

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

**March 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 16<sup>th</sup> day of March 2022 at 5:33 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, Principal Planner David Thornton, and Senior Planner Jace Hochwalt.

Council President McDaniel called the meeting to order. Councilmember Pe'a led those present in the Pledge of Allegiance, followed by a moment of silence.

**Proclamations**

**Proclaiming March 31, 2022 as Cesar Chavez Day in the City of Grand Junction**

Councilmember Stout read the proclamation and Nayeli Contreras-Rocha of the Cesar Chavez Celebration Planning Committee accepted the proclamation.

**Proclaiming April 2022 as Water Conservation Month in the City of Grand Junction**

Councilmember Herman read the proclamation and Utilities Director Randi Kim accepted the proclamation.

**Appointments**

Councilmember Herman moved and Councilmember Stout seconded to reappoint Andrew Gingerich and appoint Jason Nguyen, Michael Holt and Ian Thomas to the Urban Trails Committee for three-year terms expiring June 2025. Motion carried by unanimous voice vote.

**Citizen Comments**

Bruce Lohmiller attended a School District 51 Board meeting held at Colorado Mesa University and mentioned a Saturday Night Live skit and the Russian-Ukrainian War.

**City Manager Report**

City Manager Greg Caton did not provide a report.

**Council Reports**

Councilmember Herman attended the Urban Trails Committee and American Rescue Plan Act Committee meetings and plans to attend the Homeless Coalition meeting. He also noted Grand Junction Economic Partnership scheduled site visits for their Executive Director candidates.

Councilmember Taggart attended the Grand Junction Regional Airport Authority Board meeting.

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

Council Reitz noted the Commission on Arts & Culture installed new art features in the downtown area.

Councilmember Simpson attended the Horizon Drive Association Business Improvement District meeting.

Councilmember Stout said Colorado Municipal League and Associated Governments of Northwest Colorado (AGNC) continue to review state bills to determine local impact and the City applied to AGNC for a \$5,000 grant for Fire Station #3 signage. Also, she and Councilmember Herman met with local student Daniel Ferrell who suggested Council involve youth more in their processes.

**CONSENT AGENDA**

Councilmember Pe'a moved and Councilmember Herman seconded to adopt Consent Agenda items #1 - #2. Motion carried by unanimous voice vote.

**1. Approval of Minutes**

- a. Summary of the February 28, 2022 Special Meeting
- b. Minutes of the March 2, 2022 Regular Meeting

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of Ordinances Amending Multiple Sections of the Grand Junction Municipal Code Regarding Regulation of Cannabis and

Setting a Public Hearing for April 6, 2022

- b. Quasi-judicial
  - i. Introduction of an Ordinance Zoning Approximately 1.83 Acres from County Planned Unit Development (PUD) to RSF-8 (Residential – 8 du/ac) for the Keyser Court Annexation, Located at 3110 through 3117 Keyser Court, and Setting a Public Hearing for April 6, 2022

**REGULAR AGENDA**

**Lincoln Park Multipurpose Building with Colorado Mesa University (CMU) –  
Continued from March 2, 2022**

With the renovation of the Lincoln Park Stadium, an additional improvement was proposed by CMU and approved by Council to construct a Multipurpose Building south of Stocker Stadium and west of the Barn. The new building will feature lockers with associated facilities to be used by the CMU football team. The other major component is meeting rooms which will be used by CMU and the City. These are designed to allow CMU coaches space for meetings during football practice and the season and for multipurpose use by the City to compliment the Barn and help meet the significant demand for indoor facility space.

**An Ordinance Making Supplemental Appropriations for the Lincoln Park Multipurpose Building with Colorado Mesa University – *Continued from March 2, 2022***

**Procurement Approval Authorizing the Guaranteed Maximum Price for the Stadium Multipurpose Building – *Continued from March 2, 2022***

**Intergovernmental Agreement with Colorado Mesa University for the Multipurpose Building at Lincoln Park Stadium – *Continued from March 2, 2022***

Councilmember Stout moved and Councilmember Pe’a seconded to continue an Ordinance Making Supplemental Appropriations for the Lincoln Park Multipurpose Building with Colorado Mesa University, an Intergovernmental Agreement with Colorado Mesa University for the Multipurpose Building at Lincoln Park Stadium and Procurement Approval Authorizing the Guaranteed Maximum Price for the Stadium Multipurpose Building together to the Regular Meeting of April 6, 2022. Motion carried by unanimous voice vote.

**A Resolution Accepting the Petition for the Annexation of 0.88 Acres of Land and Ordinances Annexing and Zoning the Trinklein Annexation to R-4 (Residential - 4 du/ac), Located at 2067 Ferree Drive**

Applicants Trent and Laura Trinklein requested an annexation and a zone of annexation to R-4 (Residential 2-4 du/ac) for one property located at 2067 Ferree Drive in anticipation of the proposed Monument Ridge Subdivision (adjacent to the property) and that developer's need to have a portion of Ferree Drive vacated to create a better traffic line of site for the development. The approximately 0.88-acre annexation consists of one parcel of land with a single-family home. The adjacent property to the east is zoned R-4 which is consistent with the proposed Residential Low (2 to 5.5 du/ac) Land Use category of the Comprehensive Plan and the adjacent R-4 zoning of the Monument Ridge development as well as the County zoning of RSF-4 within the unincorporated area along Ferree Drive. The property is Annexable Development per the Persigo Agreement.

Principal Planner David Thornton and Kim Kirk of Kirk Land Consulting presented this item.

Discussion included that no change is required of the property or dwelling unit due to the annexation or zoning change.

The public hearing opened at 6:09 p.m.

There were no comments.

The public hearing closed at 6:09 p.m.

Councilmember Herman moved and Councilmember Taggart seconded to adopt Resolution No. 26-22, 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 Trinklein Annexation, approximately 0.88 acres, located on a property at 2067 Ferree Drive is eligible for annexation and adopt Ordinance No. 5059, an ordinance annexing territory to the City of Grand Junction, Colorado Trinklein Annexation, approximately 0.88 acres, located on a property at 2067 Ferree Drive on final passage and ordered final publication in pamphlet form and adopt Ordinance No. 5060, an ordinance zoning the Trinklein Annexation located on a property at 2067 Ferree Drive to R-4 (Residential – 4 du/ac) Zone District on final passage and ordered final publication in pamphlet form. 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, on 58.8 Acres, Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue**

Applicants DR Land, LLC, Buena Vida HQ, LLC, and the City of Grand Junction requested approval of an amended Planned Development (PD) zoning ordinance and

Outline Development Plan (ODP) to add approximately 2.0 acres to the Riverfront at Dos Rios Planned Development, change the zoning/use designations of some incorporated areas from Industrial/Commercial to Mixed-Use, and clarify some parking and architectural standards.

Senior Planner Jace Hochwalt, May Riegler Properties Founder and Principal Kevin Riegler and KASA Architecture Lead Architect Kevin Sperry presented this item.

Discussion included excitement for the project and the developer's vision, and hoped local elements will be included so the area captures a local feel.

The public hearing opened at 6:33 p.m.

There were no comments.

The public hearing closed at 6:33 p.m.

Councilmember Simpson moved and Councilmember Reitz seconded to adopt Ordinance No. 5061, an ordinance amending Ordinance No. 4982 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. Motion carried by unanimous roll call vote.

**A Resolution Authorizing Condemnation Action Against Usher NV, LLC for Right-of-Way and Easements for the 24 Road and G Road Transportation Expansion Project and the 24 Road Multi-Modal Path Project**

The 24 and G Road Widening projects require right-of-way and easements to be acquired from adjacent properties for future road improvements and utility relocations. This resolution authorizes the City Manager to file condemnation action against Usher NV, LLC for rights-of-way and easements from four properties in the amount of \$711,900 for the 24 and G Road Projects and from two properties in the amount of \$145,600 for the 24 Road Multi-Modal Path Project.

Council President McDaniel said the property owner and City continue to discuss resolving these matters by agreement. Staff recommended consideration of the resolution be continued to the April 6, 2022 regular meeting.

Councilmember Stout moved and Councilmember Pe'a seconded to continue a resolution authorizing condemnation action against Usher NV, LLC for right-of-way and easements for the 24 Road and G Road Transportation Expansion Project and the 24 Road Multi-Modal Path Project to the regular meeting of April 6, 2022. Motion carried by unanimous voice vote.

**Non-Scheduled Citizens & Visitors**

Richard Swingle thanked Council for their service and commended them for their decision to keep City elections in April.

**Other Business**

Councilmember Herman noted the City will receive \$10.4 million in American Rescue Plan Act (ARPA) funds and the program's initial formula allowed the City to use just over \$4 million for revenue replacement. However, the program's final rule allowed municipalities to opt to receive up to \$10 million of their allotted amount as revenue replacement which City Council discussed; this option would alleviate some reporting requirements and allow for more uses. He then said at the March 8<sup>th</sup> City Council ARPA Committee meeting, Councilmember Simpson pointed out Council had not formalized that decision. Councilmember Herman asked Council for a formal decision and supported using the funds per ARPA's final rule but within the spirit of the Act's original intent.

Councilmember Simpson suggested these funds be set aside and used at Council's discretion for low-income housing/homelessness projects as they become viable. He did not agree Council should adhere to the Act's original intent as "Washington priorities" may not line up with local needs. He also expressed concern that the City Council ARPA Committee, although an advisory committee, may be uncomfortable with Council making final decisions if they do not align with the committee's recommendations.

Councilmember Taggart said since this is a policy issue it should be discussed at a noticed public meeting.

Council President McDaniel agreed the funds should be spent in the spirit of ARPA's original guidelines.

City Attorney Shaver reviewed Open Meeting Law regarding appropriate content of Other Business discussions.

Councilmember Stout agreed this topic should be scheduled for a public meeting and that clear direction be provided to the Committee.

Councilmember Simpson suggested the Committee's meeting recordings be provided to Council and the public.

City Manager Caton asked the purpose of the meeting recordings and/or filming of the ARPA meetings and said this is a policy decision. He also noted concern about the intent of the request and that he spoke to the Committee about Lodging Tax revenue losses due to COVID.

City Attorney Shaver reviewed the Open Meeting Law regarding the purpose of meeting

recordings.

Council President McDaniel said this topic will be placed on an agenda.

Councilmember Reitz said it was brought to the Grand Junction Downtown Development Authority's (DDA) attention that they were not following their bylaws regarding vacancy nominations, and they would like to revert to their bylaws with upcoming vacancy nominations. He noted Council would continue to have final appointment approval.

Council President McDaniel was uncomfortable allowing the DDA to manage their board recruitment process.

City Attorney Shaver reviewed the bylaw nomination provisions and suggested the DDA provide Council details of their proposed recruitment process.

Councilmember Stout recommended the DDA be allowed to operate under their bylaws, add this topic to a joint meeting agenda with the DDA for further discussion and allow DDA vacancies be advertised through City platforms.

Interim City Clerk Laura Bauer reviewed the City's recruitment process and noted how this discrepancy was discovered.

**Adjournment**

The meeting adjourned at 7:27 p.m.



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Laura Bauer, MMC  
Interim City Clerk