

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

**June 3, 2020**

**Call to Order, Pledge of Allegiance, Moment of Silence**

The City Council of the City of Grand Junction convened into regular session on the 3<sup>rd</sup> day of June 2020 at 6:05 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Rick Taggart and Council President Duke Wortmann.

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

Council President Wortmann called the meeting to order. Councilmember Pe'a led the Pledge of Allegiance which was followed by a moment of silence.

**Appointments**

**Ratification of Appointment to Riverview Technology Corporation**

Council President Wortmann moved to ratify Shelly Dackonish to the Riverview Technology Corporation. Motion carried by unanimous voice vote.

**Citizen Comments**

Jay Bishop requested a call to action, a written statement from Council as well as City and Council representation to demonstrate community. He requested an apology from Colorado Mesa University for expressing his First Amendment rights.

Antonio Clark asked how police officers are trained and suggested a racial sensitivity training program be included.

Anthony Hinkle suggested better police training to improve police and minority interactions as well as having law enforcement attend community gatherings to build bridges and reduce fear.

Demetrius Davis said there should be respect for all races and was discouraged by the lack of support for this cause.

Taylor Jackson said there is systemic institutional racism and that changes need to begin with institutions such as City Council. She felt leadership groups should reflect diversity and any statement issued should reflect the group's true sentiments. She then asked all organizations to work together.

Tina Dingman expressed frustration that racism still exists and asked City leaders to join the protests to show unity.

Geneva Smith relayed both positive and negative experiences when calling local law enforcement and said the negative interaction needed to be addressed.

Prince Gray said racism in schools causes massive problems and he experienced insecurity, inferiority, isolation and segregation. He stated some protestors were unfairly arrested for speaking out and suggested law enforcement conduct internal investigations to root out racism.

Cordell McLean asked law enforcement agencies to declare their positions in written statements.

Samantha Jensen came to support the community and related that her son threatened suicide in the second grade after a classmate said he wouldn't be his friend due to his race.

Max Jeweler said he has seen and experienced discrimination in District 51 and attempted suicide due to it.

Jay Bishop again asked local leaders to meet with those in the community, for proper Council representation, a demonstration of unity and to establish a fully integrated committee. Council President Wortmann responded that the Council will move forward with those requests.

Tyler Becker said leadership is needed and as elected officials they will be held accountable for fixing a broken system.

Johnny Marsh said her family lives in Kentucky and expressed concerns for their safety. She then thanked local law enforcement for keeping Grand Junction safe and City Council for allowing the opportunity to speak.

Lavena Holsalks said California is more diverse and expressed frustration that there is still racism. It is up to leaders to repair community.

Ucari Bradfield suggested City Council help educate local leaders on how to interact with minorities. She then relayed experiences of discrimination at the police department and school district.

David Hood said many people are not heard and that everyone deserves to feel safe but when he hears sirens or sees a confederate flag he does not. He asked if local leaders want all citizens to be safe.

Ricky McConnell said he experienced racism his first day in Grand Junction. He didn't feel some leaders were engaged and wants them to know they need to help.

Jeanette Woods read, "We are the Unorganized Truth Against an Organized Lie."

Briana Fog said there is reason for people to be mad and everyone needs to be aware of their own motives.

David Combs said he moved to Grand Junction because it was safer; however, Grand Junction is like what Minneapolis was and asked everyone to work together as a community.

Cassandra Mutahu named victims of police killings, recounted some local issues and asked for change in Grand Junction.

Karly Pool related stories of discrimination against her mother and said racism is present in Grand Junction.

Jay Bishop repeated his requests to Council.

Council took a break at 7:08 p.m.

The meeting resumed at 7:13 p.m.

Paul Levig spoke against the proposed City fireworks ban resolution and said selling fireworks is the main fundraiser for his nonprofit. He felt if the City banned fireworks, illegal fireworks would be purchased and there would be more of a fire risk.

Kathy Cardinal spoke on behalf of small businesses and said the fireworks ban would negatively affect them.

Briden Cattrell, TT Fireworks representative, asked Council to deny the proposed City fireworks ban resolution and that he would be glad to work with the City regarding safe sales and possibly a shortened sales period.

Andrew Dawson works for nonprofits that sell fireworks as fundraisers and said a fireworks ban would be detrimental to the nonprofits.

## **CONSENT AGENDA**

Councilmember Norris moved to adopt Consent Agenda items #1 - #4.a. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

### **1. Approval of Minutes**

- a. Summary of the May 18, 2020 Workshop
- b. Minutes of the May 20, 2020 Regular Meeting
- c. Minutes of the May 27, 2020 Executive Session
- d. Minutes of the May 27, 2020 Special Meeting

### **2. Set Public Hearings**

- a. Quasi-judicial
  - i. Introduction of an Ordinance Zoning the Magnus Court Annexation PD (Planned Development) for Two (2) Properties and Introduction of an Ordinance Rezoning Two (2) Properties from R-E (Residential Estate) and R-2 (Residential – 2 Dwelling Units Per Acre) to PD (Planned Development) with an Associated Outline Development Plan (ODP) Called Magnus Court to Develop 74 Single-Family Detached Lots with an R-2 (Residential – 2 du/ac) Default Zone District. The Properties Combined are 69.67 Acres and are Generally Located at the West End of Magnus Court and Include the Property Addressed as 2215 Magnus

Court #A and Set a Public Hearing for June 15, 2020

- ii. Introduction of an Ordinance to Vacate Alley Public Right-of-Way within the R-5 Block Subdivision Amended on the Southeast Corner of 7<sup>th</sup> Street and Grand Avenue and Set a Public Hearing for June 17, 2020

### **3. Contracts**

- a. Contract for the Juniata Reservoir Aeration Project

### **4. Resolutions**

- a. A Resolution Authorizing the City Manager to Submit a Grant Application for the Multimodal Options Fund Grant Program

## **REGULAR AGENDA**

### **A Resolution Imposing a Ban on the Use, Sale, Exchange, Barter or Trade of or in Fireworks and Issuance of Temporary Permits for the Same**

Pursuant to the Grand Junction Municipal Code, the Fire Chief has authority to declare by emergency order a temporary restriction on fire, burning or other activity(ies) that endanger the health, safety and welfare of the residents of the City. Typically, this order is in response to an emergency condition; however, because of the need to protect resources related to the potential emergency response to COVID-19 and the pervasive moderate drought conditions in Mesa County, it is the recommendation of the City Manager and the Fire Chief that City Council enact a resolution imposing a ban on fireworks sales the City.

Grand Junction Fire Department Chief Ken Watkins said the intent was to be proactive, anticipate fire restrictions and avoid public confusion.

City Manager Greg Caton said there are concerns a fire restriction will be put in place right before July 4<sup>th</sup> and after people have purchased fireworks. Community resources have been taxed due to COVID and this ban was felt to be important to move forward.

Discussion included not restricting legal sales, some known fire causes have been from illegal fireworks, that the State allows “safe and sane” fireworks because they do not leave the ground, concerns regarding illegal fireworks from out of state sales, July 4<sup>th</sup> is the busiest fire response day and July a busy fire response month, what the various penalties are for starting

fires, the difficulties of imposing a ban after sales have commenced, that the County has not implemented a ban and concerns regarding the dry conditions.

Councilmember Norris moved to deny Resolution No. 32-20, a resolution imposing a ban on the use, sale, exchange, barter or trade of or in fireworks and issuance of temporary permits for the same in the City of Grand Junction. No one seconded the motion.

Councilmember Norris moved to adopt Resolution No. 32-20, a resolution imposing a ban on the use, sale, exchange, barter or trade of or in fireworks and issuance of temporary permits for the same in the City of Grand Junction. Councilmember Andrews seconded the motion. Motion failed by roll call vote with Councilmembers Andrews, Norris, Pe'a, Stout and Taggart voting NO.

### **An Emergency Ordinance Regarding Neighborhood Meetings and Alternative Hearing Procedures for Land Use Applications**

The purpose of this item is to amend the Zoning and Development Code to permit 1) neighborhood meetings to be conducted virtually and 2) alternative hearing procedures for quasi-judicial hearings.

City Attorney John Shaver presented this item.

Discussion included that this would allow virtual presentations/meetings but does not preclude in person meetings, Mesa County Health Department determines meeting restrictions, many local facilities are not available to rent due to COVID restrictions/concerns, the applicant would determine the meeting type (virtual or in person), sequential in person meetings could be conducted in order to abide by in person limits, and the sunset provision of 180 days should provide enough experience to determine if this option is sustainable.

The public hearing opened at 7:54 p.m.

There were no public comments.

The public hearing closed at 7:54 p.m.

Councilmember Andrews moved to adopt Emergency Ordinance No. 4923, an emergency ordinance to amend the Grand Junction Municipal Code regarding Neighborhood Meetings and to allow for alternative hearing procedures for Land Use Applications in the City Of Grand Junction, Colorado on final passage and ordered final publication in full. Councilmember Pe'a

seconded the motion. Motion carried by unanimous roll call vote.

**An Ordinance Regarding Neighborhood Meetings and Alternative Hearing Procedures for Land Use Applications**

Previously adopted by Emergency Ordinance.

**Public Finance Agreement, First Amendment to Loan Agreements and Amending Ordinance 4881 Concerning the City of Grand Junction Dos Rios General Improvement District**

The Public Finance Agreement (PFA) forms an agreement between the City of Grand Junction and the Dos Rios General Improvement District (District or GID) pledging certain revenues received by the City to the GID to fund improvements in the Dos Rios development area (Project.) In order to further the Project, the City agreed to pay certain pledged revenue to the District on and after the date of the issuance of bonds. The pledged revenue is the incremental property and sales tax revenues produced within the District and that along with the proposed GID mill levy, will be specifically used for the repayment of the bonds.

City Attorney John Shaver presented this item.

The public hearing opened at 8:00 p.m.

Bob Gibson, RM Construction, and Jen Taylor, Riverfront at Dos Rios and Riverside Neighborhood property owner, spoke in favor of this item.

The public hearing closed at 8:03 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4937, an ordinance concerning the City of Grand Junction Dos Rios General Improvement District and in connection with the issuance of bonds by the District approving a Public Finance Agreement and First Amendment to Loan Agreements and amending Ordinance No. 4881 concerning the DDA 2019 Plan of Development on final passage and ordered final publication in pamphlet form. Councilmember Andrews seconded the motion. Motion carried by unanimous roll call vote.

**An Ordinance to Make a Supplemental Appropriation of \$300,000 from the City General Fund Reserve to Support the #GJStrong Fund in the City of Grand Junction, Colorado - Continued from May 20, 2020**

The purpose of this item is to adopt an ordinance allocating \$300,000 to the #GJStrong Fund provided to the Western Colorado Community Foundation for expenditure related to providing basic needs of food and shelter.

City Manager Greg Caton presented this item and said staff recommended continuing this item.

Discussion included whether to continue this item, redraft it if needed and effective dates.

The public hearing opened at 8:11 p.m.

There were no public comments.

The public hearing closed at 8:11 p.m.

Councilmember Taggart moved to continue this item, an ordinance to make a supplemental appropriation of \$300,000.00 from the City General Fund Reserve to support the #GJStrong Fund in the City of Grand Junction, Colorado to the next regular Council meeting on June 17, 2020. Councilmember Stout seconded the motion. Motion carried by roll call vote with Councilmembers Norris and Pe'a voting NO.

**Non-Scheduled Citizens & Visitors**

Sandy Hicks spoke regarding the Magnus Court Annexation and expressed concerns about increased traffic, speed, congestion, drainage issues and additional students at the area schools.

Deb Moesser expressed concerns the Magnus Court Annexation would increase traffic and there are no sidewalks in the area.

**Other Business**

There was none.



## **Adjournment**

The meeting adjourned at 8:19 p.m.

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Wanda Winkelmann, MMC  
City Clerk