

Grand Junction, Colorado

December 1, 1982

The City Council of the City of Grand Junction, Colorado, convened in regular session the 1st day of December, 1982, at 7:30 p.m. in the City Council Chambers at City Hall. Those present were Council members Betsy Clark, Frank Dunn, Robert Holmes, Karl Johnson, Christine Kreissler, 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.

President of the Council Louis Brach called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Councilman Robert Holmes

MINUTES

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

RENEWAL OF CLUB LIQUOR LICENSES

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the applications by the following clubs to renew their liquor licenses were approved:

Elks Lodge #575, 249 S. 4th Street
Eagles Lodge #595, 1674 Highway 50 South

3.2% BEER - APPLICATION BY C&F FOOD STORES, INC., STORE NO. 6, FOR 3.2% BEER LICENSE AT 2516 BROADWAY APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO and Councilman BRACH ABSTAINING, the application by C&F Food Stores, Inc., for 3.2% Beer License at 2516 Broadway, was approved. This was a change of ownership; license presently held by Michael Brach.

LIQUOR - APPLICATION BY P&S, INC., FOR HOTEL-RESTAURANT LIQUOR LICENSE AT ORCHARD MESA BOWLING LANES, 295 27 ROAD APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the application by P&S, Inc., for hotel-restaurant liquor license at the Orchard Mesa Lanes, 295 27 Road, was approved. This was a change of ownership; license presently held by Orchard Bowl, Inc. The officers of P&S, INC., are:

President: Eric E. Loeb

Vice Pres: Raymond Earl Stevenson
Treasurer: Mary Ellen Stevenson
Secretary: Cynthia Sue Loeb

LIQUOR - APPLICATION BY TALLEY'S BAR BE QUE AND BISCUIT FACTORY,
623 MAIN STREET, TO RENEW BEER-WINE LICENSE APPROVED WITH
CONDITION

The application filed by Elizabeth Talley for the renewal of the beer-wine license issued to Talley's Bar B Que and Biscuit Factory, 623 Main Street, was removed from the consent portion of the agenda because of a problem in regard to the Fire Department clearance. The City Attorney advised that he talked with both the Talleys and with the Fire Chief. Part of the problem appears to be a difference of opinion between the Fire Department and the Talleys as to the existence of certain equipment within the premises which, if the equipment were there, would require certain things of the Talleys that have not been required heretofore. In order to resolve the matter, the Fire Chief and Mr. Ashby suggested that the license be reissued with the understanding that all of the things required by the Fire Department in connection with what is actually present on the premises be completed no later than February 1, 1983, and if at that time these things have not been done by the Talleys that the City Council peremptorily revoke the license at its regular meeting on February 2, 1983.

Jerry Talley, Talley's Bar B Que and Biscuit Factory, 623 Main Street, stated that the difference of opinion is with regard to a deep-fat fryer which is stored on the premises in a back storage room. Mr. Talley offered to remove the fryer from the premises if required. He stated that the last time the equipment was used occurred on either November 16 or 19, 1981. The Fire Department requires a hood system be installed if the deep-fat fryer is to be used. The Talleys do not feel they can afford to have the system installed at this time and, therefore, have not and will not use the fryer.

Upon motion by Councilman Johnson, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application by Elizabeth Talley to renew the beer-wine license at Talley's Bar B Que and Biscuit Factory was approved and the license was authorized to issue subject to the recommendation of the City Attorney and the Fire Chief.

HEARING - APPLICATION BY A C RESTAURANTS, INC. FOR HOTEL-RESTAURANT LIQUOR LICENSE AND CONDITIONAL USE AT 490 28-1/4 ROAD UNDER TRADE NAME OF K-BOB'S STEAK HOUSE - RESOLUTION OF DECISION SCHEDULED DECEMBER 15, 1982

A hearing was held after proper notice on the application by AC Restaurants, Inc., for a hotel-restaurant liquor license at K-Bob's Steak House, 490 28-1/4 Road. The following report was read:

"On October 28, 1982, the City accepted the application for a

hotel-restaurant liquor license filed by A C Restaurants, Inc., at 490 28-1/4 Road under the trade name of K-Bob's Steak House. The corporation consists of the following members:

President: Murl R. Anderson, 527 23 Road, Grand Junction, CO
Vice Pres: Tim J. Crowley, 1102 Wynona, Enid, OK
Sec/Treas: Shirley Wallace, 1025 Nottingham, Enid, OK
Manager: Murl R. Anderson

The display ad giving notice of hearing was published in The Daily Sentinel November 19, 1982, and the sign giving notice of hearing was posted on the property November 19, 1982.

A survey of the area from 28 Road on the west, Elm Avenue on the north, 28-1/2 Road on the east, to Gunnison Avenue on the south has been completed. Results:

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. 70

a. An owner of property in the neighborhood. 19

b. An employee or business lessee of property in the neighborhood. 46

c. An inhabitant of the neighborhood. 16

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. 32

a. An owner of property in the neighborhood. 10

b. An employee or business lessee of property in the neighborhood. 15

c. An inhabitant of the neighborhood. 9

The applicant filed a petition on 12-1-82 containing 328 signatures supporting the granting of the license.

The Police Department report indicates nothing of a derogatory nature regarding any of the above officers. The Fire Department and Mesa County Health Department reports state compliance with the Uniform Fire Code and with State Food Service regulations. No letters or counterpetitions have been received.

Similar-type outlets within survey area: 1.

Similar-type outlets within one mile: 5."

The map showing similar-type outlets was reviewed. The Planning Commission recommended approval of the conditional use. Murl

Anderson, President of the Corporation, was present to speak for the granting of the license. There were no opponents, letters, or counterpetitions. A Resolution of decision is scheduled on the December 15, 1982, City Council agenda.

HEARING - APPLICATION BY JACK M. DECKARD FOR HOTEL-RESTAURANT LIQUOR LICENSE AT SAL'S PIZZA, 755 NORTH AVENUE - RESOLUTION OF DECISION SCHEDULED DECEMBER 15

A hearing was held after proper notice on the application by Jack M. Deckard for a hotel-restaurant liquor license at Sal's Pizza, 755 North Avenue. The following report was read:

"On October 29, 1982, the City accepted the application for a hotel-restaurant liquor license filed by Jack M. Deckard at 755 North Avenue under the trade name of Sal's Pizza. Mr. Deckard now holds a beer-wine license at that location.

The display ad giving notice of hearing was published in The Daily Sentinel November 19, 1982, and the sign giving notice of hearing was posted on the property November 19, 1982.

A survey of the area from North 5th Street on the west, Kennedy Avenue on the north, 11th Street/College Place on the east, to Hill Avenue on the south, has been completed. Results:

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. 259

a. An owner of property in the neighborhood. 68

b. An employee or business lessee of property in the neighborhood. 137

c. An inhabitant of the neighborhood. 63

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. 191

a. An owner of property in the neighborhood. 94

b. An employee or business lessee of property in the neighborhood. 50

c. An inhabitant of the neighborhood. 88

A letter was received opposing the issuance of the license. No other letters have been received, and no additional petitions for or against the issuance of the license have been received to date.

The Police Department report indicates nothing of a derogatory nature regarding Mr. Deckard's background. The Fire Department and

Mesa County Health Department reports state compliance with the Uniform Fire Code and with State Food Service regulations.

Similar-type outlets within survey area: 2.

Similar-type outlets within one mile: 19."

The map showing similar-type outlets was reviewed. The conditional use had been granted previously. John Williams, Attorney, was present along with Mr. Deckard for the hearing. Mr. Williams filed a petition signed by 295 people supporting the granting of the license. There were no opponents, letters or counterpetitions. A Resolution of decision is scheduled on the December 15, 1982, City Council agenda.

HEARING - APPLICATION BY MESA COLLEGE MEXICAN-AMERICAN SCHOLARSHIP FUND FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT AT TWO RIVERS PLAZA, 159 MAIN STREET, DECEMBER 31, 1982, FROM 9 P.M. TO 1 A.M. - DANCE - 2ND PERMIT

A hearing was held after posting of property on the application by Mesa College Mexican-American Scholarship Fund for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza, 159 Main Street, December 31, 1982, from 9 p.m. to 1 a.m. for a dance. Richard Cardenas was present for the hearing. There were no opponents, letters, or counterpetitions. Upon motion by Councilwoman Clark, seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the application was approved.

HEARING ON REVENUE SHARING MONEY APPLICATIONS

A hearing was held after proper notice on Revenue Sharing Money. There were no opponents, letters, or counterpetitions.

ORCHARD MESA POOL SOLAR PACKAGE

Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, a contract was awarded to Novan Energy, Inc., of Boulder, Colorado, in the amount of \$81,726 for the Solar-Assist Package.

Upon motion by Councilwoman Clark, seconded by Councilman Johnson and carried, a contract was awarded to Francis Constructors in the amount of \$77,245 for the glass, glazing, steel and roofing for solar.

HEARING - RESOLUTION NO. 90-82 - ADOPTION OF 1983 BUDGET

A hearing was held after proper notice on the proposed 1983 Budget. The following Resolution was read:

RESOLUTION NO. 90-82

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND

POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1983.

WHEREAS, in accordance with the provisions of Article VI, Section 50, of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council, a budget estimate of the revenues of said City and the expenses of conducting the affairs thereof for the fiscal year ending December 31, 1983, and

WHEREAS, after full and final consideration of the budget estimate, the City Council is of the opinion that the budget should be approved and adopted:

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the Fiscal Year ending December 31, 1983, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget estimate for defraying the expenses and liabilities against said City for the fiscal year ending December 31, 1983.

PASSED and ADOPTED this 1 day of December, 1982.

President of the Council

Attest:

City Clerk

Comments were had from Tim McGauley, 2444 Bookcliff Avenue. He noted the 9.18 percent salary increases for all City employees is somewhat too high in light of what's happening in the community, etc. Upon motion by Councilman Johnson, seconded by Councilman Lucero and carried by roll call vote with Councilman HOLMES voting NO, the Resolution was passed and adopted as read.

HOUSTON HEIGHTS SUBDIVISION FINAL PLAT AND PLAN APPROVED SUBJECT TO CONDITIONS - PROPOSED ORDINANCE REZONING ROM PR-8 TO PR-13.1 THE NE CORNER OF 15TH AND WELLINGTON

Upon motion by Councilman Johnson, seconded by Councilman Dunn and carried, the Houston Heights Subdivision Final Plat and Plan were approved subject to the following:

1. No building permit shall be issued for development on the land until a proper petition has been presented to the City Council for the improvement, through improvement district, of 15th Street from the canal to F Road.

2. Coordination must be effected between the City and its contractor so that the improvement of 15th Street and any development on the property proceed properly together.

3. Development under the final plan shall be limited to the number of units which would have been permitted the developers under a PR-8 zoning until such time as a bridge across the canal at 15th Street is constructed.

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

ORDINANCES ON FINAL PASSAGE

Proofs of Publication on the following Ordinances for final passage have been received and filed. Copies of the Ordinances for final passage were submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2086 - UTILITY EASEMENT VACATION, 1057 BOOKCLIFF AVENUE

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and read by title: AN ORDINANCE VACATING AN EASEMENT IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Lucero, seconded by Councilman Dunn and carried by roll call vote, the Ordinance was passed, adopted, numbered 2086, and ordered published.

ORDINANCE NO. 2087 - SEWER AND UTILITY EASEMENT VACATION, 24TH COURT AND I-70-B FRONTAGE ROAD

Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and read by title: AN ORDINANCE VACATING EASEMENTS IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Lucero, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 2087, and ordered published.

ORDINANCE NO. 2088 - ZONING GRAFF ANNEXATION (1.25 ACRES) RSF-4, W SIDE OF 29 ROAD, 1/4 MILE S OF F ROAD

Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title 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.

There were no comments. Upon motion by Councilwoman Clark, seconded by Councilman Johnson and carried by roll call vote, the ordinance was passed, adopted, numbered 2088, and ordered published.

ORDINANCE NO. 2089 - APPROPRIATIONS FOR 1983 AND FIXING THE SALARY OF THE CITY MANAGER AS AMENDED

Upon motion by Councilwoman Clark, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the following proposed ordinance was called up for final passage and the amendments read: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1983, AND ENDING DECEMBER 31, 1983, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY.

There were no comments. Upon motion by Councilman Johnson, seconded by Councilwoman Kreissler and carried by roll call vote with Councilman HOLMES voting NO, the Ordinance was passed and adopted as amended, numbered 2089, and ordered published.

ORDINANCE NO. 2090 - SUPPLEMENTAL APPROPRIATIONS FOR 1982 AS AMENDED

Upon motion by Councilwoman Clark, seconded by Councilman Johnson and carried, the following proposed ordinance as amended was called up for final passage and the title was read: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO VARIOUS FUNDS WITHIN THE CITY.

There were no comments. Upon motion by Councilwoman Kreissler, seconded by Councilman Lucero and carried by roll call vote, the Ordinance was passed and adopted as amended, numbered 2090, and ordered published.

PROPOSED ORDINANCE AMENDING THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE AND REVISING THE FEE SCHEDULE

Since copies of the following entitled proposed ordinance were submitted prior to the meeting to the City Council, the title only was read: AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE TO DEFINE DENSITY, TO PERMIT SIGN INTRUSION INTO THE RIGHT-OF-WAY, AND SETTING FEES WITHIN THE DEVELOPMENT DEPARTMENT. Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the proposed ordinance was passed for publication.

GOLF COURSE FEES

Bill Graham, President of Lincoln Park Golf Club, addressed

Council regarding golf course fees. He hoped that next year a little more attention would be paid to some ways to stop the cost escalation. A second point was that for the past number of years there have been no significant improvements to the golf course. He recognized that some significant improvements are currently proposed, and he hoped Council would see that they finally get some of these improvements this year especially in the upgrading of the condition of the Club House.

Councilman Johnson concurred that perhaps the Club House has taken a low priority for improvement, but he disagreed with the statement that no substantial improvements have been made to the golf course over the last several years; at least there has been a lot of money spent on it.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk