

GRAND JUNCTION MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

AUGUST 5, 1992

The City Council of the City of Grand Junction, Colorado, convened in regular session the 5th day of August, 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, Conner Shepherd, and President of the Council Reford Theobald. Councilman Paul Nelson was absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and Acting City Clerk Teddy Martinez.

Council President Theobald called the meeting to order and Councilman Bennett led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Herb Ortman, First Church of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING JULY 31, 1992, AS "DR. ROBERT R. RHYNE DAY" IN THE CITY OF GRAND JUNCTION

PRESENTATION OF SERVICE AWARDS TO CHARLES BOSSHARDT AND THOMAS MCGEE, PUBLIC WORKS AND UTILITIES DEPARTMENT

CONSENT ITEMS

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried, the following Consent Items 1-3 were approved:

1. Approve the minutes of the Regular Meeting July 15, 1992
2. Authorization to purchase a 5-yard Dump Truck for the Streets Division from Western Slope Ford for \$43,078

Bids were opened July 15th for the purchase of a 5-yard Dump Truck for the Streets Division. Invitation for Bids were sent to seven (7) dealers; five (5) bids were received. The low responsive bid of \$43,078 was submitted by Western Slope Ford.

3. Authorization to contract with WD Yards for the labor and material to install sprinkler systems at the Municipal Cemetery and Sherwood Park. Total cost for both areas is \$88,414.68

Bids were opened July 14th for labor and materials to install sprinkler systems at the Municipal Cemetery and Sherwood Park. Specifications and drawings were distributed to eight (8) contractors; four (4) bids were received. The low bid was submitted by WD Yards in the amount of \$39,451.62 for the cemetery and \$48,963.06 for Sherwood Park.

\* \* \* END OF CONSENT CALENDAR \* \* \*

\* \* \* ITEMS NEEDING INDIVIDUAL CONSIDERATION \* \* \*

HEARING - APPLICATION BY MESA COUNTY PARTNERS FOUNDATION FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON SATURDAY, AUGUST 22, 1992, FROM 12:00 NOON TO 12:00 MIDNIGHT, AT WALKER FIELD AIRPORT, FOR A FUND RAISING BANQUET

A hearing was held after proper notice on the application by Mesa County Partners Foundation for a Malt, Vinous and Spirituous Liquor Special Events Permit on Saturday, August 22, 1992, from 12:00 noon to 12:00 midnight, at Walker Field Airport, for a fund raising banquet. Mr. Jeff Wendland, Airport Manager and President of the Mesa County Partners Foundation, was present. There were no opponents, letters or counterpetitions. Upon motion by Councilman McCurry, seconded by Councilman Shepherd and carried, the application was approved.

PUBLIC HEARING - P & F ANNEXATION LOCATED WEST OF SOUTH CAMP ROAD AND NORTH OF THE COLORADO NATIONAL MONUMENT - RESOLUTION NO. 53-92 TO ANNEX BY ORDINANCE - PROPOSED ORDINANCE - TABLED TO AUGUST 19 MEETING

Karl Metzner, Community Development Department, reviewed this item.

It was moved by Councilman Shepherd and seconded by Councilman Bessinger that Resolution No. 53-92 be passed and adopted.

Dr. William Patterson, petitioner, was present and requested that his petition be withdrawn. He has been extensively lobbied since he filed his petition. He would like more time to consider the petition, and consider refiling at a later date.

President of the Council Theobold explained that legally the petition has been filed and accepted. Council can either defer the item, or vote NO on the item.

City Attorney Wilson stated that Council could allow Dr. Patterson to withdraw the petition, but if Council does not want him to withdraw, the process could proceed.

Councilman Shepherd explained that first reading of the ordinance does not require a hearing. After publication in the local newspaper, interested persons may testify at the hearing held on second reading. Passage of the ordinance for publication does not bind Dr. Patterson or the City into annexation. He encouraged Dr. Patterson to allow City Council to pass the proposed ordinance for publication to allow that forum by the public, which will also allow Dr. Patterson two weeks to make his decision.

Dr. Patterson preferred that he have time to do his homework properly, then make a decision and come back to Council in the future.

Councilman Shepherd moved that his motion on this item be tabled to the August 19, 1992, City Council meeting. The motion passed with Council members BESSINGER and THEOBOLD voting NO.

PROPOSED ORDINANCE -- HI-FASHION FABRICS - REZONE FROM RSF-4 TO PB FOR LIGHT RETAIL IN A PLANNED BUSINESS ZONE AT THE NORTHWEST CORNER OF PATTERSON ROAD AND MEANDER DRIVE

Hi Fashion Fabrics currently located at First and Orchard applied for a zone change and final plan/plat for a 2 lot subdivision at the northwest corner of Patterson Road and Meander Drive. One lot currently contains a single family residence and would remain RSF-4. The other lot is requested for planned business zoning to allow the construction of a new fabric store. The adopted Patterson Road Guidelines currently recommend low volume business uses on the north side of Patterson between 25-1/2 Road and First Street. Access to the business would be from Meander Drive. Karl Metzner, Community Development Department, reviewed this item. Planning Commission recommends approval of the rezone.

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

PROPOSED ORDINANCE - ESTABLISHING A NEW HIRE POLICE MONEY PURCHASE DEFINED CONTRIBUTION PLAN AND A NEW HIRE FIRE MONEY PURCHASE DEFINED CONTRIBUTION PLAN, AND AUTHORIZING PUBLICATION IN PAMPHLET FORM - PULLED FROM AGENDA

President of the Council stated that this item has been pulled from the agenda.

ORDINANCE NO. 2588 - ZONE OF ALPINE MEADOWS ANNEXATION TO PR, LOCATED SOUTHWEST OF 27 AND H ROADS

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2588 was passed and adopted.

ORDINANCE NO. 2589 - ZONE OF WILSON RANCH ANNEXATION TO PR AND RSF-R, LOCATED NORTH OF G ROAD AT 25-1/2 ROAD

Upon motion by Councilman Bennett, seconded by Councilman Baughman and carried by roll call vote, Ordinance No. 2589 was passed and adopted.

RESOLUTION NO. 54-92 ACCEPTING PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION AND SETTING A HEARING ON SUCH ANNEXATION - BELLA VISTA #2 ANNEXATION, APPROXIMATELY 24 ACRES, LOCATED NORTH OF G ROAD AND WEST OF 27 ROAD

Bella Vista Subdivision consists of 29 lots on 24.15 acres. Twenty of the lots have signed utility agreements (POA's) for annexation. The subdivision is located north of G Road and West of 27 Road and is part of the North area annexation proposal. This item was

reviewed by Karl Metzner, Community Development Department.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 54-92 was passed and adopted. (See next page.)

RESOLUTION NO. 55-92 ACCEPTING PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION AND SETTING A HEARING ON SUCH ANNEXATION - ROUND HILL ANNEXATION, APPROXIMATELY 39.48 ACRES, LOCATED NORTH OF HORIZON DRIVE AND EAST OF 7TH STREET

Round Hill Annexation consists of 19 lots on 39.48 acres. Ten of the lots have signed utility agreements (POA's) for annexation. The subdivision is located north of Horizon Drive and east of 26-1/2 Road (7th Street) and is part of the North area annexation proposal. Only developed parcels and parcels with powers of attorney are proposed for annexation at this time.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 55-92 was passed and adopted. (See next page.)

ORDINANCE NO. 2590 - AMENDING ORDINANCE NO. 2566E, GRAND JUNCTION NEW HIRE POLICE PENSION PLAN, TO ALLOW FOR PARTICIPANT LOANS

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2590 was passed and adopted.

ORDINANCE NO. 2591 - MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 1992 BUDGET OF THE CITY OF GRAND JUNCTION TO INCORPORATE THE NEEDED SERVICES TO THE RIDGES METROPOLITAN DISTRICT FOR THE REMAINDER OF 1992

Upon motion by Councilman McCurry, seconded by Councilman Baughman and carried by roll call vote, Ordinance No. 2591 was passed and adopted.

ADJOURNMENT

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

Theresa F. Martinez

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Theresa F. Martinez, CMC  
Acting City Clerk

RESOLUTION NO. 54-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION BELLA VISTA #2 ANNEXATION - APPROXIMATELY 24.0 ACRES LOCATED NORTH OF G ROAD AND WEST OF 27 ROAD

WHEREAS, on the fifth day of August, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

DESCRIPTION

A TRACT OF LAND IN THE SE1/4 OF SECTION 35, TOWNSHIP 1 NORTH RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF THE SE1/4 SE1/4 OF SAID SECTION 35; THENCE N 00 DEG. 06 MIN. W ALONG THE WEST LINE OF BELLA VISTA SUBDIVISION, AS RECORDED IN PLAT BOOK 9 AT PAGE 63 IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, A DISTANCE OF 1319.90 FEET TO THE NORTHWEST CORNER OF LOT 7 OF SAID SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF BELLA VISTA SUBDIVISION A DISTANCE OF 864.5 FEET TO THE NORTHWEST CORNER OF LOT 4, BLOCK 1 OF THE FIRST ADDITION TO BELLA VISTA SUBDIVISION AS RECORDED IN PLAT BOOK 9 AT PAGE 83 OF THE MESA COUNTY CLERK AND RECORDER; THENCE S 89 DEG. 55 MIN. E ALONG THE NORTH LINE OF THE FIRST ADDITION TO BELLA VISTA SUBDIVISION A DISTANCE OF 451.10 FEET TO THE NE CORNER OF THE SE1/4 SE1/4 OF SAID SECTION 35; THENCE S 00 DEG. 07 MIN. W ALONG THE EAST LINE OF THE SE1/4 SE1/4 OF SAID SECTION 35 A DISTANCE OF 684.40 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF KIMBERLY DRIVE, AS EXTENDED; THENCE N 89 DEG. 58 MIN. W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 637.65 FEET TO THE NORTHWEST CORNER OF LOT 4, BLOCK 3, OF THE FIRST ADDITION TO BELLA VISTA SUBDIVISION; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY WEST A DISTANCE OF 403.40 FEET TO A POINT OF CURVATURE; THENCE 55.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 35.0 FEET, A CENTRAL ANGLE OF 90 DEG. 06 MIN., AND A LONG CHORD WHICH BEARS S 45 DEG. 03 MIN. W A DISTANCE OF 49.54 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF VICTOR DRIVE; THENCE S 00 DEG. 06 MIN. E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 460.23 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, S 08 DEG. 32 MIN. E A DISTANCE OF 101.10 FEET TO THE SOUTHWEST CORNER OF LOT 22 OF BELLA VISTA SUBDIVISION; THENCE SOUTH A DISTANCE OF 40.0 FEET TO A POINT ON THE SOUTH LINE OF THE SE1/4 SE1/4 OF SAID SECTION 35; THENCE WEST ALONG THE SOUTH LINE OF SAID SE1/4 SE1/4 A DISTANCE OF 251.6 FEET TO THE POINT OF BEGINNING.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 16th day of September, 1992, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-

sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 5th day of August, 1992.

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President of the Council

Attest:

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Acting City Clerk

RESOLUTION NO. 55-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION ROUND HILL ANNEXATION - APPROXIMATELY 39.48 ACRES LOCATED NORTH OF HORIZON DRIVE AND EAST OF 7TH STREET

WHEREAS, on the fifth day of August, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Commencing at the Center of Section 2, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, and considering the line between the Center of said Section 2 and the Northwest corner of the SW1/4 NE1/4 of said Section 2 to bear North 00 deg. 00 min. 00 sec. East with all bearings contained herein being relative thereto; thence North 89 deg. 51 min. East a distance of 30.0 feet to the intersection of the East right-of-way for 26.5 Road (North 7th Street) and the South right-of-way for F 1/2 Road for the Point of Beginning; thence North a distance of 60.0 feet to the intersection of the East right-of-way for 26.5 Road and the North right-of-way for F 1/2 Road, said point being the Southernmost corner of Lot 3 of Roundhill Subdivision; thence 40.32 feet along the arc of a 39.83 foot radius curve to the left, said curve being concave to the northwest; thence North 32 deg. 00 min. East a distance of 87.40 feet; thence 461.32 feet along the arc of a 560.00 foot radius curve to the right having a central

angle of 47 deg. 11 min. 58 sec. and a long chord which bears North 55 deg. 35 min. 59 sec. East a distance of 448.39 feet to the southwest corner of Lot 8 of Roundhill Subdivision; thence North along the West boundary line of said Lot 8 a distance of 251.65 feet to the Northwest corner of said Lot 8; thence along the boundary line of Roundhill Subdivision the following four (4) courses and distances:

1. North 89 deg. 51 min. East a distance of 177.48 feet;
2. North a distance of 326.24 feet;
3. North 89 deg. 51 min. East a distance of 657.48 feet;
4. South a distance of 982.79 feet to the Southeast corner of Roundhill Subdivision;

thence East a distance of 165.64 feet to the Easterly right-of-way line of Horizon Drive; thence South 26 deg. 21 min. West along the Easterly right-of-way line of Horizon Drive a distance of 373.2 feet; thence leaving said right-of-way South a distance of 185.62 feet to the Southerly right-of-way of the Independent Ranchman's Ditch and the East line of the NW1/4 SE1/4 of said Section 2; thence along the Southerly right-of-way of the Independent Ranchman's Ditch the following seven (7) courses and distances:

1. South 50 deg. 49 min. 17 sec. West a distance of 108.34 feet;
2. South 40 deg. 13 min. West a distance of 81.8 feet;
3. South 73 deg. 35 min. West a distance of 64.6 feet;
4. South 51 deg. 39 min. West a distance of 150.0 feet;
5. South 45 deg. 45 min. West a distance of 110.4 feet;
6. South 51 deg. 56 min. West a distance of 132.5 feet;
7. South 49 deg. 53 min. West a distance of 60.0 feet to the Southwesterly right-of-way of abandoned Grand River Valley Railroad (also known as the Interurban Railway);

thence North 52 deg. 30 min. 57 sec. West along said Railroad right-of-way a distance of 634.90 feet to a point which is 569.9 feet South and 265.46 feet East of the Center of said Section 2; thence North a distance of 99.0 feet; thence West a distance of 235.46 feet to the East right-of-way line for 26.5 Road (North 7th Street); thence North along the East right-of-way line for 26.5 Road to the intersection of the South right-of-way of the Grand Valley Highline Canal; thence Easterly along said right-of-way a distance of 320 feet, more or less, to a point South of the Southeast corner of Lot 4 of Roundhill Subdivision; thence North to the Southeast corner of Lot 4 of Roundhill Subdivision; thence South 89 deg. 51 min. West along the South boundary of said Lot 4

a distance of 264.52 feet to the Southwest corner of said Lot 4; thence South 89 deg. 51 min. West along the South right-of-way for f 1/2 Road a distance of 55.48 feet to the Point of Beginning.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 16th day of September, 1992, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 5th day of August, 1992.

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President of the Council

Attest:

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Acting City Clerk