

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

February 15, 1995

The City Council of the City of Grand Junction, Colorado, convened into regular session the 15th day of February, 1995, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, Bill Bessinger, Ron Maupin, Reford Theobold, John Tomlinson 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 Theobold led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Herb Ortmann, First Church of God.

**PROCLAMATION DECLARING FEBRUARY, 1995 THROUGH JANUARY, 1996 AS
"LEAGUE OF WOMEN VOTERS' YEAR" IN THE CITY OF GRAND JUNCTION**

**APPRECIATION PLAQUE AWARDED TO OFFICER MARK ANGELO FOR HIS EFFORTS
WITH THE SPECIAL OLYMPICS - PRESENTATION BY POLICE CHIEF DAROLD
SLOAN**

CONSENT ITEMS

Consent Item 15 was removed from the Consent Agenda for full discussion. Upon motion by Councilmember Bessinger, seconded by Councilmember Tomlinson and carried by roll call vote, with Councilmember **BAUGHMAN** voting **NO** on Item 7, and Consent Item 15 removed for full discussion, Consent Items 1-14 and 16-17 were approved:

1. **Approving** the minutes of the Regular Meeting February 1, 1995
2. **Award of Bid** for the Replacement Purchase of a 4WD Suburban for the Fire Department
Recommended Award: Haines Chevrolet - \$15,379.90

The following bids were opened January 31, 1995:

	Gross	Trade-in	Net Bid
Haines Chevrolet	\$25,879.90	\$10,500.00	\$15,379.90*
Fuoco Motors	\$25,379.00	\$ 8,000.00	\$17,379.00

* recommended award

3. **Award of Bid** for Bulk Gravel for Public Works Street Division and Pipeline Maintenance
Recommended Award: Whitewater Sand and Gravel - \$78,956.00

The following bids were opened February 1, 1995:

Whitewater Sand & Gravel \$78,956.00 *
Grand Junction Pipe & Supply \$89,702.50
United Sand & Gravel \$99,932.50
* recommended award

The bid includes the following:
5,600 tons 3/8" crushed aggregate
4,330 tons of 2" base course gravel
2,170 tons of 3/4" road base gravel
850 tons of 3/4" washed rock
820 tons of 1/2" gravel

Parks will purchase 75 tons of the 3/4" road base gravel.

4. **Award of Bid** for the Production and Printing of Two Seasonal Parks and Recreation Department Activity Brochures
Recommended Award: Sutton's Printing and Copy Center - \$21,722.12

The following bids were opened on January 31, 1995:

Vendor	Spring (35K)	Fall (33K)	Net Bid
Sutton's Printing	\$12,642.00	\$ 9,080.12	\$21,722.12*
Great West. Printing	\$12,420.00	\$ 9,835.00	\$22,255.00
Pyramid Printing	\$12,856.00	\$ 9,878.00	\$22,734.00
Colorado Printing	\$15,700.00	\$13,200.00	\$28,900.00

*recommended award

5. **Approving** the Sole Source Purchase of a New Polygraph Instrument for the Police Department - Lafayette Instrument Co. - \$10,910.26

The Grand Junction Police Department has budgeted for a new computerized polygraph system. Department polygraph examiners are trained in the Zone Comparison Technique (ZCT), the method employed by most law enforcement polygraph examiners. Lafayette Instrument Co. of Lafayette, Indiana, is the sole manufacturer of computerized polygraph systems designed for ZCT examination.

6. **Approving** the Sole Source Purchase of Two (2) Toro Turf Maintenance Mowers for Parks Operation at a Net Cost of \$68,455.00 through the Colorado State Price Agreement

The Parks Operations Division has two turf maintenance mowers scheduled for replacement this year. Toro is the recommended

sole source manufacturer of both replacement mowers.

7. *** Resolution No. 16-95** - A Resolution Regarding The Appointment of Associate Municipal Court Judges

To provide for those instances where Judge Palmer is unable to preside over the Municipal Court, two or three Associate Judges should be officially designated by the City Council. Section 22-3 of the Code of Ordinances authorizes the appointment of associate judges.

8. **Approving** a Contract with Ed Del Duca & Associates for Independent Planning Services for the Downtown Parking Study and Computer Model Project in the Amount of \$20,000

The parking model will enable users to take a more proactive approach to dealing with downtown parking. Development of a downtown parking model which considers shared parking and time of day demand will help the DDA, City staff and developers to more accurately predict the supply and demand for parking in the future.

9. **Proposed Ordinance** - An Ordinance Rezoning Land at 2707 and 2713 B-3/4 Road from PR-10 to RSF-8 [File #95-13]

Request for rezone for a 2.86 acre tract of land located at 2707 and 2713 B-3/4 Road from PR-10 to RSF-8. Planning Commission made a finding that the plan and approvals associated with the PR-10 zoning have "lapsed." Affected property owners consent to the rezone.

a. First Reading of Proposed Ordinance

10. *** Resolution No. 17-95** - A Resolution Accepting a Contract with the Colorado Historical Society for State Historical Fund Grant

Authorization for City Manager to sign the contract with Colorado Historical Society for a grant in the amount of \$51,500 from the State Historical Fund to be used for Phase 2 of the Grand Junction Historic Resources Survey.

11. **Proposed Ordinance** - An Ordinance Zoning the Blue Heron Enclave C-2, I-1, I-2 and PZ [File #206-94]

The Blue Heron Enclave is located along River Road between 24 Road and 24-3/4 Road and south to the Colorado River. This

area is totally surrounded by the City limits and is eligible for annexation under State Statutes. The City is required by State Statute to establish zoning for the annexation.

a. First Reading of Proposed Ordinance

12. *** Resolution No. 18-95** - A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, and Setting a Hearing on Such Annexation - Country Club Park West Annexation Located at 401 through 408 Dressel Drive and 313 through 413 Country Club Park Road [File #ANX-95-31]

Some of the residents of Country Club Park Subdivision and Redlands Club Heights Subdivision have signed annexation petitions to allow for the potential formation of sewer improvement districts for their neighborhood. The Petition for Annexation is now being referred to City Council. Staff requests that City Council approve by resolution the Referral of Petition for the Country Club Park West Annexation.

13. *** Resolution No. 19-95** - A Resolution of Intent to Create No. SS-38-95 Sanitary Sewer Improvement District for Country Club Park Road

A Petition signed by 80% of the owners of the property to be assessed has been submitted requesting a sanitary sewer improvement district for Country Club Park Road West. The proposed resolution will create an improvement district and give notice of a hearing to be held on April 19, 1995.

14. *** Resolution No. 20-95** - A Resolution of Intent to Create No. SS-39-95 Sanitary Sewer Improvement District for Dressel Drive

A Petition signed by 57% of the owners of the property to be assessed has been submitted requesting a sanitary sewer improvement district for Dressel Drive. The proposed resolution will create an improvement district and give notice of a hearing to be held on April 19, 1995.

15. *** Resolution No. 21-95** - A Resolution Authorizing and Directing the Purchase of 80 Acres of Land by the CIP Fund from the Golf Course Funds - **REMOVED FOR FULL DISCUSSION**

16. **Authorizing** the Transfer of General Fund Contingency Appropriation in the Amount of \$54,638 in the 1995 Budget to

the Police and Fire Departments Appropriately to Cover the Costs of Increased Communication Center Staffing and Directing the Finance Director to Incorporate the New Budget Revisions for Increased Staffing in the Next Supplemental Appropriation Ordinance for the Communication Center Fund

17. **Authorizing** an Additional Incentive from the Economic Development Fund of \$10,435 to RHSC, a Relocation Prospect, to Cover the Anticipated TCP Cost as Recommended by MCEDC for a Total Incentive Package from the City of Grand Junction in the Amount of \$52,935

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

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

RESOLUTION NO. 21-95 - A RESOLUTION AUTHORIZING AND DIRECTING THE PURCHASE OF 80 ACRES OF LAND BY THE CIP FUND FROM THE GOLF COURSE FUNDS

The passage of this Resolution by the City Council will be in keeping with the Parks and Recreation Board's request to receive additional financial assistance from the City of Grand Junction and to cancel the present loan of \$400,000. The annual \$48,000 in debt service is eliminated and the net proceeds of \$272,000 will be deposited in the Golf Course Expansion Fund.

Administrative Services and Finance Director Ron Lappi reviewed the Resolution. He stated this resolution authorizes the purchase from the Golf Course Funds by the Capital Improvement Fund of the City the 80 acres adjacent to the Tiara Rado Golf Course. It was originally purchased for golf course expansion. It represents a cost to the CIP Fund of \$672,000.

Mr. Lappi stated there are more funds built up in the later years of the ten-year forecast for all of the golf funds, up to over \$2 million. The majority of these funds for major capital improvements are developed in the later years of the ten-year projection. There is sufficient revenues in the Golf Course Funds in the next several years to do some capital improvements, and still pay the debt service on the land purchased as currently projected.

If the Golf Fund does not continue paying for the 80 acres, there will be a cash infusion into the Golf Course Expansion Fund

immediately by the repayment of \$272,000. There would also be a savings of approximately \$48,000 per year, the debt service on the fund. The \$48,000 per year, as well as the initial cash infusion of \$272,000, would build up from buying the land back. The land is encumbered by a mortgage of approximately \$400,000, and being paid at 8% interest.

Parks & Recreation Director Joe Stevens stated that significant reserves are not built up in the first five or six years for capital expenditures. At the end of the ten-year period, there will be \$2 million in the fund. Resources have been depleted in the past. The refinancing of the debt in early January to a consistent 15-year payback will help significantly. Reserves for capital improvements need to be considered in the future. Mr. Lappi reported that the balance of the Golf Expansion Fund at the end of 1995, with the payback as currently scheduled (\$48,000 on the land per year), would be approximately \$137,000 which is expected to grow to \$426,000 by the end of 1998.

Estimated costs for maintenance and irrigation systems at the golf courses were discussed by Mr. Stevens. Mr. Doug Jones, City Golf Course Superintendent, elaborated on the current sprinkler systems. The system at Lincoln Park Golf Course is approximately 20 years old. Replacement costs for the system at Lincoln Park is estimated at \$400,000, and \$800,000 to \$900,000 for Tiara Rado irrigation system.

Mr. Jamie Hamilton, Parks & Recreation Advisory Board member, reiterated the Board has addressed the fees, and again recommended Council dedicate the interest being paid on the land, or to transfer the land back. The Board is willing to use the \$272,000 as a down payment to that land, back into the fund, so that the City's contribution to the land would be \$400,000. The Board still feels there is some inequality with the land situation for golfers with the planned park expansion. They agree it is an enterprise fund and should pay for itself. The fees will pay for the operation and maintenance, but will not pay for the land acquisition.

Councilmember Tomlinson interpreted Mr. Hamilton's statements as the General Fund and the Golf Course Fund would split the \$672,000 cost. Mr. Hamilton said that it is correct, that \$400,000 would be the City's contribution.

Upon motion by Councilmember Theobald, seconded by Councilmember Tomlinson and carried by roll call vote with Councilmembers **BESSINGER** and **AFMAN** voting **NO**, Resolution No. 21-95 was amended by

deleting WHEREAS paragraphs #1, #3, #4, and THEREFORE paragraph #2, and changing the number in THEREFORE paragraph #1 from \$672,000 to \$400,000, and adopted.

PUBLIC HEARING - ORDINANCE NO. 2810 - AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES ALSO KNOWN AS THE CITY OF GRAND JUNCTION CITY RETAIL SALES AND USE TAX ORDINANCE

A hearing was held after proper notice.

There were no comments. Upon motion by Councilmember Theobold, seconded by Councilmember Bessinger and carried by roll call vote, Ordinance No. 2810 was adopted, and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2811 - AN ORDINANCE ADOPTING THE 1994 EDITIONS OF THE UNIFORM FIRE CODE AND FIRE CODE STANDARDS PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; OPERATIONS; AMENDING CERTAIN PROVISIONS IN THE ADOPTED CODES; AMENDING ALL ORDINANCES IN CONFLICT OR INCONSISTENT HERewith; AND PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION OF SAID CODES

A hearing was held after proper notice. Rick Beatty, Interim Fire Chief, was present. Councilmember Baughman questioned Section 18-58, paragraph 2, which reflects a 10% surcharge. City Attorney Dan Wilson stated "the charge for the actual cost for labor, equipment and materials, plus 10% for administration, supervision and inspection" is fairly normal policy. Rick Beatty stated the only time the City has charged for fire suppression related activities is on out of control fires during open burning season, but involve more open acreage where negligence has been involved. A bill is issued on such fires. To his knowledge, the City has never billed on structures.

City Attorney Wilson stated that reference to the jail time penalty is the general penalty contained in the regular Code of Ordinances.

There were no other comments. Upon motion by Councilmember Maupin, seconded by Councilmember Bessinger and carried by roll call vote, Ordinance No. 2811 was adopted, and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2812 - AN ORDINANCE REGULATING CONSTRUCTION, ALTERATION, REPAIR, OCCUPANCY, AND OTHER ACTIVITIES AND STANDARDS CONCERNING BUILDINGS AND STRUCTURES; AND ADOPTING BY REFERENCE THE UNIFORM BUILDING CODE, 1994 EDITION; THE NATIONAL ELECTRICAL CODE AS PROMULGATED BY THE NATIONAL FIRE PROTECTION ASSOCIATION AND AS ADOPTED BY THE STATE OF COLORADO; THE UNIFORM

PLUMBING CODE, 1994 EDITION, THE UNIFORM MECHANICAL CODE, 1994 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION; AMENDING CERTAIN PROVISIONS IN THE ADOPTED CODES; AMENDING ALL ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH; AND PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION OF SAID CODES

A hearing was held after proper notice. There was some discussion regarding fees and common stabilizers. Any fee changes would be accomplished by resolution.

There were no other comments. Upon motion by Councilmember Theobold, seconded by Councilmember Bessinger and carried by roll call vote, Ordinance No. 2812 was adopted, and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2813 - AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, NORTHWEST ENCLAVE ANNEXATION, APPROXIMATELY 1016 ACRES LOCATED BETWEEN 22-3/4 ROAD, 25 ROAD, G-1/2 ROAD AND PATTERSON ROAD

Councilmember Baughman read into the record a letter from Wallace Beard, owner of property at 681 23 Road, in opposition to annexation by the City (copy attached).

A hearing was held after proper notice. There were no comments. Upon motion by Councilmember Tomlinson, seconded by Councilmember Afman and carried with Councilmember **BAUGHMAN** voting **NO**, Ordinance No. 2813 was adopted, and ordered published.

Councilmember Baughman clarified that he cannot support the enclave annexation as he is opposed to how this annexation took place, via Fountainhead Annexation.

PUBLIC HEARING - ORDINANCE NO. 2814 - AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-94, PHASE A, 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 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. There were no comments. Upon motion by Councilmember Baughman, seconded by Councilmember

Bessinger and carried by roll call vote, Ordinance No. 2814 was adopted, and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2815 - AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-94, PHASE B, 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 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. There were no comments. Upon motion by Councilmember Bessinger, seconded by Councilmember Maupin and carried by roll call vote, Ordinance No. 2815 was adopted, and ordered published.

ADJOURNMENT

The President adjourned the meeting at 8:25 p.m.

Stephanie Nye, CMC
City Clerk