

Grand Junction, Colorado

April 15, 1987

The City Council of the City of Grand Junction, Colorado, convened in regular session the 15th day of April, 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, Reford Theobald, and President of the Council O.F. Ragsdale. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and Deputy City Clerk Teddy Martinez.

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

INVOCATION

Bruce Cross, Gospel Connection Halfway House.

MINUTES

The minutes of the April 1, 1987, Council meeting were corrected to reflect the addition of Mr. Bert Schilling being appointed to a three-year term on the Visitors & Convention Advisory Board. The minutes were approved as corrected.

PROCLAMATION DECLARING APRIL 17, 1987, "ARBOR DAY" IN GRAND JUNCTION

PROCLAMATION DECLARING APRIL 26-MAY 2, 1987, "VOLUNTEER WEEK"

PROCLAMATION DECLARING MAY 1-7, 1987, "RESPECT FOR LAW WEEK"

PROCLAMATION DECLARING APRIL 26-MAY 2, 1987, "BETA SIGMA PHI WEEK"

PROCLAMATION DECLARING APRIL 13-18, 1987, "NONRENEWABLE RESOURCE AWARENESS WEEK"

HEARING - PROPOSED ORDINANCE - TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, SECTION 5-4-6 REGARDING PUBLIC SITES, PARKS AND OPEN SPACES

A hearing was held after proper notice on the petition by the Grand Junction Planning Department to amend the Grand Junction Zoning and Development Code. This is a request to delete the existing Section 5-4-6 and adopt a new Section 5-4-6 regarding Public Sites, Parks and Open Spaces. There were no opponents, letters or counterpetitions. Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried, the petition was approved.

The following entitled proposed ordinance was read: AMENDING THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE BY DELETING THE EXISTING SECTION 5-4-6 AND ADOPTING A NEW SECTION 5-4-6 CONCERNING

PUBLIC SITES, PARKS AND OPEN SPACES. Upon motion by Councilman Kirkhart, seconded by Councilwoman Harrison and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE CONCERNING THE DISPOSING OF WASTEWATER AT THE TREATMENT PLANT BY TANK TRUCK OPERATORS

The following entitled proposed ordinance was read: AN ORDINANCE CONCERNING THE DISPOSING OF WASTEWATER AT THE TREATMENT PLANT BY TANK TRUCK OPERATORS. Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - COMPLETION OF KREY ANNEXATION - NOTICE OF HEARING

The Notice setting the Hearing for May 20, 1987, was read. The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilwoman Harrison, seconded by Councilman Theobold and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE REQUIRING DOG WASTE REMOVAL AND EXEMPTING BLIND OWNERS OF DOGS FROM SUCH REQUIREMENT

The following entitled proposed ordinance was read: AN ORDINANCE REQUIRING DOG WASTE REMOVAL AND EXEMPTING BLIND OWNERS OF DOGS FROM SUCH REQUIREMENTS. Upon motion by Councilwoman Harrison, 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. 2335 - ABOLISHING THE APPEALS BOARD FOR THE ELECTRICAL CODE AND PROVIDING FOR THE PLUMBING CODE AND MECHANICAL CODE TO APPEAL TO THE UNIFORM BUILDING CODE BOARD OF APPEALS

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following proposed ordinance was called up for final passage and read by title only: ABOLISHING THE ELECTRICAL CODE BOARD OF APPEALS, REFERRING THOSE APPEALS TO THE STATE ELECTRICAL BOARD; COMBINING THE PLUMBING CODE BOARD OF APPEALS AND THE MECHANICAL CODE BOARD OF APPEALS WITH THE UNIFORM BUILDING CODE BOARD OF APPEALS AND EXPANDING THAT BOARD.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2335, and ordered published.

ORDINANCE NO. 2336 - SUPPLEMENTAL APPROPRIATIONS

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried by roll call vote, the Ordinance was passed, adopted, numbered 2336, and ordered published.

ORDINANCE NO. 2337- PROHIBITING UNAUTHORIZED PERSONS IN THE CITY CEMETERIES DURING CERTAIN HOURS

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following proposed ordinance was called up for final passage and read by title only: AN ORDINANCE PROHIBITING TRESPASSING WITHIN THE CEMETERIES OF THE CITY.

There were no comments. Upon motion by Councilman Kirkhart, seconded by Councilwoman Harrison and carried by roll call vote, the Ordinance was passed, adopted, numbered 2337, and ordered published.

HEARING - AUTHORIZING ISSUANCE AND SALE OF \$2,900,000 HOSPITAL REVENUE BONDS, SERIES 1987 (LINCOLN PARK OSTEOPATHIC HOSPITAL ASSOCIATION, INC. PROJECT) - ORDINANCE AUTHORIZING TABLED TO MAY 6 MEETING

A hearing was held after proper notice on the issuance and sale of \$2,900,000 hospital revenue bonds, Series 1987 (Lincoln Park Osteopathic Hospital Association, Inc., Project). There were no opponents, letters or counterpetitions. The hearing was closed. City Attorney Ashby stted that the Bond Counsel has requested that City Council continue the matter of adopting the Bond Ordinance until May 6, 1987, or until a special meeting late in April, 1987. Upon motion by Councilman Nelson, seconded by Councilman Theobold and carried, the matter of the Bond Ordinance was tabled to the May 6, 1987, Council Meeting.

RESOLUTION NO. 20-87 ESTABLISHING THE AMOUNT OF INDUSTRIAL REVENUE REFUNDING BONDS FOR MESA BEVERAGE

The following Resolution was presented and read:

RESOLUTION NO. 20-87

A RESOLUTION SUPPLEMENTING ORDINANCE NO. 2332; DETERMINING THE PRINCIPAL AMOUNT OF THE CITY'S INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BONDS (MESA BEVERAGE COMPANY PROJECT), SERIES 1987; DETERMINING MAXIMUM REVENUES TO BE PAID FOR SUCH BONDS;

AUTHORIZING INCIDENTAL ACTION; AND REPEALING INCONSISTENT ACTIONS.

WHEREAS, the City Council (the "Council") of the City of Grand Junction, Colorado (the "Issuer"), by Ordinance No. 2332, finally passed and adopted on April 1, 1987, authorized the issuance of its Industrial Development Revenue Refunding Bonds (Mesa Beverage Company Project), Series 1987 in the maximum aggregate principal amount of \$4,510,000 (the "Bonds") and authorized the determination of the actual principal amount of the Bonds and certain other findings to be made by subsequent resolution of the Council.

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

Section 1. PRINCIPAL AMOUNT OF THE BONDS. The Bonds shall be issued in the aggregate principal amount of \$4,510,000. All other terms of the Bonds, including the rate or rates of interest thereon, shall be as set forth in the Trust Indenture (the "Indenture") dated as of May 1, 1987, between the Issuer and Citizens and Southern Trust Company (Georgia), National Association, previously approved by Ordinance No. 2332, and hereby confirmed.

Section 2. DETERMINATION OF REVENUES. The determinations set forth previously in Section 4 of Ordinance No. 2332, are ratified as confirmed. In accordance with Ordinance No. 2332, it is hereby determined that the maximum amounts in each year that will be necessary for the payment of maturing principal and interest on the Bonds are as follows:

<u>YEAR</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1987	0	\$142,817	\$142,817
1988	0	672,743	672,743
1989	0	902,000	902,000
1990	0	902,000	902,000
1991	0	902,000	902,000
1992	\$4,510,000	300,667	4,801,667

The maximum amounts necessary to pay interest on the Bonds is computed on the assumption that from May 1, 1987, to April 30, 1988, the interest rate on the Bonds is 4.75% per annum and from May 1, 1988, to April 30, 1992, the interest rate on the Bonds cannot exceed 20% per annum in accordance with Ordinance No. 2332 and the Indenture.

Section 3. INCIDENTAL ACTION. The President of the Council and City Clerk of the Issuer are hereby authorized and directed to execute and deliver such other documents, and to take such other action as may be necessary or appropriate in order to issue and secure the Bonds, all in accordance with the foregoing Sections hereof and the provisions of Ordinance No. 2332.

Section 4. REPEAL. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

Section 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

INTRODUCED, READ, APPROVED and ADOPTED this 15th day of April, 1987.

/s/ O.F. Ragsdale

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

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

RESOLUTION NO. 21-87 CONCERNING PREFERENCE FOR LOCAL VENDORS

The following Resolution was presented and read:

RESOLUTION NO. 21-87

CONCERNING PREFERENCE FOR LOCAL VENDORS.

WHEREAS, the City Council believes that local economic conditions warrant a preference for local bidders;

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

Section 1. It shall be the policy of the City of Grand Junction to allow preferential treatment for Mesa County resident bidders.

Section 2. A City of Grand Junction resident bidder is a person, partnership or association who shall have been a bona fide resident of the City of Grand Junction for six months or more immediately prior to bidding on the contract, or a corporation which has been in existence for six months or more immediately prior to bidding on the contract and has its principal office and place of business within the City of Grand Junction. Such bidders are required to have proper sales tax license(s).

Section 3. A Mesa County resident bidder is a person, partnership or association who shall have been a bona fide resident of Mesa County, outside of the City of Grand Junction, for six months or more immediately prior to bidding on the contract, or a corporation which has been in existence for six months or more immediately prior to bidding on the contract and has its principal office and place of business within Mesa County outside of the City. Such bidders are required to have proper sales tax license(s).

Section 4. If the bid of a City of Grand Junction resident bidder, who has been otherwise qualified as an acceptable bidder, is second to and within five percent (5%) of the low bidder who is not a City of Grand Junction or Mesa County resident bidder, the bid shall be awarded to the City resident bidder. If the low bidder is a Mesa County resident bidder and the bid of the City resident bidder is within two percent (2%) of the low bid, the bid shall be awarded to the City resident bidder.

Section 5. If the bid of a Mesa County resident bidder, who has been otherwise qualified as an acceptable bidder, is second to and within three percent (3%) of the low bidder who is not a City of Grand Junction resident bidder or another Mesa County resident bidder, the bid shall be awarded to the Mesa County resident bidder.

Section 6. Exceptions: (1) The above policy and procedures do not apply to materials, supplies, equipment, machinery and provisions available through the State of Colorado award system; (2) Contracts administered by another agency to which the City is signatory; (3) Contracts and purchases of an emergency nature; (4) Purchases of less than \$3,000, and more than \$100,000, and (5) Expenditures or contracts involving Federal and State funds.

PASSED and ADOPTED this 15th day of April, 1987.

/s/ O.F. Ragsdale

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

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

PURCHASE OF TWO SCOOTERS FOR THE PARKS DEPARTMENT (CUSHMAN UNITS AT \$6486 EACH) - TOTAL PURCHASE PRICE \$12,972

City Manager Achen explained that there is only one vendor in Colorado for each of the manufacturers of the equipment (Diahatsu and Cushman) with prices of \$6486 for the Cushman and \$8255 for the Diahatsu. He requested that the formal bidding procedure be waived on this item. Upon motion by Councilman Theobold, seconded by Councilwoman Harrison and carried, the formal bidding procedure was waived due to the lack of supply on the above units, and the purchase of two scooters for the Parks Department at \$6486 each was approved.

15TH STREET AND 7TH STREET ASSESSMENTS

Attorney Joseph Coleman, representing homeowners, in which is referred as the "15th Street/7th Street Assessment District," spoke to Council with updated information regarding litigation of said assessments, requesting that the assessments be waived, thus eliminating the necessity for a lawsuit.

ENFORCEMENT OF PLUMBERS LICENSING

Mr. Steve Ganskow, approached Council stating that there are several plumbing businesses in town that are not licensed. The State's Plumbing Board feels that Grand Junction has a large enough department that it should be handling the enforcement of licensing requirements. Mayor Ragsdale explained to Mr. Ganskow that he needs to address the County Planning and Development Department. Mr. Ashby assured Mr. Ganskow that he would check into this situation and give him a call on Thursday, April 16, 1987.

ADJOURNMENT

The President adjourned the meeting.