

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

**October 5, 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 5<sup>th</sup> day of October 2022 at 5:32 p.m. Those present were Mayor Pro Tem Herman, Councilmembers Chuck McDaniel, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, Deputy City Clerk Janet Harrell, Deputy City Clerk Selestina Sandoval, Records Manager Debbie Kemp, and Planning Supervisor Felix Landry.

Council President Stout called the meeting to order, and student Taylee Chaffin led the Pledge of Allegiance, followed by a moment of silence.

**Proclamations**

**Proclaiming October 9 - 15, 2022 as Fire Prevention Week in the City of Grand Junction**

Councilmember McDaniel read the proclamation and Fire Chief Ken Watkins accepted the proclamation with Deputy Fire Chief Chris Angermuller and Community Outreach Specialist Dirk Clingman.

**Appointments**

**To the Forestry Board**

Mayor Pro Tem Herman moved and Councilmember Pe'a seconded to reappoint Kamie Long, Colorado State Forest Service Representative, and appoint Joseph Chandler to the Forestry Board for terms expiring November 2025. Motion carried by unanimous voice vote.

**Citizen Comments**

Clinton Walton spoke of filing a grievance regarding his employment with the City of Grand Junction.

Ed Kowalski invited the public to a Police Chief Search Community Listening Session.

Bruce Lohmiller spoke of the Florida hurricanes, the Day Center extending their hours and offering other services to the houseless community.

**City Manager Report**

City Manager Caton invited the public to Dos Rios at 4:00 p.m. for a ribbon cutting and groundbreaking ceremony on October 6, 2022, and to the Police Chief Search Community Listening Session on October 11, 2022 at 5:30 p.m. at the City Hall Auditorium.

**Council Reports**

Councilmember Taggart gave an update on the Grand Junction Regional Airport Authority.

Council President Stout attended the American Planners Association Colorado Chapter in Vail and will attend the Colorado Municipal League (CML) policy committee session on Friday and the CML Mayor's Summit.

**CONSENT AGENDA**

Mayor Pro Tem Herman moved and Councilmember Reitz seconded to adopt Consent Agenda items #1 - #3 with the addition of item #4.a.i. (a & b).

**1. Approval of Minutes**

- a. Summary of the September 19, 2022 Workshop
- b. Minutes of the September 21, 2022 Regular Meeting

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code Relating to Municipal Campaign Finance and Setting a Public Hearing for October 19, 2022
  - ii. Introduction of an Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements and Setting a Public Hearing for October 19, 2022
- b. Quasi-judicial
  - i. Introduction of an Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue and Setting a Public Hearing for October 19, 2022

- ii. Introduction of an Ordinance Zoning Approximately 27.83 Acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation, Located at 2855 C ½ Road, and Setting a Public Hearing for October 19, 2022
- iii. Introduction of an Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road and Setting a Public Hearing for October 19, 2022

### 3. Agreements

- a. 2022 Community Development Block Grant (CDBG) Subrecipient Agreements between STRiVE, Riverside Educational Center, Hilltop Community Resources, HomewardBound of the Grand Valley, Counseling and Education Center and Housing Resources of Western Colorado and the City of Grand Junction

### 4. Continued Public Hearings

- a. Legislative
  - i. A. An Ordinance Creating the Housing Advisory Board - ***Continued to October 19, 2022***
  - B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board – ***Continued to October 19, 2022***

## REGULAR AGENDA

### An Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code

Section 21.06.040 of the Zoning and Development Code requires that site development include landscaping. This ordinance proposes revisions to the landscaping requirements. The ordinance balances many goals, among them: efficient water use; reasonable and successful maintenance practices; a robust tree canopy; diverse plantings; and distinctive site design.

Proposed revisions draw on stakeholder input from local landscape professionals and best practices for landscaping regulations in the Southwest. A Suitable Plants List is also provided for reference and is a critical supplement to the proposed Code revisions. Primary changes include requirements to identify and protect significant trees during

development. The changes also aim to maximize water conservation and use a higher proportion of native and climate-appropriate plants. Adjustments to site design standards and planting requirements also aim to balance needs, improve plant health, and reduce maintenance costs.

Significant discussion has occurred around this ordinance update. That discussion has impacted the content of the proposed ordinance. One topic of discussion which has continued into the public hearing process concerns significant trees, specifically whether Cottonwood trees can qualify as significant. The initial proposed ordinance that Planning Commission recommended for approval at the May 10, 2022 hearing included Cottonwoods as potentially significant trees. The ordinance which Planning Commission recommended for approval at the August 23, 2022 meeting also included Cottonwoods as potentially significant trees. However, the Planning Commission's recommendation also included a condition to exclude Cottonwoods.

Planning Supervisor Felix Landry presented this item.

Conversation ensued regarding: the Forestry Board's recommendation for the inclusion of more types of trees as significant trees, the suitable plant list as a policy document, clarification of preservation and replacement requirements, how the 30% preservation rate compares to other communities, current conditions versus best practices, inclusion of Cottonwoods as a significant tree, wildlife benefit of Cottonwoods, and as the policy is written, if it's not on the invasive list, it is considered a significant tree.

City Forester Robert Davis answered questions regarding Cottonwoods and other native trees.

The public hearing opened at 6:55 p.m.

Susan Carter, Chair of Forestry Board, wants Cottonwoods and Siberian Elms to be listed as significant trees, outlined some benefits of those trees, spoke of some noxious trees, and irrigation engineering.

Dan Komlo, member of Forestry Board, spoke of his experience as the former owner of Bookcliff Gardens and advocated for the requirement of approved irrigation plans by an irrigation engineer for health and longevity of the urban forest.

Ron Abeloe represented the Home Builders Association, Western Colorado Contractors Association, and the Chamber of Commerce, spoke in opposition of Cottonwoods as significant trees in urban infill due to their size, need of lots of water, shallow roots, and costs to preserve.

William Cooper, member of the Forestry Board, stated the importance of maintaining and promoting the urban canopy per the Comprehensive Plan, and advocated keeping Cottonwoods as significant trees due to their benefits.

Ivan Geer, member of the task force for the landscape revision, spoke against Cottonwoods being preserved as a significant tree due to the nuisance of maintaining in urban developments and asked they be added as permanently exempted trees.

The public hearing closed at 7:10 p.m.

Conversation resumed regarding: the difficulty of finding a resolution on the Cottonwood dispute, the applicability to developments, allowance of exceptions and process (variances), impact of preservation on density, quality of life, possible continuance to find common ground on the Cottonwood issue, possibility of adopting the ordinance without specificity of trees, and moving towards the requirement of an irrigation engineer.

Councilmember Simpson moved and Council President Stout seconded to adopt Ordinance No. 5101, an ordinance amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code on final passage and ordered final publication in pamphlet form. Motion failed 3-4 with Councilmembers Herman, McDaniel, Pe'a and Taggart voting no.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Executive Session - City Hall Administration Conference Room**

**EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 244 N. 7th STREET, GRAND JUNCTION, COLORADO, and,**

**EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY SPECIFICALLY REGARDING THE ORCHARD MESA POOL.**

Councilmember Reitz moved and Councilmember Pe'a seconded to go into Executive Session in the City Hall Administration Conference Room. Motion carried by unanimous voice vote.

The City Council of the City of Grand Junction, Colorado met in Executive Session on Wednesday, October 5, 2022 at 7:50 p.m. in the Administration Conference Room, City Hall, 250 North 5<sup>th</sup> Street. Those present were Mayor Pro Tem Herman, Councilmembers Chuck McDaniel, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Anna Stout.

Staff present for the Executive Session were City Manager Greg Caton, City Attorney John Shaver, General Services Director Jay Valentine, Finance Director Jodi Welch, and Parks and Recreation Director Ken Sherbenou.

Councilmember Reitz moved and Mayor Pro Tem Herman seconded to convene in Executive Session for matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. Sections 24-6-402 (4)(e)(i) and 24-6-402 (4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property located at 244 N. 7<sup>th</sup> Street, Grand Junction, Colorado. Motion carried unanimously.

The City Council convened into Executive Session at 7:57 p.m.

Councilmember Pe'a moved and Mayor Pro Tem Herman seconded to adjourn. Motion carried unanimously.

The meeting adjourned at 8:24 p.m. to Regular Session. City Attorney Shaver opened the door and checked for any public; there was none.

Councilmember Reitz moved and Mayor Pro Tem Herman seconded to convene in Executive Session for matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. Sections 24-6-402 (4)(e)(i) and 24-6-402 (4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property specifically regarding the Orchard Mesa Pool. Motion carried unanimously.

The City Council convened into Executive Session at 8:26 p.m.

Councilmember Taggart moved and Councilmember Pe'a seconded to adjourn. Motion carried unanimously.

The meeting adjourned at 8:56 p.m. and the Council reconvened into regular session

and adjourned at the same time.



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Selestina Sandoval, CMC  
Deputy City Clerk