

GRAND JUNCTION MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL  
SEPTEMBER 2, 1992

The City Council of the City of Grand Junction, Colorado, convened in regular session the 2nd day of September, 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, Conner Shepherd, and President of the Council Reford Theobold. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and Acting City Clerk Teddy Martinez.

Council President Theobold called the meeting to order and Councilman Baughman led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Joseph Gross, Redlands Community Church.

PROCLAMATION DECLARING SEPTEMBER 12, 1992, AS "VIETNAM VETERANS DAY" IN THE CITY OF GRAND JUNCTION

CONSENT ITEMS

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

1. Approve the minutes of the Regular Meeting August 19, 1992
2. Authorization to contract with Lockert & Dettmer, Inc., for the demolition of the "Frank Dunn Building" at 1040 S. 5th Street at a cost of \$16,346  
  
Bids were opened August 26, 1992, for the demolition of a city-owned building located at 1040 S. 5th Street, formally known as the Frank Dunn Building. Invitation for Bids were sent to 11 contractors; one bid was received from Lockert & Dettmer, Inc., in the amount of \$16,346. The contractor's starting date will be October 10th; they have 20 days to complete the project.
3. Modification to Management Agreement between the City of Grand Junction and the Grand Junction Housing Authority extending Term of Service of Acting Executive Director
4. Approval of Change Order No. 3 with Mays Concrete, Inc., for the 1992 Curb, Gutter and Sidewalk Replacement Contract in the amount of \$12,000

In a separate project, the State has approved an additional allocation of \$42,000 for the FAUS street overlay project; more specifically on East Main Street from 14th Street to I-70B. In order for the City to maximize this additional paving within the schedule of the overlay, the City should replace the demand curb and gutter as part of the CGSRC (resulting in the above change order).

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

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

HEARING - APPLICATION BY B.P.O. ELKS #575 FOR A 3.2% FERMENTED MALT BEVERAGE SPECIAL EVENTS PERMIT ON OCTOBER 3, 1992, IN THE 500 AND 600 BLOCKS OF MAIN STREET FOR THE ANNUAL OKTOBERFEST CELEBRATION

A hearing was held after proper notice on the application by B.P.O. Elks #575 for a 3.2% Fermented Malt Beverage Special Events Permit on Saturday, October 3, 1992, from 10:00 a.m. to 11:00 p.m., in the 500 and 600 blocks of Main Street for the annual Oktoberfest celebration. Mr. Ron Ward was present. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried, the application was approved.

HEARING - APPLICATION BY MARCH OF DIMES FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON OCTOBER 3, 1992, AT BEST VALUE INN, ROCKY MOUNTAIN BALLROOM, 718 HORIZON DRIVE, FOR THE ANNUAL "BID FOR BACHELORS" FUND RAISER

A hearing was held after proper notice on the application by March of Dimes for a Malt, Vinous and Spirituous Liquor Special Events Permit on Saturday, October 3, 1992, from 6:30 p.m. to 11:30 p.m., at Best Value Inn, Rocky Mountain Ballroom, 718 Horizon Drive, for the annual "Bid for Bachelors" fund raiser. Ms. Susan Kelly was present. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried, the application was approved.

PROPOSED ORDINANCE - PROVIDE PUBLIC SERVICE COMPANY OF COLORADO (PSCo) AND GRAND VALLEY RURAL POWER (GVRP) WITH FRANCHISES TO SERVE WITHIN THE CITY OF GRAND JUNCTION

Mr. Jim Fleming, Public Service Company, and Mr. Jack Broughton, General Manager of Grand Valley Rural Power Company, were present. Mr. Fleming discussed the 1% underground fund and rate making process (favored nations clause). December 8, 1992, has been scheduled for a Special Municipal Election on the proposed People's Ordinance.

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

PROPOSED ORDINANCE AMENDING ARTICLE 1, CHAPTER 14 OF THE CODE OF ORDINANCES TO ALLOW A CURBSIDE RECYCLING PROGRAM

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

## FIVE-YEAR CITY-WIDE CURBSIDE RECYCLING PROGRAM

A City-wide curbside recycling program is proposed to be available for all residential households within Grand Junction. The program will have the features of a curb-side, monthly pick up with an in-home educational component. The program will be implemented over a five year period, with one year renewals. City residents will have the option to participate or not. If they wish to participate, the charge will be \$1.50 per month. This program will be contracted with Steve and Elaine Foss (CRI) Curbside Recycling Indefinitely.

City Manager Mark Achen reiterated that execution of the proposed contract with Curbside Recycling Indefinitely (CRI) is subject to final adoption of the previous Ordinance (approximately six weeks).

Upon motion by Councilman Bennett, seconded by Councilman McCurry and carried, the five-year City-wide curbside recycling program was approved.

## PROPOSED ORDINANCE DEANNEXING AND DISCONNECTING PROPERTY FROM THE CITY OF GRAND JUNCTION (RIDGES ANNEXATION)

Karl Metzner, Community Development Department, reviewed this item. Part of the Ridges annexation included two properties located west of south Camp Road. One of these properties is owned by Dr. Bernarr Johnson and Dr. William Patterson as joint owners. The other adjoining property was owned solely by Dr. Johnson. When the city sent Drs. Johnson and Patterson notices of disconnection for those properties, the owners were advised to notify the City only if they wished the properties to remain in the city. A letter was submitted by Dr. Patterson which stated that he and Dr. Johnson wished their properties to remain in the city. Via letter and oral presentation to the City Council at their August 19th meeting, Dr. Johnson contends that he had not given Dr. Patterson permission to speak in his behalf for the property Johnson owned solely. He was unaware that his property had remained in the annexation until he was in the process of selling his property to Steve McCallum.

Councilman Shepherd publicly thanked Mr. Steve McCallum for his recent letter of appreciation.

Upon motion by Councilman Baughman, seconded by Councilman McCurry and carried, with Councilmembers BESSINGER, NELSON and SHEPHERD voting NO, the proposed ordinance was passed for publication.

## ORDINANCE NO. 2594 - AMENDING SECTIONS 4-2-1 AND 4-2-2 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Karl Metzner, Community Development Department, reviewed this item. Amending Section 4-2-1 would create an RSF-1 (Residential Single Family not to exceed one unit per acre) Zone, and change Section 4-2-2 from RSF-R to RSF-2 (Residential Single Family not

to exceed two units per acre).

Some areas being considered for annexation have zoning and densities of one acre per dwelling unit or greater. The most imminent of these areas is the Round Hill Subdivision. This proposal will create a one acre zoning designation that will maintain the existing densities and character of these potential annexations. The remaining of the RSF-R Zone makes the terminology of the zones consistent with the other residential zones.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2594 was passed and adopted.

ORDINANCE NO. 2595 - AMENDING SECTION 4-9 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Karl Metzner, Community Development Department, reviewed this item. The proposed amendment calls for further clarification in the Code for nonconforming uses including the following:

1. Allow existing Single Family Residential in the highway Oriented zone the option to rebuild if destroyed greater than 50%;
2. Allow nonconforming residential uses which have been unoccupied for a period of one year or more to remain a residential use unless they were previously changed to a non-residential use;
3. Nonconforming mobile home pads for foundations that have previously housed a mobile or manufactured home and are vacant for one year or more shall be considered an abandonment of the mobile or manufactured housing use.

Upon motion by Councilman Bessinger, seconded by Councilman Baughman and carried by roll call vote, Ordinance No. 2595 was passed and adopted.

ORDINANCE NO. 2596 - ZONING OF RIDGES MAJORITY ANNEXATION TO PLANNED RESIDENTIAL (PR) AND RESIDENTIAL SINGLE FAMILY, FOUR UNITS PER ACRE (RSF-4)

This item was reviewed by Karl Metzner, Community Development Department. The Ridges Majority Annexation is composed of the Ridges Metropolitan District, 330 acres held by Dynamic Investments, and 6 other private ownerships. The county zoning on the Ridges Metro District and the Dynamic Investments ownership was Planned Residential and the Equivalent city zoning is proposed. The Ordinance is structured to accept all previous county approvals for the Ridges and amend the Outline Development Plan to designate the Ridges Metro Office Building as a Business Use.

Other properties were zoned County R-2 which carries a density of approximately 3.5 units per acre. A City zone of RSF-4 is the

closest equivalent zoning at a density of 4 units per acre.

Mr. Metzner explained that the proposed ordinance requires an amendment to change the zoning on the McCallum property (legal description) to PR (Planned Residential at one unit per 35 acres).

Upon motion by Councilman Shepherd, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2596 was passed and adopted, as amended.

ORDINANCE NO. 2597 - PROVIDING FOR THE ISSUANCE BY THE CITY OF GRAND JUNCTION, COLORADO, OF ITS TAXABLE GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 1992; PROVIDING FOR THE REFUNDING AND PAYMENT UPON PRIOR REDEMPTION OF THE CITY'S GENERAL OBLIGATION WATER BONDS, SERIES 1984, PRESCRIBING THE FORM OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS AND THE SYSTEM; AND RATIFYING ALL ACTION HERETOFORE TAKEN IN CONNECTION THEREWITH

Upon motion by Councilman Nelson, seconded by Councilman Baughman and carried by roll call vote, Ordinance No. 2597 was passed and adopted.

#### RECOGNITION OF SPECIAL GUESTS

City Manager Mark Achen recognized the presence of City Administration's secretary Jean Johnson, at this evening's meeting, and wished her well. She will be relocating to Rockford, Illinois, on the 14th of September. Jean's replacement as Administration Secretary, Connie Lorentzen, and one of Connie's children, were also present.

#### ADJOURNMENT

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried, the execution session was cancelled and the meeting was adjourned.

Theresa F. Martinez

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Theresa F. Martinez, CMC  
Acting City Clerk