

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

June 2, 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 2nd day of June 2021 at 5:30 p.m. Those present were Councilmembers Abe Herman, Phillip Pe'a, Randall Reitz, Dennis Simpson, Anna Stout, Rick Taggart, and Council President Chuck McDaniel.

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

Council President McDaniel called the meeting to order and Erin Casey led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming June 2021 as Immigrant Heritage Month in the City of Grand Junction

Councilmember Stout read the proclamation. Denise Rodriguez introduced Omy Torres Luciano and Luisa Rodriguez Mitchell shared their stories of migrating here from Puerto Rico and Panama.

Proclaiming June 30, 2021 as Tim Foster Day in the City of Grand Junction

Councilmember Taggart read the proclamation. Colorado Mesa University President Tim Foster accepted the proclamation.

Citizen Comments

Richard Swingle gave an update on his reporting of streetlight outages to Xcel.

Dr. Jack Delmore expressed concerns regarding the fireworks display held at Lincoln Park on Memorial Day, specifically addressing how late the show started and how loud they were.

City Manager Report

City Manager Greg Caton addressed Dr. Delmore's comments.

Council Reports

Councilmember Reitz is looking forward to attending meetings for the boards and commissions he has been assigned.

Councilmember Stout gave an update on the Business Incubator Center meeting. She also spoke of a ride-along with the Community Resource Unit of the Grand Junction Police Department and lauded their efforts.

Councilmember Herman gave an update on the Homeless Coalition meeting.

Council President McDaniel spoke of the Joint Meeting with the Mesa County Commissioners.

CONSENT AGENDA

Councilmember Stout moved to adopt Consent Agenda Items 1 - 4 excluding items 3.b. and 3.e. to be considered on the regular agenda. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

Councilmember Simpson moved to table items 3.b. and 3.e. to a later meeting. Councilmember Pe'a seconded the motion. Councilmember Stout asked staff how tabling these items would impact the projects. Parks and Recreation Director Ken Sherbenou spoke of the aggressive construction schedule for item 3.b. and stated that tabling the item would put the project behind schedule. Utilities Director Randi Kim spoke of the impact a delay would have on the Carson Dam project (has had to be drained in preparation for construction) and the need for immediate approval. Councilmember Simpson withdrew his motion and asked for more time to review contracts in the future.

Councilmember Taggart moved to approve items 3.b. and 3.e. Councilmember Stout seconded the motion. Motion carried by voice vote with Councilmember Simpson voting no.

1. Approval of Minutes

- a. Summary of the May 17, 2021 Workshop
- b. Minutes of the May 19, 2021 Executive Session
- c. Minutes of the May 19, 2021 Regular Meeting
- d. Summary of the May 24, 2021 Workshop

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance Zoning Approximately 13.33-Acres from County RSF-R (Residential Single Family – Rural – 5-Acre Lot Sizes) to a City R-8 (Residential – 8 du/ac) for the Blue Mesa Estates Annexation, Located at 3085 D ½ Road, and Setting a Public Hearing for June 16, 2021
 - ii. Introduction of an Ordinance Zoning Approximately 0.73-Acres from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-8 (Residential – 8 du/ac) for the Reed Annexation, Located at 2733 B ¼ Road and Setting a Public Hearing for June 16, 2021

3. Contracts

- a. Grand Valley Irrigation District Construction, Operation, Maintenance and Easement Agreements for Lakeside Sewerline Replacement
- b. Contract Approval for the Construction Manager - General Contractor for the Lincoln Park Stadium Renovation Project
- c. Purchase Tandem Axle Dump Truck with Snowplow, Salt Box and Wing Plow
- d. Contract for 2021 Concrete Curb, Gutter, and Sidewalk Replacement Project
- e. Hogchute (aka Carson) Reservoir Dam Modifications

4. Resolutions

- a. A Resolution Authorizing Lease of the Hallenbeck Ranch Property to VanWinkles Ranch, LLC

REGULAR AGENDA

An Ordinance Rezoning Three Parcels Totaling Approximately 2.49 Acres from R-2 (Residential - 2 units/acre) to R-12 (Residential - 12 units/acre) Located at the Southwest Corner of 26 ½ Road and Northacres Road

The applicant Vortex Engineering and Architecture Incorporated, acting on behalf of the

property owner, WDM Corporation, requested the rezone of three parcels totaling approximately 2.49 acres, located at the southwest corner of 26 ½ Road and Northacres Road, from R-2 (Residential - 2 units/acre) to R-12 (Residential - 12 units/acre). The requested R-12 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential Medium.

Senior Planner Jace Hochwalt presented this item. Ty Johnson with Vortex Engineering gave a presentation on behalf of the applicant.

Discussion included the number of allowable units per this zoning, densities and buffers in this area per the Comprehensive Plan, reasoning for residential medium designation for this neighborhood and surrounding areas, this area serving as a “cap” to an R-2 development (Sage Court), timeline of completion for 26 ½ Road (2023/2024), triggers for additional ingress/egress points, and number of plats on the property.

Councilmember Simpson read a statement regarding a visit to the neighborhood near the area of the requested rezone and stated that his vote would only be based on the evidence presented during the hearing.

The public hearing opened at 7:11 p.m.

The following spoke against the item: Lauren Glenn, Ron Arellano, Jerry Mutchler, Nancy Arellano, Gail West, Betty Morten Perich, Diane Dike, Rick Rieger, Bill Graham, Les Perich, Kathleen Gillespie, Mariam Grafe, Suzanne Steel, and Attorney Joseph Coleman.

The public hearing closed at 8:06 p.m.

Conversation ensued regarding affordability and availability of housing in the community, the allowable units per this density, the Comprehensive Plan process, managed growth in the community, rezone process including community engagement, trigger for a canal bridge crossing, the impact of this on the community as a whole (Grand Valley Housing Needs Assessment), and the possible impact of the original subdivision plat to the rezone.

Councilmember Stout moved to adopt Ordinance No. 5000, an ordinance rezoning three parcels of land totaling approximately 2.49 acres from R-2 (Residential 2 units/acre) to R-12 (Residential 12 units/acre) located at the southwest corner of 26 ½ Road and Northacres Road on final passage and ordered final publication in pamphlet form. There was no second to the motion. Councilmember Stout amended her motion to adopt Ordinance No. 5000, an ordinance rezoning three parcels of land totaling approximately 2.49 acres from R-2 (Residential 2 units/acre) to R-8 (Residential 8 units/acre) located at the southwest corner of 26 ½ Road and Northacres Road on final passage and ordered final publication in pamphlet form. Councilmember Herman seconded the motion. Motion carried by unanimous roll call vote.

Council President McDaniel called for a break at 8:43 p.m.
The meeting resumed at 8:59 p.m.

Appeal of Community Development Director's Administrative Decision Pertaining to Acceptance of Open Space Fees in Lieu of Land Dedication for the Lowell Village Townhome Phase 2 Development - CONTINUED FROM MAY 19, 2021

Applicant REGeneration, LLC is developing the easterly vacant portion of the block on the southeast corner of 7th Street and Grand Avenue in two phases. Phase 1 consisted of the four units that exist on the northwest corner of White Avenue and North 8th Street. Phase 2 will consist of the remaining area of the block with the exception of the R-5 school site for development of an additional 32 units.

Per Code, the Community Development Director shall make the decision as to whether to accept cash equal to 10 percent of the value of the undeveloped land or accept open space land dedication. In this instance, the Director made the decision to accept cash in lieu of land dedication. The applicant appealed the decision.

Community Development Director Tamra Allen introduced this item and Principal Planner Kristen Ashbeck presented it.

Conversation ensued regarding the use of funds accepted in lieu of land dedications and what the Council's responsibility is in hearing this item.

The applicant Jerry Nelson from REGeneration, LLC presented his appeal.

Comments ensued regarding the Code and whether it was followed, the viability of the applicant's proposal for land dedication, and existence of an irrevocable letter of credit.

The public hearing opened at 9:38 p.m.

There were no in person public comments. An email was sent by Scott Beilfuss in support of the development.

The public hearing closed at 9:38 p.m.

Councilmember Stout moved to uphold the Director's Decision accepting in-lieu fees for open space land dedication for the Lowell Village Townhome Phase 2 development. Council President McDaniel seconded the motion. Motion failed by roll call vote with Councilmembers Reitz, Simpson, Taggart, and Pe'a voting no.

An Ordinance for Supplemental Appropriations Amending the 2020 Budget

The budget is adopted by City Council through an appropriation ordinance to authorize

spending at a fund level based on the line-item budget. The original budget and appropriation may be amended by a supplemental appropriation. This supplemental appropriation is for 2020 and is for the City Council authorized refunding of the 2012 Riverside Parkway Bonds that occurred in 2020. While the 2020 fiscal year is completed, this supplemental appropriation ordinance is presented to remain fully transparent and in compliance with State law.

Finance Director Jodi Welch presented this item.

Councilmember Pe'a moved to adopt Ordinance No. 5001, an ordinance making Supplemental Appropriations to the 2020 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2020 and ending December 31, 2020 on final passage and ordered final publication in pamphlet form. Councilmember Herman seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance to Amend the Grand Junction Municipal Code (Title 21.02.080) Regarding Neighborhood Meetings and to Allow for Alternative Hearing Procedures for Land Use Applications in the City of Grand Junction - CONTINUED FROM MAY 19, 2021

The purpose of this item is to amend Title 21.02.080 of the Grand Junction Municipal Code regarding neighborhood meetings and to allow for alternative hearing procedures for Land Use Applications. This amendment allows for neighborhood meetings to be conducted virtually and to allow for alternative hearing procedures for land use applications.

Community Development Director Tamra Allen presented this item.

Clarification was made regarding why this is not being put before Planning Commission (because the City has already been functioning under these procedures and Council recommended the permanent change).

Councilmember Herman moved to adopt Ordinance No. 5002, an ordinance to amend the Grand Junction Municipal Code (Title 21.02.080) 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 pamphlet form. Councilmember Simpson seconded the motion. Motion carried by unanimous roll call vote.

A Resolution to Defend, Indemnify and Hold Harmless Claudia Hazelhurst, Jodilyn Welch, and Greg Caton from Claims Made in Mesa County District Court Case 2021CV30108

A Mesa County District Court action has been filed by the Grand Junction Peace Officers' Association also known as the Grand Junction Police Officer's FOP Lodge 68, alleging that the City, a former employee Claudia Hazelhurst, and current employees of the City of Grand Junction, Jodilyn Welch, and Greg Caton mismanaged an employee health insurance benefit.

Ms. Hazelhurst, Ms. Welch and Mr. Caton have been named personally in the lawsuit and with this Resolution the City commits to defend, indemnify, and hold harmless Ms. Hazelhurst, Ms. Welch and Mr. Caton.

City Attorney John Shaver presented this item.

Councilmember Stout moved to adopt Resolution No. 45-21, a resolution to defend, indemnify and hold harmless Claudia Hazelhurst, Jodilyn Welch, and Greg Caton from claims made in Mesa County District Court Case 2021CV30108. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

Richard Swingle requested the seat cushions in the auditorium be replaced in the next budget due to the discomfort during long meetings.

Other Business

Councilmember Stout said there had been a request for a letter of support from Council for the construction of a new Grand Junction High School and asked this be discussed at a workshop.

Adjournment

The meeting adjourned at 10:10 p.m.

Wanda Winkelmann, MMC
City Clerk

