

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

September 4, 2013

The City Council of the City of Grand Junction convened into regular session on the 4th day of September, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Phyllis Norris, and Council President Sam Susuras. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Susuras called the meeting to order. Councilmember Norris led the Pledge of Allegiance, followed by a moment of silence. Council President Susuras asked that the moment of silence be in honor of Leif Johnson, an employee of the Chambers of Commerce in Grand Junction and Palisade, who passed away recently.

Proclamation

Proclaiming the Month of September 2013 as “Suicide Prevention Month” in the City of Grand Junction

Councilmember Doody read the proclamation. Karen Levad, Director of the Suicide Prevention Coalition, was present to receive the proclamation. She thanked the City Council for the proclamation, noting the suicide rate has been high for many years, however the good news is the community recognizes it as a priority issue. She distributed a pamphlet which included ten ways to prevent suicide. There is training on how to recognize the symptoms of a possible suicide and ways to help stop it. There are two important events coming up. This upcoming Saturday is an “Out of the Darkness” walk, which happens nationwide. They have about 200 walkers signed up to walk at Canyon View Park at 10:30 a.m. The other event planned is a golf tournament on September 14th to support the work done in Mesa County. She named some of the corporate sponsors and said they need more golfers to sign up for this event.

Councilmember Doody said the golf tournament will be held at Chipeta Golf Course and starts at 4:00 p.m. The first nine holes are in the daylight, then a meal will be served. The last nine holes will be played in the dark as glow ball.

Council Comments

Councilmember Boeschstein said it was a busy weekend in Grand Junction. He mentioned the Epic Mountain Bike Race and the Hilltop Car Show. He registered his 1965 MGB Roadster in the show. He attended the Incubator meeting. On September 5th the Riverfront and Bureau of Land Management (BLM) partners will attend the interagency meeting.

Councilmember Doody announced that on Saturday there will be a dedication and celebration of the completion of the Public Safety Facilities along with the completion of the buildings, unveiling of art, and tours of Fire Station #2. He invited the community out for this event.

Councilmember Chazen said he attended the Compressed Natural Gas (CNG) Rolling Tour sponsored by Greenfield, Colorado Fleet, and Monument Clean Fuels to bring awareness of CNG as an alternate source of fuel. It was a great event and was well attended.

Citizen Comments

Milton "Tony" Long, 237 White Avenue, Apt. B, was concerned about an alleyway between 1st and 2nd Streets (and Grand Avenue and White Avenue) that had some challenging pot holes and they have since been repaired. He lauded the work the City did to fix those holes.

CONSENT CALENDAR

Councilmember McArthur read the Consent Calendar Items #1-6 and then moved for approval. Councilmember Doody seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the August 5, 2013 Workshop, the Summary of the August 8, 2013 Workshop, the Summary of the August 19, 2013 Readiness Session, and the Minutes of the August 21, 2013 Regular Meeting

2. **Setting a Hearing on the Bibeau Enclave Annexation, Located along D ½ Road between approximately 29 ¼ and 29 ½ Roads** [File #ANX-2013-338]

A request to annex 16.10 acres of enclaved property, located along D ½ Road between approximately 29 ¼ and 29 ½ Roads. The Bibeau Enclave consists of seven parcels and 0.26 acres of public right-of-way.

Resolution No. 57-13—A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as the Bibeau Enclave, Located Along D ½ Road Between Approximately 29 ¼ and 29 ½ Roads, Consisting of Approximately 16.10 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bibeau Enclave Annexation, Located Along D ½ Road Between Approximately 29 ¼ and 29 ½ Roads Consisting Of Approximately 16.10 Acres

Action: Adopt Resolution No. 57-13, Introduce a Proposed Annexation Ordinance, and Set a Hearing for October 16, 2013

3. **Setting a Hearing on the Wild Enclave Annexation, Located at 3122 and 3124 E Road** [File #ANX-2013-334]

A request to annex 3.65 acres of enclaved property, located at 3122 and 3124 E Road. The Wild Enclave consists of two parcels and no public right-of-way.

Resolution 58-13—A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as the Wild Enclave, Located at 3122 and 3124 E Road, Consisting of Approximately 3.65 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control
Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wild Enclave Annexation, Located at 3122 and 3124 E Road, Consisting of Approximately 3.65 Acres

Action: Adopt Resolution No. 58-13, Introduce a Proposed Annexation Ordinance, and Set a Hearing for October 16, 2013

4. **Setting a Hearing on Zoning the Cunningham Investment Company Annexation (Crispell Property), Located at 2098 E 1/2 Road** [File #GPA-2007-263]

A request to zone the 27.7 +/- acre Cunningham Investment Company Annexation consisting of one unplatted parcel located at 2098 E 1/2 Road to R-E (Residential – Estate, 1 dwelling unit/acre) zone district.

Proposed Ordinance Zoning the Crispell Property, also known as the Cunningham Investment Company Annexation, to the R-E (Residential – Estate) Zone District, Located at 2098 E ½ Road

Action: Introduce a Proposed Ordinance and Set a Hearing for September 18, 2013

5. **Outdoor Dining Lease for Santos Enterprises, Inc. dba Café Sol Located at 420 Main Street**

Santos Enterprises, Inc., located at 420 Main Street, is a new tenant occupying the former location of Fins Grill restaurant. As a new business entity, Santos Enterprises, Inc. is requesting a first-time Outdoor Dining Lease for an area measuring 164.50 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to include the leased area in their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed sidewalk dining area that was occupied by Fins Grill.

Resolution No. 59-13—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Santos Enterprises, Inc. dba Café Sol

Action: Adopt Resolution No. 59-13

6. **Acceptance of a State EMS Grant and Re-chassis of a Type III Ambulance**

The Fire Department has been awarded a State emergency medical services provider grant in the amount of \$71,081 to offset a total cost of \$142,162 to re-chassis a Life Line Type III Ambulance. The new unit will replace a 12 year old ambulance that has a history of mechanical and service issues.

Action: Authorize the Purchasing Division to Award a Contract to Life Line Emergency Vehicles through Rocky Mountain Emergency Vehicles of Denver, CO in the Amount of \$142,162 for the Re-chassis of a Life Line Type III Ambulance and Authorize the City Manager to Accept the Colorado Emergency Medical Services Provider Grant Award of \$71,081 for this Purchase

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Amending the Grand Junction Municipal Code to Prohibit Retail Sale of Marijuana

Amendment 64 to the Colorado State Constitution allows local governments to regulate or prohibit marijuana retail stores as well as cultivation, manufacturing, and testing facilities by ordinance or by placing a ballot measure on the General Election ballot. Based on direction previously provided by the City Council, Staff has prepared an ordinance prohibiting marijuana businesses in Grand Junction for the Council's consideration.

The public hearing was opened at 7:19 p.m.

John Shaver, City Attorney, presented this item. He explained what will not be modified with the adoption of the ordinance. The ordinance does not change the allowance of adults over the age of 21 years old to possess or personally cultivate marijuana. The ordinance will prohibit the retail sale of marijuana and marijuana products and commercial cultivation. Without adoption of the ordinance, the City Council will need to regulate the sale of marijuana whether through State regulation or by adopting their own regulations.

Councilmember Doody asked about revenues that would be generated by the State. City Attorney Shaver said the Amendment states it would be for schools but there is no provision in the Amendment for the tax. That is a separate ballot question that will be proposed for the upcoming November election.

Council President Susuras asked what happens if the proposed amendment for tax were to fail. City Attorney Shaver said legislature may have to step in or there may be another try with another election, however this is all speculation.

Councilmember Boeschstein asked how many municipalities have adopted regulations to sell marijuana by retail. City Attorney Shaver replied only a handful of municipalities have. Councilmember Boeschstein asked how marijuana will be sold if not by retail. City Attorney Shaver said this ordinance does not affect medical marijuana sales and distribution.

Councilmember Chazen noted the ordinance refers to penalties and is deemed a misdemeanor. He asked what the penalty is for a misdemeanor. City Attorney Shaver said it would be a minimal fine, (and possibly Useful Public Service (UPS)).

Councilmember McArthur asked if the ordinance affects any other ordinances regarding marijuana. City Attorney Shaver said this ordinance does not.

Council President Susuras asked how the voters in Mesa County and the City voted for Amendment 64. City Attorney Shaver said it was voted against in the City and in the County at that statewide election.

Council asked Police Chief John Camper to come forward.

Police Chief Camper expressed his opinion and said he does not know if retail sales would affect crime but he can't see how it will make the community better. He feels it sends a mixed message to the youth about funding schools with drug money. He does not believe it is more harmful than alcohol however, it is not without harm. Prior to the City placing a moratorium on the medical marijuana dispensaries, the school districts

had a higher incidence of youths possessing marijuana. He had some statistics regarding driving fatalities, the number of users, emergency room visits, and amounts of marijuana seized. He believes that retail sales of marijuana are a bad idea for Grand Junction.

Councilmember Boeschenstein asked how marijuana is being distributed. Police Chief Camper said that it is still being sold illegally. Councilmember Boeschenstein referred to how Denver is handling the legalization of marijuana. He thought it was premature for Grand Junction to allow it at this time however, they may want to reconsider in the future.

The public comment section was opened.

Eric Neiderkruger, 629 Ouray Avenue, said he would like to see the telephone number for Suicide Prevention be provided. Regarding Amendment 64, it is a testimony to micromanagement. Amendment 64 is the law of the land. People in Grand Junction can smoke, possess, and grow marijuana. Personal cultivation will cut off the drug cartels. He suggested the matter go to a vote. The legislation by the City Council is dabbling with his rights. He also objected to the tax revenue being cut off from sales of marijuana.

John Williams, 433 N. 7th Street, said cannabis is an herb and it promotes spiritual enlightenment. He is a felon because of cannabis. He was, at one time, legally dispensing medical cannabis. He said it is the only thing that works for his Obsessive Compulsive Disorder (OCD) yet his felony prohibits him from having it.

Milton "Tony" Long, 237 White Ave, Apt. B, said he is not opposed to drug use, he is opposed to drug abuse. He fears marijuana could be abused the way alcohol is if it is accessible.

Dave of Orchard Mesa, quoted Benjamin Franklin, and contested the vote. He said banning sales will not eliminate the problem. It will continue on the black market. He felt it tells children they are not cared about, their future, or their safety. Sales of tobacco to underage youth are down due to regulation. He felt a banning would say the Council does not trust the citizens. The ordinance is a misguided attempt. Just because a marijuana store opens up does not mean he will go buy pot. He encouraged the Council to vote down the proposed ordinance.

Joshua Christensen, no address, preferred the name cannabis and said cannabis is central to human survival and it necessary for the health of our bodies. He felt it is very beneficial and the essential oil is medicinal. He noted Dr. Sanjay Gupta's recent claim that the oils were beneficial for children with epilepsy. He felt cannabis has been vilified. He spoke to cultivation along the medians and highways. He told a story of a

friend with uterine cancer and how the essential oils help her. He said non-heated cannabis is non-psychoactive and is beneficial.

Charles Michael Elliott, 2880 Jean Lane, said there are people who need marijuana but prefer not to be on a list and therefore get their marijuana from the black market. He said that it is a right to have access to marijuana and there are ways to restrict availability to minors. He said making it illegal does not stop it; outlawing marijuana encourages criminal activity and misbehavior.

Anne Landmann, 671 Moonridge Circle, said she is a non-smoker who worked for the American Lung Association, and worked to pass a smoke free ordinance in Grand Junction. However, there has been a societal shift on how marijuana is viewed. She said marijuana is less addictive and less deadly than alcohol. When she worked in the emergency room about 75% of the visits were alcohol related, yet none were marijuana related. She warned that large scale cultivation will happen here. By prohibiting commercial operations, the City will miss employment creation opportunities along with taxes and fees that would be beneficial to the community; marijuana commerce will be driven underground. She said marijuana is renewable, sustainable, and environmentally friendly. It is better to be proactive and create a regulatory structure rather than knowingly creating a black market which will be assured by prohibition. She noted in the Netherlands, there are coffee bars where they can order different kinds of marijuana from a menu, there is screening for age, warnings about interactions, and the establishments are highly regulated.

Diane Cox, 3641 E ¼ Road, Palisade, said claims that retail sales of marijuana will eliminate a black market is not true; marijuana will still be less costly on the black market. She spoke of a study regarding the damage to young developing brains using marijuana; IQ drops from the 50th percentile to the 29th within one year. She compared the use of opium in China and the drug addition to liberty. She quoted statistics that have increased negatively since medical marijuana was made available. She noted how much stronger marijuana is today. In Amsterdam they classify anything with more than 15% THC as a hard drug. Welcoming marijuana does not keep the drug cartel out, and Colorado is considered a hub. She encouraged approval of the ordinance.

Linda Jones, 1993 South Broadway, distributed some paperwork and said she was speaking for the youth. She works for the school district and noted the toughest problems for high schools are truancy and drugs. She had information on disciplinary actions taken in the high schools. The disciplinary actions reduced as children got older because the troubled kids were moved into alternative schools. She gave the increased drop-out rates from schools in California and other statistics resulting from the use of marijuana. She said the message sent to the youth that marijuana is good for them is a bad message to send. She had a picture of the brain and noted that studies reveal critical issues and brain damage associated with marijuana use in

adolescents. People are becoming addicted even though it is labeled as a non-addictive drug. There are communities letting down the youth by normalizing marijuana use.

Trevor Sutton, 2440 Bunting Avenue, quoted tourism statistics, and said regulating retail sales of marijuana would increase tourism in the City.

There were no other public comments.

The public hearing was closed at 8:04 p.m.

Councilmember Norris said Amendment 64 does allow municipalities to prohibit retail sales so approving the ordinance will not go against the Constitution. The voters have voted and voted against it.

Councilmember McArthur thanked those who spoke and agreed that the way marijuana is handled is changing and it is not known how it will impact communities as of yet. It is not known if regulation will reduce the cartels. He agrees with Police Chief Camper that normalizing marijuana will make it more available and he feels it is premature to approve regulating it.

Councilmember Boeschstein said he will vote in favor of the ordinance now but he believes they should look at it again in the future. He felt the City can learn from other cities' experience. It is premature at this stage.

Councilmember Doody said he appreciated the comments made. He has a problem because it is against federal law. In his industry, he has seen many job applicants turned away because of drug use. However, he has seen the benefits to those needing it medically. He agreed it could be reviewed again later. He will support the ordinance.

Ordinance No. 4599—An Ordinance Prohibiting the Operation of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities, and Retail Marijuana Stores, and Amending the Grand Junction Municipal Code by the Addition of a New Section Prohibiting Certain Uses Relating to Marijuana

Councilmember Chazen moved to adopt Ordinance No. 4599 and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Federal Aviation Administration, Airport Improvement Program Grant #3-08-0027-51, Construct Terminal Building (Phase I, Including ARFF Bay), and Supplemental Co-Sponsorship Agreements

Grant #3-08-0027-51 is a draft grant for \$3,688,829 to Construct Terminal Building (Phase I, Including ARFF Bay). The Federal Aviation Administration requires the Supplemental Co-Sponsorship Agreement. This grant will expire on September 19, 2013 if not accepted.

Rex A. Tippetts, Director of Aviation, presented this item. He explained they are seeking approval of the grant request for Phase I of the terminal building which includes administration offices and a fire station. He noted the emphasis on the design is horizontal. The design of the new terminal building is in compliance with the design guidelines. He noted the life of the current building is very short. The project is planned in several phases over ten to fifteen years. The best location of the new terminal is the location of the existing terminal. Transportation Security Administration (TSA) is the biggest leasee of the terminal space and they need more space. Mr. Tippetts displayed the complex concept and identified where certain elements will be located. He detailed the budget and the funding.

Council President Susuras asked if he should recuse himself as he is Council's representative for the Airport Authority. City Attorney Shaver said that is not necessary.

Councilmember Norris asked if the Airport is asking for any funding from the City. Mr. Tippetts said they are not however, because of the structure under which the Airport was formed, the City's co-sponsorship is a requirement of the grant agreement. Councilmember Norris asked if the number of requirements found in the documents is normal. Mr. Tippetts said yes, the assurances are standard with these grants.

Councilmember Boeschstein thanked Mr. Tippetts and lauded the design guidelines. He then asked about the gate issue. Mr. Tippetts said an amendment was submitted to the Federal Aviation Authority (FAA) a year and half ago and they are still waiting for a reply.

Councilmember Chazen asked if approval obligates the City for future phases. Mr. Tippetts said this is a stand-alone request. Phase II has not even been started. The eventual new terminal will actually be smaller than the existing terminal.

Councilmember Doody moved to approve the grant, and authorize the Mayor and City Attorney to sign the original grant documents, approve the supplemental co-sponsorship agreements, and authorize the City Manager to sign the agreement. Councilmember Norris seconded the motion. Motion carried by roll call vote.

Contract for the G Road Improvements from 23 ½ Road to 23 ¾ Road for the Community Hospital Medical Office Building

This is the contract award for the construction of a road widening on G Road in the vicinity of 23 ¾ Road. The road widening will provide for left turn lanes at 23 ¾ Road and the private entrance into the Medical Office Building complex located just west of 23 ¾ Road. The Medical Office Building complex is an ancillary development taking place in conjunction with Community Hospital's proposed development of their new hospital proposed for G Road and 23 ½ Road.

Greg Trainor, Public Works, Utilities, and Planning Director, introduced this item. He explained the project and the bidding process.

Councilmember Norris asked if the project is funded by Transportation Capacity Payments (TCP). Mr. Trainor said it is funded solely by the TCP.

Councilmember Doody asked about the piping of the drain and who will be responsible for the upsizing of the drain. Mr. Trainor said the Cannery Drain pipe will be 60 inches. He said development would be responsible for any additional needs drainage-wise.

Councilmember Boeschstein asked if the Grand Valley Drainage District (GVDD) is participating in this project. Mr. Trainor said they are not. The involvement of the Wilsea Drain just recently deeded to the City was discussed. Additional drainage responsibility and road improvement will be assessed to any new development. Councilmember Boeschstein asked if there will be pedestrian paths and bike trails. Mr. Trainor was not certain.

Councilmember McArthur asked if the Cannery Drain will remain a GVDD asset. Mr. Trainor said yes. Councilmember McArthur asked why the pipe goes so far to the east. Deputy City Manager Tim Moore said the ditch is being piped to facilitate the development. There will be decel and accel lanes so the drain has to be extended that far.

Councilmember Chazen read from the staff report on the deficit in the TCP fund. Mr. Trainor said they anticipate sufficient funds in the TCP fund by the time the hospital is complete.

Jay Valentine, Internal Services Manager, addressed the funding noting they are projecting the TCP revenues and the 2014 TCP fund will not be in deficit. The 2014 road improvement has not yet been designed for the Hospital project so he anticipates the project will occur late in 2014.

Councilmember Norris asked if the award being presented is for both 2013 and 2014. Mr. Trainor said only the 2013 portion is before them.

Councilmember Chazen asked some more clarifying questions on the funding and the ownership of Cannery Drain.

Councilmember Doody asked about where this drain ends and how that will interface with CDOT's pipe and who will be responsible. Mr. Moore said future development will be responsible. It is mostly carrying agricultural water. Future development will have to maintain historic flows. It will not be the City's responsibility as the GVDD will still maintain and control that drain.

Councilmember Boeschstein moved to authorize the Purchasing Division to enter into a contract with M.A. Concrete Construction, Inc. for the construction of G Road Improvements near the New Community Hospital Medical Office Building in the amount of \$601,826.90. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—2013 Supplemental Appropriation Ordinance

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2013 amended budgets.

The public hearing was opened at 8:38 p.m.

Jodi Romero, Financial Operations Director, presented this item. She explained the reason for the various supplemental requests including carryover of projects that were not completed in 2012 and projects that were new opportunities for the City Council which she listed: Lincoln Park Renovation Phase 2, the I-70B Undergrounding Project, the Fire Administration/ Fire Station #2 Public Safety Projects, CNG vehicles, purchase of the 755 Struthers property, the 22 Road Interchange Project, the Community Hospital Medical Office Building, Americans with Disabilities Act (ADA) improvements to Lincoln Park Pool, and the Avalon Theatre Project .

Councilmember Chazen asked about the 109 Fund increase of \$270,382. Ms. Romero said that when the budget was adopted they did not have the final numbers available for the Downtown Development Authority (DDA) bond issuance and this supplemental appropriation includes the final number.

Jay Valentine, Internal Services Manager, explained that the budget was developed prior to the Downtown Development Authority board making the final decision for the final amount and terms. The bonds were closed on December 17, 2012 and the 2013

budget was already adopted. It was both principal and interest. The bonds sold were within the parameters of the bond ordinance.

Councilmember Norris asked who is responsible for the additional funds. Mr. Valentine said it is the DDA's responsibility and it just needs to be appropriated for the second payment.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Ordinance No. 4600—An Ordinance Making Supplemental Appropriations to the 2013 Budget of the City of Grand Junction

Councilmember Doody moved to adopt Ordinance No. 4600 and ordered it published in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Amendments to Title 21 of the Grand Junction Municipal Code to Revise the Definition of Lot Coverage [File # ZCA-2013-313]

The amendments to Sections 21.03.030(e) and 21.10.020 will revise the definition of lot coverage by eliminating “and other impervious surfaces”.

The public hearing was opened at 8:45 p.m.

Lisa Cox, Planning Manager, presented this item. She explained the reason for the request. The current Code restricts the building of an accessory structure on a lot due lot coverage including driveways. The restriction became part of the Code in 2001 with the revision to the Zoning and Development Code. Lot sizes were also changed which compounded the challenge. The inclusion of “other impervious surfaces” made for the difficulty. This is specific to residential lots.

Ms. Cox said they took a sampling of lots throughout the City, using examples from each residential zone district, and they estimate many were over the allowed lots coverage due to the new definition. The definition would also prohibit hard surfacing driveways for those lots that are already at or over the allowed lot coverage.

The City Development Engineer did not feel the change would adversely impact drainage flows. Ms. Cox said they also looked at other possibilities such as someone paving their entire lot but they don't think it would be likely or desired by most homeowners. In conclusion, the proposal is to change the Code which will affect lots

city-wide. The Planning Commission did consider the request on August 13, 2013 and they forwarded a recommendation of approval. There are citizens in attendance that may want to speak.

Councilmember McArthur asked why the lot percentage coverage wasn't changed to counteract this. Ms. Cox said they wanted to address the vertical landscape. They feel it is important to control that built vertical environment. Councilmember McArthur asked if detention requirements will be increased. Ms. Cox said that it could be looked at but the idea is to allow for more outdoor living space.

Councilmember Norris asked why it was changed in 2001. Ms. Cox said she researched it but there was not enough explanation in the staff report. They have concluded the change was made to anticipate changes in stormwater quality regulations.

Steve Hoaglund, 679 Step-a-Side Drive, said he and his wife wanted a property that could accommodate up to six cars. Their current garage sits back 100 feet and they have a one acre lot. Their driveway is 3,000 square feet. Most of the neighbors are over the 20% coverage. They want to utilize their huge backyard.

Chad Schnider with More Storage said they see this with their customers. He has a customer this affects. When the City reduced lots sizes it did make many lots out of compliance. The Zoning Code is really limiting, and the realtors are not aware of these limitations when working with their buyers. He asked for approval.

John Williams, 433 North 7th Street, said 2639 Dahlia Drive was originally his grandparent's house said it is a great neighborhood. He does not think the neighborhood is aware of this issue. He thought the matter should be postponed until the neighborhood becomes aware.

There were no other public comments.

Councilmember Norris thanked Staff for bringing this forward.

Councilmember McArthur asked how the Planning Department will address the request for a six car garage. Ms. Cox said they will look at the percentage allowed for each zone district and recalculate their allowed lot coverage.

Councilmember McArthur asked how the additional drainage will be addressed. Ms. Cox said it is figured as a range so frequently the facilities being constructed are designed to handle a range of flows; the Engineer did not feel it would be problem and the additional runoff would be accommodated. Councilmember McArthur said they might have to increase the detention for the subdivision. Ms. Cox said they will look at

this on a case by case basis but unless the entire neighborhood was increasing their coverage it will likely not be an issue. A resident cannot impact adjacent properties with their drainage. Regarding advertising the Code change, since the request came from a particular neighborhood, individual mailings were done for that neighborhood even though the change affects properties city-wide.

Councilmember Doody complimented Ms. Cox for her presentation.

The public hearing was closed at 9:16 p.m.

Ordinance No. 4601—An Ordinance Amending Section 21.03.030(e) and 21.10.020 of the Grand Junction Municipal Code to Revise the Definition of Lot Coverage

Councilmember Doody moved to adopt Ordinance No. 4601 and ordered it published in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Milton “Tony” Long, 237 White Ave, Apt. B, related the time he did not commit suicide. He said Jesus came to him and made him feel that he would take care of him.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:20 p.m.

Stephanie Tuin, MMC
City Clerk