

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

APRIL 6, 1994

The City Council of the City of Grand Junction, Colorado, convened into regular session the 6th day of April, 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 Afman led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. David A. Crowley, First Assembly of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING APRIL 15, 1994, AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING APRIL, 1994, AS "FRESHAZADAZY MONTH" IN THE CITY OF GRAND JUNCTION

APPRECIATION PLAQUES AWARDED TO FRANK BERING AND TOM RALSER FOR SERVICE ON THE VISITORS & CONVENTION BUREAU

APPOINTMENT TO THE RIDGES ARCHITECTURAL CONTROL COMMITTEE

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo and carried, Kathy Coe was appointed to the Ridges Architectural Control Committee.

CONSENT ITEMS

It was requested by Councilmember Baughman that Item 15 on the Consent section be removed for full discussion. Upon motion by Councilmember Mantlo, seconded by Councilmember Afman and carried by roll call vote, Item 15 was pulled from the consent agenda for individual discussion, and the following Consent Items 1-14 and 16-20 were approved:

1. **Approval** of the minutes of the Regular Meeting March 16, 1994
2. **Award of Contract** - 1994 Street Accessibility Improvements - Recommended Award: Tiara Construction - \$109,761.10

The following bids were received on March 24, 1994:

Tiara Construction	\$109,761.10
(Armandariz Construction)	
Reyes Construction	\$121,687.10
G & G Paving	\$129,673.20
Mays Concrete	\$142,791.00
M.A. Concrete	\$154,329.80
Fred Cunningham	\$164,071.80
Engineer's Estimate	\$125,611.00

3. **Award of Engineering Services Contract** to Merrick & Company for Design of Texas Avenue and Elm Avenue Reconstruction from 12th Street to 15th Street; and to KLH Engineering Group for Design of Paradise Hills Boulevard and the Parking Lot Expansion at Stocker Stadium

Proposals were received on March 25, 1994. Lump sum fees for services specified in the Request for Proposals are as follows:

Parking	Texas	Elm	Paradise	
	Avenue Reconstr <u>12th-15th</u>	Avenue Reconstr <u>12th-15th</u>	Hills Boulevard <u>Constr</u>	Lot at Stocker <u>Stadium</u>
Merrick & Company	\$15,580	\$17,840	\$14,120	\$7,720
Banner Associates, Inc.	*	\$23,600	\$18,350	*
KLH Engineering Group	\$17,300	\$26,000	\$9,000	\$5,900
Western Engineers	\$22,650	\$24,590	\$10,450	*
* No proposal submitted				

4. **Authorization** to contract with Sorter Construction for labor and materials to install a median drain on Ridges Boulevard - Total Cost \$47,988.00

The median drain will require installation of 1,275 LF of 12" corrugated polyethylene pipe at a cost of \$47,988.00. Bids were opened February 24, 1994 as follows:

Sorter Construction	\$47,988.00*
M.A. Concrete	\$49,237.50

*** recommended award**

5. **Authorization** to contract with Chemical Waste Management, Inc. for the turn-key management and disposal of the City's hazardous waste; and

Request for General Fund Contingency monies to finance project; \$50,000.00 is the estimated maximum cost of sampling, containment, transportation and thermal destruction of all identified regulated hazardous materials.

6. **Authorization** to purchase a Murphy 4000 4-Wheel Broom Street Sweeper - Recommended Award: Ace Equipment Company - \$103,250.00

The following bids were opened February 23, 1994, which include a trade allowance for a 1981 Elgin Pelican 3-wheel sweeper:

MacDonald Equipment (Johnston Vanguard)	\$102,000.00
Ace Equip. & Supply (Murphy 4000)	\$103,250.00*
Faris Machinery (Elgin Eagle)	\$109,985.00

* recommended award

7. **Authorization** to purchase materials to construct the El Poso storm water drainage project - Recommended Award: Grand Junction Pipe & Supply and Waterworks Sales - \$48,907.05

Grand Junction Pipe will supply 2,324 LF of class III reinforced concrete pipe, connections and manholes for \$42,670.05. Waterworks Sales will supply a 24" check valve and the cast iron manhole grates, covers and rings at a cost of \$6,236.50. Total cost of materials will be **\$48,907.05**. Installation will be done by the City and Grand Junction Drainage District employees.

8. **Authorization** for sole source purchase of technical services from Pavement Management Systems (PMS) - \$24,000

PMS of Lake Forest, California, will conduct field tests and collect data on the condition of 200 miles of city streets. The data collected must be compatible with the public works department's pavement management software which was purchased from the same company; thus the need for sole source approval.

9. *** Resolution No. 21-94** - A Resolution Accepting Alley Improvement District ST-93 and Giving Notice of Hearing on Assessments

Reconstruction of the following 8 alleys has been completed in accordance with the Resolution Creating Alley Improvement District 1993:

- . East-West alley from 5th to 6th Street between Gunnison and Hill Avenue;
- . East-West alley from 10th to 11th Street between Gunnison and Hill Avenue;
- . "L" shaped alley south of Elm Avenue between 22nd and 23rd Street;
- . East-West alley from 9th to 10th Street between South Ave and the Railroad Tracks;
- . "L" shaped alley east of 6th Street between Belford and Teller Avenue;
- . "Cross" shaped alley from 6th to 7th Street between Ouray and Chipeta Avenue;
- . East-West alley from 10th to 11th Street between Chipeta and Gunnison Avenue;
- . "Cross" shaped alley from 6th to 7th Street between Chipeta and Gunnison Avenue.

Public hearings to consider the proposed ordinance assessing real estate included in this district will be conducted on May 18, 1994 and June 1, 1994.

10. *** Resolution No. 22-94** - A Resolution Accepting Street Improvement District No. ST-92 (West Mesa Avenue) and Giving Notice of Hearing on Assessments

The installation of street improvements for West Mesa Avenue is complete and the statement of the proposed assessable costs has been prepared. Public hearings to consider the proposed ordinance assessing real estate included in this district will be conducted on May 18, 1994, and June 1, 1994.

11. *** Resolution No. 23-94** - A Resolution Concerning the Granting of an Easement to the Public Service Company of Colorado

The Public Service Company of Colorado has received a request from the Denver & Rio Grande Railroad to extend an overhead electric line for a distance of approximately 100 feet to provide power for a switching device. The proposed line would require a 10-foot x 100-foot easement across City property located below the water treatment plant and south of the Department of Energy office complex.

12. *** Resolution No. 24-94** - A Resolution Concerning the Issuance of a Revocable Permit to Robert K. Sacco and Linda L. Sacco to allow continued use of an orchard and placement of fencing in the public right-of-way for G Road adjacent to the property at 2374 East Piazza Place

13. *** Resolution No. 25-94** - A Resolution Concerning the Issuance of a Revocable Permit to Rocky Mountain Health Maintenance Organization, Inc. to allow placement of a fiber optic cable under the public right-of-way for Crossroads Boulevard adjacent to the properties located at 2775/2776 Crossroads

Boulevard.

14. *** Resolution No. 26-94** - A Resolution Concerning the Issuance of a Revocable Permit to Thomas M. Mingus and Joanne Mingus to allow placement of landscaping and a sign in the public right-of-way for North Avenue and 29 Road adjacent to the property at 2896 North Avenue
15. *** Resolution No. 27-94** - A Resolution Approving a Half-Time Coordinator for the Arts Commission - **REMOVED FOR FULL DISCUSSION**
16. *** Resolution No. 28-94** - A Resolution Accepting Energy Impact Assistance Grant Funds from the State of Colorado, Department of Local Affairs
17. **Proposed Ordinance** - An Ordinance Making Supplemental Appropriations to the 1994 Budget of the City of Grand Junction

The requests are to re-appropriate certain amounts appropriated for 1993 and not spent. They include various requests previously approved by the Council for which appropriations have not yet been made. They include appropriations for certain projects for which additional revenues have been or will be received. They also include new requests and some corrections to the budget.

a. First reading of proposed Ordinance

18. **Authorize** the City Manager to sign the 1994 City of Grand Junction/Grand Junction Rural Fire Protection service delivery contract - \$908,764.00

This contract frames an agreement between the City of Grand Junction and the Grand Junction Rural Fire Protection District for delivery of fire suppression, code enforcement, and emergency medical response services. The Grand Junction Fire Department extends services under the agreement to the Grand Junction Rural Fire District.

19. *** Resolution No. 29-94** - A Resolution Amending the Terms and Conditions of the Anderson Ranch Lease with Clifford V. Davis and Judy L. Davis
20. *** Resolution No. 30-94** - A Resolution Leasing the Big Game Hunting Rights on the Somerville Ranch Property

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

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RESOLUTION NO. 27-94 APPROVING A HALF-TIME COORDINATOR FOR THE ARTS COMMISSION

Councilmember Baughman requested that City Council consider this item carefully before voting on funding a half-time arts coordinator position. He stated that he did support the City's purchase of the Avalon Theater. He felt Council should consider the City Manager's warning that this half-time position would probably be very temporary, and probably lead into a full time position in a short time.

Councilmember Bessinger felt that if there is enough real interest in this project, there should be enough volunteers in the area to accomplish what needs to be done. If they cannot solicit volunteers then there must not be enough public interest, and the Commission should be abolished.

Councilmember Maupin felt that the arts should be considered another form of recreation in our community. A lot of people do not play sports. The arts are recreation for our senior citizens, educational for our young people. It is just as important to have arts in our culture as it is to have sports, to have parks, to have swimming pools. The City does not hesitate to pay many staff members for parks and recreation improvement. He hopes this position will grow into a full time position plus three or four more people. They should be able to bring grants to our city. Grand Junction is already world famous for its Art on the Corner which the Arts Commission has helped with a little bit, but mostly that is private sector money. He feels it is very important that the City continue on with the arts.

Councilmember Rosenthal agreed that a half-time coordinator will help manage the City's arts and culture.

Councilmember Mantlo stated that the half time position that Council is fulfilling here is going to let Council answer the question in either a positive or a negative manner. If it's negative it can be taken care of at the time. If it is positive it will be money well spent. He feels that the City has to give the position an opportunity to prove itself.

Councilmember Afman wants to remain open minded about this position. She thinks the Council's ability to review and assess new goals to see if this is the direction the City wants to go is what Council has before it. It can be analyzed, watched and nurtured in the direction it needs to go.

President of the Council Theobald stated that if the volunteer effort involved with the Arts Commission dries up because of this new position, that would be the end of it. Without the volunteers the Arts Commission and the arts interest will die all on their own.

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He felt this entity and activity cannot survive without a lot of volunteers. A half-time coordinator cannot make this whole thing happen alone.

Upon motion by Councilmember Mantlo, seconded by Councilmember Rosenthal and carried by roll call vote with Councilmembers **BAUGHMAN** and **BESSINGER** voting **NO**, Resolution No. 27-94 was adopted.

PUBLIC HEARING - ORDINANCE NO. 2738 ADOPTING THE 1991 EDITIONS OF THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS; AND MAINTAINING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES

A hearing was held after proper notice. There was no one present to speak for or against the proposed ordinance.

Fire Chief Mike Thompson and Administration Office Ken Johnson were present. Councilmember Baughman questioned how the following items will be regulated under the title Zones in which flammable or combustible liquids and outside above ground tanks is prohibited: agricultural fuel tanks, farming applications, fuel tanks for fuel oil for home heating, liquid petroleum for trailer homes, Doxel tanks, etc.

Fire Chief Thompson responded that the areas designated as agriculture, above ground storage tanks are exempt, 300 gallons is the maximum size. The LPG tanks for home fuel fall under a separate set of regulations that pertain to distance from property line, size of tanks, and distance from structures. Such tanks are addressed in the Code, but are still allowed. The Code does not apply to existing conditions, but does apply to new construction.

Upon motion by Councilmember Maupin, seconded by Councilmember Bessinger and carried by roll call vote with Councilmember **BAUGHMAN** voting **NO**, Ordinance No. 2738 was adopted and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2739 AMENDING SECTION 5-7-7.B.5. OF THE ZONING AND DEVELOPMENT CODE PERTAINING TO FLUSH WALL SIGNS TO ALLOW FOR THE REDISTRIBUTION OF SIGN ALLOWANCE ON BUILDINGS

A hearing was held after proper notice. There were no comments. Upon motion by Councilmember Rosenthal, seconded by Councilmember Mantlo and carried by roll call vote, Ordinance No. 2738 was adopted and ordered published.

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DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE

Councilmember Baughman stated that a constituent has requested that the City consider a means to dispose of household hazardous waste such as paint and old batteries, etc. Fire Chief Thompson explained that the City has explored that idea and looked at other agencies and municipalities on the front range, and throughout the United States, and discovered that it is a very expensive proposition. A "Household Toxic Waste Day" was held in the Denver metro area where disposal costs ran close to \$400,000. Current inquiries regarding toxic waste disposal are referred to the local CSU extension office. Pesticides and paints are a real problem to the Fire Department. Councilmember Baughman felt there should be a facility set up for handling such hazardous waste. Fire Chief Thompson will do some research and prepare a staff report for Council.

STREET LIGHTING ON HIGHWAY 6 & 50 BETWEEN NORTH AVENUE AND 24 ROAD

Councilmember Rosenthal stated that a citizen has asked him why the lighting on Highway 6 & 50 between North Avenue and 24 Road is not being worked on. Jim Shanks, Public Works Director, stated that a grant was recently received for the subject lighting. Public Service does the construction installations for the City. The project is dependent on Public Service's schedule and should be completed sometime this summer.

ADJOURN TO EXECUTIVE SESSION

Upon motion by Councilmember Bessinger, seconded by Councilmember Baughman and carried, the meeting was adjourned to Executive Session at 8:15 p.m. to discuss pending litigation and contract negotiations.

Stephanie Nye, CMC
City Clerk