

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

**June 16, 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 16<sup>th</sup> 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 Stout Student Jace Donalson led the Pledge of Allegiance which was followed by a moment of silence.

**Proclamations**

**Proclaiming June 19, 2021 as Juneteenth in the City of Grand Junction**

Councilmember Pe'a read the proclamation and Lisa Love, Erik Ward and Stephanie Vasconez accepted it.

**Appointments**

**Ratification of Appointment to the Mesa County Building Code Board of Appeals**

Councilmember Taggart motioned to ratify the reappointment of Ray Anderson to the Mesa County Building Code Board of Appeals for a term expiring May 17, 2024. Councilmember Pe'a seconded the motioned. Motion carried unanimously by voice vote.

**Citizen Comments**

Beth McKee expressed concerns about the Patterson Road Access Control Plan and community involvement.

Richard Swingle spoke of broadband availability in Grand Junction and Charter Spectrum being the sole source provider in the valley.

Bruce Lohmiller spoke about City Market, air compression fleets and masks.

**Council Reports**

Councilmember Pe’a attended the Visit Grand Junction meeting.

Councilmember Herman gave an update on the Urban Trails Committee, attended the Grand Junction Economic Partnership orientation and spoke of the Palisade Plunge.

Councilmember Taggart gave an update on the Grand Junction Regional Airport Authority and spoke of the Grand Junction Regional Airport being named the top airport in Colorado.

Councilmember Simpson urged councilmembers to go online and view the last workshop format to see if it is the best option going forward.

Councilmember Stout attended the Associated Governments of Northwest Colorado meeting where she learned there is a lot of money available for pandemic recovery, spoke of her neighborhood having a block party and that the City’s block party trailer is available to City residents, introduced Jace Donalson as the Stout Student and gave a shoutout to Zeb Miracle who led a walking tour of Downtown Grand Junction for the Roice-Hurst staff.

**CONSENT AGENDA**

Councilmember Reitz moved to adopt Consent Agenda Items 1 - 4 excluding items 2.a.i. and 3.a. to be considered on the regular agenda. Councilmember Simpson seconded the motion. Motion carried by unanimous voice vote.

**1. Approval of Minutes**

- a. Minutes of the June 2, 2021 Regular Meeting
- b. Summary of the June 7, 2021 Workshop

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Adopting the Patterson Road Access Control Plan (ACP), as Title 38 of the Municipal Code and Setting a Public Hearing for July 7, 2021
- b. Quasi-judicial
  - i. Introduction of an Ordinance Vacating a Petitioned Road Right-of-Way and Setting a Public Hearing for July 7, 2021

- ii. Introduction of an Ordinance for Optional Premises License for the Hotel Maverick and Setting a Public Hearing for July 7, 2021

### 3. Contracts

- a. Construction Contract for the G Road Bridge Replacement Project at North Leach Creek
- b. Grand Valley Irrigation District Maintenance, Repair and Easement Agreement for Lorey Drive and 2020 Safe Routes to School Projects

### 4. Resolutions

- a. A Resolution Authorizing the City Manager to Accept Airport Authority Grant Offer
- b. A Resolution Authorizing an Outdoor Dining Lease to 5<sup>th</sup> & Olive, LLC Located at 500 Main Street
- c. A Resolution Declaring Intent to Create Alley Improvement District No. ST-21 and Setting a Public Hearing for July 21, 2021

## **REGULAR AGENDA**

### **Introduction of an Ordinance Adopting the Patterson Road Access Control Plan (ACP), as Title 38 of the Municipal Code and Setting a Public Hearing for July 7, 2021**

The Planning Commission heard this item at its June 8, 2021 meeting and voted (1-4) to not recommend adoption of the access control plan (Plan). The Commission expressed the following concerns and it recommended they be considered before adoption of the Plan.

- 1) Revisit Access points 114, 116 and 117.
- 2) Provide a mechanism on how to pay for improvements such as the use of Transportation Capacity Payment (TCP) funds.
- 3) Address the heavy burden of the Plan being placed on the largely residential area.
- 4) Further evaluate the trigger to be used for three types of implementation, which state "A property redevelops or changes use, resulting in an increase in traffic to and from the site of 20% or more."
- 5) Revise Darby Lane (#236) to 3/4 and Placer Street (#240) to right-in/right-out access points.

Staff responded to comment #3 by recommending that access points 156,157,158, 160 and 161, associated with the Mantey Heights neighborhood, be removed from the Plan.

Public Works Director Trent Prall was available to answer questions on this item.

Conversation ensued regarding the Planning Commission's feedback, the process to amend the Plan, whether to approve this item on first reading even though the Planning Commission recommended denial of the plan, and options on how to move forward: 1. Deny this item on first reading and have staff go back and create a modified plan for Planning Commission to review, 2. Approve on first reading for publication and go forward with the public hearing where City Council could more fully develop the record on which to make a decision with the option to continue the public hearing for more public testimony or refer back to Planning Commission to work with staff on changes or deny it at that time.

Council President McDaniel moved to introduce an ordinance adopting the Patterson Road Access Control Plan on first reading and set a public hearing on July 7, 2021. Councilmember Simpson seconded the motion.

Councilmember Simpson asked for some history on whether Council typically agrees with the Planning Commission's recommendations (City Attorney stated that legally they are a recommending body that doesn't bind the Council and City Manager Caton stated that at times they go against recommendations, but not on a regular basis and provided a timeline on the ACP's development and how it has been ready for review since December of 2020) and asked that the four items that Planning Commission provided feedback on outside of the removed access points be outlined. Clarification was made on whether changes can be made by second reading (for the most part yes although the City Attorney said that TCP amendments would take longer to modify and could not be accomplished by second reading).

Motion carried by roll call vote with Councilmember Taggart voting no.

### **Construction Contract for the G Road Bridge Replacement Project at North Leach Creek**

This request is to award a construction contract for the G Road Bridge Replacement Project at North Leach Creek. This project will construct a new bridge east of the 24 Road and G Road intersection next to Canyon View Park. This bridge replacement project is one of the first projects funded with voter authorized Transportation Capacity Expansion Funds. North Leach Creek will be realigned to flow under this new bridge and a pedestrian pathway underpass will also be constructed as part of this bridge project to allow for easy access to and from Canyon View Park for pedestrians and bicyclists. The existing G Road Bridge will be demolished and the old alignment of North Leach Creek will be backfilled.

Public Works Director Trent Prall was available to answer questions on this item.

Councilmember Simpson asked about this item as it pertained to the approved annual budget.

City Manager Caton clarified this item and two others in the approved budget comprise the whole project of G Road, 24 Road and their intersection. Public Works Director Trent Prall noted that the budget line item is on page 161 of the 2021 budget book and explained how this project impacts the other two. Conversation ensued regarding this being a component of three budgeted projects and not a separate project, how this is broken out because it is the first phase of the projects, timeline of the project, why all the projects were budgeted this year even though the work won't be completed in 2021 (need full authorization of funding on the front end), built in contingencies (minor contract revision of \$150,000), and the difference from the \$200,000 change order limit per the purchasing policy.

Council President McDaniel moved to approve the construction contract for the G Road Bridge Replacement Project at North Leach Creek. Councilmember Herman seconded the motion. Motion carried by unanimous roll call vote.

**A Resolution Accepting the Petition for the Annexation of 13.33 Acres of Land and Ordinances Annexing and Zoning the Blue Mesa Estates Annexation to R-8 (Residential - 8 du/ac), Located at 3085 D 1/2 Road**

The applicant, Prodigy Homes & Development, LLC, requested to have 13.33 acres located at 3085 D 1/2 Road annexed. There is a portion of the D 1/2 Road right-of-way included in this annexation request. The owner requested this in anticipation of a new housing development, which constitutes "annexable development" and as such will be annexed in accordance with the Persigo Agreement.

The applicant also requested a zone of annexation to R-8 (Residential – 8 du/ac) for the Blue Mesa Estates Annexation. The property has a Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The subject property currently contains one single-family detached home along with various accessory structures.

Principal Planner David Thornton presented this item.

Kim Kerk spoke on behalf of the applicant.

The public hearing was opened at 6:50 p.m.

There were no public comments.

The public hearing was closed at 6:51p.m.

Conversation ensued regarding the need of medium density housing and Council appreciate an opportunity to help fill this need.

Councilmember Stout moved to adopt Resolution No. 49-21, a resolution accepting the

annexation petition for the Blue Mesa Estates Annexation, located at 3085 D ½ Road, to adopt Ordinance No. 5003, an ordinance to annex the Blue Mesa Estate Annexation on final passage and ordered final publication in pamphlet form, and to adopt Ordinance No. 5004 to zone the Blue Mesa Estates Annexation to R-8 (8 du/acre) on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

**A Resolution Accepting the Petition for the Annexation of 0.73 Acres of Land and Ordinances Annexing and Zoning the Reed Annexation to R-8 (Residential - 8 du/ac), Located at 2733 B 1/4 Road**

The applicant Jesse Reed requested 0.73 acres located at 2733 B ¼ Road be annexed. No road right-of-way is included in this annexation request. The owner requested annexation in anticipation of combining his parcel with a property already within the City limits located adjacent and to the south, which constitutes "annexable development" and as such will be annexed in accordance with the Persigo Agreement.

The applicant also requested a zone of annexation to R-8 (Residential – 8 du/ac) for the Reed Annexation. The property has a Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The subject property currently contains one single-family detached home along with various accessory structures.

Principal Planner David Thornton presented this item.

Applicant Jessie Reed was also present to answer questions.

The public hearing opened at 7:05 p.m.

There were no public comments.

The public hearing closed at 7:05 p.m.

Councilmember Herman moved to adopt Resolution No. 50-21, a resolution accepting the annexation petition for the Reed Annexation, located at 2733 B ¼ Road, to adopt Ordinance No. 5005, an ordinance to annex the Reed Annexation on final passage and ordered final publication in pamphlet form and moved to adopt Ordinance No. 5006, an ordinance to zone the Reed Annexation to R-8 (8 du/ac) on final passage and ordered final publication in pamphlet form. Councilmember Taggart seconded the motion. Motion carried by unanimous roll call vote.

**Consider Funding Allocations for the 2021 Community Development Block Grant (CDBG) Program Year, and Setting a Public Hearing for Adoption of the 2021 Annual Action Plan for July 21, 2021**

City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2021 Program Year. The City will receive \$469,557 for the 2021 Program Year that will begin once the 2021 Five-Year Consolidated Plan and the Annual Action Plan have been completed and funds have been released by the Department of Housing and Urban Development (HUD).

Principal Planner Kristen Ashbeck presented this item.

The public hearing opened at 7:14 p.m.

Executive Director for the Counseling and Education Center Hallie Nernburg thanked City Council for their support.

Christian Muller thanked City Council for their support of mental health services in the community.

The public hearing closed at 7:16 p.m.

Councilmember Reitz said he would be abstaining due to his past involvement with some of the organizations requesting funds.

Councilmembers thanked staff for their work allocating funds that benefit community organizations and stated how tough it is choosing which deserving organizations to allocate the funds.

Councilmember Pe'a moved to approve the proposed funding requests and set a public hearing for adoption of the 2021 Five-Year Consolidated Plan and Annual Action Plan for July 21, 2021. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

**Introduction of an Ordinance Making Supplemental Appropriations and Amending the Budget for 2021 for the Riverbank Rehabilitation Project and Setting a Public Hearing for July 7, 2021**

A supplemental appropriation is necessary for the Riverbank Rehabilitation Project (Project) in the amount of \$710,000. The Project will rehabilitate a portion of the bank on the Colorado River near Las Colonias. With approval of the supplemental appropriation ordinance, Council will also be authorizing the project.

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line-item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve a new project and associated expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure have to be appropriated.

Public Works Director Trent Prall presented this item.

Conversation ensued regarding fund sharing with Mesa County and the Downtown Development Authority, how the developer would not contribute due to increased costs of the development, the benefits of carrying out the project, timing of this project is ideal for cost benefit, and moving forward to reinforce the relationship with the County.

The public hearing opened at 7:39 p.m.

Richard Swingle commented in support of this item.

The public hearing closed at 7:40 p.m.

Councilmember Taggart moved to introduce 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, and set a public hearing for July 7, 2021. Councilmember Herman seconded the motion. Motion carried by roll call vote with Councilmember Stout voting no.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 7:42 p.m.

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Wanda Winkelmann, MMC  
City Clerk