

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

**May 3, 2023**

**Call to Order, Pledge of Allegiance, Moment of Silence**

The City Council of the City of Grand Junction convened into regular session on the 3<sup>rd</sup> day of May 2023 at 5:30 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, Council President Pro Tem Abe Herman and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Janet Harrell and Principal Planner Nicole Galehouse.

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

**Proclamations**

**Proclaiming February 26 - March 4, 2023 as National Peace Corps Week in the City of Grand Junction**

Councilmember Beilfuss read the proclamation and former Peace Corps volunteer Bennett Boeschstein accepted the proclamation.

**Appointments**

**Election of Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem**

Councilmember Kennedy moved and Councilmember Beilfuss seconded to nominate Council President Anna Stout for a second term as Council President/Ex-Officio Mayor.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to close the nominations for Council President/Ex-Officio Mayor. Motion carried by unanimous voice vote.

Motion carried by unanimous roll call vote.

Councilmember Nguyen moved and Councilmember Kennedy seconded to nominate Council President Pro Tem Herman for a second term as to Council President Pro Tem/Ex-Officio Mayor Pro Tem.

Councilmember Reitz moved and Councilmember Kennedy seconded to close nominations for Council President Pro Tem/Ex-Officio Mayor Pro Tem. Motion carried

by unanimous voice vote.

Motion carried by unanimous roll call vote.

City Clerk Amy Phillips administered the oaths of office to Council President Stout and Council President Pro Tem Herman.

### **To the Downtown Development Authority Business Improvement District**

Council President Pro Tem Herman moved and Councilmember Simpson seconded to reappoint Libby Olson and appoint Chris Silverberg to the Downtown Development Authority Business Improvement District for terms ending June 2027. Motion carried by unanimous voice vote.

### **Citizen Comments**

Bruce Lohmiller talked about the Los Angeles Mayor's homeless housing policy and that needles were found at a local homeless camp when Mesa County conducted a safety check.

Nina Anderson spoke about a Daily Sentinel editorial regarding the City's self-performance policy and encouraged all parties, including a Council representative, to participate in meetings to create an updated policy.

Rickie Howie expressed concern regarding construction site safety and requested the Chamber of Commerce create a list of construction company emergency contacts specifically for after hour issues.

Todd Anderson spoke about the City's self-performance policy and expressed concern that City employees are not being well utilized.

### **City Manager Report**

City Manager Caton did not provide a report.

### **Council Reports**

Council President Pro Tem Herman attended the Grand Junction Economic Partnership Western Colorado Economic Summit.

Councilmember Reitz commended those involved in the Mock Disaster Drill that was held at the Grand Junction Regional Airport and expressed his appreciation to the boards on which he formerly served.

**CONSENT AGENDA**

Councilmember Simpson moved and Councilmember Kennedy seconded to adopt Consent Agenda items #1 - #3. Motion carried by unanimous voice vote.

**1. Approval of Minutes**

- a. Minutes of the April 19, 2023 Regular Meeting
- b. Summary of the April 3, 2023 Workshop

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Adopting the Pedestrian and Bicycle Plan as an Element of the 2020 One Grand Junction Comprehensive Plan, Amending the Active Transportation Corridor Map Found in Ordinance No. 4808 (Grand Junction Circulation Plan) and Found in Ordinance No. 4971 (2020 One Grand Junction Comprehensive Plan) and Repeal and Replace Resolution No. 48-18 (2018 Complete Streets Policy) - Continued from April 19, 2023 with a Second Request to Continue to May 3, 2023 for First Reading and Setting a Public Hearing for May 17, 2023
  - ii. Introduction of an Ordinance Authorizing a Supplemental Appropriation for Grand Valley Catholic Outreach and Riverside Educational Center and Setting a Public Hearing for May 17, 2023
  - iii. Introduction of an Ordinance Amending the Grand Junction Municipal Code to Amend Chapter 39 of the Adopted 2018 International Fire Code - Public Hearing Continued to May 17, 2023
  - iv. Introduction of an Ordinance Creating Chapter 8.10.010 Et. Seq. of the Grand Junction Municipal Code (GJMC) Regarding Public Nuisance Properties and Setting a Public Hearing for May 17, 2023
- b. Quasi-judicial
  - i. Introduction of an Ordinance Amending the Phasing Schedule of the Approved Outline Development Plan for "The Community" Development, now known as "Mesa Trails" on Approximately 177 Acres, Located at 2350 Highway 6 and 50 between 23 ¼ and 23 ¾ Roads, from G Road to Highway 6 and 50 and Setting a Public Hearing for May 17, 2023

- ii. Introduction of an Ordinance Zoning Approximately 1.12 Acres from County RSF-R (Residential Single Family Rural) to R-5 (Residential – 5 du/ac) for the Pino Annexation, Located at 3140 E Road, and Setting a Public Hearing for May 17, 2023
- iii. Introduction of an Ordinance Zoning Approximately 9.31 Acres from County I-2 (General Industrial District) to City I-1 (Light Industrial) for the Recla Metals Annexation, Located at 479 30 Road, and Setting a Public Hearing for June 7, 2023
- iv. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the KIA Annexation of 17.802 Acres, Located at 2980 Highway 50, and Setting a Public Hearing for June 7, 2023

**3. Procurements**

- a. Upper Kannah Creek Flowline Replacement

**REGULAR AGENDA**

**A Resolution Assigning City Councilmembers to Various Boards, Commissions and Authorities**

Annually, the City Council reviews and determines which Councilmembers will represent the City Council on various boards, committees, commissions, authorities, and organizations. Assignments were discussed at the May 1, 2023 City Council Workshop and this resolution formalized that discussion.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Resolution No. 41-23, a resolution appointing and assigning City Councilmembers to represent the City on various boards, committees, commissions, authorities, and organizations. Motion carried by unanimous voice vote.

The Councilmembers named the boards and commissions to which they were appointed.

**An Ordinance Amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code (GJMC) Concerning the Imposition, Collection and Enforcement of the Sales and Use Tax and Amending the Tax Rate**

City Ballot Measure 1A, to increase the City sales and use tax to 3.39 percent beginning July 1, 2023, was approved by a majority of City voters at the April 4, 2023 Municipal Election and in accordance with Article X, §20 of the Colorado Constitution. With this

ordinance, the GJMC will be amended to authorize the imposition, collection, and enforcement of the voter approved sales and use tax increase for the approved purposes, to generate revenue to finance the costs of debt service, construction, equipping, and furnishing, and if available, operating and maintaining, an indoor community recreation center at Matchett Park.

City Attorney John Shaver presented this item and noted staff will be scheduling education outreach for sales and use tax licensees.

Discussion included that the sunset date did not need to be included in the ordinance since it was specified in the ballot question.

The public hearing opened at 6:06 p.m.

There were no public comments.

The public hearing closed at 6:06 p.m.

Councilmember Kennedy moved and Councilmember Simpson seconded to adopt Ordinance No. 5141, an ordinance amending Section 3.12.030 of Chapter 3 of the Grand Junction Municipal Code concerning the imposition, collection and enforcement of the Sales and Use Tax and amending the tax rate, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

### **An Ordinance Setting the 2023 Compensation for City Council Employees**

The City Council approved 2023 budget includes an appropriation for a range of wage increases for City employees with a 3% increase for the majority of employees. A commensurate increase for the three Council employees, the Municipal Judge, City Attorney and City Manager is anticipated and included in the adopted budget which is subject to approval by Council. The amount and effective date and per the City Charter and Grand Junction Municipal Code, the salaries are set by ordinance.

The City Council consulted with and received a report from the Employers Council as well as recently reviewed the performance of the City Manager and the City Attorney and found each to be performing their respective duties at or above expectations; the Municipal Judge has a bi-annual review process which was completed last year, and was also found to be performing well. Accordingly, with this ordinance and the prior appropriation as amended, the City Council increases the compensation of these employees by four percent (4%) annually to become effective and beginning with City Pay Period Seven with all other terms of employment and benefits being unchanged.

Council President Stout reviewed the prior discussion on the proposed increase.

Discussion included that Council recommended a four percent increase, both the City Manager and City Attorney were highly rated in their reviews, the information from the

pay study was beneficial in showing both are being paid well below established ranges for their experience, knowledge and performance, that further compensation adjustments to bring both salaries closer to established ranges should be included in the upcoming budget process, the cost of position replacement should also be considered when establishing pay ranges and public employees should have competitive pay rates.

The public hearing opened at 6:12 p.m.

There were no public comments.

The public hearing closed at 6:12 p.m.

Councilmember Nguyen moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5142, an ordinance regarding the compensation of the City Council employees being increased by four percent (4%) as provided in the ordinance on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

### **Ordinances Amending Multiple Sections of the Grand Junction Municipal Code Regarding Regulation of Cannabis Product Manufacturing**

Based on Council direction at previous meetings and workshops and having reviewed ordinances from across Colorado, staff prepared three ordinances to work collectively to regulate cannabis product manufacturing facilities. Cannabis Manufacturing Businesses manufacture cannabis products intended for consumption in concentrated form for smoking, or for consumption other than by smoking, such as edible products, ointments, and tinctures, and are required to have both a state license and a local license to be a "Product Manufacturer." These businesses may vary widely in terms of their products and processes and may include hazardous uses which in Grand Junction currently requires a Conditional Use Permit. Medical product manufacturers may transact only with medical cannabis cultivation and sales licenses, and likewise for retail. These businesses may generate jobs for their processing and packaging activities, depending on the type of product manufactured, scale of operation, and the degree of automation. There is no sales or excise tax on manufactured products (excise tax is to be collected on the first sale or transfer of unprocessed retail marijuana by a retail cultivation facility within the City).

Principal Planner Nicole Galehouse presented this item.

Discussion included that cannabis manufacturing businesses would not be open to the public, that the size of cannabis manufacturing businesses vary, the standalone building requirement is meant to avoid potential conflicts and the allowed zone districts will dictate the safety requirements.

The public comment period opened at 6:33 p.m.

Teresa Nees expressed concern regarding hazardous cannabis business waste disposal and congratulated the new Council.

The public comment period closed at 6:36 p.m.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5143, an ordinance amending Ordinance No. 4599 and Section 5.15.010 et. seq. of the Grand Junction Municipal Code to allow marijuana businesses in the City of Grand Junction on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Councilmember Kennedy moved and Councilmember Simpson seconded to adopt Ordinance No. 5144, an ordinance amending Title 5 adding Chapter 10 in the Grand Junction Municipal Code concerning Cannabis Product Manufacturing Facility and Cannabis-Infused Product Manufacturer Business Licensing and Regulations on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5145, an ordinance amending Title 21, Chapter 4 and Chapter 10 of the Grand Junction Municipal Code regarding Use Standards and for specific locations of Cannabis Manufacturing Businesses, and definitions for such businesses on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

Councilmember Reitz recommended implementing a mid-year budget review to include yearend actual amounts and percentages and announced he would not be attending the May 17, 2023 meeting due to a graduation.

Council President Stout announced she will be attending the Smart Cities Connect Conference and therefore will be attending the next Council meeting virtually.

### **Adjournment**

The meeting adjourned at 6:43 p.m.

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Amy Phillips, CMC  
City Clerk

