

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

July 17, 2019

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 17th day of July, 2019 at 6:00 p.m. Those present were Councilmembers Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Duke Wortmann and Council President Rick Taggart.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Taggart called the meeting to order. Student Hunter Kyle led the Pledge of Allegiance which was followed by a moment of silence.

Certificates of Appointment

To the Urban Trails Committee

Councilmember McDaniel presented Andrew Gingerich, Shana Wade and Orin Zyvan with Certificates of Appointment to the Urban Trails Committee for three-year terms ending June 2022.

Citizen Comments

Gabriel Otero spoke about watershed protection.

Richard Swingle spoke about 2020 Employee Development.

Bruce Lohmiller spoke about Veteran's Art Center work is being shown at the Uncanny Valley Art Gallery, funding for Mind Springs trauma center, State group homes and asked for help for a citizen.

City Manager Report

City Manager Caton recognized the efforts of the response teams to the Riverview Fire at Connected Lakes on July 4, 2019 and noted there were no casualties or structure losses.

Council Reports

Councilmember Stout reported the Downtown Development Authority voted to be the funding apparatus for the Dos Rios development.

Councilmember McDaniel reported the Grand Junction Regional Airport Authority Board selected Linde Marshall, pending ratification, for the vacated At Large seat.

Councilmember Norris thanked the Riverview Fire response teams.

Councilmember Wortmann thanked the Grand Junction Economic Partnership (GJEP) for their work in bringing jobs to the area and said GJEP celebrated the Bureau of Land Management (BLM) headquarters relocation to Grand Junction.

Council President Taggart thanked all those involved, from the federal to the local level, in their efforts to bring the BLM to Grand Junction.

CONSENT AGENDA

Councilmember Wortmann moved to adopt Consent Agenda items #1 - #3.

Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Minutes of the July 1, 2019 Regular Meeting
- b. Minutes of the July 3, 2019 Special Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. 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, Exercising Land Use Control and Introducing Proposed Annexation Ordinance for the Townhomes at River Park Annexation of 1.336 Acres, Located at 3178 D Road
 - ii. Consider a request by SLB Enterprises, LLC for a Comprehensive Plan Amendment from Industrial and Commercial/Industrial Future Land Use Designations to a Commercial Future Land Use Designation and a Rezone from I-1 (Light Industrial) and I-O (Industrial/Office) to C-1 (Light Commercial) for Three Properties Having a Total of 12.2 Acres and

Located North of the Colorado River, South of C ½ Road and Directly East of Las Colonias Park

- iii. 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, Exercising Land Use Control and Introducing Proposed Annexation Ordinance for the Two Ponies Annexation of 16.00 Acres, Located at 3095 D ½ Road
- iv. 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, Exercising Land Use Control and Introducing Proposed Annexation Ordinance for the Kiser Annexation of 3.557 Acres, Located at 136 Vista Grande Road
- v. Introduction of an Ordinance to Vacate a Portion of the West Indian Creek Drive Right-of-Way and a Temporary Turnaround Identified within the Pepper Tree Filing No. Three Subdivision Plat and Set a Public Hearing for August 7, 2019
- vi. 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, Exercising Land Use Control and Introducing Proposed Annexation Ordinance for the Maverick Estates Annexation of 19.608 Acres, Located at 2428 H Road

3. Resolutions

- a. A Resolution Concerning Insurance for Operation by Adrenaline Adventure Company of Utility Type Vehicles (UTVs) on Public Right-of-Way

REGULAR AGENDA

Discussion and Selection of District E Councilmember

Council President Taggart introduced the District E candidates: Kraig Andrews, Daniel Fouts, Michael Gibson, Abram Herman, Sarah McCarthy and Andrew Sweet. He thanked the candidates for applying and their time at the Question and Answer meeting.

Council President Taggart reviewed the nomination and voting process. Council will agree on the number of applicants that will comprise the slate (of candidates). The slate will then be created by having each Councilmember nominate at most three candidates and the top nominees with four or more Council nominations (unless otherwise agreed upon) can then be

voted on by Council. Councilmembers may speak in support of a candidate for the benefit of a nomination and/or vote. If no candidate receives four or more votes, Council may reduce the slate by agreement or by a nomination and second process.

Council nominations were, in order of request and nomination:

Councilmember Norris – Kraig Andrews and Abram Herman

Councilmember Pe'a – Kraig Andrews and Abram Herman

Councilmember Stout – Abram Herman and Sarah McCarthy

Councilmember McDaniel – Abram Herman and Sarah McCarthy

Council President Taggart – Sarah McCarthy and Abram Herman

Councilmember Wortmann – Kraig Andrews

City Clerk Winkelmann announced each candidate's name and number of nominations received: Abram Herman - 5 votes, Kraig Andrews – 3 votes, and Sarah McCarthy – 3 votes. Council agreed for the slate to include all three candidates.

The subsequent rounds of nominations and votes are summarized in a chart on page 9.

After several rounds of nominations, Council appointed Kraig Andrews to fill the District E vacancy by a 4 - 2 vote with Councilmembers McDaniel and Stout voting NO.

Council took a break at 7:25 p.m.

The meeting resumed at 7:36 p.m.

Discussion of Additional Comprehensive Plan Advisory Committee Member(s)

The City of Grand Junction commenced its 2020 update to the City's Comprehensive Plan. Part of the methodology and approach to the scope of work of updating the Comprehensive Plan was to establish a Comprehensive Plan Advisory Committee (CPAC). In February 2019, the City Council unanimously appointed 15 members to the CPAC. Since that time City Council was approached to consider adding an additional member(s) to the CPAC.

City Manager Caton presented the item and said 44 letters of interest were received. Community Development Director Tamra Allen explained the application recruitment process.

Discussion included opening the candidate pool to all City residents (not just from specific areas), considering candidates from the original application pool, if the Committee would benefit from new members since the process is past the halfway mark, non-committee

members have been participating in the larger group gatherings, applicants were not screened by their addresses and whether applicants would represent their residence or business (based on address).

Councilmember Wortmann moved to appoint Erin Nix and representatives from the Orchard Mesa and Downtown areas to the Comprehensive Plan Committee. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Construction Contract for the Las Colonias River Park

The purpose of the Las Colonias River Park Project channel improvements is to enhance the stream hydrology and aquatic habitat zone in the recently constructed slough by adding habitat while expanding existing recreational use for a larger portion of the year. This will also restore the original goal of the channel by adding more flow and open water to the park.

Public Works Director Trent Prall and Parks and Recreation Director Rob Schoeber presented the item.

Conversation included that grants were used to offset total cost, the City used budgeted funds for the remaining amount, the summer stem flow is lower than winter due to irrigation diversion and the channel uses water from the main stem which allows for flexibility of the channel flow.

The public comment period opened at 8:09 p.m.

John Whipple expressed concern for river safety, does not support tubing and encouraged river safety education programs.

City Manager Caton responded that the City does not support specific types of water craft over another but would invite a public/private education partnership.

The public comment period closed at 8:13 p.m.

Councilmember Wortmann moved to authorize the Purchasing Division to enter into a contract with K&D Construction, Inc. for the construction of the Las Colonias River Park Project in the amount of \$1,298,433.17. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

A Resolution Adopting the 2019 Program Year Action Plan as a Part of the Grand Junction Five-Year Consolidated Plan for the Community Development Block Grant (CDBG) Program

The City will receive \$461,255 CDBG funding for the 2019 Program Year which begins September 1st. The City also has \$100,000 remaining from the 2018 Program Year to be

allocated with the 2019 funds. The purpose of this hearing is to adopt the 2019 Annual Action Plan which includes fund allocation for 17 projects as part of the Five-Year Consolidated Plan.

Principle Planner/CDBG Administrator Kristen Ashbeck presented the item.

The public hearing opened at 8:20 p.m.

There were no public comments.

The public hearing closed at 8:21 p.m.

Councilmember Stout moved to adopt Resolution No. 46-19, a resolution adopting the 2019 Program Year Action Plan as a part of the Grand Junction Five-Year Consolidated Plan for the Community Development Block Grant Program. Councilmember Wortmann seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Organizing and Establishing the Grand Junction Dos Rios General Improvement District

The City may create a General Improvement District (GID) which is a separate political subdivision with the power to tax, for the purpose(s) of acquiring, constructing, installing, operating and/or maintaining public improvements and providing service to the Dos Rios property. Passage of the ordinance is the first step in the process to create the GID.

City Attorney John Shaver explained the purpose of a GID, the creation procedure and how it would apply to Dos Rios.

Discussion ensued regarding how the Dos Rios acreage may vary with the ebb and flow of the river, that Council would be the GID Board (not additional staff), the GID purpose is to create a financing mechanism for public improvements (infrastructure), GID's are a common approach and help streamline processes, how many other communities use GID's and to what extent (information can be found on the Colorado Department of Local Affairs website), and concerns regarding a GID's financial solvency and who would be responsible for debts.

The public hearing opened at 8:28 p.m.

Richard Swingle expressed concern that having multiple City entities may cause fragmentation.

The public hearing closed at 8:31 p.m.

Councilmember Wortmann moved to adopt Ordinance No. 4861, an ordinance of the City of Grand Junction, Colorado establishing the Grand Junction Dos Rios General Improvement District and other details relating thereto on final passage and ordered final publication in

pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance to Vacate Unnamed Right-of-Way Situated Between 383 29 Road and 379 29 Road

The Applicant, Sunshine of Delta, Inc., requested a vacation of a section of unimproved right-of-way between 383 and 379 29 Road which has a total area of 14,500 square feet (0.33 acres). The Applicant currently has two other projects under review; a simple subdivision and rezone request. As part of the simple subdivision application, the Applicant proposed to dedicate a 52-foot-wide right-of-way 70 feet south of the existing right-of-way that will allow better access to the neighboring properties to the west (2896 and 2896 ½ Florida Street).

Associate Planner Jace Hochwalt presented the item.

The public hearing opened at 8:43 p.m.

There were no public comments.

The public hearing closed at 8:43 p.m.

Councilmember Stout moved to adopt Ordinance No. 4862, an ordinance vacating a portion of unnamed 50-foot-wide right-of-way, located between 379 29 Road and 383 29 Road on final passage and ordered final publication in pamphlet form. Councilmember Wortmann seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Rezoning 0.44 acres of Property Located at 383 29 Road and 379 29 Road to C-1 (Light Commercial)

The Applicant, Sunshine of Delta, Inc., requested the rezone 19,294 square feet (0.44 acres) to C-1 (Light Commercial), which is comprised of two sections totaling 0.33 acres. The property is currently reserved for public road purposes and therefore does not have a zoning designation. However, the Applicant is concurrently requesting the right-of-way to be vacated. The remaining area, a 0.11 acres strip of property, is currently zoned R-12 (Residential – 12 units/acre) and is situated between the existing right-of-way that is proposed to be vacated and a proposed right-of-way to be dedicated in a simple subdivision.

Associate Planner Jace Hochwalt presented the item.

The public hearing opened at 8:53 p.m.

There were no public comments.

The public hearing closed at 8:53 p.m.

Councilmember Wortmann moved to adopt Ordinance No. 4863, an ordinance rezoning the Sunshine of Delta property to C-1 (light commercial), located at 383 and 379 29 Road on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:55 p.m.

Wanda Winkelmann, MMC
City Clerk

City Council District E Motions/Votes – Moved (M) & Seconded (S) / Y = Yes (in favor) & N = No (against)

	#1 Nomination/ Vote Abram Herman	#2 Nomination/ Vote Sarah McCarthy	#3 Nomination/ Vote Kraig Andrews	Per Voting - Slate Narrowed to Andrews and McCarthy	#4 Vote Kraig Andrews	#5 Vote Sarah McCarthy	#6 Re- nomination Abram Herman	#7 Close Nominations to Include Herman
Councilmember McDaniel	S - Y	M - Y	N		N	Y	S	M - Y
Councilmember Norris	N	N	Y		Y	N		Y
Councilmember Pe'a	N	N	S - Y		Y	N		Y
Councilmember Stout	M - Y	S - Y	N		N	Y	M	S - Y
Councilmember Wortmann	N	N	M - Y		Y	N		Y
Mayor Taggart	N	Y	N		N	Y		Y
Results	2 - 4	3 - 3	3 - 3			3 - 3	3 - 3	

	#8 Vote Abram Herman	#9 Nomination/ Vote Abram Herman	#10 Nomination/ Vote Kraig Andrews	#11 Close Nominations for Andrews (#10) /Herman (#9)	#12 Nomination/ Vote Kraig Andrews	#13 Nomination/ Vote Abram Herman	#14 Close Nominations for Andrews (#12) / Herman (#13)
Councilmember McDaniel	Y	S - Y	N	S - Y	N	M - Y	Y
Councilmember Norris	N	N	M - Y	M - Y	M - Y	N	M - Y
Councilmember Pe'a	N	N	Y	Y	S - Y	N	Y
Councilmember Stout	Y	M - Y	N	M - Y	N	S - Y	Y
Councilmember Wortmann	N	N	S - Y	S - Y	Y	N	S - Y
Mayor Taggart	Y	Y	N	Y	Y	N	Y
Results	3 - 3	3 - 3	3 - 3	6 - 0	Final 4 - 2	2 - 4	6 - 0