

Grand Junction, Colorado

December 18, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of December, 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, 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 Leland led in the Pledge of Allegiance.

INVOCATION

Councilman Gary Lucero.

MINUTES

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the minutes of the December 4, 1985, meeting were approved as submitted.

PROCLAMATION DECLARING DECEMBER 15-21, 1985, "DRUNK AND DRUGGED DRIVING AWARENESS WEEK"

APPOINTMENT OF REFORD THEOBOLD AS COUNCILMAN TO COUNCIL DISTRICT C

By secret ballot Reford C. Theobold was appointed to the District C Council Seat. The Oath of Office was administered.

HEARING - DEVELOPMENT IN H.O. ZONE AT 427 SHERMAN DR (EXPANSION OF HEAVY EQUIPMENT REPAIR SHOP)

A hearing was held after proper notice on the petition by W. A. Weaver for a Development in H.O. Zone at 427 Sherman Drive for the expansion of a heavy equipment repair shop on approximately 0.9 acre. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the development in H.O. Zone at 427 Sherman Drive was approved.

HEARING - PROPOSED ORDINANCE - RIGHT-OF-WAY VACATION, 762 AND 764 HORIZON DRIVE

A hearing was held after proper notice on the petition by Grand Junction Planning Department for a right-of-way vacation at 762 and 764 Horizon Drive. This is a request to vacate a portion of right-of-way. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE

VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION. Upon motion of Councilman Leland, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - SUNSET TERRACE REPLAT ANNEXATION, NW CORNER OF 261/2 AND G ROADS - RESOLUTION NO. 79-85

A hearing was held after proper notice on the Sunset Terrace Replat Annexation located on the northwest corner of 261/2 Road and G Road. There were no opponents, letters or counterpetitions.

The following Resolution was presented and read:

RESOLUTION NO. 79-85

WHEREAS, on the 6th day of November, 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 which is 30 ft N of the SW Cor of Sec 33, T1N, R1W, Ute Principal Meridian, thence E along the N right-of-way line for G Road to the SW Cor of Lot 6, Blk 4, Sunset Terrace Replat, thence N along the W line of said Sunset Terrace Replat to a point 30 ft N of the NW Cor of Lot 1, Blk 9 of said Replat, thence E along the N line of said Replat to the centerline of 261/2 Road, thence S along said centerline to the N line of Sec 2, T1S, R1W, Ute Principal Meridian, thence W along the N line of said Sec 2 and the N line of Sec 3 in said Township and Range to a point which is 220 ft E of the NW Cor of said Sec 3, thence S to the S right-of-way line of G Road, thence W to the E line of 25 Road, thence N to the centerline of G Road, thence W along the centerline of G Road to a point 30 ft S of the point of beginning, thence N to the Point of Beginning;

and

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of December, 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 comprising more than twenty acres which together with the buildings 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 18th day of December, 1985.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion of Councilman Mannion, seconded by Councilman Leland 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 of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - EMERGENCY ORDINANCE NO. 2253 - ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS NOT TO EXCEED \$1,000,000 (SUNDSTRAND CORPORATION PROJECT)

The following entitled proposed ordinance was presented and read: AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE BY THE CITY OF GRAND JUNCTION, COLORADO, OF ITS \$1,000,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS (SUNDSTRAND CORPORATION PROJECT) SERIES 1985, FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF CONSTRUCTING CERTAIN INDUSTRIAL FACILITIES FOR SUNDSTRAND CORPORATION PROJECT WITHIN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO THE COUNTY AND MUNICIPALITY DEVELOPMENT REVENUE BOND ACT, SAID BONDS AND ALL OBLIGATIONS OF THE CITY IN CONNECTION WITH SUCH TRANSACTION TO BE PAYABLE SOLELY AND EXCLUSIVELY FROM THE REVENUES ARISING FROM THE PLEDGE OF A NOTE OF SUNDSTRAND CORPORATION, GIVEN AS SECURITY FOR SAID BONDS AND IN NO EVENT TO CONSTITUTE A GENERAL OBLIGATION OR LIABILITY OF THE CITY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWERS; AUTHORIZING THE EXECUTION BY THE CITY OF GRAND JUNCTION, COLORADO, OF A LOAN AGREEMENT, AN INDENTURE OF TRUST AND A BOND PURCHASE AGREEMENT IN CONNECTION WITH SUCH TRANSACTION DIRECTING THE PUBLICATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT WITH THE PROVISIONS HEREOF, AND DECLARING AN EMERGENCY. There were no opponents, letters or counterpetitions.

Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Ordinance was passed and adopted as an emergency, numbered 2253, and ordered published.

PROPOSED ORDINANCE - AMENDING DESCRIPTION ON AMENDED VACATION ORDINANCE NO. 2192

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION. Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - SUPPLEMENTAL APPROPRIATIONS

The following entitled proposed ordinance was read: AN ORDINANCE MAKING CERTAIN SUPPLEMENTAL APPROPRIATIONS TO BUDGETARY FUNDS OF THE CITY. Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - RAISING THE TANK RATE FOR WATER

The following entitled proposed ordinance was read: RAISING THE TANK RATE FOR WATER. Upon motion of Councilman Mannion, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING WATER RATES IN THE CITY OF GRAND JUNCTION

The following entitled proposed ordinance was read: AMENDING WATER RATES IN THE CITY OF GRAND JUNCTION. Upon motion of Councilman Leland, seconded by Councilman Love and carried, the revised proposed ordinance was passed for publication.

EMERGENCY ORDINANCE NO. 2251 PROVIDING FOR A SALES AND USE TAX CAPITAL IMPROVEMENT FUND

City Attorney Ashby explained that the item has been through the first and final readings, but in order to make it effective in due time, it is necessary to re-adopt the following Ordinance as an emergency: AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE CREATION OF A SALES AND USE TAX CAPITAL IMPROVEMENT FUNDS TO BE USED TO PROVIDE CAPITAL IMPROVEMENT AND TO PAY DEBT SERVICE ON BONDS OR OTHER OBLIGATIONS OF THE CITY ISSUED TO PROVIDE CAPITAL IMPROVEMENTS; PLEDGING TO SUCH FUND CERTAIN PROCEEDS OF THE 2% SALES AND USE TAX IMPOSED BY THE CITY; PROVIDING FOR THE ISSUANCE OF BONDS; AND DECLARING AN EMERGENCY.

Upon motion of Councilman Love, seconded by Councilman Lucero and carried by roll call vote, the Ordinance was passed and adopted as an emergency, numbered 2251, and ordered published.

EMERGENCY ORDINANCE NO. 2254 AUTHORIZING REVENUE BONDS FOR LINCOLN

## PARK POOL CONSTRUCTION

The following entitled proposed ordinance was presented and read: AN ORDINANCE AUTHORIZING THE ISSUANCE OF SALES AND USE TAX REVENUE BONDS, SERIES 1985, OF THE CITY OF GRAND JUNCTION, COLORADO, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,210,000, FOR THE PURPOSE OF CONSTRUCTING, ACQUIRING, AND INSTALLING A MUNICIPAL SWIMMING POOL FACILITY; PRESCRIBING THE FORM OF SAID BONDS AND PROVIDING FOR THE PAYMENT THEREOF FROM THE SALES AND USE TAX MONEYS PLEDGED TO THE CITY'S SALES AND USE TAX CAPITAL IMPROVEMENT FUND; ADOPTING OTHER DETAILS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

Upon motion of Councilman Mannion, seconded by Councilman Love and carried by roll call vote, the Ordinance was passed and adopted as an emergency, numbered 2254, and ordered published.

## 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. 2255 - ID ST-84, PHASE A - STREET IMPROVEMENT DISTRICT (15TH STREET S OF PATTERSON RD TO GRAND VALLEY CANAL; POPLAR DR NORTH OF INDEPENDENT AVE; ALLEY FR 24TH TO 26TH STREETS BTN HILL AND TELLER AVENUE; ACOMA, APACHE AND LAGUNA DR - ASSESSMENTS

Upon motion of Councilman Love, seconded by Councilman Lucero and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-84, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

There were no comments. Upon motion of Councilman Love, seconded by Councilman Leland and carried with Councilman THEOBOLD ABSTAINING, the Ordinance as passed, adopted, numbered 2255, and ordered published.

ORDINANCE NO. 2256 - AMENDING SALES AND USE TAX ORDINANCE, CHAPTER 24

Upon motion of Councilman Love, seconded by Councilman Lucero and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE AMENDING THE SALES AND USE TAX ORDINANCE OF THE CITY OF GRAND JUNCTION TO COMPLY WITH THE

REQUIREMENTS OF HOUSE BILL 1007, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF COLORADO IN ITS 1985 SESSION.

There were no comments. Upon motion of Councilman Mannion, seconded by Councilman Leland and carried by roll call vote with Councilman THEOBOLD ABSTAINING, the Ordinance was passed, adopted, numbered 2256, and ordered published.

ORDINANCE NO. 2257 - APPROPRIATIONS FOR 1986

Upon motion of Councilman Love, seconded by Councilman Lucero and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAID THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1986, AND ENDING DECEMBER 31, 1986, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY.

There were no comments. Upon motion of Councilman Love, seconded by Councilman Lucero and carried by roll call vote with Councilman THEOBOLD ABSTAINING, the Ordinance was passed, adopted, numbered 2257, and ordered published.

Councilman Lucero stated that the Department Heads have really made an effort to unite and coordinate with each other this past budget season. He thanked the Department Heads for their effort and decisions that were made concerning the Budget.

RESOLUTION NO. 80-85 ON PUBLIC SERVICE FRANCHISE REPORTS

The following Resolution was presented and read:

RESOLUTION NO. 80-85

CONCERNING REPORTS REQUIRED OF PUBLIC SERVICE COMPANY UNDER ITS FRANCHISE AGREEMENT WITH THE CITY.

WHEREAS, under Section 1 of Article VI of the franchise agreement between the City of Grand Junction and Public Service Company of Colorado an annual report containing certain material is required of the company; and

WHEREAS, the City Council is desirous of replacing said report with a report which will provide more useful information than is provided by the one now being filed; and

WHEREAS, the Company concurs with providing such a report;

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

That the Company replace its existing report with a report containing six months of actual figures and eighteen months of projected figures for franchise revenues, a detailed statement of

the amount budgeted for underground conversion under Section 3 of Article IX of the franchise ordinance, a statement of amounts carried over or advanced, if any, and the amounts budgeted and expended to funds for projects for which there is otherwise available federal or state funds for undergrounding purposes, and that the company provide this report to the city by the first day of June each year during the term of the franchise.

PASSED and ADOPTED this 18th day of December, 1985.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

RESOLUTION NO. 81-85 ADOPTING 1986 BUDGET

The following Resolution was presented and read:

RESOLUTION NO. 81-85

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1986.

WHEREAS, in accordance with the provisions of Article VI, Section 50, of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council a budget estimate of the revenues of said City and the expenses of conducting the affairs thereof for the fiscal year ending December 31, 1986, and

WHEREAS, after full and final consideration of the budget estimate, the City Council is of the opinion that the budget should be approved and adopted:

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the Fiscal Year ending December 31, 1986, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget estimate for defraying the expenses and liabilities against said City for the fiscal year ending December 31, 1986.

ADOPTED and APPROVED this 18th day of December, 1985.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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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.

RESOLUTION NO. 82-85 - CONCERNING RANK ESCALATION ON FIRE AND POLICE HIRES PRIOR TO APRIL 8, 1978

The following Resolution was presented and read:

RESOLUTION NO. 82-85

CONFIRMING COUNCIL POSITION ON RANK ESCALATION BENEFITS FOR CERTAIN MEMBERS OF THE POLICE AND FIRE DEPARTMENTS.

WHEREAS, on the 17th day of December, 1980, the City Council adopted the Resolution concerning rank escalation benefits, which is attached hereto as Exhibit A; and

WHEREAS, the City Council has been asked to state its position as to such benefits; and

WHEREAS, the City Council is prepared to provide that information so that it may be determined whether or not any state funds are involved in the City's provision for rank escalation for the members of the departments involved;

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

That the Resolution of December 1, 1980, is hereby confirmed and no state funds will be required to fund rank escalation benefits called for in that Resolution except as may be mandated by present or future enactments of the State Legislature.

PASSED and ADOPTED this 18th day of December, 1985.

/s/ Raymond G. Phipps

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President of the Council

Attest:



/s/ Neva B. Lockhart, CMC

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City Clerk

EXHIBIT A

RESOLUTION

CONCERNING PAYMENT OF RANK ESCALATION BENEFITS UNDER THE POLICE AND FIRE PENSION PLANS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That Rank Escalation Benefits under the provisions of the Police and Fire Pension Plans be determined as follows:

1. Those persons presently receiving benefits under the plans, those persons who have attained required retirement status and the beneficiaries of either, shall receive the benefits of one-half of any escalation in pay for the ranks to which they relate under the pension plans, when upon retirement status.

2. Those persons, hired prior to April 8, 1978, and who have attained only a part of their retirement status, upon being pensioned, shall receive the benefits of escalation in pay for the ranks to which they relate under the pension plans for the percentage of the retirement status which they have attained, shall receive the cost of living increment provided in the pension plans for that portion of retirement status which has not been attained, and may receive additional amounts (not to exceed one-half of any escalation in pay for the ranks to which they relate under the plans, with any cost of living increment being considered as a part of the one-half, not as increasing that amount) as the City Council may, from time to time, determine on an annual basis.

3. All persons hired after April 8, 1978, upon being pensioned, shall receive those cost of living benefits as established by the Fire and Police Pension Laws.

PASSED and ADOPTED this 17 day of December, 1980.

/s/ Jane S. Quimby

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion of Councilman Brach, seconded by Councilman Dunn and carried by roll call vote with Councilman JOHNSON ABSTAINING, the

Resolution was passed and adopted as read.

Upon motion of Councilman Love, seconded by Councilman Leland and carried by roll call vote, Resolution No.82-85 was passed and adopted as read.

AGREEMENT WITH MESA COUNTY FOR PURCHASING SUPPLIES (MCA #85-153)

Upon motion of Councilman Bennett, seconded by Councilman Love and carried, the Agreement with Mesa County (Mesa County Agreement No. MCA 85-153) for purchasing supplies was approved and the Mayor was authorized to sign said Agreement.

ADJOURNMENT

The President adjourned the meeting.

/s/ Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk

Merry Christmas! Happy New Year!