

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

November 2, 1988

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

MINUTES

There being no corrections or additions to the minutes of the October 19, 1988, Council Meeting, they were approved as submitted.

APPOINTMENT TO GRAND JUNCTION, COLORADO, HOUSING AUTHORITY - FIVE-YEAR TERM - DENNIS SIMON

Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, Dennis Simon was appointed to a five-year term on the Grand Junction, Colorado, Housing Authority.

Council expressed its appreciation to Donna Scott for her five years of service to the Authority.

APPOINTMENT TO THE BOARD OF ADJUSTMENT SIGN CODE VARIANCE - NON-VOTING MEMBER UNLIMITED TERM - MARK L. GAMBLE

Upon motion by Councilman McCurry, seconded by Councilman Theobold and carried, Mark L. Gamble was appointed to the Board of Adjustment Sign Code Variances as a non-voting member, representing the sign industry, for an unlimited term.

HEARING #34-88 - UTILITY EASEMENT VACATION LOCATED AT 245 APRICOT COURT

Tabled October 19, 1988.

Resolution NO. _____-88 of Findings and Decision.

Attorney Harry Tucker was present representing the Leonard Cassady's 3405 Beechwood. He requested that this matter be tabled for two weeks pending the presence of Leo and Joyce Little and their attorney, Mr. Rider.

City Attorney Dan Wilson stated that Mr. Tucker had filed a letter. Mr. Wilson plans to circulate a copy of the letter to Council and to Mr. Rider and that on November 16, 1988, Council may determine whether to reopen the hearing.

Upon motion by Councilman Mantlo, seconded by Councilman McCurry and carried, this item was tabled to November 16, 1988.

PROPOSED ORDINANCE - UTILITY EASEMENT VACATION, 2415 APRICOT COURT
- TABLED

PROPOSED ORDINANCE AMENDING SECTION 16-9 OF THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES, 1977 REVISED EDITION, DRIVING ON A SIDEWALK

The following entitled proposed ordinance was read: AMENDING SECTION 16.9 OF THE MODEL TRAFFIC CODE TO ALLOW U.S. POSTAL SERVICE VEHICLES TO DRIVE ON SIDEWALKS. It was moved by Councilman McCurry, seconded by Councilman Nelson and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING CHAPTER 6, ARTICLE VII, LICENSING, CONTROL AND CARE OF DOGS - AUTHORIZING PUBLICATION OF ORDINANCE IN PAMPHLET FORM

The following entitled proposed ordinance was read: AN ORDINANCE REPEALING AND REENACTING WITH AMENDMENTS SECTIONS 6-1 THROUGH AND INCLUDING 6-10 OF THE CITY CODE (ORDINANCE NO. 2170) PROVIDING FOR RABIES CONTROL; LICENSING OF DOGS; RESTRAINT OF ANIMALS RUNNING AT LARGE; RESTRAINT OF VICIOUS DOGS; RESTRAINT OF BARKING DOGS; IMPOUNDMENT AND DISPOSITION OF ANIMALS; ESTABLISHING PENALTIES FOR VIOLATION OF SUCH PROVISIONS; AND AUTHORIZING PUBLICATION IN PAMPHLET FORM. It was moved by Councilman Nelson, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication in pamphlet form with notice thereof being published in the newspaper.

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. 2402 - 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 Theobald, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: SUBMITTING TO THE ELECTORATE OF THE CITY OF GRAND JUNCTION THE QUESTION OF THE SALE OR TRADE OF CERTAIN PARK LANDS WITHIN THE CITY.

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 2402, and ordered published.

ORDINANCE NO. 2403 - ALLEY VACATION BETWEEN GRAND AVENUE AND WHITE AVENUE, WEST OF NORTH FIRST STREET - TABLED TO NOVEMBER 16, 1988

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, Proposed Ordinance No. 2403 was tabled to the November 16, 1988, City Council Meeting.

ORDINANCE NO. 2404 - REZONE FROM RMF-32 TO PB PROPERTY LOCATED AT 704 ELM AVENUE

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: 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, MESA COUNTY, COLORADO.

There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2404, and ordered published.

ORDINANCE NO. 2405 - REZONE FROM C-2 TO RMF-64 PROPERTY LOCATED AT 126 OURAY AKA 127 OURAY

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the following proposed ordinance was called up for final passage and read by title only: 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 5 AND ALL OF LOT 7 IN BLOCK 77 OF THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed, adopted, numbered 2405, and ordered published.

ORDINANCE NO. 2406 - GRAND JUNCTION, COLORADO ZONING AND DEVELOPMENT CODE AMENDMENTS

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the following entitled proposed ordinance was called up for final passage and read by title only: 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 REQUIREMENT 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.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried, proposed Ordinance No. 2407 was tabled to the November 16, 1988, City Council Meeting.

RESOLUTION NO. 41-88 - EXTENSION OF LEASE AGREEMENT WITH HARLEY MADDOCK FOR PROPERTY LOCATED AT 236 MAIN STREET

The following Resolution was presented and read:

RESOLUTION NO. 41-88

EXTENDING THE LEASE OF THE CITY OWNED PROPERTY AT 236 MAIN STREET TO HARLEY MADDOCK

WHEREAS, by Lease Agreement dated the 13th day of November, 1986, and by a Lease Extension dated the 16th day of September, 1987, the City has leased to Harley Maddock the property located at 126 Main Street in Grand Junction; and

WHEREAS, the term of said Lease Extension is due to expire on the 14th day of November, 1988; and

WHEREAS, both parties are desirous of entering into an agreement to further extend the term of said lease;

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

That the City Manager, on behalf of the City and as the act of the City, is hereby authorized and directed to enter into an agreement extending the term of said lease for a period of one year, commencing on the 15th day of November, 1988, and terminating on the 14th day of November, 1989. All other conditions and responsibilities as they appear in the Lease Agreement dated the 15th day of November, 1986, and the Lease Extension dated the 16th day of September, 1987, shall continue in full force and effect during the term of this extension.

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

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion by Councilman Theobold, seconded by Councilman Mantlo

and carried by roll call vote, the Resolution was passed and adopted as read.

ADJOURNMENT

The President of the Council declared the meeting adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk