

CITY OF GRAND JUNCTION, COLORADO MINUTE OF THE REGULAR MEETING OF THE CITY COUNCIL

September 7, 1988

The City Council of the City of Grand Junction, Colorado, convened in regular session the 7th day of September, 1988, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were LeRoy Kirkhart, Bill McCurry, Paul Nelson, O.F. Ragsdale, and President of the Council John Bennett. Councilmembers R.T. Mantlo and Reford Theobald were absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President Bennett called the meeting to order and Councilman Nelson led in the Pledge of Allegiance.

INVOCATION - Councilman O.F. Ragsdale.

MINUTES

There being no corrections or additions to the minutes of the August 15, 1988, Special Meeting and the August 17, 1988, Regular Meeting, they were approved as submitted.

PROCLAMATION DECLARING FRIDAY, SEPTEMBER 30, 1988, AS MESA COLLEGE HOMECOMING "MAROON AND WHITE DAY" IN THE CITY OF GRAND JUNCTION

LETTERS OF INTEREST WERE REQUESTED FROM CITY RESIDENTS FOR APPOINTMENT TO FILL A VACANCY ON THE GRAND JUNCTION BOARD OF ADJUSTMENT AND APPEALS - THREE-YEAR TERM, AND A ONE-YEAR TERM ON THE PLANNING COMMISSION

RECOGNITION OF TWO PARKS AND RECREATION EMPLOYEES FOR THEIR ACTION IN PROVIDING FIRST AID ASSISTANCE

Willie Berg and Allen Lundy, Parks Department employees, were recognized by the City Council for their assistance to a gentleman who was lying on the grass on the corner of 7th and Grand, apparently suffering from a seizure. Both employees were awarded a Special Achievement award.

RECOGNITION OF THE CITY'S UNITED WAY PACESETTER CAMPAIGN MEMBERS FOR 1988

The City of Grand Junction succeeded in raising \$11,429 for the City's United Way 1988 Campaign. The funds raised exceeded the goal of \$9,200 by \$2,029, or 24%. This represents a 37% increase over the City's 1987 pledges. City employees recognized for their effort were as follows:

Richard Greene - Fire Department

Nola Roper - Support Services

Rick Alexander - Streets

Lannie Paulson - Finance

Shari Kozen - Police Department

Bubba Bullen - Parks Department

Randy McAninch - Parks Department

Public Works Director Jim Shanks and Support Services Director Steve Anderson were also recognized for their participation in organizing the City's program.

PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 17-23, 1988, AS "CONSTITUTION WEEK"

PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 18-24, 1988, AS "EMERGENCY MEDICAL SERVICES WEEK"

NORM COOK, VISITORS AND CONVENTION BUREAU, PRESENTS PETITION REQUESTING AN ORDINANCE IMPOSING A 3% LODGING TAX

Mr. Norm Cook, Chairman, Visitors and Convention Bureau, presented a petition signed by Kurt A. Steidley requesting an ordinance imposing a 3% Lodging Tax. Said petition reads as follows:

"The undersigned, Kurt A. Steidley, as a registered elector of the City of Grand Junction, and on behalf of the Visitor's and Convention Bureau (hereinafter "VCB"), hereby petitions and requests the City Council of the City of Grand Junction to initiate on their own initiative AN ORDINANCE REQUIRING ALL HOTEL AND MOTEL OWNERS WITHIN THE CITY OF GRAND JUNCTION TO COLLECT A TAX FROM THOSE TO WHOM LODGING IS PROVIDED amount to 3% of the total rental revenue received by such persons (hereinafter "Lodging Tax"). The tax proposed to be collected hereby shall be in addition to any other tax or levy for providing such service. The proceeds of the tax will be collected by the Finance Director of the City and will then be used to promote tourism in the City of Grand Junction by paying over all of said collected amounts to the VCB. The VCB will account for said sums paid over to the VCB in accordance with the City accounting requirements, as may be determined from time to time."

The President of the Council assured Mr. Cook the petition will be considered by Council.

APPLICATION BY B.P.O. ELKS LODGE #575 FOR A 3.2% MALT BEVERAGE SPECIAL EVENTS PERMIT FOR SATURDAY, OCTOBER 1, 1988, ON 6TH STREET AT MAIN STREET TO THE ALLEY FOR THE ANNUAL OKTOBERFEST CELEBRATION

A hearing was held after proper notice on the application by B.P.O. Elks Lodge #575 for a 3.2% Malt Beverage Special Events Permit for Saturday, October 1, 1988, from 11:00 a.m. to 11:00

p.m., on 6th Street at Main Street to the alley for the annual Oktoberfest Celebration. Mr. Ron Ward, Event Manager, was present representing the Elks Lodge. Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried, the application was approved.

BIDS - AWARD OF CONTRACT TO UNITED COMPANIES FOR STREET PATCHING - \$34,500

Upon motion by Councilman McCurry, seconded by Councilman Kirkhart and carried, the Contract for Street Patching was awarded to United Companies in the amount of \$34,500, and the City Manager was authorized to sign said Contract.

PROPOSED ORDINANCE - PETITION FOR INCLUSION OF PROPERTY IN THE DOWNTOWN DEVELOPMENT AUTHORITY - PROPERTY LOCATED AT 734 S. 7TH STREET - GRAND JUNCTION NEWSPAPER, INC., AKA THE DAILY SENTINEL

A petition by Grand Junction Newspaper, Inc., aka The Daily Sentinel was presented for inclusion of property in the Downtown Development Authority, said property located at 734 S. 7th Street. A Resolution from the Downtown Development Authority endorsing the inclusion of the property in the DDA District was accepted for filing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY. Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication.

RESOLUTION NO. 33-88 GRANTING A 10-FOOT BY 12-FOOT EASEMENT TO PUBLIC SERVICE COMPANY ON THE SOUTHWEST CORNER OF LOT 3, BLOCK 102, FOR THE INSTALLATION OF A SWITCH CABINET

The following Resolution was presented and read:

RESOLUTION NO. 33-88

A RESOLUTION GRANTING AN EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO FOR USE AS THE SITE OF A SWITCH CABINET

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

That the City Manager is hereby authorized to execute an easement in favor of Public Service Company of Colorado to be used for the installation and maintenance of an electrical switch cabinet on the real property described as:

A portion of Lot 3, Block 102, City of Grand Junction, Mesa County, Colorado, being the South 10 feet of the West 12 feet of said Lot 3.

PASSED and ADOPTED this 7th day of September, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

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. 2395 - AMENDING SECTION 5-1-9 OF THE DEVELOPMENT CODE REGARDING HOME OCCUPATION - PERMIT REQUIRED

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING ORDINANCE SECTION 5-1-9 OF THE DEVELOPMENT CODE OF THE CITY REQUIRING THAT A PERSON OPERATING A HOME OCCUPATION SHALL OBTAIN A PERMIT FROM THE DIRECTOR OF PLANNING.

There were no comments. Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried by roll call vote, the Ordinance was passed, adopted, numbered 2395, and ordered published.

ORDINANCE NO. 2396 - AMENDING SECTION 2-2-2G OF THE ZONING AND DEVELOPMENT CODE BY ADDITION OF A NEW PARAGRAPH 17 WHICH ALLOWS FOR WAIVERS OF FEES BY THE CITY COUNCIL UNDER CERTAIN CIRCUMSTANCES

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING SECTION 2-2-2G OF THE ZONING AND DEVELOPMENT CODE BY ADDITION OF A NEW PARAGRAPH 17 WHICH ALLOWS FOR WAIVERS OF FEES BY THE CITY COUNCIL UNDER CERTAIN CIRCUMSTANCES.

There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Kirkhart and carried by roll call vote, the Ordinance was passed, adopted, numbered 2396, and ordered published.

ORDINANCE NO. 2397 - AMENDING THE ZONING AND DEVELOPMENT CODE BY ADDING A DEFINITION FOR LAW ENFORCEMENT REHABILITATION CENTER

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING THE ZONING AND DEVELOPMENT CODE BY ADDING A DEFINITION FOR LAW ENFORCEMENT REHABILITATION CENTER.

There were no comments. Upon motion by Councilman Ragsdale, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2397, and ordered published.

ORDINANCE NO. 2398 - RIGHT-OF-WAY VACATION - VACATING THAT PORTION OF SECOND STREET BETWEEN WHITE AVENUE AND ROOD AVENUE

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the following entitled proposed ordinance was called up for final passage and read by title only: VACATING THAT PORTION OF SECOND STREET BETWEEN THE SOUTH LINE OF WHITE AVENUE AND THE NORTH LINE OF ROOD AVENUE; THAT PORTION OF ROOD AVENUE LOCATED 50 FEET EAST OF THE EAST LINE OF THE INTERSECTION OF FIRST STREET AND ROOD AVENUE TO THE WEST LINE OF THE SECOND STREET AND ROOD AVENUE INTERSECTION; THE EAST/WEST ALLEY IN BLOCK 100, EXCEPT THE WESTERNMOST 50 FEET; THE EAST/WEST ALLEY IN BLOCK 99; THE WEST 100 FEET OF THE EAST/WEST ALLEY IN BLOCK 98.

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 2398, and ordered published.

ORDINANCE NO. 2399 - REPLACING REQUIREMENT FOR PLAT SIGNATURE BY A PROFESSIONAL ENGINEER WITH SIGNATURE BY A REGISTERED LAND SURVEYOR

Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING SECTION 6-8-2(A)(1)(b) TO DELETE THE REQUIREMENT THAT AN ENGINEER CERTIFY ALL PLATS.

There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Kirkhart and carried by roll call vote, the Ordinance was passed, adopted, numbered 2399, and ordered published.

PETITION FILED IN OPPOSITION TO THE 3% LODGING TAX

Mr. Bob Richardson, 104 White Avenue, owner and manager of the Grand Junction Travel Lodge on First Street, appeared before Council representing twenty-two hotel/motel owners and managers in opposition to the 3% Lodging Tax petition that was filed earlier

in the meeting. He stated that if the Lodging Tax is imposed it will raise the total tax on hotels and motels to 11%.

Mr. Richardson filed a counterpetition which reads as follows:

"We, the undersigned, as owners and/or managers of motels, hotels, and other short-term lodging facilities within the city limits of Grand Junction, Colorado, do hereby protest the establishment of a lodging tax of any kind. We feel the instituting of a lodging tax is not in the best interests of either the properties or the citizens of Grand Junction."

Others affiliated with the hotel industry stating their objection to the proposed 3% Lodging Tax were as follows:

Lou Ann Hughes, Silver Spur Motel

Don Feely, Friendship Inn, Super 8, Goodpastures

DOMINGUEZ RESERVOIR COMPANY

Mr. LeRoy Harris appeared before Council stating that on September 1, 1988, the Dominguez Reservoir Company met with the Water Judge in Gunnison, Colorado, to discuss its water rights. Mr. Harris invited City Council to seriously consider requesting water to accommodate the City's needs over the next several years. This request would not obligate the City to commit dollar amounts.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk