

Grand Junction, Colorado

May 19, 1982

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of May, 1982, at 7:30 p.m. in the Council Chambers at City Hall. Those present were Council members Betsy Clark, Frank Dunn, Arlene Harvey, Robert Holmes, Karl Johnson, Gary Lucero, and President of the Council, Louis Brach. 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

Reverend John Boaz, Redlands Community Church.

#### MINUTES

Upon motion by Councilman Lucero, seconded by Councilman Dunn and carried, the minutes of the regular meeting May 5, 1982, were approved as submitted.

CONTRACTORS LICENSING BOARD - JOHN WOJCIECHOWSKI APPT TO 2-YEAR TERM ON BOARD - NAMES OF ARCHITECTS REQUESTED TO FILL VACANCY

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the appointment of John Wojciechowski to the Contractors Licensing Board for a two-year term was ratified.

The President requested names of architects interested in serving on this Board so a selection can be made and the membership on this Board will be complete.

RECREATION BOARD - GEORGE H. DALGLEISH APPT TO 3-YEAR TERM, CHARLES RISSELL APPT TO 2-YEAR TERM

After reconsideration, Council decided to continue the practice of appointing City residents only to this Board in compliance with the Code of Ordinances. It was learned that Mr. Jim McGreevy, who was appointed on May 5 resides in the County. Therefore, by secret ballot George H. Dalglish was appointed to serve a three-year term on the Recreation Board and Charles Rissell was appointed to a two-year term.

#### BEER AND LIQUOR LICENSE RENEWALS

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

C & F Food Store No. 1, 859 Pitkin Avenue (3.2% Beer)

C & F Food Store No. 3, 2714 Highway 50 (3.2% Beer)

City Market Store No. 2, 865 North Avenue (3.2% Beer)

City Market Store No. 9, 1909 N. 1st Street (3.2% Beer)

Jim's Liquors, 1560 North Avenue (Retail Liquor Store)

3.2% BEER - CHANGE IN CORPORATE STRUCTURE FOR SAFEWAY STORES  
APPROVED

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the applications by Safeway Stores, Inc., to change corporate officers by adding Assistant Vice President Yvonne Gonzales and Treasurer Harry D. Sunderland to the licenses at the following locations were approved:

2692 Highway 50 South  
644 North Avenue  
23rd Street and North Avenue

HEARING - PROPOSED ORDINANCE - REZONE FROM RMF-32 TO PB AND FINAL  
PLAN FOR 1445 AND 1447 NORTH 7TH STREET

A hearing was held after proper notice on the petition by Dr. Ken Graves to change from residential multi-family uses at 32 units per acre to planned business uses and a final plan for professional office uses on .37 acre at 1445 and 1447 North 7th Street. There were no opponents, letters, or counterpetitions.

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the final plan for professional office uses at 1445 and 1447 N. 7th Street was approved subject to the conditions of the Planning Commission.

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

HEARING - PROPOSED ORDINANCE - RIGHT-OF-WAY VACATION, 815 N. 1ST  
STREET

A hearing was held after proper notice on the petition by George P. and Cecilia G. Chronis for right-of-way vacation at 815 N. 1st Street. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION. Upon motion

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

HEARING - PEPPER TREE FILING #3, FINAL PLAT AND PLAN FOR PROPERTY LOCATED 530 FT S OF PATTERSON ROAD, 990 FT W OF 29 ROAD

A hearing was held after proper notice on the petition by Todd Deutsch for final plat and plan of 48 units on 3.394 acres in a planned residential zone at 20 units per acre with a design density of 14 units per acre on property located 530 feet south of Patterson Road, 990 feet west of 29 Road. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the petition for final plat and plan of Pepper Tree Filing #3 was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE FOR RIGHT-OF-WAY VACATION IN HORIZON 70 SUBDIVISION NW CORNER OF HORIZON DRIVE AND I-70

A hearing was held after proper notice on the petition by Jay Kuen and Ralph Braden to vacate a cul-de-sac in the Horizon 70 Subdivision. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - REZONE FROM RMF-32 TO PB AND FINAL PLAN FOR 838 AND 844 GRAND AVENUE

A hearing was held after proper notice on the petition by D. H. Partnership, Ken Hunt, to change from residential multi-family uses at 64 units per acre to planned business uses at 844 Grand Avenue and a final plan for 838 and 844 Grand Avenue. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the final plan for 838 and 844 Grand Avenue 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 Dunn, seconded by Councilman Johnson and carried, the proposed ordinance was passed for publication.

HEARING - COUNTRY GLEN APARTMENTS FINAL PLAT AND PLAN, NE CORNER OF F-1/2 ROAD AND 25 ROAD

A hearing was held after proper notice on the petition by Country Glen Associates, John S. Neilson, for final plat and plan of 256 units on 13.382 acres in a planned residential zone at 21 units per acre. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the Country Glen Apartments final plat and plan for the

northeast corner of F-1/2 Road and 25 Road was approved subject to the conditions of the Planning Commission.

HEARING - RESOLUTION NO. 30-82 - FINDINGS AND DECISION RE: APPLICATION BY FEATHER PETROLEUM CO. FOR 3.2% BEER LICENSE AT STOP 'N SAVE NO. 4, 2700 HIGHWAY 50 SOUTH, SALES FOR "OFF" PREMISE - APPROVED

A rehearing was held after proper notice posting and publishing of notice of hearing on the application by Feather Petroleum Company for a 3.2% beer license which permits sales in sealed containers for consumption off the premises of the licensee at Stop 'n Save No. 4, 2700 Highway 50 South. There were no opponents, letters, or counterpetitions.

The following Resolution Number 30-82 was read:

RESOLUTION NUMBER 30-82

OF DECISION ON APPLICATION FOR A 3.2% BEER LICENSE BY FEATHER PETROLEUM COMPANY FOR STOP 'N SAVE NO. 4, AT 2700 HIGHWAY 50, GRAND JUNCTION, COLORADO.

A public hearing having been held on May 5 and on May 19, 1982, on the application by Feather Petroleum Company for a 3.2% beer license for sales in sealed containers for consumption off-premises for Stop 'n Save No. 4 at 2700 Highway 50, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. That the hearings were held on May 5 and on May 19, 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 75 persons so stated while 55 felt the needs were being met by the other outlets. The applicant presented a petition bearing the signatures of 1,147 persons in favor of the issuance of the license.
3. That no one appeared at the hearings 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 be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

GRAND JUNCTION:

That the application of Feather Petroleum Company for a 3.2% beer license for Stop 'n Save No. 4 at 2700 Highway 50, Grand Junction, be granted.

PASSED and ADOPTED this 19th day of May, 1982.

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

Attest:

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

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

HEARING - APPLICATION BY GRAND JUNCTION AREA CENTENNIAL CO. FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT JULY 3, 1982, 12 NOON THROUGH JULY 4, 2:00 A.M. AT THE W.W. CAMPBELL COLLEGE CENTER FOR THE CENTENNIAL BALL - (4TH PERMIT)

A hearing was held after proper posting of property on the application by Grand Junction Area Centennial Company for a malt, vinous, and spirituous liquor special events permit on July 3, 1982, from 12 noon through July 4, 2:00 a.m. at the W.W. Campbell College Center for the Centennial Ball. Ray Meacham, co-chairman of the Grand Junction Area Centennial Company, was present for the hearing. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried with Councilman HOLMES voting NO, the application was approved.

HEARING - APPLICATIONS BY GRAND JUNCTION AREA CENTENNIAL COMPANY FOR A 3.2% BEER SPECIAL EVENTS PERMIT IN LINCOLN PARK, 12TH AND NORTH AVENUE, ON JUNE 24, 26, 28, 30, JULY 1 AND 2, 1982, 9:00 A.M. TO MIDNIGHT (6TH PERMIT)

A hearing was held after proper posting of property on the applications by the Grand Junction Area Centennial Company for 3.2% beer special events permit in Lincoln Park, Twelfth and North Avenue, on June 24, 26, 28, 30, July 1 and 2, 1982, from 9:00 a.m. to midnight. Ray Meacham, co-chairman of the Grand Junction Area Centennial Company, was present for the hearing. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the applications were approved.

HEARING - URBAN DEVELOPMENT ACTION GRANT PRELIMINARY APPLICATION -

PETITIONER DOWNTOWN DEVELOPMENT AUTHORITY

Skip Grkovic, Director of DDA, requested that the Council authorize the Mayor to sign a preliminary application to the Department of Housing and Urban Development for Urban Development Action Grant Funds. The project that DDA is anticipating is a Major Class-A hotel facility approximate to Two Rivers Plaza. The approach they would like to pursue is to have the City Council authorize the preliminary application. DDA has been in negotiations with developers and investors. If it can reach an agreement with those developers and investors the City Council would then approve an agreement with the developers. DDA would then proceed for full funding under the Urban Development Action Grant Program. The form the grant would take - we would assume at this point it is still up to negotiations with HUD - would be a grant to the City which would be passed through to the DDA in much the same way the block grant funds are passed through to the Housing Authority for housing projects. A loan would then be made to the developer. It would be a second mortgage type of loan. The amount and the terms would depend on negotiations. HUD takes a large role in that and it likes to minimize the federal investment. For the purposes of the federal regulations the DDA has had to identify the area of impact. That impact would be the census tracts immediately around the downtown area - Census Tracts 1, 2, 3 and a portion of Census Tract 9. Between the 1970 and the 1980 censuses those four Census Tracts lost substantial amounts of population. Census Tract 1 declined 18.4%, Census Tract 2 declined 9.6%, Census Tract 3 declined 15.7%, and Tract 9 declined 11.5%. Based on the 1970 census figures and conversations with the Development Department Staff, those census tracts also contain fairly high percentages of low and moderate income individuals, those individuals that the program is designed to assist. Federal regulations also require that two public hearings be conducted. One public hearing was held Monday night in the DDA offices; three people attended and provided comment. This is the second public hearing as required by the regulations. Additionally, the regulations require that there be some kind of local priority on the projects as well as being used to revitalize a distressed area. The Master Plan adopted by the City last December, the DDA's Plan of Development and the DDA's Work Program for this year, all list a hotel as a priority project. The impact of the project would result in approximately \$5,000,000 to \$6,000,000 in construction contracts. The total project of approximately \$10,000,000 would create approximately 150 new jobs that would range from unskilled at the bottom end to management at the high end. It would result in new property taxes of approximately \$105,000 per year, new sales taxes to the City of \$125,000 to \$140,000 per year, a like amount to the County. Those property taxes and City Sales taxes would contribute to the Tax Increment Financing Program. A project this size would increase total property tax revenues from within the DDA boundary by approximately 12%. Some calculations have been figured projecting tax increment cash flow over a period of twenty-five years, and based upon the moderate developments, an area that the DDA is

looking at . . . this project over that twenty-five years would generate 16% of the cash flow for the Tax Increment Program. Additionally, based on national figures, it is assumed that it would generate other new development in the downtown area and it would contribute significantly to existing retail businesses.

Mayor Brach questioned whether he could use this process to build a smaller hotel or office building if he were a property owner in the area. Mr. Grkovic answered that a separate application would have to be put together, and this process would have to be duplicated. The requirements are that every project go through an individual application process. Any project that would generate a job creation, reinvestment in the downtown, revitalization activities, is eligible. HUD is looking for the maximum amount of leverage, public dollars, private dollars . . . the larger the project, the more jobs made available, the more HUD is inclined to participate.

Mr. James Brodell, 712 N. 7th Street, appeared before Council and spoke as follows:

Mr. Brodell: I wouldn't want to characterize myself as speaking against this because I know so very little about it, it's very difficult for me to form an opinion.

Mayor Brach: Well, when I said "in favor of it," nobody moved, so I could . . .

Mr. Brodell: Well, I couldn't characterize myself as being in favor of it either, but I would want to point out two things, and I'll be very brief. The first thing is that there was a gentleman down here about four months ago who wanted to build a hotel in the downtown and was looking for Industrial Revenue Bonds and you told him in no uncertain terms to go away and don't bother you. The second thing that I would point out is that the people that you're asking to take second position, the private money, with this HUD grant, is going to throw a deficit of one-hundred billion dollars this year, and it would seem to me inappropriate that while the entire fabric of our democracy is being tested, you're going with a tin cup to Uncle Sam for a million bucks. That's all I have to say. Thank you.

Mayor Brach: I might mention, Jay, that the first part of your comment on the IRBs, we did leave one in there that addresses the downtown Grand Junction for redevelopment. That's in the IRB Guidelines on the IRB usage.

Mr. Brodell: He mentioned that that was where he was going to put it, but he didn't have a specific parcel . . .

Councilman Dunn: Yah, that was the reason.

Councilman Johnson: That was the whole point.

Mr. Brodell: Do these people?

Councilman Johnson: Yes, they do.

Mr. Brodell: Where's that site?

Councilman Johnson: As Skip pointed out, it's adjacent to Two Rivers Plaza.

Mr. Brodell: Well, there's three streets and Perry Schumacher's motel, so . . .

Skip Grkovic: We would prefer not to reveal the specific site because there are negotiations going on for that site right now. This is a preliminary application. Everything would be nailed down before a full application was submitted; the developers, the site, the size of the project, the design of the project, and everything else.

Mr. Brodell: If I may point out . . . That's what the gentleman who was here looking for the Industrial Revenue Bonds said. He said that he was afraid that the price of the land would go up if he disclosed the sites.

Councilman Johnson: I didn't quite understand Jay's reference there, but this does not involve any tax advantage to anyone who is involved in the development. And the reference there to the federal budget deficit and going to them for money, the money has been appropriated and is available. Somebody is going to use it.

Mr. Brodell: That's right.

There were no opponents, letters, or counterpetitions.

It was moved by Councilman Johnson, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, that the preliminary application be prepared by the DDA and the appropriate official be authorized to sign said application.

HEARING - RUSTY MINOR SUB (FINAL), E SIDE OF HARRIS ROAD, 660 FT S OF NORTH AVENUE

A hearing was held after proper notice on the petition by Richard Watson for Rusty Minor Subdivision (Final) located on the east side of Harris Road, 660 feet south of North Avenue. Bob Goldin, Planning Staff, reviewed the area in question. Katie McIntyre, Paragon Engineering, representing the petitioner, was present. The petitioner was also present. There were no opponents, letters, or counterpetitions.

Upon motion by Councilman Dunn, seconded by Councilman Johnson and carried, Rusty Minor Subdivision (Final) was approved.

HEARING - REPLAT OF LOT 1, BLOCK 5, CROSSROADS COLORADO WEST



SUBDIVISION FILING #2, SE CORNER OF CROSSROADS BLVD. AND 27 ROAD  
(12TH ST)

A hearing was held after proper notice on the petition by Planners and Developers, Ltd., Jerry Fossenier, for a replat of Lot 1, Block 5, of Crossroads Colorado West Filing #2 on 3.655 acres in a Planned Residential Zone at 4 units per acre. Bob Goldin reviewed the proposal stating there is a neighborhood concern regarding lack of plan by the petitioner. The Planning Commission recommends denial of this application, asking that a plan be submitted. Mr. Jerry Fossenier, CBW Builders and Planners and Developers, Ltd., managers of subject property for the owners, appeared before Council. Mr. Fossenier stated that this property was annexed to the City approximately two years ago and at the same time had it subdivided and zoned. At that time they went through the Planning Commission procedure with a plan recommended by the Planning Staff for multi-family, undesignated density. When they reached the City Council it was pointed out to them that without the benefit of a hearing they should take the minimum density which was PR-4. The property has been improved with streets and utilities adjacent to it. They've had the land as one lot (3.6 acres) available for sale on the market to prospective buyers who may want to develop a multi-family development on it. The neighborhood is concerned about lack of plan in regards to future development. This item will be addressed if someone should buy a lot and want to build on it. This property is zoned PR. At this point, the petitioner's only request is to take this lot that is already zoned PR-4, that has the improvements to it already, and simply make it into five lots (3 lots of 1/2 acre property and 2 lots of 1 acre property).

The hearing was closed. A Resolution of Findings and Decision is scheduled June 2, 1982.

ORDINANCE NO. 2054 - VACATING UTILITY AND IRRIGATION EASEMENT,  
HORIZON DRIVE APPROX 600 FT E OF 27 ROAD

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 VACATING EASEMENTS IN THE CITY.

Upon motion by Councilwoman Clark, 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 Johnson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2054, and ordered published.

ORDINANCE NO. 2055 - WATER G.O. BONDS

Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried, the Proof of Publication to the following entitled proposed ordinance was accepted for filing: AN ORDINANCE

AUTHORIZING THE SALE AND ISSUANCE OF GENERAL OBLIGATION WATER BONDS, SERIES 1982, IN THE PRINCIPAL AMOUNT OF \$1,400,000, DATED JUNE 15, 1982, FOR THE PURPOSES OF EXTENSIONS, ENLARGEMENTS, AND IMPROVEMENTS TO THE WATERWORKS FACILITIES; PROVIDING FOR THE APPLICATION OF CERTAIN REVENUES OF THE WATER SYSTEM OF THE CITY AND FOR THE LEVY OF TAXES TO PAY THE SERIES 1982 WATER BONDS AND THE INTEREST THEREON; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

Upon motion by Councilwoman Clark, 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 Holmes, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2055, and ordered published.

PROPOSED ORDINANCE - CORRECTING AN ERROR IN DESCRIPTION OF ORDINANCE NO. 1682 PASSED AND ADOPTED JUNE 1, 1977, CORNER OF B-1/2 ROAD AND 25-1/2 ROAD

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 ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Lucero, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - RESOLUTION NO. 31-82 - PETITION FOR ANNEXATION - 1480 ANNEXATION, SE CORNER OF F-1/2 ROAD AND 25-1/2 ROAD

The following petition for annexation of 1480 Annexation property was presented:

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:

A tract of land located in the SW4 of Section 3, T1S, R1W of the Ute Meridian, more particularly described as follows: Beginning at a point 20 ft S and 30 ft W of the NE Cor of SW4 of said Section 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road, thence W along the S line of F-1/2 Road 1108.40 ft; thence S 766.00 ft; thence E 1108.40 ft. to the W line of 25-1/2 Road; thence N along said W line 766.00 feet to the point of beginning, EXCEPT a 2.269 acre tract described as beginning at a point 20 ft S and 30 ft W of the NE Cor of the SW4 of said Section 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road; thence W along the S line of F-1/2 Road 295.00 feet; thence S 315.00 ft; thence E 295.00 ft to the W line of 25-1/2 Road; thence N along said W line 315.00 ft to

the point of beginning.

As ground therefore, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said 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 this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>DATE</u> <u>SIGNATURE</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>			
5-6-82/s/ H.P. Shehmann Vice President 1480 Wellington, Inc.550 15th St. Denver, CO 80201 Attn: Real Estate DeptA tract of land located in the SW4 of Sec 3, T1S, R1W of the Ute Meridian, more particularly described as follows: Beginning at a point 20 ft S and 30 ft W of the NE Cor of			

<p>the SW4 of said Sec 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road thence W along the S line of F-1/2 Road 1108.40 ft; thence S 766.00 ft; thence E 1108.40 ft. to the W line of 25-1/2 Road; thence N along said W line 766.00 feet to the point of beginning, EXCEPT a 2.269 acre tract described as beginning at a point 20 ft S and 30 ft W of the NE Cor of the SW4 of said Section 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road; thence W along the S line of F-1/2 Road 295.00 feet; thence S 315.00 ft; thence E 295.00 ft to the W line of 25-1/2 Road; thence N along said W line 315.00 ft to the point of beginning.</p>			
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STATE OF COLORADO)		
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)SS		
COUNTY OF MESA)		

AFFIDAVIT

Harvey H. Mayer, 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/ Harry H. Mayer

Subscribed and sworn to before me this 6th day of May, 1982.

Witness my hand and official seal.

/s/ Donald H. Warner, Jr.

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

My Commission expires: April 9, 1983.

The following Resolution No. 31-82 of Intent to Annex was read:

RESOLUTION NO. 31-82

WHEREAS, on the 19th day of May, 1982, 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:

A tract of land located in the SW4 of Section 3, T1S, R1W of the Ute Meridian, more particularly described as follows: Beginning at a point 20 ft S and 30 ft W of the NE Cor of SW4 of said Section 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road, thence W along the S line of F-1/2 Road 1108.40 ft; thence S 766.00 ft; thence E 1108.40 ft. to the W line of 25-1/2 Road; thence N along said W line 766.00 feet to the point of beginning, EXCEPT a 2.269 acre tract described as beginning at a point 20 ft S and 30 ft W of the NE Cor of the SW4 of said Section 3; being the intersection of the S line of F-1/2 Road with the W line of 25-1/2 Road; thence W along the S line of F-1/2 Road 295.00 feet; thence S 315.00 ft; thence E 295.00 ft to the W line of 25-1/2 Road; thence N along said W line 315.00 ft 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 19th day of May, 1982.

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

Attest:

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

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

CONTRACT AMONG DDA, CITY, AND BOETTCHER & COMPANY REGARDING TAX INCREMENT BOND ISSUE

Upon motion by Councilman Johnson, seconded by Councilman Holmes and carried, the Contract among the Downtown Development Authority, City of Grand Junction, and Boettcher & Company regarding Tax Increment Bond Issue was approved.

RESOLUTION NO. 32-82 AUTHORIZING DEED TO COUNTY FOR HIGHWAY RIGHT-OF-WAY ON F ROAD - BURKEY PARK PROPERTY

The following Resolution No. 32-82 was read:

RESOLUTION NO. 32-82

CONVEYING RIGHT-OF-WAY AND AN EASEMENT FOR CONSTRUCTION OF THAT RIGHT-OF-WAY.

WHEREAS, the County of Mesa has requested the dedication of right-of-way for F Road, that dedication being over lands owned by the City of Grand Junction in Mesa County, State of Colorado, and described as:

A part of the parcel of land described in Book 1245, Pages 689, 690, 691 and 692, Mesa County Deed Records, all located in Section 9, Township 1 South, Range 1 East, Ute Meridian, being more particularly described as follows: The North 50 feet of the following described parcel: Beginning at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 1 South, Range 1 East, Ute Meridian, thence along the North line of said Northwest Quarter of the Northeast Quarter, North 89 deg. 48 min. West 442 feet, thence South 531 feet, thence South 89 deg. 48 min. East 181 feet, thence South 00 deg. 40 min. West 789 feet, more or less, to the South line of the said Northwest Quarter of the Northeast Quarter of the Northeast Quarter, South 89 deg. 48 min. East 270.4 feet to the Southeast Corner of said Northwest Quarter of the Northeast Quarter, thence North 1.320 to the Point of Beginning;

and has requested a temporary easement over lands described as follows:

The South 10 feet of the North 60 feet of the following described parcel: Beginning at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 1 South, Range 1 East, Ute Meridian, thence along the North line of said Northwest Quarter of the Northeast Quarter, North 89 deg. 48 min. West 442 feet, thence South 531 feet, thence South 89 deg. 48 min. East 181 feet, thence S 00 deg. 40 min. West 789 feet, more or less, to the South line of the said Northwest Quarter of the Northeast Quarter, thence along said South line of the Northwest Quarter of the Northeast Quarter, South 89 deg. 48 min. East 270.4 feet to the Southeast Corner of said Northwest Quarter of the Northeast Quarter, thence North 1,320 feet to the point of beginning;

and

WHEREAS, such dedication and granting of easement is in the interest of the citizens of Grand Junction;

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

That the City Manager, James E. Wysocki, be authorized, as the act of the City and on behalf of the City, as Commissioner to Convey, to execute the documents necessary to effect the right-of-way dedication and the granting of the easement above-described.

PASSED and ADOPTED this 19th day of May, 1982.

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

Attest:

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

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

#### ORCHARD MESA POOL ARCHITECTURAL AGREEMENT WITH ARIX

Assistant City Manager Ron Ruskey spoke to Council regarding the Architectural Agreement with ARIX for the Orchard Mesa Pool. Upon motion by Councilman Johnson, seconded by Councilwoman Clark and carried, the Architectural Agreement with ARIX for the Orchard Mesa Pool was approved and the City Manager was authorized to sign said Agreement.

The President declared a five-minute recess. Upon reconvening, seven members of the City Council were present.

#### REVIEW OF MR. G'S 3.2% BEER LICENSE AT 1230 N. 12TH STREET

Mr. Dave Palmer, City's Beer and Liquor Hearing Officer, Mr. Carroll Multz, attorney for the licensee, Mr. Mike Gillin, licensee, and Bourtai Hargrove, Assistant City Attorney, were present for the hearing. Mr. Palmer presented copies of his written recommendation to the Council regarding the 3.2% beer license at Mr. G's Place, 1230 N. 12th Street. (Full transcript and recommendation in Mr. G's file.)

It was requested that a copy of the lease for additional parking be provided the City Council prior to June 2, 1982. A Resolution of Findings and Decision is scheduled on June 2, 1982.

#### RENOVATION OF STOCKER STADIUM AWARDED G.A. WESTERN CONSTRUCTION

City Manager Wysocki reported that four bids have been received on the renovation of Stocker Stadium (the center grandstands and replacement of the Press Box) ranging from \$176,994 to \$227,000. Staff recommends awarding contract to G.A. Western Construction, Clifton, Colorado. The amount of the contract is more than the \$164,000 budgeted; therefore, City Manager Wysocki suggested that City Council monitor the Parks & Recreation budget and attempt to recover as much of those funds as possible between now and the end of the year. If it should become necessary to come back for a special appropriation prior to the end of the year, Administration



would do so. The physical work would not begin until sometime after the 4th of July, and would not interfere with the JUCO events at the stadium.

Upon motion by Councilman Johnson, seconded by Councilwoman Harvey and carried, the contract for renovation of Stocker Stadium was awarded G.A. Western Construction, and the City Manager was authorized to sign said Contract, and monitor the Parks & Recreation Fund to recover as much of the overage as possible.

RESOLUTION NO. 33-82 CONCERNING PARTICIPATION IN MOUNTAIN BELL PROCEEDINGS

The following Resolution No. 33-82 was presented and read:

RESOLUTION NO. 33-82

CONCERNING PARTICIPATION IN 1982 MOUNTAIN BELL PROCEEDINGS.

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

That, in the interest of the citizens of the City of Grand Junction, the City participate in the 1982 Mountain Bell proceedings through contribution of the sum equivalent to five (0.05) cents per capita to the Colorado Municipal League to be expended in those proceedings.

PASSED and ADOPTED this 19th day of May, 1982.

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

Attest:

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

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

CITIZEN DUANE SCOTT STATEMENT

Mr. Duane Scott, Grand Junction, Colorado, spoke to Council stating that due process is good for either party in any dispute. It's not a one-way street; there's more than one person who needs due process.

HOUSING AUTHORITY AND COMACT HOUSING REPORTS

Councilman Lucero reported on the Housing Authority's Ratekin Towers project. He also reported that ComAct Housing may be

acquiring another home (used home).

#### DDA PLAN OF DEVELOPMENT AMENDMENT - REFERRAL TO PLANNING COMMISSION

Councilman Johnson stated that DDA will be requesting Council to consider an amendment to the DDA Development Plan. All that the Council is being asked to do at this time is to refer the amendment to the Planning Commission so that it can hold a hearing, and make recommendations back to Council.

Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried, the DDA Plan of Development Amendment was referred to the Planning Commission.

#### HUMAN SERVICES

Councilwoman Harvey stated that the Human Services Committee, a new eleven-member committee, is working on its financial responsibilities.

#### PARKS & RECREATION

Councilwoman Harvey reported that the Sherwood Park Committee has the Recreation Center plans ready for City Council's review. She commended the Parks & Recreation Department for its efficiency in registration for this summer's activities.

#### ENERGY IMPACT COMMITTEE

Mrs. Harvey reported that the Energy Impact Committee presented three programs: (1) Fruita Water Line; (2) Clifton and Mesa Community Centers; and (3) Lower Valley Fire District for Fast Response Truck. All three were recommended, and will go on to the County Commissioners.

#### AIM MEETING

The AIM Committee is continuing with the plans for walkways and bikepaths, and quite a bit of progress has been made. The schools have a real need for them.

The main topic of discussion was the Police School Drug Liaison Program that is going to be re-initiated. Police Chief Gary Leonard and Sheriff Dick Williams attended the meeting. Councilwoman Harvey stated that Chief Leonard will probably administer this program with Sheriff Williams and the Fruita and Palisade Police Departments participating. The balance of 1982 will be financed by the \$26,000 that is in the AIM Budget at present. The 1983 budget will be approximately \$107,000 and will be paid by each entity (Fruita, Palisade, Grand Junction and Mesa County). School District #51 will be providing the auto and office space, video equipment, clerical help.

Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the City Manager was authorized to make up to \$9,000 available to AIM, if necessary, to supplement the Police School Drug Liaison Program.

#### MAYOR'S ACTIVITIES

May 6 - Trip to Denver for Governor Lamm to sign a State Bill authorizing the State Office Building to be built.

May 7 - Vicki Armstrong, DDA, and City Manager Wysocki met with concerned business people about the State Office Building.

May 13 - Breakfast with Chamber of Commerce and Club 20 with area business people concerning the shutdown of EXXON.

May 14 - CML Energy Impact Meeting

May 14 - Colorado Ute Meeting in Montrose

May 18 - Meeting with promoter and committee chairman of Rogers & Company - discussion of Centennial rules and regulations for the First Lady Contest.

#### ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk