

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

MARCH 4, 1992

The City Council of the City of Grand Junction, Colorado, convened in regular session the 4th day of March, 1992, 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 McCurry led in the Pledge of Allegiance. The audience remained standing during the invocation by Assistant Pastor Terry Baxter, Grand Junction Baptist Church.

PROCLAMATIONS/RECOGNITIONS

PROCLAMATION DECLARING THE MONTH OF MARCH, 1992, AS "ALCOHOL AWARENESS MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE WEEK OF MARCH 8-14, 1992, AS "GIRL SCOUT WEEK" IN THE CITY OF GRAND JUNCTION

RECOGNITION OF VISITORS FROM ROMANIA - MR. GEORGE SANTULLI OF THE UNITED STATES INFORMATION AGENCY, AND TWO FILM MAKERS FROM ROMANIA, MR. GEORGE STINEA AND DAN GOANTA, FILMING DEMOCRACY IN ACTION TO TAKE BACK TO ROMANIA TO HELP TEACH THEIR COUNTRYMEN WHAT DEMOCRACY IS LIKE IN AMERICA

CITIZEN PARTICIPATION - DOUG THOMPSON, WEST STAR AVIATION, TO REQUEST COUNCIL'S ENDORSEMENT OF A JOINT PROGRAM BETWEEN WEST STAR AND WALKER FIELD FOR ADDITIONAL SAFETY EQUIPMENT SO NAVY PLANES CAN LAND AT WALKER FIELD

Mr. Doug Thompson requested a letter of endorsement from Council of a joint program between West Star and Walker Field for additional safety equipment so Navy and marine planes can land at Walker Field. He felt it would establish an opportunity for the City's local airport to accommodate more military aircraft. Mr. Thompson also felt that this situation would add to the local economy as well. Safety equipment must be provided in order for an airport to be rated "P" which allows Navy planes to utilize it. The City's endorsement says that we as a community are united in this effort, and all feel that there are benefits. He stated that because of some military base closures, West Star would have access to special safety equipment at no cost. Consensus of Council was that Mr. Thompson submit a letter of fact to the City so a Resolution of endorsement can be presented to Council for approval.

* * * CONSENT CALENDAR * * *

Upon motion by Councilman McCurry, seconded by Councilman Nelson and carried, the following consent items 1 through 4 were approved:

1. Approve minutes of the Regular Meeting February 19, 1992
2. Award Contract for an Aerial Bucket Truck, Teague Equipment Company, \$49,415.00

Bids were opened February 20th for the replacement of an Aerial Bucket Truck for the Traffic Services Division. Staff recommends accepting the low responsive bid of \$49,415.00 by Teague Equipment Company of Denver.

Staff Source: Mark Smith, Purchasing Agent

3. Award Contracts for the purchase of three (3) used 1991 Chevrolet Corsica from Fuoco Motors; a 1992 Ford Taurus from Hellman Motors, Delta; two (2) extended cab Ford Ranger pickup trucks, and a 1/2 ton pickup truck from Western Slope Auto. Total expenditure will be \$66,718.00.

Bids were opened February 13th and 18th for the purchase of four new or used automobiles for Police Investigations and Service Division, and three (3) pickup trucks for Public Works Engineering Division. Four (4) bids were received for the purchase of automobiles and six (6) bids for the purchase of pickup trucks. Staff recommends purchasing the three (3) used Chevrolets at \$8,645.00 each from Fuoco Motors, and a new Taurus at \$10,889.00 from Hellman Motors, Delta. Investigations purchased two (2) used Chevrolet Corsica in 1989; these units have worked well and have required only normal maintenance. Used units come with balance of 36 mo./50,000 mi. warranty. Ford Tempo's were ruled out due to insufficient interior space (99" wheelbase); the Taurus has ample room with a 106" wheel base. Staff recommends accepting the low bid for two (2) 1/4T extended cab pickups from Western Slope Ford for \$10,639.00 each. Staff also recommends accepting Western Slope Ford's bid for the 1/2T pickup at \$8,616.00; this bid is only \$16.00 more than the low bid submitted by Hellman Motors of Delta. Staff Source: Mark Smith, Purchasing Agent

4. Authorization to extend option to purchase Cooper (Avalon) Theatre

* * * END CONSENT CALENDAR * * *

RESOLUTION NO. 21-92 DENIED - STREET IMPROVEMENT DISTRICT (I.D. ST-92) DECLARING INTENT TO CREATE DISTRICT BY ACCEPTING PETITION FOR IMPROVEMENTS TO WEST MESA AVENUE WEST OF FIRST STREET AND SETTING DATE OF HEARING - ACCEPTANCE OF PETITION DENIED - PETITION TO BE RE-CIRCULATED

City Property agent Tim Woodmansee stated that a petition has been submitted requesting street improvements for West Mesa Avenue from

First Street west to Bluegill Avenue. The petition circulator went door to door and spoke with every property owner. He found that there was a lot of interest in having this street built from the intersection of Bluegill Drive east to First Street. There was no interest from Bluegill Drive west to Bass, and down to Independent Avenue. So he asked to have the petition modified to terminate at Bluegill Drive and to remove the other property owners that were listed. Another issue was the City's corner-lot policy which provides for credit on corner lots. If the lot had previously been assessed on one side, it would receive credit on the other side. The intent is that the owner would pay no more than what is represented by his longest side. Three parcels were previously assessed on their longest side; therefore, they would not be assessed for this district, yet they were included on the petition as being within the district. They signed the petition and they were counted as having votes. In that sense the City meets the test of People's Ordinance No. 33 which says "we must have approval by a majority of the property owners to be assessed . . . " Those three parcels will not be assessed, so their votes cannot be counted. Mr. Woodmansee stated that the average assessment per parcel would be \$5,000.00 (\$150.00/lineal foot).

City Attorney Dan Wilson advised that an amended petition be circulated.

Councilman Baughman removed himself from voting on the following motion: Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 21-92 was denied and the acceptance of the petition was denied, and Staff was directed to re-circulate the petition.

Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried the City Manager or appropriate City official was authorized to sign on behalf of the City for the City-owned lot and for the three powers-of-attorney along the improvement district in terms of declaring the intent to create a Special Improvement District.

HEARING - APPLICATION BY GRAND JUNCTION DOWNTOWN ASSOCIATION FOR 3.2% SPECIAL EVENTS PERMITS IN THE 400-700 BLOCKS OF MAIN STREET ON APRIL 18, JUNE 13, JUNE 14, AND JULY 25, 1992

A hearing was held after proper notice on the application by the Grand Junction Downtown Association for 3.2% Beer Special Events Permits in the 400-700 Blocks of Main Street on the following dates:

1. April 18, 1992, 10:00a.m. - Midnight - Chili Cookoff/Farm and Ranch Days
2. June 13, 1992, 10:00 a.m. - Midnight - Arts and Crafts Fair
3. June 14, 1992, 10:00 a.m. - Midnight - Arts and Crafts Fair

4. July 25, 1992 , 5:00 p.m. - Midnight - Stegasaurus Stomp

President/Event Manager Fay Timmerman was present. There were no opponents, letters, or counterpetitions. The hearing was closed.

Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the applications were approved.

CONTRACT WITH FOSSES TO CONTINUE THE PILOT CURBSIDE RECYCLING PROGRAM UP TO EIGHT MONTHS - \$2,800 THE FIRST MONTH - NOT TO EXCEED \$2,100 EACH MONTH THEREAFTER

Councilman Nelson explained that the proposed contract with the Fosses is a temporary contract which keeps the current pilot program being conducted in two neighborhoods continuing until such time as a permanent decision is made by Council regarding recycling.

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried with Councilman BAUGHMAN voting NO, the Contract with Steve and Elaine Foss to continue the Pilot Curbside Recycling Program for up to eight months at a cost of \$2,800 the first month and not to exceed \$2,100 each month thereafter was approved, and the transfer of General Fund Contingency funds to the Sanitation Refuse Collection Fund to finance this program was authorized.

RESOLUTION NO. 22-92 AUTHORIZING THE PRESIDENT OF THE COUNCIL TO SIGN A MEMORANDUM OF UNDERSTANDING WITH PARTIES STUDYING THE FEASIBILITY OF THE GRAND MESA SPECIAL MANAGEMENT AREA

Since early 1991, the City of Grand Junction, the BLM, the Forest Service and other private land owners in the Whitewater Creek basin have worked to develop a cooperative management plan for the Grand Mesa Slopes area. The request before Council is to authorize the President of the Council to sign a Memorandum of Understanding that formalizes the current informal agreement to work together. The formal Memorandum is necessary for inclusion into any Land and Water Conservation Fund request applications for land acquisition. Cooperative efforts will eventually result in a draft management plan and operating agreement which will be brought before the City Council for approval or disapproval. Greg Trainor, Public Works & Utilities, reviewed this item.

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried by roll call vote with Council members BAUGHMAN, BENNETT and BESSINGER voting NO, Resolution No. 22-92 was passed and adopted (see next page).

RESOLUTION NO. 22-92

WHEREAS, The City of Grand Junction is a significant landowner in the Whitewater Creek basin, which basin will supply future water to the City of Grand Junction, and

WHEREAS, The City Council authorized the participation of the City in a planning process with the Bureau of Land Management, U.S. Forest Service, Colorado Division of Wildlife, private land owners, and other interests to develop alternatives for the use of the Somerville Ranch and surrounding lands, including the potential purchase of portions of the ranch with Land and Water Conservation Funds, and

WHEREAS, The City is now willing to formally enter into a memorandum of Understanding to work together with other affected interests to achieve certain management objectives.

NOW THEREFORE BE IT RESOLVED,

(A) That the City authorizes the President of the Council to sign the Grand Mesa Slopes Special Management Area Memorandum of Understanding, dated March 4, 1992.

(B) That the City understands that the Memorandum of Understanding is an agreement to cooperatively discuss issues and to develop a management plan that meets the City of Grand Junction's short and long-term objectives for use of the Somerville Ranch, the watershed in the Whitewater Creek basin, and surrounding lands.

(C) That the City understands that the parties to the Memorandum of Understanding may, at any time, terminate their participation in the planning process envisioned by the Memorandum of Understanding.

(D) That the City purchased the Somerville Ranch in January of 1990 for the purpose of acquiring the senior water rights on Whitewater Creek. These rights are agricultural in nature and will eventually be transferred to municipal uses and transported to the city of Grand Junction via pipeline. To this end the City's short and long-term objectives are as follows:

(1) To insure that the Somerville water rights continue to be put to maximum beneficial use on the agricultural lands to the Somerville Ranch.

(2) To insure that the yield on these decrees is maximized for eventual transfer to the City water treatment plant.

(3) To balance the need of the City to insure a significant cash return on the City's investment in the Somerville ranch water and real property with the needs of long-term protection of the Whitewater watershed for water quality purposes and for visual and aesthetic protection of the Grand Mesa Slope.

(4) To insure that appropriate public land use and recreational uses are developed for this area consistent with the City's objectives.

PASSED and ADOPTED this 4th day of March 1992.

NAME

Conner Shepherd,
President of the Council
City of Grand Junction

Attest:

Neva Lockhart, CMC

Neva Lockhart, City Clerk
City of Grand Junction

RESOLUTION NO. 23-92 AUTHORIZING THE PRESIDENT OF THE COUNCIL TO EXECUTE A RESOLUTION REGARDING FEDERAL-AID OFF-STREET SYSTEM FUNDING FOR HAZARD ELIMINATION PROJECT HOSP003(38), 12TH STREET AT ELM AVENUE AND AT NORTH AVENUE IN GRAND JUNCTION, AND THEREBY APPROPRIATING THE CITY FUNDS NECESSARY

This resolution would approve matching City funds with federal-aid funds for the construction of two right-hand turn lanes at the intersection of North Avenue and 12th Street plus the replacement of a single span traffic signal at 12th Street and Elm Avenue. This grant program is approximately 10% City contribution and 90% Federal share.

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 23-92 was passed and adopted (see next page).

ORDINANCE NO. 2563 - AMENDING CHAPTER 7, CODE OF ORDINANCES, BUILDINGS, SECTIONS 7-32, 7-39, CONTRACTORS

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2563 was passed and adopted as amended.

ORDINANCE NO. 2564 - ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, NORTH MEADOW ANNEXATION, APPROXIMATELY 4.3 ACRES LOCATED SOUTHEAST OF 29 ROAD AND F-1/2 ROAD

Community Development Director Bennett Boeschstein reviewed this item. The petition for annexation has been signed by owners of more than 50% of the property described and by more than 50% of the owners in the existing City limits. Contiguity is established from 29 Road and the existing City limits at 29 and F Roads. The area is urban or will be urbanized in the near future. The area is capable of being integrated with the City of Grand Junction since the City has the facilities and resources necessary to provide urban services. No land held in identical ownership is being divided without written consent unless the division is by dedicated road. No land in identical ownership comprising 20 acres or more with a valuation of \$200,000 or more is included without

the owner's consent.

Mr. Dan Rosenthal, 2906 North Court, spoke on behalf of himself and the homeowners, in favor of the annexation. He also commended Council and Staff for the fine job they have done in presenting annexation issues.

There were no opponents, letters, or counterpetitions.

Upon motion by Councilman Theobald, Seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2564 was passed and adopted.

MESA COUNTY FORMULATING PETITION TO PROVIDE SEWER

Councilman Nelson noted that Mesa County is formulating plans to petition the State of Colorado for funding of the sewer line extension on Orchard Mesa from Orchard Mesa Sanitation District out to the Valley Vista Subdivision at approximately A-1/2 Road and 32 Road. He felt it is a violation of the Contract between the City and County for sewer service; also a violation of the Contract between the City and Orchard Mesa Sanitation District for sewer service. It is a violation of the protection of the 201 Service Area which was set up years ago. He requested that Staff check into the situation and correspond with the appropriate entities which include Mesa County, Orchard Mesa Sanitation District, and the State Health and/or County Health Departments.

ADJOURN TO EXECUTIVE SESSION

The President of the Council adjourned the meeting to executive session to discuss pension plan litigation and notice of claim on Wilson Ranch.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

RESOLUTION NO. 23-92

A RESOLUTION REGARDING FEDERAL-AID OFF-SYSTEM FUNDING FOR HAZARD ELIMINATION PROJECT HOS0003(38) 12TH STREET AT ELM AVENUE AND AT NORTH AVENUE IN GRAND JUNCTION

WHEREAS, the City Council of the City of Grand Junction has agreed to enter into a contract with the State of Colorado, Department of Transportation to receive certain Federal funds administered by the State and allocated to the City for designated traffic signal and intersection improvements within our urban system; and

WHEREAS, the City has estimated the cost of the preliminary engineering (P.E.) required for these improvements to be \$20,000 which is to be funded as follows:

a. Federal participating funds \$17,647.20

b. Local Agency share:

(1) Local Agency participating funds (10% of \$19,608) \$1,960.80

(2) The Local Agency nonparticipating funds for indirect costs (approx. 2.00% of \$19,608) \$392.00

SUBTOTAL (LOCAL AGENCY SHARE) \$2,352.80

TOTAL P.E. FUNDS \$20,000.00

WHEREAS, the City has estimated the cost of construction and contract administration for these improvements to be \$147,150 which is to be funded as follows:

a. Federal participating funds (90% of \$144,264.70) \$129,838.23

b. Local Agency Share

(1) Local Agency participating funds (10% of \$144,264.70) \$14,426.47

(2) The Local Agency nonparticipating funds for indirect costs (approx. 2.00% of \$144,264.70) \$2,885.30

SUBTOTAL (LOCAL AGENCY SHARE) \$17,311.77

TOTAL CONSTRUCTION FUNDS \$147,150.00

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

(1) The City Council approves the matching of said Federal funds with City funds in the amount of \$16,387.27 plus \$3,277.30 indirect costs.

(2) The City council has appropriated said sum of \$19,664.57 in the approved 1992 Budget.

(3) This resolution shall be in full force and effect upon its passage and approval.

PASSED AND ADOPTED this 4th day of March, 1992.

Name
President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk