

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

March 20, 1991

The City Council of the City of Grand Junction, Colorado, convened in regular session the 20th day of March, 1991, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, R.T. Mantlo, Paul Nelson, Earl Payne, Conner Shepherd, Reford Theobold, and President of the Council William McCurry. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

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

INVOCATION - Pastor Joseph Gross, Redlands Community Church

RECOGNITION OF BOY SCOTT TROOPS #363 and #388

CONSIDERATION OF MINUTES

Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried, the minutes of the March 6, 1991, City Council Meeting were approved as submitted.

PROCLAMATION DECLARING APRIL 7-14, 1991, AS "DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST" IN THE CITY OF GRAND JUNCTION, COLORADO

PROCLAMATION DECLARING MARCH 22-30, 1991, AMERICAN CANCER SOCIETY'S "DAFFODIL DAYS" IN THE CITY OF GRAND JUNCTION, COLORADO

PROCLAMATION DECLARING APRIL, 1991, AS "FRESHAZADAZY MONTH" FOR THE CITY OF GRAND JUNCTION, COLORADO

PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE CITY OF GRAND JUNCTION FOR THE YEAR 1989, TO RANDY BOOTH, REX RICKS, AND JIM FLYNN

SPECIAL RECOGNITION AWARD FOR JIM BRIGHT, ADMINISTRATIVE FIRE OFFICER

DOUG THOMPSON TO REQUEST A PROCLAMATION OF SUPPORT FOR THE WEEKEND OF THE AIR SHOW, SEPTEMBER 13, 14, 15, 1991, AS THE OFFICIAL CITY CELEBRATION/RECOGNITION/APPRECIATION FOR RETURNING VETS AND ALL MILITARY PERSONNEL - MR. THOMPSON WAS NOT PRESENT

CONSIDERATION OF BIDS - AWARD OF CONTRACTS

Purchase and Installation of AC Adjustable Speed Drives and Microprocessor Based Control System for Raw Sewage Pump Station at Persigo - Moore Bearing/Timberline Electric - \$51,400.00

Purchase of Fairway Mower for Lincoln Park Golf Course - L.L. Johnson Distributing Co. (Toro) - \$19,349.00

Street Sign Material and Mounting Hardware for Streets - Material, 3M, \$16,715.50; Hardware, Zumar, \$4,596.44

Upon motion by Councilman Theobold, seconded by Councilman Payne and carried, the bids on the above projects were received, and the contracts were awarded as noted, and the City Manager was authorized to sign said Contracts.

HEARING #1-91 - ORDINANCE NO. 2509 - ZONING PATTERSON PARKWEST ANNEXATION PLANNED COMMERCIAL (PC), APPROXIMATELY 8.9 ACRES LOCATED ON THE NW CORNER OF PATTERSON AND 25 ROADS

A hearing was held after proper notice on the petition by the City of Grand Junction to zone Patterson Parkwest Annexation Planned Commercial (PC), approximately 8.9 acres located on the northwest corner of Patterson and 25 Roads. This item was continued from the February 20, 1991, City Council Meeting. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was called up for final passage and read by title only: CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY AT THE NORTHWEST CORNER OF PATTERSON ROAD AND 25 ROAD.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed and adopted, numbered 2509, and ordered published.

HEARING #2-91 - ORDINANCE NO. 2510 - ZONING PAINTED BOWL ANNEXATION #1, #2, #3 AND #4 TO PUBLIC ZONE (PZ), APPROXIMATELY 120 ACRES LOCATED AT MONUMENT ROAD, APPROXIMATELY 1.5 MILES SW OF SOUTH REDLANDS ROAD

A hearing was held after proper notice on the petition by the City of Grand Junction to zone Painted Bowl Annexation #1, #2, #3 and #4 to Public Zone (PZ), approximately 120 acres located at Monument Road, approximately 1.5 miles southwest of South Redlands Road. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was called up for final passage and read by title only: CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY WITH A COMMON LOCATION AT MONUMENT ROAD APPROXIMATELY 1.5 MILES SOUTHWEST OF SOUTH REDLANDS ROAD.

There were no comments. Upon motion by Councilman Shepherd, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed and adopted, numbered 2510, and ordered published.

HEARING #5-91 - ORDINANCE NO. 2511 - ZONING AND DEVELOPMENT CODE TEXT AMENDMENT - CHAPTER 32, SECTION 5-4-1(D)

A hearing was held after proper notice on the petition by City of

Grand Junction to amend the Zoning and Development Code, Chapter 32, Section 5-4-1(D). This item was continued from February 20, 1991.

There were no opponents, letters, or counterpetitions. The following entitled proposed ordinance was called up for final passage and read by title only: AMENDING SECTION 5-4-1(D) OF THE CITY OF GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

There were no comments. Upon motion by Councilman Payne, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed and adopted as amended, numbered 2511, and ordered published.

HEARING #18-91 - PROPOSED ORDINANCE - REVERSION OF ZONING FOR THE WOODSMOKE SUBDIVISION LOCATED AT 577 AND 579 29 ROAD, FROM PR AND RSF-4 TO RSF-R

A hearing was held after proper notice on the petition by William W. and Barbara Graff to reverse the zoning for the Woodsmoke Subdivision located at 577 and 579 29 Road. This is a request to revert the zoning from the present zoning of Planned Residential with a density of 19.4 units per acre (PR) on Lot 2, and from Residential Single-Family with a maximum density of four units per acre (RSF-4) on Lot 1 to Residential Single Family Rural (RSF-R) on approximately 13.367 acres.

Dave Thornton, City Planner, reviewed the reversion. Mr. William Graff, 583 29 Road, was present.

Mr. Sam Wykoff, 568 Normandy Drive, at first spoke in opposition to the reversion of zoning, but after learning that the zone reversion would not increase the number of animals, he withdrew his opposition.

There were no other opponents, letters or counterpetitions. The following entitled proposed ordinance was read: AN ORDINANCE REVERTING THE ZONING ON CERTAIN LANDS IN THE CITY OF GRAND JUNCTION, COLORADO, TO A ZONE EQUIVALENT TO THE FORMER ZONING CLASSIFICATION. Upon motion by Councilman Nelson, seconded by Councilman Mantlo and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING THE PREAMBLE TO AND SECTIONS 31-68 AND 31-94(2) a) AND b) OF ORDINANCE NO. 2497 OF THE CITY OF GRAND JUNCTION, COLORADO

The following entitled proposed ordinance was read: AMENDING THE PREAMBLE TO AND SECTION 31-68 AND 31-94(2) a) AND b) OF ORDINANCE NO. 2497 OF THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman Bennett, seconded by Councilman Theobold and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING CHAPTER 28, SECTION 28-3-5 SUB

SECTION 20-19 OF THE CODE OF ORDINANCES AND THE MODEL TRAFFIC CODE OF THE CITY OF GRAND JUNCTION, COLORADO

The following entitled proposed ordinance was read: AMENDING CHAPTER 28, SECTION 28-3.5 SUB SECTION 20-19 OF THE CODE OF ORDINANCES AND THE MODEL TRAFFIC CODE OF GRAND JUNCTION, COLORADO. Upon motion by City Councilman Theobold, seconded by Councilman Mantlo and carried, the proposed ordinance was passed for publication.

ORDINANCE NO 2512 - AMENDING CHAPTER 12, CODE OF ORDINANCES, SECTION 10.301(C) OF THE 1988 EDITION OF THE UNIFORM FIRE CODE

Upon motion by Councilman Mantlo, seconded by Councilman Theobold and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING THE 1988 UNIFORM FIRE CODE.

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Payne and carried by roll call vote, the Ordinance was passed and adopted, numbered 2512, and ordered published.

RESOLUTION NO. 12-91 GIVING NOTICE OF ELECTION

The following Resolution was presented and read: (See next page.)

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

RESOLUTION NO. 13-91 RENAMING OF CASA FRANCISCA AVENUE TO CARLITOS AVENUE IN THE CITY OF GRAND JUNCTION

The following Resolution was presented and read: (See next page.)

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

F.A.A. GRANT (\$787,301) - SUPPLEMENTAL COSPONSORSHIP AGREEMENT - PROJECT #3-08-0027-10 - REHABILITATE TERMINAL AND GENERAL AVIATION APRON, CONSTRUCT DE-ICING PAD AND HOLDING TANK, INSTALL TAXIWAY LIGHTING ON MAIN RUNWAY, AND INSTALL DISTANCE TO GO SIGNS ON MAIN RUNWAY

Upon motion by Councilman Nelson, seconded by Councilman Theobold and carried, the Supplemental Cosponsorship Agreement for F.A.A. Grant in the amount of \$787,301 for Project #3-08-0027-10 to Rehabilitate Terminal and General Aviation Apron, Construct De-Icing Pad and Holding Tank, Install Taxiway Lighting on Main Runway, and Install Distance to Go Signs on Main Runway, was accepted, and the Mayor, the City Manager, and the City Attorney were authorized to sign said Agreement.

RESOLUTION NO. 14-91 OF INTENT TO CREATE SANITARY SEWER IMPROVEMENT DISTRICT (SS-36-91) AND AUTHORIZING THE ENGINEER TO PREPARE DETAILS, PLANS AND SPECIFICATIONS AND GIVING NOTICE OF HEARING THEREON (LOCATED IN O'NAN SUBDIVISION, 27 ROAD AND HORIZON DRIVE)

RESOLUTION NO. 12-91

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 General Municipal Election to be held in the City April 2, 1991, and further that the same be published in accordance with election procedures:

ELECTION NOTICE

CITY OF GRAND JUNCTION, COLORADO NOTICE OF GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 2ND DAY OF APRIL, 1991

PUBLIC NOTICE IS HEREBY GIVEN THAT A GENERAL MUNICIPAL ELECTION WILL BE HELD ON TUESDAY, THE 2ND DAY OF APRIL, 1991, IN THE POLLING PLACES HEREINAFTER DESIGNATED IN THE CITY OF GRAND JUNCTION, COLORADO.

That said General 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. 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 by them furnished to the voters. The election will be held and conducted as nearly as may be as prescribed by law.

Registration of voters for the said election has taken place in the time and manner now provided by law.

Candidates are:

JAMES R. "JIM" BAUGHMAN	DISTRICT B
EARL F. PAYNE	Four-Year Term (Vote for One)
REFORD C. THEOBOLD	DISTRICT C
	Four-Year Term (Vote for One)
BILL L. BESSINGER	CITY AT LARGE
R. T. MANTLO	Four-Year Term (Vote for One)

BY ORDER OF THE CITY COUNCIL

Neva B. Lockhart, CMC

City Clerk

PASSED and ADOPTED this 20th day of March, 1991.

William E. McCurry

President of the Council

Attest:

City Clerk

RESOLUTION NO. 13-91

RENAMING OF CASA FRANCISCA AVENUE TO CARLITOS AVENUE IN THE CITY OF GRAND JUNCTION

WHEREAS, the original plat of Mantey Heights Subdivision showed a street name of Casa Francisca Avenue; and

WHEREAS, the name was unofficially changed to Carlitos Avenue; and

WHEREAS, owners of all properties addressed off of said street have petitioned for the name to be officially changed to Carlitos Avenue.

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

That Casa Francisca Avenue, located in Mantey Heights Subdivision in the City of Grand Junction be officially renamed as Carlitos Avenue.

Passed and adopted this 20th day of March, 1991.

William E. McCurry

President of the City Council

ATTEST:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 14-91

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY SANITARY SEWER IMPROVEMENT DISTRICT NO. 36-91, AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS, PLANS AND SPECIFICATIONS FOR THE SAME, AND GIVING NOTICE OF A HEARING

WHEREAS, the owners of more than one-half of the real property to be assessed have petitioned the City Council, under the provisions of Chapter 18 of the City of Grand Junction Code or Ordinances, as amended, that a Sanitary Sewer Improvement District be created within the limits hereinafter described; and

WHEREAS, the City Council has found and determined, and does hereby find and determine, that the construction of a sanitary sewer drainage system within the said described area is necessary for the health, safety and welfare of the residents of the territory to be served and would be of special benefit to the

property included within said district; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement sanitary sewer district to be known as Sanitary Sewer District No. 36-91.

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

1. That the District of lands to be assessed with the costs of the proposed sanitary sewer improvements shall be described as follows:

Lots 2 through 6 of Block 5, O'nan Subdivision; and also
Lots 1 through 3 of Block 6, O'nan Subdivision; and also
Lots 2 through 6 and Lot 13A of the First Addition to O'nan Subdivision; and also
Lot 13 of the First Addition to O'nan Subdivision, Except the North 40 feet thereof; and also
Lots 8 through 14 of Block 2, Second Addition to O'nan Subdivision; and also
Lot 1 of Block 3 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 7 through 12 of Block 3 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 1 through 9 of Block 4 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 3 and 4 of Block 7 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision,

All in the City of Grand Junction Mesa County, Colorado.

2. That the project costs to be assessed against and upon the properties within the district shall be based upon the actual engineering, administrative and construction costs, as follows: The City will pay \$2,000.00 per lot; the remaining costs, which shall include a \$750.00 plant investment fee per lot, shall be borne by the owners of the lands within the district. The City Engineer has estimated the total probable costs of the improvements to be \$162,486.00. The total assessment to each lot, together with the plan investment fee, is estimated to be \$2,917.00.

3. To all of such estimated costs there shall be added six per centum (6%) for costs of collection and other incidentals. The assessments to be levied against the property in the said District to pay the costs of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, that after the expiration of said thirty-day period, all such assessments may, at the election of the owner of the property in said District, be paid in

ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent (8%) per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such improvements; and a map of the district depicting the real property to be assessed from which the estimated amount of the assessments to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Sanitary Sewer Improvement District No. 36-91, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "NOTICE".

N O T I C E

OF INTENTION TO CREATE SANITARY SEWER IMPROVEMENT DISTRICT NO. 36-91 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Sanitary Sewer Improvement District No. 36-91 in said City for the purpose of construction and installing a sanitary sewer drainage system to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

Lots 2 through 6 of Block 5, O'nan Subdivision; and also
Lots 1 through 3 of Block 6, O'nan Subdivision; and also
Lots 2 through 6 and Lot 13A of the First Addition to O'nan Subdivision; and also
Lot 13 of the First Addition to O'nan Subdivision, Except the North 40 feet thereof; and also
Lots 8 through 14 of Block 2, Second Addition to O'nan Subdivision; and also
Lot 1 of Block 3 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 7 through 12 of Block 3 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 1 through 9 of Block 4 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision; and also
Lots 3 and 4 of Block 7 of Blocks 4 & 7 & Part of Block 3, O'nan Subdivision,

All in the City of Grand Junction Mesa County, Colorado.

The project costs to be assessed against and upon the properties within the district shall be based upon the actual engineering, administrative and construction costs, as follows: The City will pay \$2,000.00 per lot; the remaining costs, which shall include a \$750.00 plant investment fee per lot, shall be borne by the owners of the lands within the district. The City Engineer has estimated the total probable costs of the improvements to be \$162,486.00. The total assessment to each lot, together with the plant investment fee, is estimated to be \$2,917.00.

To all of such estimated costs there shall be added six per centum (6%) for costs of collection and other incidentals. The assessments to be levied against the property in the said District to pay the costs of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, that after the expiration of said thirty-day period, all such assessments may, at the election of the owner of the property in said District, be paid in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent (8%) per annum on the unpaid principal, payable annually.

On April 17, 1991, at the hour of 7:30 o'clock P.M. in the City Council Chambers in City Hall of said city, the Council will consider objections that may be made in writing concerning the proposed improvements by the owners of any real estate to be assessed or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 20th day of March, 1991.

BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO

By:

City Clerk

PASSED and ADOPTED this 20th day of March 1991.

William E. McCurry

President of the Council

Attest:

City Clerk