

Grand Junction, Colorado

September 5, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 5th day of September, 1984, in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Gary Lucero, Ray Phipps, and President of the Council Mike Pacheco. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Mike Pacheco called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Dr. Aaron Long

MINUTES

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the minutes of the August 15, 1984, Council meeting were approved.

BOY SCOUT VISITOR

Edward Eugene Freeman was acknowledged by City Council as a visitor to this meeting. Ed's father was also present.

HEARING - ID ST-84, PHASE C, THAT PART OF 15TH STREET FROM ORCHARD AVENUE TO WALNUT AVENUE - DEFERRED

Hearing on ID ST-84, Phase C, was deferred to a later date, but residents within the District were given the opportunity to voice their opinion.

Those speaking regarding the improvement district were:

Mary McTavish, 1330 Hermosa, representing Fairmont North, concerned with the unequitable way in which the entire assessment has been set up. She explained that most of the Fairmont North residents do not use 15th Street as an access and do not feel that they should have to pay for the improvements.

Sue Gunn, 1949 N. 15th Street, stated that she as well as some of her neighbors are opposed to the improvements, mostly based on financial inability.

Mayor Pacheco stated that Councilman Ray Phipps and Councilwoman Christine Kreissler will be working with City Staff (Darrell Lowder and Ken Reedy) on refining the assessments, and can be contacted by any resident within the district concerning status of the district. Hearing on Improvement District ST-84, Phase C, will

be held on September 19, 1984.

BEER-LIQUOR - 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 licensees to renew their beer and liquor licenses were approved:

1. Stop 'N Save No. 3, 723 Horizon Drive (3.2% Beer)
2. Gas Rite, 745 Horizon Drive (3.25% Beer)
3. Howard Johnson's Restaurant, 753 Horizon Drive (Hotel-Rest)
4. Los Amigos Food & Booze, 209 Colorado Avenue (Hotel-Rest)
5. 7-Eleven Store, 2847 North Avenue (3.2% Beer)
6. Skaggs Drug Center, 1834 N. 12th Street (3.2% Beer)
7. Mesa College Center, 1175 Texas Avenue (3.2% Beer)

Hearings before a Hearing Officer will be scheduled on Gas Rite, 745 Horizon Drive, and Los Amigos Food and Booze, 209 Colorado Avenue, for alleged beer and liquor violations.

LIQUOR - APPLICATION BY MILL INN, INC., FOR HOTEL-RESTAURANT LIQUOR LICENSE AT 759 HORIZON DRIVE UNDER TRADE NAME OF W.W. PEPPERS, LTD. (CHANGE OF OWNERSHIP) APPLICATION TO REGISTER D. BRUCE & JO ANN C. BROCK AS MANAGERS

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilmen HOLMES and PACHECO voting NO, the applications by Mill Inn, Inc., for hotel-restaurant liquor license at 759 Horizon Drive under trade name of W.W. Peppers, Ltd., and to register D. Bruce and JoAnn C. Brock as managers, were approved. This is a change of ownership - previously Ogelvie's owned by Zapar, Inc.

BEER - APPLICATION BY ALBERTSON'S, INC., 1838 N. 12TH STREET, FOR CHANGE IN CORPORATE STRUCTURE DROPPING WARREN MCCAIN AND ADDING JOHN CARLEY AS PRESIDENT

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application by Albertson's, Inc., 1838 N. 12th Street, for change in corporate structure dropping Warren McCain and adding John Carley as President was approved.

PROCLAMATION DECLARING SEPTEMBER, 1984, "SENIOR VOLUNTEER MONTH"

HEARING - APPLICATION BY HERBERT TRIBOLET FOR HOTEL-RESTAURANT LIQUOR LICENSE AT 103 N. FIRST STREET UNDER TRADE NAME OF PEPI'S -

APPROVED SUBJECT TO RECEIPT OF CLEAR POLICE REPORT

A report was given by City Clerk Neva Lockhart regarding the application by Herbert Tribolet for a hotel-restaurant liquor license at 103 N. First Street under the trade name of Pepi's. Reports from the Fire and Health Departments have been received with no problems regarding codes or regulations. A background investigation report from the Grand Junction Police Department has not been received to date.

Mr. Herbert Tribolet, applicant, was present, and advised Council that he had spoken with the Police Department this date, and was given a verbal okay regarding the Police report, however, City Staff had not been contacted.

There were no opponents, letters or counterpetitions.

Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried with Councilmembers HOLMES and PACHECO voting NO, Council waived its policy to take this item to fact-finding.

Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried with Councilmembers HOLMES and PACHECO voting NO, the application by Herbert Tribolet for a hotel-restaurant liquor license at 103 N. First Street under trade name of Pepi's, was approved and the license was authorized to issue contingent upon receipt of a positive Police Department report after review and approval by the City Attorney.

HEARING - APPLICATION BY 715 HORIZON DRIVE, INC., FOR HOTEL-RESTAURANT LIQUOR LICENSE AT 715 HORIZON DRIVE UNDER TRADE NAME OF BOARDWALK - APPROVED

Reports were given regarding the application by 715 Horizon Drive, Inc., for a hotel-restaurant liquor license at 715 Horizon Drive, under the trade name of Boardwalk. Reports from the Fire and Health Departments have been received with no problems regarding codes or safety regulations. City Attorney Ashby submitted a report from the Grand Junction Police Department on the background investigation of Fritz Easterberg and Joyce Aber, officers of the corporation.

Clay Hanlon, attorney representing 715 Horizon Drive, Inc., 620 Valley Federal Plaza Building, was present. Mr. Hanlon submitted a petition in favor of the issuance of the license with approximately 100 signatures of persons residing in the neighborhood of 715 Horizon Drive.

There were no opponents, letters or counterpetitions.

Councilman Holmes questioned City Attorney Ashby as to why a survey of the area was not conducted regarding this application. Mr. Ashby responded by explaining that since this application, as

well as the previous application (Pepi's), was for a location that had been surveyed several times in the past, the determination was made that it was really in the nature of a change of ownership, thus waiving the requirement for survey of the area.

The City Clerk reported that both properties (Boardwalk and Pepi's) were posted with signs giving Notice of Hearing, and Notices of Hearing were published in The Daily Sentinel on August 24, 1984.

Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried with Councilmembers HOLMES and PACHECO voting NO, Council waived its policy to take this item to fact-finding.

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried with Councilmembers HOLMES and PACHECO voting NO, the application by 715 Horizon Drive, Inc., for a hotel-restaurant liquor license at 715 Horizon Drive, under the trade name of Boardwalk, was approved.

VALLEY PLAZA LIQUORS

This item was continued for hearing on October 3, 1984.

HEARING #11-84 - PROPOSED ORDINANCE - REZONE FROM RMF-32 TO PR-8 BOTH SIDES OF 7TH STREET FROM GRAND AVENUE TO HILL AVENUE (7TH STREET HISTORIC DISTRICT)

This item was discussed at the August 1, 1984, City Council meeting, and sent back to the Planning Commission for reconsideration and rehearing. The original request was to rezone from RMF-32 to RSF-8 both sides of 7th Street from Grand Avenue to Hill Avenue (7th Street Historic District). Planning Director Karl Metzner gave a lengthy report regarding Planning Commission's recommendation that the zoning be changed from RMF-32 to PR-8. The main purpose in changing to PR-8 is to avoid placing the multi-family units in a non-conforming status.

Mr. Metzner indicated that Mr. James Brodell is still in opposition to the change in zoning.

There were no other opponents, letters or counterpetitions.

Kathy Jordan, 440 N. 7th Street, representative for the petitioners, stated that the petitioners support the Planning Commission's recommendation of Planned-Residential 8.

Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried with Councilmembers HOLMES and PACHECO voting NO, fact-finding was waived by Council on this item.

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 Dunn, seconded by Councilwoman Clark and carried the proposed ordinance was passed for publication.

PROPOSED ORDINANCE CORRECTING ORDINANCE NO. 2208 WHICH ANNEXED TERRITORY TO THE CITY - FAIRWAY PARK ANNEXATION, N OF G ROAD, E OF 12TH STREET

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING ORDINANCE NO. 2208 WHICH IS AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION TO CORRECT THE PROPERTY DESCRIPTION THEREIN. Upon motion by Councilwoman Kreissler, seconded by Councilman Phipps and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE AUTHORIZING ISSUANCE AND SALE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR AIR TRAVEL CENTER PROJECT (AIRPORT HOTEL)

The following entitled proposed ordinance was read: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$ _____ AGGREGATE PRINCIPAL AMOUNT OF CITY OF GRAND JUNCTION, COLORADO, FLOATING RATE MONTHLY DEMAND, INDUSTRIAL DEVELOPMENT REVENUE BONDS (AIR TRAVEL CENTER PROJECT) SERIES 1984, TO FINANCE PROPERTY SUITABLE FOR COMMERCIAL OR BUSINESS ENTERPRISES; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LOAN AGREEMENT, TRUST INDENTURE, BOND PURCHASE AGREEMENT, SAID BONDS AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; AND REPEALING ACTION HERETOFORE TAKEN IN CONFLICT HEREWITH. It was moved by Councilman Phipps and seconded by Councilman Dunn that the proposed ordinance be passed for publication.

Those speaking in favor of the issuance of the bonds were:

Mike Boggs, Airport Manager

Bill Love, 1719 Crestview Drive, Chairman of the Airport Authority

David Humphries, 1925 Florida Court, Member of the Airport Authority

Those speaking in opposition:

Sam Antonopoulos, 3014 Lilac Lane, owner of Two Rivers Inn

Bobbie Englesbee, 3175 Stanford Court, Assistant Manager at Two Rivers Inn

After lengthy discussion, a vote was taken on the original motion.

Councilmembers voting AYE: CLARK, DUNN, KREISSLER, LUCERO, PHIPPS.

Councilmembers voting NO: HOLMES, PACHECO.

ORDINANCE NO. 2209 - RAISING RATES OF WATER CUSTOMERS IN THE CITY WHO ARE ON THE UTE WATER CONSERVANCY DISTRICT SYSTEM

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE RAISING THE RATES OF WATER CUSTOMERS IN THE CITY WHO ARE ON THE UTE WATER CONSERVANCY DISTRICT SYSTEM.

There were no comments. Upon motion by Councilman Lucero, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2209, and ordered published.

HEARING - SANITARY SEWER DISTRICT NO. 35-84 VENEGAS SANITARY SEWER - RESOLUTION NO. 52-84 CREATING DISTRICT - CONSIDERATION OF BIDS - LYLE STATES CONSTRUCTION, INC. - \$62,244.48

The following Resolution No. 52-84 was read:

RESOLUTION NO. 52-84

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 35-84 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER WITHIN SAID DISTRICT AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 1st day of August, 1984, the City Council of the City of Grand Junction, Colorado, passed a Resolution Adopting Details, Plans and Specifications for Sanitary Sewer District No. 35-84 and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice to Create said District was duly published; and

WHEREAS, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Sanitary Sewer District No. 35-84 be, and the same is hereby, created and established, and that construction of a sanitary sewer therein be, and the same is hereby, authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the construction of the said sanitary sewer shall be made by contract let to the lowest responsible bidder, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary

materials, supplies and equipment.

3. That the sanitary sewer in District was duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, and all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the sanitary sewer, the boundaries of said Sanitary Sewer District, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 1st day of August, 1984, and in accordance with the published Notice of Intention to Create said District.

5. That after the construction of the sanitary sewer has been let, the Council shall, by resolution provide for the issuance of public improvement bonds for said Sanitary Sewer District No. 35-84 for the purpose of paying the cost and expenses of construction of said District No. 35-84.

PASSED and ADOPTED this 5th day of September, 1984.

/s/ J. P. Mike Pacheco

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

Bids were received for Sanitary Sewer District No. 35-84 on August 30, 1984. Bids were as follows:

Lyle States Construction, Inc. \$62,244.48

Pipeline Services, Inc. \$66,323.07

Parkerson Construction, Inc. \$69,990.00

Pioneer Construction, Inc. \$124,251.00

Engineer's Estimate \$100,336.00

Staff recommended award of contract to Lyle States Construction, Inc., for its low bid. Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried, the contract for Sanitary Sewer District No. 35-84 was awarded to Lyle States Construction, Inc., for its bid of \$62,244.48.

CONTRACT WITH FOX & COMPANY FOR 3-YEAR CITY AUDIT

Upon motion by Councilman Phipps, seconded by Councilman Dunn and carried, Fox & Company was awarded a 3-year contract for the audit of the City. The bid by Fox & Company for 1985's audit is \$20,000. The City Manager was authorized to execute an engagement letter so stating.

STRIPING OF STREETS

Councilwoman Clark raised the subject of striping of local streets, particularly in the school areas. City Manager Achen assured Council that he would attempt to hire either temporary help or a private contractor to accomplish the critical striping before winter weather arrives.

COMACT HOUSING

Councilwoman Clark reported on last week's ComAct Housing meeting. ComAct is trying to acquire two new homes in the area.

DDA

Councilwoman Kreissler reported that the Downtown Development Authority will meet on Friday, September 7, 1984, and will report on that meeting at a later date.

SYNFUELS HEARINGS IN WASHINGTON, D.C.

It was recommended that one of three Councilmembers (Dunn, Kreissler, Clark) attend the Synfuels hearings in Washington, D.C., representing the Grand Junction City Council. Further details will be provided by Jim Evans.

ENERGY IMPACT

Councilman Lucero reported that two projects were submitted at the last Energy Impact meeting: (1) E Road & 30 Road and I-70 Business Loop reconstruction, and (2) DDA request for an economic development loan program.

TOPICS REPORTED BY MAYOR PACHECO

1. United Nations Representative.
2. Hotel Application for HUD grant is still in the working.

3. Request from National League of Cities for Policy Proposals for its annual meeting.

4. Council representative for special AD HOC Committee to provide input to Legislature on the issuance of IRB bonds from 1985 to 1987. (Betsy Clark appointed as City's representative).

IMPROVEMENT DISTRICT ASSESSMENTS

Councilman Lucero suggested that perhaps the method of assessing improvement district should be amended. Presently, property owners are assessed one third of the total cost.

REGION X & XI

Mayor Pacheco announced the Region X and XI dinner to be held on September 13, 1984, at 6:00 p.m., in Montrose.

CONTRACT BY THE CITY/COUNTY/STATE FOR 1985 UNIFIED PLANNING WORK PROGRAM

Upon motion by Councilwoman Clark, seconded by Councilman Lucero and carried, the contract by City/County/State for 1985 Unified Planning Work Program was approved.

ADJOURNMENT

The President of the Council adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk