

Grand Junction City Council
Minutes of the Regular Meeting
April 17, 2024

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 April 2024 at 5:30 p.m. Those present were Councilmembers Cody Kennedy, Dennis Simpson, Jason Nguyen, Randall Reitz, Scott Beilfuss, Council President Pro Tem Abe Herman, and Council President Anna Stout.

Also present were Interim City Manager Andrea Phillips, City Attorney John Shaver, Principal Planner David Thornton, Senior Planner Jessica Johnsen, Senior Planner Timothy Lehrbach, Engineering and Transportation Director Trent Prall, City Clerk Amy Phillips, and Deputy City Clerks Selestina Sandoval and Krystle Koehler.

Council President Stout called the meeting to order. Stout Student Eliza led the Pledge of Allegiance, followed by a moment of silence.

Proclamation

Proclaiming April 26 2024, as Arbor Day

Councilmember Nguyen read the proclamation; Forestry Board Chair Kamie Long accepted the proclamation.

Public Comments

Ron Morland, John Justman, and Aimee Tooker all spoke in opposition to the Dolores Monument and asked Council to resend its Resolution "Supporting the Designation of a National Monument to Protect the Dolores River Canyon Country."

Appointments

To the Parks and Recreation Advisory Board

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to reappoint Lilly Grisafi and to appoint Chandler Smith to terms expiring June 2027. Motion carried by unanimous voice vote.

Interim City Manager Report

Council President Stout introduced Interim City Manager Andrea Phillips to the community. Interim City Manager Phillips then recognized Council President Stout for her service as Mayor for the past two years, noting this would be Mayor Stout's last meeting as Mayor and presented her with a plant from staff.

Board and Commission Liaison Reports

Council President Pro Tem Herman thanked staff for their high level of customer service and always being helpful.

Councilmember Kennedy agreed with Council President Pro Tem Herman's statement and spoke about the Western Colorado Economic Summit.

Councilmember Reitz shared that the Airport had its busiest first quarter ever due to the increased number of flights.

Council President Stout shared updates on the legislative bills still being monitored and said full report will be available soon.

CONSENT AGENDA

1. Approval of Minutes

- a. Summary of the April 1, 2024 Workshop
- b. Minutes of the April 3, 2024 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Authorizing a 25-Year Lease of City Property Located in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 22, Township 1 South, Range 1 West, of the Ute Meridian, City of Grand Junction to Buena Vida HQ, LLC, and Setting a Public Hearing for May 1, 2024
 - ii. Introduction of an Ordinance Amending Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Application Outreach Meetings, Extension of Approvals, Termination of Conditional Use Permits, Mixed-Use Downtown Dimensional Standards, Side Setbacks Abutting Residential in Mixed-Use and Industrial Zone Districts, Retail Sales in Industrial Zones, Dwelling Units - Single-Family Detached, Cottage Courts, and Tiny Homes as Uses, Home Occupations, and Density Measurements and Setting a Public Hearing for May 1, 2024
 - iii. Introduction of an Ordinance Authorizing a Lease Agreement for Certain City Land for a Fleet Maintenance Facility, and Setting a Public Hearing for May 1, 2024

b. Quasi-judicial

Introduction of an Ordinance Zoning Approximately 0.11 Acres to RM-8 (Residential Medium – 8 Dwelling Units per Acre) for the Five Star Annexation, Located East of the Northern End of Allyce Avenue in the Birks Blue Subdivision, and Setting a Public Hearing for May 1, 2024

3. Agreements

- a. 22 1/2 Road and Greenbelt Drive Sidewalk and Drainage Improvements Project Memorandum of Understanding with Mesa County and School District 51

4. Procurements

- a. Contract for Anaerobic Digester Cleaning Services at Persigo Wastewater Treatment Facility
- b. Community Recreation Center Architect/Engineer Services - Additional Scope Change Order #1
- c. Authorize Design-Build Contract to Construct the Hawthorne Bike Park – **Moved to Regular Agenda**

5. Resolutions

- a. A Resolution Appointing Andrea Phillips as Interim City Manager and Ratifying the April 3, 2024, Contract Terms
- b. A Resolution Accepting the Instrument of Release by and between the FAA and GJRAA and Accepting the Conveyance of 27 1/4 Right of Way by Special Warranty Deed
- c. A Resolution Acknowledging Defense of Officers Matt Parks, Chris Wilson, Tim Janda, and Arnold Naik, in Civil Action No. 23-Cv-01459-GPG-SBP

Council President Pro Tem Herman moved, and Councilmember Simpson seconded to adopt Consent Agenda Items #1- #5 excluding item 4.c. Motion carried by unanimous voice vote.

Regular Agenda

Authorize Design-Build Contract to Construct the Hawthorne Bike Park

Parks and Recreation Director Ken Sherbenou presented this item reporting that the City Purchasing Division completed the selection process for Design-Build (D/B) services and selected Artisan Skateparks for this project. Artisan and their team of sub-consultants will work with the City project team to design and construct this new bike

park. As part of their proposal, Artisan negotiated a not to exceed price to be considered as part of this contract authorization.

Council deliberations included how many bike parks, skate parks and pump tracks currently available in town, the need to conduct more community and neighborhood engagement sessions, is the public asking for this bike park, lifespan of a concrete pump park, how “reactivation” of parks determined, who the intended user groups are for this kind of park and considering upgrading the playground area instead of a bike park.

The public comment period opened at 6:34 pm.

John Partent, Sandy Clark, Rose Petralia, Noah Bradshaw, Ian Cost, Betty Fulton, and Susan Swift spoke in opposition to this item.

Sage Cohen and Anna Bledsoe shared via email they are in opposition to this item.

Johnny Sale spoke in support of this item and said kids would benefit from getting outside and being active.

The public comment period closed at 6:55 pm.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to approve the Purchasing Division to enter a contract with Artisan Skate Parks for a not-to-exceed price of \$310,000 to provide design-build services for the Hawthorne Bike Park construction project on negotiated terms approved by the Interim City Manager and in a form approved by the City Attorney. Motion failed by unanimous voice vote.

Council took a break at 7:10 pm and resumed at 7:27 pm.

A Resolution Adopting and Approving the Second Amendment to the 1998 Intergovernmental Agreement, as Amended, Between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System

In October 1998, the Mesa County Board of Commissioners and the City Council entered, into an Intergovernmental Agreement relating to City growth and joint policy making for the Persigo Sewer System. That agreement was first amended in April 2001 with the authorization of certain connections to the Valle Vista Sanitary Sewer Interceptor. The agreement (Second Amendment and exhibits) addresses certain points of contention that have arisen out of and under the Agreement regarding the operations and effect of the Agreement on the Persigo system and the goals and policies of the Agreement. The proposed Second Amendment resolves the issues as defined and described therein to the reasonable, current mutual satisfaction of the County and the City.

City Attorney John Shaver, Mayor Anna Stout, and Principal Planner David Thornton presented this item.

Conversation ensued regarding the commitment by the County to pay \$500,000 a year, what could happen in a bad economic year, how future commissioners could end the commitment, and why the City would still want the Amendment to the agreement for the land use authority component and the alignment.

The public comment period opened at 7:56 pm.

No one addressed the issue.

The public comment period closed at 7:56 pm.

Councilmember Nguyen moved, and Councilmember Kennedy seconded to adopt Resolution No. 27-24, a resolution amending the Persigo Agreement. Motion carried by unanimous by roll call vote.

An Ordinance Vacating Approximately 0.32 Acres of Ferree Drive Right-of-Way, Located North of Broadway (Hwy 340) on the Southeastern Portion of Ferree Drive

The Applicant, Lawrence Balerio, requested vacation of approximately 0.32 acres of public right-of-way of Ferree Drive in anticipation of a future residential subdivision development for the proposed Monument Ridge Estates Subdivision located at 2076 Ferree Drive and 2074 Broadway. The request is consistent with the City's Comprehensive Plan and Circulation Plan. The approval of the request is conditioned on the construction of Manzanita Drive and Blue Moon Drive being completed prior to the ordinance associated with this application becoming effective to ensure connectivity to Broadway for the residents in the area and throughout construction and development of the subdivision. This application was filed and reviewed prior to the new Zoning and Development Code being adopted and is being evaluated under the 2010 Zoning and Development Code. The zoning district names are updated as the new Code is now effective.

Senior Planner Jessica Johnsen presented this item.

The applicant Kim Kirk shared that CDOT spent 18 months to determining appropriate traffic counts and traffic increase, along with speed limits for their project.

Conversation ensued concerning the speed and increase of traffic.

The public hearing opened at 8:12 pm.

No one addressed the issue.

The public hearing closed at 8:12 pm.

Council President Pro Tem Herman moved, and Councilmember Reitz seconded to adopt Ordinance No. 5214, an ordinance to vacate 0.32 acres of Ferree Drive right-of-way located north of Broadway (Hwy 340), on the southeastern portion of Ferree Drive

on second reading and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Approving a Rezone of Approximately 0.43 Acres from I-2 (Industrial General) to CG (Commercial General) Located at 739 3rd Avenue

The applicant, NAK Property 2, LLC, requested approval of a rezone from I-2 (Industrial General) to CG (Commercial General) on the approximately 0.43 acres at 739 3rd Avenue. The requested CG zone district implements the Comprehensive Plan Land Use Map designation of Commercial assigned to the subject property.

Senior Planner Timothy Lehrbach presented this item.

Conversation noted that this was the first rezone to be heard under the new Code, after two years of development.

The public hearing opened at 8:24 pm.

No one addressed the issue.

The public hearing closed at 8:24 pm.

Councilmember Reitz moved, and Councilmember Beilfuss seconded to adopt Ordinance No. 5215, an ordinance zoning approximately 0.43 acres from I-2 (Industrial General) to CG (Commercial General), located at 739 3rd Avenue, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Amending Ordinance No. 4991 Concerning the City - Las Colonias Development Corporation Master Lease and the Second Amendment thereto for Purposes of Amending the Description of Site M for the Purpose of Facilitating the Development of Oak Star Bank on Site M at the Las Colonias Business Park

The proposed ordinance amends the Las Colonias Development Corporation to amend the leasable boundary for Pad M to the south.

City Attorney John Shaver and Engineering and Transportation Director Trent Prall presented this item.

Conversation ensued, regarding the need to realign the sidewalks and if the City or the contractor will pay for that, and how best to minimize the amount of time the trail will be closed.

The public hearing opened at 8:33 pm.

No one addressed the issue.

The public hearing closed at 8:33 pm.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to adopt Ordinance No. 5216, an ordinance to amend Ordinance No. 4991 concerning the

City-Las Colonias Development Corporation Master Lease and the Second Amendment thereto for purposes of amending the description of site M for the purpose of facilitating the development of Oak Star Bank on site M at the Las Colonias Business Park and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Non-Scheduled Comments

Council President Stout recognized Grace, Logan, and Michael from the Associated Student Government of Colorado Mesa University attending the Council meeting.

Teresa Nees congratulated Council President Stout on her last meeting as Mayor. She also thanked the Council for supporting the Stout Student Program for the last 5 years.

Logan Wilson thanked the Councilmembers for the time they spend every day committed to making the City of Grand Junction an amazing place.

Council President Stout thanked Teresa for voluntarily recruiting Stout Students and helping students get familiar with the government process.

Adjournment

Meeting adjourned at 8:40 pm.

Amy Phillips, CMC

City Clerk

