

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

December 21, 1988

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of December, 1988, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were LeRoy Kirkhart, R.T. Mantlo, Bill McCurry, Paul Nelson, O.F. Ragsdale, Reford Theobald, and President of the Council John Bennett. 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 Mantlo led in the Pledge of Allegiance.

INVOCATION - Pastor Eddie Scroggins, Riverside Baptist Church.

MINUTES

There being no corrections or additions to the minutes of the regular meeting December 7, 1988, they were approved as submitted.

BIDS - AWARD OF CONTRACTS

Patterson Road Culvert Extension - 25 1/2 Road to 26 Road, 1989 - Parkerson Construction - \$461,255.00

Upon motion by Councilman Ragsdale, seconded by Councilman Nelson and carried, the bids for the Patterson Road Culvert Extension from 25 1/2 Road to 26 Road, 1989, were accepted, the Contract was awarded to Parkerson Construction for its bid of \$461,255.00, and the City Manager was authorized to sign said Contract.

Heavy Support Truck for the Fire Department - Front Range Fire Apparatus of Boulder - \$65,349.00

Upon motion by Councilman Mantlo, seconded by Councilman McCurry and carried, the bid by Front Range Fire Apparatus of Boulder in the amount of \$65,349.00 for the Heavy Support Truck for the Fire Department was approved.

Intersection Approach Reconstruction, 1988 - Elam Construction, Inc. - \$36,572.00

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the bids for the Intersection Approach Reconstruction, 1988, were accepted, the Contract was awarded to Elam Construction, Inc., for its bid of \$36,572.00, and the City Manager was authorized to sign said Contract.

Custodial Contracts for 1989

Upon motion by Councilman Theobald, seconded by Councilman

Kirkhart and carried, custodial contracts for City Hall and the Police Department Building were awarded to D & R Cleaning for \$1,845 per month (City Hall \$895/month - Police Department \$950/month), and the custodial contract for the Municipal Service Center, Old City Shops, Older American Center, Parks Administration Office, and the Lincoln Park Barn was awarded to Cousin's Cleaning for \$1040 per month. Council acknowledged that Cousin's Cleaning is co-owned by the wife of a City employee and did not feel it would pose a conflict of interest.

Street Marking Paint for 1989 - Linear Dynamics, Inc. (LDI) - \$29,653

Upon motion by Councilman Kirkhart, seconded by Councilman Ragsdale and carried, the Contract for Street Marking Paint for 1989 was awarded to Linear Dynamics, Inc., for its bid of \$29,653.00.

Police Vehicle Bid - Stephenson Chevrolet in Golden - \$155,340.12.

Upon motion by Councilman Mantlo, seconded by Councilman McCurry and carried, the Police Vehicle bid was awarded to Stephenson Chevrolet in Golden in the amount of \$155,340.12.

HEARING - PROPOSED 1989 BUDGET - ORDINANCE NO. 2412, APPROPRIATIONS FOR 1989 - RESOLUTION NO. 49-88 ADOPTING THE 1989 BUDGET

A hearing was held after proper notice on the proposed 1989 Budget. There were no opponents or letters.

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage, and the Proof of Publication was accepted for filing: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1989, AND ENDING DECEMBER 31, 1989.

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2412, and ordered published.

The following Resolution was presented and read:

RESOLUTION NO. 49-88

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1989

WHEREAS, in accordance with the provisions of Article VI, Section 50 of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council, a budget estimate

of the revenues of said City and the expenses of conducting the affairs thereof for the fiscal year ending December 31, 1989; and

WHEREAS, after full and final consideration of the budget estimate, the City Council is of the opinion that the budget should be approved and adopted:

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the Fiscal Year ending December 31, 1989, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget estimate for defraying the expenses and liabilities against said City for the fiscal year ending December 31, 1989.

PASSED and ADOPTED this 21st day of December, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

REQUEST BY BELCASTRO AUTO SALES, 1025 SOUTH 5TH STREET FOR A FEE WAIVER ON CONDITIONAL USE PERMIT AND OPEN SPACE FEE WAIVER - CONTINUED TO JANUARY 4, 1989, MEETING

Upon motion by Councilman Mantlo, seconded by Councilman Kirkhart and carried, the request by Belcastro Auto Sales for a Conditional Use Fee Waiver was continued to January 4, 1989, due to illness of the petitioner.

PROPOSED ORDINANCE - AMENDING CHAPTER 24, SALES AND USE TAX, CODE OF ORDINANCES, EXEMPTING OCCASIONAL YARD SALES AND BAZAARS OF CHARITABLE ORGANIZATIONS

The following entitled proposed ordinance was read: AMENDING CHAPTER 24, SALES AND USE TAX, CODE OF ORDINANCES, EXEMPTING OCCASIONAL YARD AND BAZAARS OF CHARITABLE ORGANIZATIONS.

Upon motion by Councilman Kirkhart, 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 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. 2411 - UTILITY EASEMENT VACATION, 2415 APRICOT COURT

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: VACATING A PORTION OF THE NORTH/SOUTH UTILITY EASEMENT ON LOT 22, BLOCK 13, PHEASANT RUN, SPRING VALLEY, FILING SIX.

There were no comments. Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2411, and ordered published.

ORDINANCE NO. 2413 - MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 1988 BUDGET

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled 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 Ragsdale, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2413, and ordered published.

ORDINANCE NO. 2414 - VACATING A PORTION OF WILLOWBROOK ROAD, NORTH OF PATTERSON, EAST OF FIRST STREET

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: VACATING A PORTION OF WILLOWBROOK ROAD IN WILLOWBROOK SUBDIVISION REPLAT.

There were no comments. Upon motion by Councilman Mantlo, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2414, and ordered published.

ORDINANCE NO. 2415 - ZONING AND DEVELOPMENT CODE AMENDMENT

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AN AMENDMENT TO THE CITY CODE INCREASING THE JURISDICTION OF THE BOARD OF ADJUSTMENT TO HEAR AND DECIDE APPEALS FOR VARIANCES FOR NONCONFORMING USES AND THOSE APPLICABLE REGULATIONS IN CHAPTER 5 OF THE ZONING AND DEVELOPMENT CODE.

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 2415, and ordered published.

RESOLUTION NO. 50-88 REPEALING ORDINANCE NO. 2401 OF THE CITY OF GRAND JUNCTION - IMPOSING 3% LODGERS TAX

The following Resolution was presented and read:

RESOLUTION NO. 50-88

A RESOLUTION REPEALING ORDINANCE NO. 2401 OF THE CITY OF GRAND JUNCTION

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

The Council, in accordance with Section 136 of the City Charter, having reconsidered Ordinance No. 2401 imposing a three percent (3%) lodgers tax to be collected beginning January 1, 1989, for the purpose of promoting tourism and conventions, hereby repeals said Ordinance in its entirety.

PASSED and ADOPTED this 21st day of December, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 51-88 - AUTHORIZING THE CITY OF GRAND JUNCTION TO APPLY FOR COLORADO WATER CONSERVATION BOARD LOAN FUNDS FOR THE NORTH FORK DIVERSION

The following Resolution was presented and read:

RESOLUTION NO. 51-88

AUTHORIZING THE CITY MANAGER TO APPLY FOR A LOAN FROM THE COLORADO WATER CONSERVATION BOARD, THE PROCEEDS OF WHICH LOAN TO BE USED TO MAKE IMPROVEMENTS TO THE CITY'S WATER SUPPLY SYSTEM

WHEREAS, the City of Grand Junction has completed feasibility

studies and has developed plans and specifications in order to enlarge the existing diversion on the North Fork of Kannah Creek and to construct a 30" pipeline which will allow the transfer of all of the North Fork waterflows to the Purdy Mesa and Juniata Reservoirs; and

WHEREAS, in order to complete that project the City has determined that it is in the City's best interest to borrow from the Colorado Water Conservation Board;

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

The City Council finds that the amount of the total estimated project cost is \$458,527. The amount of the City's contribution is \$37,579. The amount of State financial assistance requested is \$229,264. The amount of loans and grants from other sources is estimated to be \$191,684. The length of the proposed repayment period in years for the loan from the Colorado Water Conservation Board is forty (40) years.

The City Manager, on behalf of the City and as the act of the City, is hereby authorized to pursue said loan and to execute such documents as may be required to allow the City to obtain the benefit of such loan.

PASSED and ADOPTED this 21st day of December, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 52-88 - ACCEPTING LAND DONATED TO THE CITY OF GRAND JUNCTION BY DILLON REAL ESTATE COMPANY, INC. - LOCATED NEXT TO BLUE HERON LAKE

The following Resolution was presented and read:

RESOLUTION NO. 52-88

AUTHORIZING THE ACCEPTANCE OF DONATED PROPERTY FOR THE USE IN THE RIVERFRONT/GREENBELT PROJECT

WHEREAS, Dillon Real Estate Company, Inc., is willing to donate

approximately 1.78 acres of industrially zoned property in a 110-foot strip along the Colorado River, Mesa County, Colorado, for use in the City/Mesa County Greenbelt Development Project; and

WHEREAS, the acceptance of such donation would facilitate the completion of that project, which project is in the public interest;

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 to execute such documents and receive such deeds as may be reasonably necessary to effectuate the transfer to the City of Grand Junction of the property described on the attached Exhibit A for use as the site of a Riverfront Trail in accordance with the terms of the quit-claim deed from Dillon Real Estate Company, Inc., to the City of Grand Junction.

PASSED and ADOPTED this 21st day of December, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 53-88 - TERMINATING CONDEMNATION PROCEEDINGS REGARDING THE FEED LOT, INC., 118 MAIN STREET

The following Resolution was presented and read:

RESOLUTION NO. 53-88

TERMINATING CONDEMNATION PROCEEDINGS AGAINST THE FEED LOT, INC., AND THERESA A. HANNA

WHEREAS, the City Council has determined that the likely costs of acquiring Lots 20-24, Block 100 of the City of Grand Junction are greater than originally anticipated, and are therefore presently determined to be too high.

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

The condemnation proceedings, which were authorized by Ordinance

Number 2407 are hereby terminated.

PASSED and ADOPTED this 21st day of December, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

MEMORANDUM OF AGREEMENT WITH MESA COUNTY FOR ANIMAL CONTROL -
CONTINUED TO JANUARY, 1989

CONVENTION AND VISITORS BUREAU CONTRACT

Upon motion by Councilman Theobald, seconded by Councilman Kirkhart and carried, the Contract with the Convention and Visitors Bureau was approved. This Contract nullifies the contract with the Chamber of Commerce for the Visitors and Convention Bureau.

INTERIM AGREEMENT WITH WYNNING ENTERPRISES FOR HYDROELECTRIC ON
CITY FLOWLINE

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the Interim Agreement with Wynning Enterprises for Hydroelectric on City Flowline was approved.

REPLACEMENT OF WATERLINE AT LINCOLN PARK NOT TO EXCEED \$10,000
FROM CONTINGENCY FUNDS

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried, up to \$10,000 was authorized from the Contingency Funds for the replacement of a service waterline at Lincoln Park.

ADJOURNMENT

President of the Council Bennett adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk