

GRAND JUNCTION, COLORADO

March 2, 1988

The City Council of the City of Grand Junction, Colorado convened in regular session the 2nd day of March, 1988, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, LeRoy Kirkhart, R.T. Mantlo, Paul Nelson, Reford Theobold and President of the Council O.F. Ragsdale. Councilman Bill McCurry 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

Reverend Rocky Wyatt, Redlands Community Church.

MINUTES

Consideration of the February 17, 1988, minutes was deferred to March 16.

PROCLAMATION DECLARING THE MONTH OF MARCH, 1988, AS "MUSIC IN OUR SCHOOLS MONTH" IN THE CITY OF GRAND JUNCTION

FIRST ANNUAL REPORT OF THE RIVERFRONT COMMISSION

Mr. Jim Robb, Judge William Ela, and Helen Traylor presented the first annual report on the activities of the Riverfront Commission. Mr. Robb requested that Council consider the adoption of a Resolution concerning a state park. The Resolution will appear on the March 16 City Council agenda.

BIDS - AWARD OF CONTRACTS

Annual Liquid Bituminous Asphalt - Sinclair Marketing, Inc. - \$10,275

Upon motion by Councilman Theobold, seconded by Councilman Bennett and carried, the Contract for Liquid Asphalt Road Oil (SC-250) was awarded to Sinclair Marketing, Inc., in the amount of \$10,275.00, and the Contracts for Liquid Asphalt for Sealcoats (HFMS-2P) and for Liquid Pothole Patching Asphalt (HFMS-2) were awarded to Elf Asphalt in the amounts of \$84,500 and \$12,080 respectively.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

The Proofs of Publication on the following Ordinances proposed for final passage had 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. 2373 - CONCERNING THE ESTABLISHMENT OF A NEW ACCOUNT FEE FOR THE WATER, SEWER AND TRASH UTILITIES AND REQUIRING THE OWNER TO NOTIFY THE CITY IN THE EVENT OF CHANGE IN STRUCTURE OR USE

Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: CONCERNING THE ESTABLISHMENT OF A NEW ACCOUNT FEE FOR THE WATER, SEWER AND TRASH UTILITIES AND REQUIRING THE OWNER TO NOTIFY THE CITY IN THE EVENT OF CHANGE IN STRUCTURE OR USE OF BUILDINGS USING UTILITY SERVICES.

There were no comments from the audience or Council. Upon motion by Councilman Theobald, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed, adopted, numbered 2373, and ordered published.

ORDINANCE NO. 2374 - AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: PROVIDING FOR EXCEPTIONS TO SIDE AND REAR YARD SETBACK REQUIREMENTS, FOR VESTING OF PROPERTY RIGHTS, DEFINING BLOCK FRONTAGE, AND ESTABLISHING CERTAIN LANDSCAPING REQUIREMENTS IN THE ZONING AND DEVELOPMENT CODE.

There were no comments. Upon motion by Councilman Kirkhart, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2374, and ordered published.

ORDINANCE NO. 2375 - CONCERNING INDUSTRIAL WASTE AND SURCHARGES FOR USE OF THE WASTEWATER SYSTEM

Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: CONCERNING INDUSTRIAL WASTE AND SURCHARGES FOR USE OF THE WASTEWATER SYSTEM.

Greg Trainor explained the need for these changes. There were no comments from the audience or Council. Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed, adopted, numbered 2375, and ordered published.

ORDINANCE NO. 2376 - AMENDING THE SALES TAX LICENSING PROVISIONS

Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only with amendments noted: AMENDING THE SALES TAX LICENSING PROVISIONS.

There were no comments from the audience or Council. Upon motion by Councilman Mantlo, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed and adopted as amended, numbered 2376, and ordered published.

ORDINANCE NO. 2377 - CONCERNING PEDDLERS AND SOLICITORS AND LEVYING A BUSINESS LICENSE TAX ON THAT ACTIVITY

Upon motion by Councilman Nelson, seconded by Councilman mantlo and carried, the following entitled proposed ordinance was called up for final passage, read by title only with amendments noted: CONCERNING PEDDLERS AND SOLICITORS AND LEVYING A BUSINESS LICENSE TAX ON THAT ACTIVITY.

There were no comments from the audience or Council. Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed and adopted as amended, numbered 2377, and ordered published.

RESOLUTION NO. 5-88 - AUTHORIZING THE SIGNATURE OF THE CITY MANAGER ON DOCUMENTS APPROVING REMEDIAL ACTION ON CITY-OWNED PROPERTIES CONTAMINATED WITH RADIOACTIVE MATERIAL

The following Resolution was read:

RESOLUTION NO. 5-88

AUTHORIZING THE SIGNATURE OF THE CITY MANAGER ON DOCUMENTS APPROVING REMEDIAL ACTION ON CITY-OWNED PROPERTIES CONTAMINATED WITH RADIOACTIVE MATERIAL.

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

That the City Manager is authorized to execute and deliver all necessary documents to effect remedial action on City-owned properties contaminated with residual radioactive material, and, in particular, such documents involving UNC Technical Services, Inc.

PASSED and ADOPTED this 2nd day of March, 1988.

/s/ O.F. Ragsdale

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

FISHING IS FUN GRANT WITH THE COLORADO DIVISION OF WILDLIFE -  
\$1350 - PARKING IMPROVEMENTS AT KANNAH CREEK INTAKE

Upon motion by Councilman Theobold, seconded by Councilman Kirkhart and carried, the President of the Council was authorized to sign the Fishing is Fun Grant with the Colorado Division of Wildlife for parking improvements at Kannah Creek Intake.

CITY FINANCE DEPARTMENT EMPLOYEE BOBBIE DARLINGTON RECEIVED SPECIAL RECOGNITION AWARD FOR HER SUGGESTION ESTIMATED TO SAVE THE CITY \$5,000 A YEAR

The City Manager reported to Council that City Finance Department employee Bobbie Darlington received a special recognition award today for her suggestion estimated to save the City \$5,000 a year.

PETITION FOR RECALL OF THE 0.75% SALES TAX INCREASE

President of the Council Ragsdale announced that after review of the petition requesting a special election for the recall of the 0.75% sales tax increase, there were 1,001 signatures of eligible city residents who could vote had the petitions been valid. He said that inasmuch as they aren't, Council would do nothing about the petition. He stated that Council would put the question on the general municipal election ballot for April, 1989, and let the City voter determine whether they want to retain the 0.75% tax increase. Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried, the question of the 0.75% sales tax increase will be placed on the April, 1989, General Municipal Election Ballot.

Councilman Theobold explained that the reason the petition was found to be invalid was that the City Charter provides that every signature must be witnessed and the witnesses notarized. The petitions that were circulated had that provision when they were drafted to be witnessed and notarized. When the petition was turned in there was no indication of witnessing or notarization but Councilman Theobold said the Council received them in good faith.

Comments were had from Jeff Leany, Bill Jarvis, Jr., and Joe Lesko. Mr. Leany expressed appreciation to the Council for its motion to place the question on the ballot in 1989. He also indicated that he would be attending Council workshops with suggestions for alternative solutions to problems.

ADJOURNMENT

Council President Ragsdale adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC

City Clerk