

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

**August 6, 1997**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 6th day of August, 1997, at 7:33 p.m. in the City/County Auditorium at City Hall. Those present were Cindy Enos-Martinez, Gene Kinsey, Earl Payne, Jack Scott, Mike Sutherland, Reford Theobold, and President of the Council Janet Terry. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Terry called the meeting to order and led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. John Pruett, Monument Baptist Church.

**APPOINTMENT TO ZONING & DEVELOPMENT CODE BOARD OF APPEALS**

Upon motion by Councilmember Sutherland, seconded by Councilmember Enos-Martinez and carried, Jim Nall was appointed to the Zoning & Development Code Board of Appeals to serve an unexpired term ending October, 1998.

**APPOINTMENTS TO PARKS & RECREATION ADVISORY BOARD**

Upon motion by Councilmember Kinsey, seconded by Councilmember Payne and carried, Karen Madsen was reappointed to a three-year term on the Parks & Recreation Advisory Board, and Katie Kaufmanis and Lena Elliott were appointed to three-year terms on the Parks & Recreation Advisory Board; said terms expiring June 30, 2000.

**REAPPOINTMENT OF DR. LYNN JAMES TO THE GRAND JUNCTION PUBLIC FINANCE CORPORATION**

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, Dr. Lynn James was reappointed to a three-year term (January 1, 1998 to January 1, 2001) on the Grand Junction Public Finance Corporation.

**APPOINTMENTS TO RIVERFRONT COMMISSION**

Councilmember Theobold stated a joint interview meeting was conducted on August 5, 1997 by the City of Grand Junction, Mesa County, Town of Palisade and the City of Fruita. Unanimous

recommendations for appointment were made at that time. Upon motion by Councilmember Theobald, seconded by Councilmember Sutherland, Paul Nelson, Judy Kennedy and Jeanette Main-Goecke were reappointed to three-year terms on the Commission, and Dustin "Dusty" Dunbar was appointed to a three-year term on the Commission.

**CONSENT ITEMS**

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, the following Consent Items 1-9 were approved:

1. **Minutes of Previous Meeting**

*Action:* Approve the Minutes of the Regular Meeting July 16, 1997

2. **Setting a Hearing on Ordinance Authorizing the City Manager to Sign an Assignment Agreement with Colorado Housing and Finance Authority to Transfer the City's \$1 Million in 1997 Private Activity Bond Allotment from the City to CHFA**

The City of Grand Junction received a Private Activity Bond allocation from the State of Colorado Department of Local Affairs for the first time in 1997 as a result of the City reaching a 40,000 population level. The bond authority can be used on a tax exempt basis for various private purposes. The City has had no request for the use of this authority but can reserve it for future housing benefits by ceding the authority to CHFA at this time.

Proposed Ordinance Authorizing Assignment to the Colorado Housing and Finance Authority of a Private Activity Bond Allocation of City of Grand Junction Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

*Action:* Adopt Proposed Ordinance on First Reading and Set a Hearing for August 20, 1997

3. **Painting of Metal Bleachers at Lincoln Park Sports Facility**

The following bids were received on July 24, 1997:

Westwind Painting Contractors, Grand Junction	\$26,721*
Binkley and Sons Painting, Grand Junction	\$34,874

\* Recommended Award

*Action: Award Contract for Painting of Metal Bleachers at Lincoln Park Sports Facility to Westwind Painting Contractors in the Amount of \$26,721\_*

4. **1997 New Sidewalks**

The following bids were received on July 29, 1997:

Atkins & Associates, Inc., Meeker	\$105,795.65
Mays Concrete, Inc., Grand Junction	\$138,636.00
Reyes Construction, Grand Junction	\$153,104.80

Engineer's Estimate \$114,215.67

*Action: Award Contract for 1997 New Sidewalks to Atkins & Associates, Inc. in the Amount of \$105,795.65\_*

5. **Change Order for First Street Improvement Project**

The City has requested that the contractor provide three options for an accelerated construction schedule with some alternatives having partial through traffic during the construction of First Street. Staff recommends approving the approach that will allow the street to be completed 4 weeks ahead of the current schedule at a cost of \$42,000, but not allow through traffic during construction. There have been other changes and additions to the project that total \$72,000.

*Action: Approve Change Order to the Contract with M.A. Concrete Construction, Inc., for the First Street Improvement Project in an Amount Not to Exceed \$114,000*

6. **Setting a Hearing on Approving and Accepting Sanitary Sewer Improvements for Country Club Park West and Dressel Drive**

Construction of sanitary sewer lines in Country Club Park West and Dressel Drive Subdivision has been completed in accordance with Resolution 4-97 re-creating and re-establishing Sanitary Sewer Improvement Districts No. 38-95 and 39-95. Council authorization is requested to give notice of a hearing to consider the proposed assessing ordinance.

Resolution No. 45-97 - A Resolution Approving and Accepting Improvements and the City Engineer's Statement of Assessable Costs for SSID 38-95 and SSID 39-95; and Ordering Publication of the Notice of Hearing to be Held on September 17, 1997

*\*Action: Adopt Resolution No. 45-97*

7. **Construction of Three Additional Soccer Fields at Canyon View Park**

Randall Blake, Inc. (RBI) has submitted a \$196,250 proposal for grading, irrigation installation and seeding of three additional soccer fields at Canyon View Park. This portion of the project was estimated by Winston and Associates at \$208,416. Because RBI will be constructing the baseball field concurrently, reduced mobilization costs allow savings over the original estimate.

*Action: Award Contract to Randall Blake, Inc. (RBI) for the Construction of Three Additional Soccer Fields at Canyon View Park in the Amount of \$196,250 Contingent upon Receipt by the City of a \$200,000 Grant from the Gates Foundation*

8. **Change Order No. 1 to The South Downtown River Trails Project**

Request that the City Council approve Change Order No. 1 for the construction contract at The South Downtown River Trails Project in the amount of \$44,202, representing a 20% increase in the original contract amount of \$215,975.42. The revised contract amount will be \$260,177.42.

*Action: Approve Change Order No. 1 to the Contract with Sorter Construction, Inc. for The South Downtown River Trails Construction Project in the Amount of \$44,202*

9. **Revocable Permit for The Glen at Horizon, Located at the Southeast Corner of 7th Street and Horizon Drive**

[File #RVP-1997-129]

The developer of the Glen at Horizon Drive project is requesting a Revocable Permit to permit the installation of

landscaping and associated retaining walls which are part of the landscaping proposal approved with the development.

Resolution No. 46-97 - A Resolution Authorizing the Issuance of a Revocable Permit for The Glen at Horizon Drive for the Installation of Landscaping and Associated Retaining Walls at the Southeast Corner of 7th Street and Horizon Drive

\*Action: Adopt Resolution No. 46-97

Staff presentation: Michael Drollinger, Commun. Dev. Dept.

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

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

**PUBLIC HEARING - RIGHT-OF-WAY VACATION AT 2320 PALACE VERDES DRIVE - ORDINANCE NO. 3017 - AN ORDINANCE VACATING RIGHT-OF-WAY AT THE EASTERN END OF PALACE VERDES DRIVE** [FILE #VR-1997-108]

The petitioner is requesting that a portion of the cul-de-sac and a short section of street along Palace Verdes Drive be vacated. City Staff supports this request and desires to vacate the remaining portion of the cul-de-sac. The three adjacent property owners of the land to be vacated have come to an agreement as to the extent of land that is reverted to the surrounding properties.

A hearing was held after proper notice. This item was reviewed by Mike Pelletier, Community Development Department. The vacation meets the criteria for vacating a right-of-way described in Section 8-3 of the Zoning & Development Code. Ute Water has requested the City retain a utility easement to maintain Ute's waterline in the area. He explained the reversion of land to the three surrounding properties, and pointed out the individual areas on the plat, explaining when the City vacates the right-of-way, it does not convey the property, but State Law would dedicate to abutting property owners. The adjacent owners would rather have it split up otherwise .

Councilmember Theobald said the maps are unclear as to access. He asked if it will essentially become a driveway. Mr. Pelletier said their driveway would start at the end of the current right-of-way. The right-of-way for Palace Verdes Drive would be less than 150' long, so no Fire Department turnaround is required.

Councilmember Sutherland was pleased to see cooperation among the neighbors regarding the vacation.

There were no other comments. The hearing was closed.

Upon motion by Councilmember Payne, seconded by Councilmember Kinsey and carried by roll call vote, Ordinance No. 3017 was adopted on final reading and ordered published.

**PUBLIC HEARING - EASEMENT VACATION AT 2455 HWY 6 & 50 - ORDINANCE NO. 3018 - AN ORDINANCE VACATING ABANDONED EASEMENTS ON THE PROPERTY LOCATED AT 2455 HIGHWAY 6 & 50 [FILE #VE-1997-107]**

Request to vacate abandoned easements within a property in order to clear the owner's property title (Hertz Sell-A-Car). Councilmember Theobald abstained from discussion or action on this item as the applicant is his customer. City Attorney Dan Wilson abstained from discussion or action on this item as the property owner is a relative to Mr. Wilson.

A hearing was held after proper notice. Kristen Ashbeck, Community Development Department, reviewed this item. The subject property is the Hertz Sell-a-Car property on Highway 6 & 50. It is presently on the real estate market and the owner wants to clear the property title for the prospective buyer. They are requesting that several abandoned easements on the property be vacated. The requested easements are general blanket easements which were granted across the entire property from the owner in 1909 to the Grand Junction Fruit Growers Association. The easements have not been used for at least 20 years. Since none of the owners of the easements are currently known, it was determined the City's vacation process, because of the public notice, is an appropriate method to vacate the easements. The Planning Commission determined the vacation request meets the criteria in the Zoning & Development Code and recommended approval.

There were no questions. The hearing was closed.

Upon motion by Councilmember Kinsey, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3018 was adopted on final reading and ordered published.

**PUBLIC HEARINGS - CLIMAX MILL ENCLAVE #2 ANNEXATION AND ZONING - ORDINANCE NO. 3019 - AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, CLIMAX MILL ENCLAVE #2 ANNEXATION, APPROXIMATELY 92.84 ACRES LOCATED BETWEEN 9TH AND 15TH STREET AND BETWEEN KIMBALL AVENUE AND THE SOUTH BANK OF THE COLORADO RIVER -**

**ORDINANCE NO. 3020 - AN ORDINANCE ZONING THE CLIMAX MILL ENCLAVE #2 ANNEXATION PZ** [FILE #ANX-1997-098]

The 92.84 acre Climax Mill Enclave #2 Annexation consists of one parcel of land and a portion of the Colorado River. The parcel is owned by the City of Grand Junction. The City is required to zone annexed areas within 90 days of the annexation. The proposed zoning is PZ.

A hearing was held after proper notice. This item was reviewed by Dave Thornton, Community Development Department. The property was previously owned by the State of Colorado. It is now owned by the City of Grand Junction, and a future park site which was recently named Las Colonias Park by the City Council. The Planning Commission has recommended a Public Zone (PZ) for the property.

Mayor Terry asked why the Colorado River is included in this annexation. City Attorney Wilson said when delineating real property lines, the river does not exist.

There were no other comments. Upon motion by Councilmember Scott, seconded by Councilmember Payne and carried by roll call vote with Councilmember **THEOBOLD** voting **NO**, Ordinance No. 3019 annexing and Ordinance No. 3020 zoning were adopted on final reading, and ordered published.

**NON-SCHEDULED CITIZENS & VISITORS**

**Revocable Permit for Landscaping at The Glen**

Ms. Jane Quimby requested additional information regarding the Revocable Permit that was approved earlier for The Glen at Horizon Drive. Michael Drollinger, Community Development Department, explained the request by the applicant is to install landscaping in the right-of-way area. They wish to extend the overall landscaping plan into the City right-of-way.

**ADJOURNMENT**

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried, the meeting was adjourned at 7:55 p.m.

Stephanie Nye, CMC/AAE  
City Clerk