

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

**FEBRUARY 16, 1994**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 16th day of February, 1994, at 7:33 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, Bill Bessinger, R.T. Mantlo, Ron Maupin, Dan Rosenthal, and President of the Council Reford Theobold. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Theobold called the meeting to order and Council-member Maupin led in the Pledge of Allegiance. The audience remained standing during the invocation by Don Sperber, First United Methodist Church.

**PROCLAMATION DECLARING FEBRUARY 13-19, 1994 AS "STUDENT NURSES APPRECIATION WEEK" IN THE CITY OF GRAND JUNCTION**

**APPOINTMENTS TO VISITORS & CONVENTION BUREAU BOARD OF DIRECTORS**

Upon motion by Councilmember Rosenthal, seconded by Councilmember Maupin and carried, Tom Kleinschnitz and Fay Timmerman were appointed to three-year terms on the Visitors & Convention Bureau Board of Directors.

**CONSENT ITEMS**

President Theobold announced that Item 12 has been removed from the agenda. Upon motion by Councilmember Bessinger, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **BAUGHMAN** voting **NO** on Items 5 and 10, the following Consent Items 1-11 were approved:

1. **Approval** of the minutes of the Regular Meeting February 2, 1994
2. **Award of Contract** - South Camp Road Sewer Line Extension - Recommended Award: M.A. Concrete - \$390,655.17

The following bids were received on February 3, 1994:

<b><u>Contractor</u></b>	<b><u>Bid</u></b>
M.A. Concrete Construction	\$390,655.17**
Continental West Constructors	\$558,857.00
Native Excavating	\$568,652.00
United Companies	\$587,583.75
Lyle States Construction	\$639,083.70

U.S. Contractors \$641,851.00

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Tierdael Construction \$764,764.00  
Atkins and Associates \$865,028.00  
Parkerson Construction \$888,590.00  
Engineer's Estimate \$581,125.00

\*\*recommended award

- 3. **Authorization** to Purchase a 1994 Ford F-800 Cab and Chassis with Hi-Ranger Articulated Aerial Tower Capable of 56 Foot Extension - Recommended Award - Teague Equipment Company - \$59,974

The truck is budgeted for the City's Forestry Division. The new unit will replace a bucket truck purchased in 1990. This truck will enhance tree-trimming operations.

Invitation for bids were distributed to 5 dealers, with the following two bids received on February 2, 1994:

<u>Dealer</u>	<u>Gross Bid</u>	<u>Trade-in</u>	<u>Net Bid w/trade</u>
Teague Equip. Co.	\$89,974	\$30,000	\$59,974**
Altec Industries	\$86,483	\$25,000	\$61,483*

\*\* recommended award

\* bucket design does not meet specifications

- 4. **Award of Contract** for the Remodel Construction of 800 Square Feet at the Municipal Service Center, 2549 River Road  
Recommended Award: Delbert McClure Construction - \$35,826.00

The construction will create new office space for the Code Enforcement Division of the Community Development Department at a cost of \$35,826.00. The offices are being constructed in the city warehouse located in the Municipal Service Center on River Road.

Bids were opened January 27, 1994, as follows:

<u>Contractor</u>	<u>Bid</u>
McClure Construction	\$35,826.00**
Classic Constructors	\$38,750.00
Freestyle, Inc.	\$39,997.00
Architect's Estimate	\$37,410.00

\*\*recommended award

- 5. **Climax Mill Site Annexation**

a. **Proposed Ordinance** - An Ordinance Annexing Territory

to the City of Grand Junction, Colorado - Climax Mill Site -Approximately 99.38 acres Located South of Kimball Avenue between 9th and 15th Streets  
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This area has been totally surrounded by City limits since December 7, 1986. Annexation of this enclave was delayed to allow completion of the mill tailings removal. All tailings have now been removed and the site is being reclaimed for a state recreation area.

(1) First reading of proposed Ordinance

6. **Patterson Road Enclave Annexation**

- a. **Proposed Ordinance** - An Ordinance Annexing Territory to the City of Grand Junction, Colorado - Patterson Road Enclave - Approximately 4.77 acres Located North of Patterson Road and West of 25 Road

This parcel has been enclaved since December 9, 1990. It is vacant land and currently zoned Planned Business under County zoning.

(1) First reading of proposed Ordinance

- b. **Proposed Ordinance** - An Ordinance Zoning the Patterson Road Enclave

The Patterson Road Enclave consists of two parcels of land which have been completely surrounded by city limits for more than three years. The properties were zoned Planned Business under County zoning but the plan was reverted several years ago. The proposed Planned Business zoning will allow, subject to Planning Commission approval, all uses allowed, special or conditional in the B-1 and B-3 Zone Districts.

(1) First reading of proposed Ordinance

7. **Proposed Ordinance** - An Ordinance Zoning Bluffs West Annexation

The Bluffs West Annexation, 139 acres located east of 23 Road and south of the Colorado River, was recently annexed into the City. It consists of vacant land at the east portion, being platted as South Rim of the Redlands and developed as single family/duplex units along 23 Road. The South Rim development was zoned Planned Residential in the County and will retain that zoning along with the approved plan. Any development other than in the approved plan will require additional processing.

a. First reading of proposed Ordinance

8. **Proposed Ordinance** - An Ordinance Vacating Easements on Lot 3, Block 2, Filing 2, Ptarmigan Ridge Subdivision  
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These easements are not needed for utility services or other purposes on this or adjacent parcels. The applicant, Milo Johnson, is requesting vacation of the easements to create a more buildable lot.

a. First reading of proposed Ordinance

9. **Proposed Ordinance** - An Ordinance Rezoning Land Located at 1525 N. First Street from Neighborhood Convenience Business (B-2) to Planned Business (PB)

The applicant, Robert LeBaron, is requesting a rezone of his property to better conform with the character of the neighborhood and the intent of the 1st Street Corridor Guidelines.

a. First reading of proposed Ordinance

10. **\* Resolution No. 15-94** - A Resolution Amending a Road Easement Previously Granted to the Bureau of Land Management on November 18, 1992

The City previously granted an easement authorizing seven federal agencies to use a road on Somerville Ranch that provides access to a BLM communications site on the Grand Mesa. The BLM is requesting an amendment that would vacate the northerly 1/2-mile of the easement and allow them to construct approximately 1/4-mile of new road to avoid crossing Powder Mountain Ranches whose owners have refused to grant a similar easement.

11. **Approval** of Two Grant Requests in Behalf of the City of Grand Junction to Colorado State Parks for Riverfront Trail Construction for \$50,000 each

Great Outdoors Colorado has made \$1,000,000 available for fiscal year 1994/1995 for trails construction projects. These funds are being administered by the State Trails Grants program for this year only, along with \$200,000 in State Trails Grants. These grants are only available to counties, municipalities and school districts. The Riverfront Commission has requested that the City of Grand Junction, through the City Parks and Recreation Department, submit a \$50,000 grant application for funding to complete the Blue Heron II Trail, Phase B, and a \$50,000 grant application to

pave the dike to be constructed by the Army Corps of Engineers in late 1994 or early 1995.

12. **\* Resolution No. 16-94** - Authorizing the City Manager to Execute an Agreement with Mesa County and Fruitvale Sanitation District Concerning Certain Arrearages - **REMOVED FROM AGENDA**

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

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

**PUBLIC HEARING - NICHOLS ANNEXATION - RESOLUTION NO. 17-94 ACCEPTING A PETITION FOR ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE NICHOLS ANNEXATION IS ELIGIBLE FOR ANNEXATION AND EXERCISING LAND USE CONTROL AND JURISDICTION - PROPOSED ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, NICHOLS ANNEXATION, APPROXIMATELY .2758 ACRES LOCATED AT 575 29 ROAD - PROPOSED ORDINANCE ZONING THE NICHOLS ANNEXATION RSF-4**

This is a single parcel of land with a single family dwelling unit. The property owners have requested annexation.

The RSF-4 zoning has been requested by the property owner and is consistent with the 1/4 acre lot size and the surrounding uses.

A hearing was held after proper notice. Dave Thornton, Planner, Community Development Department, reviewed this item. He stated that a proper petition has been signed by the owners of the one lot, not less than one-sixth of the perimeter of the area to be annexed is contiguous with existing city limits, a community of interest exists between the area to be annexed and the City. This is so, in part, because the Central Grand Valley is essentially a single demographic and economic unit. Occupants of the area can be expected to use city streets, parks and other urban facilities. The area is urban or will be urbanized in the near future. The area to be annexed is practically integrated with the City. There is no land held in separate ownership, it is only one lot. For tax purposes, the assessed value on this land is less than \$200,000.

There were no opponents, letters, or counterpetitions. Upon motion by Councilmember Mantlo, seconded by Councilmember Bessinger and carried by roll call vote, Resolution No. 17-94 was adopted, and the two proposed ordinances were passed for publication.

**PUBLIC HEARING - REQUEST FROM CENTRAL DISTRIBUTING TO VACATE RIGHT-OF-WAY AT 4TH STREET, SOUTH OF SOUTH AVENUE - APPEAL OF**

**PLANNING COMMISSION RECOMMENDATION FOR DENIAL OF REQUEST - APPEAL DENIED**

This is an appeal of the Planning Commission recommendation for denial of the request for vacation of the 4th Street right-of-way south of South Avenue for approximately 140 feet to the railroad right-of-way for the purpose of building an addition to an existing warehouse.

Central Distributing Company, located on the southwest corner of South Avenue and 4th Street, is requesting a vacation of the westerly 16 feet of the 4th Street right-of-way from South Avenue

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to the railroad right-of-way in order to expand an existing warehouse.

A hearing was held after proper notice. Kristen Ashbeck, City Community Development Department, reviewed this item. She stated that the petitioner, Central Distributing Company, originally proposed to vacate the entire 80 foot width of 4th Street, south of South Avenue all the way to the railroad right-of-way. Most of the surrounding property owners, as well as most of the review agencies, were opposed to that. The petitioner responded by proposing to vacate only the westerly 16 feet to allow for the construction. With that vacation, it would leave a mat of pavement which meets the City's industrial streets standard, however it would not meet the standard in terms of multi-purpose easement on either side of that pavement width.

The greater concerns are those relative to the Colorado Department of Transportation (CDOT). CDOT is in the very early stages of designing the new 5th Street viaduct. Preliminary design concepts include closure of the northbound on-ramp and rerouting northbound traffic to the west. This portion of 4th Street will then become the only access for parcels between 4th and 6th Streets south of South Avenue. The site design for the proposed warehouse expansion into the vacated portion of the 4th Street right-of-way shows that trucks would be maneuvering in the remaining right-of-way to back to the docks. This is an obvious safety concern, particularly if traffic increases due to redesign of the viaduct.

Also, given that the viaduct design is in such an early stage, it is unclear what right-of-way might be needed in this area. Thus, CDOT recommends, and Staff concurs, that the right-of-way (all or part) not be vacated until the viaduct design and its impact on surrounding circulation patterns are better defined. Additionally, the railroad expressed concerns regarding access to their property across the tracks at the end of 4th Street if they ever develop that property.

Planning Commission recommends denial for the following reasons:

1. The proposal appears to have adverse safety impacts;
2. The master plan for this area is being developed. Thus, it is unknown if this proposal conflicts with adopted policies for the land use and circulation;
3. The proposal does not improve traffic circulation; and
4. It would be contrary to the wishes and designs of CDOT.

There was no one present to speak on behalf of the petitioner Central Distributing Company. There were no opponents, letters or counterpetitions. Upon motion by Councilmember Mantlo, seconded by Councilmember Baughman and carried, the appeal of the Planning

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Commission recommendation to deny the request to vacate the right-of-way on 4th Street south of South Avenue was denied.

#### **VCB DEDICATION & OPEN HOUSE**

President Theobold announced that the dedication of the new Visitors & Convention Bureau building will be held on February 17, 1994, at 9:30 a.m., with an open house that evening at 5:30.

#### **ADJOURNMENT**

Upon motion by Councilmember Bessinger, seconded by Councilmember Mantlo and carried, the meeting was adjourned to executive session at 8:00 p.m. to discuss pending litigation.

Stephanie Nye, CMC  
City Clerk