

Grand Junction, Colorado

January 18, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of January, 1984, in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Mike Pacheco, and President of the Council Gary Lucero. Councilman Ray Phipps was absent. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

The President called the meeting to order and Councilwoman Clark led in the Pledge of Allegiance.

#### INVOCATION

Reverend Bud Frazier.

#### MINUTES

Upon motion by Councilwoman Kreissler, seconded by Councilman Pacheco and carried, the minutes of the regular meeting January 4, 1984, were approved as submitted.

#### PROCLAMATION DECLARING JANUARY 25, 1984, "I.V. NURSE DAY" IN GRAND JUNCTION

PROCLAMATION DECLARING JANUARY 19, 1984, JAMES E. WYSOCKI DAY IN GRAND JUNCTION MARCIA WYSOCKI AND JULIE RUSKEY INTRODUCED TO AUDIENCE MESA COUNTY SOFTBALL ASSOCIATION - \$5000 CHECK PRESENTED TO CITY

Tom Brown, representing the Mesa County Softball Association, presented a check in the amount of \$5000 from the Association to the Parks and Recreation Director Ted Novack for the City.

#### PARKING PROBLEMS AT FIRST AND GUNNISON

Frank Simonetti, 121 Funnison Avenue, appeared before Council to present a petition and letters from people in the neighborhood regarding the parking situation by the American Beauty College, 615 North First Street. He requested that American Beauty College be required to furnish whatever off-street parking is necessary to remove their students from the residential streets.

The City Manager suggested that the Staff provide a report to Council by the next meeting. Mr. Ashby advised Mr. Simonetti that prior to the next meeting he would know what the investigation reveals and what will be presented to Council so that he may be present to discuss the issue.

LIQUOR - APPLICATION BY THE TIMBERS, 1810 NORTH AVENUE, TO RENEW HOTEL-RESTAURANT LIQUOR LICENSE APPROVED - CERTAIN MATTERS TO BE

TURNED OVER TO HEARING OFFICER

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Council members HOLMES and PACHECO voting NO, the application by the Timbers to renew its hotel-restaurant liquor license was approved with the understanding the after hearing on certain matters, the Council reserves the right to suspend or revoke the license.

LIQUOR - APPLICATION BY LA BARRA FAMOSA DEL CHARRO, 227 ROOD AVENUE, TO RENEW TAVERN LIQUOR LICENSE APPROVED SUBJECT TO HEARING

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilmen HOLMES and PACHECO voting NO, the application by La Barra Famosa del Charro to renew the tavern liquor license was approved with the understanding that after hearing the Council reserves the right to suspend or revoke the license.

Councilman Holmes restated his position that to continue to renew licenses when there are alleged violations puts the cart before the horse in his opinion.

BEER - APPLICATIONS TO RENEW BEER LICENSES APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the applications by Safeway Stores, Inc., to renew the 3.2% beer licenses for the Safeway Store at 644 North Avenue and the store at 23rd and North Avenue were approved.

LIQUOR - APPLICATION BY EL ESCONDIDO, INC. - CHANGE IN CORPORATE STRUCTURE, STOCKHOLDERS

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO and Councilman LUCERO ABSTAINING, the application by El Escondido, Inc., showing change in corporate structure with the purchase of 500 shares of stock from Carlos Maestas was approved.

LIQUOR-BEER - APPLICATIONS FOR TRACE NAME CHANGES APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the applicants by the following businesses to change trade names were approved:

High Lonesome, Inc., dba Aurelio's, 748 North Avenue, changed to MARIA's.

Donna Bailey dba Happy Joe's Pizza and Ice Cream Parlor, 2424 Highway 6 & 50, Space 232, changed to WILD BILL'S PIZZA AND ICE CREAM PARLOR

HEARING - CARRIAGE HILLS FINAL PLAN, 12TH AND CROSSROADS -

APPROVED

A hearing was held after proper notice on the petition by Ken Shrum, Planners & Developers, Ltd., for 14 units on 3.655 acres in a Planned Residential Zone (PR-4) at 12th Street and Crossroads Boulevard. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the final plan for Carriage Hills was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

A hearing was held after proper notice on the proposed amendments to the Grand Junction Zoning and Development Code. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING SECTIONS OF THE CITY OF GRAND JUNCTION ZONING AND DEVELOPMENT CODE CONCERNING PROPERTY LINE CONSTRUCTION WALLS IN BULK DEVELOPMENTS, SETBACKS IN THE RMF-6 ZONE, REAR AND SIDE YARD SETBACKS IN CERTAIN BUSINESS AND COMMERCIAL ZONES, EXPANSION OF NON-CONFORMING USES, TEMPORARY SIGNS, CORPORATE FLAGS, THE DEFINITION OF A SIGN, WIND-DRIVEN SIGNS, APPLICATION FEES FOR MINOR CHANGES UNDER THE CODE.

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

HEARING - ONION HILL PRELIMINARY PLAN - REQUEST FOR 123 UNITS ON 28 ACRES IN PR-7.2 ZONE FOR SE CORNER OF 27 1/2 ROAD AND CORTLAND AVENUE

A hearing was held after proper notice on the petition by Dale Williams, Onion Hill Partnership, for 123 units on 28 acres in a Planned Residential Zone (PR-7.2) for the southeast corner of 27 1/2 Road and Cortland Avenue. There were no opponents, letters or counterpetitions. There was discussion regarding the private streets in this development. Chris Gray, architect for the Onion Hill development, stated that the streets would have to remain private and that the mechanism for maintenance of those private streets would be included in the homeowner's agreement.

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the Onion Hill Preliminary Plan was approved subject to the conditions of the Planning Commission and subject to the mechanism being set up in the homeowner's agreement so that the people who buy in this development know that these are private streets and are to be maintained by the homeowners and further that a method of assessment be set up in the agreement so that if the structure breaks down the homeowners will pay.

HEARING - APPLICATION BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMIT FEBRUARY 5, 1984, 8 P.M. TO MIDNIGHT AT LIFF AUDITORIUM, COLLEGE CENTER, 12TH AND ELM, FOR SBA SOCIAL - APPROVED - FIRST PERMIT

A hearing was held after proper notice on the application by Mesa College for a 3.2% beer special events permit on February 5, 1984, from 8 p.m. to midnight for a Student Body Association social in the Liff Auditorium, College Center, 12th and Elm. A representative from the Student Body Association was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried with Council members HOLMES and PACHECO voting NO, the application was approved.

#### ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

#### ORDINANCE NO. 2170 - ANIMAL CONTROL

Upon motion by Councilwoman Kreissler, seconded by Councilman Pacheco and carried, the following proposed ordinance was called up for final passage and the title was read: AN ORDINANCE REPEALING AND REENACTING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION CONCERNING THE CONTROL OR PROHIBITION OF ANIMALS AND FOWL WITHIN THE CITY OF GRAND JUNCTION, COLORADO. The change proposed by Council which was that licensing and the vaccination for rabies go together had been made since the proposed ordinance was passed for publication in pamphlet form. There were no comments. Upon motion by Councilman Pacheco, seconded by Councilwoman Clark and carried by roll call vote with Councilman HOLMES voting NO, the Ordinance was passed and adopted as amended, numbered 2170, and ordered published in pamphlet form.

#### RESOLUTION NO. 4-84 AUTHORIZING CONVEYANCE OF DOWNTOWN PROPERTY TO DDA

The following Resolution was read:

#### RESOLUTION NO. 4-84

AUTHORIZING THE CONVEYANCE OF LANDS TO THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY.

WHEREAS, the City of Grand Junction is the owner of certain lands in the City, Mesa County, Colorado, described as:

Lots 16, 17, 18 and the E2 of Lots 19 and 20 in Block 116, CITY OF GRAND JUNCTION;

and

WHEREAS, the lands were obtained with monies obtained through tax increment financing within the Grand Junction, Colorado, Downtown

Development Authority, and are not used or held for park or governmental purpose; and

WHEREAS, the lands should be conveyed to the Authority in furtherance of the purposes of the Authority;

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

That City Manager James E. Wysocki be authorized and directed on behalf of the City and as the act of the City, as Commissioner to Convey, to convey the said lands to the Grand Junction, Colorado, Downtown Development Authority.

PASSED and ADOPTED this 18th day of January, 1984.

/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 Dunn, seconded by Councilwoman Kreissler and carried by roll call vote, the Resolution was passed and adopted as read.

LOUIS ANNEXATION, NE CORNER OF 7TH STREET AND HORIZON DRIVE - PETITION - RESOLUTION NO. 5-84 - PROPOSED ORDINANCE

The petition for Louis Annexation, northeast corner of 7th Street and Horizon Drive, was accepted for filing. The following Resolution was read:

RESOLUTION NO. 5-84

WHEREAS, on the 18th day of January, 1984, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at a point 1681.8 ft. N of the S4 Cor of Sec 2, T1S, R1W, Ute Meridian, thence E 74.7 ft., thence S 80 deg. 05 min. E 143 ft., thence S 50 ft. to Grand Valley Canal, thence SWerly along canal to the W line of the NW4 of the SE4 of said Sec 2, thence N to beginning, except road in Book 939 at Page 68;

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City;

that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the owners of one hundred percent of the property have petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 18th day of January, 1984.

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

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

#### INDUSTRIAL DEVELOPMENT REVENUE BOND COMMITTEE - APPOINTMENTS

Upon motion by Councilman Pacheco, seconded by Councilwoman Clark and carried, the appointments of Jack Williams and Fred Sperber to the Industrial Development Revenue Bond Committee were ratified subject to approval by the County Commissioners.

#### CITY MANAGER

City Manager Jim Wysocki expressed his appreciation to the Council and the citizens of the community for the privilege of serving as its City Manager during the past seven years and before that his eight years or so as its Parks and Recreation Directors. Council members expressed their appreciation of Jim and his fine family and wished him the best of luck in his new position.

#### PIAB COMMITTEE

Councilman Pacheco reported that the PIAB Committee had met and

approved several projects: 1. Outdoor lighted basketball court project; 2. Renovation of the Lincoln Park restroom facility and the concession area. PIAB elected to give the City the \$10,000 that was originally loaned to the City for these projects.

#### AIM COMMITTEE

Councilman Pacheco met with the AIM Committee and developed goals and objectives for 1984. As soon as those are ready, Councilman Pacheco will distribute copies to Council.

#### ENERGY IMPACT COMMITTEE

Councilwoman Clark reported that the Energy Impact Committee met on the 17th. An updated report was filed on the Union project and Cathedral Bluffs. The next meeting of the Committee will be held in March.

#### CML

Councilwoman Clark announced the CML meeting on January 23; February 3, Legislative meeting in Denver.

#### AIRPORT AUTHORITY

Councilman Dunn announced that Bill Love was elected as Chairman of the Airport Authority. The Action Committee has been meeting to resolve the problems with the Terminal building. The Airport Art Committee Gala Bell will be held on February 3, 1984.

#### NORTH AVENUE ASSOCIATION

Councilman Lucero attended a North Avenue Association dinner. The Association is nearing the completion of the formation of its improvement district. He has talked to Mayor Pena of Denver and invited him to visit Grand Junction in March. Councilman Lucero indicated that Grand Junction is very much interested in establishing a good relationship with Colorado's capital city now that Mayor Pena has his team together.

#### DDA

The City Manager announced that the DDA will be meeting with a developer and there is a very tight schedule with a UDAG application. There is a need for a couple of Council members to be in attendance so they can help relate the purposes and all the other matters. Councilman Dunn and Councilman Holmes indicated they would try to be available to attend the meeting.

#### BUREAU OF OUTDOOR RECREATION GRANT - \$94,250 - REIMBURSEMENT FOR PART OF THE ACTIVITY AT BERRY PARK

The City Manager announced that the City has received reimbursement from the Bureau of Outdoor Recreation Grant which

was applied for two or three years ago in the amount of \$94,250.  
It is reimbursement for part of the activity at Berry Park.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk