

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

**April 4, 2001**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 4th day of April, 2001, at 7:31 p.m. at the City Hall Auditorium, 250 N. 5<sup>th</sup> Street. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Eldon Coffey, a retired minister, and Veterans Administration Chaplain.

**PROCLAMATION DECLARING APRIL 19, 2001 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION**

**PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF THE VISITORS AND CONVENTION BUREAU BOARD OF DIRECTORS**

New members Kevin Reimer and Larry MacDonald were present to receive their certificates.

**PRESENTATION OF CERTIFICATE OF APPOINTMENT TO FIRST PLANNING COMMISSION ALTERNATE**

Mike Denner was present to receive his certificate of appointment.

**CANVASS APRIL 3, 2001 ELECTION RESULTS**

City Clerk Stephanie Nye asked Councilmembers Enos-Martinez and Kinsey to step down from the dais while a canvass of the election was conducted. Public notaries Theresa Martinez and Christine English replaced the Councilmembers at the dais to form a 7-member canvassing board. Ms. Nye then proceeded to review the results of the election and asked the canvassing board to sign three copies of the Certificate of Election. The City Clerk will publish the Certificate of Election and provide a copy to the Secretary of State's office. (Attached)

**MESA STATE COLLEGE STUDENTS**

Mayor Kinsey recognized students from Mesa State College in the audience.

**CONSENT ITEMS**

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried by roll call vote, the following Consent Items 1 through 11 were approved:

1. **Minutes of Previous Meetings**

*Action: Approve the Minutes of the Special Meeting March 19, 2001, the Summary of the March 21, 2001 Workshop and the Minutes of the Regular Meeting March 21, 2001*

2. **2001 4X4 Backhoe/Loader for Streets Division**

The City purchased one unit from the same specifications last year. Honnen Equipment Co. of Grand Junction has agreed to supply this additional Backhoe/Loader at the same price as last year.

*Action: Approve Purchase of One 2001 John Deere 410G 4X4 Backhoe/Loader from Honnen Equipment Company in the Amount of \$69,924*

3. **Revised Purchasing Manual**

As a Home Rule City under the State of Colorado Statutes, the City has the right to adopt its own written purchasing policies and procedures. City Council Resolution No. 61-97 requires Council approval for any change in the Purchasing Manual that affects the competitive bidding and approval requirements. Forms and processes can be modified with the approval of the City Manager.

Resolution No. 29-01 – A Resolution Adopting a Policies and Procedures Manual for Purchasing of Equipment, Materials, Supplies and Non-Personnel Services by the City of Grand Junction, Colorado

*Action: Adopt Resolution No. 29-01*

4. **2001 Waterline Replacements**

The following bids were received on March 27, 2001:

<b><u>Contractor</u></b>	<b><u>From</u></b>	<b><u>Bid Amount</u></b>
Palisade Constructors, Inc.	Palisade, CO	\$451,436.68
MA Concrete Construction	Grand Junction, CO	\$479,382.70

Engineer's Estimate \$491,986.88

*Action: Award Contract for 2001 Waterline Replacements to Palisade Constructors, Inc., in the Amount of \$451,436.68*

5. **Vacating a Utility Easement at 567 Rio Linda Lane** [File #VE-2001-035]

The petitioner is requesting the vacation of a 10' utility easement. The project is located at 567 Rio Linda Lane in Loma Rio Subdivision. At the March 13, 2001 hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

Resolution No. 30-01 – A Resolution Vacating a Utility Easement in Loma Rio Subdivision

*Action: Adopt Resolution No. 30-01*

5. **Setting a Hearing on Vacating the Road Right-of-Way for Flower Street between Central Drive and G 3/8 Road** [File #VR-2001-037]

The project petitioners are requesting the vacation of a road right-of-way that was dedicated via a recorded plat.

Proposed Ordinance Vacating a Portion of Flower Street Located South of Central Drive

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 18, 2001*

7. **Setting a Hearing on Snidow Annexation No. 1 and No. 2 Located at 3165 D Road** [File #ANX-2001-062]

The 34.14-acre Snidow Annexation No. 1 and No. 2 consists of one parcel of land located at 3165 D Road and includes portions of the of the 29 5/8 Road and D Road rights-of-way.

a. **Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 31-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Snidow Annexation, a Serial Annexation Comprising Snidow Annexation No. 1 and Snidow Annexation

No. 2 Located at 3165 D Road and Including a Portion of the 29 5/8 Road and D Road Rights-of-Way

*Action: Adopt Resolution No. 31-01 Setting a Hearing for May 16, 2001*

**b. Set a Hearing on Annexation Ordinances**

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Snidow Annexation No. 1, Approximately 13.78 Acres Located in the 29 5/8 Road and D Road Rights-of-Way
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Snidow Annexation No. 2, Approximately 20.36 Acres Located at 3165 D Road and Including a Portion of the D Road Right-of-Way

*Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 16, 2001*

**8. Setting a Hearing on Gamble/Sage Annexation Located at 3070 I-70 Business Loop [File #ANX-2001-043]**

The 10.78-acre Gamble/Sage Annexation located at 3070 I-70 Business Loop consists of one parcel of land approximately 6.06 acres in size. The remaining acreage is comprised of approximately 582.28 feet along E ¼ Road; 256.37 feet along I-70 B. There are no existing structures on the site. The owner of the property has signed a petition for annexation.

**a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 32-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Gamble/Sage Annexation Located at 3070 I-70 B

*Action: Adopt Resolution No. 32-01 Setting a Hearing for May 16, 2001*

**b. Set a Hearing on Annexation Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gamble/Sage Annexation, Approximately 10.78 Acres Located at 3070 I-70 B

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 16, 2001*

9. **Setting a Hearing on Parham Annexation Located at 2960 D Road**  
[File #ANX-2001-061]

The 14.53-acre Parham Annexation consists of one parcel of land located at 2960 D Road and includes a portion of D Road right-of-way.

a. **Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 33-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Parham Annexation Located at 2960 D Road and Including a Portion of D Road Right-of-Way

*Action: Adopt Resolution No. 33-01 Setting a Hearing for May 16, 2001*

b. **Set a Hearing on Annexation Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Parham Annexation, Approximately 14.53 Acres Located at 2960 D Road and Including a Portion of D Road Right-of-Way

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 16, 2001*

10. **Setting a Hearing on Zoning Berthod Annexation, Located at 2982 Gunnison Avenue** [File #ANX-2001-033]

First reading of the zoning ordinance for the Berthod Annexation located at 2982 Gunnison Avenue.

Proposed Ordinance Zoning the Berthod Annexation to Light Industrial (I-1), Located at 2982 Gunnison Avenue

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 18, 2001*

11. **Conveyance of Lots 1-10, Block 122 to the City of Grand Junction by the Downtown Development Authority**

The City is engaged in a remodeling project at the Two Rivers Convention Center. Construction of additional parking for Two Rivers is part of this project. To help implement the project, the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority has voted to convey these lots to the City.

Resolution No. 34-01 – A Resolution Accepting a Warranty Deed for Lots 1-10, Block 122, City of Grand Junction, from the Downtown Development Authority

Action: Adopt Resolution No. 34-01

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

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

**NONE**

**EXECUTIVE SESSION**

Upon motion by Councilmember Terry, seconded by Councilmember Theobald and carried, the meeting was adjourned into Executive Session at 7:50 p.m. to discuss property negotiations for 159 Colorado Avenue and several other properties, and personnel.

**ADJOURNMENT**

The meeting adjourned at 7:50 p.m.

Stephanie Nye, CMC  
City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**CERTIFICATE OF ELECTION**

**APRIL 3, 2001**

I, Stephanie Nye, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 3, 2001, were as follows:

Total Ballots Cast in District A	2224
Total Ballots Cast in District B	3784
Total Ballots Cast in District C	1937
Total Ballots Cast in District D	3134
Total Ballots Cast in District E	1223
<b>TOTAL BALLOTS CAST</b>	<b>12,302</b>

**FOR COUNCILMAN - DISTRICT "A" - FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Cindy Enos-Martinez	1580	2723	1443	2247	873	8866

**FOR COUNCILMAN - DISTRICT "D" - FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
J. Creighton Bricker	217	452	156	352	95	1272
Linda Gordon	290	484	304	425	192	1695
William E. (Bill) McCurry	553	962	658	864	335	3372
Debbie Newton	492	877	422	698	296	2785

**FOR COUNCILMAN - DISTRICT "E" - FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Harry R. Butler	918	1683	904	1426	527	5458
Connie M. Cass	636	1079	647	907	417	3686

**FOR COUNCILMAN – “CITY AT LARGE” - FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Gene Kinsey	638	1026	512	769	302	3247
Dennis M. Kirtland	822	1674	644	1376	418	4934
Alfred P. LeFebre	108	211	187	201	97	804
Joseph V. Marie, II	42	76	63	78	45	304
Alice Elizabeth Rupp	265	329	284	298	190	1366

**INITIATIVE 200**

SHALL THE CITY COUNCIL BE AUTHORIZED TO SELL THE DESCRIBED REAL PROPERTY, CONSISTING OF APPROXIMATELY 1.56 ACRES (GENERALLY DESCRIBED AS A PORTION OF LILAC PARK NORTH OF THE BOZARTH PROPERTY, AND FURTHER GENERALLY DESCRIBED AS A RECTANGLE 484 FEET WIDE EAST TO WEST AND 140 FEET NORTH TO SOUTH), FOR NOT LESS THAN FAIR MARKET VALUE, PURSUANT TO A BID PROCESS, THE SALE PROCEEDS OF WHICH SHALL BE USED FOR PARKS ACQUISITION OR DEVELOPMENT, TO WIT:

BEGINNING AT THE NE CORNER OF SECTION 15, TOWNSHIP 1S, RANGE 1W OF THE UTE MERIDIAN, THENCE SOUTH 00°09'42" WEST ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 15, A DISTANCE OF 210.00 FEET TO A POINT; THENCE NORTH 89°39'38" WEST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 506.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°39'38" WEST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 484.00 FEET TO A POINT; THENCE NORTH 00°09'42" EAST, PARALLEL TO THE EAST LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 140.00 FEET TO A POINT; THENCE SOUTH 89°39'38" EAST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15, A DISTANCE OF 484.00 FEET TO A POINT; THENCE SOUTH 00°09'42" WEST PARALLEL TO THE EAST LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE

OF 140.00 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINING 1.56 ACRES?

Sale of Lilac Park	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
YES	832	1538	627	1296	429	4722
NO	1336	2155	1259	1750	768	7268

**REFERRED MEASURE 2A**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF GRAND JUNCTION, COLORADO BE PERMITTED TO, IN THE YEARS 2000 AND EACH SUBSEQUENT YEAR THEREAFTER UNTIL THE YEAR 2016, RETAIN AND SPEND ALL REVENUES EXCEPT FOR PROPERTY TAXES WHICH ARE IN EXCESS OF THE SPENDING, REVENUE RAISING OR OTHER LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, WITH SALES AND USE TAX REVENUE TO BE UTILIZED FOR GROWTH RELATED, CAPITAL IMPROVEMENT PROJECTS AND THE RELATED OPERATIONAL COSTS OF THOSE PROJECTS AND ALL OTHER REVENUE TO BE UTILIZED FOR ANY OTHER LAWFUL PUBLIC PURPOSES?

Tabor Question	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
YES	976	1540	631	1256	351	4754
NO	1199	2160	1252	1817	836	7264

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 3, 2001, and do hereby conclude:

That Cindy Enos-Martinez has been duly elected as Councilperson for District "A" by the greater number of votes.

That William E. "Bill" McCurry has been duly elected as Councilperson for District "D" by the greater number of votes.

That Harry R. Butler has been duly elected as Councilperson for District "E" by the greater number of votes.

That Dennis M. Kirtland has been duly elected as Councilperson for "City at Large" by the greater number of votes.

That on the question "SHALL THE CITY COUNCIL BE AUTHORIZED TO SELL THE DESCRIBED REAL PROPERTY, CONSISTING OF APPROXIMATELY 1.56 ACRES (GENERALLY DESCRIBED AS A PORTION OF LILAC PARK NORTH OF THE BOZARTH PROPERTY, AND FURTHER GENERALLY DESCRIBED AS A RECTANGLE 484 FEET WIDE EAST TO WEST AND 140 FEET NORTH TO SOUTH), FOR NOT LESS THAN FAIR MARKET VALUE, PURSUANT TO A BID PROCESS, THE SALE PROCEEDS OF WHICH SHALL BE USED FOR PARKS ACQUISITION OR DEVELOPMENT, TO WIT:

BEGINNING AT THE NE CORNER OF SECTION 15, TOWNSHIP 1S, RANGE 1W OF THE UTE MERIDIAN, THENCE SOUTH 00°09'42" WEST ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 15, A DISTANCE OF 210.00 FEET TO A POINT; THENCE NORTH 89°39'38" WEST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 506.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°39'38" WEST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 484.00 FEET TO A POINT; THENCE NORTH 00°09'42" EAST, PARALLEL TO THE EAST LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 140.00 FEET TO A POINT; THENCE SOUTH 89°39'38" EAST, PARALLEL TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 15, A DISTANCE OF 484.00 FEET TO A POINT; THENCE SOUTH 00°09'42" WEST PARALLEL TO THE EAST LINE OF THE NE ¼ OF SAID SECTION 15 A DISTANCE OF 140.00 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINING 1.56 ACRES?"

the question failed by the greater number of votes.

That on the question “WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF GRAND JUNCTION, COLORADO BE PERMITTED TO, IN THE YEARS 2000 AND EACH SUBSEQUENT YEAR THEREAFTER UNTIL THE YEAR 2016, RETAIN AND SPEND ALL REVENUES EXCEPT FOR PROPERTY TAXES WHICH ARE IN EXCESS OF THE SPENDING, REVENUE RAISING OR OTHER LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, WITH SALES AND USE TAX REVENUE TO BE UTILIZED FOR GROWTH RELATED, CAPITAL IMPROVEMENT PROJECTS AND THE RELATED OPERATIONAL COSTS OF THOSE PROJECTS AND ALL OTHER REVENUE TO BE UTILIZED FOR ANY OTHER LAWFUL PUBLIC PURPOSES? ”

the question failed by the greater number of votes.

Certified this 4th day of April, 2001.

/s/ Stephanie Nye  
Stephanie Nye, CMC  
City Clerk

Dated this 4th day of April, 2001.

/s/ Jim Spehar  
Jim Spehar  
Councilmember, District B

/s/ Reford C. Theobald  
Reford C. Theobald  
Councilmember, District C

/s/ Jack Scott  
Jack Scott  
Councilmember, District D

/s/ Earl Payne  
Earl Payne  
Councilmember, District E

/s/ Janet L. Terry  
Janet L. Terry  
Councilmember, City at Large

/s/ Theresa Martinez  
Theresa Martinez, Notary Public  
760 Teller Avenue

/s/ Christine English  
Christine English, Notary Public  
419 W. Grays Peak