

Grand Junction, Colorado

December 17, 1986

The City Council of the City of Grand Junction, Colorado, convened in regular session the 17th day of December, 1986, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were John Bennett, Loretta Harrison, LeRoy Kirkhart, Bill McCurry, Paul Nelson, Reford Theobald, and President of the Council O.F. Rags Ragsdale. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Ragsdale called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Reverend Dick Shellabarger, Grace Community Church.

MINUTES

There being no corrections or additions to the minutes of the regular meeting held December 3, 1986, they were approved as submitted.

HEARING - PROPOSED ORDINANCE - REZONE FM PUBLIC ZONE (PZ) TO HEAVY COMMERCIAL (C-2) PROPERTY LOCATED AT 2586 HIGHWAY 6 & 50

A hearing was held after proper notice on the request by the Grand Junction Planning Department to rezone approximately 1.9 acres from Public Zone (PZ) to Heavy Commercial (C-2) located at 2586 Highway 6 & 50. 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 Nelson, seconded by Councilman Kirkhart and carried, the proposed ordinance was passed for publication.

CONSIDERATION OF BIDS - AWARD OF CONTRACTS

Buthorn Drain Trench Patching Project 1987 - G & G Paving - \$17,999.90

Upon motion of Councilman Nelson, seconded by Councilman Kirkhart and carried, the bids for the Buthorn Drain Trench Patching Project 1987 were accepted, the contract was awarded to G & G Paving for its low bid of \$17,999.90, and the City Manager was authorized to sign said Contract.

Thirty-Inch (30") Diameter Concrete Pipe and Supplies for Buthorn Drain Reconstruction Project - Grand Junction Pipe and Supply Co.

- \$22,223.10

Upon motion of Councilwoman Harrison, seconded by Councilman Theobald and carried, the bids were accepted, the Contract was awarded to Grand Junction Pipe and Supply Company for its bid of \$22,223.10, and the City Manager was authorized to sign said Contract.

Annual Contract for Gasoline and Diesel Fuel - Lipson Oil Company
- \$144,502.55

Upon motion of Councilman Kirkhart, seconded by Councilman Bennett and carried, the bids were accepted, the Contract for Gasoline and Diesel Fuel was awarded Lipson Oil Company for its bid of \$144,502.55, and the City Manager was authorized to sign said Contract.

HEARING - APPLICATION BY LATIN ANGLO ALLIANCE FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON DECEMBER 31, 1986, AT TWO RIVERS PLAZA, FOR A DANCE - APPROVED FIFTH PERMIT

A hearing was held after proper notice on the application by the Latin Anglo Alliance for a malt, vinous and spirituous liquor special events permit on December 31, 1986, from 7:00 p.m. to 1:00 a.m. at Two Rivers Plaza for a dance. Maria Loyd, President of the Alliance was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion of Councilwoman Harrison, seconded by Councilman McCurry and carried, the application was approved.

HEARING - APPLICATION BY THE DISTINGUISHED SERVICE AWARD & RETIREMENT ASSOC. FOR A MALT, VINOUS & SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT JANUARY 31, 1987, AT LIFF AUDITORIUM - APPROVED - FIRST PERMIT

A hearing was held after proper notice on the application by the Distinguished Service Award and Retirement Association for a malt, vinous and spirituous liquor special events permit January 31, 1987, from 6:30 p.m. to 12:30 a.m. at Liff Auditorium, Mesa College, 12th and Elm Avenue, for the City Market Employees' Awards Dinner and Banquet. Connie Maranville, Event Manager, was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion of Councilman Nelson, seconded by Councilman McCurry and carried, the application was approved.

HEARING - APPLICATION BY MESA COLLEGE FOR A 3.2% BEER SPECIAL EVENTS PERMIT AT LIFF AUDITORIUM, MESA COLLEGE CAMPUS, 12TH AND ELM, JANUARY 16, 1987, FOR THE MESA COLLEGE ACTIVITIES COUNCIL BEACH PARTY BARLEY HOP APPROVED - FIRST PERMIT

A hearing was held after proper notice on the application by Mesa College for a 3.2% Beer special events permit at Liff Auditorium, Mesa College Campus, 12th and Elm, January 16, 1987, from 7:00 p.m. to 12:00 midnight for the Mesa College Activities Council

Beach Party Barley Hop. Stacey Schnorr was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion of Councilman Kirkhart, seconded by Councilman Bennett and carried, the application was approved.

HEARING - CONDITIONAL USE FOR A CHURCH IN A RESIDENTIAL SINGLE-FAMILY (RSF-4) ZONE ON APPROXIMATELY 2.6 ACRES - TABLED TO JANUARY 21, 1987

A hearing was held after proper notice on the petition by Ken Brodel, representing the Bookcliff Church of Christ for a conditional use to permit a church in a residential single-family zone (RSF-4) on approximately 2.6 acres. Mike Sutherland, Senior Planner, outlined the proposal and indicated the Planning Commission recommended approval subject to the paving of the road. The petitioner appealed the decision to Council to gravel Northacres Road rather than pave. Speaking for the petition: Philip Thompson, Minister for the Church of Christ, and Steve Heald.

The following people opposed the petition as presented: William Putnam, resident of Northacres Subdivision on Sage Court; Chet Howard, 631 26 1/2 Road - not opposed to the church -- opposed to the non-paving of the road; Judy Houton, 630 Sage Court; Lucille Carstens, owner of property next to Canal; John Gordon, 629 1/2 26 1/2 Road, does not oppose the church - the road to the south accesses across his property - there is one sliver of land approximately 30 feet wide that he owns on the north side of it. Mr. Gordon did not quite agree with the proposed plat. He suggested some other arrangements could be worked out on it.

The hearing was closed. Upon motion of Councilman Bennett, seconded by Councilman McCurry and carried, this item was tabled until the January 21, 1987, City Council meeting. Councilman Nelson suggested some representation from Northridge Subdivision.

SUPPLEMENTAL APPROPRIATIONS - PROPOSED ORDINANCE

The following entitled proposed ordinance was read: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE CITY OF GRAND JUNCTION. Upon motion of Councilman Theobald, seconded by Councilman Kirkhart and carried, the proposed ordinance was passed for publication.

ORDINANCE ON FINAL PASSAGE - PROOF OF PUBLICATION

The Proof of Publication on the following Ordinance proposed for final passage has been received and filed. A copy of the Ordinance proposed for final passage was submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2317 - APPROPRIATIONS FOR 1987

Upon motion of Councilman McCurry, seconded by Councilman Nelson

and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1987, AND ENDING DECEMBER 31, 1987, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY.

There were no comments. Upon motion of Councilman Kirkhart, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed, adopted, numbered 2317, and ordered published.

ID ST-86, PHASE B, MOUNTAIN VIEW COURT NORTH OF CHEYENNE DR; 17TH ST SOUTH OF MAIN ST; B 3/4 ROAD EAST OF 27 ROAD - ENGINEER'S STATEMENT OF COMPLETION - RESOLUTION NO. 77-86 - GIVING NOTICE OF HEARING ON ASSESSMENTS

The following Resolution was read:

RESOLUTION NO. 77-86

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Improvement District No. ST-86, Phase B; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Improvement District No. ST-86, Phase B, and apportioning the same upon each lot or tract of land or other real estate to be assessed for the same;

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

That the improvements connected therewith in said District be, and the same are hereby approved and accepted; that said statement be, and the same is hereby approved and accepted as the statement of the assessable cost of the improvements of said Improvement District No. ST-86, Phase B, to be assessed; and

BE IT FURTHER RESOLVED that the same be apportioned on each lot or tract of land or other real estate to be assessed for the same, together with interest at the average rate of 11.25 percent per annum to March 9, 1987; and

BE IT FURTHER RESOLVED that the City Clerk shall immediately advertise for three days in The Daily Sentinel, a newspaper of general circulation published in said City, notice to the owners of the real estate to be assessed, and all persons interested generally without naming such owner or owners, that said improvements have been completed and accepted, specifying the assessable cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be

made to the Council and filed with the Clerk within thirty (30) days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No.178, as amended.

The Notice shall be in the following form:

NOTICE

NOTICE IS HEREBY GIVEN to the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Improvement District No. ST-86, Phase B, and to all persons interested therein as follows:

That the improvements in and for said District, which are authorized by and are in accordance with the terms and provisions of a resolution passed and adopted on the 21st day of May, 1986, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local street improvement district to be known as Improvement District No. ST-86, Phase B; with the terms and provisions of a resolution passed and adopted on the 21st day of May, 1986, adopting details, plans and specifications for said District; and with the terms and provisions of a resolution passed and adopted on the 2nd day of July, 1986, creating and establishing said District, all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction, Colorado.

That the whole cost of the improvements to be assessed has been definitely ascertained and is in the sum of \$53,483.65, said amount including six percent (6%) for cost of collection and other incidentals and interest at the rate of 11.25 percent per annum to March 9, 1987; that the part apportioned to and upon each lot or tract of land within said District and assessable for said improvements is hereunder set forth; that payment may be made to the Finance Director of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinance assessing the real estate in said District for the cost of said improvements, and that the owner so paying should be entitled to an allowance of six percent (6%) for cost of collection and other incidentals.

That any complaints or objections that may be made in writing by the said owner or owners of land within the said District and assessable for said improvements, or by any person interested, may be made to the City Council and file in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing

the cost of said improvements against the real estate in said District, and against said owners respectively as by law provided.

That the sum of \$53,483.65 for improvements is to be apportioned against the real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to wit:

LEGAL DESCRIPTION ASSESSMENT

Lots 7 to 10 Inc Blk C East Main Street Add \$8167.75

Lot 1 blk 6 East Main Street Add \$8166.44

All That Pt of Lot 7 Sec 24 1S 1W Lyg Adj to & N of Moore Sub & S of S Bank of Colo River & also Beg at NW Cor of Lot 5 Moore Sub 1st Add Sd Sec 24 S 89 deg. 05 min. E 85.73 ft S 39 deg. 13 min. 11 sec. W 82.77 ft alg Arc of Curve to Left 36 ft RAD 50 ft long Chord bears N 71 deg. 33 min. 40 sec. W 35.23 ft tN 54.26 ft to Beg Exc Beg S 89 deg. 05 min. E 85.73 ft NW Cor Sd Lot 5 N to S Bank Colo River Ely alg Sd S Bank to a Pt N of NE Cor of Sd Lot 5 S to NE Cor Sd Lot 5 N 89 deg. 05 min. W 116.03 ft to Beg \$1484.47

Beg S 89 deg. 05 min. E 85.73 ft fr NW Cor Lot 5 Moore Sub 1st Add Sec 24 1S 1W N to S bk Colo River Ely alg S Bank to Pt N of NE Cor Sd Lot 5 S to Sd NE Cor S 91 ft to SE Cor Sd Lot 5 W 151.01 ft Alg Cve to Left 34.24 ft RAD 50 ft Chord bears N 31 deg. 08 min. 41 sec. W 33.57 ft N. 39 deg. 13 min. 11 sec. E 82.77 ft to Beg \$1411.89

Lot 2 Blk 1 Moore Sub Sec 24 1S 1W \$4803.89

Lot 3 Blk 1 Moore Sub Sec 24 1S 1W \$3711.16

Lot 7 Blk 1 Moore Sub Sec 24 1S 1W \$5772.91

Lot 8 Blk 1 Moore Sub Sec 24 1S 1W \$4803.89

Lot 4 Moore Sub 1st Add Sec 24 1S 1W Exc Rd ROW as Desc in B-1595 P-688 & 689 Mesa County Records \$4890.89

Lot 6 Moore Sub 1st Add Sec 24 1S 1W \$4406.79

Beg NW Cor SW4NW4 Sec 25 1S 1W E 238 ft S 135 ft W 238 ft N to Beg Exc W 30 ft for Rd B-769 P-581 & Exc N 20 ft for Rd B-1591 P-666 Mesa County Records \$940.91

Beg E 238 ft & S 0 deg. 01 min. 30 sec. E 20 ft & E 136 ft & S 0 deg. 01 min. 30 sec. E 5 ft & E 154 ft fr NW Cor SW4NW4 Sec 25 1S 1W E 54.58 ft S 00 deg. 01 min. 30 sec. 75 ft E 78 ft S 0 deg. 01 min. 30 sec. E 230 ft W 132.58 ft N 0 deg. 01 min. 30 sec. W 305 ft to Beg \$246.90

Beg NE Cor NW4SW4NW4 Sec 25 1S 1W S 330 ft W 132 ft N 330 ft E to

Beg Exc that Pt Beg E 238 ft & S 0 deg. 01 min. 30 sec. E 20 ft & E 136 ft & S 00 deg. 01 min. 30 sec. E 5 ft & E 154 ft fr NW Cor SW4NW4 Sd Sec 25 E 54.58 ft S 0 deg. 01 min. 30 sec. 75 ft E 78 ft S 00 deg. 01 min. 30 sec. E 230 ft W 132.58 ft N 00 deg. 01 min. 30 sec. W 305 ft to Beg \$352.84

Beg E 238 ft & S 00 deg. 01 min. 30 sec. E 20 ft & E 136 ft & S 0 deg. 01 min. 30 sec. E 5 ft fr NW Cor SW4NW4 Sec 25 S 1W E 154 ft S 00 deg. 01 min. 30 sec. E 305 ft N 89 deg. 58 min. 39 sec. W 290 ft N 0 deg. 01 min. 30 sec. W 199.89 ft E 136 ft N 0 deg. 01 min. 30 sec. W 105 ft to Beg \$696.63

Beg 238 ft E of NW Cor SW4NW4 Sec 25 1S 1W E 290 ft S 330 W 290 ft N to Beg Exc that Pt Beg E 238 ft & S 0 deg. 01 min. 30 sec. E 5 ft fr NW Cor SW4NW4 Sec 25 1S 1W E 154 ft S 0 deg. 01 min. 30 sec. E 305 ft N 89 deg. 58 min. 39 sec. W 290 ft N 0 deg. 01 min. 30 sec. W 199.89 ft E 136 ft N 0 deg. 01 min. 30 sec. W 105 ft to Beg \$615.21

Lot 1 Blk 1 Cyphers Sub Sec 25 1S 1W \$384.50

Lot 8 Blk 1 Cyphers Sub Sec 25 1S 1W Exc ROW on SE Cor Sd Lot 8 as Desc B-1236 P-350 Mesa County Records \$384.50

Lot 1 Blk 2 Cyphers Sub Sec 25 1S 1W Exc ROW on SW Cor \$384.50

Sd Lot 1 as Desc B-1236 P-350 Mesa County Records

Lot 8 Blk 2 Cyphers Sub Sec 25 1S 1W Exc Rd ROW on SE Cor Sd Lot 8 as Desc B-1363 P-873 Mesa County Records \$384.50

Lot 2 Blk 3 Cyphers Sub Sec 25 1S 1W \$452.37

Lot 1 Replat of Lot 1 Blk 3 Cyphers Sub Sec 25 1S 1W \$357.59

Lot 6 Replat of Lot 1 Blk 3 Cyphers Sub Sec 25 1S 1W \$357.37

Lot 1 Blk 3 Artesia Heights Replat Sec 25 1S 1W \$65.91

Lot 2 Blk 3 Artesia Heights Replat Sec 25 1S 1W \$239.75

BY ORDER OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,
COLORADO.

/s/ Neva B. Lockhart, CMC

City Clerk

PASSED and ADOPTED this 17th day of December, 1986.

/s/ O.F. Rags Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 78-86 ADOPTING 1987 BUDGET

The following Resolution was read:

RESOLUTION NO.78-86

CITY OF GRAND JUNCTION 1987 BUDGET

IMPLEMENTING DOCUMENTS

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1987.

WHEREAS, in accordance with the provisions of Article VI, Section 30 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, 1987, 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, 1987, 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, 1987.

ADOPTED and APPROVED this 17th day of December, 1986.

/s/ O.F. Rags Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

CHANGE ORDER NO. 1 TO THE 7TH STREET WATERLINE AND PAVEMENT REPLACEMENT PROJECT - PARKERSON CONSTRUCTION INC. - \$24,608.66

Upon motion of Councilman Theobold, seconded by Councilman Nelson and carried, Change Order No. 1 to the 7th Street Waterline and Pavement Replacement Project to Parkerson Construction, Inc., in the amount of \$24,608.66 was approved.

RESOLUTION NO. 79-86 POLICE AND FIRE DEPT MONEY PURCHASE PLANS

The following Resolution was read:

RESOLUTION NO. 79-86

APPROVING A MONEY PURCHASE RETIREMENT PLAN FOR THE "NEW HIRE" MEMBERS OF THE GRAND JUNCTION POLICE AND FIRE DEPARTMENTS AND PROVIDING FOR THE PLACE OF THAT PLAN.

WHEREAS, the new hire members of the Grand Junction Police and Fire Departments have elected to withdraw from the Colorado Fire and Police Pension Association and the Money Purchase Pension Plan to enable that withdrawal has been approved by the Association, all as required by the law of the State of Colorado; and

WHEREAS, it is necessary for the appointment of a Trustee to handle the workings of the plan on an interim or permanent basis; and

WHEREAS, the City of Grand Junction and the new hire members of the Police and Fire Departments desire that the Money Purchase Pension Plan be administered at the inception of the Plan by the ICMA Retirement Corporation;

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

That the Money Purchase Pension Plan as developed by the Fire and Police Departments and approved by the Fire and Police Pension Association is approved by the City Council as the Pension Plan for the designated employees of the Fire and Police Departments the plan to be administered by the ICMA Retirement Corporation until further action of the Board contemplated within the Plan.

PASSED and ADOPTED this 17th day of December, 1986.

/s/ O.F. Rags Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

APPROVAL OF LEASE FOR 230 N. 1ST STREET WITH GLENDA L. SMITH FOR SALES OF CHRISTMAS TREES - \$250 - ENDING TERM OF LEASE DECEMBER 25, 1986

Upon motion of Councilman Kirkhart, seconded by Councilwoman Harrison and carried, the lease for 230 North First Street between the City of Grand Junction and Glenda L. Smith for the sales of Christmas trees, ending term of the lease December 25, 1986, for \$250 was approved.

MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT - APPROVED

Upon motion of Councilwoman Harrison, seconded by Councilman Bennett and carried, the Memorandum of Agreement between the City of Grand Junction and the Grand Junction Rural Fire Protection District was approved and the City Manager was authorized to sign said Agreement.

AGREEMENT BETWEEN FIRE DEPARTMENT AND QUALITY AMBULANCE - TABLED TO JANUARY 7, 1987 MEETING

Upon motion of Councilman Theobald, seconded by Councilwoman Harrison and carried, consideration of the Agreement between the Fire Department and Quality Ambulance was tabled to the January 7, 1987, City Council meeting.

CITY EMPLOYEE DON WARNER RECOGNIZED FOR 29 YEARS OF SERVICE TO THE CITY OF GRAND JUNCTION

City employee Don Warner, Planning Department, will retire January 2, 1987, and this was the last Council meeting he would attend. Council expressed their appreciation to Don for his twenty-nine years of service to the City of Grand Junction.

ADJOURNMENT

The President of the Council adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk