

Grand Junction, Colorado

July 6, 1983

The City Council of the City of Grand Junction, Colorado, convened in regular session the 6th day of July, 1983, at 7:30 p.m. in the City Council Chambers at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Mike Pacheco, Ray Phipps, and President of the Council Gary Lucero. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and City Clerk Neva Lockhart.

Council President Lucero called the meeting to order and asked Councilman Phipps to lead in the Pledge of Allegiance.

INVOCATION

Councilman Robert Holmes.

MINUTES

Councilman Phipps corrected the minutes of June 22, 1983, to reflect "back" bridge rather than "black" bridge under the discussion REQUEST TO CHANGE ROUTE OF ROAD AND DIKE IN RIVERSIDE AREA TO BE STUDIED, along with two other typographical errors. He then moved that the minutes of June 22, 1983, be approved as corrected. The motion was seconded by Councilwoman Clark and said motion carried.

DOWNTOWN DEVELOPMENT AUTHORITY - APPOINTMENT OF KIRK RIDER TO BOARD FOR 4-YEAR TERM - REAPPOINTMENT OF GUY STEPHENS TO 4-YEAR TERM

Upon motion by Councilman Holmes, seconded by Councilman Pacheco and carried, Kirk Rider was appointed to serve a four-year term on the Downtown Development Authority and Guy Stephens was reappointed to serve a four-year term.

PLANNING COMMISSION - ROSS TRANSMEIER REAPPOINTED

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, Ross Transmeier was reappointed to serve a four-year term on the Planning Commission.

RECREATION BOARD

By secret ballot, Ted Swanson and Jim Wilds were reappointed to the Recreation Board to serve three-year terms, and Ralph Tissot, Jr., was appointed to the Recreation Board to fill a two-year unexpired term.

UNITED NATIONS DAY REPRESENTATIVE

By secret ballot, Ruth Vanderhoof was appointed to serve as the

Council's representative for United Nations Day October 24, 1983.

PARKING AUTHORITY - MAYOR ACKNOWLEDGED RESIGNATION OF DAN NEUSHWANGER

PETITIONS - RIVERSIDE PARK AREA

Submitted for the record were two petitions from the Riverside Park area. The petitions were received July 6, 1983. The first petition, signed by approximately 134 people, stated "WE, the undersigned residents of the Riverside area, petition the City of Grand Junction to deny permission for access and/or road construction to Bill Jarvis, dba AMERICAN AUTO SALVAGE, through that property described as Riverside Park, in the City of Grand Junction, Colorado, and in turn preserve the park in its entirety as the only recreation area in the Riverside district." The second petition signed by approximately 132 people, stated: "WE, the undersigned residents of the Riverside area, request the road described as: Riverside Park Road. Street begins at corner of West Avenue and West Colorado, winding along the Park to corner of Hale Avenue. Also known as the River Road, be closed to all vehicular traffic for reasons of future safety of residents and preservation of property."

COMMUNITY HOSPITAL REQUEST TO WAIVE WATER TAP FEE TURNED OVER TO PUBLIC WORKS DIRECTOR

Roger Zumwalt, Executive Director of Community Hospital, appeared before Council to request the water tap fee be waived. He stated that the new facility under construction is the emergency care center, single-story, non-combustible material. It must comply with Building and Fire Code requirements, and the City adopted the new Codes just recently which requires fire protection sprinkling line. He requested the City waive the water tap fee of \$28,000. Public Works Director Jim Patterson stated that it is not the City's policy to charge a tap fee for straight fire protection water. If it's in combination domestic water and fire protection tap that will be metered, the hospital will be charged according to the meter size. Mr. Patterson said that generally the City requires and the people will put in fire protection sprinkler system lines separate from the domestic line. They will pay a tap fee based on the domestic meter size, and the City then charges time and materials for the fire protection line, just whatever it costs to put the line in. Mr. Patterson suggested that Mr. Zumwalt come in and request fire protection only.

LIQUOR-BEER - APPLICATION TO RENEW APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, and with the understanding that the alleged violation by Circle K Store No. 782, 1st and Chipeta, be turned over to the hearing officer, the applications by the following businesses were approved:

1. C & F Food Stores, Inc., 2714 Highway 50 (3.2% Beer)
2. C & F Food Stores, Inc., 859 Pitkin Avenue (3.2% Beer)
3. 7-Eleven Store, 459 North Avenue (3.2% Beer)
4. Circle K Store No. 782, 1st and Chipeta (3.2% Beer)
5. Golden Dragon, 1037 North Avenue (3.2% Beer)
6. Andy's Liquors, 401 North Avenue (Retail Liquor Store)

LIQUOR - APPLICATION BY SANTY'S STOP, INC., CHANGING CORPORATE STRUCTURE APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application by Santy's Stop, Inc., changing corporate structure was approved. New officers, director, stockholder are:

President/Operating Manager: Dan Williams

Secretary/Stockholder/Director: Marie N. Haupt - 100%

BIDS - AWARD OF CONTRACT - 5TH STREET WATERLINE REPLACEMENT, UTE AVENUE TO GUNNISON AVENUE AND WATERLINE EXTENSIONS FOR 1983 - COMMERCIAL SERVICES - \$151,943.00

Bids were received and opened June 30, 1983, for the 5th Street Water line Replacement from Ute Avenue to Gunnison Avenue and waterline extensions, 1983. Bidders were:

Lyle States Construction \$276,981.00

R. L. Atkins Construction, Inc. \$181,720.00

Pioneer Construction \$171,278.50

Commercial Services \$151,943.00

Engineer's Estimate \$177,149.00

The bid was within budget, and Staff recommended acceptance of the bids and award of contract to the apparent low bidder, Commercial Services. Upon motion by Councilman Phipps, seconded by Councilman Pacheco and carried, the bids were accepted and the contract was awarded to Commercial Services for its bid of \$151,943.00.

BIDS - AWARD OF CONTRACT - REROOFING SOUTH SECTION OF CITY HALL BUILDING - RELIABLE ROOFING - \$15,990.00

Assistant City Manager Ron Ruskey said that following Council's direction June 22, bids for the reroofing of the south portion of City Hall that were received prior to June 22 were rejected. The

project was then rebid seeking a roof that Council would be more comfortable with; in this case a membrane roof, formerly known as an EPDM. There were five bidders with three alternates being submitted. Bidders were:

Reliable Roofing \$15,990.00

Mountain West Urethane, Inc. \$16,034.00

Alternate - \$19,554.00

Patching - \$ 3,808.00

Robison Roofing \$19,546.00

Miracle Roofing \$23,500.00

CBC \$27,454.00

Alternate #1 - \$29,926.00

Alternate #2 - \$25,077.00

Reliable Roofing proposes to utilize a Good year membrane roof with a ten-year warranty from Goodyear. Staff recommended award of contract to Reliable Roofing for its bid of \$15,990.00.

Upon motion by Councilman Pacheco, seconded by Councilman Dunn and carried, the bids were accepted and the contract for the reroofing of the south portion of City Hall was awarded to Reliable Roofing for its bid of \$15,990.00.

ORDINANCE ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2133 - CONCERNING WAGE AND BENEFIT DETERMINATION PROCEEDINGS BETWEEN THE CITY OF GRAND JUNCTION AND THE CITY EMPLOYEES ASSOCIATION

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title only was read: CONCERNING THE WAGE AND BENEFIT DETERMINATION PROCESS BETWEEN THE CITY OF GRAND JUNCTION AND THE GRAND JUNCTION CITY EMPLOYEES ASSOCIATION.

There were a few brief comments from Councilmembers Pacheco, Lucero and Kreissler. Upon motion by Councilman Pacheco, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2133, and ordered published.

ORDINANCE NO. 2134 - REPEALING AND REENACTING SECTION 28 OF CHAPTER 20, CODE OF ORDINANCES

Upon motion by Councilman Dunn, seconded by Councilman Pacheco and carried, the following proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE REPEALING AND REENACTING SECTION 20-28 OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION.

There were no comments from the audience or Council. Upon motion by Councilwoman Kreissler, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2134, and ordered published.

ORDINANCE NO. 2135 - D & RGW ANNEXATION WEST

Upon motion by Councilman Pacheco, seconded by Councilwoman Kreissler and carried, the following proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion by Councilman Holmes, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2135, and ordered published.

ORDINANCE NO. 2136 - COMMERCE BOULEVARD ANNEXATION, S SIDE OF F ROAD FROM WESTGATE SUBDIVISION TO 24-1/2 ROAD

Upon motion by Councilman Phipps, seconded by Councilman Pacheco and carried, the proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2136, and ordered published.

CITY MANAGER AND COUNCIL EXPRESSED APPRECIATION TO PEOPLE IN RIVERSIDE AREA, AND TO CONTRACTORS AND OTHER ENTITIES FOR ASSISTANCE DURING THE FLOOD CRISIS

COUNCILMAN HOLMES COMMENDED THE FIRE DEPARTMENT STAFF AND EMERGENCY SERVICES STAFF DURING THE TIME OF THE OVERTURNED RAILROAD CARS AND THAT CRISIS

ARCHITECTURAL SELECTION PROCEDURE

Councilman Phipps reported that his Committee will meet Thursday morning, and he will file a report at the Council's next workshop.

TRANSPORTATION COMMITTEE

Councilman Pacheco reported that he attended a recent meeting of the Transportation Committee, and it has approved the master plan for the City/County for State funding. One area that may require Council's consideration is 32 Road. Half of 32 Road is not covered in the master plan which would make it ineligible for State funds to complete the four-laning all the way to the bridge. His committee has made the recommendation to change the master plan to place this area under the master plan, and that recommendation should come before the Council within the next month or so.

AIRPORT BOARD

Councilman Dunn filed a report on the Airport Board. He greeted the American Association of Travel Directors who held a meeting in Grand Junction.

Councilman Holmes inquired about the tile that is reported to be cracking or buckling because the new terminal building is sinking. Councilman Dunn said that corrections have been ordered. Apparently expansion joints were left out of the pillars, so the Architect, John Porter, has been requested to correct the problem.

DDA BOARD MEETING

Councilwoman Kreissler reported that Marcia Neal was elected as Chairman of the Downtown Development Authority at its recent meeting. Bob Quimby was elected Vice Chairman. A Resolution commending Harold Daniels for his many years of service on the DDA Board was approved. The Board requested that Councilwoman Kreissler bring to the attention of the Council its interest in making Rood and Colorado Avenues two-way streets.

SYNFUELS AND DOE

Councilman Lucero reported that he met with several members of the Synfuels Board and also the DOE people out of Washington. They conveyed to the members that they would like to see things come to a head on some decision and that things not be held in abeyance for quite such a long time, and to make a decision, either for or against, to proceed with whatever project they choose. The other thing that members attending the meeting tried to stress and convey was that Grand Junction and a number of the surrounding communities are in fact prepared and ready for many items that could occur in this area as it relates to energy exploration; namely, sewerage and water treatment facilities in place.

RESOLUTION NO. 38-83 - FLOOD EMERGENCY DECLARATION

The following Resolution was read:

RESOLUTION NO. 38-83

FLOOD EMERGENCY DECLARATION

WHEREAS, the City of Grand Junction along with the County of Mesa has recently undergone the worst flooding of the Colorado and Gunnison Rivers in 66 years; and

WHEREAS, even though volunteer help was provided on a large and gratifying scale, City crews and equipment worked around the clock to prevent extensive flood damage within the City through diking and sandbagging of areas, most of which work will have to be undone with the same crews and equipment; and

WHEREAS, the City has not budgeted for these emergency funds and the budget of the City will not permit the absorbing of these costs;

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

That the City staff be directed to pursue those avenues through which funding may be obtained to recover monies expended by the City in handling the flooding emergency.

PASSED and ADOPTED this 6th day of July, 1983.

/s/ Gary A. Lucero

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

There was discussion about the definitions of "disaster" and "emergency." Councilman Holmes stated that he would favor a Resolution making it a "declaration of emergency" as long as it was necessary in order for those individuals who suffered a personal loss to possibly recoup or get assistance in rebuilding or reorganizing whatever loss they suffered; however, he did not feel it was justifiable for the municipality to seek the declaration of an emergency to get the monies spent for additional house and for the provision of building dikes and such. This did not seem justified to him any more than what he thought was a comparable situation in Denver last December and possibly March or April when they had a foot of moisture in the form of snowfall and the City was paralyzed. To his knowledge, Councilman Holmes did not believe they sought emergency funding elsewhere to refurbish their own coffer, and he did not feel the City should endeavor to go through the process of declaring an emergency specifically for that purpose. He felt it was a possible responsibility and stewardship of the Council to budget and consider that contingencies such as emergencies will and do happen. It seemed to him that it would not be justifiable to seek monies from people

elsewhere in the State to help in that situation, but if an emergency declaration or resolution was necessary to establish those people that were personally affected by it to get insurance or recover whatever loss, then it certainly was justified. He wanted to go on record to express the distinction he was regarding the matter. Councilwoman Kreissler pointed out that at this time the amount is not known, and she does not know how one budgets for an act of God. If it is found that the City can absorb this cost, that will be one thing. If it finds that it cannot, the money being sought is that which taxpayers pay into these funds for use such as this. She did not feel anyone was advocating just automatically taking advantage of the funds if it were not felt they are needed. Cindy Enos from the Riverside area questioned how the City would pay for the reconstruction of the dike and streets if it did not have funds for the building of the dike and other matters. They were concerned about the dike that is there now and requested that what is in place be permitted to stay and perhaps request that the 1984 budget include amounts for a fence along there. The City Manager said the Staff will be looking into the situation and pointed out that the Corps of Engineers will be brought into the picture as it relates to what can and cannot occur on the river bank, and he feels sure they will dictate to some extent how that will happen.

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

LAGUNA DRIVE, APACHE DRIVE, AND ACOMA DRIVE FOR DOUBLE PENETRATION SEAL COAT - CIRCULATION OF PETITION AUTHORIZED ON A FOUR-YEAR PAYMENT PLAN

Taken from the table for further discussion was the request for double penetration seal coat of Laguna Drive, Apache Drive, and Acoma Drive on Orchard Mesa. Upon motion by Councilman Pacheco, seconded by Councilwoman Clark and carried with Councilmembers KREISSLER and LUCERO voting NO, the Staff was authorized to prepare a petition to be circulated in this area for double penetration seal coat on a four-year payment plan, said proposal to be included in the City's Street Improvement District No. 83 program if sufficient signatures of property owners are obtained on the petition.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk