

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

**September 20, 1995**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 20th day of September, 1995, at 7:38 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, David Graham, R.T. Mantlo, Janet Terry, and President of the Council Ron Maupin. Councilmember Reford Theobald was absent. Also present were Acting City Manager Jim Shanks, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Maupin called the meeting to order and Councilmember Baughman led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. John Bruington, First United Presbyterian Church.

**REPRESENTATIVE FROM EPA PRESENTING EPA REGION VIII OPERATIONS AND MAINTENANCE EXCELLENCE AWARD TO THE GRAND JUNCTION CITY COUNCIL AND MESA COUNTY COMMISSIONERS FOR PERSIGO WASTEWATER TREATMENT PLANT**

Mr. Max Dodson, Director of the Water Management Division for U.S. Environmental Protection Agency Region VIII, stated the Persigo Wastewater Treatment Plant has received EPA Region VIII's Operation and Maintenance Award for 1995. This award is for excellence in management, operations, maintenance and compliance. The facility has been doing an excellent job in the compliance area. The facility has implemented an outstanding pre-treatment program for industrial users that included innovative grease control programs. It has constructed a 4500 square foot maintenance shop which allows in-house repairs at considerable cost savings to Mesa County and the City. It has established a quality assurance program that can be used as the model for the entire State of Colorado. It has developed a public education program involving working with the Ute Water Conservation Districts, and the Children's Water Festival that includes a presentation called "Raindrops to Rivers" which is commendable in the area of public outreach and education. It maintains an excellent safety program. The facility and staff has assisted in forming Promotion of Sewer System Excellence (POSSE). It is promoting a positive image by communicating the purpose and functions of the Wastewater Treatment Plant and its staff.

Mr. Dodson stated in the past two years, staff has saved the ratepayers \$128,000 with the fine bubble diffuser system (energy saving). The facility staff installed the system and saved Mesa County and the City \$143,000 in up front capital costs. The 75,000 customers should be very proud of the facility and the staff. He presented the plaque to Mayor Maupin. He presented certificates to Dan Tonello, Wastewater Treatment Plant Assistant

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and Industrial Pre-Treatment Coordinator, and Jerry O'Brien, Wastewater Treatment Plant Superintendent.

Mayor Maupin thanked the staff for their hard work and efficiency. The award will be placed at the Wastewater Treatment Plant.

Jerry O'Brien introduced staff members that were in attendance:

- Larry Brown, Maintenance Supervisor
- Jay Vancil, Operator
- Bill Beaver, Maintenance Mechanic and Safety Coordinator
- Cheryl Bishop, Secretary
- Eileen List, Laboratory Supervisor

**CONSENT ITEMS**

Upon motion by Councilmember Afman, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **BAUGHMAN** voting **NO** on Items 2 and 4, and Councilmember **GRAHAM** voting **NO** on Item 2 and **ABSTAINING** on Item 8, the following Consent Items 1-8 were approved:

1. **Approving** the minutes of the Regular Meeting September 6, 1995
2. **Award of Contract** for the Purchase of Four Automated Side Loader Sanitation Trucks  
Recommended Award: Kois Brothers Equipment Co. - \$547,395

The following bids were opened September 7, 1995. The bids include a trade allowance for six rear loading sanitation trucks:

<u>Vendor</u>	<u>From</u>	<u>Amount</u>
Faris Machinery	Denver	\$555,671.00
Kois Brothers Equipment Co.	Denver	\$547,395.00*

\* Recommended Award

3. **\* Resolution No. 85-95** - A Resolution Designating a Depository and Approving an Agreement for Banking Services between the City of Grand Junction, Colorado, and Alpine Bank, Grand Junction

Based on the triennial request for proposals for City Banking Services, the selection of Alpine Bank for a three year Banking Service contract is being recommended as being in the

City's best interest.

4. **\* Resolution No. 80-95** - A Resolution Adopting Section 6, Collection System Operations and Treatment Service Provisions, of the Sewer Rules and Regulations Governing the Management and Operation of the 201 Sewer System

Adoption of Section 6 requires contracting entities and all others to meet minimum standards for operations, maintenance, industrial pre-treatment, system expansion, infiltration and inflow, and approval.

5. **\* Resolution No. 86-95** - A Resolution Authorizing a One-Year Dry Grazing Lease of 240 Acres of City Property Located South of Whitewater to William Arthur Mertz

The proposed lease will commence on January 1, 1996 and expire on December 31, 1996. The proposed rental fee of \$400 for the entire term is slightly higher than dry grazing fees charged by the U.S. Department of the Interior on similar allotments.

6. **Approving** Fireline Upgrades Addendum VIII Submitted by the Ute Water Conservancy District on August 14, 1995

Ute Water is required by the August 17, 1993 agreement between the City and Ute Water to supply the City with design and cost information pertaining to the installation of fire protection upgrades in areas of the City where Ute is the water purveyor and the existing lines are inadequate for fire protection. On August 14, 1995 Ute Water sent a letter to the City Public Works Director requesting that the City Council approve the addendum to the project as referenced above. Approximately 1,300 feet of 12" water main will be required from a point just east of Leach Creek to a point on the west side of the west access to Redlands Parkway, along River Road. No more than four (4) new fire hydrants will be necessary.

7. **Proposed Ordinance** - An Ordinance Rezoning Property at 7th and Horizon from RSF-4 to PR-6.15 [File #RZO-95-131]

A request to rezone the property at the southeast corner of 7th Street and Horizon Drive from RSF-4 (Residential Single Family, 4 units per acre) to PR-6.2 (Planned Residential, 6.2 units per acre) for the proposed Horizon Village consisting of 72 condominium units and 4 large single family lots on

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11.7 acres.

a. First Reading of Proposed Ordinance

- 8. **Proposed Ordinance** - An Ordinance Zoning the Bluffs West #2 Annexation to RSF-4, PR-2, PZ and B-3 [File #ANX-95-118]

The City is required by State Statute to zone properties annexed into the City within 90 days of the effective date of the annexation. The Bluffs West #2 Annexation is in process before City Council.

a. First Reading of Proposed Ordinance

\* \* \* END OF CONSENT CALENDAR \* \* \*

\* \* \* ITEMS NEEDING INDIVIDUAL CONSIDERATION \* \* \*

**PUBLIC HEARING - ORDINANCE NO. 2866 - AN ORDINANCE VACATING A PORTION OF THE ALLEY ON THE SOUTH SIDE OF NORTH AVENUE FURNITURE (945 NORTH AVENUE) [FILE #VR-95-134]**

The North Avenue Furniture building (built in the late 1960's) encroaches approximately 1 foot into the alley between North and Belford Avenues. The vacation is needed for a change in ownership. The City does not object to the vacation.

A hearing was held after proper notice. Dave Thornton, Community Development Department reviewed this item. North Avenue Furniture is in the process of changing ownership. The financial institution involved with the current buyer requested a property survey showing where the buildings are located on the property. As a result, it has been determined that a 1 foot portion of the building is in the alleyway. That portion must be vacated in order to have the building sit on its own property rather than the right-of-way. Staff recommends approval of the vacation.

There were no other comments. Upon motion by Councilmember Mantlo, seconded by Councilmember Baughman and carried by roll call vote, Ordinance No. 2866 was adopted and ordered published on final reading.

**PUBLIC HEARING - ORDINANCE NO. 2867 - AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, BLUFFS WEST #2 ANNEXATION, APPROXIMATELY 184.12 ACRES, LOCATED SOUTH OF E 1/2 ROAD AND WEST OF 23 ROAD, ALONG BOTH SIDES OF THE REDLANDS PARKWAY**

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TO RIGGS HILL [FILE #ANX-95-118]

Powers of Attorney for annexation have been signed for a majority of the properties included in the Bluffs West #2 Annexation. Staff requests that City Council approve the ordinance for the Bluffs West #2 Annexation.

A hearing was held after proper notice. This item was reviewed by Dave Thornton, Community Development Department. Councilmember Baughman asked if there are any non-POA properties requesting this annexation. Mr. Thornton stated there are none. Councilmember Graham inquired if the purpose of this annexation is to connect the Ridges with the City. Mr. Thornton stated the objective was to tie 23 Road (South Rim area) and the Bluffs West Filings #1, #2 and #3 (POA's on the properties since the mid-1970's), and down Riggs Hill area which is closer to the existing city limits on South Camp Road. Councilmember Graham asked if the land created in the peninsula to the southeast is planned to be annexed into the city in the future. City Attorney Dan Wilson stated the Growth Committee has made no decision to take that property because there has not been enough consideration of the infrastructure costs. He expects it will be considered in the future. Councilmember Graham asked if there are plans for expansion to the northwest. Mr. Wilson stated the Growth Committee feels staff should be working on it. Dave Thornton is currently working on that area. There is an area further west called Independence Valley, a recent subdivision located on the east side of 20 Road. Within approximately two months there will be another proposal to annex some of the other properties in the area. Councilmember Afman stated an effort is being made to establish some western boundaries between Grand Junction and Fruita, somewhere between 19 Road and 20 Road.

Mr. Thornton stated the majority of properties in this annexation are already developed. The annexation is comprised of 184 acres. Approximately 40 acres are still developable, Riggs Hill comprises 35 acres. The total acreage of vacant land would be approximately 75-80 acres.

Councilmember Baughman asked if the City received authorization to use the Riggs Hill property for annexation from the purchase of the C.D. Smith Building. City Attorney Dan Wilson answered yes. Councilmember Mantlo clarified that the City did not purchase the C.D. Smith building contingent upon the Museum of Western Colorado consenting to annexation of Riggs Hill.

Councilmember Terry asked if South Broadway is included in this

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annexation all the way to The Seasons. City Attorney Dan Wilson explained that was the flagpole to attach The Seasons to the property for S. Camp annexation. Mr. Thornton stated this annexation will take all of South Broadway that is adjacent to Riggs Hill.

Councilmember Terry stated for the record she had voted against the first reading of this annexation because of the maintenance cost of the road. Tonight's information on costs provided by staff is not as significant. Previous questions have been answered and resolved, also no opposition from the audience tonight speaks loudly. She has also received some positive input from some of the citizens in the area. She stated she had made a statement at the City Council Retreat that she would be supportive of annexing vacant land under certain circumstances. She is in favor of this annexation.

Councilmember Graham appreciated Councilmember Terry initiating discussion in relation to the criteria that was discussed at the City Council Retreat held in Ouray. He asked Council's indulgence for a bit of discussion on this annexation in terms of those criteria. One of his biggest concerns on how Council is dealing with annexation issues as they come up before Council is the perception that Council is automatically going to divide itself up into blocks, two voting factions, and he did not feel Council spends enough time discussing the merits of each individual annexation, the reasons for and the reasons against. He does not think the Council gives each other a fair opportunity to reconsider their positions and even to change their minds. Along those lines, he pointed out the good things about this annexation. First of all, the area to be annexed has a significant portion of undeveloped land. The fiscal impact would indicate that this is going to break even from the City's standpoint in the fourth year.

He asked the Clerk to enter the attachment for the Fiscal Impact into the record to reflect that. Another good reason for favoring this annexation is it appears to be a move that could rationalize the City's boundaries. Whether the City goes further north and west, or not, he thinks is a very debatable and potentially contentious issue. The City's presence there is already established by the areas to the south, the north, and the east. Councilmember Graham thinks this is a sensible annexation and he supports it. He would appreciate having some of the other Council- members give some serious consideration to being a bit more discriminating and not always going for it with the sense that there's another group out there that's automatically going to oppose annexation. He hoped that his remarks would be taken in the spirit they are offered.

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Councilmember Afman felt, for most of the Council, the dialogue begins with the Growth Committee looking at the facts of a particular area, based on people approaching the City and requesting annexation. The process of neighborhood meetings then takes place. There is real involvement with each and every annexation, so when Council gets to the final stages, she feels she has been well indoctrinated and versed in every aspect of the annexation. Many times it is not necessary for Council members to repeat their conversation, but to try to respond to the people in the audience that may not have attended neighborhood meetings and are addressing Council directly. She felt this was an answer as to why Council does not carry on much of a dialogue when it gets to this stage. Council is more interested in answering questions of affected residents.

Councilmember Graham appreciated Councilmember Afman's response. He is still upset about any annexation that is driven by the use of Powers of Attorney and what starts before the Planning Commission. He believes as a political process, an annexation should ideally reflect a popular sovereignty and desire of people to come to the city and petition for annexation. That still remains an unresolved point. As to whether it's necessary at public meetings for Council members to express their views, he submitted that a very important part of Council's function is that their thinking processes are revealed to the public, and that their opinions and beliefs are shared, even if they are justified, even if they are right. He thinks one of the reasons that annexation itself is such a contentious and controversial issue is because there simply is not enough intelligent, dispassionate discussion about it. Councilmember Graham appreciated the Growth Committee members and admitted they are better informed than he on each individual annexation, but there is a duty beyond that. The duty is to the people to let them know what is going on.

Councilmember Afman extended an invitation to Councilmember Graham to attend some of the neighborhood meetings, and be a part of that dialogue and discussion with the citizens. Councilmember Mantlo noted four meetings were held with the residents regarding this annexation.

Councilmember Baughman stated the annexation is being requested by the City and not the residents. He contends the residents had no choice. He felt if it were not for the POA's obtained, it's possible the majority of the residents of the area would never have requested annexation.

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Councilmember Terry felt that was an assumption, and is concerned about making decisions based on assumption. She felt the fact there are no residents at this meeting objecting to the annexation speaks loudly for her.

Councilmember Afman also invited Councilmember Baughman to attend the neighborhood meetings regarding annexation where Council is sitting down face to face talking to the neighbors, listening to their questions and concerns. She felt that if Councilmembers really spent time to hear what the residents are talking about, where their real concerns are and what they would really like to see Council do valley-wide, Councilmembers Baughman and Graham would be more in favor of annexations.

Councilmember Mantlo remembered when the Redlands was nothing but peach orchards with maybe 100 families. The reason houses are being built there now is because the residents no longer want to farm, and the property has been subdivided and sold off. In selling that off, the need for full sewer service is being requested.

Councilmember Graham stated that a large function of why a councilman is not any where at any given time has to do with time.

It's a decision of how to use time. He thinks he has drawn the distinction between sincere petitioners and applicants who come to him as a councilman, or to the Council as a whole, needing something, and what could be construed as a public relations front for the City annexation on the other hand. As for the latter, he has no intention of lending whatever support, feeble as it may be, that he has. If he is shown a room full of people, at least some of which have come to the City and said "Hey, we want to be annexed, how do we do it?" then in all good conscience, and without being ashamed of himself, he would not have much of an excuse to stay away. Councilmember Baughman totally agreed with Council-member Graham.

Mayor Maupin stated this particular annexation meets some of the goals that Council has discussed. It does take in some vacant land. He is also encouraged that the Museum's property is in the City.

There were no public comments. Upon motion by Councilmember Afman, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **BAUGHMAN** voting **NO**, Ordinance No. 2867 was adopted and ordered published on final reading.

**OTHER BUSINESS**



Councilmember Mantlo noted that City Council is finalizing the capital improvements in street overlays and chipping, etc. He said the streets look great. He offered congratulations to the Public Works Department.

**ADJOURNMENT**

Upon motion by Councilmember Graham, seconded by Councilmember Afman and carried, the meeting was adjourned at 8:16 p.m.

Stephanie Nye, CMC/AAE  
City Clerk

September 20, 1995

**BLUFFS WEST #2 ANNEXATION**  
Fiscal Impact Overview  
9/6/95

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 20
<b>ANNUAL REVENUE</b>	\$115,582	121,063	126,519	132,233	138,218	271,742
<b>ANNUAL COSTS</b>	105,984	103,385	105,515	109,614	113,871	201,640
<b>ONE-TIME COSTS</b>	125,248	95,287	95,287	-	-	-
<b>ANNUAL VARIANCE</b>	(\$115,380)	(\$77,609)	(\$74,283)	\$22,619	\$24,347	\$70,102

20 Year Cumulative Variance = \$455,931

20 Year Net Present Value = \$ 99,150

Break-Even Point = 12 Years

**NOTES:**

Given the City's low property tax rate, it is typical for an annexation that is primarily residential to not break even in this model.

If the model gave credit to an annexation area for its current sales tax contributions, most of the residential areas would break even on an operating basis. For this annexation area, the 20-Year Net Present Value of these additional revenues = \$604,000.

Areas with significant infrastructure deficiencies are supported by sales tax revenue already being collected from travelers, visitors, and shoppers from outside the County.