

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

October 19, 1988

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of October, 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, Reford Theobald, and President of the Council John Bennett. Councilman R.T. Mantlo was 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 McCurry led in the Pledge of Allegiance.

INVOCATION - Dale Lindstrom, Spanish Baptist Church.

MINUTES

There being no corrections or additions to the minutes of the October 5, 1988, they were approved as submitted.

PROCLAMATION DECLARING NOVEMBER 6-12, 1988, AS "YOUTH APPRECIATION WEEK"

PROCLAMATION DECLARING OCTOBER 23-30, 1988, AS "RED RIBBON AND DRUG FREE AMERICA WEEK"

HEARING #34-88 - UTILITY EASEMENT VACATION LOCATED AT 2415 APRICOT COURT - CONTINUED TO NOVEMBER 2, 1988, MEETING

A hearing was held after proper notice on the petition by Leo and Joyce Little for a utility easement vacation located at 2415 Apricot Court. Kirk Rider, attorney, was present representing Mr. and Mrs. Little. He stated that there are some extraneous issues regarding this petition. The garage on the house belonging to the Littles is in substantial violation of the setback requirements applicable throughout the City of Grand Junction, and actually intrudes into a utility easement that is owned by the City.

Leo and Joyce Little were also present for the hearing.

Those speaking in favor of the petition were as follows:

Bob Colony, 224 W. Kennedy Avenue, presented letter in favor of the petition.

William A. Jenkins, 2918 Pheasant Run Street, presented a petition signed by 23 neighbors in the area supporting the vacation easement.

Aaron Long, 2405 Apricot Court

Sally Ann Potter, 3425 Beechwood Street

Steve Hurd, 2425 Ridge Drive, Director, Mental Health Center

Minnie Johnson, 2310 Apricot Court

Those speaking in opposition to the petition were as follows:

Dean Lindholm, 3325 Beechwood

Doris Cassady, 3405 Beechwood

Leonard Cassady, 3405 Beechwood

Corolla Lindholm, 3325 Beechwood

There were no letters, opponents or counterpetitions. Mr. Rider stated that the Spring Valley Homeowners' Association, at its Board of Directors Meeting on October 13, 1988, agreed to express no position on the variance, and unanimously voted to express no objection to the easement vacation request. He admonished Council to address the easement vacation and approve it.

Upon motion by Councilman Ragsdale, seconded by Councilman Nelson and carried, the Mayor is to appoint a committee of three members of Council to physically inspect the said property as to the complaints that have been voiced here this evening, and that this matter be tabled for decision by Council to November 2, 1988.

The President declared a five-minutes recess. Upon reconvening, six members of Council were present.

PROPOSED ORDINANCE - SUBMITTING TO THE ELECTORATE OF THE CITY OF GRAND JUNCTION THE QUESTION OF THE SALE OR TRADE OF CERTAIN PARK LANDS WITHIN THE CITY

The following entitled proposed ordinance was presented and read: AN ORDINANCE SUBMITTING TO THE ELECTORATE OF THE CITY OF GRAND JUNCTION THE QUESTION OF THE SALE OR TRADE OF CERTAIN PARK LANDS WITHIN THE CITY. Upon motion by Councilman McCurry, seconded by Councilman Kirkhart and carried, the proposed ordinance was passed for publication.

HEARING #33-88 - PROPOSED ORDINANCE - VACATION OF ALLEY BETWEEN GRAND AVENUE AND WHITE AVENUE, WEST OF NORTH FIRST STREET

A hearing was held after proper notice on the petition by Gaynell Lenderman to vacate the alley between Grand Avenue and White Avenue, west of North First Street. There were no letters, opponents, or counterpetitions.

The following entitled proposed ordinance was presented and read: VACATING AN ALLEYWAY IN WILSON'S SUBDIVISION OF BLOCK 2 MOBLEY'S SUBDIVISION. Upon motion by Councilman Kirkhart, seconded by

Councilman McCurry and carried, the proposed ordinance was passed for publication.

HEARING #35-88 - PROPOSED ORDINANCE - REZONE FROM RMF-32 TO PB PROPERTY LOCATED AT 704 ELM AVENUE, AND HOMETOWN REALTY FINAL PLAN

A hearing was held after proper notice on the petition by Virginia Edwards to rezone property located at 704 Elm Avenue from RMF-32 to PB, and Hometown Realty Final Plan. There were no letters, opponents, or counterpetitions. Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried, the final plan for Hometown Realty at 704 Elm Avenue was approved.

The following entitled proposed ordinance was presented and read: REZONING FROM RMF-32 TO PB THE PROPERTY LOCATED AT 704 ELM STREET AND LEGALLY DESCRIBED AS THE SOUTH 70.5 FEET OF LOT 1 OF ELM AVENUE SUBDIVISION OF LOT 14 OF CAPITAL HILL SUBDIVISION, EXCEPT THE SOUTH FOUR FEET, CITY OF GRAND JUNCTION, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO. Upon motion by Councilman Ragsdale, seconded by Councilman Nelson and carried, the proposed ordinance was passed for publication.

HEARING #37-88 - PROPOSED ORDINANCE - REZONE FROM C-2 TO RMF-64 PROPERTY LOCATED AT 125 OURAY AKA 127 OURAY AVENUE

A hearing was held after proper notice on the petition by James L. and Kraig S. Keltner to rezone from C-2 (Heavy Commercial) to RMF-64 (Residential Multi-Family) on .11 acres located at 125 Ouray also known as 127 Ouray Avenue.

The following entitled proposed ordinance was presented and read: REZONING FROM C-2 TO RMF-64 THE PROPERTY LOCATED AT 125 OURAY AVENUE (A.K.A. 127 OURAY AVENUE) AND LEGALLY DESCRIBED AS THE EAST 15 FEET OF LOT 6 AND ALL OF LOT 7 IN BLOCK 77 OF THE CITY OF GRAND JUNCTION. Upon motion by Councilman Nelson, seconded by Councilman Ragsdale and carried, the proposed ordinance was passed for publication.

HEARING #3-88 - PROPOSED ORDINANCE - TEXT AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

A hearing was held after proper notice on the petition by the Grand Junction Planning Department for Text Amendments to the Grand Junction Zoning and Development Code. There were no letters, opponents, or counterpetitions.

The following entitled proposed ordinance was presented and read: AMENDMENTS TO THE CITY ZONING AND DEVELOPMENT CODE: A. REGARDING PLANNED DEVELOPMENT DESIGNATION ON THE OFFICIAL ZONING MAP, AND REQUIRING THAT ALL USES BEING CONSIDERED FOR A P.D. BE LISTED AND SUBMITTED ALONG WITH THE P.D. REQUEST; B. REGARDING LANDSCAPING REQUIREMENTS IN C-1 ZONES FOR FRONT YARD SETBACKS LESS THAN FIVE FEET; C. REQUIRING ALL PLATS TO IDENTIFY THE NAMES AND ADDRESSES OF ALL SURFACE OWNERS, MINERAL OWNERS, AND LESSEES OF MINERAL

OWNERS. Upon motion by Councilman Theobold, seconded by Councilman Kirkhart and carried, the proposed ordinance was passed for publication.

AMENDING CHAPTER 19-29 OF THE CODE OF ORDINANCES PERMITTING CONSUMPTION OF 3.2% BEER IN PUBLIC PARKS, PUBLIC RIGHTS-OF-WAY, OR OTHER PUBLIC AREAS - REMOVED FROM AGENDA

DECLARING THE NECESSITY TO TAKE PRIVATE PROPERTY BY EMINENT DOMAIN; SAID PROPERTY DESCRIBED AS LOTS 20, 21 AND 22 IN BLOCK 100 OF THE CITY OF GRAND JUNCTION, AND LOTS 23 AND 24 IN BLOCK 100 OF THE CITY OF GRAND JUNCTION, WITH STREET ADDRESS OF 118 MAIN STREET - TABLED TO NOVEMBER 2, 1988, CITY COUNCIL MEETING

Upon motion by Councilman Ragsdale, seconded by Councilman McCurry and carried, this item was tabled to the December 2, 1988, City Council Meeting to allow for further negotiations.

RESOLUTION NO. 40-88 APPROVING THE LAW ENFORCEMENT ASSISTANCE FUND (LEAF) CONTRACT - \$25,000 - (DUI ENFORCEMENT)

The following Resolution was presented and read:

RESOLUTION NO. 40-88

A RESOLUTION APPROVING THE LAW ENFORCEMENT ASSISTANCE FUND (LEAF) CONTRACT

WHEREAS, the City of Grand Junction, on behalf of the Police Department, has submitted an application to the Colorado Division of Highway Safety, Department of Highways for funding a LEAF project for the prevention of drunken driving and the enforcement of laws pertaining to the driving under the influence of alcohol or drugs; and

WHEREAS, the City has responsibility for the supervision and funding of the Police Department; and

WHEREAS, contract for funding this LEAF project has been presented to the City for approval and signature; and

WHEREAS, a resolution of the City formally approving the LEAF contract and authorizing the Mayor's signature to indicate such approval is required by the State of Colorado;

NOW, THEREFORE, BE IT RESOLVED, the City of Grand Junction hereby approves the terms of contract L-08-89 and hereby authorizes the Mayor to sign the LEAF contract on behalf of the City of Grand Junction.

PASSED and ADOPTED this 19th day of October, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

ADJOURNMENT

The President of the Council adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk