

Grand Junction, Colorado

April 16, 1986

The City Council of the City of Grand Junction, Colorado, convened in regular session the 16th day of April, 1986, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were John Bennett, James Leland, Steve Love, Gary Lucero, Timothy Mannion, and President of the Council Ray Phipps. Councilman Reford Theobald was 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 Bennett led in the Pledge of Allegiance.

INVOCATION

Reverend Dan Brubaker, First Assembly of God Church.

MINUTES

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the minutes of the regular meeting April 2, 1986, were approved as submitted.

PROCLAMATION DECLARING APRIL 20-27, 1986, "GRAND JUNCTION VOLUNTEER RECOGNITION WEEK"

PROCLAMATION DECLARING JUNE, 1986, "COLORADO RECYCLING MONTH"

PROCLAMATION DECLARING MAY, 1986, "MULTIPLE SCLEROSIS MONTH IN GRAND JUNCTION"

PROCLAMATION DECLARING APRIL 18, 1986, "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 1-7, 1986, "RESPECT FOR LAW WEEK"

PROCLAMATION DECLARING MAY 6, 1986, "NATIONAL NURSES' DAY"

HEARING - PROPOSED ORDINANCE - REPEALING AND REENACTING CHAPTER 3 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

A hearing was held after proper notice on the petition by the Grand Junction Planning Department to repeal and reenact Chapter 3 of the Grand Junction Zoning and Development Code. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: CONCERNING THE GOALS, OBJECTIVES AND POLICIES SECTION OF THE ZONING REGULATIONS OF THE CITY OF GRAND JUNCTION. Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - ZONING BELLA VISTA #1 ANNEXATION TO RSF-4

A hearing was held after proper notice on the petition by the City of Grand Junction to zone Bella Vista #1 Annexation containing approximately 16 acres located on the northwest corner of 12th Street and G Road to RSF-4 (Residential Single-Family, 4 units per acre). There were no opponents, letters or counterpetitions.

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

HEARINGS - RESOLUTION NO. 31-86 ADOPTING 25 ROAD, 24 ROAD, HIGHWAY 50, 29 ROAD, NORTH AVENUE CORRIDOR GUIDELINES

Hearings were held after proper notice on the petitions by the Grand Junction Planning Commission to adopt the following corridor guidelines:

25 Road south from I-70 to I-70 Business Loop

24 Road south from I-70 to I-70 Business Loop

Highway 50 east from South Avenue to 29 Road

29 Road south from I-70 to I-70 Business Loop

North Avenue from First Street east to I-70 Business Loop

There were no opponents, letters or counterpetitions.

The following Resolution was read:

RESOLUTION NO. 31-86

ADOPTING STREET AND ROAD CORRIDOR GUIDELINES FOR PLANNING AND DEVELOPMENT PURPOSES.

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

That, as part of the Comprehensive Plan of the City of Grand Junction, the following Street and Road Corridor Guidelines, attached hereto and made a part hereof by this reference, are hereby adopted, to-wit:

1. 25 Road Corridor Guidelines.
2. 24 Road Corridor Guidelines.
3. Highway 50 Corridor Guidelines.

4. 29 Road Corridor Guidelines.

5. North Avenue Corridor Guidelines.

PASSED and ADOPTED this 16th day of April, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

HEARING - APPLICATION BY FOLKLORICO DE LA GENTE LATINA FOR 3.2% BEER SPECIAL EVENTS PERMIT MAY 3, 1986, IN THE 300 AND 400 BLOCK OF MAIN STREET ANNUAL CINCO DE MAYO HISPANIC FESTIVITIES 1ST PERMIT - APPROVED

A hearing was held after proper notice on the application by Folklorico de La Gente Latina for a 3.2% beer special events permit Saturday, May 3, 1986, from 8:00 a.m. to 12:00 midnight in the 300 and 400 block of Main Street for the Annual Cinco de Mayo Hispanic Festivities. Rafael Quintana was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the application was approved.

BIDS - AWARD OF CONTRACT LIQUID BITUMINOUS ASPHALT - 12,500 GAL SC-250 SINCLAIR OIL OF DENVER AT \$0.71/GAL - LIQUID ASPHALT FOR SEALCOATING, 101,000 GAL HFMS-100S, SOUTHWEST EMULSIONS OF GRAND JUNCTION AT \$0.88/GAL

Upon motion of Councilman Leland, seconded by Councilman Love and carried, the bids for Liquid Bituminous Asphalt were accepted and the contracts were awarded to Sinclair Oil of Denver for 12,500 gallons of SC-250 at \$0.71 per gallon, and to Southwest Emulsions of Grand Junction for 101,000 gallons HFMS-100S at \$0.88 per gallon.

BIDS AWARD OF CONTRACT - STREET FLUSHER TRUCK - WESTERN SLOPE FORD - \$43,423.38

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the bids for the Street Flusher Truck were accepted and the contract was awarded to Western Slope Ford in the amount of \$43,423.38.

BIDS - STAINLESS STEEL COIN-OPERATED SECURITY LOCKERS FOR LINCOLN PARK CHANGING ROOMS

Metal Handling Equipment Company of Denver bid \$38,292.50 for stainless steel coin-operated security lockers for Lincoln Park changing rooms. The City Manager advised that since this item was placed on the agenda it was discovered the bidder could not supply this equipment until virtually the end of the swimming season. He said that at the moment Staff is in a quandary as to how to proceed. A local firm may be able to secure stainless steel lockers in time for them to be installed near the opening of the season. He recommended that Council authorize the City Manager reject the bid if he is able to obtain a satisfactory alternative that supplies the lockers early enough in the season to make it worthwhile. Upon motion of Councilman Mannion, seconded by Councilman Love and carried, the City Manager was empowered to reject the bid of Material Handling Equipment Company and to enter into negotiations with the local firm for the purchase of stainless steel lockers up to the budgeted amount for the lockers, and failing that, to secure temporary lockers for the upcoming swim season. Councilman Love amended the motion to show some sort of time frame and that the other constraint is that "up to the budget amount but with the ability to receive those so we have some ability to recapture that cost due to the fact that we have those to operate over the summer." Councilman Mannion accepted the amendment with the time constraint. The motion carried.

BIDS - AWARD OF CONTRACT - FIRE DEPARTMENT SELF-CONTAINED BREATHING APPARATUS - WESTERN FIRE EQUIPMENT CO. OF DENVER - \$18,082.30

Upon motion of Councilman Love, seconded by Councilman Leland and carried with Councilman BENNETT voting NO, the bids were accepted, and the contract was awarded to Western Fire Equipment Company of Denver in the amount of \$18,082.30 for the Fire Department Self-Contained Breathing Apparatus.

HEARING - CONDITIONAL USE TO PERMIT HOTEL-RESTAURANT LIQUOR LICENSE IN A HEAVY COMMERCIAL ZONE AT PANCHO'S VILLA, 801 NORTH 1ST STREET - APPROVED

A hearing was held after proper notice on the petition by Rod and Michele Smith for a conditional use to permit a hotel-restaurant liquor license in a heavy commercial zone at Pancho's Villa, 801 North First Street. Mike Sutherland, Planning Department, reviewed the petition. He noted a couple of technical concerns outstanding: angle parking and site-distance problems. The Planning Commission recommended approval on the condition that the petitioner convince the property owner to allow parking revisions onto First Street. The owner of the property has objected to parking revisions which would reduce the number of parking spaces. Rod and Michele Smith were present for the hearing. Councilman Bennett questioned the requirement for parking revisions at this time. He noted that last

September the owners took out a permit and expended \$6500 bringing the parking up to standard. Mr. Sutherland explained that at that time the permit was for work in the right of way. There was not a review for the actual method of parking at that location.

Mr. Sutherland stated that since the Planning Commission made its recommendation, the City Engineer and the Planning Staff feel that the petitions have attempted to convince the property owners to modify the parking as requested. The property owners object to any parking modifications which would reduce the number of parking spaces and the impact the loss of those parking spaces would have on adjacent businesses. Therefore, they would not force the issue of the parking and put the petitions in that position.

Mr. Rod Smith, owner of Pancho's Villa restaurant, requested Council's cooperation in his obtaining the liquor license. The City Clerk advised that the application for the liquor license was in order and that the Hearing Officer had approved the application at his meeting that morning subject to Council's decision regarding the conditional use. The property owners and their attorney were present for the hearing. There were no other comments, letters, or counterpetitions. Upon motion of Councilman Leland, seconded by Councilman Bennett and carried, the conditional use for a liquor license at Pancho's Villa, 801 North First Street, was approved.

HEARING - PROPOSED ORDINANCE - REZONE FROM RMF-64 TO PB, PROPERTY LOCATED AT 1035 GRAND AVENUE

A hearing was held after proper notice on the petition by Louise Pool to change from a Residential Multi-Family Zone of approximately 64 units per acre to a Planned Business Zone on approximately 0.2 acre located at 1035 Grand Avenue. Mike Sutherland, Planning Staff, revised the proposal. He noted that the petitioner is seeking the rezone for an insurance office. According to Mr. Sutherland, this section of Grand Avenue between 8th Street and 12th Street was designated as a residential/office conversion corridor by the Downtown Development Authority strategy plan some time ago. All technical issues were resolved. The proposal was reviewed by the DDA Board and voiced some opposition, he said, primarily due to the fact that this business would need a rezone and the fact that the proposal is out on the fringes of that corridor. He said they felt that it was somewhat leapfrog development. Mr. Sutherland said that the opinion of the Planning Office was that as long as the R/OCC designation was considered valid then this would be a valid use for that property. Mr. Sutherland described the type of requirements for this type development.

Mrs. Louise Pool, the petitioner, addressed Council. There were no opponents, letters or counterpetitions.

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

PROPOSED ORDINANCE CONCERNING SIGNATURES REQUIRED FOR CHECKS ON CITY CHECKING ACCOUNTS

The following entitled proposed ordinance was read: CONCERNING SIGNATURES REQUIRED FOR CHECKS ON CITY CHECKING ACCOUNTS. Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

Proofs 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. 2286 - CONCERNING SKATEBOARDS ON CITY SIDEWALKS

Upon motion of Councilman Mannion, seconded by Councilman Love and carried, the following proposed ordinance was called up for final passage and read by title only: CONCERNING RIDING SKATEBOARDS ON CITY SIDEWALKS.

Councilman Mannion stated that this ordinance raised a question in his mind -- where does parental responsibility end and governmental responsibility begin. He noted that the first ordinance of this type was bicycles, now skateboards, and he wondered if next would roller skates, tricycles, and little red wagons. It seemed to him this was more the type of thing the parents should control rather than the City. Councilman Lucero said that some of the downtown merchants have voiced concerns about skateboarding on the sidewalks because of the nuisance factors. On the other hand, though, it seems that the downtown people want to have activities, people coming and going in the downtown area, so they have a rock and a hard place situation and he didn't know what the answer was.

Upon motion of Councilman Love, seconded by Councilman Leland and carried by roll call vote with Council members LUCERO and MANNION voting NO, the Ordinance was passed, adopted, numbered 2286, and ordered published.

ORDINANCE NO. 2287 - HILTON ADDITION ANNEXATION, A PART OF BOOKCLIFF COUNTRY CLUB GOLF COURSE

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

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 2287, and ordered published.

RESOLUTION NO. 32-86 AUTHORIZING INVESTMENT OF CITY FUNDS WITH E.J. PITTOCK & CO., INC.

The following Resolution was read:

RESOLUTION NO. 3286

BE IT RESOLVED That any of the following officers, to wit: Stephen Anderson, Sandra Glaze, of this Corporation be, and they hereby are, fully authorized and empowered to transfer, convert, endorse, sell, assign, set over and deliver any and all shares of stocks, bonds, debentures, notes, subscription warrants, stock purchase, warrants, evidences of indebtedness, or other securities now or hereafter standing in the name of or owned by this Corporation, and to make, execute and deliver, under the name of or owned by this Corporation, any and all written instruments of assignment and transfer necessary or proper to effectuate the authority hereby conferred. Furthermore, the aforementioned officers are authorized to buy on margin and to sell short.

FURTHER RESOLVED That whenever there shall be annexed to any instrument of assignment and transfer, executed pursuant to and in accordance with the foregoing resolution, a certificate of the Secretary or an Assistant Secretary of this Corporation in office at the date of such certificate, and such certificate shall set forth these resolutions and shall state that these resolutions are in full force and effect and shall also set forth the names of the persons who are then offices of this Corporation, then all persons to whom such instrument with the annexed certificates shall thereafter come, shall be entitled, without further inquiry or investigation and regardless of the date of such certificate, to assume and to act in reliance upon the assumption that the shares of stock or other securities names in such instrument were theretofore duly and properly transferred, endorsed, sold, assigned, set over and delivered by this Corporation, and that with respect to such securities the authority of these resolutions and of such offices is still in full force and effect.

I further certify that the following is a true and correct list of the present offices of this Corporation:

Raymond G. Phipps, President, Steve Love, President Pro Tem, Neva B. Lockhart, City Clerk, Stephen L. Anderson, Treasurer.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of this Corporation this 16th day of April, 1986.

Neva B. Lockhart

Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 33-86 AUTHORIZING INVESTMENT OF CITY FUNDS WITH SHEARSON/LEHMAN BROS.

The following Resolution was read:

RESOLUTION NO. 33-86

BE IT RESOLVED THAT:

FIRST: That the President or any Vice President of this Corporation, or Stephen L. Anderson or Sandra Glaze by and they hereby are, and each of them hereby is authorized and empowered, for and on behalf of this Corporation (herein called the "Corporation"), to establish and maintain one or more accounts with Shearson Lehman Brothers, Inc. (herein called the "Brokers") for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, or otherwise disposing of, or turning to account of, or realizing upon, and generally dealing in and with any and all forms of securities including, but not by way of limitation, shares, stocks, bonds, debentures, notes, script, participation certificates, rights to subscribe, equity options, debt options, warrants, certificates of deposit, mortgages, choses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise; but such authorization shall not include the opening of marginal accounts or the making of short sales.

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said officers and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to the Brokers with respect to said transactions; to bind and obligate the Corporation to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such officer and/or agent for and on behalf of the Corporation with or through the Brokers; to pay in cash or by checks and/or drafts drawn upon the funds of the Corporation such sums as may be necessary in connection with any of the said accounts to deliver securities to, and deposit funds with, the Brokers; to order the transfer or delivery of securities to any other person whatsoever, and/or to order the transfer of record of any securities to any name selected by any of the said officers or agents; to affix the corporate seal of any documents or agreements, or otherwise; to endorse any securities in order to

pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Corporation all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account, to direct the Brokers to surrender any securities to the proper agent or party for the purpose of affecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities; to appoint any other person or persons to do any and all things which any of the said officers and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such officer and/or agent with respect thereto:

SECOND: That the Brokers may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered as though they were dealing with the Corporation directly.

THIRD: That the Secretary of the Corporation be and he hereby is authorized, empowered and directed to certify, under the seal of the Corporation, or otherwise, to the Brokers:

(a) a true copy of these resolutions;

(b) Specimen signatures of each and every person by the resolutions empowered;

(c) a certificate (which, if required by the Brokers, shall be supported by an opinion of the general counsel of the Corporation, or other counsel satisfactory to the Brokers) that the Corporation is duly organized and existing, that it's charter empowers it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the By-Laws otherwise.

FOURTH: That the Brokers may rely upon any certification given in accordance with these resolutions, as continuing fully effective unless and until the Brokers shall receive due written notice of a change in or the rescission of the authority so evidenced and the dispatch or receipt of any other form of notice that any person hereby empowered ceases to be an officer of the Corporation or becomes an officer under some other title in any way affect the powers hereby conferred. The failure to supply any specimen signature shall not invalidate any transaction if the transaction is in accordance with authority actually granted.

FIFTH: That in the event of any change in the office or powers or persons hereby empowered, the Secretary shall certify such changes to the Brokers in writing in the manner herein-above provided, which notification, when received, shall be adequate both to terminate the powers of the persons theretofore authorized, and to empower the persons thereby substituted.

SIXTH: That the foregoing resolutions and the certificates actually furnished to the Brokers by the Secretary of the Corporation pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the Brokers.

PASSED and ADOPTED this 16th day of April, 1986.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

CONTRACT WITH DEPARTMENT OF LOCAL AFFAIRS FOR ECONOMIC DEVELOPMENT INCENTIVE FOR SOUTHERN TOOL COMPANY APPROVED

Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the Contract with Department of Local Affairs for Economic Development Incentive for Southern Tool Company was approved and the President of the Council was authorized to sign said Contract.

CHANGE ORDER NO. 3 TO THE COLORADO AVENUE WATER & SEWER LINE PROJECT - PARKERSON CONSTRUCTION - \$29,280.22

Upon motion of Councilman Love, seconded by Councilman Lucero and carried, Change Order No. 3 to the Colorado Avenue Water and Sewer Line Project, Parkerson Construction Contract, in the amount of \$29,280.22 was approved.

PRESENTATION OF DOCUMENT "THE PROMISE OF WORLD PEACE"

Kurt Luhrs and Kathy Richardson representing the Baha'i Faith community in Grand Junction presented a document "The Promise of World Peace" for Council's consideration.

HOUSING AUTHORITY

Councilman Bennett announced that the Housing Authority is advertising for an Executive Director. President of the Council Phipps also announced that there is a vacancy on the Housing Authority Board.

AIRPORT AUTHORITY

Councilman Leland reported that the Airport Authority is breaking away from the City Pay Plan. They are proposing a 5% across the board pay increase for the employees.

WATER COMMITTEE

Councilman Lucero will provide a full report on the activities of the Water Committee during Council's retreat.

MOTEL COMMITTEE

Councilman Lucero reported that there may be a possibility of getting some signs on the Interstate where it intersects with the City. They will continue their efforts.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk