

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

May 17, 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 17th 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, City Records Manager Debbie Kemp, Finance Director Jodi Welch, Fire Marshal Steven Kollar, Fire Chief Ken Watkins, Chief of Police Matt Smith, Principal Planner David Thornton, Senior Planner Daniella Acosta, and Interim Planning Supervisor Nicole Galehouse.

Council President Stout called the meeting to order, and Mayor Pro Tem Herman led the Pledge of Allegiance, followed by a moment of silence.

Proclamations

Proclaiming May 15 - May 21, 2023 as National Police Week in the City of Grand Junction

Councilmember Kennedy read the proclamation and Police Chief Matt Smith accepted the proclamation. Chief Smith recognized Mesa County Sheriff's Office, Fruita Police Department, Colorado State Patrol, and the Grand Junction Police Department.

Proclaiming May 21 - May 27, 2023 as Emergency Medical Services Week in the City of Grand Junction

Councilmember Nguyen read the proclamation and Fire Chief Ken Watkins and EMS Chief Mark McIntire accepted the proclamation.

Proclaiming May 21 - May 27, 2023 as National Public Works Week in the City of Grand Junction, Colorado

Councilmember Reitz read the proclamation and Public Works Director Trent Prall and Engineering Manager Kenneth Haley accepted the proclamation.

Proclaiming May 27 - June 3, 2023 as Junior College (JUCO) World Series Week in the City of Grand Junction

Councilmember Simpson read the proclamation and JUCO Baseball Committee Chairman Jamie Hamilton accepted the proclamation.

Appointments**To the Urban Trails Committee**

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to appoint Josh Mathe to the Urban Trails Committee for a term ending June 2025. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller talked about funding for AARP funds, a comprehensive sex education class, Governor Huckabee being involved with the elderly in Russia, and Colorado Civil Procedures.

Jennifer Richardson, Mesa County Solid Waste Division Director, praised the partnership between the City of Grand Junction and Mesa County for the recent E-Waste Collection Event at the Southwest Arbor Fest. She is hoping the partnership can continue.

Corey Shulick attended the May 15, 2023 City Council Workshop and was impressed with the meeting. He encouraged the community to use less water.

City Manager Report

City Manager Caton stated it was good to see all the audience in the room. He spoke about the Get to Know Your City event the previous evening and invited the community to the Coffee with the City Manager on June 1, 2023 at Kiln Coffee Bar when his special guest will be Parks and Recreation Director Ken Sherbenou.

Council Reports

Councilmember Reitz reported that the Grand Junction Regional Airport saw more people flying in and out between January and March of 2023 than in the history of the airport.

Councilmember Beilfuss said May 17th is Norway's "Syttende Mai" which is like America's 4th of July.

Council President Stout reported the state legislation session has closed and Senate Bill 213, which local stakeholders were fighting hard against, did not pass and the bill to not reintroduce wolves was vetoed by the Governor. She also noted

the Children's Water Festival held at Las Colonias Park was impressive and had 58 learning stations.

CONSENT AGENDA

Councilmember Kennedy moved and Mayor Pro Tem Herman seconded to adopt Consent Agenda items #1 - #4. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the May 1, 2023 Workshop
- b. Minutes of the May 3, 2023 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance Zoning Approximately 17.802 Acres from County PUD (Planned Unit Development) to C-1 (Light Commercial) for the KIA Annexation, Located at 2980 Highway 50, and Setting a Public Hearing for June 7, 2023
 - ii. Introduction of an Ordinance Zoning Approximately 0.68 Acres from B-1 (Neighborhood Business) to PD (Planned Development; Facilities Master Plan), Located at the Northeast Corner of Wellington Avenue and N 7th Street and Setting a Public Hearing for June 7, 2023
 - iii. 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 Apple Glen West Annexation of 8.33 Acres, Located North of Appleton Elementary, West of Green Apple Drive, and East of 23 ½ Road, and Setting a Public Hearing for July 5, 2023

3. Procurements

- a. Automated Restroom Facility
- b. Waterline Replacement Project - Phase 2
- c. Purchase of a TelemaxEVO Hybrid Bomb Robot
- d. Police Department Lobby Repair

- e. CM/GC Contract for Construction of Alley Improvement District ST-23

4. Resolutions

- a. A Resolution Authorizing and Ratifying a Contract for the Purchase of Real Property Located at 653 24 ½ Road for the F ½ Parkway Project
- b. A Resolution Authorizing and Ratifying a Contract for the Purchase of Real Property Located at 655 24 ½ Road for the F ½ Parkway Project
- c. A Resolution Accepting a Request by Real Estate Equities Homes - Grand Junction, LLC for the Dedication of Tract A, Village Cooperative Subdivision, as Recorded in Reception No. 2978315

REGULAR AGENDA

An Ordinance Authorizing a Supplemental Appropriation for Grand Valley Catholic Outreach and Riverside Educational Center

The budget was adopted by the 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 reappropriate funds for capital projects that began in one year and need to be carried forward to the current year to complete. Supplemental appropriations are also required to approve new projects or expenditures.

This supplemental appropriation is required for spending authorization to allocate \$500,000 in American Rescue Plan Act (ARPA) funds to Grand Valley Catholic Outreach and \$300,000 from the General Fund Reserve for Riverside Educational Center.

Finance Director Jodi Welch presented this item.

Discussion included clarification that the City's ARPA funds are to be used to help offset the negative impact of the pandemic on the community which can include City operations.

The public hearing opened at 6:10 p.m.

Ron Wriston stated that houses should be built for the homeless instead of feeding the homeless and attracting more homeless.

Beverly Lampley thanked Council for the funding to help provide homes for the homeless.

The public hearing closed at 6:13 p.m.

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5146, an ordinance making supplemental appropriations to the 2023 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2023 and ending December 31, 2023 on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

An Ordinance Amending the Grand Junction Municipal Code to Amend Chapter 39 of the Adopted 2018 International Fire Code

In April 2022, the City adopted Ordinance No. 5064 amending Title 5 to allow for cannabis business licenses and regulations. The City originally focused on licensing retail and co-located retail and medical cannabis businesses and recently expanded available license types to include cannabis product manufacturers and cannabis-infused product manufacturing. The manufacturing process and extraction facilities cause concerns for the health, safety, and general welfare of the people of the City of Grand Junction. The amendments to Chapter 39 of the adopted 2018 International Fire Code address these concerns.

Fire Chief Ken Watkins and Fire Marshal Steven Kollar presented this item.

Discussion included concern of explosions in people's homes and the statutory requirement that the International Fire Code be available for public view.

The public hearing opened at 6:29 p.m.

There were no public comments.

The public hearing closed at 6:29 p.m.

Councilmember Simpson moved and Councilmember Kennedy seconded to adopt Ordinance No. 5147, an ordinance to amend the Grand Junction Municipal Code to amend Chapter 39 of the adopted 2018 International Fire Code, on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

An Ordinance Creating Chapter 8.10.010 Et. Seq. of the Grand Junction Municipal Code Regarding Public Nuisance Properties

The abatement of property and/or structures used as, for, or in support of public nuisances is a matter of purely local and municipal concern, the abatement of which is for and in the interest of the protection of public health, safety, and welfare. Criminal activity on property is a public nuisance. The purpose of this chapter is to reduce public nuisances created by the use of property in connection with certain crimes. The remedies provided are designed to cause property owners to be attentive to

preventing crime on or in their property; to make property owners responsible for the use of their property by tenants, guests, and occupants; and to otherwise deter criminal activity on private property within the City limits.

City Attorney John Shaver and Police Chief Matt Smith presented this item.

Discussion included how establishments with repeated violations will be handled, that those in violation of this ordinance would go to Municipal Court, the moratorium on new gaming facilities was the first step and this ordinance is the second, and this provides the Police Department with a tool to manage issues and get the businesses in compliance.

The public hearing opened at 6:52 p.m.

There were no public comments.

The public hearing closed at 6:52 p.m.

Council President Pro Tem Herman moved and Councilmember Beilfuss seconded to adopt Ordinance No. 5148, an ordinance creating Chapter 8.10.010 et. seq. of the Grand Junction Municipal Code (GJMC) regarding Public Nuisance Properties, on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

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)

The City contracted with Fehr and Peers to help develop the first Pedestrian and Bicycle Plan (Plan) for the Grand Junction community. This effort worked towards three primary goals:

- Establish a vision for the future pedestrian and bicycle network.
- Identify prioritized investments that the City will gradually implement.
- Create a more comfortable and welcoming place for people of all ages and abilities to walk, roll and bicycle.

This is a long-range Plan applicable to the City's Urban Growth Area, an area generally located between 21 Road on the west, J Road on the north, 32 Road on the east and south to a boundary approximately one-quarter of a mile north of the Mesa County Landfill and is an element of the 2020 One Grand Junction Comprehensive Plan. The Plan is a product of nine months of public outreach, stakeholder discussions, steering committee work, contributions by consultants, and work by City of Grand Junction staff.

The Plan addresses, supports and implements the City's active transportation (multimodal) programs, policies and infrastructure in alignment with the City's 2020 Comprehensive Plan, Plan Principle 6; Efficient and Connected Transportation and the City Council's Strategic Priority Mobility and Infrastructure.

Principal Planner David Thornton, Consultant Patrick Picard, and Senior Planner Dani Acosta presented this item.

Steering Committee members Sarah Ludlam and Ian Thomas spoke about the proposed plan.

Discussion included that developers required the Transportation Demand Management (TDM) section of the Plan, reverting to the Plan's previous language, that Objective M12 is in addition to the City building sidewalks, etc., the City is behind as a biking town, that the Plan is a guiding document and not a policy, and the Plan is to provide alternative transportation options to the community.

The public hearing opened at 7:30 p.m.

Speaking in favor of the plan were Piper Curtis, Orin Zyvan, Alyssa Adams, Benia Adams, Ian Thomas, Brandon Krene, Sara Ludlam, and Dave Lehman.

Speaking in opposition were Shawn Norris, Gail Redin, John Justman, Allen Sundmacher, Priscilla Walker, Tina Berdenzini, Jeff Vanderberg, Troy Waters, Kirsten Kurath, Kevin Conrad, Tom Groves, Ed Leischuck, Ron Wriston, Tina Gibson, Fred Aldridge, Joe Bernal, and Kyle Vanderberg.

The public hearing closed at 8:29 p.m.

Further discussion included the disagreement between rural and city neighbors, long range plan comparisons, canal trails not being mentioned in the survey but people wanting that, changing the colors of the lines on the map, or removing some which could have implications, the meaning of active transportation, the difference between trail and the active transportation maps, the City has been getting dedications for over 20 years but has never opened them to the public, the map was modified in 2018 with the active transportation trails taken off the canal roads, and the City no longer receives the dedication in those areas.

Council President Pro Tem Herman moved and Councilmember Reitz seconded to adopt Ordinance No. 5149, an ordinance approving the Pedestrian and Bicycle Plan and amending the Grand Junction Circulation Plan Active Transportation Corridor Map, amending the 2020 One Grand Junction Comprehensive Plan Active Transportation Corridor Map and repeal and replace the Complete Streets Policy, on final passage and ordered final publication in pamphlet form.

President of the Council Stout clarified that this approval includes the following changes:

- Red lines are to delineate the canals.
- Enhanced notes are to be included on the map.
- Staff's discretion for better language for active transportation.

The motion carried unanimously by roll call vote.

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

Foothills Housing 2, LLC and Foothills Housing 5, LLC, requested an extension to the phasing schedule for the Mesa Trails (fka The Community) Outline Development Plan (ODP). The applicant originally received City Council approval for the Planned Development and associated ODP on August 19, 2015, by Ordinance No. 4676 and an amendment on May 15, 2019, by Ordinance No. 4855, which included a revised phasing schedule, along with other changes to uses, pod configuration and composition, and bulk standards. Since 2019, the applicant has sought and received approvals for four applications, including two subdivisions, a site plan for a 256,000 square-foot manufacturing facility, and a site plan for the first phase (77 units) of a multifamily development. A subdivision review is currently underway that encompasses portions of multiple pods. The phasing schedule, however, set the first threshold as a preliminary development plan for any one pod within four years. After beginning land planning work on the site, it became apparent that the broad phasing schedule requiring plans for an entire pod at a time is not feasible and therefore the applicant requested a revised phasing schedule for the PD and ODP that would provide for completion of the remaining phases of development within 10 years from the previous Phase 1 deadline of May 15, 2023.

Interim Planning Supervisor Nicole Galehouse presented this item.

Ty Johnson, Cart Planning, was present to answer questions and concurred with Ms. Galehouse's presentation.

The public hearing opened at 9:25 p.m.

There were no public comments.

The public hearing closed at 9:25 p.m.

Council President Pro Tem Herman moved and Councilmember Simpson seconded to adopt Ordinance No. 5150, an ordinance to amend the phasing schedule of the previously approved Planned Development, located at 2350 Highway 6 and 50 between 23 ¼ and 23 ¾ Roads, from G Road to Highway 6 and 50, City file number PLD-2023-243, on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

A Resolution Accepting the Petition for the Annexation of 1.12 Acres of Land and Ordinances Annexing and Zoning the Pino Annexation to R-5 (Residential – 5 du/ac), Located at 3140 E Road

Smart Choices Res, LLC requested a zone of annexation to R-5 (Residential – 5 du/ac) of one parcel, approximately 1.12 acres, located at 3140 E Road with one dwelling unit. The applicant requested annexation into city limits and the property is Annexable Development per the Persigo Agreement. This annexation is being sought in anticipation of developing three residential units in addition to the existing dwelling unit and subdivision of the property. The proposed zone district of R-5 is consistent with the Residential Low (2 to 5.5 du/ac) Land Use category of the Comprehensive Plan. The request for annexation is being considered concurrently by City Council with the zone of annexation request.

Principal Planner David Thornton presented this item.

Courtney Patch, River City Consultants, was present to answer questions.

The public hearing opened at 9:31 p.m.

There were no public comments.

The public hearing closed at 9:31 p.m.

Council President Pro Tem Herman moved and Councilmember Kennedy seconded to adopt Resolution No. 46-23, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Pino Annexation, approximately 1.12 acres, located at 3140 E Road, as well as adopt Ordinance No. 5151, an ordinance annexing territory to the City of Grand Junction, Colorado, Pino Annexation, approximately 1.12 acres, located at 3140 E Road, on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

Councilmember Simpson moved and Councilmember Reitz seconded to adopt Ordinance No. 5152, an ordinance zoning the Pino Annexation to R-5 (Residential – 5 du/ac) zone district, from Mesa County RSF-R (Residential Single Family Rural) on final passage and ordered final publication in pamphlet form. The motion carried unanimously by roll call vote.

Non-Scheduled Citizens & Visitors

Tom Groves spoke of a subdivision in Fruita where a bike path was built between an old and a new subdivision and now those homes have no privacy.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:37 p.m.

Amy Phillips, CMC
City Clerk

