

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

**MAY 18, 1994**

The City Council of the City of Grand Junction, Colorado, convened into regular session on the 18th day of May, 1994, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, Bill Bessinger, Ron Maupin, Dan Rosenthal, Reford Theobold, and President of the Council R.T. Mantlo. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Mantlo called the meeting to order and Councilmember Baughman led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Jack Olsen, Evangelical Free Church.

**APPRECIATION PLAQUE AND GAVEL PRESENTED TO PAST PRESIDENT OF THE COUNCIL, EX-OFFICIO MAYOR REFORD C. THEOBOLD**

**APPRECIATION PLAQUES PRESENTED TO V.A. CRUMBAKER AND MICHAEL SMEDLEY FOR SERVICE ON THE COMMISSION FOR ARTS & CULTURE**

**APPOINTMENT OF CITY COUNCIL TO VARIOUS BOARDS AND COMMITTEES**

The appointment of City Council members to various boards and commissions were ratified. (Copy attached.)

**CONSENT ITEMS**

Upon motion by Councilmember Maupin, seconded by Councilmember Afman and carried by roll call vote, the following Consent Items 1-15 were approved:

1. **Approval** of the minutes of the Regular Meeting May 4, 1994.
2. **Award of Contract** to Mail Managers, Inc. for the City's outgoing mail and freight handling services

The City has purchased the services of Mail Managers, Inc. for several years without a formal written contract. A contract has been prepared to correct this oversight. Mail Managers is compensated at a rate of 2.2 cents per piece handled (metered, pre-sorted, sealed or all of these). The City averages about 18,000 pieces of outgoing mail per month. The City saves approximately \$2,000 a year with pre-sort rates.

3. **Authorization** to expend \$43,888 for the sole source purchase of a complete Smith and Loveless Automatic Sewage Pumping

Station from Falcon Supply Co.

The Smith and Loveless custom, factory-built automatic sewage pumping station is for the Scenic School Interceptor Project. To purchase another brand of lift station would require additional staff training and parts inventory.

4. **Award of Contract** for the installation of approximately 1,016 feet of CIPP (cured-in-place-pipe) for sewer line rehabilitation at three different locations in the City (Mesa Mall, Mesa County Library, Main Street).  
Recommended Award: Insituform Rockies, Inc. - \$66,780

The City Public Works Department solicited bids for the installation of CIPP. Due to the technical nature of the installation there was only one responsive bidder, Insituform Rockies, Inc. The City is aware of only three companies in the western United States that do this type of work. The City's estimate for the work was \$75,170.

5. **Proposed Ordinance** - An Ordinance Creating Sections 4-1-2 B. and C., Single Family Residential Zones, and Amending Chapter 12, Definitions and Limitations, and Section 4-3-4, Use/Zone Matrix, of the Grand Junction Zoning and Development Code

Staff is proposing a text amendment to bring the Zoning and Development Code in compliance with the Federal Manufactured Home Construction and Safety Standard Act (FMHCSSA).

- a. First reading of proposed Ordinance

6. **Proposed Ordinance** - An Ordinance Creating Section 4-13, Temporary Uses and Structures, and Amending Chapter 12, Definitions and Limitations and Section 4-3-4, Use/Zone Matrix of the Grand Junction Zoning and Development Code

Staff is proposing an amendment to the Zoning and Development Code to define and permit certain temporary uses.

- a. First reading of proposed Ordinance

7. **Proposed Ordinance** - An Ordinance Vacating Existing and Dedicating New Utility and Ingress/Egress Easements on Lot 2, Woodland Subdivision

This is a proposal to vacate existing and dedicate new utility and ingress/egress easements on Lot 2, Woodland Subdivision, located at 487 28-1/4 Road.

a. First reading of proposed Ordinance

8. **Proposed Ordinance** - An Ordinance Rezoning Certain Property Located at 9th and Hill from PZ to RSF-8

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Request for approval for a rezone from PZ (Public Zone) to RSF-8 (Residential Single Family, 8 units per acre) for 4 lots located at the northeast corner of 9th Street and Hill Avenue. This property was previously owned by the school district and has now been sold for private development.

a. First reading of proposed Ordinance

9. **Proposed Ordinance** - An Ordinance Imposing Transportation Capacity Payments Including Calculations Thereof, Credits and Approved Methodologies

A proposal to replace the current requirement for half street improvements with a Transportation Capacity Payment.

a. First reading of proposed Ordinance

10. **Proposed Ordinance** - An Ordinance Amending Section 4-9 of the Zoning and Development Code Regarding Non-Conforming Uses

Request for approval of a text amendment amending Section 4-9 of the Zoning and Development Code to modify and clarify requirements for Non-Conforming Uses, Structures and Sites.

a. First reading of proposed Ordinance

11. **Proposed Ordinance** - An Ordinance Amending Section 4-3-4 of the Zoning and Development Code Regarding Residential Units in the B-3 Zone District

Request for approval of a text amendment amending Section 4-3-4, Use/Zone Matrix Non-Residential Zone Districts, of the Zoning and Development Code, to allow residential uses as an allowed use for the 2nd story and above in the B-3 Zone District.

a. First reading of proposed Ordinance

12. **\* Resolution No. 39-94** - A Resolution Renaming Streets in the Replat of Blocks 4 and 5, Ptarmigan Ridge, Filing 6

13. **\* Resolution No. 40-94** - A Resolution Creating the Grand Junction Parks Development Task Force

Authorizes the creation of a task force to receive public

input and participation and to develop and refine details and specifics for parks expansion and development.

14. **Acceptance** of Donation of Property to the City by John Moss to be used as a Public Site

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Mr. John Moss has donated his valuable time and talents to the newly constructed Visitor Center. Now, to cap that off, he is additionally donating land valued at \$70,500 for a public site.

15. **Approval** of a Memorandum of Agreement with Chevron Shale Oil Company for computer modeling of the City of Grand Junction's water rights

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

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

**AUTHORIZATION FOR THE CITY MANAGER TO SIGN A SERVICE AGREEMENT WITH CHEMICAL WASTE MANAGEMENT, INC., FOR DISPOSAL OF REGULATED HAZARDOUS MATERIALS IN AN AMOUNT NOT TO EXCEED \$50,000**

City Attorney Dan Wilson stated that the contract negotiated price is for \$43,672.50. He explained some of the terms of the agreement included in the agreement that Chemical Waste Management, Inc., will remove and dispose of those hazardous materials identified by the City. Mr. Wilson stated that although he is reasonably certain all such materials have been identified, there is the possibility that some may not have been identified. The contract price only covers those materials identified. If Chemical Waste receives any materials not included, the City will have to pay for disposal of those materials also. Mr. Wilson wanted the Council to be aware of the possible liability but recommended approval of the contract as EPA has mandated that materials they identify must be disposed of. He also warned the Council that new chemicals are added to the list of hazardous materials annually by the EPA so future expenditures for disposal of such materials are likely. The City is also required to indemnify the disposal company as a term of the contract. Mr. Wilson stated that the City's liability is probably small, but it is also totally unknown. Under the Federal law, not only the transporter and the disporter are liable, but the City, as the original owner, is jointly and severally liable for all of the costs of environmental damage.

Assistant City Attorney John Shaver stated that the location of the incinerator is Henderson, Colorado (northeast of the Denver metro area), the closest, appropriate site for disposal.

Councilmember Baughman asked if any other cities have attempted to dispute the EPA mandate. He felt that these types of mandates should be coming from local and state governments, not federal. City Attorney Wilson responded that he is not aware of any efforts to reformulate the system. The National League of Cities and Grand Junction are members of different organizations that deal with the liability for landfills.

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City Manager Mark Achen stated that there are a number of efforts in lobbying the EPA for less demand upon the municipalities and other governmental agencies. There are some groups trying to influence the legislation as well as the administrative regulations. However, the public support for environmental laws is so strong that Congress is not going to alter the basic premises, but it might adjust the rules so they're not quite so onerous for the cities.

Upon motion by Councilmember Bessinger, seconded by Councilmember Maupin and carried, the City Manager was authorized to sign a Service Agreement with Chemical Waste Management, Inc., for disposal of regulated hazardous materials in an amount not to exceed \$50,000.

**PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION FOR DENIALS OF A REZONE FROM RSF-8 TO PR-11 AT 2845 TEXAS AVENUE**

The petitioner is appealing the Planning Commission's denial of a proposal to allow construction of a duplex in addition to the existing tri-plex at 2845 Texas Avenue.

Kathy Portner, Community Development Department, reviewed this item. The property located at 2845 Texas Avenue is currently zoned RSF-8 and has approximately .47 acres. There is currently a tri-plex on the property which is a non-conforming use in that zone. The property owner is proposing to rezone to a planned zone to bring the existing tri-plex into conformance and also is proposing to add a duplex, resulting in a total of 5 units on the property.

The existing zone density of 8 units per acre would allow 3 units as currently exists, on separate lots. The proposal to add two additional units brings the requested zoned density to 10.6 units per acre. The zoning and uses immediately surrounding the property are single family, 8 units per acre. There are some existing multi-family uses and zones along Elm Avenue and 28-1/2 Road. Given the densities immediately surrounding the property and in the absence of a plan, staff cannot support an increase in the density over the existing 8 units per acre. Staff would support, however, a rezone to Planned Residential-8 units per acre to bring the existing tri-plex into conformance.

In considering the rezone the following criteria must be considered as per the Zoning and Development Code:

- A. Was the existing zone an error at the time of adoption - There is no evidence that the existing zone was in error at the time of adoption.
- B. Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. -

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Staff feels there has not been significant changes in the neighborhood to warrant an increase in density at this site.

There have been some multi-family developments to the south of this property, but not immediately adjacent along the Texas Avenue corridor.

- C. Is there an area of community need for the proposed rezone - There may be a need for this type of housing in the community, however, specific locations have not been identified other than those areas already zoned appropriately.
- D. Is the proposed rezone compatible with the surrounding area or will there be an adverse impact - The proposed rezone to increase the density is not compatible with the immediate surrounding area.
- E. Will there be benefits derived by the community, or area, by granting the proposed rezone - Benefits are not apparent.
- F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies - A comprehensive plan does not exist for this area.
- G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone - Adequate facilities are available or could be reasonably extended in the area.

Staff feels the request to increase the density is not supported by the rezone criteria.

The following comments on the proposed site plan for the additional duplex unit should be considered if City Council chooses to approve the request to rezone to a higher density:

1. The parking lot stalls should not extend into the required

20' front yard setback.

2. The parking lot should be screened from adjacent property with a privacy fence or landscaping.
3. The proposed 10' rear yard setback is not adequate. All the multi-family zones in the Code require a minimum of 20'. This should have a 20' setback.
4. Open space fees of \$225 per unit would be required for the two additional units.

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Staff recommends denial of the request to rezone to 11 units per acre for construction of the additional duplex, but recommends approval of the request to rezone to Planned Residential, 8 units per acre, to bring the existing tri-plex into conformance. The Planning Commission denied the request for the rezone to Planned Residential, 11 units per acre for the additional duplex, and recommended approval of the request to rezone to Planned Residential, 8 units per acre.

City Attorney Wilson questioned the compatibility. Ms. Portner stated that along Texas Avenue, for the most part, there are single family detached units, to the east of the property there are mobile home units, but they are still single-family units at the overall density of 8 units per acre. The design of the tri-plex as it exists is such that it blends in well with single-family residences, but with the addition of a duplex behind it, it will start to have a much different appearance as far as crowding the site, plus the additional traffic that would be generated just from that one parcel would not be the same as what is being generated from the adjoining properties.

Ms. Portner explained that by going to a Planned Zone the development would still be within the overall density of the current zone at 8 units per acre with the tri-plex, but the Planned Zone allows a different housing type. Under the RSF-8 zoning a density of 8 units per acre would be allowed, but each single-family home would have to be on a single lot, at the same density. Under the Planned Residential, 8 units per acre, you would have the same density over the same area, but a different type of housing unit. The reason for proposing the lot split is if the duplex is approved, the developer would like to be able to sell that off separately. Under a Planned Zone there would be no need for the lot split to build a duplex. Going to a Planned Zone under the Zoning and Development Code, they would have to plat the property, they don't have to split it. It is estimated that this area was zoned in the early 1970s, with possibly a change in zone

category at that time. The zoning that existed in the early 70s must have allowed some-thing other than detached single-family homes. If it was in compliance with the zoning when it was built in '74, but the requirements for that zone have changed, it is now a non-conforming use.

The hearing was opened. Mr. Tom Logue spoke on behalf of Bill Dewey, the applicant. He commented on staff's criteria stating that he and Mr. Dewey have studied those criteria carefully and feel that they can, in their next step through the process, adequately respond to them in a full and complete manner. He responded to the following criteria:

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- A. Was there an error in the existing zone - There is obviously a 3 unit complex on the property. It is not in compliance as a non-conforming use. It is the position of the applicant that there may have been an error in the existing zone when the RSF-8 zone was established.
- B. Change in character - There has been a major change in the neighborhood. He displayed a surrounding land use map. It is in a state of transition. In 1974 50% of the total area was single-family units, 30% were mobile homes, 1% were multiple family units, and the balance of 20% in the study area were non-residential uses. In the last 20 years the area comprised of single-family use has decreased by approximately 15%, it is 35% currently. The number of mobile homes in the area over the last 20 years remains the same. As a result of the 15% decrease in single-family, a 15% increase in the number of multi-family uses in the area has occurred. There was no change in the non-residential uses.
- C. Is there an area of community need - Mr. Dewey has owned the property for several years, and rents 3 units on the site. He feels that there is a definite need. Available rental space in the Grand Junction area, particularly close to public facilities such as parks, schools and churches, and within walking distance of services and employment along the North Avenue corridor, is sparse. He stated that the City has recently adopted a resolution stating a definite need for additional multiple family units. He felt this type of development is definitely needed in this community. Councilmember Maupin clarified Mr. Logue's comment stating that the resolution was for affordable housing only.
- D. Impact to the area - Some elements have been incorporated into the site plan that can mitigate perceived adverse impacts to the surrounding neighborhood. Half the site will



remain as open space. The plan will be adjusted for rear, front and side building separation setbacks to be compatible with the existing surroundings. Parking is available with screening. They are willing to commit the duplex to a single story elevation. The existing 2-story unit in the front part of the lot as an additional buffer from the properties to the north of Texas Avenue. This development will contribute to the tax base in the transitional nature of the neighborhood. All services are available (water and sewer, fire protection, within walking distance of the school). It does not require any substantial capital outlay from a public standpoint.

Mr. Logue stated that Mr. Dewey has approached his six neighbors that adjoin his property explaining to them his proposal, making sure they understood the plans. Mr. Logue presented for the record letters signed by those six individuals indicating that they have City Council Minutes  
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no objection to the proposal as submitted to them. There were two indicating a desire for a buffer fence along their properties.

Bill Dewey, property owner, was present. He gave the names of neighbors he has contacted. To the east of Mr. Dewey is Mr. Gobbo, Mr. Wallace, Nisley apartments (adjoin his property with a density of RSF-16), Nancy Anderson, Vonna Davis, Eleanor Sedoris and Mabel Roberts.

Mr. Logue presented several photos of the area showing the residential single-family character that City staff eluded to in their comments. He addressed parking by stating that they used the standards established by the City in its Code for 90 degree parking. There would be no backing out onto Texas, only pulling straight out. He stated there are 8 parking spaces planned for the 5 units.

The reason for two lots as part of the proposal is that in the future it may be beneficial to have the opportunity to split the two properties, although that is not a critical element of the application. If City Council would rather maintain it as a single ownership of 5 total units, that would be acceptable to the applicant.

The single lot is .47 acres. The size of the proposed lot with the existing structure is 10,040 square feet. The lot on which the duplex would sit is larger because it has the parking and a common ingress and egress easement. It is 10,552 square feet. Each lot is approximately 1/4 acre. Each unit in the proposed duplex would have 2 bedrooms. Mr. Logue stated that the parking area has been overlaid by a common ingress/egress easement for both lots 1 and 2. City Attorney Wilson stated that if the split is approved, it would avoid questions in the future if one of the

requirements is a maintenance agreement for ongoing responsibilities as to the operation and care of that portion of Lot 2 that is needed to benefit Lot 1. That would have to be submitted and some mechanism proposed so that both lot owners, when that would occur, would have it very explicitly laid out.

Mr. Bill Dewey, applicant, spoke and gave some history regarding his property which is shared with his sister Jane Henderson. They are natives of this area. He purchased the property in 1982. His original plan was for investment property, with an oversized lot with a plan to build additional units at that time. It was not feasible then but in the last few years he decided it was time to proceed. Today rentals in this area are scarce. He estimates that 75% of the people in this area are senior citizens. Nine months ago Mr. Dewey proposed 5 additional units to the 3, looking for a density of approximately 16/acre. The Planning Department was not in support of that, so he submitted a plan with a lesser density. He met with them on several occasions, and has proposed a modest increase in density to add 2 additional units.

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Mr. Guy Wallace, 527-1/2 28-1/2 Road, whose property adjoins the Nisley Apartments, and is located east of Mr. Dewey's property, stated that he and his wife purchased this property two years ago. They are impacted by the proposal on the south. Mr. Wallace has been assured by Mr. Dewey that some sort of a buffer fence will be erected to protect his property. He has no objection if a buffer fence is provided.

Mr. Dewey continued that if the City cannot accept some density within its boundaries, then there will be two more units built out in the valley someplace. That means in the County streets, roads, sewers, water, and police service will have to be provided. Those services already exist here at this location. He also plans 50% landscaping of the development. He is requesting a modest increase in zoning and would appreciate Council's favorable endorsement. Mr. Dewey stated that he could accept the zoning without the lot split. All staff conditions are acceptable to him. The location of a fire hydrant is yet to be addressed. If required, Mr. Dewey is willing to have one installed. The proposed rental rate for each rental unit will be approximately \$475 to \$500 per month.

Mr. Logue stated that the closest fire hydrant is located at the corner of 28-1/2 Road and Texas Avenue. He understands that the Fire Department requires the hydrant to be within 250 feet of the dwelling. The 250 foot radius does not cover the entire building. The distance needs to be addressed. Mr. Logue continued that to meet Staff's requirement of a 20' setback, the structure would merely be moved 10' feet to the north. Some of the open space between the two structures would be transferred to the rear of the property. An adjustment would be made on the lot line. The

furthest north parking stall falls within the 20' setback. It needs to be shifted down to approximately 10', approximately one width of a stall.

There were no other letters, opponents or counterpetitions.

Councilmember Theobold questioned if changing this to Planned Residential, what would the density be. Ms. Portner stated that with the tri-plex only, it would be 8 units per acre. The current density under the current zoning is RSF-8. A density of 8 at .47 acre allows them 3.76 units per acre. Councilmember Theobold asked what else could be built in addition to the tri-plex. Ms. Portner stated they cannot build a fraction of a unit. Ms. Portner stated that she sees no problem with the lot split as long as the applicant can cover the shared access and shared parking through an easement, and any other common areas that might be proposed for the two units. Councilmember Theobold stated that if the density of 11 is approved along with the lot split, Lot 1 will remain out of compliance. Ms. Portner stated that in a planned zone the density would be an overall density that could be applied over the two lots.

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City Attorney Wilson stated that all of the criteria for a rezone would have to be met to justify a rezone. If Council approves the rezone, it is saying that the evidence supports a positive finding for criteria A-G.

Councilmember Bessinger stated that the traffic at 29 Road and Orchard Avenue will be heavily impacted. President of the Council Mantlo felt there would be a heavier impact on the traffic at 28-1/2 Road and Elm Avenue.

Ms. Portner stated that on a development of this size, a traffic impact analysis is normally not required. There is no existing comprehensive plan for this area. She hopes to see it addressed in the overall plan for the future. There is a mixture of housing types.

Councilmember Theobold reviewed the criteria in A-G which results in a positive finding for the rezone in that:

- A. The zoning appears to be either in error at the time of the adoption, or has been made an error since then;
- B. There is a change of character with the addition of other multiple family units since that zoning;
- C. There is a community need for more apartments;
- D. There is a compatibility with the surrounding neighborhood in that the construction will be in the rear yard and will be

buffered, and will have less impact to the surrounding single family units;

- E. There is a benefit to the community from new rentals;
- F. There is no policy to conform with, and thus, no policy to non-conform with;
- G. There are ample facilities available in the core part of the city to service this project.

Upon motion by Councilmember Theobold, seconded by Councilmember Baughman and carried with Councilmember **BESSINGER** voting **NO**, the rezone to PR-10.6, including the staff recommendations 1-4, was approved, and the lot split was denied.

**PUBLIC HEARING - PROPOSED ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-93, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE** City Council Minutes -12-

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**SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

A hearing was held after proper notice. 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.

This public hearing is for the purpose of considering the proposed ordinance assessing real estate included in this district.

Another hearing will be conducted on June 1, 1994.

City Property Agent Tim Woodmansee reviewed this item. Councilmember Afman stated that a Mrs. Bell has contacted her with a concern over her ability to pay the \$600 assessment fee on her property. Copies of her letter were provided to Council. Mr. Woodmansee stated that if there is a hardship, it must be demonstrated to the City. A deferral can be worked out if so demonstrated. It is Council's discretion to do that. The opportunity has been presented to all the property owners, although no one has ever come in and voiced a real hardship and requested to have their assessment deferred. Interest is accrued at 8% per annum on all deferrals.

City Manager Mark Achen noted that the Council received a letter from Steve Newsom which indicated he would be present at the hearing. No one in the audience identified themselves to be Mr. Newsom.

There were no other letters, opponents or counterpetitions. The hearing was closed. Upon motion by Councilmember Maupin, seconded by Councilmember Bessinger and carried, the proposed ordinance for Alley Improvement District No. ST-93 was approved and ordered published.

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**PUBLIC HEARING - PROPOSED ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR STREET IMPROVEMENT DISTRICT NO. ST-92, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST OF EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

A hearing was held after proper notice. The installation of street improvements for West Mesa Avenue is complete and the statement of the proposed assessable costs has been prepared. This public hearing is for the purpose of considering the proposed ordinance assessing real estate included in this district. Another public hearing will be conducted on June 1, 1994.

City Property Agent Tim Woodmansee reviewed this item. There were no opponents, letters or counterpetitions. The hearing was closed. Upon motion by Councilmember Baughman, seconded by Councilmember Theobold and carried, the proposed ordinance for Street Improvement District No. ST-92 was approved and ordered published.

**PUBLIC HEARING - ORDINANCE NO. 2744 ADOPTING A RESTATED AND**

**AMENDED GRAND JUNCTION NEW HIRE POLICE DEFINED CONTRIBUTION PLAN**

A hearing was held after proper notice. City Attorney Wilson stated that a paragraph 5 has been added to the original proposed ordinance that states that by adopting this ordinance the City appropriates the funds and directs the City Manager to implement it. There were no other comments. Upon motion by Councilmember Maupin, seconded by Councilmember Bessinger and carried by roll call vote, Ordinance No. 2744 was adopted, and ordered published.

**PUBLIC HEARING - ORDINANCE NO. 2745 VACATING 10 FEET OF FOURTH STREET RIGHT-OF-WAY, SOUTH OF SOUTH AVENUE**

A hearing was held after proper notice. There were no comments. Upon motion by Councilmember Rosenthal, seconded by Councilmember Bessinger and carried by roll call vote, Ordinance No. 2745 was adopted, and ordered published.

**AUTHORIZATION FOR THE CITY MANAGER TO SIGN A PRE-ANNEXATION AGREEMENT FOR CANYON VIEW SUBDIVISION DEVELOPED BY JOHN THOMAS**

City Attorney Wilson reviewed this agreement and gave past history of the subdivision. Upon motion by Councilmember Maupin, seconded by Councilmember Bessinger and carried with Councilmember **BAUGHMAN** voting **NO**, the City Manager was authorized to sign a pre-annexation agreement for Canyon View Subdivision developed by John Thomas.

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**GROWTH COMMITTEE**

Councilmember Afman reported that the Growth Committee would like staff to consider extending its eastern boundary line to E Road, east to 32 Road, possibly embracing the commercial area. The idea would be to annex the commercial and industrial areas and try to accumulate sales tax dollars that could be reserved for improving the residential area that might be annexed later. City Manager Achen stated that the committee is also looking at the possibility of annexing areas that are just developing so that when they move into their homes, they are coming into the City, as opposed to annexing them after the homes have been developed. Consensus of the Council was for staff to explore those options.

**ADJOURNMENT**

The President of the Council adjourned the meeting at 9:38 p.m.

Stephanie Nye, CMC  
City Clerk

