

Grand Junction, Colorado

August 7, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 7th day of August, 1985, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Council members John Bennett, James Leland, Steve Love, Gary Lucero, Tim Mannion, Mike Pacheco, and President of the Council Ray Phipps. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Phipps called the meeting to order and Councilman Mannion led in the Pledge of Allegiance.

INVOCATION

Tim Wyatt, First Assembly of God Church.

MINUTES

Upon motion of Councilman Love, seconded by Councilman Pacheco and carried, the minutes of the meetings July 3, 1985, and July 17, 1985, were approved as submitted.

PROCLAMATION DECLARING AUGUST, 1985, "OSTOMY AWARENESS MONTH"

PROCLAMATION DECLARING AUGUST 11-17, 1985, "SOCIAL SECURITY WEEK"

JAN POMRENKE AND ALFRED P. LE FEBRE APPOINTED TO BOARD OF ADJUSTMENT AND APPEALS FOR 3-YR TERMS

Upon motion of Councilman Pacheco, seconded by Councilman Love and carried, Jan Pomrenke and Alfred P. Le Febre were appointed to the Board of Adjustment and Appeals for three-year terms.

HARRY MAVRAKIS, REPRESENTING VALLEY WIDE ROTARY CLUBS, REQUESTS WAIVER OF SEAT TAX AT STOCKER STADIUM AND 10% PARK FEE TAX FOR BAR-B-QUE TICKETS AT LINCOLN PARK AUGUST 28 AND AUGUST 29, 1985 - DENIED

Mr. Harry Mavrakis appeared before City Council requesting waiver of seat tax at Stocker Stadium and 10% Park Fee Tax for Bar-B-Que tickets at Lincoln Park August 29, 1985. Purpose of the event is to raise funds for \$1,000 scholarships per school in the valley. Upon motion of Councilman Pacheco, seconded by Councilman Leland and carried, the request of Mr. Mavrakis was denied.

HEARING - PROPOSED ORDINANCE - RESOLUTION NO. 52-85 MAKING FINDINGS REGARDING NEIGHBORS ANNEXATION, 24 AND G ROADS

A hearing was held after proper notice on Neighbors Annexation in the area of 24 and G Roads. Mr. Jim Shaw, Executive Director of the Chamber of Commerce, spoke for the annexation in terms of

economic development. Bennett Bechenstein, County Planning Director, representing Mesa County Commissioners, stated concerns noted by the Commissioners, in opposition to this annexation. Dennis O'Connor, 956 24 Road, spoke in opposition to the annexation. There were no opponents, letters or counterpetitions.

The following Resolution No. 52-85 was presented and read:

RESOLUTION NO. 52-85

WHEREAS, on the 3rd day of July, 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 a point on the E right-of-way line of 25 Road which is 50 ft N and 50 ft E of the SW Cor of Sec 3, T1S, R1W, Ute Meridian, Mesa County, Colorado; thence N along said right-of-way line to the N line of said Sec 3, thence W along the N line of Sec 3 and 4, T1S, R1W, Ute Meridian, to the NW Cor of said Sec 4, thence N along the E line of Sec 32, T1N, R1W, Ute Meridian, to the point of intersection with the S right-of-way line of Interstate Highway 70, thence W, Nly and Wly along said Interstate Highway 70 line to its intersection with the N line of the E2 of the SE4 of said Sec 32, thence along said N line to the NW Cor of said E2 of the SE4 of Sec 32, thence S along the W line of said E2 of the SE4 to the S line of said Sec 32, thence E along said S line to a point 30 ft W of the SE Cor of said Sec 32, thence S to a point on the S right-of-way line of G Road which is its intersection with the W right-of-way line of 24 Road, thence E along the S right-of-way line of G Road to the intersection with the W right-of-way line of 25 Road, thence S along said W right-of-way line to a point W of the point of beginning, thence E to beginning;

and

WHEREAS, a hearing on the petition was duly held after proper notice on the 7th day of August, 1985; 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; that no land held in single ownership has been divided by the proposed annexation; that no land held in identical ownership comprised more than twenty acres, which together with the building and improvements thereon, has an assessed value in excess of two hundred thousand dollars is included without the landowner's consent, and that no election is required under the Municipal

Annexation Act of 1965.

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 7th day of August, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Pacheco, seconded by Councilman Mannion and carried by roll call vote with Councilman LOVE ABSTAINING, 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 of Councilman Lucero, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - APPLICATION BY G.J. MUSICAL ARTS ASSOC. (SYMPHONY) FOR MALT, VINOUS & SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT SEPTEMBER 28, 1985, AT TWO RIVERS PLAZA - CONCERT - FIRST PERMIT - APPROVED

A hearing was held after proper notice on the application by the Grand Junction Musical Arts Association for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza, 159 Main Street, September 28, 1985, from 6:00 p.m. to 12:00 midnight, for a concert. Maggie Blanton, Symphony Manager, was present to speak for the permit. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Pacheco and carried, the application was approved.

BIDS - AWARD OF CONTRACT OUTDOOR BASKETBALL AND VOLLEYBALL COURTS AT WEST JUNIOR HIGH SCHOOL M.A. CONCRETE - \$53,954

The budgeted amount for outdoor basketball and volleyball courts at West Junior High School is \$44,500. PIAB has agreed to fund the difference of \$9,545, bringing the total funds available for this contract to \$53,954. Upon motion of Councilman Mannion, seconded by Councilman Leland and carried, the contract was awarded M.A. Concrete in the amount of \$53,954, contingent upon PIAB's contribution of funds toward the project in the amount of \$9,454, and the City Manager was authorized to sign said Contract.

HEARING - CONDITIONAL USE - 3.2% BEER LICENSE AT 1037 NORTH AVENUE
ON APPROX .29 ACRES IN A LIGHT COMMERCIAL ZONE - DENIED

A hearing was held after proper notice on the application by William A. Baca for a conditional use for 3.2% beer license at 1037 North Avenue. Mike Sutherland, City Planning, reviewed the petition. On-site parking requirement is based on the building capacity, which will be determined prior to the issuance of a building permit. At present, the number of parking spaces anticipated is 75. Mr. Baca has a total of 30 parking spaces on the location, with an additional 50 spaces available in the outlying area (within 200 feet of subject location).

William Baca, 622 30 Road, petitioner, was present to answer questions of Council. Those speaking in favor of the petition:

Caprice Tuft, member of the Alcohol Task Force at Mesa College, and manager of the on-campus apartments.

James Jonas, part-time student at Mesa College

Those speaking in opposition to the petition:

Bill Gillin, 2700 G. Road, #14A

Connie Maup, Area Supervisor for the Vicker Station

Jim Rankin, 122 Hillcrest Manor, representing Mrs. Delp (owner of property at 1043 North Avenue)

Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried, the request for a conditional use at 1037 North Avenue was denied.

HEARING - GRAND JUNCTION VISITORS CENTER - DEVELOPMENT IN H.O. ZONE, 7501/2 HORIZON DRIVE, ON APPROX .8 ACRE

A hearing was held after proper notice on the petition by the Chamber of Commerce for a development in H.O. zone at 7501/2 Horizon Drive (Grand Junction Visitors Center) on approximately .8 acre. Steve Wyatt, Assistant Director of the Visitors and Convention Bureau, spoke to Council requesting that the \$420 application fee be waived. Upon motion of Councilman Love, seconded by Councilman Pacheco and carried, the petition for development in H.O. zone at 7501/2 Horizon Drive from the Grand Junction Visitors Center was approved, and the request to waive the \$420 application fee was denied.

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

HEARING - NEIGHBORS RV RETIREMENT RESORT - ZONE NEIGHBORS ANNEXATION - OUTLINE DEVELOPMENT PLAN ON APPROX 77.8 ACRES, SW COR OF I-70 AND 24 ROAD - PROPOSED ORDINANCE

A hearing was held after proper notice on the petition by Robert Hirons, Raymond Painter, Warren Jacobson for Neighbors RV Retirement Resort and Outline Development Plan. This is a request to zone Neighbors RV Retirement Resort Annexation to Planned Recreational and an Outline Development Plan on approximately 77.8 acres located at the southwest corner of I-70 and 24 Road. Bob Goldin, Planner, reviewed the petition. Daryl Shrum, representing the Grand Junction Technical Center, Inc., and Dr. Warren Jacobson, spoke in favor of the petition.

Those speaking in opposition to the petition were:

Dennis O'Connor, 956 24 Road

Bennett Boeschstein, County Planning Director, representing Mesa County Commissioners

Doris Butler, 681 F Road, Palisade

Letter of opposition from the County Planning Commission.

There were no other opponents, letters or counterpetitions. The hearing was closed. Upon motion of Councilman Pacheco, seconded by Councilman Leland and carried with Councilman LOVE ABSTAINING, the Outline Development Plan for Neighbors RV Retirement Resort at the southwest corner of I-70 and 24 Road was approved.

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 of Councilman Pacheco, seconded by Councilman Leland and carried with Councilman LOVE ABSTAINING, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE - PROOF OF PUBLICATION

Proof of Publication on the following Ordinances proposed for final passage have been received and filed. Copies of the Ordinance proposed for final passage had been submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2237 - ZONING AND DEVELOPMENT CODE AMENDMENT - SECTION 3-1 GOALS, POLICIES AND OBJECTIVES REGARDING INTERPRETATIONS OF THE POLICIES

Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the following proposed ordinance was called up for final passage and the title read: ADDING MATERIALS TO THE PURPOSE SECTION OF THE ZONING AND DEVELOPMENT ORDINANCE.

There were no comments. Upon motion of Councilman Pacheco, seconded by Councilman Love and carried by roll call vote, the Ordinance was passed, adopted, numbered 2237, and ordered

published.

ORDINANCE NO. 2238 - ZONING FAIRWAY PARK ANNEXATION #3 RSF-4
(RESIDENTIAL SINGLE-FAMILY - 4 UNITS PER ACRE)

Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the following proposed ordinance was called up for final passage and the title 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 FAIRWAY PARK ANNEXATION #3 IN THE CITY.

There were no comments. Upon motion of Councilman Love, seconded by Councilman Leland and carried by roll call vote, the Ordinance was passed, adopted, numbered 2238, and ordered published.

RESOLUTION NO. 53-85 OF INTENTION TO WITHDRAW FROM THE STATE OF COLORADO FPPA (FIRE AND POLICE PENSION ASSOC.)

The following Resolution No. 53-85 was read:

RESOLUTION NO. 53-85

EXPRESSING THE INTENT OF THE CITY OF GRAND JUNCTION TO WITHDRAW FROM THE STATE OF COLORADO FIRE AND POLICE PENSION ASSOCIATION.

WHEREAS, the City of Grand Junction, as an employer under Section 31-30-1002(4) C.R.S. as amended, desires to withdraw from the State of Colorado Fire and Police Pension Association; and

WHEREAS, a resolution of intent to withdraw must be filed with the Fire and Police Pension Association in accordance with Section 31-30-1003(2)(b) C.R.S. as amended, and Section 401 of the Rules and Regulations of the Fire and Police Pension Association; and

WHEREAS, the resolution of withdrawal must also state a requested date for withdrawal;

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

That the City of Grand Junction intends to withdraw from the State of Colorado Fire and Police Pension Association both its Police Department and its Fire Department in accordance with the provisions of the Act;

FURTHER, that the effective date of withdrawal be January 1, 1987, or at such prior time as may be allowed; and

FURTHER, that this Resolution of Withdrawal be filed with the Fire and Police Pension Association by delivering a certified copy of this Resolution to such Association; and

FURTHER, that this Resolution is adopted to amend Resolution No.

17-85 adopted the 20th day of March, 1985.

PASSED and ADOPTED this 7th day of August, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 54-85 AUTHORIZING CONVEYANCE OF GOODWILL BUILDING TO GOODWILL REHABILITATION, INC.

The following Resolution No. 54-85 was read:

RESOLUTION NO. 54-85

AUTHORIZING THE CONVEYANCE OF THE GOODWILL REHABILITATION CENTER BUILDING TO GOODWILL REHABILITATION, INC.

WHEREAS, in order to secure funds for and build the building known as the Goodwill Rehabilitation Center, the City of Grand Junction agreed to become the conduit for the monies and agreed to convey the building, located on land belonging to Goodwill Industries, to Goodwill upon condition that the building continue to be used for the purpose intended in the Housing and Urban Development grant; and

WHEREAS, Goodwill Rehabilitation, Inc. is the successor in interest and in purpose to Goodwill Industries and has agreed to continue the purposes of the building in accordance with the grant agreement;

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

That the City Manager, Mark K. Achen, as Commissioner to Convey, be authorized and directed to convey the following, situate in the County of Mesa, State of Colorado, to wit:

The N 405 ft of the E2 of the SW4 of the NW4 of Sec 18, T1S, R1E of the Ute Meridian; together with any and all improvements located thereon, specifically including that certain building constructed on the above-described property pursuant to Community Development Block Grant funds;

to Goodwill Rehabilitation, Inc.

PASSED and ADOPTED this 7th day of August, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Love, seconded by Councilman Pacheco and carried by roll call vote with Councilman LELAND ABSTAINING, the Resolution was passed and adopted as read:

JOINT CITY/COUNTY RESOLUTION NO. 55-85 APPOINTING UMTRAP ADVISORY COMMITTEE

The following Resolution No. 55-85 was read:

RESOLUTION NO. 55-85

JOINT RESOLUTION OF THE COUNTY OF MESA, COLORADO, AND THE CITY OF GRAND JUNCTION, COLORADO, APPOINTING AN ADVISORY BOARD FOR THE URANIUM MILL TAILINGS REMEDIAL ACTION PROGRAM.

BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO, AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the following named persons be appointed to the Mesa County/City of Grand Junction Uranium Mill Tailings Remedial Action Program Advisory Board, to wit:

Gene Saccomanno

Patrick A. Gormley

Edwin S. Lamm

Dale D. Story

Larry McNeese

Bob Pollock

James Leland

Robert Holmes

Louis A. Grasso, Jr.

PASSED and ADOPTED this 7th day of August, 1985.

COUNTY OF MESA, COLORADO

By:

Richard C. Pond, Chairman, Board of County Commissioners of the
County of Mesa

Attest:

County Clerk

CITY OF GRAND JUNCTION

By: /s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Lucero, seconded by Councilman Love and carried by roll call vote with Councilman LELAND ABSTAINING, the Resolution was passed and adopted as read.

COORS CLASSIC AGREEMENT INTERNATIONAL CLASSICS, INC.

Upon motion of Councilman Pacheco, seconded by Councilman Lucero and carried, the Contract with International Classics, Inc., for the Coors Classic was approved, and the City Manager was authorized to sign said Agreement.

RESOLUTION NO. 56-85 ANNEXING LAND E OF 12TH STREET, W OF CLUB DRIVE, FAIRWAY PARK #4

The following Resolution No. 55-85 was read:

RESOLUTION NO. 56-85

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION.

WHEREAS, on the 7th day of August, 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:

Lots 1 thru 7, Blk 1, Lots 1 thru 5, Blk 2, and Lots 1 thru 4, Blk 6, all in Fairway Park Subdivision, and Lot 3, Duncan Minor Subdivision, together with all adjacent street right-of-way;

and

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 18th day of September, 1985, in the City/County Auditorium in the City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m., to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres, which, together with the building and improvements thereon has an assessed valuation in excess of two hundred thousand dollars, is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings, and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 7th day of August, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Leland, seconded by Councilman Lucero and carried by roll call vote, the Resolution was passed and adopted as read.

ENGAGEMENT LETTER FOR 1985 CITY AUDIT - ALLEN ROSS & COMPANY - \$21,000

Upon motion of Councilman Pacheco, seconded by Councilman Mannion and carried, the City Manager was authorized to engage with Allen Ross & Company for the 1985 City Audit in the amount of \$21,000.

APPROVAL OF CLIFTON WATER DISTRICT GENERATOR PURCHASE - \$38,748.42

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the expenditure of \$38,748.42 as the City's portion toward the Clifton Water District Generator Purchase was approved.

LINCOLN PARK POOL REPLACEMENT INVESTMENT ADVISOR AGREEMENT

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the recommendation of the Finance Committee to accept Kirchner, Moore & Company as the Lincoln Park Pool Replacement Advisors for the issuance of 1.2 million dollars in revenue bonds with a ten-year maturity period was approved.

METERED PARKING

Councilman Lucero has requested a report from the Downtown Development Authority regarding the metered parking proposal that was tried. Councilman Bennett stated that DDA does not have the figures on what the return is, what the price of the upkeep is, as that is all handled by the City and not the DDA. Their recommendation is to remove more parking meters downtown. City Manager Achen said he had thought Councilman Lucero's question was how the business community had responded to it. In terms of the financial aspect, Mr. Achen said he would confirm it but his impression was that the revenue projections for the Parking Authority and the payment of the parking bonds was pretty much on budget. As he recalled, the City Council is subsidizing the Parking Authority to the tune of \$60,000 to \$70,000 a year. How much of that figure represents lost revenues specifically from those meters removed he did not know, but he indicated that he would try to get something for the Council.

WILLIAM BACA ASKED COUNCIL WHAT HE MUST DO FOR RECONSIDERATION OF HIS PROPOSAL FOR CONDITIONAL USE AT 1037 NORTH AVENUE

William Baca reappeared before Council to find out what he must do for reconsideration of his proposal for conditional use at 1037 North Avenue. He stated that if more parking was required, and how much, he would do everything he could be provide it. He stated that he had contracted the young lady from Vickers who appeared before Council and hold her he would put up a concrete barrier between the properties if she felt that was necessary.

Councilman Lucero stated that in his own mind there was a problem with safety regarding the crossing of major streets from the parking locations in order to get to the facility William Baca proposes to operate except for the 30 spaces in front. Mr. Baca stated that he would acquire the two houses to the rear of the facility and provide more parking. It was noted that should Mr. Baca decide to acquire the houses and plan to use the space for parking it would require a rezone. Councilman Pacheco mentioned there might be some neighborhood resistance to the petition for a

rezone that called for the leveling of the houses to use the space for parking. Mr. Baca was to contact the Planning Department and follow through regarding how he proposes to develop the plan.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk