

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

APRIL 3, 1991

The City Council of the City of Grand Junction, Colorado, convened in regular session the 3rd day of April, 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, Reford Theobald, and President of the Council William McCurry. Councilman Conner Shepherd was absent. 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 John Bennett led in the Pledge of Allegiance.

INVOCATION - Pastor Andrew Gebbe, Orchard Community Church.

CONSIDERATION OF MINUTES

Upon motion by Councilman Mantlo, seconded by Councilman Bennett and carried, the minutes of the March 20, 1991, City Council Meeting were approved as submitted.

PROCLAMATION DECLARING APRIL 21-27, 1991, AS "VICTIMS' RIGHTS WEEK"

PROCLAMATION DECLARING APRIL 19, 1991, AS "ARBOR DAY" IN GRAND JUNCTION

PROCLAMATION DECLARING APRIL 6-14, 1991, AS "GRAND VALLEY REGIONAL HEALTH FAIR WEEK" IN GRAND JUNCTION

PROCLAMATION DECLARING APRIL 17, 1991, AS "MESA STATE COLLEGE FOUNDERS DAY" IN GRAND JUNCTION

APPOINTMENTS TO THE GRAND JUNCTION TRAFFIC SAFETY COUNCIL

Upon motion by Councilman Nelson, seconded by Councilman Payne and carried, the following individuals were appointed to the Grand Junction Traffic Safety Council:

Dr. William Findlay - 2 year term  
Bob Sundermeier - 2 year term  
Paul Martin - 1 year term  
Gregg Palmer - 2 year term  
Yuelin Willett - 2 year term  
Debbie Bumguardner - 2 year term  
Doris Barchenger - 1 year term  
Don Williams - 2 year term  
George Baker - 2 year term

CANVASSING BOARD - ELECTION RESULTS - ABSTRACT - APRIL 2, 1991, GENERAL MUNICIPAL ELECTION

Councilmembers Bennett, McCurry, and Nelson, along with Public Notaries Helen Carmack and Theresa Martinez, Municipal Court Judge Dave Palmer, served on the Canvassing Board. The City Clerk filed the report regarding her findings after review of the returns by the Judges of Election. The following Certificate of Election was filed: (See next page).

Upon motion by Councilman Nelson, seconded by Councilman Bennett and carried, the Certificate of Election was adopted, signed and prepared for filing with the Secretary of State and for publication in The Daily Sentinel.

#### CONSIDERATION OF BIDS - AWARD OF CONTRACTS

Four (4) Park Shelters, 12 Grills, and 70 Six-Foot Steel Tables - Recreation Plus - \$46,923

Sound System for Two Rivers Convention Center - Randy Loyd Enterprises - \$58,795

Upon motion by Councilman Theobald, seconded by Councilman Mantlo and carried, the bids on the above contracts were accepted, the Contracts were awarded as noted above, and the City manager was authorized to sign said Contracts.

#### HEARING - KNOCH ANNEXATION - LOCATED IN THE VICINITY OF FIRST STREET ON THE EAST, COLORADO RIVER ON THE SOUTH AND WEST, TO HALE AVENUE ON THE NORTH - RESOLUTION NO. 15-91 - PROPOSED ORDINANCE

A hearing was held after proper notice on Knoch Annexation located in the vicinity of First Street on the east, Colorado River on the south and west, to Hale Avenue on the north. There were no comments.

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

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

The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO (KNOCH ANNEXATION). Upon motion by Councilman Bennett, seconded by Councilman Mantlo and carried, the proposed ordinance was passed for publication.

#### HEARING - APPLICATION BY THE GRAND JUNCTION DOWNTOWN ASSOCIATION FOR FIVE (5) 3.2% BEER SPECIAL EVENTS PERMITS ON MAIN STREET

A hearing was held after proper notice on the application by the Grand Junction Downtown Association for the five (5) following 3.2% Beer Special Events Permits on Main Street:

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

APRIL 3, 1991

I, Neva B. Lockhart, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the General Municipal Election held in the City on Tuesday, April 2, 1991, were as follows:

	Total Ballots Cast in District A, Precinct 1	47
	Total Ballots Cast in District A, Precinct 2	119
	Total Ballots Cast in District B	389
	Total Ballots Cast in District C	262
	Total Ballots Cast in District D	466
	Total Ballots Cast in District E	256
	Total Ballots Cast Absentee	157
	TOTAL BALLOTS CAST	1,696

FOR COUNCILMAN - DISTRICT "B" - FOUR-YEAR TERM

Candi dates	Dist "A-1"	Dist "A-2"	Dist "B"	Dist "C"	Dist "D"	Dist "E"	Dist "ABS"	TOTAL
James R. "Jim" Baugh man	26	83	207	154	264	156	61	951
Earl	20	36	175	96	179	97	84	687

F. Payne								FOR COUNCILMAN - DISTRICT "C" - FOUR- YEAR TERM
Candidate	Dist "A-1"	Dist "A-2"	Dist "B"	Dist "C"	Dist "D"	Dist "E"	Dist "ABS"	TOTAL
Reford C. Theobald	31	74	254	178	299	181	124	1,141
Write -In Candidate	Dist "A-1"	Dist "A-2"	Dist "B"	Dist "C"	Dist "D"	Dist "E"	Dist "ABS"	TOTAL
Willis L. Stacey				1				1
Rich Heeley				1				1
Wane Wilcox					1			1
Sal E. Manda					1			1
Bill O'Dwyer					1			1  FOR COUNCILMAN - CITY AT LARGE - FOUR-

								YEAR TERM
Candi dates	Dist "A-1"	Dist "A-2"	Dist "B"	Dist "C"	Dist "D"	Dist "E"	Dist "ABS"	TOTAL
Bill L. Bessi nger	22	84	208	152	285	135	49	935
R. T. Mantl o	24	35	169	108	178	120	94	728
Write -In Candi date	Dist "A-1"	Dist "A-2"	Dist "B"	Dist "C"	Dist "D"	Dist "E"	Dist "ABS"	TOTAL
Bruce Jones					1			1

Certified this 3rd day of April, 1991.

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk

We, the undersigned Canvassing Board, have reviewed the results of the General Municipal Election held April 2, 1991, and do hereby conclude:

That James R. "Jim" Baughman has been duly elected as Councilman for District "B" by the greater number of votes.

That Reford C. Theobold has been duly elected as Councilman for District "C" by the greater number of votes.

That Bill L. Bessinger has been duly elected as Councilman, City at Large, by the greater number of votes.

DATED this 3rd day of April, 1991.

William E. McCurry

William E. McCurry  
Councilman, District D

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Conner W. Shepherd  
Councilman, District E

Helen G. Carmack

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Helen Carmack  
1233 N. 17th

Theresa F. Martinez

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Theresa F. Martinez  
760 Teller Avenue

Paul W. Nelson

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Paul W. Nelson  
Councilman, District A

John W. Bennett

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John W. Bennett  
Councilman, City at Large

David A. Palmer

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David A. Palmer  
Municipal Judge

RESOLUTION NO. 15-91

WHEREAS, on the 20th day of February, 1991, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following described property situate in Mesa County, Colorado, and described as follows:

All of that portion of the NE4 Section 22, T1S, R1W, Ute Meridian, Northeasterly of the Northerly bank of the Colorado River, except Lots 1 through 6, Block 1, O'Boyles Subdivision, and except, beginning at the NE Cor of Lot 1, Block 1, O'Boyles Subdivision; thence East 50 feet; thence South 125 feet; thence West 50 feet; thence North to the Point of Beginning (Knoch Annexation).

WHEREAS, a hearing on the petition was duly held after proper notice on the 3rd day of April, 1991;

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that

no land held in single ownership has been divided by the proposed annexation that no land held in identical ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent, and that no election is required under the Municipal Annexation At of 1965.

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 3rd day of April, 1991.

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President of the Council

Attest:

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City Clerk

1. April 21, 1991, from 10:00 a.m. to 10:00 p.m., for the Chili Cookoff/Farm & Ranch Days, between 5th and 6th Streets;
2. June 8, 1991, from 10:00 a.m. to 10:00 p.m., for the Arts & Crafts Fair, from 5th Street to the middle of the block between 6th and 7th Streets and 6th Street from the north alley to the south alley;
3. June 9, 1991, from 10:00 a.m. to 10:00 p.m., for the Arts & Crafts Fair, from 5th Street to the middle of the block between 6th and 7th Streets and 6th Street from the north alley to the south alley;
4. July 20, 1991, from 5:00 p.m. to 12:00 midnight, for the Stegasaurus Stomp, from 4th to 5th Street;
5. October 5, 1991, from 10:00 a.m. to 12:00 midnight, for Oktoberfest, from middle of the block between 5th and 6th Streets to the middle of the block between 6th and 7th Streets; and on 6th Street from the alley on the north to the alley on the south. Faye Timmerman, President of the Downtown Merchants Association, was present to speak for the applications. There were no opponents, letters or counterpetitions. Upon motion by Councilman Bennett, seconded by Councilman Nelson and carried, the above application for five (5) 3.2% Beer Special Events Permits was approved.

HEARING - APPLICATION BY LATIN ANGLO ALLIANCE FOR A 3.2% BEER SPECIAL EVENTS PERMIT ON MAIN STREET IN THE 500 AND 600 BLOCKS MAY

4, 1991, FOR THE ANNUAL CINCO DE MAYO CELEBRATION

A hearing was held after proper notice on the application by Latin Anglo Alliance for a 3.2% Beer Special Events Permit on Main Street in the 500 and 600 blocks on May 4, 1991, from 10:00 a.m. to 12:00 midnight, for the annual Cinco de Mayo Celebration. Mario Loyd was present to speak for this application. There were no opponents, letters or counterpetitions. Upon motion by Councilman Mantlo, seconded by Councilman Payne and carried, the application was approved.

#### 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 to the City Council prior to the meeting.

ORDINANCE NO. 2506 - ESTABLISHING A PROGRAM TO IDENTIFY AREAS OF THE CITY THAT HAVE DEFICIENT FIRE PROTECTION AND MEANS AND METHODS TO UPGRADE EXISTING FIRE FIGHTING CAPABILITIES - CONTINUED TO JUNE 5, 1991, CITY COUNCIL MEETING

City Attorney Dan Wilson recommended this item be continued for further discussions with Ute Water Conservation Company. Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, this item was continued to June 5, 1991, City Council Meeting.

ORDINANCE NO. 2513 - 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

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

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 2513, and ordered published.

ORDINANCE NO. 2514 - AMENDING CHAPTER 28, SECTION 28-3.5 SUBSECTION 20-19 OF THE CODE OF ORDINANCES AND THE MODEL TRAFFIC CODE OF THE CITY OF GRAND JUNCTION, COLORADO

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



Thee were no comments. Upon motion by Councilman Mantlo, seconded by Councilman Payne and carried by roll call vote, the Ordinance was passed and adopted, numbered 2514, and ordered published.

#### CITY COUNCIL RETREAT

City Manager Mark Achen reminded Council of the upcoming City Council Retreat to be held on April 19, 20 and 21.

#### TIARA RADO GOLF CLUBHOUSE CONCESSIONAIRE AGREEMENT

Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried with Councilmembers BENNETT and PAYNE voting NO, the Tiara Rado Golf Clubhouse Concessionaire Agreement was approved, and the City Manager was authorized to sign said Agreement.

#### ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk