

Grand Junction, Colorado

April 7, 1982

The City Council of the City of Grand Junction, Colorado, convened in regular session the 7th day of April, 1982, at 7:30 p.m. in the Council Chambers at City Hall. Those present were Council members Frank Dunn, Arlene Harvey, Robert Holmes, Karl Johnson, Gary Lucero, and President of the Council Louis Brach. Council members absent: Betsy Clark. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

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

INVOCATION

Pastor Greg Cope, First Baptist Church.

MINUTES

Upon motion by Councilman Lucero, seconded by Councilman Dunn and carried, the minutes of the regular meeting March 17, 1982, were approved as submitted.

PLAQUE AWARDED POLICE OFFICER TIMOTHY M. GRIMSBY - EMPLOYEE OF YEAR, 1981

The President of the Council awarded the 1981 Employee of the Year plaque to Police Officer Timothy M. Grimsby.

COUNCIL PLEDGES UP TO \$400 TO HEALTH FAIR COMMITTEE - HEALTH FAIR ON APRIL 19, 19, 20, 21, 1982, AT TWO RIVERS PLAZA

President of the Council Louis Brach, a member of the Redlands Lions Club, stepped down and turned over the Chair to President Pro Tem Frank Dunn.

Mr. Ben Carnes, Health Fair Committee, appeared before Council to request monetary assistance in defraying the expense of holding the Health Fair at Two Rivers Plaza April 19, 20 and 21, 1982. It is estimated the three-day fair will cost \$6,085.25.

Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried, Council recommended the Committee set up donation boxes in the area, and it would pledge up to \$400 to the Committee to help defray any deficit.

President of the Council Louis Brach reassumed the Chair.

NORTHRIDGE HOMEOWNERS ASSOCIATION REPORT PROBLEMS WITH DEVELOPMENT IN THEIR AREA

Marilyn Rabideau, 3360 Star Court, introduced Jim Casebolt,

attorney and also a resident of the Northridge development, who presented the concerns of the homeowners in that area regarding the development. Specifically, the problems listed were: drainage, large uncovered ditch, access, deterioration of the asphalt. He requested that Council take formal action to remedy some of the defects that exist in the development. Some sixteen items have been submitted to the City Manager for consideration. Some fifteen to twenty homeowners were present.

Mr. Wysocki indicated that the City Attorney had directed a letter to the Subdividers on March 29 asking them to respond within thirty days telling the City how it proposes to handle the access and the drainage. If the developers do not contact the City, the letter indicated that after the thirty days the City will go ahead and make the necessary repairs and charge it to the developers.

Mr. Cliff Mays, one of the parties of interest in the Subdivision, indicated to Council that he is working in the area repairing some of the concrete and asphalt. He indicated that he inherited some of the problems that one of the other partners usually handled and further that there have been some changes in the partnership. He indicated that his workload last year prevented him from accomplishing the work but that he would attempt to do so this year. Mr. Mays and the City Manager will be meeting together within the next couple of days.

Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried, the Council ratified the action taken by the City Manager and the City Attorney and that they continue the follow-up in this situation so that the improvements are done as expeditiously as possible.

#### CENTENNIAL MOTORCADE DOWN NORTH AVENUE TO 12TH AND MAIN

Jim Kyle, Director of the North Avenue Association, advised Council that the Centennial Motorcade is proposed to commence at Teller Arms Shopping Center or the American Furniture Warehouse property and travel down North Avenue to 12th Street.

Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the Council waived the policy regarding the routing of parades and allow the Centennial Motorcade to use North Avenue on this one occasion.

#### RENEWAL OF LIQUOR AND BEER LICENSES - APPROVAL OF CHANGE IN CORPORATE STRUCTURE

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the applications by the following businesses to renew their liquor and beer licenses and a change in corporate structure were approved:

1. Loyal Order of Moose, Lodge No. 270, 567 25-1/2 Road (Club)

2. First Street Liquor, 901 N. 1st Street (Retail Liquor Store)
3. Ramada Inn, 718 Horizon Drive (Hotel-Restaurant)
4. Zugmier Enterprises, Inc., dba Big Cheese Pizza, 1320 North Avenue (3.2% Beer)

President: George Zugmier  
Sec/Treas: Sylvia Seiler  
Manager: Cynthia Salts

LIQUOR -- APPROVED OF NORMAN COOK AS REGISTERED MANAGER OF HOLIDAY INN, 755 HORIZON DRIVE

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the application by Western States Motel Operations, Inc., dba Holiday Inn of Grand Junction, 755 Horizon Drive, to register Manager Norman L. Cook for its Hotel-Restaurant Liquor License was approved.

LIQUOR - APPLICATION BY MICHAEL DONN WOLF FOR RETAIL LIQUOR STORE LICENSE AT NORTH AVENUE LIQUORS, 801 NORTH AVENUE APPROVED (CHANGE OF OWNERSHIP)

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the application by Michael Donn Wolf for retail liquor store license at North Avenue Liquors, 801 North Avenue, was approved. This is a change of ownership; license presently owned by Jack and Alice Mackenzie.

HEARINGS - CONDITIONAL USE FOR LIQUOR LICENSE - APPLICATION BY DUSTY'S OF GRAND JUNCTION, INC., FOR HOTEL-RESTAURANT LIQUOR LICENSE AT DUSTY'S FAMILY RESTAURANT, 710 NORTH AVENUE - DECISION SCHEDULED MAY 5, 1982

Hearings were held on the applications by Dusty's of Grand Junction, Inc., for conditional use and for a hotel-restaurant liquor license at Dusty's Family Restaurant, 710 North Avenue. Officers of the Corporation are:

President/Vice Pres/Manager: Dan Williams 75%  
Secretary/Treasurer/Manager: Perry L. Dumford 25%

The following report was read:

"During the fall of 1981, contact was made with this office regarding the possibility of getting a hotel-restaurant liquor license for Dusty's Family Restaurant, 710 North Avenue. Our concern at that time was whether the building was located 500 feet or more from the nearest property line of the Grand Junction Senior High School. The applicant caused a measurement to be made from the nearest property line of the land used for the above school purpose to the nearest portion of the building in which liquor is proposed to be sold, using a route of direct pedestrian

access, and found the measurement 503 linear feet. Copies of the letter and map prepared by the registered land surveyor are attached for your review. City's measurement: 516 linear feet.

The application was filed by Ivan Kladder, attorney representing Dusty's of Grand Junction, Inc., and was accepted March 4, 1982. Corporate Officers, Directors and Stockholders are:

Dan Williams, 115 Ouray 75%  
Perry L. Dumford, 1740 Glenwood 25%  
Williams/Dumford will act as joint managers.

The conditional use hearing before the Grand Junction Planning Commission was held March 30, 1982.

The sign giving notice of hearing was posted on the property March 26, 1982, and the display ad giving notice of hearing was published in The Daily Sentinel March 26, 1982.

A survey of the area bounded by Kennedy Avenue on the north, 10th Street/Houston Avenue on the east, Hill Avenue on the south, and 4th Street on the west has been completed. Results are:

1. Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 340

a. An owner of property in the neighborhood. 91

b. An employee or business lessee of property in the neighborhood. 204

c. An inhabitant of the neighborhood. 93

2. No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 251

a. An owner of property in the neighborhood. 107

b. An employee or business lessee of property in the neighborhood. 118

c. An inhabitant of the neighborhood. 66

3. No Opinion 11

a. An owner of property in the neighborhood. 5

b. An employee or business lessee of property in the neighborhood. 1

c. An inhabitant of the neighborhood. 2

The Police Department investigation found nothing of a derogatory nature. Fingerprint cards on the above-listed officers were returned stamped "No Record." The Fire Department and Health Department reports indicate compliance with Fire safety and Health code.

Similar-type outlets within the area: 1.

Similar-type outlets within one mile: 16."

The map showing similar type outlets was reviewed.

Dan Williams was present for the hearing and submitted a petition containing approximately 375 signatures.

There were no opponents, letters, or counterpetitions. A Resolution of Findings and Decision is scheduled on the May 5, 1982, City Council agenda.

HEARING - APPLICATION BY ANCIANO ADVOCACY OF GRAND JUNCTION FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT MAY 7, 1982, 8 P.M. TO 2 A.M. AT TWO RIVERS PLAZA APPROVED - SPONSORING DEEOGEE'S ENTERPRISES DANCE - FIRST PERMIT

A hearing was held after proper posting of the property on the application by Anciano Advocacy of Grand Junction for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza on May 7, 1982, from 8 p.m. to 2 a.m. as sponsors for the Deeogee's Enterprises Dance. Esther Lucero Cardona, 3093 Gunnison Avenue, was present for the hearing. There were no opponents, letters, or counterpetitions.

Upon motion by Councilman Dunn, seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the application was approved and the permit granted.

BIDS - AWARD OF CONTRACT GRAND VALLEY RURAL POWER LINES, INC., YARD MODIFICATIONS - CORN CONSTRUCTION - \$57,826.90

Bids were received and opened on April 6, 1982, for the Grand Valley Rural Power Lines, Inc., Yard Modifications. Bidders were:

Elam Construction \$64,445.00  
Corn Construction \$57,826.90  
Engineer's Estimate \$44,430.00

Staff recommended award of contract to Corn Construction for its low bid. Upon motion by Councilwoman Harvey, seconded by Councilman Lucero and carried, the bids were accepted and the contract for the Grand Valley Rural Power Lines, Inc., Yard Modifications was awarded Corn Construction for its low bid of \$57,826.90.

RESOLUTION NO. 19-82 - FINDINGS AND DECISION RE: PETITION BY EACEL

HODGES TO REZONE FROM RMF-64 TO PB (300 FEET FROM THE 12TH STREET RIGHT OF WAY) FOR HODGES PROPERTY, 2048 N. 12TH STREET - PROPOSED ORDINANCE REZONING FROM RMF-64 TO PB

Councilman Holmes, having listened to the taped hearing on this issue, qualified himself to vote.

The following Resolution numbered 19-82 was read:

RESOLUTION NO. 19-82

ADOPTING A DECISION ON A ZONING CHANGE APPLICATION BY EACEL HODGES

WHEREAS, Eacel Hodges applied for a change in zoning from RMF-64 to PB (Planned Business) on land situate in the City of Grand Junction, Mesa County, Colorado, described as:

Lot 13 and 16 in Block 5 in Fairmount Subdivision, E EXCEPT three parcels of land described as follows:

PARCEL 1: Beginning at the Northwest Corner of said Lot 13, thence South 75 feet, thence East 230 feet, thence North 75 feet, thence West 230 feet to the point of beginning.

PARCEL 2: Beginning at the Southeast Corner of said Lot 16, thence North 150 feet, thence West 180 feet, thence South 150 feet, thence East 180 feet to the point of beginning.

PARCEL 3: Beginning 150 feet North of the Southeast Corner of Lot 16 in Block 5 of Fairmount Subdivision, thence North 130 feet, thence West 120 feet, thence South 130 feet, thence East 120 feet to the point of beginning.

and

WHEREAS, the Grand Junction Planning Commission recommended approval of the rezoning but only to a depth of 300 feet from the 12th Street right of way line; and

WHEREAS, the depth suggested for approval by the Planning Commission is consistent with the policies of the City, and the rezoning sought would be proper to that depth;

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

That the application by Eacel Hodges for a change of zoning on lands from RMF-64 to PB (Planned Business) is approved for land described as:

Lot 13, Block 5, FAIRMOUNT SUBDIVISION, except the North 75 feet of the West 230 feet thereof.

PASSED and ADOPTED this 7th day of April, 1982.

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

Attest:

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

Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried by roll call vote with Council members HOLMES and LUCERO voting NO, the Resolution was passed and adopted as read.

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 Dunn, seconded by Councilman Johnson and carried, the proposed ordinance was passed for publication.

BEER - RESOLUTION NO. 18-82 - FINDINGS AND DECISION RE: APPLICATION BY LOCO, INC., FOR 3.2% BEER LICENSE, SALES IN SEALED CONTAINERS FOR OFF-PREMISE CONSUMPTION AT LOCO FOOD STORE NO. ONE, 1904 N. 12TH STREET - APPROVED

Councilman Holmes having listened to the taped hearings of this application qualified himself to vote on this issue. The following Resolution No. 18-82 was read:

RESOLUTION NO. 18-82

OF DECISION ON APPLICATION FOR 3.2% BEER LICENSE BY LOCO, INC., FOR LOCO FOOD STORE NO. ONE AT 1904 N. 12TH STREET, GRAND JUNCTION

A public hearing having been held on March 17, 1982, on the application by Loco, Inc., for a 3.2% beer license for sales in sealed containers for consumption off-premises for Loco Food Store No. One located at 1904 North Twelfth Street, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. That the hearing was held on March 17, 1982, on the application after proper notice thereof under the Beer 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 242 persons so stated while 182 felt the needs were being met by the other outlets; additionally, the applicant submitted petitions bearing signatures of over 500 persons favoring the issuance of the license, the signatures being of customers of the station who were not residents of the neighborhood.

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 characters of the applicants are good as determined by checking done by the Police Department and by letters attesting to their good characters, the applicants being the officers of the corporation making application.

5. That the evidence supports the position that the license should issue.

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

That the application of Loco, Inc., for a 3.2% beer license for consumption off-premises for Loco Food Store No. one be granted.

PASSED and ADOPTED this 7th day of April, 1982.

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

Attest:

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

Upon motion by Councilman Lucero, seconded by Councilman Johnson and carried by roll call vote with Council members HARVEY and HOLMES voting NO, the Resolution was passed and adopted as read.

DECISION REGARDING PLAZA 25 MINOR SUBDIVISION LOCATED 140 FEET S OF BOOKCLIFF AVENUE ON THE E SIDE OF 11TH STREET

The City Attorney advised that it was agreed among all those concerned that the petitioner would complete the roadway in the same manner that it was being developed to the south of the project on both sides of the roadway and in return the City Council would waive the open-space fee.

Upon motion by Councilman Holmes, seconded by Councilman Dunn and carried, the Plaza 25 Minor Subdivision was approved subject to the petitioner completing the roadway in the same manner that it is being developed to the south on both sides of the roadway and in return the open-space fee was waived.

ORDINANCE NO. 2041 - AUTHORIZING THE ISSUANCE OF \$1,600,000 IRBs FOR HERRICK & CAMPBELL PROJECT - WESTERN 6 MOTEL ON HORIZON DRIVE AT G ROAD



Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF AN INDUSTRIAL DEVELOPMENT REVENUE BOND (HERRICK & CAMPBELL PROJECT), SERIES 1982, IN THE PRINCIPAL AMOUNT OF \$1,600,000; AND APPROVING THE FORM OF CERTAIN DOCUMENTS RELATING THERETO AND AUTHORIZING THE EXECUTION THEREOF.

Upon motion by Councilman Lucero, seconded by Councilman Johnson and carried with Council members HOLMES and DUNN voting NO, the proposed ordinance was called up for final passage and the title only was read with the amendments reviewed.

There were no comments. Upon motion by Councilman Johnson, seconded by Councilwoman Harvey and carried by roll call vote with Council members DUNN and HOLMES voting NO, the Ordinance was passed and adopted as amended, numbered 2041, and ordered published.

ORDINANCE NO. 2042 - REZONING FROM RMF-64 TO PB, 838 GRAND AVENUE

Upon motion by Councilman Dunn, seconded by Councilman Lucero 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 Holmes, 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 Johnson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2042, and ordered published.

ORDINANCE NO. 2043 - REZONING FROM RSF-8 TO PB THE PROPERTY 210 FEET S OF PATTERSON ROAD ON THE E SIDE OF 12TH ST.

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

There were no comments. Upon motion by Councilman Lucero, seconded by Councilman Holmes and carried, the Ordinance was passed, adopted, numbered 2043, and ordered published.

PROPOSED ORDINANCE ZONING THE S 50 FEET OF LOT 19, CAPITOL HILL SUBDIVISION, FROM RMF-32 TO P (PARKING) - CORRECTING PROPERTY DESCRIPTION FOR ORDINANCE NO. 2036, NW CORNER OF 7TH AND GLENWOOD

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 Holmes and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE AMENDING DDA BOUNDARIES

The following entitled proposed ordinance was read: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

RESOLUTION NO. 20-82 - CONCERNING A CHANGE ORDER FOR ODOR CONTROL AT PERSIGO WASH WASTEWATER TREATMENT PLANT - \$892,000 ROBERT DOUGAN CONSTRUCTION COMPANY

The following Resolution numbered 20-82 was read:

RESOLUTION NO. 20-82

CONCERNING A CHANGE ORDER FOR ODOR CONTROL AT THE PERSIGO WASH WASTEWATER TREATMENT PLANT

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

That a contract be awarded to Robert Dougan Construction Company in the amount of \$892,000 for the construction of odor control equipment at the Persigo Wash Wastewater Treatment Plant, the odor control equipment being Additive Alternate 1 to the contract for the construction of the plant; and that a change order issue to evidence the inclusion of the Alternate in the contract.

PASSED and ADOPTED this 7th day of April, 1982.

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

Attest:

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

Upon motion by Councilman Johnson, seconded by Councilwoman Harvey

and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 21-82 - REVOCABLE PERMIT - PERMITTING ENCROACHMENT OF .3 OF A FOOT ON COLORADO AVENUE AND .1 OF A FOOT ON 7TH STREET, 202 S. 7TH STREET

The following Resolution numbered 21-82 was read:

RESOLUTION NO. 21-82

GRANTING A REVOCABLE PERMIT TO MARY ENSTROM.

WHEREAS, Mary Enstrom has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow building encroachment in the public right of way on the South .3 foot of right of way for Colorado Avenue adjacent to Lot 10, Block 128 and the East .1 foot of 7th Street right of way adjacent to Lots 9 and 10, Block 128, all in the City of Grand Junction; and

WHEREAS, such action would not be detrimental to the interest of the inhabitants of the City;

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

That the City Manager, on behalf of the City and as the act of the City, be and he is hereby authorized to grant such Revocable Permit to the above-named petitioner for the purpose above described upon the execution by the petitioner of an agreement to save and hold the City harmless from any claims arising out of the encroachment and use granted, and execution by the petitioner of an agreement that upon the revocation of such Permit, the petitioner will remove said encroachment at her own expense, restoring the right of way to its original condition.

PASSED and ADOPTED this 7th day of April, 1982.

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

Attest:

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

REVOCABLE PERMIT

WHEREAS, Mary Enstrom has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow an encroachment in the public right of way as follows: on the S .3 foot of right of way for Colorado Avenue adjacent to Lot 10, Block

128, and the E .1 foot of 7th Street right of way adjacent to Lots 9 and 10, Block 128, all in City of Grand Junction; and

WHEREAS, the City Council is of the opinion that such action would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Mary Enstrom a Revocable Permit to allow encroachment on the right of way as above set forth; provided, however, that said Permit may be revoked by the City Council at its pleasure at any time; provided, further that the above-named petitioner shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of or resulting from the permitted use; and further provided that said petitioner shall agree that upon the revocation of such permit, she will, at her own expense, remove said encroachment and restore the right of way to its original condition.

DATED this 7th day of April, 1982.

\_\_\_\_\_  
James E. Wysocki, City Manager

Attest:

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

#### AGREEMENT

Mary Enstrom, for herself, her heirs, executors, administrators and assigns, does hereby agree that she will abide by the conditions contained in the foregoing Permit and that she will indemnify the City of Grand Junction and hold it harmless from all claims as recited in said Permit, and further, on revocation of the Permit, she agrees to remove said encroachment and restore the right of way to its original condition, all at her own expense.

DATED at Grand Junction, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

\_\_\_\_\_  
Mary Enstrom

STATE OF COLORADO)		
) ss:		
COUNTY OF MESA)		

The foregoing Agreement was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 1982, by Mary Enstrom, the Petitioner herein.

My Commission expires: \_\_\_\_\_

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

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

RESOLUTION NO. 22-82 APPROVING A PERSONNEL MANUAL FOR THE CITY OF GRAND JUNCTION

The following Resolution numbered 22-82 was read:

RESOLUTION NO. 22-82

APPROVING A PERSONNEL MANUAL FOR THE CITY OF GRAND JUNCTION

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

That the Personnel Manual dated April, 1982, a copy of which is attached hereto and made a part hereof by this reference, is hereby approved as the Personnel Manual for the City of Grand Junction until proper amendment by the City Manager and the City Council.

PASSED and ADOPTED this 7th day of April, 1982.

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

Attest:

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

Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried with Councilman HOLMES voting NO, the Resolution was passed and adopted as read.

#### WALLY TORFIN REQUESTS WATER METER AT 236 27 ROAD

In December of 1980, according to Mr. Torfin, the City promised to provide him with a water meter and service. He was advised of the cost and that he must provide a deposit and that he must apply at City Hall. This he did at that time. Installation was made by the City September 29, 1981. He was billed November 13, 1981, and paid that on November 30, 1981. On February 22, 1982, Mr. Torfin had a water line installed from the City installation to his home. He called the City to install the water meter so his installer could check out the line. The meter was there and installed that afternoon, and then they removed the meter and left. At 3 p.m. that same day, Mr. Torfin called City Hall and was referred to Bill Walcher. He asked why the meter was removed and was told that Nickerson said to take it out. His question of Council: "Do I get a water meter installed and the water turned on or not?" Mr. Torfin said he has complied with the City requirements for City water; therefore, he would like to have that water meter reinstalled and the water turned on.

Jim Patterson, Public Works Director, said that this relates back to a private water line that was off the flowline for a mobile home park that was owned by Mr. Nickerson. The City issued letters to all of the people on the flow line instructing them that they had to remove their service from the flow line. In that area, many of these people were able to hook onto the Ute Water system. In this particular case, Mr. Nickerson had an option of connecting to the City's finished water system or the Ute system. The City's water system was quite some distance away but he elected to go that route. Mr. Nickerson installed at his expense an extension of the City water line down 27 Road to this mobile home park. Mr. Nickerson was serving from his old line this residence and one or two others. The agreement with Mr. Nickerson is that if these people wanted to continue to receive service, they would have to share in the cost of the service line with Mr. Nickerson. They would have to pay a tap fee to Mr. Nickerson in order to get clearance to hook onto that line. Mr. Patterson was not clear as to what occurred in the instance cited by Mr. Torfin.

Mr. Torfin indicated that the amount of money requested of him (by Mr. Nickerson) is improper. He asked why the City accepted his (Mr. Torfin's) money and made the installation that it did.

Councilman Johnson stated that this appeared to be an Administrative matter that needed to be resolved by the City Manager and the City Attorney. He did not feel that it was a decision the Council could make. It was moved by Councilman Johnson, seconded by Councilman Dunn, that the matter be referred to the City Manager and City Attorney for resolution. Motion

carried.

Mr. Torfin questioned when Mr. Nickerson came back to the City Council to obtain permission to install the water line that was denied by the City Council on August 3, 1977.

Council indicated that it would need to do research on this item before it could respond.

#### RECREATION COMMITTEE

Councilwoman Harvey reported that she attended a Recreation Committee meeting on this date, and they are trying to finalize plans for the new Recreation Center.

#### AGONC COG

President Brach attended a COG meeting. He noted the change in direction of this entity. There is a proposal to amend the By-Laws and Articles to rename it Associated Governments of Northwest Colorado.

He noted the Mineral Leasing monies apportioned to the City in the amount of \$11,711 this year.

The JBC voted to get rid of the Oil Shale Trust Fund, interest and all.

The Centennial kickoff had an excellent attendance last week.

#### ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk