

Grand Junction, Colorado

May 6, 1981

The City Council of the City of Grand Junction, Colorado, convened in regular session on the 6th day of May, 1981, in the Civic Auditorium at City Hall. Those present were Council members Louis Brach, Betsy Clark, Frank Dunn, Dale Hollingsworth, Bob Holmes, Karl Johnson, and Gary Lucero, a quorum. Upon motion by Councilman Hollingsworth, seconded by Councilman Dunn and carried, Councilman Karl Johnson was appointed Acting President of the Council. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Acting President Johnson called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Reverend Ed Jones, Grace Bible Chapel

MINUTES

Upon motion by Councilman Dunn, seconded by Councilman Brach and carried, the minutes of the regular meetings April 1, April 15, and the special meeting May 4, 1981, were approved as written.

MOMENTO OF COUNCIL'S APPRECIATION PRESENTED TO FORMER COUNCILMAN BILL O'DWYER

Acting President Johnson presented to former Councilman Bill O'Dwyer a plaque as a momento of appreciation on behalf of the citizens of the community and the Grand Junction City Council for his service for the last four years.

LIQUOR AND BEER LICENSE RENEWALS

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

1. Quincy's Bar & Grill, 609 Main Street (Tavern)
2. 7-Eleven Store, 1134 N. 12th street (3.2% Beer)
3. Harry M's, 715 Horizon Drive (Hotel-Restaurant)
4. Lincoln Park Golf Club, 14th & Gunnison (3.2% Beer)
5. Shakey's Pizza Parlor, 2560 North Avenue (3.2% Beer)

REVISED FINAL PLAN OF THE WILLIAM BUILDING AND RESOLUTION OF EXIT, NW CORNER OF 11TH STREET AND BELFORD AVENUE - APPROVED

The revised final plan of the William Building petitioned by Bernard Brodak for office buildings on the northwest corner of 11th Street and Belford Avenue was tabled after hearing on April

15, 1981, in order to permit Chris Gray, Architect for the project, and the City Engineering Department to meet and resolve the exit. The Planning Department submits that has now been reconciled along the guidelines recommended. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried, the revised final plan of the William Building and resolution of the exit for the northwest corner of 11th Street and Belford Avenue was approved.

HEARING - OFFICE BUILDING DEVELOPMENT IN H.O. ZONE ON 2.47 ACRES S OF CROSSROADS BLVD, W OF 27-3/4 LINE - APPROVED

A hearing was held after proper notice on the petition by Ken Milyard, Constructors West, for office building development on 2.47 acres in H.O. zone south of Crossroads Boulevard, west of 27-3/4 Line. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried, the office building development was approved subject to the conditions of the Planning Commission.

HEARING - APPLICATION BY GRAND JUNCTION AREA CHAMBER OF COMMERCE FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT AT TWO RIVERS PLAZA, 159 MAIN STREET, MAY 22, 1981, 6:00 P.M. TO 9:00 P.M. FOR THE NJCAA JUCO BANQUET - FIRST PERMIT - APPROVED

Councilman Hollingsworth abstained from discussion and voting on this item. A hearing was held after proper posting of the property on the application by the Grand Junction Area Chamber of Commerce for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza, 159 Main Street, on May 22, 1981, from 6:00 p.m. to 9:00 p.m. for the NJCAA JUCO banquet. Jerry Fossenier was present in support of the granting of the permit. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Brach, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, and Councilman HOLLINGSWORTH ABSTAINING, the application for special events permit was approved.

BIDS - AWARD OF CONTRACT CITY SERVICES CENTER, PHASE I - ROCHE CONSTRUCTORS, INC. BASE BID PLUS ALTERNATIVES \$2, 310, 114 - 350 CALENDAR DAYS

Bids were received and opened at 2:00 p.m. April 28, 1981, for the City Services Center, Phase I. Bidders were:

BASE BIDALTERNATIVE TOTAL			
William Price			

Construction\$2,5 97,000\$99,461\$2, 696,461			
Fischer-White Contractors\$2,44 7,400\$90,000\$2,5 37,400			
J & J Enterprises\$2,42 4,519\$55,949\$2,4 80,468			
Harry McCrary Construction\$2,3 92,566\$88,200\$2, 480,766			
Haselden-Langley Construction\$2,3 80,294\$54,400\$2, 434,694			
Centric Corporation\$2,32 4,444\$107,799\$2, 432,243			
Beaudoin Construction\$2,3 00,000\$69,000\$2, 369,000			
Mid Continent Builders\$2,288,0 00\$50,700\$2,338, 700			
Roche Constructors\$2,2 27,700\$82,414\$2, 310,114			
Engineer's			

Estimate \$2,378,317			
\$228,533			
\$2,606,850			

Roche Constructors gave 350 calendar days for completion of the contract. Upon motion by Councilman Brach, seconded by Councilman Holmes and carried, the base bid of Roche Constructors was approved and the City Manager and Staff were authorized to negotiate and add the alternatives if possible.

BIDS-AWARD OF CONTRACT - CURB, GUTTER, AND SIDEWALK REPAIR, 1981 - C. MAYS CONCRETE CONSTRUCTION - \$42,696.65

Bids were received and opened May 5, 1981, for the 1981 Curb, Gutter and Sidewalk Repairs. Bidders were:

Byerly & Byerly, Inc., Pueblo \$91,438.00
 Hoey Construction \$63,746.18
 Fred Cunningham Construction Company \$46,511.80
 C. Mays Concrete Construction \$42,696.65
 Engineer's Estimate \$51,329.00

Budgeted funds remaining: \$48,900. Staff recommended award of contract to C. Mays Concrete Construction. Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried, the contract for the 1981 Curb, Gutter and Sidewalk Repairs was awarded to C. Mays Concrete Construction for its low bid of \$42,696.65

BIDS-AWARD OF CONTRACT - ORCHARD MESA FORCE MAIN SEWER - CONE CONSTRUCTION, INC., - \$103,666

Bids were received and opened at 2:00 p.m. April 29, 1981, for the Orchard Mesa Force Main Sewer. Bidders were:

John H. Young Construction \$107,256.52
 Brennan Group, Ltd. \$102,928.00
 Cone Construction, Inc. \$103,666.00
 Engineer's Estimate \$107,308.00

Staff recommended award of contract to Cone Construction, Inc. Upon motion by Councilman Brach, seconded by Councilman Lucero and carried, the contract for the Orchard Mesa Force Main Sewer was awarded Cone Construction, Inc., for its low bid of \$103,666.

ORDINANCE NO. 1959 - I.D. - ST-80, PHASE A, ASSESSMENTS

Upon motion by Councilman Holmes, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-80, PHASE A, IN THE CITY OF

GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS.

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was called up for final passage and the title only was read.

There were no comments. Upon motion by Councilman Brach, seconded by Councilman Hollingsworth and carried by roll call vote, the Ordinance was passed, adopted, numbered 1959, and ordered published.

ORDINANCE NO. 1960 - REZONE FROM R-1-A TO PR-9.5 THE SW CORNER OF PATTERSON ROAD AND GRAND CASCADE ROAD

Upon motion by Councilman Holmes, seconded by Councilman Dunn 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 CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY.

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilman Brach and carried by roll call vote, the Ordinance was passed, adopted, numbered 1960, and ordered published.

ORDINANCE NO. 1961 - RIGHT-OF-WAY VACATION AT 28 ROAD LINE BETWEEN H ROAD AND HORIZON DRIVE

Upon motion by Councilman Hollingsworth, seconded by Councilman Holmes and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE VACATING RIGHT-OF-WAY IN THE CITY.

Upon motion by Councilman Dunn, seconded by Councilman Hollingsworth and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Hollingsworth, seconded by Councilman Brach and carried by roll call vote, the Ordinance was passed, adopted, numbered 1961, and ordered published.

ORDINANCE NO. 1962 - ZONING BAUGHMAN ANNEXATION PR-10

Upon motion by Councilman Dunn, seconded by Councilman Holmes 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 Hollingsworth, seconded by Councilman Holmes 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 Dunn and carried by roll call vote, the Ordinance was passed, adopted, numbered 1962, and ordered published.

ORDINANCE NO. 1963 - ZONING ORDINANCE TEXT AMENDMENT SUPPLEMENTARY REGULATIONS SECTION 6, PARAGRAPH F, BUILDING HEIGHTS (1) TO ADD 3.4 USE GROUP

Upon motion by Councilman Holmes, seconded by Councilman Hollingsworth and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE PERMITTING A VARIANCE IN THE HEIGHT OF HOSPITALS AND SIMILAR BUILDINGS.

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 1963, and ordered published.

ORDINANCE NO. 1964 - PHIPPS NO. 3 ANNEXATION, BETWEEN B1/2 ROAD AND HIGHWAY 50, E OF 27-3/4 ROAD

Upon motion by Councilman Hollingsworth, seconded by Councilman Lucero and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Brach, seconded by Councilman Hollingsworth and carried by roll call vote, the Ordinance was passed, adopted, numbered 1964, and ordered published.

ORDINANCE NO. 1965 - ZONING CURRIER ANNEXATION H.O.

Upon motion by Councilman Hollingsworth, seconded by Councilman Dunn 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 Lucero, seconded by Councilman Holmes and carried, the proposed ordinance was called up for final passage and read.

There were no comments. Upon motion by Councilman Hollingsworth, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 1965, and ordered published.

EMERGENCY ORDINANCE NO. 1966 - PROHIBITING THE ESTABLISHMENT IN CERTAIN AREAS OF THE CITY OF GRAND JUNCTION OF "ADULT ENTERTAINMENT" BUSINESSES

A hearing was held after due notice on the proposal by the City Council to consider whether or not the temporary Ordinance prohibiting the establishment in certain areas of the City of Grand Junction of "Adult Entertainment" businesses should be continued in effect. There were no opponents, letters, or counterpetitions.

The title only to the ordinance was read: AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, PROHIBITING THE ESTABLISHMENT IN CERTAIN AREAS OF THE CITY OF GRAND JUNCTION OF "ADULT ENTERTAINMENT" BUSINESSES, AS DEFINED HEREIN, AND DECLARING AN EMERGENCY.

There was a motion by Councilman Holmes, seconded by Councilman Dunn, that the Ordinance be passed as an emergency Ordinance, numbered 1966, and ordered published.

Councilman Hollingsworth moved that the motion be amended and that the proposed ordinance be passed for publication only, which motion was seconded by Councilman Brach. By voice vote the amendment was defeated.

Upon roll call on the main motion, all Council members voted AYE.

RESOLUTION CANCELLING TRUST AGREEMENT WITH U.S. BANK - APPROVED

The following Resolution was read:

RESOLUTION

TRUST AGREEMENT WITH UNITED STATES BANK

WHEREAS, on the 16th day of October, 1974, the City of Grand Junction entered into a Trust Agreement with the United States Bank of Grand Junction concerning funds involved in the City's various special improvement districts; and

WHEREAS, such Trust Agreement is no longer necessary or desirable in the treatment of those funds;

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

That the mentioned Trust Agreement be cancelled and the Finance Officer of the City be permitted to handle the special improvement district funds as may be permitted by law.

PASSED and ADOPTED this 6th day of May, 1981.

Acting President of the Council

Attest:

City Clerk

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

NAMES OF CITY RESIDENTS REQUESTED FOR APPOINTMENT TO PLANNING COMMISSION TO FILL VACANCY LEFT BY RESIGNATION OF FLORENCE GRAHAM.

NAMES OF CITY RESIDENTS REQUESTED FOR APPOINTMENT TO BOARD OF ADJUSTMENT AND APPEALS

NAMES REQUESTED FOR APPOINTMENT TO THE IRB COMMITTEE

MISCELLANEOUS

In response to a question by Nancy Dickey, 718 Niblic Drive, the Acting President acknowledged that Council had received her memorandum.

RESOLUTION CONCERNING HOUSE BILL 1310 IN THE COLORADO LEGISLATURE
- APPROVED

The following Resolution was read:

RESOLUTION

CONCERNING HOUSE BILL 1310 IN THE COLORADO LEGISLATURE.

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

That the Council record itself as being in strong support of House Bill 1310, in the Colorado Legislature, the bill being entitled:

A BILL FOR AN ACT CONCERNING SEXUALLY EXPLICIT MATERIALS HARMFUL TO CHILDREN, AND RELATING TO THE SALE, LOAN OR EXHIBITION THEREOF TO CHILDREN

and urging the passage of that legislation and the signing of the bill into law by the Governor.

PASSED and ADOPTED this 6th day of May, 1981.

Acting President of the Council

Attest:

City Clerk

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

MEETINGS

Councilman Brach reported that he will attend a COG meeting in Rifle May 7 at 2:00 p.m.

Councilman Dunn reported that he attended a Centennial Committee meeting May 5 at the Daily Sentinel Building. He predicts a most successful 100th Birthday celebration for Grand Junction.

Councilman Holmes extended an invitation to attend a rally between 12:00 noon and 10:00 p.m. May 7 in front of City Hall for the Hilltop House Disabled Citizen and the continued independence of the disabled citizen.

ADJOURNMENT

The Acting President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk