

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

February 5, 2014

The City Council of the City of Grand Junction convened into regular session on the 5th day of February, 2014 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Martin Chazen, Jim Doody, Phyllis Norris, Barbara Traylor Smith, and Council President Sam Susuras. Councilmembers Bennett Boeschstein and Duncan McArthur were absent. 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 Traylor Smith led the Pledge of Allegiance, followed by an invocation by Reverend Wendy Jones, Unitarian Universalist Congregation of the Grand Valley.

Council President Susuras recognized Colorado Mesa University (CMU) Public Administration students in the audience.

Council Comments

Councilmember Chazen said he attended an Associated Governments of Northwest Colorado (AGNC) meeting on January 16th and discussion ensued regarding right-of-ways. The presenter asserted that counties are the only legal entity that can close roads. On January 17, 2014, he and Councilmember McArthur spoke with HomewardBound Executive Director Doug Karl, and HomewardBound is doing some great things. HomewardBound received a \$225,000 grant to fix up the current facility and will use Community Development Block Grants (CDBG) funds to construct a new facility. The Downtown Development Authority (DDA) met on January 23, 2014 and discussed the Facade Improvement Program, a summary of the January retreat, asbestos abatement at White Hall, and an update on the Housing Study.

Councilmember Norris said she attended the Business Incubator meeting and they are holding business start-up classes. They also talked about the 'maker space' and have purchased some equipment for it. They will have live broadband available.

Councilmember Doody said he was updated on the Avalon project, and it is really taking shape. The multipurpose building is going up.

Citizen Comments

Bill Pitts, 2626 H Road, called the Council's attention to the article in the paper that day about the Airport. He has attended Airport Board meetings and at the last meeting there was discussion about changing the name of the building which is under construction and

returning the funds. He was upset that Council President Susuras was supportive of keeping the funds provided by fraudulent means. He called for the resignation of Council President Susuras from the Airport Authority and asked that Council appoint another representative.

CONSENT CALENDAR

Councilmember Doody read the Consent Calendar items #1 through #7 and the addition of item #9 to the Consent Calendar with it being continued to February 19, 2014, and then moved to adopt the Consent Calendar. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summaries of the October 7, 2013 Workshop, October 14, 2013 Readiness Meeting, November 18, 2013 Workshop, January 6, 2014 Workshop, January 13, 2014 Workshop, January 16, 2014 Joint City/County Workshop, the Minutes of the January 15, 2014 Special Meeting, and the January 15, 2014 Regular Meeting

2. **Setting a Hearing on St. Martin's Place Phase 2 Rezone, Located at 221 Pitkin Avenue** [File #RZN-2013-514]

Request to rezone 0.50 +/- acres from C-1 (Light Commercial) to B-2 (Downtown Business) in anticipation of the next phase of development for St. Martin's Place, a housing development being proposed by Grand Valley Catholic Outreach to provide housing for homeless individuals particularly veterans.

Proposed Ordinance Rezoning St. Martin's Place, Phase 2 from C-1 (Light Commercial) to B-2 (Downtown Business), Located at 221 Pitkin Avenue

Action: Introduce a Proposed Ordinance and Set a Public Hearing for February 19, 2014

3. **Setting a Hearing on Amending Title 21 of the Grand Junction Municipal Code to Revise Performance Standards to Provide More Flexibility in the MU, BP, I-O, I-1, and I-2 Zone Districts for Outdoor Storage and Display** [File #ZCA-2013-548]

The amendments to Sections 21.03.070(g)(2)(iii)(F) and (h)(3)(iii), and Sections 21.03.080(a)(3)(iv), (b)(3)(iv), and (c)(3)(iv) will provide more flexibility for outdoor storage and display.

Proposed Ordinance Amending Sections 21.03.070(g)(2)(iii)(F) and (h)(3)(iii) and Sections 21.03.080(a)(3)(iv), (b)(3)(iv), and (c)(3)(iv) to Revise the Performance Standards for Outdoor Storage and Display in the MU, BP, I-O, I-1, and I-2 Zone Districts

Action: Introduce a Proposed Ordinance and Set a Public Hearing for February 19, 2014

4. **Setting a Hearing on Amending the Sales and Use Tax Code Exempting Certain Food Items Sold Through Vending Machines from Sales Tax**

The City Council will consider an Ordinance amending the City Sales and Use Tax Code that would exempt food, except for soda and candy, sold through vending machines from sales tax. If passed, the ordinance and exemption would be in effect for three years after the effective date.

Proposed Ordinance Concerning Section 3.12.020 of Chapter 3 of the Grand Junction Municipal Code Concerning the Taxability of Food Products Sold from Money Operated Machines

Action: Introduce a Proposed Ordinance and Set a Public Hearing for February 19, 2014

5. **Setting a Hearing on Amending the Grand Junction Municipal Code to Prohibit Certain Activities Related to Panhandling**

Residents of Grand Junction are reporting increasing instances of aggressive panhandling and disturbances by individuals attempting to panhandle money. For consideration by the City Council, Staff has prepared an ordinance regulating certain panhandling activities through reasonable time, place and manner restrictions.

Proposed Ordinance Prohibiting Activities Relating to Panhandling

Action: Introduce a Proposed Ordinance and Set a Public Hearing for February 19, 2014

6. **Purchase of Traffic Striping Paint for 2014**

The City's Transportation Engineering Division is responsible for applying 10,000 gallons of white and yellow paint to the City's streets each year; striping 400+ miles of streets and state highways. Utilizing the Colorado Department of

Transportation's (CDOT's) contract prices, the City is able to take advantage of volume discounts and obtain the best unit prices.

Action: Authorize the City Purchasing Division to Enter into a Purchase Order with Ennis Paint, Dallas, TX for the 2014 Traffic Striping Paint in the Amount of \$84,145

7. **Authorize the Sale of City-owned Property, Located at 919 Kimball Avenue**

The City has received an offer for the sale of real property commonly known as 919 Kimball Avenue. The legal description is different than the common description; an aerial photograph depicting the property is attached to the staff report. To view the property electronically use this link: http://arcgis-fs.ci.grandjct.co.us/internal_gis_map/index.html?map=citymap&extent=711117,4325729,711632,4325934

Resolution No. 02-14—A Resolution Authorizing the Sale by the City of Grand Junction, Colorado, of Certain Real Property Located at 919 Kimball Avenue; Ratifying Actions Heretofore Taken in Connection Therewith

Action: Adopt Resolution No. 02-14

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Request for Fireworks from the Grand Junction Rockies

The Grand Junction Rockies are requesting approval of fireworks displays to be held following all regularly scheduled games on Friday evenings at Suplez Field. The request includes six dates, one of which is the annual Fireworks Extravaganza which will be held in partnership with the City of Grand Junction.

Rob Schoeber, Parks and Recreation Director, introduced this item. He recalled a similar request last season. The commitment at that time was that the events would be monitored and reported back to Council on whether it should be repeated. The Staff said the fireworks vendor and their staff were all very accommodating and there was only one complaint about noise. The fireworks were a nice compliment to last year's events.

Tim Ray, General Manager, Grand Junction Rockies, thanked the City Council for permission last year and said this year the Rockies will partner with the City for the annual Fourth of July event. The fans really love fireworks. They are asking for two additional Friday nights and would like the City Council to also consider August 31,

which is Labor Day week-end as a back-up date in case of inclement weather. All of the dates are contingent upon weather and any fireworks restrictions.

Councilmember Traylor Smith asked about the complaint. Mr. Schoeber said the citizen called the office about another matter but then advised the fireworks noise was an issue with his pets. Councilmember Traylor Smith asked if there was input from the surrounding neighborhood. Mr. Schoeber said there would be mailers sent out when events are coming up in order for owners to plan for their pets.

Mr. Ray said letters had been sent last year to the surrounding area. The Veterans Administration (VA) was contacted for feedback and the VA is supportive of the fireworks; the residents really enjoy the displays.

Councilmember Chazen asked if this is a cost sharing arrangement. Mr. Ray said the Rockies pay for it, except for the Fourth of July in partnership with the City.

Council President Susuras noted the fire danger is watched carefully. Mr. Schoeber said the wind speeds are monitored as well.

Councilmember Doody said it is a great opportunity. He is happy people know ahead of time so they can plan for it.

Mr. Ray said his organization wants to promote this. It is a big attraction for baseball fans. The firework shows will be eleven minutes long with the exception of the Fourth of July.

Councilmember Chazen asked about the previously mentioned back-up date in case there was a cancellation.

City Attorney John Shaver said if Council consents, it can be incorporated into the approval.

Mr. Schoeber said there was a drought situation two years ago and fireworks were postponed to Labor Day week-end.

Councilmember Doody moved to approve a request from the Grand Junction Rockies for fireworks displays at Suplezio Field on June 20th, July 4th, July 11th, July 25th, August 1st, and August 15th, 2014 and a backup date of August 31st. Councilmember Norris seconded the motion. Motion carried by roll call vote.

Public Hearing—Amending Sections 21.03.090 of the Grand Junction Municipal Code Adopting Changes to Form Districts within the City [File #ZCA-2013-229]

The proposed ordinance amends Section 21.03.090, Form Districts, eliminating barriers and cleaning up language for the development of mixed use projects in Mixed Use Opportunity Corridors.

Ordinance No. 4618—An Ordinance Amending the Zoning and Development Code, Grand Junction Municipal Code Section 21.03.090, Form Districts

Moved Under the Consent Calendar and Continued to February 19, 2014.

Public Hearing—Amending Title 21 of the Grand Junction Municipal Code to Extend the Validity of the Minor and Major Site Plan Approval From One Year to Two Years [File #ZCA-2013-469]

The amendment to Section 21.02.070(a)(8)(i) will extend the validity of the minor and major site plan approval from one year to two years.

The public hearing was opened at 7:29 p.m.

Tim Moore, Deputy City Manager, presented this item and referred to the workshop discussion. This is specific to site plan approvals, and individual lots. It provides more flexibility to developers, for example, for spec homes as a result of the economy. The Director can extend those approvals by another six months if needed. Another amendment may come forward for additional extension discretion.

Councilmember Traylor Smith inquired if someone who started a project before the downturn may be able to sell the construction and not have to start over. Mr. Moore said this is correct; the goal is to keep those projects alive. Councilmember Traylor Smith inquired if the two year period is just to get the project started, not to complete it. Mr. Moore said the amendment allows up to two and a half years to get started. Councilmember Traylor Smith asked if a project were to start and then stop because of funding, and then be taken over by someone, what would the process look like. Mr. Moore said if the project lapsed over 1.5 years, the City would need to take a look due to new stormwater regulations, but the process would not require coming back to Council.

Councilmember Norris asked if there are many requests for extensions for more than two years. Mr. Moore said no. Councilmember Norris asked, if there were regulation and zoning changes, how would they be addressed in a two year plan if the project had not yet started? Mr. Moore said if approved, usually the project goes forward under the rules that they were approved under. If it expired, then they may have to adjust. Regarding

stormwater, it would depend on the timing. Under the 2008 regulations, there would have to be compliance unless the projects were already started before.

Councilmember Chazen said he appreciates the flexibility and the option.

Council President Susuras repeated Mr. Moore's statement, "this change will help accommodate the increasing demand for more more flexibility for developers to secure financing for spec projects and or to market approved projects". Council President Susuras agreed with this and said it's time to move forward.

There were no public comments.

The public hearing was closed at 7:37 p.m.

Ordinance No. 4619—An Ordinance Amending Section 21.02.070 (a)(8)(i), Validity, of the Grand Junction Municipal Code to Extend the Validity of the Minor and Major Site Plan Approval from One Year to Two Years

Councilmember Traylor Smith moved to adopt Ordinance No. 4619, an Ordinance Amending Section 21.02.070 (a)(8)(i), Validity, of the Grand Junction Municipal Code to Extend the Validity of the Minor and Major Site Plan Approval from One Year to Two Years. Councilmember Doody seconded the motion.

Councilmember Chazen moved to amend the motion to hold a public hearing, to approve Ordinance No. 4619 and ordered it published in pamphlet form. Councilmember Traylor Smith accepted the amended motion. Councilmember Doody seconded the amended motion. Motion carried by roll call vote.

Councilmember Traylor Smith spoke to the students in the audience. She said this is a good example of how Council makes decisions that impacts the community on public policy that impacts business owners and others trying to get financing to generate economic development.

Purchase of a Front Load Refuse Truck

This purchase request is for a Mack Compressed Natural Gas (CNG) Refuse Truck to replace a diesel unit currently in the City's fleet. The price reflected is net of a \$22,000 trade in allowance offered for the current truck. The Mack truck with Wittke body was determined to be the best value when applying life cycle cost analysis. It is identical to a current unit in service and is the lowest priced proposal offered.

Jay Valentine, Internal Services Manager, presented this item. He explained the request and the procurement process. The truck will be the tenth compressed natural gas (CNG) refuse truck in the City fleets, leaving only one diesel truck in the fleet. Council President Susuras asked if bids were received on a diesel option.

Mr. Valentine said no, since this is the tenth truck and the comparison that has been done in the past, it has been shown that the incremental cost to go to CNG has a rapid pay back (two years) with the difference in fuel cost. It is a difference in fuel of over \$2.00 per gallon savings.

Council President Susuras noted the City's commitment to go to all CNG, the cost difference is significant. Mr. Valentine noted that the difference has decreased with the new emission controls on diesel which has increased the cost of diesel trucks.

Council President Susuras said he will support this when the cost recovery is less than the life of the truck. Mr. Valentine said yes, that some of the incremental difference may also be recouped with trade-in at the end of life of the truck.

Councilmember Doody asked if the City's mechanics are being trained in CNG repair and maintenance. Mr. Valentine said yes, the technicians have been sent to specialized training and the City will continue to cross train mechanics.

Councilmember Chazen asked if there is sufficient capacity at the CNG station to take on this additional vehicle. Mr. Valentine said not currently, however the City is in the design process for adding ten more filling stations. The process works now because not all vehicles are filling at the same time, but it takes careful scheduling at the slow fill station. Councilmember Chazen asked if operationally, the process can be changed to accommodate the schedule with more capacity. Mr. Valentine said it will take a year to get this truck, the two vehicles on order are pickup trucks, and will use the fast fill side. Operationally it is not an issue right now, as fleet keeps building, there will be a need to have additional stations.

Councilmember Traylor Smith asked, with the average cost is \$1.01, what is included for this cost? Mr. Valentine said the electrical cost and the amount of gas is taken into a formula which is used to convert this into a gas/gallons equivalent.

Council President Susuras asked how long it takes to fill a slow fill truck. Mr. Valentine said it is five to six hours if empty; if not completely empty, the average time is three to four hours.

Councilmember Doody moved to authorize the City Purchasing Division to award a contract to purchase a 2014 Mack LEU CNG Refuse Truck from Westfall O'Dell

Volvo/Mack, Fruita, CO in the amount of \$241,713. Councilmember Norris seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 7:50 p.m.

Stephanie Tuin, MMC
City Clerk