

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

FEBRUARY 17, 1993

The City Council of the City of Grand Junction, Colorado, convened in regular session the 17th day of February, 1993, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, John Bennett, Bill Bessinger, Paul Nelson, Conner Shepherd, and President of the Council Pro Tempore Bill McCurry. President of the Council Reford Theobald was absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and Acting City Clerk Sandra Glaze.

Council President Pro Tempore McCurry called the meeting to order and Councilman Bennett led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. David A. Crowley, First Assembly of God Church.

APPOINTMENTS TO THE BOARD OF ADJUSTMENT AND APPEALS

Upon motion by Councilman Nelson, seconded by Councilman Shepherd and carried, Lewis Hoffman, Jeff Driscoll, John Elmer and Cindy Enos-Martinez were appointed to three-year terms on the Board of Adjustment and Appeals.

APPOINTMENTS TO GRAND JUNCTION PLANNING COMMISSION

Upon motion by Councilman Nelson, seconded by Councilman Shepherd and carried, Steven Laiche and Jim Anderson were appointed to four-year terms on the Grand Junction Planning Commission.

PROCLAMATION STATING A PROCLAMATION OF THE FOLLOWING SIGNATORIES OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, REGARDING HUMAN RIGHTS

Councilmembers Bennett and Bessinger voiced their opposition to this Proclamation.

Said Proclamation was signed by Council members SHEPHERD, NELSON, MC CURRY.

CONSENT ITEMS

Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried with Councilman **BAUGHMAN** voting **NO** on Item 2, the following Consent Items 1-12 were approved:

1. **Approve** the minutes of the Regular Meeting February 3, 1993
2. **Approval** of Memorandum of Agreement between the Department of Energy and the City of Grand Junction

The Department of Energy (D.O.E.) wishes to enter into an agreement with the Grand Junction Fire Department for emergency response to their facility.

- 3. **Authorization** to purchase a new 50hp Ford 4630 Tractor from Western Implement - \$15,608

Bids were opened January 28, 1993, for the purchase of a 50hp Tractor to be used by Parks Operations, Golf Course Maintenance and School District 51 to tow the new Verti-Drain Aerator.

Invitations for Bids were distributed to three (3) area dealers, we received the following responsive bids:

Dealer	Make/Model	Net Bid
Western Implement	Ford 4630	\$15,608 **
Hanson Equipment	Case 595	\$15,683
Delta Implement	Johne Deere 5300	\$15,768

** recommended award

- 4. **Authorization** to purchase a Ford 655D Backhoe/Loader from Western Implement - \$30,823

Bids were opened February 3, 1993, for the purchase of a new Backhoe/Loader for the Street Maintenance Division. The new backhoe/loader is a replacement for a 1983 Case Backhoe/Loader.

Invitations for Bids were distributed to four (4) dealers, we received the following responsive bids:

Dealer	Make/Model	Base Bid	Trade In	Net Bid
Western Implement	Ford 655D	\$47,323	\$16,500	\$30,823 **
Century Equipment	Case 590T	\$51,800	\$17,000	\$34,800
Power Motive	JCB 215	\$47,704	\$10,000	\$37,704
Honnen Equipment	J-D 410D	\$52,845	\$18,500	\$34,345

** recommended award

- 5. **Authorization** to purchase a 1993 Etnyer 4WD Hydrostatic Drive Chipspreader from Faris Machinery - \$137,000

Bids were opened February 4, 1993, for the purchase of a chipspreader capable of variable width production. Invitations for Bids were distributed to three (3) equipment dealers, we received one bid from Faris Machinery Co. representatives for E.D. Etnyre & Co. of Oregon, Illinois. The results of the bid indicate the Etnyre is the only manufacturer to produce a chip spreader with a variable width hopper that hydraulically extends or narrows; this feature allows the operator to adjust the hoppers in at narrow places and obstructions (power poles, fire hydrants, etc.) and return to wider road size in one pass.

Other manufacturer's spreaders have fixed spread widths which does not clear obstructions. Etnyre patented the variable width hopper in 1989. GEMCO of Glenwood Springs, a custom chipsealing contractor, has two such spreaders and is very pleased with the Etnyre's performance.

This is an equipment replacement purchase for Unit #230, a 1982 Etnyre Chipspreader.

6. **Authorization** to purchase three (3) mid-size 4dr sedans for Police Investigations from the state Award vendor, Daniels Motors of Colorado Springs - \$31,590

The vehicles, 1993 Chevrolet Lumina, will cost \$31,590 or \$10,530 each. Bids were opened February 4, 1993, for the purchase of three (3) mid-size 4dr sedans for Police Investigations. Two (2) units are equipment replacement vehicles; the third vehicle is to replace a unit totalled in an accident.

Invitations for Bids were distributed to five (5) area dealers, we received the following responsive bids:

Dealer	Make/Model	Net Bid Each
Hellman Motors	Ford/Taurus GL	\$11,388.00
Western Slope Auto	Ford/Taurus GL	\$11,920.00
Westphal Chevrolet	Chev/Corsica	\$12,138.60
Fuoco Motor Co.	Olds/Achieva	\$12,524.00
Western Slope Dodge	Dodge/Spirit	\$12,971.00
State Award		
Daniels Motors	Chev/Lumina	\$10,530.00 **

** recommended award

7. **Authorization** to purchase a 1993 Type II Ambulance from McPeck Motor Coach of Denver - \$41,386

Bids were opened February 11, 1993, for the purchase of 1993 Type II Ambulance. Invitations for Bids were distributed to four (4) emergency vehicle dealers and BIDNET, we received the following responsive bids:

Bidder	Gross Bid	Trade In	Net Bid
McPeck Motor Coach	\$49,386	\$ 8,000	\$41,386 **
Rocky Mountain Emerg Veh.	\$51,950	\$10,000	\$41,950
Bridgers Coach Co.	\$47,935	\$ 5,000	\$42,935
First Response	\$48,983	\$ 6,000	\$42,983
Stratus Special Veh.	\$54,224	\$ 2,000	\$52,224

** recommended award

The rescue vehicle earmarked for replacement, Unit #1038, was purchase from McPeck Motor Coach. McPeck has been an excellent vendor to deal with.

8. *** Resolution No. 12-93** authorizing issuance of a Revocable Permit to allow the installation of landscape improvements in the right-of-way for North 7th Street adjacent to Bray & Company Realtors at 1015 North 7th Street

The proposed action would allow beautification of the parkway between the curb and sidewalk together with the right-of-way behind the sidewalk adjacent to Bray & Company Realtors. Specific landscape improvements include low-spreading shrubs and decorative rock.

9. *** Resolution No. 13-93** authorizing issuance of a Revocable Permit to affected property owners to allow the installation of a 6-foot privacy fence in the right-of-way for North 15th Street adjacent to the properties located at 1516, 1550, and 1528 Crestview Court

Increased vehicular and pedestrian traffic resulting from nearby developments have contributed to privacy and security problems for the aforementioned properties. The landowners are hoping to abate these problems with the installation of a privacy fence on grade with and 4-feet behind the public sidewalk on the east side of North 15th Street. The owners are requesting to place the fence in the right-of-way because their property boundaries are approximately 8 feet below the level of the sidewalk.

10. **Proposed Ordinance** repealing Ordinance No. 2330 regarding Water Availability Fee

Eliminating water availability fees will bring the City of Grand Junction into common practice with Ute and the Clifton Water District. Since economic recovery, the number of vacant lots has been reduced and the equity of charging "availability fees" has changed.

a. First Reading of proposed Ordinance

11. **Proposed Ordinance** amending Section 4-3-4 of the Grand Junction Zoning and Development Code allowing wholesale business which includes mini-storage as a conditional use in the Highway Oriented (H.O.) Zone

To amend Section 4-3-4 Use Zone Matrix of the Grand Junction Zoning and Development Code allowing wholesale business which includes mini-storage as a conditional use in the Highway Oriented (H.O.) Zone. Currently wholesale business is not allowed.

a. First Reading of proposed Ordinance

12. **Proposed Ordinance** amending Chapter 12 of the Grand Junction Zoning and Development Code, Definitions and Limitations -- "Public Notice"

Consideration of a revision to the Grand Junction Zoning and Development Code, to modify and clarify the requirement for public notice of a public hearing or meeting.

a. First Reading of proposed Ordinance

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

AUTHORIZATION TO PURCHASE TWO (2) POLICE SERVICE MODEL JEEP CHEROKEES FROM DENVER JEEP-EAGLE, INC. - \$37,071.32

Councilman Bessinger requested that this item be removed from the Consent Agenda for full consideration as he feels that the Police Department has not justified a need for 4-wheel drive vehicles.

Councilman Bennett stated that these vehicles should be taken care of and used in rough terrain only that has now been annexed to the City. He hoped that it does not become an everyday occurrence that these vehicles are being used as general patrol units.

Bids were opened January 28, 1993, for the purchase of two (2) Police Service Model Jeep Cherokees. Invitations for Bids were distributed to three (3) Jeep dealers, we received the following responsive bids:

Dealer	Net Bid Each
Denver Jeep Eagle	\$18,535.66 **
Western Slope CPDJE	\$19,213.00
** recommended award	

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried with Councilman **BESSINGER** voting **NO**, authority was given to purchase two (2) Police Service Model Jeep Cherokees from Denver Jeep-Eagles, Inc., in the amount of \$37,071.32

HEARING - ALLEY IMPROVEMENT DISTRICT - 1993 - RESOLUTION NO. 14-93 CREATING DISTRICT

City Property Agent Tim Woodmansee reviewed this item listing the following alleys within the Alley Improvement District - 1993:

1. East-West alley, 5th to 6th, Gunnison to Hill; petition signed by 62% of the property owners (58% of the assessable footage);
2. East-West alley, 10th to 11th, Gunnison to Hill; petition signed by 64% of the property owners (72% of the assessable footage);
3. "L" Shaped alley, 22nd to 23rd, South of Elm; petition signed by 62% of the property owners (55% of the assessable footage);
4. East-West alley, 9th to 10th, South Avenue to Railroad; petition signed by 67% of the property owners (46% of the assessable footage);
5. "L" Shaped alley, 6th to 7th, Belford to Teller; petition signed by 67% of the property owners (61% of the assessable footage);
6. Cross alley, 6th to 7th, Ouray to Chipeta; petition signed by 62% of the property owners (66% of the assessable footage);
7. East-West alley, 10th to 11th, Chipeta to Gunnison; petition signed by 57% of the property owners (53% of the assessable footage);
8. Cross alley, 6th to 7th, Chipeta to Gunnison; petition signed by 57% of

the property owners (56% of the assessable footage).

Mr. Woodmansee continued that the assessment rates are locked in at \$6/foot for residential single-family, \$12/foot for residential multi-family, and \$22.50/ft for all other uses.

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Ms. Nancy Salas, 625 Chipeta Avenue, had questions about the improvement district. City Manager Mark Achen responded that there is no "alley commission". The City has a policy that promotes this type of improvement but it requires an affirmative petition from property owners that will be affected. Property owners petition the City, and one of the property owners circulates the petition with signatures for the City to consider.

Ms. Salas stated that she had not been contacted by the circulator.

Mr. Achen stated the district is not being assessed tonight and that it can change if a property owner were to sell his property or seek a rezoning of his property to a different classification, the assessment rate could change.

The construction would occur sometime during the summer months. City Property Agent Tim Woodmansee explained the entire process regarding alley improvement districts.

There were no other opponents, letters or counter petitions.

Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 14-93 creating Alley Improvement District - 1993 was passed and adopted.

PROPOSED ORDINANCE AMENDING THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE BY DELETING SECTION 5-5-1.N DOWNTOWN OFF-STREET PARKING STANDARDS, AND AMENDING CHAPTER 12, DEFINITIONS AND LIMITATIONS, AND SECTION 5-5-1.I REGARDING MINIMUM OFF-STREET PARKING REQUIREMENTS

Kristen Ashbeck, Community Development Department, reviewed this item.

A 1991 text amendment creating Section 5-5-1.N. of the City Zoning and Development Code was due to expire on September 30, 1992. However, City Council approved an extension until March 31, 1993, in order to further analyze survey data and determine whether the interim text amendment should be adopted as is or revised. The proposed text amendment is based on staff analysis of the parking survey data and concurrence with the Downtown Development Authority.

Ms. Ashbeck stated proposed changes are to do away with the current 100-space threshold. Instead it is proposed that each development if it is new construction or remodel, each project would be looked at individually and parking would be based on the Code as it reads, but the petitioner would be allowed credit for any available parking within 500 feet of the project.

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

APPROVAL OF TRANSFER OF \$68,617 FROM GENERAL FUND CONTINGENCY TO COMMUNITY DEVELOPMENT DEPARTMENT BUDGET FOR RECOMMENDED STAFF CHANGES IN THAT DEPARTMENT

Mr. Larry Timm, Director of Community Development Department, reviewed this item. The request consists of three parts:

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- a. Upgrade one Planner II to a Planning Supervisor
- b. Create two full-time Planning Technician positions
- c. Upgrade one Planning Technician II to a Planner I
Upgrade one Planner I to a Planner II

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried with Councilman **BESSINGER** voting **NO**, the transfer of \$68,617 from General fund Contingency Community Development Department budget for recommended staff changes to that department was approved.

HANDICAP ACCESSIBILITY OF VISITOR & CONVENTION BUREAU CENTER

Mr. Scott Brown, 1405 Wellington Avenue, #18, representing Mesa County Coalition on Disability, was present to discuss the intent of the Visitor & Convention Bureau to modify its architectural plans for the new VCB Center located on Horizon Drive by deleting the elevator from its plans. The Federal Guidelines states that all public buildings, with the exception of airport towers, are required to have elevators when there is more than one floor in the building.

Councilman Bessinger stated that today he had talked with the VCB Director and their architect. The recommendations for lowering the cost of construction of the VCB Center were unacceptable to Mr. Bessinger.

City Manager Mark Achen stated that the intent of the VCB Director and the Board of Directors and the City is that the building be fully accessible and in compliance with the law.

Mr. Joseph Marie, 2863 Hill Avenue, suggested another location for the VCB Center further down on Horizon Drive near Monument Realty.

COMMENTS ON PROCLAMATION REGARDING AMENDMENT NO. 2

Mr. Gary Coats, 283 Holly Lane, submitted a petition signed by approximately 714 people in the valley which states: "We, the undersigned, hereby express our support for Amendment 2 and until court action is resolved, we oppose any statement or resolution by City or County officials which may be construed to support opposition to Amendment 2." He requested that City Council leave it in the hands of the court for a final decision on Amendment No. 2.

Councilman Shepherd reiterated that tonight's proclamation did not speak in opposition to Amendment 2. The proclamation reaffirmed the three Council person's (Mr. Shepherd included) conviction to uphold equal protection under the law.

Councilman Bessinger reiterated that the rest of the Council members are perfectly willing to reaffirm their support of the Constitution of the United States, the State Constitution, the City Charter of the City of Grand Junction, all of which provide civil rights protection. Mr. Bessinger stated that tonight's proclamation is not truly a Council action.

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Others speaking in agreement with Mr. Coats were as follows:

Joseph Marie, 2863 Hill Avenue
Paul Campbell, 812 Kimball
Steve Gsell, 1930 Star Canyon Drive
Marlion Holt, 3476 F Road
Dan Wilkenson, 1240 Grand Avenue

ADJOURNMENT

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

Sandra Glaze
Acting City Clerk