

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

January 20, 2021

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 20th day of January 2021 at 5:32 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel (participated remotely), Phyllis Norris, Phillip Pe'a, Anna Stout (participated remotely), Rick Taggart (participated remotely), and Council President Duke Wortmann.

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

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

Citizen Comments

There were none.

Proclamations

Proclaiming Crime Stoppers Month in the City of Grand Junction

Councilmember Pe'a read the proclamation. Mesa County Crime Stoppers Board Member Kathy Daniels accepted the proclamation virtually.

City Manager Report

City Manager Caton did not have a report.

Council Reports

Councilmember Taggart spoke about the Dr. Martin Luther King, Jr. (MLK) Day Celebration and attended the Grand Junction Housing Authority meeting.

Council President Wortmann thanked Councilmembers Stout and Taggart for attending and helping lead the MLK Day Celebration.

CONSENT AGENDA

Councilmember Norris moved to adopted Consent Agenda items 1 - 5. Councilmember Andrews seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the January 4, 2021 Workshop
- b. Minutes of the January 6, 2021 Executive Session
- c. Minutes of the January 6, 2021 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduce an Ordinance Dissolving the City of Grand Junction Rimrock Marketplace General Improvement District and the Rimrock Marketplace Special Improvement District and Set a Public Hearing for February 3, 2021

3. Continue Public Hearings

- a. Legislative
 - i. An Ordinance Amending Grand Junction Municipal Code Pertaining to Liquor Licensing Distance Requirements - CONTINUED TO FEBRUARY 17, 2021

4. Contracts

- a. Sole Source Purchase of Point Blank Rifle Plates
- b. CDBG 2020 Program Year Subrecipient Agreement between the Grand Junction Housing Authority and the City of Grand Junction
- c. Lease Agreement for Farming Rights for Saccomanno Park Property
- d. Construction Contract with Xcel Energy for the Riverfront at Dos Rios

5. Resolutions

- a. Resolution Authorizing Application to Great Outdoors Colorado (GOCO) for the Blue Heron Trailhead and Boat Ramp Revitalization

REGULAR AGENDA**Items Relating to the April 6, 2021 Election****A Resolution Setting of a Rate of Taxation for Marijuana Related Businesses**

Draft ballot language for a measure regarding the establishment of authority to impose additional sales and use tax and an excise tax on marijuana businesses in the City was prepared in anticipation of the April 6, 2021 election.

Senior Planner Lance Gloss and City Attorney John Shaver presented this item.

Discussion included that the resolution uses the term "regulated marijuana" to refer to both medical and retail marijuana which conforms with Colorado law, the term "marijuana businesses" would be defined in subsequent City regulatory procedures which would be considered by a future Council and passed by ordinance (outline to be available prior to election), what the best timing would be to discuss/determine marijuana regulatory procedures, that this question only addresses taxation and the authority of Council to determine the level of taxation up to the resolution maximum, the pros and cons of voters or Council determining the types and number of marijuana businesses to be allowed within the City.

A public comment period was opened at 6:17 p.m.

There were no comments.

The public comment period closed at 6:17 p.m.

Councilmember Stout moved to adopt Resolution No. 09-21, a resolution setting a title and submitting to the electorate on April 6, 2021 a measure concerning the taxation of the sale of regulated marijuana and marijuana products, regulated marijuana product manufacturing and cultivation of marijuana for regulated sale to pay for parks, recreation, open space, trails and enforcement purposes and to retain and spend revenues as defined by Article X, Section 20 of the Colorado Constitution for payment therefor and providing other details relating thereto. Councilmember Pe'a seconded the motion. Motion carried by roll call vote with Councilmembers Norris and McDaniel voting NO.

A Resolution Regarding the Repeal of Referred Measure A of the April 5, 2011 Regular Municipal Election

Draft of ballot language for a measure regarding the repeal of the 2011 voter approved moratorium on marijuana businesses in the City was prepared in anticipation of the April

6, 2021 election.

Senior Planner Lance Gloss and City Attorney John Shaver presented this item.

Discussion included clarification verbiage for the resolution by changing the term “uses” to “activities”, the pros and cons of voters or Council determining the number of marijuana businesses to be allowed within the City and if this question should be moved to the November 2021 election.

A public comment period was opened at 6:32 p.m.

There were no comments.

The public comment period was closed at 6:32 p.m.

Councilmember Pe'a moved to adopt Resolution No. 10-21, a resolution setting a title and submitting to the electorate on April 6, 2021 a measure concerning the repeal of the 2011 Referred Measure A to allow marijuana business(es) in the City of Grand Junction, Colorado with the amendment to change the term “uses” to “activities” on line 71. Councilmember Stout seconded the motion. Motion carried by roll call vote with Councilmembers Norris, Andrews and McDaniel voting NO.

An Ordinance Referring a Ballot Proposition to the April 6, 2021 Regular Municipal Election Regarding the Amendment of Ordinance No. 4295

Applicant “The Eddy at Grand Junction, LLC” requested an adjustment to an existing City trail easement that was established to provide for the development of a section of the Colorado Riverfront Trail. This easement was created by a voter approved measure in 2013 and cannot be adjusted, vacated, or diminished by an act of Council without further approval from the People. Therefore, the applicant requested City Council refer a question to the April 6, 2021 ballot to allow for the adjustment of this easement in terms of size and location and amending conditions imposed on development of the site by the same 2013 voter approved measure.

Senior Planner Lance Gloss and City Attorney John Shaver presented this item.

Property owner Stephanie Copeland of Four Points Funding said she and her development team are committed to retaining the Riverfront Trail through the proposed development to the east as well as adding a connection to the west and proposed changes to the ballot language in order to make it clearer.

Mr. Gloss introduced an exhibit from Ms. Copeland of her proposed changes to the ballot language and read it into the record.

Discussion included concerns about the ultimate location of the trail and changes to the ballot language.

The public hearing opened at 7:17 p.m.

No public comments were received during the public hearing. Comments were received prior to the meeting which are attached.

The public hearing closed at 7:22 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4979 with approved edits, an ordinance referring a ballot proposition to the April 6, 2021 Regular Municipal Election regarding the Amendment of Ordinance No. 4295 on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Council took a break at 7:24 p.m.

The meeting resumed at 7:34 p.m.

An Ordinance to Make a Supplemental Appropriation of \$1,027,000 from the City General Fund Reserve for a COVID-19 Response Grant Fund to Aid Small Businesses, a Grant Program to Help Alleviate Hunger for Grand Junction Residents, and to Fund a Program to Assist Non-Profit Organizations

At the December 14, 2020 and January 4, 2021 Council workshops the Mesa County Economic Development First Responders and Western Colorado Community Foundation (WCCF) presented updates on COVID-19 response activity. City Council requested a program be developed to assist businesses in 2021. The Business Incubator (BIC) presented a COVID-19 Response Grant Fund program to aid small businesses with fixed costs in the amount of \$500,000 to be administered by the BIC through the Revolving Loan Fund, as well as \$25,000 for BIC administrative costs. The WCCF also presented a plan to be administered by them that would establish a \$250,000 grant fund program to help alleviate hunger for Grand Junction residents by distributing grants to agencies directly responsible for food and hunger relief, as well as \$2,000 to cover WCCF administrative costs. City Council also discussed establishing a fund of \$250,000 to assist Non-Profit Organizations who are otherwise ineligible to participate in other COVID relief programs.

Finance Director Jodi Welch provided background on this item.

Councilmember Stout reported she met with President of the Grand Junction Area

Chamber of Commerce Diane Schwenke, Executive Director of Business Incubator Center Jon Maraschin, Western Colorado Community Foundation President and Executive Director Anne Wenzel and Grants and Outreach Director Tedi Gillespie, City Manager Greg Caton and City Attorney John Shaver to work on what criteria will need to be met to qualify for the non-profit funding program and, who and how the funding will be allocated.

The public hearing opened at 7:50 p.m.

There were no public comments.

The public hearing closed at 7:50 p.m.

Discussion included tabling the amount for the non-profit program until details are available and other available options for Council to move forward.

Councilmember Andrews moved to adopt Ordinance No. 4981 as amended, an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 for a COVID-19 Response Grant Fund to Aid Small Businesses, for a Grant Program to Help Alleviate Hunger for Grand Junction Residents totaling \$777,000, and appropriating \$250,000 for ratification at a future meeting for a Non-Profit Assistance Program on final passage and ordered final publication in pamphlet form.

Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Amending the Planned Development Zoning and Outline Development Plan (ODP) for The Riverfront at Dos Rios, Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue

The City of Grand Junction, requested approval of an amended Planned Development (PD) zoning ordinance and Outline Development Plan (ODP) to add approximately 0.4 acres of property to the Riverfront at Dos Rios Planned Development and add uses allowed within portions of the Light Industrial/Commercial area. In April 2019 the City approved a PD and ODP, but continued to acquire adjacent properties which were added to the PD and ODP by amendment in May 2020. This amendment will add final properties located at 636 and 636 ½ Lawrence Avenue to the Development.

Principal Planner Kristen Ashbeck presented this item.

Discussion included that this change would not add to the City's infrastructure costs.

The public hearing opened at 7:55 p.m.

There were no public comments.

The public hearing closed at 7:55 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4982, an ordinance amending Ordinance No. 4928 to rezone to Planned Development (PD) and an Outline Development Plan (ODP) for The Riverfront at Dos Rios, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue 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 7:58 p.m.

Wanda Winkelmann, MMC
City Clerk