

Grand Junction, Colorado

October 2, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 2nd day of October, 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, Tim Mannion, and President of the Council Ray Phipps. Councilmembers Gary Lucero and Mike Pacheco were absent. 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

Rev. Jim Salas, First Assembly of God Church.

MINUTES

The minutes of the September 18, 1985, Council meeting were corrected to reflect a change in the motion under the title CONTRACT TIME EXTENSION OF UNITED COMPANIES CONTRACT FOR IMPROVEMENT OF PATTERSON ROAD FROM 7TH STREET TO 12TH STREET as follows: Upon motion of Councilman Pacheco, seconded by Councilman Lucero and carried with Councilman LOVE and BENNETT voting NO, the extension of United Companies Contract for improvement of Patterson Road from 7th Street to 12th Street was not approved; the matter was referred back to Staff for reconciliation.

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the minutes of the September 18, 1985, meeting were approved as corrected.

PROCLAMATION DECLARING OCTOBER 24, 1985, "UNITED NATIONS DAY"

PROCLAMATION DECLARING OCTOBER 6-12, 1985, "DOMESTIC VIOLENCE AWARENESS WEEK"

RECOGNITION OF SENIOR OLYMPIC MEDALISTS

President of the Council Phipps introduced the following Senior Olympic Medalists:

Maud Cozzette - 2 Medals

Marvin Haldorwon - 6 Medals

Elsa Ratekin - 3 Medals

Thelma McMahan - 5 Medals

Pete Fregetto, Coach

Josephine Sigman - Spectator

Alberta Veesser - Spectator

HEARING - CONDITIONAL USE - DRIVE-UP WINDOW AT 1212 NORTH AVENUE ON APPROX 0.9 ACRE IN A LIGHT COMMERCIAL ZONE

A hearing was held after proper notice on the petition by McDonald's Corporation, Peggy Kissler, for a conditional use for a drive-up window at 1212 North Avenue on approximately 0.9 acre in a Light Commercial Zone. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the conditional use for a drive-up window at 1212 North Avenue was approved subject to the conditions of the Planning Commission.

HEARING - FINAL PLAN FOR CMI UNIT HOUSING, N OF WELLINGTON AVE ON THE NE CORNER OF LITTLE BOOKCLIFF AVE AND THE GRAND VALLEY CANAL

A hearing was held after proper notice on the petition by Wellington V (a Partnership), Sam Haupt, for a final plan for CMI Unit Housing (20 units on approximately 0.8 Acre in a Planned Business Zone) located north of Wellington Avenue on the northeast corner of Little Bookcliff Avenue and the Grand Valley Irrigation Canal. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the final plan for CMI Unit Housing was approved subject to the conditions of the Planning Commission.

HEARING - KETTLE RESTAURANT, INC., OFFICE AND LIMITED RETAIL DEVELOPMENT IN A HIGHWAY ORIENTED ZONE LOCATED ON THE N SIDE OF HORIZON DR AND APPROX 200 FT W OF CROSSROADS BOULEVARD

A hearing was held after proper notice on the petition by The Kettle Restaurant, Inc., Harry Chambers, for a limited retail development in a Highway Oriented Zone on approximately 1.6 acres located on the north side of Horizon Drive and approximately 200 feet west of Crossroads Boulevard. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the Kettle Restaurant, Inc., office and limited retail development in a highway oriented zone was approved subject to the conditions of the Planning Commission.

BIDS - AWARD OF CONTRACT - FERTILIZATION AND WEED CONTROL OF 87.5 ACRES OF CITY PARKLANDS - LRK, INC. - \$10,937.50

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the Contract for fertilization and weed control of 87.5 acres of City Parklands was awarded to LRK, Inc., in the amount of \$10,937.50.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2243 - PROVIDING AN AMNESTY FOR DEFICIENT SALES AND USE TAXPAYERS

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE PROVIDING AN AMNESTY FOR DEFICIENT SALES AND USE TAXPAYERS.

There were no comments. Upon motion of Councilman Love, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed, adopted, numbered 2243, and ordered published.

ORDINANCE NO. 2244 - FAIRWAY PARK ANNEXATION #4, E OF 12TH STREET, N OF CLUB DRIVE

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Ordinance was passed, adopted, numbered 2244, and ordered published.

RESOLUTION NO. 59-85 CORRECTING RESOLUTION NO. 4-85 CONCERNING POWERS PROPERTY (CORRECTION OF DESCRIPTION OF LANDS)

The following Resolution was read:

RESOLUTION NO. 59-85

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, thence along said S line of the NW4 of the NE4 S 89 deg. 48 min. E 270.4 ft to the SE Cor of said NW4 of the NE4, thence N 1320 ft to the point of beginning;

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 property 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:

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

2. This Resolution is adopted to correct Resolution No. 4-85 adopted February 6, 1985.

PASSED and ADOPTED this 2nd day of October, 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 Leland and carried by roll call vote, the Resolution was passed and adopted as read.

CHANGE ORDER TO OVERLAY CONTRACT WITH CORN CONSTRUCTION COMPANY - HORIZON DRIVE, BETWEEN G ROAD AND 7TH STREET - \$66,600

Upon motion of Councilman Leland, seconded by Councilman Love and carried, the change order to the Overlay Contract with Corn Construction Company for Horizon Drive between G Road and 7th Street in the amount of \$66,600 was approved.

LEASE AGREEMENT WITH MESA COUNTY FOR LEASE OF SPACE AT POLICE STATION FOR COUNTY JAIL

Upon motion of Councilman Bennett, seconded by Councilman Leland and carried, the Lease Agreement with Mesa County for leasing of space at Police Station for County Jail was approved and the Mayor was authorized to sign said Lease.

BIDS - AWARD OF CONTRACT PHASE II, EXAMINATION AND DEVELOPMENT OF

DATA FOR MAJOR STREET MAINTENANCE - PAVEMENT MANAGEMENT SYSTEMS,  
INC. \$44,890

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the Contract was awarded to Pavement Management Systems, Inc., in the amount of \$44,890 for Phase II, Examination and Development of Data for Major Street Maintenance, and the City Manager was authorized to sign said Contract.

#### IRRIGATION DITCHES

Mr. Rich Heely, President of Fruitvale Lateral and Waste Ditch Association, 546 Melody Lane, appeared before Council to serve notice that the Association's Attorney would be contacting the City regarding efforts to obtain cooperation by the City with right-of-way problems concerning irrigation ditches, joint use of ditches as storm drains, etc.

#### BOY SCOUT TROOP 345

The following members of Boy Scout Troop 345 were in attendance and introduced to Council:

Mike Plaster

Pete Plaster

Both Scouts are working on their citizenship badges.

#### ADJOURNMENT

The President adjourned the meeting.

/s/ Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk