

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

August 16, 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 16th day of August 2023 at 5:31 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 Selestina Sandoval, Public Works Director Trent Prall, General Services Director Jay Valentine, Planning Supervisor Niki Galehouse, and Utilities Director Randi Kim.

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

Citizen Comments

Bruce Lohmiller asked for a welfare check on lady at the park in a wheelchair, spoke of the regional art show for the Veterans Art Center and displayed two of his cartoons.

Taya McCallum spoke of her concerns with skilled gaming facilities that are in the area of her business, Batteries Plus, and spoke of how they are impacting her business.

City Manager Report

City Manager Caton stated the City is working with the Police Chief to regulate gaming facilities and invited the public to "*Get the Scoop on Your City*" on Thursday, August 24th at 4 p.m. at Fire Station 3.

Council Reports

Council President Pro Tem Herman gave an update on the Parks and Recreation Advisory Board.

Councilmember Kennedy gave an update on the Grand Junction Economic Partnership meeting, the CMU Tech rebranding, attended the ribbon cutting for the Bonsai Design zipline, met with Lee Borden, Executive Director of The Art Center, Emily Paladino, Executive Director of Housing Resources of Western Colorado, Micah Espinoza, President and CEO of the Freedom Institute, Cassie Mitchell, President and CEO of HopeWest, toured Persigo Wastewater Treatment Plant and the Counseling and Education Center, and spoke of the Business Incubator's national recognition.

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

Councilmember Beilfuss took a homeless camp tour with Grand Junction Police Department officers, met with Kevin Bray regarding homelessness in the community, Colorado Canyons Group, Kelly Anderson, Executive Director for the Grand Junction Symphony, Andy with Grand Valley Transit, attended the Declining Enrollment Committee with Mesa County Valley School District 51, an Agrovoltatics program, and conducted interviews for the Grand Junction Housing Authority Board.

Council President Stout gave information on the Colorado Municipal League (CML) fall district meeting, an update on the CML Policy Committee, Associated Governments of Northwest Colorado Economic Development Summit, and Visit GJ.

CONSENT AGENDA

1. Approval of Minutes

- a. Summary of the July 31, 2023 Workshop
- b. Minutes of the August 2, 2023 Special Meeting Executive Session
- c. Minutes of the August 2, 2023 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance Approving a Rezone for 1.22 Acres from R-5 (Residential - 5 du/ac) to R-12 (Residential - 12 du/ac) Located at 3041 D Road by Laurel Cole - Habitat for Humanity and Setting a Public Hearing for September 6, 2023
 - ii. Introduction of an Approving a Corridor Infill Incentive for the Kimball Residences by Kimball Acquisition, LLC and Setting a Public Hearing for September 6, 2023
 - iii. Introduction of an Ordinance Leasing Approximately 1.4 Acres of City Property to Kimball Acquisition, LLC Located near 919 Kimball Avenue and 1101 Kimball Avenue, Grand Junction, Colorado and Setting a Public Hearing for September 6, 2023
 - iv. A Resolution of Intent of the City Council to and for the Annexation of Lands to the City of Grand Junction, Colorado, and Exercising Land Use Control for the Adams Enclave Annexation of 0.23 Acres, Located at 2738 B ¼ Road, and Setting a Public Hearing for

October 4, 2023

- v. A Resolution of Intent to Annex to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, and Exercising Land Use Control for the Tallman Enclave Annexation of 23.35 Acres, Located at 241 27 ¼ Road, 239 27 ¼ Road, 237 27 ¼ Road, 235 27 ¼ Road, 232 27 ¼ Road, 240 27 ¼ Road, 2735 Highway 50, 2736 ½ B ¼ Road, 2736 B ¼ Road and 2739 Highway 50, and Setting a Public Hearing for October 4, 2023

3. Agreements

- a. Intergovernmental Agreement (IGA) with Colorado Department of Transportation for 2nd Street Promenade Construction

4. Procurements

- a. Authorize the City Manager to Execute a Contract Extension for Professional Services with Mesa County for Building Permitting, Inspection, and Contractor Licensing
- b. Purchase a River Rescue Boat from Raptor Design & Engineering, LLC in Belleville, PA
- c. City of Grand Junction Learning Center Parking Lot

5. Resolutions

- a. A Resolution Issuing a Revocable Permit to Bradley Dunevitz to Allow Two Existing Fences to Remain in the Road Right-of-Way on the East Side of a Property Located at 2045 N. 15th Street and the South Side of the Property in the Alley Right of Way
- b. A Resolution Authorizing City Manager to Submit a Grant Application to the U.S. Department of Transportation's FY 2023-2024 Multitmodal Project Discretionary Grant Opportunity for a Pedestrian/Bicycle Facility over I-70 at 26 ½ Road
- c. A Resolution to Vacate a 15-Foot Multipurpose Easement, to Partially Vacate a 20-Foot Multipurpose Easement, and to Partially Vacate a 60-Foot Public Utility Easement on a 5.26-Acre Parcel Located at 630 S. 7th Street

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt the Consent Agenda Items 1 – 5. Motion carried by unanimous voice vote.

REGULAR AGENDA**I-70 Interchange at 29 Road - Discussion Only**

An interchange at 29 Road has been identified since the 1990's in many local and regional plans as a way to enhance local and regional connectivity as part of a larger plan to provide connections in and around Grand Junction. The proposed interchange improvements, in coordination with other regional improvements, have been envisioned to complete the transportation loop around Grand Junction, provide critical community access, support economic opportunity, and enhance local and regional connectivity. The purpose of this agenda item was to have a discussion which will allow the opportunity to receive feedback from community members.

Public Works Director Trent Prall presented this item.

Discussion ensued regarding the best timing of funding for this project, local support for this project given the economic impact it may have, what other processes can be taken to firm a "moral obligation" with the County who would be partnering with the City to pay the debt on this project (resolutions and Intergovernmental Agreements), the viability of state or federal funding of this interchange, concern over County voters not being able to vote on a City ballot item and that this project completes the "loop" around Grand Junction.

Conversation exchanges also included how this debt will be paid, the cost of not putting this in front of the voters now with the impact of inflation and deadlines involved in moving this forward to get it on the November ballot. It was emphasized that this project has been in the works since the 90's, with a lot of work already being put in to find the best place for the interchange.

The public comment period opened at 6:53 p.m.

Glen McClelland gave a history of this project and said it has been in the works for a long time.

Quinn Sheer said he was in high school when talks of this item began, that Grand Junction is a progressive community, spoke of preparations for this project including preliminary engineering, and that interest in this property is high. He offered to take Councilmembers out to this property to give them a visual of the project.

Executive Director of Grand Junction Economic Partnership Kurtis Englehart said this project makes a ton of sense from an economic development perspective and that putting in infrastructure for future developments is huge. He offered to put together an economic impact report to showcase what this project would do for the Grand Junction and Clifton areas.

President and CEO of the Grand Junction Chamber of Commerce Candace Carnahan

spoke of the importance of leaning into the work that has already been done, of moving growth forward in a healthy and impactful way, said that big rewards often take risk, and Federal and State priorities are retroactive and not proactive.

Dale Beady said he was impressed by the discussion, that waiting will increase costs in the future, the City needs to partner with State, Federal Government and the County to make this happen, and that the [traffic] pressure needs to be taken off of Patterson Westbound.

Hogan Peterson gave insight on his commute from 30 Road to his place of employment on Horizon Drive and how this interchange would make a positive impact to his commute. He spoke of the increase of traffic and accidents on Patterson Road and said this is a quality of life issue.

The public comment period closed at 7:06 p.m.

This item was for discussion and staff direction. Next steps will be to have a technical conversation at the August 28th Workshop with consultants, to discuss at the Joint Meeting with the Mesa County Commissioners on August 31st, then to bring the ballot language back to Council at the September 6th meeting.

The Council took a short break at 7:08 p.m.

The meeting resumed at 7:18 p.m.

Approval to Purchase Office Clinic Space at 2525 N. 8th Street

In 2018, City Council approved an agreement with Marathon Health, LLC to provide eligible employees, dependents, and retirees health clinic services. The goal of the clinic is that of offering a convenient, no-cost medical, mental health, and wellness benefit to eligible patients but also to target, identify, and manage chronic illness to reduce future long-term medical costs.

The City purchased the current location in 2019 for \$117,000 and, while its central location has been beneficial, it has limited expansion potential. The new space, nearly double in size, offers the opportunity to broaden services, encompassing physical therapy, functional movement, therapeutic massage, and enhanced behavioral health care offerings.

The asking price for this clinic space was \$200,000. At the direction of the Property Committee to pursue the property an offer of \$185,000 was made to and accepted by the seller.

Jay Valentine and Greg Caton presented this item.

Conversion ensued clarifying the purchase and supporting the City pursuing a self-

insured option.

The public comment period opened at 7:25 p.m.

There were no comments.

The public comment period closed at 7:25 p.m.

Councilmember Simpson moved and Councilmember Nguyen seconded to adopt Resolution No. 76-23 authorizing the purchase of property located at 2525 N. 8th Street, Unit 6, Grand Junction Colorado, as provided in the contract and this Resolution.

Motioned carried by unanimous voice vote.

A Resolution Approving a Request by Goldberg Properties, Inc. for a Service Plan for the Western Slope Metropolitan District Including 29.68 Acres Located at 766 24 Road and Properties identified by Parcel Nos. 2701-332-00-028 and 2701-332-00-027 and Approving a Funding Agreement, Funding Covenant and a Resolution Authorizing the Execution of the Funding Agreement on Certain Conditions

Goldberg Properties, Inc., a Colorado corporation is planning the proposed Western Slope development to be constructed on 29.68 acres of land with a boundary generally north of Interstate 70, east of 24 Road, west of 24 ¼ Road, and the approximate location of G ¾ Road. The overall project will be coordinated by Goldberg Properties, Inc. The proposed development is planned to consist of a commercial subdivision, roadway improvements, and a public trail.

The actual composition and distribution of future development shall be reflected in site development approvals to be issued by the City and nothing in the proposed Metropolitan District Service Plan shall be construed as the City granting prior approval for any site development. The primary purpose of forming the Metropolitan Districts is to finance construction of public improvements within the Western Slope development. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City.

This item was presented by Planning Supervisor Niki Galehouse and MaryAnn McGeady, Special District Counsel with McGeady Becher, on behalf of the applicant.

Discussion ensued regarding costs of preliminary engineering estimates, this development becomes an asset to the City after completion, implications of approving the service plan if the sales tax credit is not approved, and legal requirements of metro districts.

The public comment period opened at 8:11 p.m.

There were no public comments.

The public comment period closed at 8:11 p.m.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt Resolution No. 71-23, a resolution approving the service plan for the Western Slope Metropolitan District and an Intergovernmental Agreement for funding of public improvements and such other documents and agreement(s) related to the purposes of the District. Motion carried by unanimous roll call vote.

Council President Pro Tem Herman moved, and Councilmember Kennedy seconded to adopt Resolution No. 75-23, a resolution authorizing the execution of the Intergovernmental Agreement for funding of public improvements on and subject to certain conditions precedent as described in the Resolution with the date of March 1, 2024 added to the Resolution. Motion carried by unanimous roll call vote.

An Ordinance Amending the Grand Junction Municipal Code (GJMC) Concerning City Sales Taxes to Provide a Credit Against Sales Tax if a Certain Public Improvements Fee has been Paid in Connection with the Boundaries of the Western Slope Metropolitan District, Grand Junction, Colorado

The proposed ordinance would amend the GJMC sales tax code and authorize a credit against sales tax if a Public Improvement Fee (PIF) is paid on taxable transactions within the specified boundary of the proposed Western Slope Metropolitan District. This is termed a "Credit PIF" and is a mechanism to "share" sales tax revenues in order to fund public improvements.

The public hearing for this ordinance coincides with the consideration of the Service Plan for the Metropolitan District, the Declaration of PIF Covenants and the Public Improvements Funding Intergovernmental Agreement that will also be required to establish the Credit PIF within the Western Slope Metropolitan District.

This item was presented by City Attorney John Shaver and City Manager Greg Caton.

Discussion ensued regarding the lack of risk to the City in passing this incentive for this Metro District because of the specific anchor tenant that would be moving into this development (this project will not move forward if the retailer doesn't develop here).

The public hearing opened at 8:51 p.m.

Executive Director of Grand Junction Economic Partnership Kurtis Englehart spoke in support of this item for job creation, major business attraction and multiplier effect for space in that area.

President and CEO of the Grand Junction Chamber of Commerce Candace Carnahan said this is the right time with the right leadership for this project.

The public hearing closed at 8:55 p.m.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5167, an ordinance amending the City of Grand Junction Municipal Code (GJMC) concerning City Sales Taxes to provide a credit against sales tax if a certain public improvements fee has been paid in connection with the boundaries of the Western Slope Metropolitan District, City of Grand Junction, Colorado on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Council took a short break at 9:00 p.m.

The meeting resumed at 9:09 p.m.

An Ordinance Amending the Charter Regarding Council Salaries on the Election Ballot for the Special Municipal Election to be Held November 7, 2023

In 1999, Section 38 of the City Charter was amended to provide that City Council members are paid a salary of \$500.00 per month and the President of the Council is paid \$750.00 per month. The salaries have not been increased since 1999. Accordingly, the City Council has determined that it is appropriate to ask the voters if an increase should be approved. If amended, the salary increase would not become effective until 2025. The proposed ballot question, if approved by the voters, would also provide for the City Council, as allowed by the City's health insurance, to purchase insurance coverage under the City's policy(ies).

This item was presented by City Attorney John Shaver.

Conversation ensued regarding the time implementation of this ordinance and how no one on the dais will benefit from the salary increase, is there a better dollar amount that all Councilmembers would support, and how this increase makes it accessible for people to run for Council that otherwise cannot afford it currently.

The public hearing opened at 9:20 p.m.

There were no comments.

The public hearing closed at 9:20 p.m.

Council President Pro Tem Herman moved, and Councilmember Kennedy seconded to adopt and refer Ordinance No. 5168 to the November 7, 2023 election ballot, an ordinance for an amendment of the City Charter to change the salary of City Council beginning May 1, 2025, providing for an index to increase the salary by ordinance in future years, and authorizing the City Council to purchase City health insurance on final passage and ordered final publication in pamphlet form. Motion carried 5-2 by roll call vote with Councilmembers Reitz and Simpson voting no.

An Ordinance Placing a Charter Amendment to Change the Authorized Length of Leases of City Property for Housing from 25 up to 99 Years on the Election Ballot for the Special Municipal Election to be Held November 7, 2023

The City Council is considering an ordinance to present to the City voters to change the City Charter to allow the City to lease City property for up to 99 years for affordable housing. Increasing the possible lease term from 25 up to 99 years will benefit the public by allowing the highest and best use of certain property and in turn contribute to reducing the shortage of affordable housing in the community. Voter approval of the ballot question will only change the possible lease term for affordable housing on City property now owned or after being acquired.

This item was presented by City Attorney John Shaver.

The public hearing was opened at 9:23 p.m.

There were no comments.

The public hearing was closed at 9:23 p.m.

Comments were made stating that this will enable access to millions in grants for the City to enable affordable housing and job creation in relation to that.

Councilmember Kennedy moved and Councilmember Reitz seconded to adopt Ordinance No. 5169, an ordinance placing a charter amendment to change the authorized length of leases of City property for housing from twenty-five up to ninety-nine years on the Election Ballot for the Special Municipal Election to be held the 7th day of November 2023 on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Amending the Wastewater System of the Grand Junction Municipal Code (GJMC) Section 13.04.140 Building Sewer - Separate Sewer Required for each Building - Exception and Setting

The current Municipal Code 13.04.140 Building Sewer - Separate sewer required for each building - Exception requires a separate and independent building sewer line for every building. The only exception is where one building stands at the rear of another on an interior lot and no private sewer is available, nor can it be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which case the building sewer from the front building may be extended to the rear building.

The revised code will allow more than one building located on the same parcel to connect to the sanitary sewer main via a shared service line provided the sewer service line meets all other requirements of the Municipal Code including the City's standard specifications for the construction of pipe and fittings for sanitary sewer service lines that address the size, slope and materials of construction for service lines.

The revision to the municipal code will allow Accessory Dwelling Units (ADUs) and other buildings located on a singular parcel to share sewer service lines at a more affordable cost while still meeting standard specifications for sewer service lines to ensure adequate sewer service.

If the parcel is subdivided, each parcel would be required to have a separate and independent sewer service line.

Utilities Director Randi Kim presented this item.

Councilmember Reitz disclosed that he is building an ADU; City Attorney Shaver stated there was no conflict in him voting on this item.

The public hearing was opened at 9:30 p.m.

There were no comments.

Public hearing was closed at 9:30 p.m.

Councilmember Simpson moved and Councilmember Nguyen seconded to adopt Ordinance No. 5170, an ordinance amending section 13.04.140 of the Grand Junction Municipal Code pertaining to building sewers on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Calling a Special Election in the City of Grand Junction, Colorado Concerning and Providing for the Submission to the Electorate on November 7, 2023, Two Measures to Amend the City Charter, and Other Details Relating Thereto and to Ask Voters One Question for Approval to Enter into Debt for a 29 Road and I-70 Interchange

The City Council has determined that an election shall be held on November 7, 2023, at which time there shall be submitted to the registered electors of the City three questions, two Charter amendment questions and one debt question. Each question is described in detail in a separate ordinance and a resolution, all of which have been duly considered by the Council and, with the approval of this resolution, the City Council authorizes the City Clerk to enter into an agreement with the Mesa County Elections Department for the City to participate in a coordinated election being conducted by the County on November 7, 2023 (Election).

City Attorney Shaver explained this would allow for the three placeholders as discussed this evening, although items can be removed in the future if necessary.

The public comment period was opened at 9:33 p.m.

There were no comments.

The public comment period was closed at 9:33 p.m.

Councilmember Reitz moved and Councilmember Kennedy seconded to adopt Resolution No. 70-23, a resolution calling a special election in the City on November 7, 2023, providing for the submission of three ballot questions, approving the intergovernmental agreement with Mesa County Elections Division together with authorizing any and all actions consistent therewith. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:33 p.m.

Amy Phillips, CMC
City Clerk

