

Grand Junction, Colorado

September 21, 1983

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of September, 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 Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

The President called the meeting to order and requested that Councilman Pacheco lead in the Pledge of Allegiance.

INVOCATION

Councilman Frank Dunn.

MINUTES

Upon motion by Councilman Phipps, seconded by Councilman Pacheco and carried, the minutes of the regular meeting August 17, 1983, the special meeting August 30, 1983, and the regular meeting September 7, 1983, were approved as submitted.

RESOLUTION NO. 51-83 APPOINTING JANINE RIDER TO 4-YR TERM ON WALKER FIELD, CO, PUBLIC AIRPORT AUTHORITY

The following Resolution was read:

RESOLUTION NO. 51-83

APPOINTING A MEMBER TO THE BOARD OF THE WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY.

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

That Janine Rider be appointed as a City of Grand Junction appointee to the Board of the Walker Field, Colorado, Public Airport Authority for a four-year term.

PASSED and ADOPTED this 21st day of September, 1983.

/s/ Gary A. Lucero

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

LIQUOR-BEER - APPLICATIONS TO RENEW LICENSES APPROVED

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

1. Los Amigos Food & Booze, 209 Colorado Avenue (Hotel-Restaurant)
2. Redlands Liquor, 2516 Broadway, Space 8 (Retail Liquor store)
3. City Market, 2770 Highway 50 South (3.2% Beer)
4. T-Bone Restaurant, 120 N. 7th Street (Hotel-Restaurant)
5. Jim's Liquors, 1560 North Avenue (Retail Liquor Store)
6. Cook's Warehouse Market, 1235 N. 4th Street (3.2% Beer)

HEARING - PROPOSED ORDINANCE - ZONING COMMERCE BOULEVARD ANNEXATION C-2

A hearing was held after proper notice on the petition to zone Commerce Boulevard, Annexation c-2. There were no opponents, letters or counterpetitions. 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 Holmes, seconded by Councilman Pacheco and carried, the proposed ordinance was passed for publication.

HEARING - MESA VERDE ESTATES MINOR SUBDIVISION LOCATED AT 313 CEDAR STREET, E OF 27 ROAD, N OF C ROAD - APPROVED

A hearing was held after proper notice on the petition by Eugene Green for a minor subdivision of three (3) lots on approximately 3.32 acres in a residential single-family zone at eight (8) units per acre on property located at 313 Cedar Street east of 27 Road and north of C Road, to be known as Mesa Verde Estates Minor Subdivision. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the petition for Mesa Verde Estates Minor Subdivision was approved subject to the conditions of the Planning Commission.

HEARING - CITY OF GRAND JUNCTION COMPREHENSIVE PLAN LOCATED WITHIN THE ESTABLISHED BOUNDARIES OF THE CITY OF GRAND JUNCTION AND THE BOUNDARIES OF THE INTERGOVERNMENTAL AGREEMENT DATED MARCH 24, 1983, BY THE CITY AND MESA COUNTY - APPROVED

A hearing was held after proper notice on the petition by the Grand Junction Planning Commission for the City of Grand Junction Comprehensive Plan located within the established boundaries of the City of Grand Junction and the boundaries of the intergovernmental Agreement dated March 24, 1983, between the City and Mesa County. This item concerned the Adoption/Administrative Procedures, Amendments, Table of Contents, and the Introduction. There were no comments, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the Plan as outlined above was approved.

RESOLUTION NO. 52-83 OF FINDINGS AND DECISION RE: APPLICATION BY VPL CORP. FOR A RETAIL LIQUOR STORE LICENSE AT VALLEY PLAZA LIQUORS, 2454 HIGHWAY 6 & 50, UNIT 101, APPROVED

The following Resolution was read:

RESOLUTION NO. 52-83

OF DECISION ON APPLICATION FOR RETAIL LIQUOR STORE LICENSE BY VPL CORPORATION FOR VALLEY PLAZA LIQUORS LOCATED AT 2454 HIGHWAY 6 & 50, UNIT 101, GRAND JUNCTION, COLORADO.

A public hearing having been held on September 7, 1983, on the application by VPL Corporation for a Retail Liquor Store license for Valley Plaza Liquors, at 2454 Highway 6 & 50, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. The hearing was held on September 7, 1983, on the application after proper notice thereof under the Liquor Code.
2. On the survey conducted by the City about 232 favored the issuance of the license, stating that the needs of the neighborhood were not being met by existing outlets. Of these, 36 were owners of property in the neighborhood, 27 were inhabitants and 196 were employed in the neighborhood. There were 219 opposed to the issuance of the license feeling the needs of the neighborhood were being met by other outlets. Of these opposed, 31 were owners of property in the neighborhood, 20 were inhabitants and 185 were employees.
3. Forms of petitions were presented by both the applicant and by those opposed to the issuance of the license. Employees within the neighborhood predominated in both petitions, with only a small number of others. The applicants had about 213 in favor of the issuance and 9 opposed. The opposition had about 258 signatures of those opposed to the issuance of the license.
4. The license is sought for a location in a small shopping center near the larger shopping center of Mesa Mall. The area is largely commercial and business in character, and there are only a small number of inhabitants of the area as that term is defined in the Liquor Code.

5. Within the neighborhood as established by the City there are two other Retail Liquor Store outlets, Fisher's Liquor Barn at 2448 F Road and Cottonwood Liquors at 2491 Highway 6 & 50. Additionally, there is an outlet, Ranch Liquors, at 2322 Highway 6 & 50, which is about one-half mile beyond the limit of the neighborhood perimeter set by the City.

6. Those in opposition to the license objected to the evidence presented by the applicant that the area drew from a larger neighborhood than that designated by the City, and the applicant used sales tax figures to indicate that another Retail Liquor Store license was justified in the area through a relationship to those in other parts of the City. While the law restricts the consideration of the Council to the desires of the inhabitants and the needs of the neighborhood, a description of that neighborhood through the use of comparisons is not impermissible. Too, in determining the needs of the neighborhood, the fact that it is within a trade center may be relevant, at least as relevant as a consideration of employees within the neighborhood.

7. The opposition also objected to the use of altered City forms by the applicant in securing its petitions. There was nothing in the evidence which indicated that any harm resulted from this form use.

8. The opposition was concerned that, as to all surveys, persons in the survey area would not have known of the existence of Cottonwood Liquors, as recent action had just occurred there with a new owner taking over; however, that location had had a Retail Liquor Store license for a long period of time, only the name had changed from time to time.

9. The character of the applicant is good as determined by checking done by the Police Department and by letters attesting to said good character, the applicant being the officers of the corporation making the application.

10. In responding to the requirements of the Liquor Code that the Council consider the needs of the neighborhood and the desires of the inhabitants of that neighborhood and using the numbers provided through the City survey and the petitions, pro and con, there is slight edge of approval from the few inhabitants of the neighborhood while the needs of the neighborhood, as being indicated by others than inhabitants, would show a few more opposed than favoring. However, the Council believes that the nature of the neighborhood itself and the attraction to the commercial and business area is a strong factor which would call for the issuance of the license.

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

That a Retail Liquor Store license issue to VPL Corporation for

Valley Plaza Liquors at 2454 Highway 6 & 50, Grand Junction, Colorado.

PASSED and ADOPTED this 21st day of September, 1983.

/s/ Gary A. Lucero

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

BIDS - AWARD OF CONTRACT - WATERLINE REPLACEMENT, 7TH STREET FROM 3RD AVENUE TO MAIN STREET AND UTE AVENUE FROM 5TH STREET TO 7TH STREET - PIONEER CONSTRUCTION COMPANY, INC. - \$139,806.75

Bids were received and opened September 19, 1983, on the Waterline Replacement project for 7th Street from 3rd Avenue to Main Street and for Ute Avenue from 5th Street to 7th Street. Bidders were:

R. L. Atkins Construction, Inc. \$183,671.85  
Commercial Services Construction Co., Inc. \$162,147.80  
Parkerson Construction, Inc. \$147,797.20  
Pioneer Construction Company, Inc. \$139,806.75

Engineer's Estimate \$133,814.50

Staff recommended award of contract to the apparent low bidder. Completion time for the contract, sixty (60) days. Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, the bids were accepted and the contract for Waterline Replacement project for 7th Street from 3rd Avenue to Main Street and for Ute Avenue from 5th Street to 7th Street was awarded to Pioneer Construction Company, Inc., for its low bid of \$139,806.75.

HEARING - APPLICATION BY LATIN ANGLO ALLIANCE FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT AT TWO RIVERS PLAZA, 159 MAIN, OCTOBER 15, 1983, 8:00 P.M. TO 1:00 A.M. FOR THE LATIN ANGLO ALLIANCE FIESTA - 1ST PERMIT - APPROVED

A hearing was held after proper notice on the application by the Latin Anglo Alliance for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza, 159 Main Street, October 15, 1983, from 8:00 p.m. to 1:00 a.m. for the Latin Anglo Alliance Fiesta. Marie Lloyd was present to speak for the permit. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried

with Councilman HOLMES voting NO, the application was approved.

BIDS - AWARD OF CONTRACT PAINTING TWO WATER STORAGE TANKS AT WATER PLANT - R.F. BROWN SANDBLASTING & PAINTING - \$36,936

Bids were received and opened September 7, 1983, for the painting of the exterior of the two 4MG water storage tanks at the Water Plant. Bidders were:

Marko L. Riddle Company \$78,816.00  
Skyline Painting Company \$75,990.00  
Thompson Painting & Sandblasting \$59,663.00  
Mager Paint & Sandblasting \$58,969.00  
White Industrial Painting \$55,950.00  
B & J Painting \$54,000.00  
L & S Sandblasting & Painting \$50,675.00  
Hartman Industrial Coatings \$49,000.00  
Special Western Coatings Sandblasting \$45,000.00  
Don E. Vogel Painters \$45,000.00  
R. F. Brown Sandblasting & Painting \$36,936.00

Staff recommended award of contract to the apparent low bidder, R. F. Brown Sandblasting & Painting. Completion time for the contract, forty-five (45) working days.

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, the bids were accepted and the contract was awarded to R. F. Brown Sandblasting & Painting for its bid of \$36,936.00.

BANK BIDS - CONTRACT FOR CITY'S BANKING NEEDS AWARDED TO INTRAWEST BANK OF GRAND JUNCTION FOR A 2-YEAR PERIOD

Councilman Pacheco reported on his assignment to assist the City Finance Director in analyzing the bidding process for, hopefully, upgrading and modernizing a little bit, and providing an opportunity for the City to earn some money and at the same time save some money by utilizing a bank-bid system for our services here at the City. Each Council member had received a written copy of the report.

Councilman Pacheco said that the bank which the Council selected would be providing a complete, comprehensive banking service to the City with the exception of investing the City's funds. At the present time the City Finance Department will probably continue to do that separately. Councilman Pacheco said they are doing a very fine job at the present time, but it does prevent some additional charges from being incurred without really offsetting benefits. However, Councilman Pacheco said they would like to leave that open to some future date so they could come back to Council and have it consider that particular part of the bids, but at the present time that particular part would be deleted from consideration.

During discussion, Councilman Pacheco stated that investigations to bid were sent to all the banks in the valley. Only three responded. That was not surprising, he said, because the types of services that the City would be requiring would require some major upgrading in the computer systems, so some of the smaller banks assured the committee they just were not at the present time capable of performing the service but may be able to do so sometime in the future.

There was discussion about the term of the contract. Councilman Pacheco suggested at least a minimum of two years as the banks would need that amount of time to recover front-end expenses incurred. The banks requested three years. Councilman Pacheco said that Grand Junction is probably one of the last municipalities of its size in the State to do this.

Councilman PHIPPS ABSTAINED from discussing this item. Upon motion by Councilman Pacheco, seconded by Councilwoman Clark and carried with Councilman PHIPPS ABSTAINING, the Contract for the City's banking needs as outlined was awarded to Intrawest Bank of Grand Junction for a period of two years, and the President of the Council was authorized to sign said Contract.

HEARING - REZONE FROM RSF-8 TO PB AND HILLTOP REHABILITATION HOSPITAL OUTLINE DEVELOPMENT PLAN - PROPOSED ORDINANCE - HILLTOP REHABILITATION HOSPITAL DAY CARE CENTER FINAL PLAN AND PLAT - APPROVED - OPEN-SPACE FEE WAIVED

A hearing was held after proper notice on the petition by the Mesa County Society for Crippled Children and Adults doing business as Hilltop Rehabilitation Hospital represented by Dennis Stahl to change from residential single-family uses at eight (8) units per acre to planned business uses and an Outline Development Plan on approximately 7.88 acres. Also a request for a final plan and plat for a day care center on approximately 1.3 acres. Janet Stephens, Planning Department, outlined the proposal. Dennis Stahl was present to request the waiver of the open-space fee. There were no opponents, letters or counterpetitions.

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman PACHECO voting NO, the open-space fee was waived, (\$17,000) so long as structured programs for recreational use is permitted for public use that would not be in conflict with the Hilltop scheduled programs.

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 Holmes, seconded by Councilman Pacheco and carried, the proposed ordinance was passed for publication.

Upon motion by Councilman Pacheco, seconded by Councilman Holmes and carried, the Hilltop Rehabilitation Hospital Day Care Center

Final Plan and Plat for the northwest corner of 15th Street and F Road was approved.

HEARING - REZONE FROM RMF-32 TO O (PARKING) USES ON APPROXIMATELY .11 ACRE LOCATED S OF BELFORD, W OF 7TH STREET

A hearing was held after proper notice on the petition by Harlan Peltier and Associates for rezone from RMF-32 to P (Parking) uses on approximately .11 acre located south of Belford and west of 7th Street. Janet Stephens reviewed the proposal. She stated that the staff concerns are that the proposal does not comply with the 7th Street policy and there are neighborhood objections. The alley currently serves as the traditional boundary or buffer in the neighborhood between the commercial and the residential. Another concern was that the proposal may not allow enough parking for the permanent structure that will be built at a later date. She submitted a letter opposing the rezone from Mrs. Lillian Oliver, 625 Belford.

Darryl Shrum was present for the petitioners. He submitted a petition from the neighborhood signed by 48 people supporting the rezone along with letters from four people who operate businesses in the neighborhood who support the rezone. Although the petition to vacate the alley had been withdrawn from this agenda by the petitioners, Mr. Shrum indicated that his clients would very likely want to use the alley for the parking lot and to get to the drive-up windows. They would dedicate two and one-half feet on each side of the alley in order to widen it to 20 feet. It would be fully upgraded. Mr. Shrum also requested a resolution by the Council on the City Staff request that the petitioners build at their expense a median the entire length of the block from Belford to Teller. Their proposal shows that they plan to angle the curb cuts so the traffic would be heading southbound and also they propose traffic signs, such as STOP signs, YIELD signs, NO LEFT TURN signs. His clients are willing to participate in building the median if it's necessary, but they would request that until the permanent facility is built in the next two years and have the City and the owners of the bank monitor the traffic out of that exit point. He requested a waiver of this item. Councilman Pacheco stated that he did not feel this was an appropriate request at this time. He felt this was a technical question that had been addressed by the City Engineer.

Speaking for the petitioners: Harlan Peltier, 559 Eastmoor Drive, CEO for the Grand Valley National Bank; Warren Broderson, 2356 N. 7th Street; Bob Emerick, 2262 Broadway; Don Armour, 3084 Pinyon Place, Samuel M. Park, 240 Gunnison.

There were no other letters, opponents, or counterpetitions.

Karl Metzner, Planning Director, clarified two points regarding the P Parking zone and regarding the existing parking lot on the north side of Belford about the middle of the block. That parking lot was put in to serve the existing Bray building that had been



there and had been causing parking problems. Mr. Metzner said that to his knowledge every time the parking zone had been approved it's been for an existing use to solve an existing problem not for any additional new uses. Also, the City Council at that time requested the Planning Commission and the Planning Staff to develop the 7th Street Corridor Policies and that was how those policies were initiated.

A Resolution of Findings and Decision scheduled on the October 5, 1983, City Council agenda.

HEARING - TROLLEYGATE VILLAGE PHASE I REVISED FINAL PLAT AND PLAN (FORMERLY PERSIGO VILLAGE) SE COR 25 AND G ROADS - PETITIONER GRANTED PERMISSION TO DEVIATE FROM CITY STREET STANDARDS

A hearing was held on the petition by John Cavness, Persigo Development Corporation, for the Trolleygate Village Phase I revised final plat and plan for 28 units on approximately 5.7 acres in a planned residential zone at 17 units per acre located on the southeast corner of 25 and G Roads. All concerns have been addressed with the exception of his request to deviate from the City Street Standards. Ken Reedy, City Engineer, reviewed the proposal regarding the median for 25 Road and loops around to G Road.

John Cavness, the petitioner was present.

There were no opponents, letters or counterpetitions.

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried, the Trolleygate Village Phase I Revised Final Plat and Plan was approved, and the petitioner was granted permission to deviate from City street standards by placing a fourteen (14) foot mat on each side of the ten (10) foot median.

PROPOSED ORDINANCE PERMITTING THE CHARGING OF INTEREST ON DELINQUENT UTILITY BILLS - PULLED FOR FURTHER DISCUSSION

The following entitled proposed ordinance was read: AN ORDINANCE PROVIDING FOR INTEREST ON DELINQUENT ACCOUNTS DUE THE CITY. Council requested that this proposed ordinance be pulled for further discussion.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2144 - REZONING NW COR OF 26-3/4 ROAD AND F ROAD FROM RSF-4 TO PB

Upon motion by Councilman Pacheco, seconded by Councilman Phipps

and carried, the following entitled proposed ordinance was called up for final passage and the title only 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.

There were no comments. Upon motion by Councilman Phipps, seconded by Councilman Pacheco and carried by roll call vote, the Ordinance was passed, adopted, numbered 2144, and ordered published.

ORDINANCE NO. 2145 - VACATING A UTILITY EASEMENT AT THE NW COR OF 26-3/4 ROAD AND F ROAD

Upon motion by Councilman Pacheco, seconded by Councilman Phipps and carried, the following entitled proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE VACATING A UTILITY EASEMENT IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Pacheco, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2145, and ordered published.

ORDINANCE NO. 2146 - SHERIFF'S POSSE ANNEXATION 25 ROAD AND F1/2 ROAD

Upon motion by Councilman Pacheco, seconded by Councilman Phipps and carried, the following entitled 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 Councilwoman Kreissler, seconded by Councilman Pacheco and carried, the Ordinance was passed, adopted, numbered 2146, and ordered published.

RESOLUTION NO. 53-83 APPROVING IMPLEMENTATION PROCEDURES FOR THE COMMUNITY DEVELOPMENT HOUSING REHABILITATION LOAN PROGRAM

The following Resolution was read:

RESOLUTION NO. 53-83

A RESOLUTION APPROVING CERTAIN IMPLEMENTATION PROCEDURES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT - SMALL CITIES PROGRAM FOR HOUSING REHABILITATION LOANS

WHEREAS, on December 2, 1981, the City Council of Grand Junction, Colorado, (the Council) adopted the Downtown Development Strategy/Grand Junction, in which it was determined that the need to stabilize residential districts on the eastern and northern edges of the downtown area was a vital concern of the City; and

WHEREAS, on December 16, 1981, this Council adopted the Downtown Development Authority Plan of Development for Grand Junction,

Colorado, after determining that blight exists within the downtown area; and

WHEREAS, studies were conducted in September and October of 1982 under the auspices of the Grand Junction Housing Authority, in which it was determined that there was a considerable number of deteriorating and dilapidated housing units in that area bounded by Gunnison Avenue on the north, Ute Avenue on the south, Sixth Street on the west, and Twelfth Street on the east; and

WHEREAS, the Council, with the assistance of the Grand Junction Housing Authority and Grand Junction, Colorado, Downtown Development Authority, desired to initiate a housing rehabilitation process to encourage and assist in the renovation and rehabilitation of older residential units in order to preserve established neighborhoods close to the downtown area; and

WHEREAS, the City of Grand Junction made application on November 1, 1982, for a Community Development Block Grant - Small Cities Program Grant and subsequently for a Colorado Division of Housing Grant for the purposes of housing rehabilitation loans; and

WHEREAS, such grants have been approved and are subject to final implementation; and

WHEREAS, the Grand Junction Housing Authority and the Grand Junction, Colorado, Downtown Development Authority, after study, negotiation, and preparation has submitted to the Council certain implementation procedures for the Council's review and approval;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Downtown Housing Rehabilitation and Neighborhood Conservation Program Guidelines, attached hereto and incorporated herein as Exhibit "A", including Program Implementation Guidelines and Housing Rehabilitation Design Guidelines, are hereby adopted and approved as the program guidelines for such program; and

2. In furtherance of plans, goals, and objectives of such program, the City Manager is authorized to enter into, and execute, the Memorandum of Agreement submitted by the Advisory Council on Historic Preservation and relating to historic structures within the project area, which is attached hereto and incorporated herein as Exhibit "B"; and

3. To further implement the grant program, the City Manager is authorized to enter into and execute the lump sum drawdown agreement and attendant documentation attached hereto and incorporated herein as Exhibit "C" with the lead lender and for purposes of obtaining and delivering to the lead lender a portion of the necessary funds for the program, and to make the necessary drawdown from the U.S. Department of Housing and Urban Development; and

4. The Council has reviewed the Joint Venture Agreement, which is attached hereto and incorporated herein as Exhibit "D", between the Grand Junction, Colorado, Downtown Development Authority and the Grand Junction Housing Authority for the purposes of establishing the Downtown Housing Effort, a Joint Venture of Grand Junction, Colorado, Downtown Development Authority and the Grand Junction Housing Authority, and determines that such Joint Venture Agreement will serve the purposes of the respective Authorities, the community, and the letter and intent of the Community Development Block Grant - Small Cities Program, and, therefore this Council endorses such Joint Venture Agreement; and

5. After the Community Development Block Grant and Colorado Division of Housing Grant are closed out, all monies received on the return of the subsidies shall go into a special fund of the Downtown Housing Effort for the purpose expressed in such Joint Venture Agreement.

6. All such activities shall be taken as soon as is practicable by the appropriate officials.

PASSED and ADOPTED this 21st day of September, 1983.

/s/ Gary A. Lucero

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

RESOLUTION NO. 54-83 GRANTING A REVOCABLE PERMIT TO COMMUNITY HOSPITAL AT 12TH STREET AND WALNUT AVENUE FOR BEAUTIFICATION

The following Resolution was read:

RESOLUTION NO. 54-83

GRANTING A REVOCABLE PERMIT TO COMMUNITY HOSPITAL.

WHEREAS, Community Hospital has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit for parking stalls, landscaping and beautification along the 12th Street and Walnut Avenue rights-of-way adjacent to the following described tracts:

Beginning 40 ft W and S 00 deg. 03 min. W 25 ft from the NE Cor of the NE4 of the SE4 of th NE4 of Sec 11, T1S, R1W, Ute Meridian;

thence S 00 deg. 03 min. W 304.6 ft, thence W 264.90 ft, thence S 00 deg. 03 min. E 15 ft, thence W 40 ft, thence along a 50 foot radius curve to the left 22.55 ft, the chord of which bears S 77 deg. 04 min. W 22.36 ft, thence W 258.32 ft, thence N 00 deg. 02 min. E 294.59 ft to beginning; EXCEPT the E 10 ft for right of way, AND Beginning 220 ft N and 30 ft W of the E4 Cor of Sec 11, T1S, R1W, Ute Meridian, thence W 299.92 ft, thence N 109.64 ft, thence E 299.92 ft, thence S to beginning, EXCEPT the E 20 ft for right of way;

and

WHEREAS, such action would not be detrimental to 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 purposes 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 rights-of-way to their original condition.

PASSED and ADOPTED this 21st day of September, 1983.

/s/ Gary A. Lucero

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

REVOCABLE PERMIT

WHEREAS, Community Hospital has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit for parking stalls, landscaping and beautification along the 12th Street and Walnut Avenue rights-of-way adjacent to the following described tracts:

Beginning 40 ft W and S 00 deg. 03 min. W 25 ft from the NE Cor of the NE4 of the SE4 of th NE4 of Sec 11, T1S, R1W, Ute Meridian; thence S 00 deg. 03 min. W 304.6 ft, thence W 264.90 ft, thence S 00 deg. 03 min. E 15 ft, thence W 40 ft, thence along a 50 foot radius curve to the left 22.55 ft, the chord of which bears S 77 deg. 04 min. W 22.36 ft, thence W 258.32 ft, thence N 00 deg. 02

min. E 294.59 ft to beginning; EXCEPT the E 10 ft for right of way, AND Beginning 220 ft N and 30 ft W of the E4 Cor of Sec 11, T1S, R1W, Ute Meridian, thence W 299.92 ft, thence N 109.64 ft, thence E 299.92 ft, thence S to beginning, EXCEPT the E 20 ft for right of way;

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 Community Hospital a Revocable Permit for parking stalls, landscaping and beautification along the 12th Street and Walnut Avenue rights-of-way adjacent to the above described tracts; 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 their original condition.

DATED this \_\_\_\_\_ day of September, 1983.

/s/ James E. Wysocki

\_\_\_\_\_  
City Manager

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

#### METROPOLITAN PLANNING ORGANIZATION CONTRACT

Upon motion by Councilwoman Clark, seconded by Councilman Pacheco and carried, the Metropolitan Planning Organization Contract was approved and the President of the Council was authorized to sign said contract.

#### LEASE AGREEMENT - POWERS PROPERTY

Upon motion by Councilman Pacheco, seconded by Councilman Holmes

and carried, the lease Agreement for the Powers Property was approved and the City Manager was authorized to sign said Lease.

DDA

Councilwoman Kreissler reported that the DDA will meet on Friday. The topic will be Tax Increment Financing. Any requests should be directed to her attention.

She said that the Board will start the process for a replacement for the Executive Director. Again, any suggestions should be presented soon.

HOUSING AUTHORITY

Councilman Phipps reported that Authority plans to hire an agent who has had some experience to assist in putting together a proposal for a proposed partnership with some people involving Walnut Park and some property downtown in order to raise some funds to accomplish other projects.

AIRPORT AUTHORITY

Councilman Dunn filed a report on the Airport Authority. He said the Action Committee has been active in seeing to it that the problems of the construction are being accomplished. There is a possibility of a new air carrier shortly. Councilman Dunn said that the restaurant has improved. He had a fabulous lobster for \$10.95 which he couldn't believe and noted they must be losing money. Sirloin steak for \$4.95. He encouraged everyone to go out to the restaurant and enjoy the food. He expressed his appreciation to Councilwoman Betsy Clark for her work on the Airport Authority.

City Manager Wysocki stated that he has authorized Staff to do some striping at the Airport for handicapped. Also they have been authorized to do some sweeping for the parking lot. This work has been authorized until the Airport Authority can take care of accomplishing the work with its own crews, and when it has the funds it should reimburse the City for the work.

AIM COMMITTEE

Councilman Pacheco reported that the AIM Committee has started the study of the question by the County Commissioners as to whether or not special districts should be established or a general, gigantic, super district for the area concerning recreation.

PIAB

The PIAB considered some small projects, Councilman Pacheco said. One would involve an outdoor basketball facility with lighting. The School District offered a site at West Junior High School. A private youth basketball association spearheaded the request.

Councilman Pacheco said there may be some confusion over the complimentary tickets given out by Mesa College and the School District and the fact that when the complimentary ticket is presented a thirty-cent (30?) seat tax is collected at the gate. Councilman Pacheco thought the City Staff explained very well why that fee was fair and why it should continue.

#### CLUB 20 MEETING

Councilwoman Clark attended the Club 20 meeting. She reported that the speakers were all excellent. One item of interest was the Bureau of Reclamation video tape of "Colorado River of 1983" which featured Grand Junction in a portion of the film. She encouraged other members of Council to see the film. Tom Lundstrom was charged with obtaining the film.

#### CML BOARD MEETING

Councilwoman Clark attended the CML Board meeting. She will file a written report with the Council.

#### MAYOR LUCERO ACKNOWLEDGED LETTER FROM LOUIE HYDE

#### ARCHITECTURAL SELECTION COMMITTEE

Councilman Phipps said that the Architectural Selection Committee will meet on Thursday to short list from 13 to 14 proposal down to 3 or 4 for interviews.

#### RAILROAD

The City Manager said that meetings are being set up with the Railroad people along with Fire Chief R. T. Mantlo.

#### ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk