

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

DECEMBER 18, 1991

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of December, 1991, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, John Bennett, Bill Bessinger, Bill McCurry, Paul Nelson, Reford Theobald, and President of the Council Conner Shepherd. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President Shepherd called the meeting to order and Councilman Theobald led in the Pledge of Allegiance. The audience remained standing during the invocation by Pastor James Pierce, Vineyards Christian Fellowship of Grand Junction.

PROCLAMATIONS/RECOGNITIONS

PRESENTATION OF APPRECIATION PLAQUE TO JOHN PATTERSON FOR OVER TWO YEARS OF SERVICE ON THE GRAND JUNCTION COMMISSION OF ARTS AND CULTURE

PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET AWARD FOR THE CITY'S 1991 ANNUAL BUDGET DOCUMENT AND RECOGNITION OF THOSE INDIVIDUALS MOST RESPONSIBLE FOR ITS ATTAINMENT TO LANNY PAULSON

SERVICE TERRITORY AGREEMENT BETWEEN PUBLIC SERVICE COMPANY AND THE GRAND VALLEY RURAL POWER COMPANY

Jim Fleming and Doug Lockhart of Public Service Company appeared before Council to brief it on the Service Territory Agreement between Public Service Company and Grand Valley Rural Power. Jack Broughton of Grand Valley Rural Power was also present. Mr. Lockhart explained that as a result of the Colorado Ute bankruptcy proceedings a lot of things have or will be changing in terms of power generation and transmission in Western Colorado. Part of what happened out of the Colorado Ute Agreement is that the Public Service Company will take approximately half of the generational transmission assets and Tri State Generation and Transmission Company will take approximately half of those assets. The customers of Colorado Ute were fourteen (14) Rural Electric Cooperatives located primarily on the Western Slope with a little bit over on the East Slope of Colorado. As a result of the negotiations and settlement of the bankruptcy process that is still underway but moving ahead rapidly, the change will take place to the Rural Cooperatives and to their wholesale power supply areas. All the Cooperatives will remain the same in the way they do business and Mr. Lockhart's part of Public Service and distribution to its customers stays the same, but Public Service Company becomes a wholesale supplier to some new customers as does Tri State. The way the settlement broke out, four of the Rural

Electrics will become wholesale customers of Public Service by their choice and ten will stay with Tri State. The four that came with Public Service Company account for about fifty percent of the power sales that were coming out of Colorado Ute. The four Rural Electrics were Grand Valley Rural Power, Holy Cross up in Garfield and Eagle Counties, Yampa Valley in the Steamboat/Craig area, and Intermountain REA which is primarily in and around Denver on the front range. As a result of this new relationship, Mr. Lockhart said they need to begin doing some things differently. In particular with Grand Valley, one of the conditions that they needed and rightfully so as they became Public Service's customer was with the historic agreement known as the Grand Valley - Public Service Company Annexation Agreement. That allowed Public Service to serve primarily in the City, and Grand Valley served primarily in the rural areas. As the City of Grand Junction annexed areas into the City, Public Service was allowed to serve those customers. While that agreement worked fairly well during the those years, it became apparent during the 1980's that there were some overlapping areas. What the Colorado Ute Agreement has done is Grand Valley becomes a wholesale customer. That being a portion of Public Service Company's business, both companies can enjoy the growth in the Grand Valley area, both companies can exist and do that on a compatible basis, still offering some competition within the area, but certainly a much better playing ground for much better economics or the people to be served by both companies. It allows in particular Grand Valley to do better long-range planning. He noted the difficulty in making big investments and not knowing whether or not they would lose those investments. They have been able to come to an agreement with Grand Valley rather expeditiously that will allow fixed boundaries for the companies into the future. There are some adjustments in those boundaries. Mr. Lockhart indicated that all the court proceedings and other details with respect to Colorado Ute should be accomplished during the first quarter of 1992.

Mr. Jack Broughton of the Grand Valley Rural Power Lines outlined the benefits to the users of the utilities and reviewed the map showing the territorial boundaries that they believe will enhance the development of the Grand Junction area. He said that Grand Valley is looking forward to being a partner and participating in the development of the area.

Councilman Paul Nelson expressed appreciation to Mr. Lockhart and Mr. Broughton for agreeing to stay out of court and working out this agreement for the benefit of the consumers. Councilman Theobald also expressed appreciation for this resolution of a difficult situation.

#### PURDY MESA LIFESTOCK WATER COMPANY

Mr. Bud Bradbury, representing the Purdy Mesa Lifestock Water Company, appeared before Council to restate their request to purchase five (5) acres of City owned land on which to locate a water treatment plant to serve to Company. He felt they were not

making any progress in obtaining the five acres. He requested assistance tonight to the satisfaction of the Staff so they can proceed with the design and letting the contract for installation of the pipeline. They have their annual meeting in January and they would like to have an answer to present to their stockholders. He stated they would like five acres rather than the three and six-tenths acres. Bob Colburn of Whitewater said they know the size of the plant; the problem is they may need an area where they can provide some pretreatment of the water in the spring during high turbidity. Whether it requires a settling pond, settling cubes, roughing filter which may be 150 feet long--they just do not know, and that is the reason for five acres.

Greg Trainor, Public Works Department, reviewed the history of the Company and Staff's efforts during the last few months to accommodate the Company regarding the purchase of the property. Mr. Trainor said that the dimensions of the property were those given by Mr. Colburn.

City Manager Achen said that since the acreage was not an issue, he would recommend that Mr. Bradbury and Mr. Colburn contact City Staff tomorrow morning to work out the details for this purchase.

LIFESTAR AMBULANCE

Bill Collins, President/Paramedic of LifeStar Ambulance, appeared before Council and filed a report regarding LifeStar's objectives to improve and maintain a professional level of pre-hospital paramedic care and to improve its business stance in the market. He submitted an outline on how they expect to achieve those goals.

MINUTES

Upon motion by Councilman Bessinger, seconded by Councilman Nelson and carried by unanimous vote, the Minutes of the regular meeting December 4, 1991, were approved as submitted.

AWARD CONTRACT - purchase of 770 L.F. of 36-inch reinforced concrete pipe for the Buthorn Drain Project

Bids were opened December 6, 1991, for the purchase of 500 linear feet of 36-inch reinforced pipe, class II, with bell and spigot joints and rubber o-rings, and 270 linear feet of 36-inch reinforced concrete pipe with joints and rings and beveled for a pipe center line radius of 328 feet. One bid was received from sole source supplier:

	36" Concrete Pipe	36" Pipe Beveled
	(500 linear feet)	(270 linear feet)

G.J. Pipe & Supply Co.:	\$15,125.00	\$9,855.00

Total \$24,980.00

Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried by unanimous vote, the award of the contract was approved.

CONTRACT FOR PURCHASE OF FOUR (4) LOW TO MID-VOLUME PHOTOCOPIERS

Bids were opened November 22, 1991, for the purchase of four (4) low to mid-volume photocopiers--two copiers are to be located at City Hall, one at Fire Station No. 1 and one at the Parks Administration Building. Low bids were submitted by Capital Business Systems for three photocopiers and Unilink, Inc., for one photocopier for a total expenditure of \$20,610.00.

Ron Lappi, Administrative Services Director, stated that the Purchasing Agent recommended that the City Council award the contract for the purchase of these machines as outlined above. Councilman Nelson referred to the expression on Monday night at the workshop by a couple of the departments of a preference for the Ricoh machines. Mr. Lappi said that the Parks Department Staff and the Fire Department Staff were permitted to try both machines and did express a preference for the Ricoh machines, however the recommendation is still that Council accept the low bid for three Lanier and on Ricoh.

Fire Chief Mike Thompson said that the Staff did have an opportunity to observe both machines, and based on the recommendation and what they had observed they felt that the Ricoh machine was a better machine for their office environment. It appeared to the Staff that with the Lanier there were a lot more plastic parts than on the Ricoh and that was a consideration as far as longevity. One of the other problems they had with the Lanier it was lower having to stoop down and get some of the materials out. Also, in order to clear a paper jam in the machine you have to lift up the clam shell type of a lid on the Lanier and in order to get at the paper jam, the sorter presents a problem. Lanier did tell them that the sorter moves out away from the machine about a foot and a half. Again, that presents a problem for the Department because they presently have the copiers located in a small corner where the sorter butts up against a wall. There is not a lot of room for it to move around in. One would literally have to roll the machine out to do that.

Upon motion by Councilman Nelson, seconded by Councilman Bessinger, the three Ricohs and one Lanier was authorized; one Ricoh for City Hall, one for the Fire Department, and one for the Parks Department, with the Lanier for the Planning Department.

Councilman Bessinger suggested that, because of the maintenance, it might be best to get 4 Ricohs.

Terry Miller, 516 30 1/2 Road, was present representing Capital Investments, Lanier. Mr. Miller stated that this was a sealed competitive bid discussed with the purchaser prior to the bid, at the bid opening and after the bid opening, and that the award would be given to the lowest responsive and responsible bidder. Mr. Miller said that as stated by the Purchasing Department, they are the lowest responsive and responsible bidder. He reviewed the qualifications of the equipment. He questioned what the purpose for a sealed bid is if they submit competitive sealed bids and then the low bidders are thrown out.

Councilman Bessinger commented that the people who are going to use the equipment should have a say in the purchase. Councilman Baughman said that perhaps in private industry that might apply, but he felt that as a representative of the people he needs to look out for the taxpayers. If the gentleman has a copier that has been put out for bid and the Purchasing Agent feels that it will meet specifications and he is low bidder Councilman Baughman would ten to go with it.

The City Attorney said that he had not seen the bid documents. His concern was that if, in fact, they have relied in the effort of preparing the documents and if the Council deemed them to be responsive and responsible the City is obligated to accept the low bidder unless a valid reason were found.

Councilman Theobald tended to agree with Councilman Bessinger on the one hand that the people who are going to use the equipment should be comfortable with it, but there is also a human nature reaction that they are familiar with one and unfamiliar with the other one so there is a tendency to say we like this one because we are used to it and this new one is going to create problems we don't know about.

President Shepherd noted that the time for input is before the bid.

Upon vote, Councilman BESSINGER voted AYE. Councilmembers NELSON, BAUGHMAN, BENNETT, THEOBOLD, MCCURRY, and SHEPHERD voted NO.

Upon motion by Councilman Theobald, seconded by Councilman Baughman and carried with Councilman BESSINGER voting NO, the award of contract was to purchase three (3) Lanier photocopiers and one (1) Ricoh as recommended by the Purchasing Department.

HEARING - RESOLUTION NO. 90-91 - PROPOSED ORDINANCE - INTERSTATE EAST ANNEXATION

Advertised for hearing in this date was Interstate East Annexation containing approximately 35 acres located north of G Road and lying east and west of 23 1/2 Road. The public hearing was opened.

Bennett Boeschstein, Community Development Director, stated the file was complete.

John Lucas, representative of the Ochs Brothers of Colorado Springs, said the Ochs Brothers have requested some information regarding this annexation concerning zoning and other issues, and they wish to reserve the right to protest at the second reading after they have received the information. He stated that the City is aware the information has been requested.

There were no other opponents, letters, or counterpetitions. The hearing was closed.

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried by roll call vote, Resolution No. 90-91 to annex by ordinance was passed and adopted. (See next page.)

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried, the proposed ordinance was passed for publication.

HEARING - RESOLUTION NO. 91-91 - PROPOSED ORDINANCE - GRAND JUNCTION WEST ANNEXATION

Advertised for hearing on this date was Grand Junction West Annexation containing one-half plus square mile located between 22 Road and 23 1/4 Road, south of I-70, and north of U.S. Highway 6 & 50. The hearing was opened. Bennett Boeschstein, Community Development Director, stated that he counted some 25 powers of attorney for this annexation, and it meets the criteria for annexation. Councilman Bennett questioned whether the agreement for the rebonding of this sewer system was in place and that the agreement requires that the agreement is in place. City Attorney Wilson stated that the agreement is in place and that the agreement requires that the District be dissolved and in return the City guarantees the reissuance of the bonds. The one issue that has not yet been resolved is whether or not the City Council will be the District Board of Directors hereafter or whether the Board will stay in place for an unknown

RESOLUTION NO. 90-91

WHEREAS, on the 6th day of November, 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:

The S 1/2 NW 1/4 SE 1/4 Section 32 T1N R1W except the N 1/2 SW 1/4 NW 1/4 SE 1/4 said section 32; and

Beginning S 0 deg. 01 min. 27 sec. W 660.11 feet from the Center of section 32 T1N R1W thence S 0 deg. 01 min. 27 sec. W 462.02 feet thence S 89 deg. 55 min. 32 sec. W 659.72 feet thence S 0 deg. 00 min. 31 sec. W 198.09 feet thence S 89 deg. 55 min. 32 sec. W 659.67 feet thence N 0 deg. 00 min. 26 sec. E 660.15 feet

thence N 89 deg. 55 min. 44 sec. E 1319.70 feet to beginning; and

Lots 4, 5, and 6, Block 3, Interstate Commercial Park Subdivision, (INTERSTATE EAST ANNEXATION) CONTAINING APPROXIMATELY 35 ACRES LOCATED NORTH OF G ROAD LYING EAST AND WEST OF 23-1/2 ROAD.

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of December, 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 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 a 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 Act 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 18th day of December, 1991.

Attest:

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President of the Council

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City Clerk

period of time. Mr. Wilson has talked with Mr. Keith Mumby who has been in contact with some of the individuals in this area to convey that Staff recommendation is that this issue should be resolved in favor of the Council being the Board. Initially, the Board felt some concern because they have traditionally had a mix of mill levy and stand-by fees to make up their revenue stream, and Mr. Wilson felt they were somewhat uncomfortable giving up that mix because they have both local property owners and out-of-state property owners. The City has said in response "give us the formula that you want the Council to abide by and we'll take it to Council and see if Council is comfortable." They have shown the formula but there is still some reluctance and that is the issue Mr. Mumby is discussing with the Board. Mr. Wilson expects an

answer in about a week or so. He restated that the City's guarantee is contingent on dissolution.

Councilman Baughman read a letter from his uncle, Jack Keithley, 2264 G Road, who is a property owner in this area proposed for annexation. In summary, Mr. Keithley opposed annexation; if the area is voted into the City, he would like to see Larry Beckner and his Board members stay in control of Grand Junction West Water and Sanitation District; he would like a letter from the City Attorney or his office confirming that he would be "Grandfather cloused" on what he has on his property and not have to put up a fence or remove the equipment. Councilman Baughman noted that Mr. Keithley is a collector of antique tractors and farm equipment and his hope is to have a museum at some time for younger children to see what the equipment was like when Mr. Keithley grew up on the farm.

City Attorney Wilson's recollection was the during the Gormley Annexation at First and Patterson there were two questions that came up: animals, and Planning Staff was going to talk to individuals who owned and in fact grandfather in the kinds of animal uses so that there was no question that as the City grew up around them those uses could continue indefinitely as long as they were maintained. His recollection of the Council discussion was that it do a distinction, however, for vehicles that were not currently operable because they technically violate an ordinance and they are deemed to be a public nuisance by the operation of the ordinance. The distinction is that if it is a motor vehicle the current rules require either that you cover it and he thought that was the concern about the fence or not visible from the public from the public right-of-way. One of the tests is, is it operable, can you get in it and turn it on and run it. He explained to Councilman Baughman that he would look at it and he would be happy to talk with his uncle, but he did not want Councilman Baughman to believe that . . . at this point, Mr. Wilson thinks that this use may not be allowed to be grandfathered under the current ordinances. There may need to be further discussion as to whether the Council is comfortable with that kind of a perspective or whether it wants to change the ordinance.

Councilman Theobald questioned whether there was a distinction in the ordinance between residentially zoned and commercially or industrially zoned. He commented that having that kind of equipment around is going to be quite frequent.

There were no others in the audience who indicated a desire to speak, no other letters, and no counterpetitions. The hearing was closed.

It was moved by Councilman Bennett to adopt Resolution No. 91-91 to annex by ordinance with one change: the District must be dissolved before it is brought in. The City Attorney explained that the agreement, in fact, says that the District must be dissolved before the guarantee is in place, but in order to get to

that stage, the City has agreed to annex and to zone and to show good faith so they know what package they are getting and they agreed to dissolve. When those two things happen, the guarantee will be in place. The motion failed for lack of a second.

Councilman Nelson and Councilman Baughman disclosed they have relatives who live inside this annexation. Councilman Nelson's father lives in the area and his boss may be a member of the Board. The City Attorney advised that they should publicly disclose but unless the Council members would be fiscally impacted, normally he would say no and treat is as any other citizen in the area. But it is really a judgment call each Councilmember can make depending on how the Councilmember really feels about it.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote with Councilman BAUGHMAN voting NO, Resolution No. 91-91 was adopted and approved. (See next page.)

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried with Councilman BAUGHMAN voting NO, the proposed ordinance was passed for publication.

HEARING - RESOLUTION NO. 92-91 - PROPOSED ORDINANCE - PERSIGO ANNEXATION NO. 2

This was the date advertised for hearing on Persigo Annexation No. 2 containing one-half plus square mile located between 21 1/2 Road to 22 Road, and from I-70 to H Road. The hearing was opened. Bennett Boeschstein, Community Development Director, reviewed the area and noted there are powers of attorney on the majority of it that go back about ten years. There was no one in the audience to speak for or against the annexation, no letters of opposition were filed, and there were no counterpetitions. The hearing was closed.

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote with Councilman BAUGHMAN voting NO, Resolution No. 92-92 was adopted and approved. (See next page.)

RESOLUTION NO. 91-91

WHEREAS, on the 6th day of November, 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:

The Northerly one foot of the southerly three feet of public right-of-way of Interstate 70 extending from the West right-of-way line of 24 Road to a point 38 feet east of the West section line of section 32 T1N R1W and the southerly 3 feet of public right-of-way of Interstate 70 from a point 38 ft. east of the west section line of section 32 T1N R1W to the NE Corner Lot 6 Sellers Sub

Replat #1, Section 31 T1N R1W and that part of the N 1/2 said section 31 lying south of the I-70 right-of-way; and

The west 38 feet of section 32 T1N R1W lying between the South right-of-way line of Interstate 70 and the North right-of-way line of G Road; and

All of the SE 1/4 Section 31 T1N R1W; and

All of the SW 1/4 Section 31 T1N R1W lying northeasterly of U.S. Highway 6 & 50, except right-of-way for Interstate 70; and

Lots 1, 2, and 3 of the replat of Lot 18 Smith & Bailey's Riverside Sub, Section 6, T1S R1W including all right-of-way for G Road abutting said lots; and

That part of Lots 16 and 17, Smith & Bailey's Riverside Sub Section 6, T1S R1W lying west of the Independent Ranchman's Ditch and North of U.S. Highway 6 & 50; and

Beginning at the intersection of the northerly right-of-way line of U.S. Highway 6 & 50 and the west line of the NE 1/4 NE 1/4 Section 6 T1S R1W, thence S 56 deg. 44 min. 04 sec. E 419.54 feet thence N 33 deg. 40 min. 59 sec. W 632.52 feet thence South 296.20 feet to beginning; and

All of Midwest Commercial Subdivision Section 6 T1S R1W including all public right-of-way for G Road adjacent to said subdivision; and

Lot Two Grand Park Plaza Subdivision Section 32 T1N R1W; and

Lots 1-5 of Monument View Commercial Park Subdivision, including all public right-of-way for G Road and 23 Road adjacent to said subdivision. (GRAND JUNCTION WEST ANNEXATION) CONTAINING ONE-HALF PLUS SQUARE MILE LOCATED BETWEEN 22 TO 23-1/4 ROAD, SOUTH OF I-70, AND NORTH OF U.S. HIGHWAY 6 & 50.

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of December, 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 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 Act 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 18th day of December, 1991.

Attest:

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President of the Council

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City Clerk

RESOLUTION NO. 92-91

WHEREAS, on the 6th day of November, 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:

The North one foot of the south 4 feet of public right-of-way of Interstate 70 from the West right-of-way line of 24 Road to the east line, extended, of Lot 6 Sellers Sub Replat No. 1; and

All of the public right-of-way of I-70 lying in the SW 1/4 Section 31 T1N R1W; and

All of the NE 1/4 Section 36 T1N R2W except the North 30 feet; and

All of the NE 1/4 NW 1/4 Section 36 T1N R2W lying southeasterly of a right-of-way for Prichard Wash recorded in B229 P27 and B230 P12 of the Mesa County Clerk and Recorder; and

All of the SE 1/4 NW 1/4 and NE 1/4 SW 1/4 and NW 1/4 SE 1/4 Section 36 T1N R2W lying North of I-70 right-of-way; and

The NE 1/4 SE 1/4 Section 36 T1N R2W except that portion platted as Railhead Industrial Park Amended; and

All of the SW 1/4 SE 1/4 and SE 1/4 Sw 1/4 Section 36 T1N R2W lying North of the I-70 right-of-way. (PERSIGO, NO. 2 ANNEXATION) CONTAINING ONE-HALF PLUS SQUARE MILE, LOCATED BETWEEN 21-1/2 ROAD TO 22 ROAD, FROM I-70 TO H ROAD.

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of December, 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 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 Act of 1965.

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President of the Council

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City Clerk

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried with Councilman BAUGHMAN voting NO, the proposed ordinance was passed for publication.

PUBLIC HEARING ON ORDINANCE NO. 2551 - REPEALING AND REENACTING CHAPTER 24, CODE OF ORDINANCES, SALES AND USE TAX (AS AMENDED) TO BE PUBLISHED IN PAMPHLET FORM

The public hearing was opened. Adoption of this ordinance will enact the changes and clarifications recommended by Colorado Municipal League, resulting from its negotiations with the Colorado Association of Commerce and Industry (CACI), as well as other housekeeping and substantive amendments. Ron Lappi, Administrative Services Director, pointed out the one changes as instructed at Monday night's workshop and that was the language changing the application of tax on building materials and on page 19 Section 14 in the middle of the paragraph the change "may elect to be subject to the estimated percentage basis" and in paragraph (2) of Section 14 a modification as a follow-up to that.

Mr. Bernie Buescher, West Star Aviation, appeared before the

Council and submitted that there is a bit of a controversy right now over this issue. He quoted the statute that says "that fuel used in internal combustion engines is exempt from sales tax." His position was that jet engines are internal combustion engines. His concern was that substantive legislation is being passed which has been presented as technical clarification. He believed the substantive changes need to be discussed not only in the area of jet fuel, but in other areas. With regard to the jet fuel, he pointed out that airport financing is carefully crafted in Grand Junction and in the State of Colorado to provide funding for airports. Currently, there is a four cent or a six cent per gallon fee tacked onto fuel. Those funds are paid to the State Aviation Commission and then all but nine-tenths of one cent are rebated to the local airport authority. He submitted that is very akin to a sales tax. He noted that this is very price sensitive market. They checked with other areas of the State and generally they found that local sales taxes are not applied to jet fuel. There were some cases where State sales taxes are applied. If this is applied to jet fuel consumed in airlines, it will simply change where they purchase fuel. He requested that the City Council really consider this. Before this is passed, he recommended Council look at the economic impact to Grand Junction. The hearing was closed.

Upon motion by Councilman McCurry, seconded by Councilman Baughman and carried, the ordinance was tabled for further discussion. Mr. Buescher suggested that it would be very useful to have the CPAs of Grand Junction involved in the discussion.

The President declared a five-minute recess. Upon reconvening, all Council members were present.

WESTERN COLORADO BUREAU OF ECONOMIC AND BUSINESS RESEARCH -  
AUTHORIZATION TO EXPEND \$5,000 FROM 1991 BUDGET AND \$15,000 FROM  
1992 BUDGET

City Manager Achen reviewed previous discussions by Council in the appropriate level of the City's participation in the Bureau's efforts. Budget discussion resulted in Council saying well we've put \$3,000 into it already, before we commit anything else let's hear what the actual work plan and product and services are likely to be so we can make better judgment of whether we think this is something that will serve City needs sufficiently for us to contribute at the level we had initially discussed which was \$15,000 per year. Mr. Achen said that the School District has formally approved its participation as a member of the Board of Directors contribution \$7,000 for the year and also may actually purchase the software that the Bureau would use to help take advantage of automation of census data to break it down to localized information.

Tom Ralser, Director of Western Colorado Bureau of Economic and Business Research, submitted a description of the Bureau and its overall mission. He outlined the basic roles for the WCBEBR. Following is the WCBEBR Work Plan:

"Using the initial funding accessibility date as the starting date:

60 days

Begin monthly publishing primary data.

2nd qtr.

Incorporate state and national data into monthly document.

3rd qtr.

Incorporate special projects into monthly document::

1. local price index
2. gross area product
3. leading/coincident/lagging indicators

4th qtr.

Publish annual review and preview of economy.

2nd yr.

Be available for special projects, including private sector research.

The above plan assumes the monthly reporting system can be substantially streamlined through the use of the mail and fax machines.

As with any modeling or forecasting, the data may not prove useful enough to comfortably predict future trends or levels.

Proprietary models, relationships, and equations will inevitably be generated by the WCBEER. These items will serve to increase the value of the WCBEER to the private sector.

Geographic based information is a primary concern of several funding partners, and the WCBEER will incorporate this whenever possible."

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried, Staff was authorized to expend \$5,000 for 1991, and \$15,000 for calendar year 1992, with the understanding that the City's commitment over the three years is \$45,000.

SUPLIZIO FIELD - CONSTRUCTION OF FINAL SECTION OF PERMANENT SEATS ADJACENT TO THE THIRD BASE LINE - \$50,000

Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried, the City Manager was authorized to expedite the project by signing the contracts for the construction of the final section of the permanent seats adjacent to the third base line with the caveat that the City's exposure not exceed \$50,000. The proposal is to accept donated services, material, and labor without a formal bid process. The contractor is Western Slope Iron and L. J. Lindauer is the construction engineer.

ORDINANCE NO. 2552 - DRYCHESTER RETAIL II, INC., ANNEXATIONS NO. 1, 2, 3, 4, 5

Drychester Retail II, Inc., Annexations No. 1 through 5, contains approximately 32.30 acres located at the northwest corner of 29 1/2 Road and North Avenue. Upon motion by Councilman Theobold, seconded by Councilman Bessinger and carried by roll call vote with Councilman BAUGHMAN voting NO, Ordinance No. 2552 was passed and adopted.

ORDINANCE NO. 2553 - 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, 1992, AND ENDING DECEMBER 31, 1992 AS AMENDED

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2553 was passed and adopted.

RESOLUTION NO. 93-91 - ADOPTING THE 1992 BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATION)

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 93-91 was passed and adopted as amended by instruction the City Staff to respond back to the County with respect to the administrative charges and in response to the question about the lawsuit (brought by special districts) the City requests that the County pay fifty percent of the costs of this and wait before making the judgement on whether or not the Sewer Fund pays. (See next page for Resolution No. 93-91).

PROPOSED ORDINANCE - AMENDING CHAPTER 14, CODE OF ORDINANCES, SETTING SANITATION RATES FOR 1992

These increases are necessary to cover operating expense increases in 1991 and 1992 such as landfill fees, equipment rent, and personnel. This rate increase is also necessary to maintain a positive fund balance in the sanitation fund. Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the proposed ordinance was passed for publication.

PROPOSED AMBULANCE ORDINANCE ADOPTING BY REFERENCE THE MANUAL OF OPERATIONS FOR AMBULANCE SERVICES - TABLED AND REFERRED TO THE QUALITY OF LIFE COMMITTEE

The proposed Ambulance Ordinance provides for and refers to a Manual of Operations for Ambulance Service Providers. The Manual of Operations for Ambulance Services establishes minimum guidelines for the operations of ambulances within the City in conformance with the regulations contained in the proposed ordinance.

There was discussion regarding this proposal. The City Attorney recommended the Council not take any action this evening in order to allow resolution of some of the minor issues and some of the more significant legal issues before considering the proposed ordinance.

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried, the proposal was tabled until the City Attorney has reviewed the legal aspects so the City is protected and also to give the Quality of Life Committee an opportunity to review and make recommendations on the dispatch fee issue.

Mr. Bill Collins, LifeStar Ambulance, stated that the operations manual is the crux of the package. It really defines what the ordinance means. Of concern to Mr. Collins was the stipulation of regulating his rates. Another area of concern was the insurance requirements. The third and final issue that Mr. Collins defined as a critical issue was the dispatch fee of approximately \$1,500 per month. It was recommended that Mr. Collins be prepared to present an alternative to the Quality of Life Committee.

#### STAFF RECOMMENDATIONS REGARDING THE RIDGES MAJORITY ANNEXATION

Bennett Boeschstein, Community Development Director, distributed  
RESOLUTION NO. 93-91

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR THE PURPOSE OF DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1992.

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 and expenses for conducting the affairs thereof for the fiscal year ending December 31, 1992; and

WHEREAS, after full and final consideration of the budget estimates, 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, 1992, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget for defraying the expenses of and liabilities against the City of Grand Junction, Colorado for the fiscal year ending December 31, 1992.

ADOPTED AND APPROVED THIS 18TH DAY OF DECEMBER, 1991

ATTEST:

Neva B. Lockhart, CMC

\_\_\_\_\_  
City Clerk

APPROVED:

NAME

\_\_\_\_\_  
President of the Council

CITY OF GRAND JUNCTION 1992 CLASSIFICATION & COMPENSATION SCHEDULE

		BUDG ETED							
		POSI TION S	CLAS SIFI CATION	RANG E	ENTR Y	INTE R I	INTE R II	INTE R III	PROF ICIE NT
2	2	2	Conv enti on Cent er Work er	5	\$1,3 41				\$1,5 42
1	1	1	Admi nist rati ve Cler k I	6	\$1,3 75				\$1,5 81
2	3	3	Admi nist rati ve Cler k II	10	\$1,5 17				\$1,7 45
0	0	1	VCB Serv ices Cler k	10	\$1,5 17				\$1,7 45

12	12	12	Accounting Clerk	14	\$1,675				\$1,926
8	9	10	Administrative Secretary	14	\$1,675				\$1,926
8	8	8	Police Records Technician	14	\$1,675				\$1,926
1	1	1	Stores Clerk	14	\$1,675				\$1,926
2	2	2	Cemetery Groundskeeper	15	\$1,717				\$1,974
12	12	15	Public Safety Telecommunicator	16	\$1,760	\$1,848			\$2,024
0	0	0	Wastewater Treatment Plant Operator	16	\$1,760				\$2,024

			I						
2	2	2	Computer Operator	18	\$1,849				\$2,126
1	1	1	Deputy City Clerk	18	\$1,849				\$2,126
1	1	1	Print Shop Operator	18	\$1,849	\$1,933			\$2,126
6	7	7	Senior Administrative Secretary	18	\$1,849				\$2,126
1	1	1	Cemetery Maintenance Worker	19	\$1,895				\$2,179
1	2	2	Golf Course Maintenance Worker	19	\$1,895				\$2,179
1	1	1	Parking Control Officer	19	\$1,895				\$2,179
1	1	1	Park	19	\$1,8				\$2,1

			ing Mete r Serv ice Tech nici an		95				79
4	4	4	Park Main tena nce Work er	19	\$1,8 95				\$2,1 79
21	21	22	Publ ic Work s Main tena nce Work er	19	\$1,8 95				\$2,1 79
10	10	10	Sani tati on Equi pmen t Oper ator	19	\$1,8 95				\$2,1 79
0	0	1	Code Enfo rcem ent Offi cer	20	\$1,9 42				\$2,2 34
0	0	1	Comm unit y Serv ices Offi cer	20	\$1,9 42				\$2,2 34
0	0	1	Engi neer ing	20	\$1,9 42				\$2,2 34

			Aide						
1	1	1	Evidence Custodian	20	\$1,942				\$2,234
1	1	1	PC Maintenance Technician	20	\$1,942				\$2,234
4	4	4	Forestry Maintenance Worker	21	\$1,991				\$2,290
1	1	1	Senior Meter Reader	21	\$1,991				\$2,290
3	3	3	Senior Sanitation Equipment Operator	21	\$1,991				\$2,290
2	2	2	Stationary Equipment Operator	21	\$1,991				\$2,290
2	2	2	Street Swee	21	\$1,991				\$2,290

			per Oper ator						
1	1	1	Util ity Loca tor	21	\$1,9 91				\$2,2 90
3	3	3	Comm unic atio ns Shif t Supe rvis or	22	\$2,1 33				\$2,3 47
1	1	1	Exec utiv e Secr etar y	22	\$2,0 41				\$2,3 47
0	1	0	Plan ning Tech nici an I	22	\$2,0 41				\$2,3 47
5	4	4	Mech anic II	23	\$2,0 92				\$2,4 05
2	2	2	Park s Equi pment Mech anic	23	\$2,0 92				\$2,4 05
5	5	5	Plan t Mech anic	23	\$2,0 92				\$2,4 05
3	2	2	Seni or Golf Cour se	23	\$2,0 92				\$2,4 05

			Main tena nce Work er						
5	5	5	Seni or Park s Main tena nce Work er	23	\$2,0 92				\$2,4 05
20	20	20	Seni or Publ ic Work s Main tena nce Work er	23	\$2,0 92				\$2,4 05
1	1	1	Budg et Aide	24	\$2,1 44				\$2,4 66
2	2	2	Engi neer ing Tech nici an	24	\$2,1 44				\$2,4 66
1	1	1	Eng. Tech /Rea lty Spec iali st	24	\$2,1 44				\$2,4 66
1	1	1	Grou p Sale s Mana ger, VCB	24	\$2,1 44				\$2,4 66

1	0	1	Plan ning Tech nici an II	24	\$2,1 44				\$2,4 66
1	1	1	Poli ce Crim e Lab Tech nici an	24	\$2,1 44				\$2,4 66
1	1	1	Poli ce Tech nici an	24	\$2,1 44				\$2,4 66
1	1	1	Wast ewat er Trea tmen t Plan t Oper ator III	24	\$2,1 44				\$2,4 66
21	21	21	Fire figh ter	25	\$2,0 22	\$2,1 23	\$2,2 49		\$2,5 27
					EMT- B---	25.2 7			
1	1	1	Ceme tery Main tena nce Crew Chie f	27	\$2,3 09				\$2,6 55
1	1	1	Chef	27	\$2,3 09				\$2,6 55

0	1	1	City Auditor	27	\$2,309				\$2,655
1	1	1	Golf Course Maintenance Crew Chief	27	\$2,309				\$2,655
1	1	1	Senior Mechanic	27	\$2,309				\$2,655
2	2	2	Quality Control Laboratory Analyst	28	\$2,367				\$2,722
1	1	1	Senior Engineering Technician	28	\$2,367				\$2,722
1	1	1	Survey Technician	28	\$2,367				\$2,722
6	6	6	Wastewater Treatment Plant Operator	28	\$2,367				\$2,722

			IV						
4	4	4	Water Treatment Plant Operator IV	28	\$2,367				\$2,722
12	12	12	Fire Engineer	29	\$2,726				\$2,790
5	5	5	Firefighter/Paramedic	29	\$2,232	\$2,371	\$2,511		\$2,790
46	46	49	Police Officer	29	\$2,300	\$2,415	\$2,536		\$2,790
1	1	0	Accountant	29	\$2,426				\$2,790
1	1	1	Administrative Analyst	30	\$2,486				\$2,859
2	2	3	Construction Inspector	30	\$2,486				\$2,859
1	1	1	Industrial Pre-Treatment	30	\$2,486				\$2,859

			Coor dina tor						
1	1	1	Pers onne l Anal yst	30	\$2,4 86				\$2,8 59
2	2	2	Plan ner I	30	\$2,4 86				\$2,8 59
2	2	2	Prog ramm er Anal yst	30	\$2,4 86				\$2,8 59
1	2	2	PC Prog ramm er Spec iali st	30	\$2,4 86				\$2,8 59
1	1	1	Ass' t Two Rive rs Conv . Ctr. Mana ger	31	\$2,5 49				\$2,9 31
1	1	1	Code Enfo rcem ent Offi cer	31	\$2,5 49				\$2,9 31
1	1	1	Equi pmen t Main tena nce Supe rvis	31	\$2,5 49				\$2,9 31

			or						
2	2	2	Fire Prevention Officer	31	\$2,6 64	\$2,7 98			\$2,9 31
2	2	2	Parks Maintenance Supervisor	31	\$2,5 49				\$2,9 31
1	1	1	Police Records Administrator	31	\$2,5 49				\$2,9 31
5	5	5	Public Works Maintenance Supervisor	31	\$2,5 49				\$2,9 31
1	1	1	Sr. Buyer	31	\$2,5 49				\$2,9 31
1	1	1	Water Supply Supervisor	31	\$2,5 49				\$2,9 31
1	1	1	Criminal ist	32	\$2,6 12				\$3,0 04

2	2	2	Quality Control Laboratory Chemist	32	\$2,612				\$3,004
1	1	1	Senior Survey Technician	32	\$2,612				\$3,004
1	1	1	City Clerk	33	\$2,678				\$3,079
0	0	1	Environmental Specialist	33	\$2,678				\$3,079
11	11	12	Fire Unit Supervisor	33	\$2,933	\$2,981	\$3,029		\$3,079
1	1	2	Senior Accountant	33	\$2,799				\$3,079
1	1	1	Wastewater Maintenance Supervisor	33	\$2,678				\$3,079
1	1	1	Planner	34	\$2,744				\$3,156

			II						
1	1	1	Prop erty Agen t	34	\$2,7 44				\$3,1 56
1	1	1	Seni or Cons truc tion Insp ecto r	34	\$2,7 44				\$3,1 56
1	1	1	Tech nica l Serv ices Supe rvis or	34	\$2,7 44				\$3,1 56
1	1	1	Traf fic Engi neer	34	\$2,7 44				\$3,1 56
1	1	1	Coll ecti ons Supe rvis or	37	\$2,9 56				\$3,3 99
1	1	1	Comm unic atio ns Cent er Mana ger	37	\$2,9 56				\$3,3 99
1	1	1	Conv enti on Cent er Mana ger	37	\$2,9 56				\$3,3 99

1	1	1	Fleet Manager	37	\$2,9 56				\$3,3 99
1	1	1	Golf Course Superintendent	37	\$2,9 56				\$3,3 99
10	10	10	Police Sergeant	37	\$3,2 37				\$3,3 99
3	3	3	Public Works Superintendent	37	\$2,9 56				\$3,3 99
1	1	1	Purchasing Agent	37	\$2,9 56				\$3,3 99
1	1	1	Quality Control Laboratory Supt.	37	\$2,9 56				\$3,3 99
2	2	2	Recreation Superintendent	37	\$2,9 56				\$3,3 99
1	1	1	Risk Manager	37	\$2,9 56				\$3,3 99

1	1	1	Volunteer Coordinator	37	\$2,956				\$3,399
1	1	1	Assistant City Attorney	38	\$3,029				\$3,484
1	0	0	Development Engineer	38	\$3,029				\$3,484
2	3	3	Project Engineer	38	\$3,029				\$3,484
1	1	1	Wastewater Services Superintendent	39	\$3,105				\$3,571
1	1	1	Water Supply/Treatment Superintendent	39	\$3,105				\$3,571
7	7	7	Administrative Fire Officer	41	\$3,573				\$3,752

6	6	6	Poli ce Lieu tena nt	41	\$3,5 73				\$3,7 52
1□1□ 1	1	1	Util ity Engi neer	42	\$3,3 44				\$3,8 45
1	1	1	Comp trol ler	43	\$3,4 27				\$3,9 42
1	1	1	Info rmat ion Serv ices Mana ger	43	\$3,4 27				\$3,9 42
1	1	1	Park s Mana ger	43	\$3,4 27				\$3,9 42
1	0	0	Publ ic Work s Oper atio ns Mana ger	43	\$3,4 27				\$3,9 42
1	1	1	Pers onne l Mana ger	46	\$3,6 91				\$4,2 45
1	1	1	City Engi neer	47	\$3,7 83				\$4,3 51
2	2	2	Poli ce Capt ain	47	\$4,1 44				\$4,3 51
0	1	1	Publ	47	\$3,7				\$4,3

			ic Work s Mana ger		83				51
1	1	1	Util ity Mana ger	47	\$3,7 83				\$4,3 51
1	1	1	Visi tors and Conv enti on Bure au Dire ctor	N/C					
1	1	1	Asst . to the City Mgr.	N/C					
1	1	1	Admi nist rati ve Serv ices Dire ctor	N/C					
1	1	1	Comm unit y Deve lop ment Dire ctor	N/C					
1	1	1	Park s and Recr eati on Dire ctor	N/C					

1	1	1	Fire Chief	N/C					
1	1	1	City Attorney	N/C					
1	1	1	Police Chief	N/C					
1	1	1	Public Works and Utilities Director	N/C					
1	1	1	City Manager	N/C					
379	383	400							

a memorandum outlining Ridges Majority Annexation possibilities. Alternative No. 2 would add to the base proposal, largely vacant desert tracts along South Camp Road. It would also include irrigated parcels of land north of Wingate Elementary School and several parcels including a BLM parcel south of the City's Tiara Rado Golf Course. The advantage of this alternative is that it would add undeveloped but likely to develop parcels in the vicinity of the Ridges, placing the City in a position of guiding development in the vicinity of the Ridges and offering the opportunity to connect the Ridges Annexation to the Tiara Golf Course. The property owners have been notified and City Departments have been asked to prepare impact reports on this area.

There was considerable discussion in viewing the map and other alternatives. The consensus of Council was to go with Alternative No. 2.

GRAND JUNCTION PLANNING COMMISSION AND BOARD OF ADJUSTMENT OF APPEALS

It was moved by Councilman Theobald and seconded by Councilman

McCurry, that Tom Volkmann be appointed to a one-year term on the Grand Junction Planning Commission and the Cindy Enos-Martinez be appointed for a four-year term on the Planning Commission and that Bill Putnam and Bill Collins both be appointed to three year terms on the Board of Adjustment and Appeals. After discussion among the Council members, the motion and the second were withdrawn. The consensus was that if four members of Council are willing to meet within the next two weeks that interviews for the candidates should be scheduled.

#### ADJOURNMENT

Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried, the meeting was adjourned.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk