

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

March 20, 1996

The City Council of the City of Grand Junction, Colorado, convened into regular session the 20th day of March, 1996, at 7:38 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, David Graham, Janet Terry, Reford Theobold and President of the Council Ron Maupin. Councilmember R.T. Mantlo was absent. Also present were City Manager Mark Achen, Assistant City Attorney John Shaver, and Deputy City Clerk Teddy Martinez.

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. Mel Moyer, First Baptist Church.

PROCLAMATION DECLARING APRIL, 1996 AS "FAIR HOUSING MONTH" IN THE CITY OF GRAND JUNCTION

CONSENT ITEMS

Upon motion by Councilmember Theobold, seconded by Councilmember Afman and carried by roll call vote with Councilmember **AFMAN** voting **NO** on Items 8 and 15, Councilmember **BAUGHMAN** voting **NO** on Items 9, 10 and 16, Councilmember **GRAHAM** voting **NO** on Item 4, **ABSTAINING** on Item 9 and voting **NO** on Item 16, Councilmember **THEOBOLD** voting **NO** on Items 7 and 8, and Mayor Maupin voting **NO** on Items 8 and 11, Consent Item #8 failed to pass (tie vote), and the following Consent Items 1-7 and 9-17 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the minutes of the Regular Meeting March 6, 1996

2. **Resurfacing the Running Track and High Jump Pad at Lincoln Park Stadium**

One bid was received and opened March 12, 1996 for labor and materials to resurface the 400 meter running track and high jump at the Lincoln Park stadium. The bid was submitted by E.J. Renner & Associates of Denver in the amount of \$35,966.

Action: Award bid for Labor and Materials to Resurface the Running Track and High Jump at Lincoln Park Stadium to E.J. Renner & Associates of Denver in the Amount of \$35,966

3. **Engineering Services Agreement with Williams Engineering to Develop a Stormwater Management Master Plan**

1996

In response to the City's Request for Qualifications advertised on January 7 and 14, 1996 two firms submitted written Statements of Qualifications and expressed interest in performing the drainage study:

Del-Mont Consultants, Inc., of Montrose
Williams Engineering of Fruita

Qualification statements included technical response to the scope of work, qualifications of personnel, and experience with similar projects.

Each firm was interviewed by a selection committee consisting of Staff from Public Works and Grand Junction Drainage District. The unanimous decision of the committee was to recommend Williams Engineering for this project.

Action: Award an Engineering Services Agreement to Williams Engineering to Develop a Stormwater Management Master Plan in the Amount of \$85,000, Hourly Rates Plus Reimbursable Expenses

4. **Use of Underground Funds for the Conversion to Underground of Power Facilities adjacent to G Road as Part of the Canyon View Park Project**

The City has scheduled the construction of the Canyon View Park project to begin in 1996. Part of the project includes converting portions of the existing overhead power facilities adjacent to G Road to underground by using the Public Service Company (PSCo) Underground Fund. As required by the franchise agreement with PSCo, a resolution is required to set the limits of the conversion project and commit the funds toward the project.

Action: Adopt Resolution No. 26-96 - A Resolution Authorizing the Use of Public Service Company Undergrounding Funds for the Canyon View Park Project, East of 24 Road at G Road

5. **Administrative Amendments to the FY1995-2000 Transportation Improvement Plan of the Grand Junction/Mesa County Metropolitan Planning Organization**

City and County approval is required by resolution for administrative modifications to the Metropolitan Planning Organization's (MPO's) Transportation Improvement Plan (TIP).

1996

The modifications are for three projects; the City's North Avenue Street lighting project, CDOT's Clifton Overpass Replacement project and to switch funding sources for the Transportation Development Plan's (TDP's) transit planning program.

Action: Adopt Resolution No. 27-96 - A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of An Administrative Amendment to the Fiscal Years 1995-2000 Transportation Improvement Plan

6. **"Fireline Upgrades ADDENDUM VI" Submitted by Ute Water Conservancy District**

Submitted by Ute Water Conservancy District on March 8, 1996, Fireline Upgrades Addendum VI, includes installation of approximately 11,524 feet of 6" water main and 23 fire hydrants to serve the fire protection requirements of 193 homes in the Galaxy, Bellavista and Fairway Park Subdivision area.

Action: Approve "Fireline Upgrades Addendum VI" Submitted by Ute Water Conservancy District on March 8, 1996 for the Galaxy, Bellavista and Fairway Park Subdivision Area

7. **Intent to Create Alley Improvement District No. 1996, Phase C**

Petitions have been submitted requesting a Local Improvement District to reconstruct the following alleys:

East-West alley from 14th to 17th Streets between White and Rood Avenue
East-West alley from 6th to 7th Streets between South and Pitkin Avenue

Both petitions have been signed by a majority of the property owners to be assessed. A public hearing to allow testimony for or against the proposed improvement district will be conducted at the May 1, 1996 City Council meeting.

Action: Adopt Resolution No. 28-96 - A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within Said City Alley Improvement District No. ST-96, Phase C, and Authorizing the City Engineer to Prepare Details and Specifications for the Same

8. **Setting a Hearing on Rezoning Redlands Water and Power Office Facility to PC (Planned Commercial)** [File #RZF-96-26]
THIS ITEM FAILED TO PASS ON FIRST READING (3-3 VOTE)

1996

Request for a rezone from RSF-4 to PC (Planned Commercial) for 5 acres southeast of South Camp Road and South Broadway for the relocation of the Redlands Water and Power office and maintenance facility. This was denied by Planning Commission and subsequently appealed. City Council will hear the appeal at the April 3, 1996 meeting.

Action: Adopt a Proposed Ordinance Rezoning Land Located Southeast of South Camp Road and South Broadway from RSF-4 to PC (Planned Commercial) on first reading and order published
Failed to Pass on First Reading (3-3 Vote)

9. **Setting a Hearing on the Zoning of the Eastern Commercial/Fruitwood Subdivision Annexation** [File #ANX-94-196]

The City recently annexed lands east of the present City limits. These lands require a City zoning designation following the annexation. Staff is proposing various zone districts which are shown on proposed zoning maps for the Eastern Commercial/Fruitwood Zone of Annexation.

Action: Adopt a Proposed Ordinance Zoning the Eastern Commercial/Fruitwood Annexation to PAD, PMH, RSF-8, C-1, C-2, RSF-5, I-1, HO, PC and B-1 on first reading and order published

10. **1996 Municipal Annexation Plan** [File #ANX-96-64]

CRS 31-12-101, et seq. requires yearly review and updating, if necessary, to the Municipal Annexation Plan. This plan describes the area within which possible annexation may occur, existing and proposed infrastructure, City services, and proposed land uses. The 1996 Municipal Annexation plan incorporates minor changes to the descriptions of City facilities and services and adds additional information that helps clarify municipal services that can be expected for newly annexed areas. Upon adoption, this plan will be forwarded to the County Commissioners as required by State Statutes.

Action: Adopt Resolution No. 29-96 - A Resolution Adopting the 1996 Municipal Annexation Plan

11. **Accept Park Land in Lieu of Parks/Open Space Fees in Canyon View Subdivision** [File #FPP-96-28]

1996

Staff recommends approval of the request to waive parks and open space fees. The applicant has dedicated a 4.65 acre park that will be expanded to 4.87 acres with the platting of Filing #3.

Action: Accept Park Land in Lieu of Parks/Open Space Fees in Canyon View Subdivision

12. **Setting a Hearing on Vacation of Alley Right-of-Way, Mantey Heights** [File #VR-96-24]

Staff recommends approval of this replat and alley vacation to create a larger buildable lot for construction of a home. Utilities will be rerouted and buried in a new easement. The Planning Commission has determined that the remainder of the alley does not have to be vacated.

Action: Adopt a Proposed Ordinance Vacating a Portion of an Alley Bounded by Lots 41, 42, 49 and 50, Mantey Heights aka Rosehaven Subdivision on first reading and order published

13. **Setting a Hearing on Rezoning the Southeast Corner of 1st Street and South Sherwood Drive to B-3** [File #MS-96-30]

Staff recommends approval of this one lot minor subdivision and zone change. The subdivision allows the City to sell a surplus piece of property at the south end of Sherwood Park. The parcel will be rezoned to B-3 to allow for future commercial use. B-3 is more compatible with the adjacent neighborhood than the predominantly zoned C-2 commercial uses to the south.

Action: Adopt a Proposed Ordinance Rezoning Property Located at the Southeast Corner of 1st Street and West Sherwood Drive, AKA Lot 1, Sherwood Park Minor Subdivision, from PZ to B-3 on first reading and order published

14. **Setting a Hearing on Rezoning Country Crossing Subdivision to PR-3.8** [File #FPP-96-20]

A request for rezone from PR-17 to PR-3.8 of the Country Crossing Subdivision located at the southeast corner of 25 Road and G Road. The rezone is being processed to bring the zoning into conformance with the proposed density.

Action: Adopt a Proposed Ordinance Rezoning Land Located on

1996

25 Road, South of G Road from PR-17 to PR-3.8 on first reading and order published

- 15. Setting a Hearing on Vacation of Right-of-Way between Highway 50 and Grand Mesa Avenue [File #VR-96-25]

Mr. Leroy Workman is requesting vacation of the northern one-half of an east-west alleyway just south of his property located on the southeast corner of Grand Mesa Avenue and U.S. Highway 50.

Action: Adopt a Proposed Ordinance Vacating an Alleyway East of U.S. Highway 50 and South of Grand Mesa Avenue on first reading and order published

- 16. Request by the MCEDC for a \$10,000 Incentive Grant from the Economic Development Fund for the Queen City Microsystems, Inc., Project

The proposed project involves the relocation of Queen City Microsystems, Inc., operations to Grand Junction from Denver. QCM provides electronic claim processing and management and information management consulting.

Action: Approve Request by the MCEDC for a \$10,000 Incentive Grant from the Economic Development Fund for the Queen City Microsystems, Inc., Project

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

RESOLUTION NO. 30-96 RECONSIDERING THE EASTERN COMMERCIAL AND VILLA CORONADO ANNEXATIONS, DIRECTING THAT A DISCONNECTING ORDINANCE BE BROUGHT TO THE COUNCIL, AND ADDRESSING PROCEDURES AND DETAILS RELATED TO THE DISCONNECTING ORDINANCE, AND DIRECTING STAFF TO BEGIN THE STEPS TO HOLD AN ANNEXATION ELECTION - PROPOSED ORDINANCE ESTABLISHING PROCEDURES TO DISCONNECT ANNEXATIONS, AND DISCONNECT-ING CERTAIN LANDS REFERRED TO AS THE EASTERN COMMERCIAL AND VILLA CORONADO ANNEXATIONS PASSED ON FIRST READING AND ORDERED PUBLISHED

Councilmember Terry asked why the proposed ordinance contains both the establishment of procedure to disconnect as well as the disconnection of certain lands. Assistant City Attorney John Shaver explained that since the procedure is being utilized for

1996

the purposes of disconnection, it makes sense to have the procedures spelled out, and then implement the procedure for the disconnection. Councilmember Theobald said once the two areas are in the City they can be joined to be disconnected.

Upon motion by Councilmember Afman, seconded by Councilmember Baughman and carried by roll call vote, Resolution No. 30-96 was adopted and the proposed ordinance was passed on first reading and ordered published.

PUBLIC HEARING - REFUNDING AND ISSUING THE DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT FUND BONDS - ORDINANCE NO. 2902 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE BONDS, SERIES 1996; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER AND TERMS OF ISSUANCE, THE MANNER OF EXECUTION, THE METHOD OF PAYMENT AND THE SECURITY THEREFOR; PLEDGING THE TAX INCREMENT REVENUES OF THE CITY FOR THE PAYMENT OF THE BONDS; PROVIDING CERTAIN COVENANTS AND OTHER DETAILS AND MAKING OTHER PROVISIONS CONCERNING THE BONDS AND THE TAX INCREMENT REVENUES; PROVIDING FOR THE PAYMENT AND DISCHARGE OF THE CITY'S OUTSTANDING TAX INCREMENT BONDS; RATIFYING ACTION PREVIOUSLY TAKEN AND APPERTAINING THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

Adoption of this ordinance will authorize the City to issue new bonds. The original bonds from the 1990 issue that are still outstanding will be refunded by this issue and new capital money will be provided for downtown improvements.

A hearing was held after proper notice. Ron Lappi, Administrative Services Director was present to answer questions of Council.

Mr. James Braden, 2420 N. 1st Street, asked if these funds could be used to raze the Two Rivers Convention Center building and construct a high rise hotel and a larger convention center. Mayor Maupin stated the use of the funds would have to be identified in the bond documents.

There were no other public comments. The hearing was closed.

Upon motion by Councilmember Terry, seconded by Councilmember Baughman and carried by roll call vote with Councilmember **GRAHAM** voting **NO**, Ordinance No. 2902 was adopted on second reading and ordered published.

PUBLIC HEARING - REZONING SALVATION ARMY PROPERTIES LOCATED AT 903

1996

AND 915 GRAND AVENUE FROM PZ TO RMF-64 TO ALLOW GARAGE REPLACEMENT [FILE #RZ-96-32] - ORDINANCE NO. 2903 - AN ORDINANCE REZONING PROPERTIES LOCATED AT 903 AND 915 GRAND AVENUE FROM PUBLIC ZONE (PZ) TO RESIDENTIAL MULTIFAMILY 64 UNITS PER ACRE (RMF-64)

The properties located at 903 and 915 Grand Avenue owned by the Salvation Army are currently zoned for public use to be under public ownership. The Salvation Army has owned these properties for over 15 years, yet the zoning has never been reverted to a non-public zone. Staff is proposing to rezone these properties to Residential Multifamily 64 units per acre (RMF-64) in order for the zoning to be more consistent with the neighborhood.

This item was reviewed by Kristen Ashbeck, Community Development Department. The properties at 903 and 915 Grand Avenue are currently owned by the Salvation Army. They are zoned Public Zone which is to be used for public use and to be under public ownership. It was zoned PZ because these properties were previously owned by Mesa County and used for similar purposes as the Salvation Army is using them. The Salvation Army purchased the properties approximately 15 years ago. The zoning should have been reverted at that time to a non-public zone. Staff is proposing the properties be zoned RMF-64 in order for the zoning to be more consistent with the neighborhood. They will also return the zoning to what it was previous to the PZ zone. Staff sees this as an interim zoning. It is likely this area will be rezoned as goals and policies within the Growth Plan are implemented when the Plan is adopted. Salvation Army is proposing to replace a dilapidated garage behind the property at 915 Grand. The setbacks in the RMF-64 of 3' will allow them to replace the garage more consistently with the development pattern on the block. The Planning Commission found it met the criteria of Section 4-4-4 of the Zoning & Development Code and recommended approval.

Responding to a question of Councilmember Graham, Ms. Ashbeck stated Staff has characterized the use as a physical and mental rehabilitation center which requires a conditional use permit in the RMF-64. At this time Staff would not require that they actually go through with the conditional use permit. They could remain non-conforming. Councilmember Graham questioned the applicability of the home occupation permit under Section 5-1-9. Ms. Ashbeck stated it would not apply. If the use were expanded, they would be required to obtain a conditional use permit for the physical and mental rehab center. Councilmember Graham also asked if the rezone would result in the expansion of the density of residential use with people living there. Ms. Ashbeck said it

1996

would not.

Councilmember Theobold stated the intended use by the Salvation Army does not require this zone. It fits any residential zone, in general. The only issue is changing from a Public Zone to something else.

Ms. Ashbeck stated the zoning should have changed when purchased by the Salvation Army. It is difficult to track ownership of properties. The rezone was overlooked.

Councilmember Afman felt it was important to get these zones up to some conformity as the Council gets ready for the Land Use Zoning question, instead of going back and doing spot zoning changes.

Mr. Frank Dunn, 2680 Capra Way, stated the Salvation Army is proposing to upgrade both the buildings, and will not be expanding the use in any way. Plans are to make it a more attractive facility. He felt they are doing a service to the entire neighborhood. The garage is being replaced with a storage unit at a cost of \$7,000 to \$8,000 and will be used to store commodities. The total of the properties is 100' x 125'. The requested zone would allow the garage to remain at its existing location on the property.

Council felt the RMF-64 zone was impractical. Council discussed instead of an RMF-64 zone, rezoning the property to RMF-16 or RMF-32, but both zones would change the rear yard setback requirements needed for the garage (from 3' to 10'). The RMF-64 zone would provide the needed 3' setback.

There were no other comments. The hearing was closed.

Upon motion by Councilmember Afman, seconded by Councilmember Baughman and carried by roll call vote, Ordinance No. 2903 was adopted on second reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

Request for Street Lights on 12th Street between Patterson Road and Horizon Drive

Mr. James Braden, 2420 N. 1st Street, requested the City install street lights on 12th Street between Patterson and Horizon Drive in the area of The Atrium. He has noticed some near mishaps with vehicles coming out of The Atrium. The Atrium is lighted all

1996

along the frontage of the property, and when vehicles get past the overhead lights, the drivers find it difficult to see. He asked Council to consider installing lights during the interim and before scheduled street improvements take place on 12th Street.

Disconnection Ordinance

Ms. Donna Ross, a homeowner in the Fruitwood Subdivision, asked for clarification on Council's action tonight regarding the reconsideration of the Eastern Commercial and Villa Coronado Annexations. City Manager Mark Achen stated Council's action set a hearing on the proposed ordinance which will be April 17, 1996.

If the ordinance is adopted, it would establish procedures to disconnect annexations from the City, and deannexing the two annexations. Councilmember Terry said the Resolution was adopted, and the proposed ordinance was set for hearing on April 17, 1996.

Councilmember Theobald explained that Council has reconsidered the two annexations as requested. The affect of it is to reconsider and say NO, but legal staff says that is not sufficient to fully have the impact of being legal. Council must also disconnect. The first step in disconnecting is having an ordinance to disconnect both annexations. An election in November will almost certainly follow to see if the residents of those areas wish to be annexed.

City Attorney John Shaver said under the City Charter an ordinance can only be repealed with another ordinance. The effect of the annexation ordinances is that they are still valid until they are effectively repealed by the new ordinance. Due to delay in publication requirements, a hearing will be conducted on April 17, 1996. Ms. Ross stated she understood the public hearing on the ordinance is Wednesday, April 17, 1996. At that hearing Council will decide whether to pass the ordinance, or not. If the ordinance is passed, the ordinance is the document which must be put into effect which deannexes the areas in question.

Mayor Maupin stated the ordinance will become effective 30 days after its final publication which would be approximately May 20, 1996.

Ms. Ross was provided a copy of the resolution and the proposed ordinance at the meeting.

Reconsideration of Consent Item #8

Mr. Ed Wolf, 2225 Redlands Parkway, was unable to hear from the back of the auditorium and asked if Council had set a date for the

1996

hearing on Item #8, the rezone of Redlands Water and Power property. Mayor Maupin stated the tie vote of 3-3 resulted in the item failing to pass, therefore no hearing was set for the rezone.

Mr. Wolf said he is an owner of the adjoining property and stated he was not notified of the rezone request and there was no sign posted on the property.

Kristen Ashbeck, Community Development Department, stated notices are mailed for Planning Commission hearings, not City Council. Ms. Ashbeck stated it is the responsibility of the applicant to provide Staff with a list of the affected property owners. The Community Development Department sends out postcards to the owners on the list. The sign is picked up by the applicant for posting. Staff does not check to see if the sign has been posted.

Mr. Tom Rolland, Rolland Engineering, representing Redlands Water & Power, stated the sign was posted on the property. He also asked for clarification on Council's action on this consent agenda item. His understanding of a consent agenda item is that a questionable item is removed from the consent agenda and the item is then heard and discussed. Mayor Maupin explained any Council member can vote NO on any consent item. Mr. Rolland understood Council turned down the request completely without any additional appeal from Redlands Water & Power. Mr. Rolland's interpretation is that if a consent item was voted NO, it meant it was removed from the consent agenda and then discussed. He was interested in due process. He appealed the Planning Commission's decision with an understanding that he would be able to be heard by the City Council. He was put on a consent agenda that he understood would give him a hearing date, and now he is not going to be heard.

Councilmembers Graham and Terry were not aware of tonight's process. They understood the consent agenda is strictly ministerial and only for publication purposes. Councilmember Terry stated had she been aware of something different, she would have requested this item be removed for full discussion. She felt preventing a public hearing on this item is a mistake, and would like to see the hearing take place. Councilmember Baughman concurred.

Councilmember Theobald stated there would have been no hearing regardless, because a majority would be needed to publish the item first. There clearly is not a majority of the Council who wish to entertain spot commercial zoning in this area. Councilmembers have voted NO on the first reading of other items (annexations) on the consent agenda, but the vote has never been enough to defeat

1996

an item.

Councilmember Graham said he is less concerned with the City of Grand Junction being denied due process when it, itself, is the petitioner in an annexation than he is with a private individual who is simply claiming the right to be heard. He asked the City Attorney what further appeal may be available through the City Council.

Assistant City Attorney Shaver said it is appropriate for Council to entertain a motion for reconsideration of a prior vote. If a motion is made and seconded, and there are enough votes for the reconsideration, the item may be reopened and reconsidered. The Zoning & Development Code does not describe what process is due. It says an item may be appealed from the Planning Commission to the City Council. If that appeal is perfected, it is within Council's sole discretion to determine whether or not it hears the appeal. Council has no rules pertaining to "process" regarding the appeal. Past practices where a rezone has been appealed to Council, Council has not considered the propriety of the appeal, then considered the reading of an ordinance, then considered the ordinance on its merits. Council's policy has consolidated the process to have one hearing, combining the propriety of an appeal with the consideration of the rezoning on its merits. If Council were to direct the consideration of an appeal, and then move to read the ordinance, that may be proper as well.

It was moved by Councilmember Graham and seconded by Councilmember Baughman that Item #8 on the Consent Agenda be reconsidered.

Councilmember Terry asked why there is a problem with even hearing this issue.

Mayor Maupin wanted to give credence to the Planning Commission. He said if he feels the Planning Commission has made the right decision on a certain issue, he sees no reason for Council to hear the item. That is why he voted NO on this item.

Councilmember Terry felt the appeals issue needs to be discussed with the Planning Commission, but to discuss it and create an issue for a petitioner when they had fully expected a hearing, she felt the timing is off a little on this item.

Councilmember Theobald said if Councilmembers feel an item is inappropriate to even begin to entertain, they are going to vote NO. Sometimes it reaches critical mass.

1996

Councilmember Baughman said public policy explicitly states if a petitioner's request is denied by the Planning Commission, he can, within three days, request an appeal to the City Council.

Councilmember Graham thought it would have been more appropriate had he been approached by other Council members regarding the issue.

Councilmember Afman said the Planning Commission reviews all items carefully and in depth. She reviewed the Planning Commission minutes preparing her for her decision. She felt the rezone is not good for this particular area, and wished to express her opinion early on by her NO vote on this item.

Councilmember Theobold said his NO vote was based on being uncomfortable with commercial spot zoning.

Councilmember Terry said she is not standing in judgement of the Planning Commission's decision. That was not her intent. She intended to listen to the appeal of the petitioner. She was sorry Council was not going to be able to hear the appeal.

Councilmember Baughman said because there are six Councilmembers present this evening instead of seven, it is regrettable to make the decision without a full Council present.

Roll was called on the motion with the following result:

AYE: BAUGHMAN, GRAHAM, TERRY
NO: THEOBOLD, AFMAN, MAUPIN.

There being no majority vote, the motion failed to pass.

Consent Item #9

Donna Ross asked if Council's decision on Consent Item #9 regarding setting a hearing on the zoning of the Eastern Commercial /Fruitwood Subdivision Annexation, was to set a hearing? Council said it did agree to set a hearing. Mayor Maupin stated Council fears it would be in the middle and no one would have any zoning until the area is deannexed.

City Manager Mark Achen said the City's practice is to zone residential areas identical to what it was in the County. It is an issue that does not matter to many except a few property owners who may be in the process of obtaining a building permit or some other type of land use change.

Councilmember Afman explained there were several projects that were turned over from the County to the City upon the completion of the annexation. Rather than bounce them back and forth, Council wanted to accommodate the applicants. It is dictated by State Statute that annexations must be zoned within 90 days of the effective date of annexation.

Ms. Ross asked if it changes Council's intent to go ahead with the deannexation? Council said NO.

It was noted the copy of the proposed ordinance deannexing, which was given to Ms. Ross earlier in the meeting, did not include the property descriptions for the two annexations which were 27 pages long.

ADJOURNMENT

Upon motion by Councilmember Theobald, seconded by Councilmember Afman and carried, the meeting was adjourned at 8:30 p.m.

Theresa F. Martinez, CMC
Deputy City Clerk