

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

February 16, 2022

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 16th day of February 2022 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, Interim City Clerk Laura Bauer, Deputy City Clerk Janet Harrell, General Services Director Jay Valentine, Planning Supervisor Felix Landry, Finance Director Jodi Welch, Parks & Recreation Director Ken Sherbenou, Parks & Recreation, Recreation Superintendent Emily Krause, Associate Planner Daniella Acosta, Principal Planner Kristen Ashbeck, and Senior Planner Scott Peterson.

Council President McDaniel called the meeting to order. Councilmember Stout introduced Grand Junction High School Student Daniel Farrell who led those present in the Pledge of Allegiance, followed by a moment of silence.

Proclamations

Proclaiming February 27, 2022 as National TRIO Day in the City of Grand Junction

Councilmember Pe'a read the proclamation and Colorado Mesa University TRIO Engagement Specialist Deanna Greene accepted the proclamation.

Appointments

To the Horizon Drive Association Business Improvement District

Councilmember Simpson moved and Councilmember Stout seconded a motion to reappoint Jay Moss, Cameron Reece and Jim Cagle to the Horizon Drive Association Business Improvement District for terms expiring April 2026. Motion carried by unanimous voice vote.

Citizen Comments

Daniel Farrell thanked Council for the invitation to attend this meeting and for providing an open forum to express ideas. He also asked to meet with members of Council.

Ed Kowalski expressed dismay regarding divisive national issues and local traffic

issues.

John Pond said he is blessed to live in Grand Junction and that many City employees are nice. He also noted some vehicles in the Police Department's parking lot have not had front license plates.

Bruce Lohmiller spoke about Mr. Farrell's comments, a conversation with U.S. Senator John Hickenlooper, sex education classes and Vladimir Putin.

Scott Bielfus expressed his appreciation for Curbside Recycling Indefinitely's mission and asked the City to continue with it.

City Manager Report

City Manager Greg Caton did not provide a report.

Council Reports

Councilmember Reitz attended the Grand Junction Downtown Development Authority and Business Improvement District's annual retreat.

Councilmember Simpson thanked staff for including procurement information in the Council packet.

Councilmember Stout said the Riverview Technology Corporation's next meeting will be with the Department of Energy on April 5th and she will be attending the Colorado Municipal League Legislative Workshop in Denver.

Councilmember Taggart said construction on the Grand Junction Regional Airport Authority's new runway will begin in the spring and they are also working on an updated Master Plan.

Councilmember Herman said Grand Junction Economic Partnership is completing the candidate review and interview process for the Executive Director position, he attended the Urban Trails Committee's meeting and noted six families from Afghanistan are being resettled in the Grand Valley through Joint Development Associates International and encouraged efforts to welcome them. He also announced the next virtual community meeting with himself, and Mayor McDaniel will be March 3rd.

Councilmember Pe'a attended the Visit Grand Junction and the Parks & Recreation Advisory Board meetings.

Council President McDaniel said Colorado Mesa University hosted a meeting for local leaders asking their support for an application to receive state funds to rebuild the Robinson Theater.

CONSENT AGENDA

Councilmember Herman requested Consent Agenda item 3.e. be moved to the Regular Agenda and a correction be made to the January 31st Workshop Summary. Under Agenda Topic 4, Other Business, Councilmember Reitz was appointed to replace Councilmember Taggart and not Councilmember Stout to the ARPA Committee.

Councilmember Stout moved and Councilmember Pe'a seconded to adopt Consent Agenda items #1 - #5 excluding item 3.e. and that a correction to the January 31st Workshop Summary be made. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the January 31, 2022 Workshop
- b. Minutes of the February 2, 2022 Regular Meeting

2. Continue Public Hearings

- a. Legislative
 - i. An Ordinance Making Supplemental Appropriations for the Ridges Irrigation Pumphouse Equipment and Continuing the Public Hearing to March 2, 2022
 - ii. An Ordinance Making Supplemental Appropriations for the Lincoln Park Multi-Purpose Building with Colorado Mesa University and Continuing the Public Hearing to March 2, 2022

3. Contracts

- a. Contractor Approval for the Private Ash Tree Treatment Program
- b. Lease Agreement for Farming Rights for Saccomanno Park Property
- c. Lincoln Park Stadium Renovation Contract to Convert Stadium Lighting to LED
- d. Spring Cleanup - Clifton Pickup - Intergovernmental Agreement Between the City of Grand Junction and Mesa County
- e. Contract to Purchase Grand Junction CRI – Moved to the Regular Agenda
- f. Flowline Replacement – Pipe & Supply/Materials Purchase

4. Resolutions

- a. A Resolution Accepting AIP Grant No. 3-08-0027-074-2022 Concessions Rent Relief Airport Rescue Grant Agreement in the Amount of \$214,188 for Concession Relief Under the American Rescue Plan Act (ARPA) Between the Federal Aviation Administration, Mesa County, the City of Grand Junction, and the Grand Junction Regional Airport Authority and Authorize the City Manager and City Attorney to Sign
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for Dos Rios Riverfront Revitalization

5. Other Action Items

- a. Accept a Request by Frog Pond, LLC for the Dedication of 1.06 Acres of Land in the Proposed Frog Pond Subdivision

REGULAR AGENDA

Contract to Purchase Grand Junction CRI – Moved from the Consent Agenda

The City of Grand Junction's Solid Waste and Recycling Enterprise Fund is currently under contract with Grand Junction Curbside Recycling Indefinitely (GJ CRI) to provide residential curbside recycling. The current owners of GJ CRI may step away from the business, leaving the opportunity for the City to take full ownership of the company.

Because the City already funds the operation through annual contract payments, taking ownership of the company will provide operational efficiencies and expanded recycling opportunities for the community.

General Services Director Jay Valentine and City Manager Greg Caton presented this item.

Discussion included appreciation of the Foss' (current owners) contributions and service to the community, the City plans to hire current GJ CRI employees, and City goals for the purchase are to 1) expand services, 2) increase City recycling, 3) divert more waste from the landfill and 4) to create more sustainability in the City.

Councilmember Herman moved and Councilmember Taggart seconded to authorize the City Manager to enter into a contract to purchase Grand Junction Curbside Recycling Indefinitely for \$389,636.50. Motion carried by unanimous voice vote.

An Ordinance Amending Title 21 of the Grand Junction Municipal Code to Modify Residential Density Regulations in the B-1 (Neighborhood Business), C-1 (Light Commercial), M-U (Mixed Use), and BP (Business Park Mixed Use) Zoning Districts

The Community Development Director proposed amendments to sections of the Grand

Junction Municipal Code (GJMC) Title 21 to modify provisions of the Zoning and Development Code. This proposed amendment removes maximum residential density requirements in B-1 (Neighborhood Business), C-1 (Light Commercial), M-U (Mixed Use), and BP (Business Park Mixed Use) zoning districts.

Planning Supervisor Felix Landry presented this item.

The public hearing opened at 6:21 p.m.

There were no comments.

The public hearing closed at 6:21 p.m.

Councilmember Simpson moved and Councilmember Pe'a seconded to adopt Ordinance No. 5052, an ordinance amending the Mixed Use and Industrial Bulk Standards Summary Table in Section 21.03.080 of Title 21 of the Zoning and Development Code to remove the density maximums described for B-1 (Neighborhood Business), C-1 (Light Commercial), M-U (Mixed Use), and B-P (Business Park Mixed Use) zoning districts on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Making Supplemental Appropriations

This supplemental appropriation will provide necessary spending authority for additional funding for the lighting project at the Lincoln Park stadium, additional funding to expand the recently approved employee childcare facility, and the procurement of a new Fire Department ladder truck.

Finance Director Jodi Welch, Parks & Recreation Director Ken Sherbenou and Parks & Recreation, Recreation Superintendent Emily Krause presented this item.

The public hearing opened at 6:26 p.m.

There were no comments.

The public hearing closed at 6:26 p.m.

Councilmember Reitz requested the Lincoln Park Stadium Lighting be a separate motion.

Discussion included clarification on the specific amounts and accounts from which the three items will be funded, concern that pursuing a supplemental appropriation (rather than looking for budget savings) is a first option when new projects are considered.

Council President McDaniel moved and Councilmember Stout seconded to adopt Ordinance No. 5053 as amended, an ordinance making Supplemental Appropriations

and Amending the 2022 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2022 and ending December 31, 2022 for the childcare facility expansion and the Fire Department ladder truck on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote with Councilmember Simpson voting no.

The public hearing reopened at 6:36 p.m.

There were no comments.

The public hearing closed at 6:36 p.m.

Council President McDaniel moved and Councilmember Pe'a seconded to adopt Ordinance No. 5053 B, an ordinance making Supplemental Appropriations and Amending the 2022 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2022 and ending December 31, 2022 for Lincoln Park stadium lighting on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote with Councilmembers Reitz and Simpson voting no.

An Ordinance Rezoning 2.4 Acres from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac), Located at 639 Pioneer Road

Applicant State of Colorado, acting by and through the Department of Human Services of CO, requested a rezone of one parcel totaling 2.4 acres located at 639 Pioneer Road from R-4 (residential 4 du/ac) to R-5 (residential 5 du/ac). The requested R-5 (Residential 5 du/ac) zoning is consistent with the Comprehensive Plan Land Use Map designation of Residential Low.

Associate Planner Daniella Acosta presented this item.

Discussion included clarification that Pioneer Road will provide the only access to 639 Pioneer Road and that Broken Spoke Road is within the County's jurisdiction.

The public hearing opened at 6:47 p.m.

There were no comments.

The public hearing closed at 6:47 p.m.

Councilmember Reitz moved and Councilmember Herman seconded to adopt Ordinance No. 5054, an ordinance rezoning from R-4 (residential 4 du/ac) to R-5 (residential 5 du/ac) zone district the property located at 639 Pioneer Road, Grand Junction, CO on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Accepting the Petition for the Annexation of 9.84 Acres of Land and Ordinances Annexing and Zoning the Brown Property Annexation to R-4 (Residential - 4 du/ac), Located at 2537 G 3/8 Road

Applicant McCurter Land Company, LLC requested an annexation and a zone of annexation for the Brown Property which is one (1) parcel located at 2537 G 3/8 Road and is approximately 9.82 acres. The subject property includes an existing single-family home, a few outbuildings and 0.02 acres (982 square feet) of the G 3/8 Road right-of-way. The property is an Annexable Development per the Persigo Agreement, and the requested zone district of R-4 is consistent with the Residential Low (2 to 5.5 du/ac) land use category of the Comprehensive Plan and the Planned Development (Wilson Ranch) R-4 zoning of adjacent properties that are within City limits.

Principal Planner Kristen Ashbeck presented this item.

The public hearing opened at 6:54 p.m.

There were no comments.

The public hearing closed at 6:54 p.m.

Councilmember Herman moved and Councilmember Pe'a seconded to adopt Resolution No. 22-22, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Brown Property Annexation, approximately 9.84 acres, located at 2537 G 3/8 Road is eligible for annexation, as well as adopt Ordinance No. 5055, an ordinance annexing territory to the City of Grand Junction, Colorado, Brown Property, approximately 9.84 acres, located at 2537 G 3/8 Road, on final passage and ordered final publication in pamphlet form and adopt Ordinance No. 5056, an ordinance zoning the Brown Property Annexation to R-4 (Residential - 4 dwelling units per acre) zone district, from Mesa County zoning of RSFR (Residential Rural) on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Rezoning Lot 7, Block 5, Cimarron Mesa Subdivision - 16.70 Acres Total from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac), Located South of Hwy 50 and West of B 1/2 Road

Applicant Applewood South, LLC requested a rezone from R-4 (residential - 4 du/ac) to R-8 (residential – 8 du/ac) for a platted lot (Lot 7, Block 5, Cimarron Mesa Subdivision) totaling 16.70-acres located south of Hwy. 50 and west of B 1/2 Road in anticipation of future residential subdivision development. The requested R-8 zone district is consistent with the Comprehensive Plan Land Use Map designation of Residential Medium.

Senior Planner Scott Peterson and Applicant Representative Kim Kerk of Kerk Land Consulting & Development presented this item.

Council took a break at 7:00 p.m.

The meeting resumed at 7:09 p.m. Councilmember Stout did not return after the break.

The public hearing opened at 7:15 p.m.

The following spoke against this item: Paul Brennan, Donald Potter, Dave Cough, James Kozak, Lori Rodgers and Darren Boyd.

The public hearing closed at 7:28 p.m.

Discussion included that B ½ Road could be approved as an access road, park/open space will be added to the area, Neighborhood meetings are scheduled very early in the development process, per Code only neighbors within a 500' radius of a proposed development are sent neighborhood meeting notices, the developer reduced the proposed scope of development since the neighborhood meeting was held (a reduction in the scope of development does not require a re-noticing), the developer proposed 92 single-family residences for this project, a signalized light at Aspen Street/Highway 50 is in process, one access street runs adjacent to the Orchard Mesa Cemetery, currently there are two access points with another to be added with future development, there is no projected date when 26 ¼ Road will be improved, a zoning change is not required for development, and the Planning Commission recommended following the 2020 Comprehensive Plan.

Councilmember Taggart recused himself on this item.

Councilmember Herman moved and Councilmember Simpson seconded to adopt Ordinance No. 5057, an ordinance rezoning from R-4 (residential - 4 du/ac) to R-8 (residential - 8 du/ac) for Lot 7, Block 5, Cimarron Mesa Subdivision, located south of Highway 50 and west of B ½ Road on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote with Councilmember Taggart abstaining.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Herman expressed concern that citizen inquiries were not replied to in a timely manner and volunteered to coordinate the dissemination of Council emails and voicemails to ensure each councilmember knows which communications they are responsible for and that responses are timelier.

City Manager Greg Caton clarified that staff is responsible for operational issues and Council is responsible for policy issues.

Council President McDaniel asked to be copied on all communications and suggested this topic be added to a future workshop agenda for discussion.

It was determined that staff will reply to operational issues and each Councilmember will respond to inquiries that originate within their district until a formal policy is established.

Councilmember Herman requested a committee be formed to identify attainable housing projects for upcoming grant funds.

Councilmember Taggart suggested both long and short-term goals be established for affordable housing and homelessness before sub-committees are created.

Council President McDaniel noted housing strategies have been developed through Root Policy and agreed he would like to see movement. He also noted the City has an open position for a Housing Manager.

Council President McDaniel suggested this discussion be a future workshop topic.

Councilmember Reitz noted a goal from the Housing Plan was to develop a Land Bank and suggested using a portion of Matchett Park for that purpose.

Executive Session

Councilmember McDaniel moved and Councilmember Taggart seconded to go into EXECUTIVE SESSION UNDER C.R.S. 24-6-402(4)(b) OF THE COLORADO OPEN MEETINGS LAW TO CONFER WITH AND RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING THE CITY'S POSITION AND STRATEGY(IES) RELATIVE TO THE POSSIBLE FILING OF A CONDEMNATION ACTION AGAINST USHER NV LLC REGARDING VARIOUS PROPERTY INTERESTS LOCATED TO THE EAST OF 24 ROAD AND SOUTH OF G ROAD ALL OF WHICH INTERESTS ARE REQUIRED FOR THE 24 ROAD IMPROVEMENT PROJECT. Council will return to open session to conclude the executive session and adjourn the meeting from the City Hall Administration Conference room. Motion carried unanimously.

Council moved to the Administration Conference Room for the executive session.

Executive Sessions - City Hall Administration Conference Room

The City Council of the City of Grand Junction, Colorado met in executive session on Wednesday, February 16, 2022 at 8:26 p.m. in the Administration Conference Room, 2nd Floor of City Hall, 250 North 5th Street. Those present were Councilmembers Abe Herman, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart and Mayor Chuck McDaniel. Councilmember Anna Stout was absent.

Staff present for the executive session were City Manager Greg Caton and City Attorney John Shaver.

Upon completion of the executive session, Councilmember Pe'a moved and Councilmember Herman seconded to adjourn the executive session and return to open session. Motion carried unanimously.

Adjournment

The February 16, 2022 Regular meeting adjourned at 9:03 p.m. in the Administrative Conference Room.

Laura Bauer, MMC
Interim City Clerk

