

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

**MARCH 3, 1993**

The City Council of the City of Grand Junction, Colorado, convened in regular session the 3rd day of March, 1993, 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 Sandra Glaze.

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. Victor Balla, First Baptist Church.

**PROCLAMATIONS/RECOGNITIONS**

ANNOUNCEMENT BY VISITORS & CONVENTION BUREAU OF INTERNATIONAL AWARD FOR EXCELLENCE IN ADVERTISING

**APPOINTMENTS TO FORESTRY BOARD**

Upon motion by Councilman McCurry, seconded by Councilman Baughman and carried, Terry Hamm and Randy Overstreet were appointed to three-year terms on the Forestry Board.

**APPOINTMENTS TO GRAND JUNCTION PLANNING COMMISSION**

Upon motion by Councilman Baughman, seconded by Councilman McCurry and carried, Gabe Harben was appointed to a four-year term, and Larry Seese was appointed to an unexpired term on the Grand Junction Planning Commission.

**CONSENT ITEMS**

Upon motion by Councilman McCurry, seconded by Councilman Nelson and carried by roll call vote, the following items 1-12 were approved:

1. **Approve** the minutes of the Regular Meeting February 17, 1993
2. **\* Resolution No. 14-93** appointing Judges of Election
3. **Proposed Ordinance** repealing and reenacting with amendments Ordinance No. 1301 and Ordinance No. 1851 providing for charges for transporting persons in the City of Grand Junction Fire Department Rescue Unit or on other units of the Fire Department

Currently the ordinance sets a fixed amount allowed for charges. This may be changed only by revisiting the ordinance on a routine basis. The proposed changes would allow the rates to change automatically following established federal and state guidelines.

- a. **First reading** of proposed Ordinance

4. **Proposed Ordinance** expanding the boundaries of the Grand Junction Downtown Development Authority

The Board of Directors of the Downtown Development Authority has reviewed and approved inclusion into the district of twelve properties. Owners of each of the properties have signed petitions, provided the Authority with legal descriptions, and have met all other necessary requirements.

a. First Reading of proposed ordinance

. **\* Resolution No. 15-93** authorizing the City to apply for two Colorado Historical Society grants through the State Historical Fund

The Community Development Department has prepared two applications for grants through the State Historical Fund to conduct the following historic preservation projects:

- a. Intensive Survey of the downtown and Riverside areas and a selective survey of the south downtown and Orchard Mesa areas to identify historic resources; and
- b. Public Information in the form of a hand-out brochure and a video presentation in order to inform the general public about historic preservation and its role and potential in the Grand Junction community.

Both grant applications require a resolution showing that filing of the application has been authorized by the local governing body. No City funds, except for staff time to administer the grants, are required.

**\* Resolution No. 16-93** authorizing the issuance of a Revocable Permit to the First Baptist Church to allow the installation of a sprinkler system and landscape improvements in the public right-of-way for Grand Avenue and North 7th Street adjacent to 720 Grand Avenue

The proposed action would allow the petitioner to install a sprinkler system and landscape the parkway between the curb and sidewalk adjacent to the First Baptist Church. The Church would like to have the landscaping and sprinkler system in place in time for the celebration of Easter.

7. **Authorizing** City Manager and Parks and Recreation Director to sign Head Golf Professional Contract for Lincoln Park and Tiara Rado Municipal Golf Courses with Jack Sommers, Inc., for 1994 and 1995

Following the City Council meeting of 2/3/93, the City Manager and parks and Recreation Director were authorized to sign a contract with Jack Sommers, Inc., for one year, 1993. During the next few days, Council member John Bennett met with staff and discussed the contract that was proposed. Some key questions were addressed.

Councilman Bennett felt comfortable with the additional two year contract as submitted. In addition, Councilmen Bessinger and Baughman were contacted to explain the key issues surrounding the proposed contract.

8. **Authorization** to contract with Clarke and Company to install automatic sprinkler systems and backflow prevention devices at four (4) municipal parks - \$80,570

Bids were opened February 25 for the installation of automatic sprinkler systems and backflow prevention devices at Columbine, Colorado West, Desert Vista, and Dixson Parks. Bid also included backflow prevention device installation at Melrose Park. Bids were distributed to six vendors, we received the following bids:

	<b>Clarke and Co.</b>	<b>Landscape Design</b>	<b>WD Yards</b>	<b>Alpine Const.</b>
Columbine	\$20,183	\$26,555	\$26,624	\$26,558
Colorado West	16,860	17,602	18,971	30,078
Desert Vista	20,332	23,935	25,158	45,098
Dixson	20,360	22,134	23,950	44,846
Melrose	<u>2,835</u>	<u>2,508</u>	<u>4,672</u>	<u>7,054</u>
<b>GRAND TOTAL</b>	<b>\$80,570</b>	<b>\$92,734</b>	<b>\$99,375</b>	<b>\$153,634</b>

The low bid was submitted by Clarke and Company at \$80,570.

9. **Approval** of supplemental appropriation request of \$101,638 for the Police Building Remediation/Reconstruction Project

As the police department remodel project progressed several design problems and detrimental conditions have been uncovered which require additional funding to complete the project. These conditions are not part of the remediation process and therefore are not covered by our agreement with the U.S. Department of Energy.

The primary problem, and the most costly to correct, is the roof which is leaking and in need of replacement. To compound the problem, the roof's decking, a light-weight concrete, has deteriorated and must be replaced. Both the roof, mastic and decking very likely contain non-friable asbestos. Total expense is estimated to cost \$70,000.

Other major expenses, and the estimated cost, include:

a. elevator-related expenses	\$13,200
b. asbestos abatement	8,000
c. HVAC	7,360
d. A/E expenses	7,000
e. ADA front door conversion	2,500

- f. UPS upgrade 2,700
- g. A number of less expensive corrections, including replacement of all light fixtures with ballasts containing PCB's are estimated to cost another \$3,500.

10. **Authorization** to award annual bulk gravel contract to Whitewater Sand and Gravel - \$49,775

Bids were opened February 23, 1993, for the purchase and delivery of 10,000 tons of gravel. Invitations for Bids were distributed to five vendors, we received the following responsive bids:

Whitewater Sand & Gravel	\$49,775.00 **
United Sand & Gravel	53,012.50
Grand Junction Pipe & Supply	57,800.00
Parkerson Construction	60,825.00

\*\* recommended award

Public Works will place orders for 2,050 tons of 3/4" base gravel (\$5.00/ton), 4,250 tons of 2" base course gravel (\$4.00), 850 tons of 3/4" washed rock (\$5.50), 800 tons of 1/2" gravel (\$7.00), and 2,000 tons of 3/8" crushed aggregate (\$6.00). Parks will order 50 tons of 3/4" road base gravel (\$5.00).

11. **Authorization** to purchase a 1993 Ford 4WD F-350 cab and chassis from Hellman Motors of Delta - \$17,393

Bids were opened February 18, 1993, for the purchase of a 1-ton diesel-powered 4WD cab and chassis for the Fire Department. Invitations for Bids were distributed to five area dealers, we received the following responsive bids:

Bidder	Net Bid
Hellman Motors (Ford)	\$17,393.00 **
Western Slope Auto (Ford)	\$17,463.00
Westphal Chevrolet	\$20,596.40

\*\* recommended award

The cab and chassis purchase is a replacement for unit #322, a 1983 Ford F-250 with Utility Box. This truck will be fitted with a light weight aluminum utility body expected to cost under \$6,000.

This vehicle, when fully equipped, will serve as the department's brush truck which responds to wildlands fires.

12. **Approval** of Stadium Scoreboards Contract between Pepsi Cola and the City of Grand Junction

This Contract covers the purchase of the new stadium scoreboards approved by the City Council during the 1993 City Budget meetings.

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

**HEARING - APPLICATIONS BY THE GRAND JUNCTION DOWNTOWN ASSOCIATION FOR 4 FERMENTED MALT BEVERAGE SPECIAL EVENTS PERMITS ON APRIL 17, JUNE 5, JUNE 6, AND JULY 24, 1993**

A hearing was held after proper notice on the application by the Grand Junction Downtown Association for four (4) each Fermented Malt Beverage Special Events Permits for the following dates:

- a. April 17, 1993, 10:00 a.m. to 12:00 midnight, in the 300-600 blocks of Main Street - Annual Chili Cook-off
- b. June 5, 1993, 9:00 a.m. to 12:00 midnight, in the 300-600 blocks of Main Street - Arts and Crafts Festival
- c. June 6, 1993, 9:00 a.m. to 5:00 p.m., in the 300-600 blocks of Main Street - Arts and Crafts Festival
- d. July 24, 1993, 10:00 a.m. to 12:00 midnight, in the 300-600 blocks of Main Street - Dinosaur Days

President of the Downtown Association Mike Shafer was present. There were no opponents, letters or counter petitions. Upon motion by Councilman McCurry, seconded by Councilman Shepherd, the application for the four special events permits were approved.

**APPEAL OF FEBRUARY 10, 1993, PLANNING COMMISSION DECISION REGARDING WILSON RANCH - REQUIREMENT TO LOOP WATER LINE - APPEAL GRANTED**

Dan Garrison and Wilson Ranch appeal the decision of the City Planning Commission concerning the applicability, effect, and enforcement of Ordinance No. 2497, as amended, of the City of Grand Junction as it pertains to the revised preliminary plan and phase two final plat for Wilson Ranch submitted to the Planning Commission on February 10, 1993.

Dan Garrison, petitioner, is appealing the requirement specified by City Ordinance requiring all water lines greater than 1000 feet in length to be looped. Compliance to the ordinance is a condition of the Planning Commission's approval.

Dave Thornton, Community Development Department, reviewed this item stating that Mr. Garrison and GNT Development, developers of Wilson Ranch, are appealing the requirements for looping of a water line for Wilson Ranch. The City Ordinance requires that in residential development all water lines longer than 1000 feet must be looped with a minimum of 6" water line.

Fire Chief Mike Thompson was present stating that the calculations of the

City Utilities Engineer Bill Cheney were as follows:

a. the flows on the on the 2" line would be approximately 85 gallons per minute;

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b. the combined flow between the 2" and 3" would be no more than 200 gallons per minute - for residential areas the Fire Department requires a minimum flow of 500 gallons per minute.

Councilman Bennett felt that this requirement hinders development, and forces high construction costs.

Councilman Shepherd suggested a solution that has been applied to the relation of sewers and the use of the joint sewer funds in funding extensions. It would still allow for the application of a larger flowline, does not diminish that requirement, but helps provide some relief to the developer. The water fund might pay for the extension, minus the prorated share to the contractor, and as others attached to the line, they would pay their share until the line costs are paid for.

Dave Thornton stated that Filing #1 has 40 lots, Filing #2 has 14 lots, and the rest of the single-family in the preliminary area there is an additional 31 lots, totaling 85 lots. He questioned how many lots are planned for the multi-family development.

Mr. Dan Garrison stated that during the development of Wilson Ranch he has tried to cooperate and meet all requirements. He has provided irrigation water under pressurized system, so Ute Water is not being used for anything other than domestic and fire protection purposes. Mr. Garrison stated that he is not proposing multi-family development off this line. He is proposing 8" service to provide domestic service to single-family dwellings. He has downsized the development by reducing 20 potential sites, and reduced the density.

Mr. Garrison continued that on November 18, 1992, he met with Dave Thornton, Karl Metzner, Community Development Department, and Gerald Williams, City Engineering Department. He was not interested in investing in engineering and survey costs if further development of Wilson Ranch was not allowed. He was assured that the agreement which he had negotiated with Mr. Wilson and Mr. Achen, and approved by the City Council, was adequate to take care of the changes that he was proposing on the final plat for Filing #2. On that basis he has spent in excess of \$9,000 in engineering and survey fees for Filing #2 and the revised preliminary plan. He does not believe that Wilson Ranch is without adequate fire protection. The amendment to Ordinance No. 2497 (Ordinance No. 2627) was passed in January, 1993, effective February 7, 1993. Mr. Garrison filed for this subdivision first in 1991, and second in 1992. He came in good faith and has operated in good faith, and wishes to continue in good faith. He questions whether or not the requirement is legal based upon the position that he had previously negotiated with the City in terms of his annexation agreement.

Mr. Garrison suggested an amendment to the Ordinance which will accommodate a continued development in this particular area. He stated that the Valley is growing with quality subdivisions. He will contest the figures that the Fire Department quotes saying that he can provide the fire flow. He believes that off the system that he presently has, which is one 8" line linked to additional 2" lines and Ute's current water pressure, which they run out

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there as a minimum of 80 pounds of pressure minimum (his homeowners are currently receiving bills showing 150 pounds of pressure) he can provide 500 gallons per minute fire flow off of the looped system. It has a lot of pressure and Mr. Garrison believes that he is providing reasonable fire protection under the Code for the residents of Wilson Ranch.

Mayor Theobald questioned what it would cost to extend the line. Mr. Garrison estimated \$125,000. Mr. Garrison stated that currently there is a 12" line at the corner of G and 25 Road. The line would have to run to G-1/2 Road and cross the canal which is immediately west of Bookcliff Gardens, straight west to 25 Road and then south to G Road to connect, approximately one mile at \$20./+foot. Mr. Garrison requested some kind of help from City Council.

Jim Majors, Attorney representing Mr. Garrison, also author of the agreement in discussion tonight, requested that the agreement between the City and GNT Development Corporation be maintained.

City Manager Mark Achen stated that the issue of whether the City should use some public funds to extend the line is a discretionary issue of Council. He felt it was more appropriate to use general resources rather than the Water Fund resources since the Water Fund comes from customers in only two thirds of the City's limits. The City could work with the developer on a cost sharing arrangement, and finance the City's share with general resources.

There were no opponents, letters or counter petitions.

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote with Councilmen **SHEPHERD** and **BESSINGER** voting **NO**, the fire flow appeal was granted, and the City construes paragraph 12 in the Annexation Agreement to be binding on the City requiring that only the main lines be built as satisfactory in this case, and this be considered an isolated incident.

**ORDINANCE NO. 2646 - ROLLING ACRES ANNEXATION, LOCATED WEST OF 7TH STREET, NORTH OF HICKORY DRIVE**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2646 was passed and adopted, and ordered published.

**ORDINANCE NO. 2647 - TERRA DEL VISTA ANNEXATION, EAST OF 7TH STREET, SOUTH OF I-70**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman Bessinger, seconded by Councilman Nelson and carried by roll call vote, Ordinance No. 2647 was passed and adopted, and ordered published.

**ORDINANCE NO. 2648 - ZONE OF ROLLING ACRES ANNEXATION TO RSF-2 (RESIDENTIAL SINGLE FAMILY, TWO UNITS PER ACRE), LOCATED WEST OF 7TH STREET AND NORTH OF HICKORY DRIVE**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman Baughman, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2648 was passed and adopted, and ordered published.

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**ORDINANCE NO. 2649 - ZONE OF TERRA DEL VISTA ANNEXATION TO RSF-2 (RESIDENTIAL SINGLE FAMILY, TWO UNITS PER ACRE), LOCATED EAST OF 7TH STREET, SOUTH OF I-70**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2649 was passed and adopted, and ordered published.

**ORDINANCE NO. 2650 (AMENDED) - REPEALING ORDINANCE NO. 2330 REGARDING WATER AVAILABILITY FEE**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman Bessinger, seconded by Councilman Nelson and carried by roll call vote, Ordinance No. 2650 was passed and adopted as amended, and ordered published.

**ORDINANCE NO. 2651 - 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**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman Bessinger, seconded by Councilman Nelson and carried by roll call vote, Ordinance No. 2651 was passed and adopted, and ordered published.

**ORDINANCE NO. 2652 - AMENDING CHAPTER 12 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, DEFINITIONS AND LIMITATIONS -- "PUBLIC NOTICE"**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2652 was passed and adopted, and ordered published.

**ORDINANCE NO. 2653 - 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**

A hearing was held after proper notice. There were no comments. Upon motion by Councilman Baughman, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2653 was passed and adopted, and ordered published.

**ADJOURNMENT**

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

Sandra Glaze  
Acting City Clerk