parcel or lot it should be the petitioner's responsibility to inform the people who are immediately affected of each step. He felt that a notice in the paper is probably effective. The zoning matter still has to come before the Council.

He stated that government should place the responsibility upon the people who are affecting a change in a given neighborhood to make sure that the adjacent residents in the neighborhood are fully informed of the proposed changes. Mr. Ingvertsen said that initially this development was presented with an ice cream parlor which turns into a 3.2% beer license to which he objects. He stated that whatever is going to be put into a planned unit development should be shown in its entirety initially so that the neighborhood, the Planning Commission, and the City Council know what is going to finally be developed as people adjacent to it may not be agreeable to the final plan. Mr. Ingvertsen also stated that he thought the entire block was being rezoned. Mr. Warner stated that on the rezone, it shows all the property owned by G & S Enterprises, but excludes Mr. Ingvertsen's property, the Jensen property, and the property directly south of them on the rezone, not on the plan. The plan shows only Phase 1. Mr. Ingvertsen said this brings up another problem. He was sure planned unit development requires X number of acres or square footage, but he asked why it should all be rezoned when they are only asking for Phase 1. Phases 2, 3, and 4 may never be resolved; consequently, the neighborhood is stuck with a planned unit development in the block that he, personally, does not agree with. Mr. Warner stated that if there is no agreement reached on any other phases of the planned unit development that the land will revert to R-3. Mr. Ingvertsen asked why, then does not the area as it now exists remain zoned as is and cover this point as the development progresses because there are some developments that never get off the ground. He thinks there should be a bond on the developer's part that he will develop, and also a limit of time for the development to take place.

Council accepted the comments and felt there was merit in Mr. Ingvertsen's comments. Councilman Johnson emphasized that the rezoning of a property is a matter of concern to Council members. He stated it forever becomes that zone until someone makes an application to change it, and that it may never be developed along those lines. He pointed out that there are dozens of examples throughout the City that Council has approved developments that has tied up property to a particular zone and nothing has been done on it for a good many years. Councilman Johnson thinks this is a point that needs to be addressed through the Planning process.

Mr. Warner stated that the outline development plan is for the whole area because the Commission and Staff want to see the whole area, therefore, the rezone is for the whole area.

Mr. Warner pointed out there is a reverter clause with PUD zoning that after hearing the property reverts back to its original zoning of development does not occur.

Councilman O'Dwyer stated that no one will take the action to revert it back to its original zoning until something like this comes along. Councilman Johnson said that it is never called to Council's attention so that it can take the proper action. The consensus was that the Development Department should keep track of these and bring them to Council.

Mr. Warner said the Staff would review any that are hanging fire right now and get them before the Planning Commission.

Mr. Doss Simpson, President of G & S Investments, Ltd., 2420 Wintergreen, advised Council that his company is ready to fly on his development. He did not want to see his project catch a lot of flack because of what has occurred with other projects. He said that he has the money and is ready to go on Phase 1 and has been waiting a month to get through the process. He stated that had he known what Mr. Ingvertsen's objection was early on in the process, he could have satisfied that concern with the fence and not have had his development of Phase 1 set back. He wants to go ahead with something.

President Quimby advised Mr. Simpson that that was not the intent of the discussion. It is simply that this project triggered some thoughts about some previous projects and that maybe there was an area that Council needed to take a look at.

Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried unanimously, the Final Plan for G & S Investments, Ltd., was approved.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING AN ALLEY WITHIN THE CITY OF GRAND JUNCTION. Upon motion by Councilman O'Dwyer, seconded by Councilman Brach and carried unanimously, the proposed ordinance was passed for publication.

ORDINANCE NO. 1898 - VACATING ANY PUBLIC WAYS INCONSISTENT WITH REPLAT OF A PORTION OF VETERANS CEMETERY

Upon motion by Councilman Johnson, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE VACATING STREETS, WALKWAYS AND PATHS IN A PORTION OF VETERANS CEMETERY.

Upon motion by Councilman Dunn, 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 Holmes, seconded by Councilman Hollingsworth and carried by roll call vote, the Ordinance was passed, adopted, numbered 1898, and ordered published.

DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion by Councilman Hollingsworth, seconded by Councilman Johnson and carried, the By-Laws of the Downtown Development Authority were approved.

Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, the previous acts of the Board and its Director were ratified.

Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried, Terry Colony and Ted Straughan were appointed to the Board, terms expiring June 30, 1984.

RESOLUTION - PROPOSED ORDINANCE - PETITION FOR LAMM ANNEXATION, N SIDE OF F ROAD, E OF 24-1/2 ROAD - APPROVED

The following petition was accepted for filing:

PETITION

WE, THE UNDERSIGNED, do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

Beginning at the SW Cor SE4SW4SE4 Section 4, T1S, R1W, Ute Meridian, thence N 190 ft, thence E 100 ft, thence S 190 ft, thence W to point of beginning, except 30 ft on S for road.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

DATE SIGNATURE ADDRESS PROPERTY DESCRIPTION			
6-12-80/s/ Franklin C. Lamm 2587 G 1/2 Road Grand Junction Colorado 81501 Beginning at the SW Cor SE4SW4SE4 Section 4, T1S, R1W, Ute Meridian, thence N 190 ft, thence E 100 ft, thence S 190 ft, thence W to point of beginning, except 30 ft on S for road.			

STATE OF COLORADO)		
) SS		
COUNTY OF MESA)		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the

person whose name it purports to be.

;sigl;
/s/ Don Warner

Subscribed and sworn to before me this 13th day of June, 1980.

Witness my hand and official seal.

/s/ Neva B. Lockhart

Notary Public

My Commission expires: 6-23-82

The following Resolution was read:

RESOLUTION

WHEREAS, on the 18th day of June, 1980, 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 SW Cor of the SE4SW4SE4 of Section 4, T1S, R1W, Ute Meridian, thence N 190 ft, thence E 100 ft, thence S 190 ft, thence W to point of beginning, except 30 ft on S for road;

and

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 18th day of June, 1980.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Brach, seconded by Councilman Johnson and carried unanimously 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 Dunn, seconded by Councilman O'Dwyer and carried, the proposed ordinance was passed for publication.

REPORT ON CITY SERVICES FACILITY BY BLACK & VEATCH

Mr. Bob Baker of Black & Veatch presented the first phase of the three-phases of the City Services Facility. He presented the schematic design of the City Service Facility, floor plan, etc. The cost estimate on Phase 1 is \$2,237,185.00.

IRB RESOLUTION (INDUSTRIAL REVENUE BOND) - APPROVED

The following Resolution was read:

RESOLUTION

OF THE COUNTY AND MUNICIPALITY DEVELOPMENT REVENUE BOND COMMITTEE CONCERNING GUIDELINES FOR REVIEW OF BOND APPLICANTS.

WHEREAS, by joint resolution the City of Grand Junction and County of Mesa have created a joint advisory committee to review the bond applicants; and,

WHEREAS, by joint resolution the City of Grand Junction and County of Mesa have expressed an interest in having a single application form developed and a standard review procedure for all businesses interested in revenue bonds regardless of the size or location of the interested business.

NOW, THEREFORE, BE IT RESOLVED that the application attached hereto as Exhibit "A" be adopted by the Committee, and, BE IT FURTHER RESOLVED that all applications be evaluated in light of the following policy and guidelines:

1. It is the policy and intent of the City of Grand Junction and County of Mesa to promote industry and develop trade or other economic activity by inducing profit or non-profit organizations to locate, expand or remain in Mesa County and to secure and maintain a balanced and stable economy.

2. All projects proposed for revenue bonding shall meet and comply with all applicable local, state and federal law and regulations.

3. All proposed projects shall be of the type which will contribute in a significant manner to the long range economic needs of the community; e.g., provide an increase in primary jobs, increase the tax income available to the City and/or County, and generate business that benefits the community.

4. All proposed projects shall meet the same financial criteria generally required by the local financial community.

5. All proposed projects shall be supported by an opinion from a duly qualified investment banker that the project is marketable and falls within the intent and meaning of the County and Municipality Development Revenue Bond Act, Section 29-3-101 et seq. CRS 1973, as amended.

PASSED and ADOPTED this 18th day of June, 1980.

/s/ J. King Clemons

Chairman, Industrial Revenue Bond Committee

EXHIBIT A

INDUSTRIAL REVENUE BOND (IRB) EVALUATION FORMAT

I. BUSINESS ENTERPRISE DATA AND INFORMATION: (if a subsidiary, provide this information for subsidiary and parent company.)

1. Name of Business Enterprise _____

2. Address _____

a. Business Headquarters _____

3. If incorporated:

a. State of Incorporation

b. Date of Incorporation

4. Business Officers

a. Chairman and Board of Directors

b. Operating Officers

c. Partners/Limited Partners

d. Other

5. Auditors

- a. Name
- b. Address
- c. Length of Service to the Firm

6. Corporate Credit Rating

- a. Dunn and Bradstreet
- b. Standard & Poors
- c. Other

II. PURPOSE OF THE PROPOSED INDUSTRIAL REVENUE BOND ISSUE

- 1. Brief Description
- 2. Economic Feasibility Analysis

III. RATIONALE FOR SEEKING PUBLIC PARTICIPATION (IRB)

- 1. Explanation
- 2. Downstream Implications and Requirements (e.g. future IRB requirements and other public incentives associated with this project.)
- 3. Other public incentives considered in lieu of IRB.

IV. FISCAL AND FINANCIAL CONSIDERATIONS

- 1. Proposed IRB Issue
 - a. Amount of the Proposed IRB Issue - Principal
 - b. Proposed Amortization Schedule
 - c. Anticipated Interest Rate
 - d. Comparable Rate for Firm's Taxable Debt Securities
 - e. Integrity of Issue - Secured (Method) or Unsecured
- 2. Operational
 - a. Review of most recent (5 years) audits and financial statements of issuing business
 - b. Corporate Structure and Subsidiaries
 - c. Summary of Corporate Securities

- i. Stocks
 - a) Preferred
 - b) Common
 - c) Current Price/Earning Ration
 - d) Summary (5 year) of dividend payments
 - e) Traded on which exchange (\$)
 - f) Most recent quote
 - g) High and Low Market Price for previous twelve months

- ii. Other Securities

- a) Long-term
- b) Short-term
- c) Types
- d) Amounts

- 3. Other Related

- a. Previous Participation in IRB Financing

- i. Location(s)

- ii. Amounts (Original Principal for each issue)

- iii. Purpose(s)

- iv. Form or current status of each issue, including outstanding balance

- v. Lease or installment purchase

- b. Security Arrangement for Each Outstanding Issue

- i. Trustee

- ii. Insurance (American Municipal Assurance Corp., Municipal Guarantee Insurance Corp.)

- iii. Bank Letters of Credit

- iv. Mortgage

- V. ANALYSIS OF PROPOSED PUBLIC IMPACTS

1. Fiscal and Financial Impacts

a. Revenue (Property Tax, Head Tax, Sales Tax, Inventory Tax, Other)

b. Public Service Requirements (public safety, streets, utility connections, zoning, transportation, etc.)

c. Summarize benefits that will accrue to the City and County

2. Employment Opportunity

a. Number of jobs anticipated to be added over the life of the project as proposed; professional, technical, skilled and unskilled.

b. Annualized payroll added to the City

c. New Jobs Created

i. Anticipated to be filled by transfers

ii. Anticipated to be filled by recruitment from within the City and County

3. Investment

a. Accompanying Business Investment

i. Amount

ii. Anticipated Scheduling

iii. Anticipated Source

a) Corporate - internal (method)

b) Financial Institutions

4. Location

a. Where will investment take place

b. Does firm own site? (If not, how held?)

c. Size of parcel

d. Zoning requirements

e. Anticipated social and environmental effects

f. Site Plan - Neighborhood Impact Explanation

5. Growth and Development

a. Related firms (suppliers or other sub-contractors) that might logically accompany the project

b. Relationship of functions (Products or services) to be performed in the project facility to existing enterprise in the City.

c. Relationship to Business Operations

i. Expansion of business operations

ii. Relocation from other area of the State or nation (where)

6. Community Involvement

a. Past History (United Way, College Scholarships, etc.)

b. Proposed Involvement in Community

Upon motion by Councilman Brach, seconded by Councilman Johnson, the Resolution was adopted and approved as read.

AIRPORT

Councilman Brach reported that a Site Plan of Walker Field Airport will be provided for Council's review in approximately 3 weeks.

INTERCEPTOR SEWER

Jim Patterson filed a report on the status of the Interceptor Sewer.

RECREATION BOARD

Councilman Dunn reported that a tour will be offered on the 19th of June of the Recreation facilities (swimming pool, tennis courts, gymnastics, supervised play park and golf course). The tour begins at 10:00 a.m. on the 19th.

ARCHITECT PORTER AND COUNTY COMMISSION CHAIRMAN RICK ENSTROM

Councilman Holmes expressed concern about the letter in Council folder this evening concerning the architect and County Commission Chairman Rick Enstrom. He asked if this will have a detrimental effect on proceeding with the airport project. Councilman Brach said that Mr. Enstrom missed the meeting when the sub-contractors met with the Airport Board for review. Mr. Enstrom went fishing that day, and Councilman Brach felt that if Mr. Enstrom was really sincere about picking the crew for the airport job, he would have attended the meeting rather than going fishing. Councilman O'Dwyer agreed with Councilman Brach's comments. Both members feel that this controversy can be resolved at the next meeting of the Airport Board.

DUST CONTROL ORDINANCE

Councilman Johnson asked what Council has imposed upon itself with the adoption of the dust control ordinance. Mr. Ashby answered that watering or graveling would be proper control.

ED VANDER TOOK - BOSS OF THE YEAR

Councilman Johnson, on behalf of the City Council, extended compliments to Ed Vander Took, Chief of Police, for being named "Boss of the Year."

LETTERS OF COMMENDATION

President Quimby read two letters from citizens in the community commending Council for its actions regarding a beer license and sidewalk repairs.

ADJOURNMENT

Upon motion duly made, seconded and carried, the meeting was adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk