

Grand Junction, Colorado

February 18, 1987

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of February, 1987, 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 and Reford Theobold. Council President O.F. Ragsdale was absent. 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

Reverent Paul Perea, Zio Spanish Assembly of God.

MINUTES

There being no corrections or additions to the minutes of the regular meeting held February 4, 1987, they were approved as submitted.

SERVICE PLAQUE EXPRESSING APPRECIATION PRESENTED TO WILLIAM G. O'DWYER FOR HIS MORE THAN FIVE YEARS AS A MEMBER OF THE PLANNING COMMISSION

PROCLAMATION DECLARING FEBRUARY 22-28, 1987, AS "NATIONAL ENGINEERS WEEK" IN THE CITY OF GRAND JUNCTION

HEARING - PROPOSED ORDINANCE - ZONING AND DEVELOPMENT CODE TEXT AMENDMENTS FOR 1987

A hearing was held after proper notice on the petition by the Grand Junction Planning Commission concerning sections of the Zoning Code of the City of Grand Junction for amendment. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was read: CONCERNING SECTIONS OF THE ZONING CODE OF THE CITY OF GRAND JUNCTION, INVOLVING VARIANCES, LANDSCAPING, HELIPORTS AND HELIPADS, FARM IMPLEMENTS AND FENCES ALONG PATTERSON ROAD. Upon motion by Councilman Nelson, seconded by Councilman Theobold and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - RIGHT-OF-WAY VACATION - A PORTION OF R-O-W ALONG HORIZON DRIVE FROM 776 HORIZON DRIVE TO 772 HORIZON DRIVE

A hearing was held after proper notice on the petition by the Grand Junction Planning Department to vacate a portion of right-of-way along Horizon Drive from 776 Horizon Drive to 772 Horizon Drive. There were no opponents, letters or counterpetitions. The

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

BIDS - AWARD OF CONTRACTS

Juniata Reservoir Outlet Pipe Repairs - Guildner Pipeline Maintenance, Inc. - \$148,752

Bids were received and opened February 11, 1987, on the Juniata Outlet Works Modifications - Bidders were:

Parkerson Construction, Inc. \$238,794

Smith Welding & Construction Company \$180,521

Ernest Walker Construction \$174,040

Guildner Pipeline Maintenance, Inc. \$148,752

Engineer's Estimate \$177,050

Staff recommended award of Contract to Guildner Pipeline Maintenance, Inc. Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried, the stipulation on the 95% minimum on the grout in the pipeline was waived, the bids were accepted, the Contract was awarded to Guildner Pipeline Maintenance, Inc., for its bid of \$148,752, and the City Manager was authorized to sign said Contract.

Two-Ton Heavy-Duty Dump Truck for Public Works Utility Division - Fuoco motors - \$38,990

Bids were received and opened January 29, 1987, for a Two-Ton Heavy-Duty Dump Truck for the Utilities Division. Bidders were:

Mesa Mack \$46,867.00

Western Slope Ford \$41,768.00

Hanson Equipment \$40,723.27

Fuoco Motor Company \$38,990.00

Staff recommended award of Contract to Fuoco Motor Company. Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the bids were accepted, the Contract was awarded to Fuoco Motor Company for its bid of \$38,990, and the City Manager was authorized to sign said Contract.

Yearly contract Award for Liquid Bituminous Asphalt for Streets Division - Sinclair Oil, Liquid Asphalt Road Oil, \$5,700 - Southwest Emulsions, Liquid Asphalt for Sealcoats, \$73,000

Upon motion by Councilman Kirkhart, seconded by Councilman Theobald and carried, the Contract was awarded to Sinclair Oil, Liquid Asphalt Road Oil, \$5,700, and to Southwest Emulsions, Liquid Asphalt Sealcoat in the amount of \$73,000.

Building Demolition on Second Street, Cork 'N Embers and Athens Motel - American Construction Company, \$17,500 - Mac-Bestos, \$6,100 for Asbestos Removal in Both Buildings

Upon motion by Councilwoman Harrison, seconded by Councilman Kirkhart and carried, the Contract for the demolition of the Cork 'N Embers building and the Athens Motel was awarded to American Construction Company in the amount of \$17,500 and the Contract for the removal of asbestos in both buildings was awarded to Mac-Bestos in the amount of \$6,100, and the City Manager was authorized to sign said Contracts.

Police Video Equipment Purchase - Union Carbide - \$15,000

Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried, the Contract for Police Video Equipment Purchase from Union Carbide in the amount of \$15,000 was approved, and the City Manager was authorized to sign said Contract.

HEARING - APPLICATION BY CHAMBER OF COMMERCE OF G.J., FOR A MALT, VINOUS & SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON MARCH 20, 1987, AT TWO RIVERS PLAZA FOR ANNUAL BANQUET - FIRST PERMIT APPROVED

A hearing was held after proper notice on the application by the Chamber of Commerce of Grand Junction, Colorado, for a malt, vinous and spirituous liquor special events permit on March 20, 1987, from 5:00 p.m. to 2:00 a.m. at Two Rivers Plaza, 159 Main Street, for the Chamber's Annual Banquet. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Harrison, seconded by Councilman Kirkhart and carried, the application was approved.

HEARING - APPLICATION BY CHAMBER OF COMMERCE OF G.J., FOR THREE (3) 3.2% BEER SPECIAL EVENTS PERMITS ON MARCH 13, 14 AND 15, 1987, AT TWO RIVERS PLAZA FOR ANNUAL BANQUET - FOURTH PERMIT APPROVED

A hearing was held on the applications by the Chamber of Commerce of Grand Junction, Colorado, for three (3) fermented malt beverage (3.2% beer) special events permits on March 13, from 5:00 p.m. to midnight, March 14, 11:00 a.m. to midnight, and March 15, 1987, from 11:00 a.m. to 10:00 p.m., at Two Rivers Plaza, 159 Main Street, for the World of Wheels Auto Show. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Harrison, seconded by Councilman Nelson and carried, the applications were approved.

ORDINANCE NO. 2325 - ID ST-86, PHASE B, ASSESSMENTS - MOUNTAIN

VIEW COURT NORTH OF CHEYENNE; 17TH STREET SOUTH OF MAIN STREET; B
3/4 ROAD EAST OF 27 ROAD

The Proof of Publication to the following ordinance proposed for final passage had 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.

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-86, PHASE B, 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 by Councilman Theobold, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2325, and ordered published.

RESOLUTION NO. 2-87 CONCERNING "OLD HIRE" FIRE DEPARTMENT EMPLOYEES AND RANK ESCALATION CONTRIBUTIONS - APPROVED

The following Resolution was read:

RESOLUTION NO. 2-87

CONCERNING "OLD HIRE" FIRE DEPARTMENT EMPLOYEES AND RANK ESCALATION CONTRIBUTIONS.

WHEREAS, Eldon L. Avery, Tim S. Bevan, Edward A. Billings, Roscoe D. Boothe, William A. Chamberlain, Glenn R. Crespin, Dale L. Dean, Glen C. Dickerson, Ralph W. Erskine, Wallace A. Irwin, Leeroy Johnson, Robert D. Keeling, John C. Knudsen, Donald L. McGuire, Jr., Wesley E. Painter, John M. Patterson, Michael D. Peterson, Ray D. Rowland, Danny R. Sadler, Davis D. Shaw, Wayne C. Smith, Robert H. Strobl, Virgil R. Taylor, James R. Terry and Gary W. Tharp chose to remain under the old fire pension plan at the time of the adoption of the new plan for retirement of police and fire department members; and

WHEREAS, a dispute exists between these fire department members and the City of Grand Junction as to whether or not the City is required to provide rank escalation benefits to these members beyond the contributions already made by the City to produce that benefit; and

WHEREAS, the City and these members are desirous of ending any

conflict as to the question; and

WHEREAS, to that end, the City has proposed a plan, a summary of which is attached hereto and made a part of this Resolution by this reference; and

WHEREAS, 88% of these members have agreed to accept the plan submitted and have signed off for that plan; and

WHEREAS, it is the belief of the Fire and Police Pension Association of the State of Colorado that the members who did not sign off on the plan are nevertheless bound to accept the plan as over 65% of these members approved the plan;

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

That the City, without admitting any responsibility for the making of rank escalation contributions for the benefit of the named members of the Fire Department other than those already made, agrees to enter into the plan and to implement the plan as is indicated within it.

PASSED and ADOPTED this 18th day of February, 1987.

/s/ John W. Bennett

President of the Council Pro Tem

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

ATTACHMENT NOT SUBMITTED WITH ABOVE RESOLUTION

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

RESOLUTION NO. 3-87 AUTHORIZING ISSUANCE OF HOSPITAL REVENUE BONDS IN THE AMOUNT OF \$2,386,000 - COMMUNITY HOSPITAL PROJECT

The following Resolution was read:

RESOLUTION NO. 3-87

CONCERNING COMMUNITY HOSPITAL HOSPITAL REVENUE BONDS.

WHEREAS, the Community Hospital has requested the City Council to issue Revenue Bonds in the amount of \$2,386,000.00; and

WHEREAS, the issue has been approved by the City/County

Development Revenue Bond Committee;

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

That Hospital Revenue Bonds in the amount indicated will be issued by the City upon presentation of proper proceedings.

PASSED and ADOPTED this 18th day of February, 1987.

/s/ John W. Bennett

President of the Council Pro Tem

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried by roll call vote with COUNCILMAN THEOBOLD ABSTAINING, the Resolution was passed and adopted as read, and Council waived all but \$1,000 of the filing fee.

RESOLUTION NO. 4-87 APPROVING THE CONTRACT WITH STATE HIGHWAY DEPT. FOR FEDERAL AID URBAN OVERLAY PROJECT M-7400(15)

The following Resolution was read:

RESOLUTION NO. 4-87

APPROVING OFF-SYSTEMS F.A.U. PROJECT M7400(15).

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

That under the authority of Part 2, Article 1 of Title 29, Colorado Revised Statutes, and the Charter and Ordinances of the City of Grand Junction, the urban system project with the Department of Highways, Division of Highways of the State of Colorado, denominated M7400(15) is hereby approved and the President of the Council is authorized to execute the contract on behalf of the City.

PASSED and ADOPTED this 18th day of February, 1987.

/s/ John W. Bennett

President of the Council Pro Tem

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

CHANGE ORDER NO. 1 TO MESA GARDENS WATERLINE REPLACEMENT PROJECT - INDUSTRIAL CONSTRUCTION GROUP - \$29,033.17

Upon motion by Councilman McCurry, seconded by Councilman Theobold and carried, Change Order No. 1 to Mesa Gardens Waterline Replacement Project in the amount of \$29,033.17 to Industrial Construction Group was approved.

CHANGE ORDER NO. 1 TO THE 7TH STREET WATERLINE REPLACEMENT PROJECT - LYLE STATES CONSTRUCTION, INC. \$43,122.08

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried by roll call vote, Change Order No. 1 to the 7th Street Waterline Replacement Project in the amount of \$43,122.08 to Lyle States Construction, Inc., was approved.

NAMING OF POOL IN LINCOLN PARK

Councilwoman Harrison asked if the naming of the new pool in Lincoln Park could be named in honor of Mr. Moyer. After discussion, it was determined that a Resolution would be prepared for the next Council meeting to designate the new pool as "Lincoln Park Moyer Pool."

CITIZEN DISCUSSION

Mr. Albert Wales, brother of Elveta Van Gundy, appeared before Council to request that a correction be made to the City's Plan for Elimination of River Front Junk Yards. Mr. Wales stated that there was no such thing as automobiles crushed by Ampco having to be buried because of radiation. Mr. Wales suggested that he received a tax reduction on some property he owns in Haggerty Subdivision because of the proposed development. The City Attorney and Council suggested that Mr. Wales contact the Assessor as the City has nothing to do with setting taxes.

ADJOURNMENT

The President Pro Tem adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk