

Grand Junction, Colorado

February 6, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 6th day of February, 1985, at 7:30 p.m in the City-County Auditorium at City Hall. Those present were John Bennett, Betsy Clark, Frank Dunn, Christine Kreissler, Gary Lucero, Ray Phipps, and President of the City 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 Councilman Lucero led in the Pledge of Allegiance.

#### INVOCATION

Reverend Eddie Scroggins, Riverside Baptist Church.

#### MINUTES

Upon motion by Councilwoman Kreissler, seconded by Councilman Dunn and carried, the minutes of the regular meeting held January 16, 1985, were approved as submitted.

#### CONTRACTORS' LICENSING BOARD - E.L. ERV KRUEGER APPOINTED FOR 1-YEAR TERM

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, E.L. Erv Krueger was appointed to the Contractors' Licensing Board to complete the one-year term remaining on the term of Noel Norris who recently resigned from the Board.

#### DOMESTIC VIOLENCE PROJECT FOR MESA COUNTY, COLORADO, INC., GRANTED PERMISSION TO ADD SECOND BAR FOR SPECIAL EVENTS PERMIT MARCH 8, 1985, WESTERN COLORADO CENTER FOR THE ARTS

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, permission was granted Domestic Violence Project for Mesa County, Colorado, Inc., to add a second bar at the Western Colorado Center for the Arts on March 8, 1985, under its special events permit from 6:00 p.m. to 10:00 p.m.

#### PROCLAMATION TO DECLARE JUANITA TRUJILLO DAY OR WEEK IN RECOGNITION OF HER NATIONAL RECOGNITION FOR HER POWER-LIFTING ABILITIES

Councilman Lucero requested that a proclamation honoring Juanita Trujillo in recognition of her national recognition for her power-lifting abilities be prepared. Council President Pacheco said that he would invite Miss Trujillo to one of the upcoming Council meetings for this purpose.

BIDS - AWARDS OF CONTRACT - PATTERSON ROAD IRRIGATION SYSTEM MODIFICATIONS FROM 12TH ST TO 28 1/4 RD - COMMERCIAL SERVICES - \$57,212.55

Bids were received and opened February 1, 1985, for the Patterson Road Irrigation System Modifications from 12th Street to 28 1/4 Road. Bidders were:

Nikko Constructors	\$95,879.50	
Cimco Contracting	\$87,715.80	
Franklin Construction	\$75,957.00	
Lyle States Construction	\$74,965.07	
Parkerson Construction, Inc.	\$74,951.50	
Pipeline Service, Inc.	\$67,519.50	
Ron Bockelman	\$59,403.25	
Commercial Services	\$57,212.55	
Engineer's Estimate	\$89,200.35	

Staff recommended award of contract to Commercial Services. Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the bids were accepted, the contract was awarded to Commercial Services for its bid of \$57,212.55, and the City Manager was authorized to sign said Contract.

HEARING - APPLICATION BY G.J. DOWNTOWN ASSOC., INC., FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT MARCH 13, 1985, 6 PM TO 12 MIDNIGHT AT TWO RIVERS PLAZA, 159 MAIN ST - DANCE - APPROVED - FIRST PERMIT

A hearing was held after proper notice on the application by the Grand Junction Downtown Association, Inc., for a malt, vinous and spirituous liquor special events permit on March 13, 1985, from 6:00 p.m. to 12:00 midnight at Two Rivers Plaza, 159 Main Street, for a dance. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried, the application was approved.

PROPOSED ORDINANCE CONCERNING THE RECORDS DEPARTMENT

The following entitled proposed ordinance was read: CONCERNING THE RECORDS DEPARTMENT. Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried, the proposed ordinance was passed for publication.

HEARING - I.D. ST-85, PHASE A - 15TH STREET FM PATTERSON ROAD TO RIDGE DR; 13TH ST. NORTH OF HERMOSA TERMINATING AT CUL-DE-SAC; AND HERMOSA AVE FM 13TH ST TO 15TH ST - RESOLUTION NO. 3-85 CREATING DISTRICT - AWARD OF CONTRACT TO ELAM CONSTRUCTION - \$455,938.55

A hearing was held after proper notice on the proposed creation of street improvement district I.D. ST-85, Phase A. Speaking for the project:

David Stone, 3010 N. 13th Street  
Rick Venius, 2930 N. 13th Street  
Bob Stokes, 626 27 1/4 Road  
Henry Faussonne, 15th Street  
Beverly Bebee, 3040 N. 13th Street  
Paul Brown, 1533 Crestview, President of the Crestview Homeowners Association (approximately 20)  
Ken Harris, 3051 N. 15th Street  
William Schuman, Crestview

Opposed:

Dave George, 2941 N. 14th Street  
Tom Jays, 646 27 1/4 Road  
Harry Peterson, 647 27 1;4 Road

General Comments;

Dan Smith, 1320 Hermosa  
Dennis Stahl, Representative Hilltop Rehabilitation Hospital

The President declared a five-minute recess. Upon reconvening, all Council members were present.

The President closed the hearing.

The following Resolution was read:

RESOLUTION NO. 3-85

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. ST-85, PHASE A, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS, SIDEWALKS AND PAVING ON STREETS THEREIN AND PROVIDING FOR THE PAYMENT THEREOF.

WHEREAS, on the 19th day of December, 1984, the City Council of the City of Grand Junction, Colorado, passed a Resolution Adopting Details, Plans and Specifications for Improvement District No. ST-

85, Phase A, and Authorizing Notice of Intention to Create said District; and

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

WHEREAS, numerous owners of property in the proposed District opposed the District, primarily on the basis that, while the improvements were needed, there was not the economic climate to make assessment for the improvements acceptable at this time; and

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

1. That said Improvement District No. ST-85, Phase A, be and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks and paving of streets therein be, and the same is hereby, authorized and directed, in accordance with the Resolution Adopting Details, Plans and Specifications prepared and filed therefor.

2. That the construction of curbs and gutters, sidewalks and paving of streets shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, 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 material, supplies and equipment.

3. That the improvements in said District were duly ordered, after notice duly given, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of the 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 curbs and gutters, sidewalks and paving of streets to be constructed, the boundaries of said Improvement District No. ST-85, Phase A, 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 19th day of December, 1984, and in accordance with the published Notice of Intention to Create said District.

5. That after the construction of said improvements in said District has been let, the Council shall, by resolution provide for the issuance of public improvement bonds for said Improvement District No. ST-85, Phase A, for the purpose of paying the cost and expenses of construction of said District.

PASSED and ADOPTED this 6th day of February, 1985.

/s/ J.P. Mike Pacheco

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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 Bennett and carried by roll call vote with Council members LUCERO, DUNN and PACHECO voting NO, the Resolution was passed and adopted as read.

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the Contract for the improvements in the amount of \$455,938.55 was awarded to Elam Construction Company, and the City Manager was authorized to sign said Contract.

RESOLUTION NO. 4-85 AUTHORIZING THE CITY MANAGER TO CONVEY THE POWERS PROPERTY TO MESA COUNTY

The following Resolution was read:

RESOLUTION NO. 4-85

AUTHORIZING THE CONVEYANCE OF THE INTEREST OF THE CITY OF GRAND JUNCTION IN THE POWERS' PROPERTY.

WHEREAS, the City of Grand Junction is the owner of an undivided one-half interest in property situate in the County of Mesa, State of Colorado, known as the Powers' property, and described as:

Beginning at the NE Cor of the NW4 of the NE4 of Sec 9, T1S R1E of the Ute Meridian, thence along the N line of said NW4 of the NE4 N 89 deg. 48 min. W 442 ft, thence S 531 ft, thence S 89 deg. 48 min. E 181 ft, thence S 00 deg. 40 min. W 789 ft, more or less, to the S line of the said NW4 of the NE4\* of the NE4 S 89 deg. 48 min. E 270.4 ft to the SE Cor of said NW4 of the NE4, thence N 1,320 ft to the point of beginning;

\*thence ????

and

WHEREAS, the City proposes to convey its interest in the property to the County of Mesa in return for the conveyance of the undivided one-half interest held by the County with the City in other property; and

WHEREAS, the park being conveyed by the City is not used or held

for park or other governmental purpose;

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

That the City Manager, Mark K. Achen, be authorized and directed to convey, as Commissioner to Convey, the real property described to the County of Mesa on behalf of the City and as the act of the City.

PASSED and ADOPTED this 6th day of February, 1985.

/s/ J.P. Mike Pacheco

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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.

FAIRWAY PARK ANNEXATION #3 - PETITION - RESOLUTION NO. 5-85 - PROPOSED ORDINANCE - E OF 12TH STREET, S OF CLUB DRIVE

The following Petition for the Fairway Park Annexation #3 was accepted for filing:

PETITION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

Beginning at the SE Cor Lot 7 Blk 6 Fairway Park Sub, thence N and NW along E line said Blk 6 to the NE Cor Lot 5 Blk 6, thence SWly along Nly line said Lot 5 to NW Cor said Lot 5, thence W to center line Golfmore Drive, thence NWly along said center line to intersection with center line Club Drive, thence Wly along center line Club Drive to intersection with W line Sec 36 T1N R1W U.M., thence S along said W line to a point W of the SW Cor Lot 2 Blk 3 Fairway Park Sub, thence E to said SW Cor Lot 2, thence E to SE Cor Lot 4 Blk 5 said Fairway Park Sub, thence E to center line Golfmore Drive, thence N along said center line to a point W of the SW Cor Lot 7 Blk 6 Fairway Park Sub, thence E to said SW Cor Lot 7, thence SEly along Sly line said Lot 7 to SE Cor said Lot 7.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible

for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established City limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

DATE SIGNATURE ADDRESS PROPERTY DESCRIPTION			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 1 Blk 3 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 2 Blk 3 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand			

Junction COLot 1 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 2 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 3 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 4 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 9 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 10 Blk 4 Fairway Park Sub			



1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 11 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 12 Blk 4 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 1 Blk 5 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 2 Blk 5 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction CO Lot 3 Blk 5 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City			

<p>Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 4 Blk 5 Fairway Park Sub</p>			
<p>1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 8 Blk 5 Fairway Park Sub</p>			
<p>1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 9 Blk 5 Fairway Park Sub</p>			
<p>1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 10 Blk 5 Fairway Park Sub</p>			
<p>1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 11 Blk 5 Fairway Park Sub</p>			
<p>1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 5</p>			

Blk 6 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 6 Blk 6 Fairway Park Sub			
1-30-85/s/ Neva B. Lockhart City Clerk, Atty in Fact250 N. 5th St. Grand Junction COLot 7 Blk 6 Fairway Park Sub			

STATE OF COLORADO)		
)SS		
COUNTY OF MESA)		

AFFIDAVIT

Neva B. Lockhart, of lawful age, being first duly sworn, upon oath, deposes and says:

That she is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

;sigl;  
/s/ Neva B. Lockhart

Subscribed and sworn to before me this 30th day of January, 1985.

Witness my hand and official seal.

/s/ Donald H. Warner, Jr.

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Notary Public

My Commission expires: April 7, 1987

The following Resolution was read:

RESOLUTION NO. 5-85

WHEREAS, on the 6th day of February, 1985, 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 the SE Cor of Lot 7 Blk 6 Fairway Park Sub, thence N and NW along the E line of said Blk 6 to the NE Cor of Lot 5 of said Blk 6, thence SWly along the Nly line of said Lot 5 to the NW Cor of said lot 5, thence W to the centerline of Golfmore Drive, thence NWly along said centerline to the intersection with the centerline of Club Drive, thence Wly along the centerline of Club Drive to the intersection with the W line of Sec 36, T1N, R1W, Ute Meridian, thence S along said W line to a point W of the SW Cor of Lot 2 Blk 3 Fairway Park Sub, thence E to said SW Cor of Lot 2, thence E to the SE Cor of Lot 4 Blk 5 of said Fairway Park Sub, thence E to the centerline of Golfmore Drive, thence N along said centerline to a point W of the SW Cor of Lot 7 Blk 6 Fairway Park Sub,\* thence SEly along the Sly line of said Lot 7 to the SE Cor of said lot 7.

\*thence ????

and

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 6th day of February, 1985.

/s/ J.P. Mike Pacheco

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

RESOLUTION NO. 6-85 IN SUPPORT OF DELTA, CO, APPLICATION FOR MEDIUM SECURITY CORRECTIONAL FACILITY

The following Resolution was read:

RESOLUTION NO. 6-85

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION SUPPORTING THE WHITE RANCH SITE NEAR DELTA, COLORADO, FOR A MEDIUM SECURITY CORRECTIONAL FACILITY.

WHEREAS, the State Department of Corrections has selected the White Ranch site near Delta as one of three recommended sites for the location of a State of Colorado medium security correctional facility; and

WHEREAS, the City Council of the City of Grand Junction has been requested to support the application of the Delta area for the facility; and

WHEREAS, the thorough study conducted by the Delta interests shows that the facility would be of great economic benefit to the immediate area and to a considerable portion of the Western Slope both of which are experiencing severely depressed economies because of the decline in energy source development, decline in mining activity and loss of contracts relied upon for the agricultural health of the areas;

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

That the City of Grand Junction strongly support the location of the correctional facility at the White Ranch site in Delta County, and that copies of this Resolution be sent to the members of the legislature from Mesa County urging that they support that site.

PASSED and ADOPTED this 6th day of February, 1985.

/s/ J.P. Mike Pacheco

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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 Councilman Phipps and carried by roll call vote, the Resolution was passed and adopted as read.

CONTRIBUTION OF \$50,000 TO THE MESA COUNTY ECONOMIC DEVELOPMENT COUNCIL

Upon motion by Councilman Phipps, seconded by Councilman Dunn and carried, a contribution of \$50,000 to the Mesa County Economic Development Council was authorized.

CONTRIBUTION OF \$50,000 TO THE WALKER FIELD, CO, PUBLIC AIRPORT AUTHORITY FOR FUTURE EXPANSION PURPOSES

Upon motion by Councilwoman Kreissler, seconded by Councilman Phipps and carried, a contribution of \$50,000 to the Walker Field, Colorado, Public Airport Authority for future expansion purposes was authorized.

CONTINGENCY FUNDS OF \$30,000 APPROPRIATED FOR LAND ACQUISITION FOR FLOOD CONTROL

Upon motion by Councilman Phipps, seconded by Councilman Dunn and carried, contingency funds of \$30,000 was appropriated for land acquisition for flood control.

ONE-WAY STREETS DOWNTOWN SCHEDULED TO BECOME TWO-WAY BY MARCH, 1985

HOUSING AUTHORITY

Councilman Phipps noted the resignation letter from Conni McDonough from the Housing Authority and also said that Tom Swenson has indicated his intent to resign from the Authority.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC

City Clerk