

Grand Junction, Colorado

March 4, 1987

The City Council of the City of Grand Junction, Colorado, convened in regular session the 4th day of March, 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 Theobald and President of the Council O.F. Ragsdale. Also present were Acting City Manager/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 Bob Blimp, Bible Presbyterian Church.

MINUTES

There being no corrections or additions to the minutes of the regular meeting held February 18, 1987, they were approved as submitted.

PROCLAMATION DECLARING MARCH 4-8, 1987, "GIRL SCOUT WEEK"

PROCLAMATION DECLARING MARCH, 1987, "PROFESSIONAL SOCIAL WORK MONTH"

BIDS - AWARD OF CONTRACTS

Annual Weed Control Contract - Mountain Pest Control \$10,540.00

Two bids were received:

Fast Weed Control \$11,730.00

Mountain Pest Control \$10,540.00

Staff recommended award of Contract to Mountain Pest Control. Upon motion by Councilman McCurry, seconded by Councilwoman Harrison and carried, the bids were accepted, the contract was awarded to Mountain Pest Control for its bid of \$10,540.00, and the City Manager was authorized to sign said contract.

Resurfacing of Tennis Court - Lincoln Park - Elam Construction - \$59,377.00

Three bids were received:

United Paving \$66,733.00

Marlott, Peterson, Renner, Inc. \$61,757.00

Elam Construction \$59,377.00

Staff recommended award of Contract to Elam Construction for its low bid of \$59,377.00. Upon motion by Councilman Kirkhart, seconded by Councilman Bennett and carried, the bids were accepted, the Contract was awarded to Elam Construction for its bid of \$59,377.00, and the City Manager was authorized to sign said Contract.

Annual Gravel Contract - Whitewater Building Materials - \$52,952.00

Bids were received from the following:

United \$56,120.00

Corn Construction \$84,115.00

Grand Junction Pipe \$58,525.00

Parkerson \$62,500.00

Whitewater Sand & Gravel \$52,952.00

Staff recommended award of Contract to Whitewater Sand & Gravel. Upon motion by Councilman Bennett, seconded by Councilman Kirkhart with COUNCILWOMAN HARRISON ABSTAINING, the bids were accepted, the Contract was awarded to Whitewater Sand & Gravel for its bid of \$52,952.00, and the City Manager was authorized to sign said Contract.

PROPOSED ORDINANCE ESTABLISHING THE SENIOR CITIZEN RATE FOR TRASH REMOVAL AND WATER SERVICE

The following entitled proposed ordinance was read: AN ORDINANCE ESTABLISHING A SENIOR CITIZEN RATE FOR TRASH REMOVAL AND WATER SERVICE. Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE ESTABLISHING A WATER SERVICE AVAILABILITY CHARGE

The following entitled proposed ordinance was read: ESTABLISHING A WATER SERVICE AVAILABILITY CHARGE. Upon motion by Councilman Nelson, seconded by Councilwoman Harrison and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE AMENDING CHAPTER 31-12(E) (1) - WATER - RATE NO. 5 - USERS OF WATER FROM THE UTE WATER CONSERVANCY DISTRICT SYSTEM WITHIN THE CITY LIMITS

The following entitled proposed ordinance was read: CONCERNING

RATES FOR USERS OF WATER FROM THE UTE WATER CONSERVANCY DISTRICT WITHIN THE CITY LIMITS AND BILLED BY THE CITY FOR WATER USE. Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2326 - AMENDING CHAPTER 31, CODE OF ORDINANCES, CONCERNING INSTALLATION AND OWNERSHIP OF WATER METERS

Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE FIXING THE RESPONSIBILITY FOR PURCHASING, INSTALLING AND MAINTAINING LARGE WATER METERS WHICH ARE LARGER THAN TWO INCHES.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed, adopted, numbered 2326, and ordered published.

ORDINANCE NO. 2327 - CONCERNING CERTAIN DEVELOPMENT CODE TEXT AMENDMENTS FOR 1987

Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the following proposed ordinance was called up for final passage and read by title only: CONCERNING SECTIONS OF THE ZONING CODE OF THE CITY OF GRAND JUNCTION, INVOLVING VARIANCES, LANDSCAPING, HELIPOINTS AND HELIPADS, FARM IMPLEMENTS AND FENCES ALONG PATTERSON ROAD.

There were no comments. Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2327, and ordered published.

ORDINANCE NO. 2328 - VACATING A ROAD RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION

Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE VACATING A ROAD RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Kirkhart and carried by roll call vote, the Ordinance was passed, adopted, numbered 2328, and ordered published.

RESOLUTION NO. 5-87 APPROPRIATING MONIES TO PERMIT IMPLEMENTATION OF THE SCHOOL RESOURCE PROGRAM IN THE POLICE DEPARTMENT

The following Resolution was read:

RESOLUTION NO. 5-87

APPROPRIATING MONIES TO PERMIT IMPLEMENTATION OF THE SCHOOL RESOURCE PROGRAM IN THE POLICE DEPARTMENT.

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

That budgeted funds not exceeding \$44,700.00 be transferred from contingency funds of the City of Grand Junction to the Police Department to provide preliminary funding for training of additional personnel to permit implementation of the School Resource Program with proper staffing from the department.

PASSED and ADOPTED this 4th day of March, 1987.

/s/ O.F. Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO.6-87 NAMING LINCOLN PARK SWIMMING POOL

The following Resolution was read:

RESOLUTION NO. 6-87

CONCERNING THE NAMING OF LINCOLN PARK SWIMMING POOL.

WHEREAS, the City has undertaken to rebuild its swimming pool located in Lincoln Park; and

WHEREAS, it has been suggested that in the naming of the pool consideration be given to William J. Moyer and Ida Moyer who were instrumental in the construction of the Moyer Natatorium, apparently the first swimming pool in the City;

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

That the Lincoln Park pool be renamed the "Lincoln Park-Moyer

Pool" in honor of the contributions to the city by William J. Moyer and Ida Moyer.

PASSED and ADOPTED this 4th day of March, 1987.

/s/ O.F. Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 7-87 PUNITIVE DAMAGES SOUGHT IN ACTION AGAINST CERTAIN POLICE OFFICERS IN THE CITY

The following Resolution was read:

RESOLUTION NO. 7-87

CONCERNING PUNITIVE DAMAGES SOUGHT IN AN ACTION AGAINST CERTAIN POLICE OFFICERS IN THE CITY.

WHEREAS, Stacey Cook, Randy Cook and Darren Cook have brought an action in the Federal District Court against the City and certain police offices of the City in Civil Action No. 86-F-1331; and

WHEREAS, punitive damages are sought against the officers in that proceeding; and

WHEREAS, 24-10-118(5), Colorado Revised Statutes, permits the City to determine whether or not it will defend an employe against a claim for punitive damages and whether or not it will pay any such damages awarded; and

WHEREAS, the City Council believes that the conduct of the police officers in relation to the Cooks not only does not warrant punitive damages being awarded but the entire action is without merit;

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

That it is in the public interest to defend the police officers against a claim for punitive damages in the Cook action and pay any punitive damage award made against any of them.

PASSED and ADOPTED this 4th day of March, 1987.

/s/ O.F. Ragsdale

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION AS TO ANIMAL CONTROL SERVICES - \$65,884.00

Upon motion by Councilman McCurry, seconded by Councilman Kirkhart and carried, the agreement with the County for animal control services was approved and the President of the Council was authorized to sign said Contract.

AMENDMENT #2 ENGINEERING SERVICES CONTRACT WITH HDR FOR JUNIATA OUTLET WORKS REPAIR - \$71,000.00

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried, the Engineering Services Contract with HDR in the amount of \$71,000.00 was approved.

COUNCIL COMMITTEE REPORTS

Councilman Nelson commented about the meeting in Washington, D.C., where he attended the National League of Cities Congressional Conference.

NONSCHEDULED CITIZENS AND VISITORS

Two Boy Scouts from Troop 303 were recognized as attending the City Council meeting.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk