

CITY OF GRAND JUNCTION MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

March 21, 1990

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of March, 1990, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, Bill McCurry, Paul Nelson, O.F. Ragsdale, Conner Shephed, Reford Theobold, and President of the Council R.T. Mantlo. Also present were Acting City Manager James Shanks, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

President of the Council Mantlo called the meeting to order and Councilman Theobold led in the Pledge of Allegiance.

INVOCATION - Ken Andrews, KJOL Radio Station.

CONSIDERATION OF MINUTES

There being no corrections to the February 21, 1990, Council Meeting Minutes and the March 7, 1990, Council Meeting Minutes, they were approved as submitted.

LETTER OF RESIGNATION FROM COUNCILMAN O.F. RAGSDALE, DISTRICT B

Mayor Mantlo presented and read a Letter of Resignation from O.F. Ragsdale, District B Council Seat, effective March 31, 1990.

PROCLAMATION DECLARING MARCH 25-31, 1990, AS "CENTRAL HIGH SCHOOL WARRIORS' BASKETBALL WEEK"

PROCLAMATION DECLARING APRIL 1, 1990, AS "GRAND JUNCTION U.S. CENSUS DAY"

PROCLAMATION DECLARING APRIL, 1990, AS "HOMELESS AWARENESS MONTH"

BID CONSIDERATIONS - AWARD OF CONTRACTS

Street Reconstruction, 1990, 24th Street in Arbor Village - Elam Construction, Inc. - \$97,580.20

14th Street Waterline - Parkerson Construction - \$316,897.50

Aerial Platform Truck for Traffic Division - Jim Fuoco - \$26,275.75

Crushing Asphalt for Recycling by Streets Department - Parkerson Construction - \$27,000

SWAT Team Van for Police Department - Turner Chevrolet of Montrose - \$17,902

Bulk Gravel for Streets, Water, and Parks - United Companies of

Mesa County - \$72,475

Change Order No. 6 - Patterson Road Reconstruction, 1st to 7th Streets - United Companies - \$12,651.25

Upon motion of Councilman McCurry, seconded by Councilman Theobald and carried, the bids on the above items were received and the Contracts were awarded as noted, and the City Manager was authorized to sign said Contracts.

HEARING #10-90 - PROPOSED ORDINANCE - ZONING HEATHERIDGE ESTATES ANNEXATIONS, LOT 1, BLOCK 1, TO RESIDENTIAL MULTI-FAMILY 16 UNITS PER ACRE (RMF-16), THE PUBLIC SITE TO PUBLIC ZONE (PZ) AND THE REMAINING 93 LOTS TO RESIDENTIAL SINGLE-FAMILY 4 UNITS PER ACRE (RSF-4)

A hearing was held after proper notice on the petition by the City of Grand Junction to zone Heatheridge Estates Annexations, Lot 1, Block 1, to Residential Multi-Family 16 units per acre (RSF-16), the Public Site to Public Zone (PZ), and the remaining 93 lots to Residential Single-Family 4 units per acre (RSF-4). There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was read: ZONING CERTAIN LANDS WITHIN THE CITY LIMITS LOCATED EAST OF REDLANDS ROAD AND SOUTH OF MONUMENT ROAD PLATTED AS HEATHERIDGE ESTATES SUBDIVISION. Upon motion of Councilman Ragsdale, seconded by Councilman Shepherd and carried, the proposed ordinance was passed for publication.

HEARING - APPLICATION BY THE GRAND JUNCTION DOWNTOWN ASSOCIATION FOR A 3.2% BEER SPECIAL EVENTS PERMIT APRIL 21, 1990, IN THE 500 BLOCK OF MAIN STREET FOR THE CHILI COOK-OFF AND FARM AND RANCH DAYS

A hearing was held after proper notice on the petition by the Grand Junction Downtown Association for a 3.2% Beer Special Events Permit on April 21, 1990, from 8:00 a.m. to 10:00 p.m. in the 500 block of Main Street for the Chili Cook-Off and Farm and Ranch Days. Jeff Basinger was present to speak for the application. There were no opponents, letters or counterpetitions. Upon motion of Councilman Nelson, seconded by Councilman McCurry and carried, the application was approved.

HEARING - PROPOSED USE OF \$200,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS - WESTERN FILAMENT, INC. -

RESOLUTION NO. 26-90 ACCEPTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS AND AUTHORIZING A CONTRACT THEREFOR -

RESOLUTION NO. 27-90 AUTHORIZING A CONTRACT WITH WESTERN COLORADO BUSINESS DEVELOPMENT CORPORATION FOR THE ADMINISTRATION OF CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

A hearing was held after proper notice on the use of \$200,000 of Community Development Block Grant Funds - Western Filament, Inc. City Finance Director Ron Lappi was present to review the application. Dick Reimer, Western Colorado Business Development Corporation, was also present to answer questions of Council.

City Attorney Wilson explained that the following Resolution will authorize the President of the Council to execute the Contract on behalf of the City. There were no opponents, letters or counterpetitions. The following Resolution No. 26-90 was presented and read:

RESOLUTION NO. 26-90

RESOLUTION ACCEPTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE STATE OF COLORADO, DEPARTMENT OF LOCAL AFFAIRS, AND AUTHORIZING A CONTRACT THEREFOR.

WHEREAS, the State Office of Economic Development, Financial Review Committee, has approved \$200,000 in Community Development Block Grant ("CDBG") funds for a grant to the City of Grand Junction to be used to provide a loan to Western Filament, Inc.; and

WHEREAS, the City of Grand Junction, as the governmental sponsor, will act as a pass through agent for these funds from the State of Colorado to Western Filament, Inc.; and

WHEREAS, the attached contract with the State of Colorado incorporates the agreements between the State and the City.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF GRAND JUNCTION hereby accepts the grant funds for the loan to Western Filament, Inc., and hereby authorizes the Mayor to execute the contract on behalf of the City of Grand Junction.

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

City Attorney Wilson explained that this item is from the State

Office of Economic Development which has approved \$350,000 of Community Development Block Grant Funds -- \$150,000 would go to the Incubator Program for its Revolving Loan Fund, and \$200,000 is the monies for Western Filament, Inc. The Resolution will approve the acceptance of the Grant and direct the City Manager to execute the appropriate documents. There were no opponents, letters or counterpetitions. The following Resolution No. 27-90 was presented and read:

RESOLUTION NO. 27-90

RESOLUTION AUTHORIZING A CONTRACT WITH WESTERN COLORADO BUSINESS DEVELOPMENT CORPORATION FOR THE ADMINISTRATION OF CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, the State Office of Economic Development, Financial Review Committee, has approved \$350,000 in Community Development Block Grant ("CDBG") funds for a grant to the City of Grand Junction to be used by Western Colorado Business Development Corporation (WESTERN), \$150,000 in their revolving loan fund program and \$200,000 in a loan to Western Filament, Inc.; and

WHEREAS, the City of Grand Junction, as the governmental sponsor, will act as a pass through agent for these funds from the State of Colorado to WESTERN; and

WHEREAS, the attached contract with WESTERN incorporates the agreements between WESTERN and the City.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF GRAND JUNCTION hereby authorizes the City Manager to execute the contract on behalf of the City of Grand Junction.

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

(Above Contract was not submitted with Resolution No. 27-90.)

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

HEARING - REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR THE JARVIS PROPERTY ACQUISITION LOCATED GENERALLY WEST OF THE 5TH STREET

BRIDGE - \$340,000 - RESOLUTION NO. 28-90 AUTHORIZING REQUEST AND ACCEPTANCE OF FUNDS

A hearing was held after proper notice on the request for Community Development Block Grant Funds from the State of Colorado Department of Local Affairs for the Jarvis Property Acquisition located generally west of the 5th Street Bridge (\$340,000). City Attorney Wilson extended Council's appreciation to the other towns of DeBeque and Collbran who agreed to waive their application in the hopes that this Grant will be approved by the State. This Resolution will authorize the City to accept the Grant funds. Kathy Portner, City Planner, was present to review the Grant. There were no opponents, letters or counterpetitions. The following Resolution was presented and read:

RESOLUTION NO. 28-90

RESOLUTION AUTHORIZING THE REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE STATE OF COLORADO, DEPARTMENT OF LOCAL AFFAIRS, AND ACCEPTANCE OF THOSE FUNDS.

WHEREAS, the City of Grand Junction has requested \$340,000 in Community Development Block Grant (CDBG) funds to partially fund the acquisition of the Jarvis property, located on the north bank of the Colorado River, west of the 5th Street Bridge.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF GRAND JUNCTION hereby authorizes and will accept the grant funds for the acquisition of the Jarvis property.

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

HEARING #9-90 - PROPOSED ORDINANCE - REZONE FROM RSF-5 TO PR-6 AND FINAL PLAN AND PLAT FOR MISSION VIEJO LOCATED AT EL CORONA DRIVE AND PATTERSON ROAD

A hearing was held after proper notice on the petition by David and Ivan Wood to rezone from Residential Single-Family with a density of 5 units per acre (RSF-5) to a Planned Residential with a density of approximately 6 units per acre (PR-6) and a Final

Plan and Plat of 32 lots on approximately 5.35 acres located at El Corona Drive and Patterson Road. Planning Commission action resulted in a tie vote. City Planner Dave Thornton reviewed the petition. He addressed the previous tie vote of the Planning Commission. The Commissioners in opposition to the rezone felt that 5 units per acre was sufficient. The petitioners felt that financially a PR-6 zone was needed. Wayne Lizer, Engineer for the Project, was present to answer questions of Council.

Those speaking in favor of the rezone were:

Ben Hill, Hill & Holmes Real Estate

Dean Stucker, 735 Wedge Drive

Those speaking in opposition to the rezone were:

Gloria Peloquin, 124 Mount View Drive

There were no other opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: REZONING FROM RSF-5 TO PR 9-90, WITH A DENSITY OF 6 UNITS PER ACRE, AND APPROVAL OF THE FINAL PLAN AND PLAT FOR THE BELOW DESCRIBED PROPERTY LOCATED IN THE CITY OF GRAND JUNCTION, COLORADO. Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried by roll call vote with Councilman THEOBOLD voting NO, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE CITY OF GRAND JUNCTION

The following entitled proposed ordinance was read: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE CITY OF GRAND JUNCTION. Upon motion of Councilman McCurry, seconded by Councilman Bennett and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

Proofs of Publication on the following Ordinances proposed for final passage have 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. 2466 - VACATING THE NORTH/SOUTH ALLEY WEST OF 1235 NORTH 4TH STREET, SOUTH OF GLENWOOD AVENUE

Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was read by title only: VACATING THE NORTH-SOUTH ALLEY BETWEEN NORTH 3RD STREET NORTH 4TH STREET SOUTH OF GLENWOOD AVENUE.

There were no comments. Upon motion of Councilman Bennett,

seconded by Councilman Shepherd and carried by roll call vote, the Ordinance was passed, adopted, numbered 2466, and ordered published.

ORDINANCE NO. 2467 - AMENDING ARTICLE I, SECTION 13(b) OF CHAPTER 14, GARBAGE, TRASH AND WEEDS, CODE OF ORDINANCES - OWNER OF PREMISES/OCCUPANT(S) TO NOTIFY UTILITY ACCOUNTING DEPARTMENT WITHIN 30 DAYS OF ANY CHANGE OF BUILDING STRUCTURE AND/OR USE TO INSURE CORRECT MONTHLY CHARGES

Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was read by title only: AN ORDINANCE AMENDING ARTICLE 8, SECTION 13(b) OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion of Councilman Ragsdale, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed adopted, numbered 2467, and ordered published.

ORDINANCE NO. 2468 - AMENDING ARTICLE IX, SECTION 47(c) OF CHAPTER 25, SEWERS, CODE OF ORDINANCES - OWNER OF PREMISES/OCCUPANT(S) TO NOTIFY UTILITY ACCOUNTING DEPARTMENT WITHIN 30 DAYS OF ANY CHANGE OF BUILDING STRUCTURE AND/OR USE TO INSURE CORRECT MONTHLY CHARGES

Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was read by title only: AN ORDINANCE AMENDING ARTICLE IX, SECTION 47(c) OF CHAPTER 25 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion of Councilman McCurry, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed, adopted, numbered 2468, and ordered published.

ORDINANCE NO. 2469 - AMENDING ARTICLE I, SECTION 2(b), CHAPTER 31, WATER, CODE OF ORDINANCES - OWNER OF PREMISES/OCCUPANT(S) TO NOTIFY UTILITY ACCOUNTING DEPARTMENT WITHIN 30 DAYS OF ANY CHANGE OF BUILDING STRUCTURE AND/OR USE TO INSURE CORRECT MONTHLY CHARGES

Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was read by title only: AN ORDINANCE AMENDING ARTICLE I, SECTION 2(b) OF CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion of Councilman Nelson, seconded by Councilman Ragsdale and carried by roll call vote, the Ordinance was passed, adopted, numbered 2469, and ordered published.

ORDINANCE NO. 2470 - EXPANDING THE BOUNDARIES OF THE GRAND

JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion of Councilman Ragsdale, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was read by title only: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY.

There were no comments. Upon motion of Councilman Shepherd, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2470, and ordered published in pamphlet form.

RESOLUTION NO. 29-90 GIVING NOTICE OF ELECTION

The following Resolution was presented and read:

RESOLUTION NO. 29-90

GIVING NOTICE OF ELECTION

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

That the Election Notice hereinafter set out be the Notice of the Special Municipal Election to be held in the City of Grand Junction, Colorado, on Tuesday, April 3, 1990, and further that the same be published in accordance with City Charter provisions and election procedures:

ELECTION NOTICE

CITY OF GRAND JUNCTION, COLORADO NOTICE OF SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 3RD DAY OF APRIL, 1990

PUBLIC NOTICE IS HEREBY GIVEN THAT A SPECIAL MUNICIPAL ELECTION WILL BE HELD ON TUESDAY, THE 3RD DAY OF APRIL, 1990, IN THE POLLING PLACES HEREINAFTER DESIGNATED IN THE CITY OF GRAND JUNCTION, COLORADO.

That said Special Municipal Election will be held at the polling places in the several districts of the City of Grand Junction, as follows:

DISTRICT "A", PRECINCT 1

Two Rivers Convention Center
159 Main Street

DISTRICT "A", PRECINCT 2

Columbus School
2660 UnawEEP

DISTRICT "B"

Grand Junction High School
1400 North 5th Street

DISTRICT "C"

Mesa State College
Physical Education Center
12th Street and Orchard Avenue

DISTRICT "D"

Orchard Avenue School
1800 Orchard Avenue

DISTRICT "E"

Lincoln Park School
600 North 14th Street

Upon the date and at the places designated, the polls will be open from the hour of 7:00 a.m. and will be closed at the hour of 7:00 p.m. Punch card voting devices will be provided in each polling place for the Election. The ballots to be used in voting will be prepared and furnished by the City Clerk to the Judges of Election, to be furnished by them to the registered voters. Every person who has attained the age of eighteen (18) years, who is a citizen of the United States, who has resided in the State of Colorado and in the Municipal Election District for thirty-two (32) days immediately preceding Election Day, and has registered in the time and manner now provided by law is eligible to request a ballot and vote in this Election.

That at said Election the following Ordinance No. 2450 will be submitted to a vote of the registered electors of the City of Grand Junction for their adoption or rejection:

SUBMISSION OF ORDINANCE NO. 2450 OF THE CITY OF GRAND JUNCTION TO THE ELECTORATE OF THE CITY.

ORDINANCE NO. 2450 changes the zoning of a portion of Filing #4 of Northridge Estates Subdivision from Planned Residential with a density of 4 Units per acre to Planned Residential with a density of 12.7 Units per acre. The plan submitted with the zoning application indicated the site, approximately 10 acres, is located generally west of Seventh Street, east of First Street, north of Patterson (F) Road, and south of the Grand Valley Canal

FOR THE ORDINANCE

AGAINST THE ORDINANCE

BY ORDER OF THE CITY COUNCIL

City Clerk

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 30-90 AUTHORIZING LETTER OF INTENT BETWEEN CITY OF GRAND JUNCTION AND CLIFTON WATER DISTRICT FOR THE SALE AND PURCHASE OF TREATED WATER

The following Resolution was presented and read:

RESOLUTION NO. 30-90

WHEREAS, the City of Grand Junction has an existing agreement with the Clifton Water District which provides to the City up to 4.5 million gallons of water per day; and

WHEREAS, the Clifton Water District is desirous of acquiring treated water in the winter from the City for the purposes of improving water quality; and

WHEREAS, both the City and the Clifton District wish to amend their 1977 water service agreement to provide for the sale of water to clifton; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION authorizes the City Manager to sign a Letter of Intent with the Clifton Water District which describes general principles for amending the 1977 agreement and sets a goal of amending the agreement by August 1, 1990.

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 31-90 AUTHORIZING COOPERATIVE AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE COLORADO STATE FOREST SERVICE CONCERNING THE SOMERVILLE RANCH

The following Resolution was presented and read:

RESOLUTION NO. 31-90

WHEREAS, the City of Grand Junction has purchased the Somerville Ranch for the intention of developing additional water supply, recreational opportunities and preserving unique desert and mountain lands; and

WHEREAS, the Colorado State Forest Service has offered to the City a cooperative agreement to develop a comprehensive plan for the Whitewater basin watershed for the purpose of augmenting water yields, improving rangelands, enhancing wildlife habitat, and determining the feasibility for recreational development; and

WHEREAS, the Forest Stewardship Program will provide a grant of \$2,635.00 with the City providing the additional \$2,635.00 for the purpose of carrying out this plan; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION hereby authorizes the City Manager to sign the Service Agreement between the City of Grand Junction and the State Department of Agriculture, in behalf of the Colorado State Forest Service; and

That the City Council authorizes the expenditure of funds for the City's share of the project.

PASSED and ADOPTED this 21st day of March, 1990.

/s/ R. T. Mantlo

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Shepherd, seconded by Councilman Nelson and carried by roll call vote, the Resolution was passed and

adopted as read.

O.F. RAGSDALE COMMENTS

Councilman O.F. Ragsdale expressed his appreciation to the community for its support while he served as Council representative for District B.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk