

Grand Junction, Colorado

March 16, 1983

The City Council of the City of Grand Junction, Colorado, convened in regular session the 16th day of March, 1983, at 7:30 p.m. in the Council Chambers at City Hall. Those present were Council members Betsy Clark, Frank Dunn, Robert Holmes, Karl Johnson, Christine Kreissler, and Gary Lucero. President of the Council Louis Brach was absent. Also present were City Attorney/Acting City Manager Gerald Ashby and City Clerk Neva Lockhart.

The President of the Council Pro Tem Frank Dunn called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Reverend Robert McClung, Manager of the IBC Book Store.

MINUTES

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

Grand Junction Athletic Club, 2515 Foresight Circle (Tavern)
Dusty's Family Restaurant, 710 North Avenue (Hotel-Restaurant)
Loco Food Store, 1904 N. 12th Street (3.2% Beer)

HEARING - APPLICATION BY WESTERN COUNTRY SPRING, INC., DBA SWISS COLONY, MESA MALL, UNIT #090, 2424 HIGHWAY 6 AND 50, FOR 3.2% BEER LICENSE, PACKAGE CARRYOUT

A hearing was held after proper notice on the application by Western Country Spring, Inc., doing business as Swiss Colony at Mesa Mall Unit #090, 2424 Highway 6 & 50, for a 3.2% beer license which permits sales in sealed containers for consumption off the premises of the licensee. The following report was read:

"Eddie Davis, President of Western Country Spring, Inc., filed an application February 11, 1983, for a 3.2% Beer License which permits sales of malt beverages in sealed containers for consumption off the premises of the licensee at Swiss Colony, Unit #090, Mesa Mall, 2424 Highway 6 & 50. Corporate Officers, Directors, and Stockholders are:

President: Edward (Eddie) Davis 15%
Vice Pres: William C. Schorer 42.5%
Sec/Treas: Thomas E. Davis 42.5%

The display ad giving notice of hearing was published in The Daily Sentinel March 4, 1983, and the sign giving notice of hearing was posted on the property March 4, 1983.

The area bounded by 24 Road on the west, F-1/4 Road on the north, 24-1/2 Road on the east and Highway 6 & 50 on the south was surveyed. 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. 140

a. An owner of property in the neighborhood. 7

b. An employee or business lessee of property in the neighborhood. 126

c. An inhabitant of the neighborhood. 11

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. 164

a. An owner of property in the neighborhood. 9

b. An employee or business lessee of property in the neighborhood. 153

c. An inhabitant of the neighborhood. 6

On March 15, 1983, the applicant filed a petition with 157 signatures favoring the granting of the license.

The background investigation of the corporate officers by the Police Department revealed nothing of a derogatory nature.

Similar-type outlets within survey area and within one mile: 0."

The map showing similar-type outlets was reviewed. Eddie Davis, President of Western Country Spring, Inc., was present to speak for the granting of the license. There were no opponents, letters or counterpetitions. Consistent with Council policy, a decision is scheduled on the April 6, 1983, City Council agenda.

HEARING #9-83 - NORTHSTAR SUBDIVISION PRELIMINARY PLAT FOR THE NE CORNER OF 28 ROAD AND WALNUT AVENUE APPROVED WITH STIPULATIONS BY PLANNING COMMISSION

A hearing was held after proper notice on the Northstar Subdivision Preliminary Plat of 20 units on 2.7 acres in a residential single-family zone at 8 units per acre for the northeast corner of 28 Road and Walnut Avenue. Mary Ann Carlson of the Planning Staff reviewed the proposal. Katie McIntyre, Paragon Engineering, was present representing the petitioners Valley Venture - Richard Schubert and Larry Mattison.

Comments were had from: Doug Sawtelle, 2806 Walnut Avenue; June

Hall, 575 Court Road; Janus Leonardi, 566 28 Road, and Mr. Aaeng, 565 28 Road.

Most of the concerns of the neighbors were addressed. Upon motion by Councilman Holmes, seconded by Councilwoman Kreissler and carried, the Northstar Subdivision Preliminary Plat was approved with the stipulations by the Planning Commission.

HEARING #8-83 - RIGHT-OF-WAY VACATION, 28 ROAD FROM GRAND VALLEY CANAL TO APPROXIMATELY 400 FEET S OF BOOKCLIFF AVENUE - PROPOSED ORDINANCE - (NORTHSTAR SUBDIVISION PRELIMINARY PLAT)

A hearing was held after proper notice on the petition by Valley Ventures: Robert Schubert and Larry Mattison and an adjacent property owner, Gary Ulibarri, to vacate a portion of 28 Road, sections east and west of 28 Road from the Grand Valley Canal to approximately 400 feet south of Bookcliff Avenue. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY. Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the proposed ordinance was passed for publication.

REVERSION OF PLANS FOR FOLLOWING PROJECTS

Upon motion by Councilman Lucero, seconded by Councilman Johnson and carried, the following proposals for development and one zone change were reverted:

#77-80 - Energy Plaza I, Crossroads
#67-81 - Conditional Use, Board of Trade, Duane Reading, 336 Main
#86-81 - The Yeager Building, Peter and Marie Yeager, NE of Highway 50 and B-1/2 Road
#93-81 - Oxy Oil Office Building, Occidental Oil Shale, N Corner of Horizon Drive and Highline Canal
#18-80 - Heritage Square, NE Corner of 28-3/4 Road and Elm Avenue

HEARING #87-81 - FRUITRIDGE MINOR SUBDIVISION, WALTER WAYMEYER, E OF 1ST STREET, S OF PATTERSON ROAD

Bob Goldin, City Planner, reported that a letter was received March 16, 1983, from Mr. Walter Waymeyer, developer of Fruitridge Minor Subdivision east of First Street, south of Patterson Road. Mr. Waymeyer requested waiver of the open-space or park fee. Upon motion by Councilman Johnson, seconded by Councilman Holmes and carried with Councilwoman CLARK voting NO, an extension of 30 days was granted to Mr. Waymeyer to finalize and record his plan with notification that Council does not intend to waive the open-space fee.

HEARING #50-81 - (GRAND) HILTON HOTEL AND OFFICE COMPLEX, NW CORNER OF I-70 AND HORIZON DRIVE - SCHEDULE FOR OFFICE COMPLEX EXTENDED FOR ONE YEAR

Anthony Verhaart, representing the Hilton Hotel and office complex, appeared before Council to request a one-year extension of the schedule for the office complex, northwest corner of I-70 and Horizon Drive. Upon motion by Councilman Lucero, seconded by Councilwoman Kreissler and carried, the schedule for the office complex was extended for one year.

PROPOSED ORDINANCE - ZONE CHANGE FROM PR-12.4 TO RSF-8 THE NE CORNER OF 28-3/4 ROAD AND ELM AVENUE

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 Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

The President Pro-Tem declared a five-minute recess. Upon reconvening, six members of Council were present.

ORDINANCES ON FINAL PASSAGE PROOFS OF PUBLICATION

Proofs of Publication have been received on the Ordinances for final passage. Copies of the Ordinances proposed for final passage have been submitted in writing to the City Council.

ORDINANCE NO. 2110 - ADOPTING BY REFERENCE THE 1982 EDITION OF THE UNIFORM BUILDING CODE TOGETHER WITH THE UNIFORM BUILDING CODE STANDARDS

Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried, the proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE RELATING TO THE REGULATION OF CONSTRUCTION, ALTERATION, MOVING, DEMOLITION, REPAIR AND USE OF ANY BUILDING OR STRUCTURE WITHIN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM BUILDING CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 1982 EDITION, TOGETHER WITH THE APPENDIX THERETO, WITH CERTAIN AMENDMENTS THERETO, AND TOGETHER WITH THE UNIFORM BUILDING CODE STANDARDS, 1982 EDITION, OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

There were no opponents, letters, or counterpetitions. Chief Building Inspector Dick Hollinger verified that the Code is the same as that required nationally with inserts to fit local requirements.

Upon motion by Councilman Lucero, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2110, and ordered published.

ORDINANCE NO. 2111 - ADOPTING BY REFERENCE THE 1982 EDITION OF THE UNIFORM FIRE CODE TOGETHER WITH THE UNIFORM FIRE CODE STANDARDS

Upon motion by Councilwoman Clark, seconded by Councilman Lucero and carried, the proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE PRESCRIBING REGULATIONS CONSISTENT WITH NATIONALLY RECOGNIZED GOOD PRACTICE FOR THE SAFEGUARDING TO A REASONABLE DEGREE OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCY OF BUILDINGS OR PREMISES IN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARD OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS AND WESTERN FIRE CHIEFS ASSOCIATION, 1982 EDITION, TOGETHER WITH THE APPENDICES THERETO, WITH CERTAIN AMENDMENTS THERETO, ESTABLISHING A BUREAU OF FIRE PREVENTION, PROVIDING CERTAIN DEFINITIONS, ESTABLISHING THE LIMITS OF CERTAIN DISTRICTS FOR THE STORAGE OF CERTAIN MATERIALS, PROVIDING PENALTIES FOR VIOLATION OF THE CODES AND ORDINANCE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

There were no opponents, letters or counterpetitions. Battalion Chief Wes Painter stated that this Code does address the parking of tankers in residential or other neighborhoods where they would present a definite hazard. Upon motion by Councilwoman Clark, seconded by Councilman Lucero and carried by roll call vote, the Ordinance was passed, adopted, numbered 2111, and ordered published.

ORDINANCE NO. 2112 - ADOPTING BY REFERENCE THE 1982 EDITION OF THE UNIFORM PLUMBING CODE

Upon motion by Councilwoman Kreissler, seconded by Councilman Johnson and carried, the proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE RELATING TO THE REGULATION OF PLUMBING, DRAIN, WASTE AND VENT, WATER PIPING AND INSTALLATION OF HOT WATER HEATERS AND OTHER PLUMBING APPLIANCES WITHIN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM PLUMBING CODE OF THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 1982 EDITION, TOGETHER WITH THE APPENDIX THERETO WITH CERTAIN AMENDMENTS THERETO; PROVIDING FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

There were no opponents, letters, or counterpetitions. Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2112, and ordered published.

ORDINANCE NO. 2113 - ADOPTING BY REFERENCE THE 1982 EDITION OF THE UNIFORM MECHANICAL CODE

Upon motion by Councilwoman Kreissler, seconded by Councilman Lucero and carried, the proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE RELATING TO THE REGULATION OF GAS PIPING, VENTING AND INSTALLATION OF GAS PIPING; VENTING AND INSTALLATION OF GAS, PROPANE, BUTANE, OIL FIRED AND CERTAIN SOLID FUEL APPLIANCES, AND AIR CONDITIONING AND AIR HANDLING EQUIPMENT IN BUILDINGS OR STRUCTURES WITHIN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM MECHANICAL CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; AND THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 1982 EDITION, TOGETHER WITH APPENDIX THERETO, WITH CERTAIN AMENDMENTS THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Kreissler, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2113, and ordered published.

RESOLUTION NO. 15-83 APPOINTING ELECTION JUDGES AND ALTERNATES

The following Resolution was read:

RESOLUTION NO. 15-83

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

That the following persons be, and they are hereby appointed as Judges of Election and Alternates for the General Municipal Election to be held in the City on Tuesday, April 5, 1983:

DISTRICT A, Precinct 1

Judges:

Josephine Manzanares
644 W. Colorado Avenue

Mildred Sawyer
249 Grand Avenue

Margaret Marvel
916 Rood

Eluid Manzanares
644 W. Colorado Avenue

Alternates

Frank Maldonado
402 West Grand Avenue

Julia Maldonado
402 West Grand Avenue

DISTRICT A, Precinct 2

Judges:

Glenna Barger
230 26-1/4 Road

Patricia Parrish
310 E. Highland

Wesley Miller
288 26-1/4 Road

Lois L. Geary
2704 G Road

Alternates

Alma Melton
539 Highway 50

Pearl Kovacic
1710 Laveta

DISTRICT B

Judges:

Elsie Woldruff
306 Ridgewood Lane

Helen Kephart
435 North Avenue

Helen Dixon
2562 F Road

Florence Parrish
235 Hall Avenue

Charles Teed
510 West Mesa Avenue

Alternates:

Arthur Butts
403 Teller Avenue

Dorothy Daily
1734 Juniper

DISTRICT C

Judges:

Aura Moon
564 Normandy Drive

Mae Uhlemann
1234 Texas Avenue

Mary Ann Warner
1340 N. 21st Street

Vivian Logue
2307 Orchard Avenue

R. J. (Jack) Gidney
1705 N. 21st Street

Alternates:

Dorothy Gearhart
555 28-1/2 Road, #21

James Hendricks
555 28-1/2 Road, #11

William H. Nelson
1000 Texas

DISTRICT D

Judges:

Nora Peterson
2540 N. 12th Street

Hazel Hurd
1931 N. 17th Street

Sherrol L. Hankins
2301 N. 20th Street

Gwendoline Bush
2005 N. 17th Street

Louise Sutrina
2012 N. 22nd Street

Alternates:

Delbert Mueller
2002 N. 21st Street

DISTRICT E

Judges:

Irene Abbey
1805 Grand Avenue

Pauline Bynum
2022 Gunnison Avenue

Maude Dooling
1345 College Place

Basil Knight
1110 Gunnison

Helen Youngerman
535 N. 17th Street

Alternates:

Ester Granat
1055 Chipeta

Marie Nowlan
1220 Main Street

Shirlee Roth
2837 Elm Avenue

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

That each Judge of Election serving on the day of election be
compensated for his/her time by the payment of fifty dollars
(\$50.).

PASSED and ADOPTED this 16th day of March, 1983.

/s/ Frank M. Dunn

President of the Council Pro-Tem

Attest:

/s/ Neva B. Lockhart

City Clerk

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

RESOLUTION NO. 14-83 GIVING NOTICE OF ELECTION

The following Resolution was read:

RESOLUTION NO. 14-83

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

That the election notice hereinafter set out by the Notice of the General Municipal Election to be held in the City on Tuesday, April 5, 1983, and further that the same be published in accordance with the election procedures:

ELECTION NOTICE

CITY OF GRAND JUNCTION, COLORADO NOTICE OF GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 5TH DAY OF APRIL, 1983

PUBLIC NOTICE IS HEREBY GIVEN THAT A GENERAL MUNICIPAL ELECTION WILL BE HELD ON TUESDAY, THE 5TH DAY OF APRIL, 1983, IN THE POLLING PLACES HEREINAFTER DESIGNATED IN THE CITY OF GRAND JUNCTION, COLORADO.

That said General Municipal Election will be held at the several polling places in the several districts of the City of Grand Junction, Colorado, as follows:

DISTRICT "A", PRECINCT 1 Two Rivers Plaza
159 Main Street

DISTRICT "A", PRECINCT 2 Columbus School
2660 UnawEEP

DISTRICT "B" Grand Junction High School
1400 North 5th Street

DISTRICT "C" Mesa College Physical Education Center
12th and Orchard

DISTRICT "D" Orchard Avenue School
1800 Orchard Avenue

DISTRICT "E" Lincoln Park School
600 North 14th Street

Upon the date and at the places designated, the polls will be open from the hour of 7:00 a.m. to and including and will be closed at the hour of 7:00 p.m. Voting devices will be provided in each polling place for the election. The ballots to be used in voting will be prepared and furnished by the City Clerk to the Judges of Election, to be by them furnished to the voters. The election will be held and conducted as nearly as may be as prescribed by law.

Registration for the said election will take place in the manner now provided by Ordinance and law.

That at said election a member of the City Council will be elected from each of two election districts (i.e. Districts "B" and "C") and one from the City at Large to serve four-year terms. Candidates are:)

DISTRICT "B"

JAMES J. BRODELL
CHRISTINE KREISSLER

DISTRICT "C"

J. P. MIKE PACHECO

CITY AT LARGE

DAVID N. BERRY
RAYMOND G. PHIPPS

Neva B. Lockhart, CMC, City Clerk

PASSED and ADOPTED this 16th day of March, 1983.

/s/ Frank M. Dunn

President of the Council Pro-Tem

Attest:

/s/ Neva B. Lockhart

City Clerk

It was moved by Councilman Holmes to include in the Resolution the question that would be posed to the public "Do you favor a lodging tax in Grand Junction?" with a YES or NO straw vote answer. In view of the highly polarized condition that has been surrounding this issue over a long period of time, Councilman Holmes felt that the time requirements can be met and the Council and the community would be doing themselves a favor by giving the people in this area the opportunity to respond to this straw vote indication of their preference. The motion lost for lack of a second.

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

RESOLUTION NO. 16-83 GRANTING A REVOCABLE PERMIT TO CEDAR TERRACE TOWNE ASSOCIATION TO BARRICADE BRITTANY DRIVE WEST OF 28-1/2 ROAD

The following Resolution was read:

RESOLUTION NO. 16-83

GRANTING A REVOCABLE PERMIT TO CEDAR TERRACE TOWNE ASSOCIATION.

WHEREAS, Cedar Terrace Towne Association has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow a barrier to be installed on the Brittany Drive right-of-way which runs east and west and is located west of 28-1/2 Road between Cedar Terrace Town Phase I and Phase II, City of Grand Junction; said barrier to be a fully reflectorized Type III barricade as determined by the Manual of Uniform Traffic Control Devices and to be erected and maintained by said Association; 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 its own expense, restoring the right-of-way to its original condition.

PASSED and ADOPTED this 16th day of March, 1983.

/s/ Frank M. Dunn

President of the Council Pro-Tem

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

REVOCABLE PERMIT

WHEREAS, Cedar Terrace Towne Association has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow a barrier to be installed on the Brittany Drive right-of-way which runs east and west and is located west of 28-1/2 Road between Cedar Terrace Towne Phase I and Phase II, City of Grand Junction, said barrier to be a fully reflectorized Type III barricade as determined by the Manual of Uniform Traffic Control Devices and to be erected and maintained by said Association; and

WHEREAS, the City Council is of the opinion that such action would not be detrimental to 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 Cedar Terrace Towne Association a Revocable Permit to allow for a barrier to be installed pursuant to the conditions set forth above on the Brittany Drive right-of-way which runs east and west and is located west of 28-1/2 Road between Cedar Terrace Towne Phase I and Phase II in the City of Grand Junction, 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, it will, at its own expense, remove said encroachment and restore the right-of-way to its original condition.

DATED this _____ day of March, 1983.

James E. Wysocki, City Manager

Attest:

Neva B. Lockhart, City Clerk

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

RESOLUTION NO. 17-83 GRANTING A REVOCABLE PERMIT TO KMOCO OIL CO. TO LANDSCAPE THE NE CORNER OF 28-1/2 ROAD AND NORTH AVENUE

The following Resolution was read:

RESOLUTION NO. 17-83

GRANTING A REVOCABLE PERMIT TO KMOCO OIL COMPANY

WHEREAS, KMOCO Oil Company has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow landscaping which will be done in a manner to preserve sight requirements of the City codes and regulations and which will be located at the northeast corner of 28-1/2 Road and North Avenue, 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 its own expense, restoring the right-of-way to its original condition.

PASSED and ADOPTED this 16th day of March, 1983.

/s/ Frank M. Dunn

President of the Council Pro-Tem

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

REVOCABLE PERMIT

WHEREAS, KMOCO Oil Company has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow for landscaping which will be done in a manner to preserve sight requirements of the City codes and regulations and which will be located at the northeast corner of 28-1/2 Road and North Avenue, City of Grand Junction; and

WHEREAS, the City Council is of the opinion that such action would not be detrimental to 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 KMOCO Oil Company a Revocable Permit to allow for landscaping to be done in a manner to preserve sight requirements of the City codes and regulations and located at the northeast corner of 28-1/2 Road and North Avenue in the City of Grand Junction; 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, it will, at its own expense, remove said encroachment and restore the right-of-way to its original condition.

DATED this _____ day of March, 1983.

James E. Wysocki, City Manager

Attest:

Neva B. Lockhart, City Clerk

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

TEMPORARY MASTER LICENSE GRANTED TO MESA COUNTY CAB COMPANY

Upon motion by Councilman Johnson, seconded by Councilwoman Clark and carried, a temporary master license was granted to Stirling Bittle to operate Mesa County Cab Company pending approval for a permanent license by the PUC.

BIDS - GASOLINE FUEL - LOCO, INC., LIPSON OIL COMPANY -
\$243,436.98

Upon motion by Councilman Johnson, seconded by Councilwoman Kreissler and carried, the contract with Loco, Inc., Lipson Oil Company, to provide gasoline and diesel fuel for 1983-1984 in the amount of \$243,436.98 was approved and the City Manager was authorized to sign said contract.

STAND TAKEN BY MR. BRACH REGARDING AIRPORT COMMENDED

Tim McGauley, 2444 Bookcliff, commended Mr. Brach for his recent stand regarding the Airport.

LETTER FROM NORTH AVENUE ASSOCIATION RE: LODGING TAX

The following letter was read:

"March 16, 1983

Honorable Louis Brach
Mayor of Grand Junction
and City Council Members
Grand Junction, CO 81501

Dear Mayor Brach:

The issue of a "lodging tax" has been called to the attention of the Board of Directors of the North Avenue Association.

Board members were polled on this issue, and while there was no specific opinion expressed "for" or "against" the lodging tax, there was a majority consensus expressed that this issue should be resolved by the City Council in open hearings and not be presented to the voting public for a decision.

Sincerely yours,

/s/ William P. Freer

President
North Avenue Association"

RATEKIN TOWERS

Councilman Lucero reported that as of March 1, the construction of Ratekin Towers was 72% completed.

HOUSING AUTHORITY

Councilman Lucero reported that the Housing Authority accounting is by Computer. A Housing Authority Committee has been forming the process/guidelines that will be used for facilitating the Community Development Block Grant funds and should be finalized within 60 to 90 days.

OUTSTANDING CITIZEN AWARD

Councilman Lucero recognized Councilman Johnson for receiving the Chamber of Commerce Outstanding Citizen Award.

AIRPORT

Councilman Lucero said that in reviewing the road plans for Horizon Drive, the entrance to the Airport property is too narrow.

DOWNTOWN DEVELOPMENT AUTHORITY

Councilman Johnson advised that at the March 4 meeting of the Downtown Development Authority, a Resolution was adopted endorsing the proposed revisions to the Grand Junction Zoning and Development Code.

AIRPORT AUTHORITY

Councilwoman Clark suggested that the Airport Authority needs comments on the proposed by-laws amendments within the next 30 days.

She reported that the Committee met regarding the Airport Board

selection process. They are seeking more applications.

ACTION IN MESA COUNTY COMMITTEE (AIM)

Councilwoman Kreissler reported that the Action in Mesa County Committee spent most of its time going over goals and objectives for the coming year and trying to prioritize those.

PARKS AND RECREATION BOARD

Councilwoman Kreissler reported general discussion of the ongoing programs in the Recreation Department; discussion of new programs, and fee schedules for Orchard Mesa Pool.

AIRPORT AREA BUSINESS ASSOCIATION MEETING

Councilwoman Kreissler attended a recent meeting of the Airport Area Business Association was excellent; a good discussion of what is happening on Horizon Drive and how it will affect the businesses and the general timing.

LODGING TAX

Councilman Dunn reported that he has been visiting with the motel owners during the past week, and relations have never been more cordial. He read a letter from Mrs. Harrison, President of the Mesa County Motel Association. The Association would like an opportunity to submit an alternative proposal to the one presently under consideration.

Councilman Lucero reported for the Lodging Tax Committee: The makeup of the Committee will consist of seven people - one Council member; one Chamber of Commerce representative, a representative from the Motel Association with 100 rooms or more; a representative from the Motel Association with 99 rooms or less; a travel agency representative; representative from an add agency; and a public relations representative.

It was recommended that the Committee have control of the funds. At a future meeting of the Committee, they will discuss collection and distribution of the funds.

ADJOURNMENT

The President Pro Tem adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk