

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

**July 1, 1998**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 1st day of July, 1998, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Gene Kinsey, Earl Payne, Jack Scott, Mike Sutherland, Reford Theobald, and President of the Council Janet Terry. Cindy Enos-Martinez was absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Terry called the meeting to order and Councilmember Scott led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Jim Hale, Spirit of Life Christian Fellowship.

**PROCLAMATION RECOGNIZING THE GRAND JUNCTION HIGH SCHOOL ACADEMIC TEAM'S ACHIEVEMENTS**

**PROCLAMATION RECOGNIZING GRAND JUNCTION HIGH SCHOOL PRESIDENTIAL SCHOLARS NANCY STRIPPEL AND CASEY SMITH**

**RATIFICATION OF APPOINTMENTS TO THE URBAN TRAILS COMMITTEE**

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, the reappointment of Robert Cron to the Urban Trails Committee, the appointment of Bill Findlay and John Paxson to three year terms ending June 30, 2001 and the appointment of Birgit Bostelman to fill an unexpired term for one year until June 30, 1999 to the Urban Trails Committee was ratified.

**CONSENT ITEMS**

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, the following Consent Items #1 through #7 were approved:

1. **Minutes of Previous Meeting**

Action: *Approve the Minutes of the Regular Meeting June 17, 1998*

2. FAA Airport Improvement Program Grant and Supplemental Co-Sponsorship Agreement Attach 2

The Walker Field Airport Authority has applied for an FAA Airport Improvement Program Grant, AIP-17, to help fund improvements to the airfield in 1998. The FAA will pay 90% of the project cost and the Airport Authority will pay 10%. The projects planned for this AIP grant include the replacement of roof beam trusses in the terminal building, installation of security fencing along the Airport's perimeter, and the creation of Designs, Plans, and Specifications for the rehabilitation of Taxiway Alpha.

*Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-17 with the Federal Aviation Administration*

3. Amending the Existing Office of Traffic Safety "Twist Grant"

This amendment will allow the police department to obtain an additional \$1600 in grant funds to be used to pay overtime costs associated with two upcoming state seat-belt enforcement campaigns.

*Action: Approve Amendment to the Existing Office of Traffic Safety "Twist Grant" Contract*

4. Construction of Golf Learning Center at Tiara Rado Golf Course and Change Order No. 1

Request to authorize construction contract for the excavation and earthwork for the golf practice range and adjacent facilities at Tiara Rado. As a result of reducing the amount of earthwork to be performed by the contractor, Council is requested to approve a change order which reduces the contract amount by \$24,000.

The following bids for the excavation and earthwork were received on June 3, 1998:

M.A. Concrete Construction, Grand Junction	\$105,477.00
R.W. Jones Construction, Fruita	\$116,139.50
Colorado West Leasing, Grand Junction	\$126,751.00

Architect's Estimate \$133,815.00

*Action: Award Contract for Excavation and Earthwork to Construct Golf Learning Center at Tiara Rado Golf Course to M.A. Concrete Construction in the Amount of \$105,477, and Approve Change Order No. 1 Reducing the Contract Amount by \$24,000*

5. **Architectural Services for Final Design of City Hall**

The local architectural firm of FAWHAUS, Inc., has completed design phase (Phase I) for the reconstruction of the south wing of City Hall. Based on the firm's performance, Staff recommends Council award the Phase II contract (detail design and final construction documents) in the amount of \$176,008.

*Action: Award Contract for Architectural Services for the Final Design of City Hall to Fawhaus, Inc., in the Amount of \$176,008 -*

6. **Curb, Gutter and Sidewalk Replacement - 1998 Phase A**

One bid was received on June 23, 1998. The low bid was submitted by Mays Concrete, Inc., in the amount of \$147,380.06.

*Action: Award Contract for the Curb, Gutter and Sidewalk Replacement - 1998 Phase A, to Mays Concrete, Inc., in the Amount of \$147,380.06.*

7. **Setting a Hearing on Rezoning Property Located at 109 and 119 Independent Avenue from RMF-64 to B-1**

[File #RZP-1998-085]

The petitioner is requesting a rezone from RMF-64 (Residential Multi-family, 64 units per acre) to B-1 (Limited Business) for 109 and 119 Independent Avenue. Planning Commission denied this request on June 9, 1998. The petitioner is appealing Planning Commission's decision. The appeal will be heard at second reading of the ordinance.

Proposed Ordinance Rezoning 109 and 119 Independent Avenue from RMF-64 to B-1

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 15, 1998*

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

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

**PUBLIC HEARING - REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF 27 1/2 ROAD AND REDWOOD COURT (SEQUOIA SUBDIVISION) FROM RSF-8 TO PR-5.0 AND WAIVER OF PUBLIC STREET STANDARD - ORDINANCE NO. 3061 REZONING PROPERTY TO BE KNOWN AS LOTS 1-4, SEQUOIA SUBDIVISION, LOCATED AT THE SOUTHEAST CORNER OF 27 1/2 ROAD AND REDWOOD COURT FROM RSF-8 TO PR-5.0** [FILE #RZP-1998-072]

The applicant requests to subdivide an existing 4-duplex apartment complex into one duplex per lot and divide a 0.94 acre vacant parcel into one lot for future subdivision and/or development. The applicant originally requested a rezone to PR-5.3 for this proposal, which included development on the vacant parcel. This request has been modified to exclude development on the vacant parcel and therefore a rezone from RSF-8 to PR-5.0 is requested. A request to waive the public street standard for an existing private drive is also proposed. Staff and the Planning Commission recommend approval with conditions.

A public hearing was held after proper notice. Ben Hill, 1204 N. 7th Street, the petitioner, presented his proposal to make the duplex units on individual lots. He stated he has been back to the drawing board several times for this project.

Mayor Terry asked if Lot 5 will remain vacant. Mr. Hill said it will.

Bill Nebeker, Community Development Department, reviewed this item. He identified the current zoning. The petitioner is also requesting a waiver of the private street standards but will pave and install curb and gutter. He recommended approval with the two conditions.

Councilmember Kinsey inquired about whether there is an appropriate straight zone. Mr. Nebeker said the closest straight zone would be RMF-16 which is too dense. With the new zone districts,

a straight zone might work but is not currently allowable. Private streets are only recommended in a planned zone. Councilmember Sutherland asked if the new private street guidelines will allow a private street in a straight zone. Mr. Nebeker said no - only in a planned zone. Councilmember Sutherland asked when those guidelines will be brought to Council. Mr. Nebeker referred the question to the Public Works Director.

Councilmember Theobald summarized by saying the request is for a downzone to match what is built, and a lot split. Bill Nebeker agreed.

There were no other comments. The hearing was closed 7:45.

Upon motion by Councilmember Payne, seconded by Councilmember Sutherland and carried by a roll call vote, Ordinance No. 3061 was approved on second reading and ordered published, and the request to waive Public Street Standard for the Existing Private Drive was approved.

**PUBLIC HEARING - VACATING AN EASEMENT IN CANYON VIEW SUBDIVISION  
BETWEEN SOUTH CAMP ROAD AND GRANITE FALLS WAY - ORDINANCE NO. 3062  
- AN ORDINANCE VACATING AN INGRESS/ EGRESS EASEMENT WITHIN CANYON  
VIEW SUBDIVISION BETWEEN SOUTH CAMP ROAD AND LOT 6, BLOCK 3,  
FILING 2 [File #VE-1998-091]**

The applicant requests to vacate an ingress/egress easement located between South Camp Road and the west property line of Lot 6, Block 3, Canyon View Subdivision, Filing II. The easement has historically served as access from South Camp to landlocked parcels located west and north of the now developed Canyon View Subdivision. Alternate access to these parcels has been provided within the Canyon View Subdivision, Filings 1-6, and existing access easements outside of the subdivision. Staff recommends approval.

A public hearing was held after proper notice. John Thomas, 321 Quail Drive, the petitioner, stated his proposal.

Bill Nebeker, Community Development Department, reviewed this item. The vacation is for a historical easement. Access was granted over that easement but then access was moved and the need

was almost eliminated (one piece remains on the west end). Filing 6 access is completely on paved road. The easement goes through back yards and there is no evidence of the easement. All the houses are addressed off of Canyon View Drive. Staff recommended approval if the request complies with the criteria of the Code.

Councilmember Theobald asked if the entire easement is being vacated. Mr. Nebeker said the entire easement is being vacated.

Councilmember Theobald asked if there are any objections from the ten property owners affected. Mr. Nebeker said none. They have all been notified and are aware of the proposed easement vacation.

Mayor Terry asked where the Schnickman's access is located. Mr. Nebeker said it is off of Granite Falls Way. The other property owners have access off a private tract that goes into Falls Way, as well as shared driveways that go out to Red Cliff Circle.

There were no other comments. The hearing closed at 7:53 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3062 was adopted on second reading and ordered published.

**PUBLIC HEARING - VACATING AN ALLEY RIGHT-OF-WAY AT THE NORTHEAST CORNER OF 7TH STREET AND SOUTH AVENUE (MESA COUNTY WORK RELEASE) - ORDINANCE NO. 3063 VACATING THE SOUTH 125 FEET OF THE NORTH/SOUTH ALLEY BETWEEN PITKIN AND SOUTH AVENUES AND BETWEEN 6TH AND 7TH STREETS**

The petitioner is requesting vacation of the south 125 feet of the north/south alley between Pitkin and South Avenues, between 6th and 7th Streets. This vacation is necessary to facilitate expansion of the Mesa County's Work Release Program (corrections facility). Staff recommends approval with the condition that the petitioner relocate the existing sewer line and provide the necessary utility easements in accordance with City standards.

A public hearing was held after proper notice. Bill Nebeker, Community Development Department, reviewed this item on behalf of Mike Pelletier. The request meets all the criteria of the Code with one problem. There is a sewer line in the alley that has not been relocated. A temporary utility easement will remain for the existing sewer line until the line has been relocated.

Councilmember Theobold asked for a time line for the relocation of the sewer line. Mr. Nebeker said it was unknown. It will be relocated to accommodate a new building. The cost of the relocation will be borne by the applicant. The petitioner was not present to answer some minor questions of Council.

There were no other comments. The hearing was closed.

Councilmember Theobold noted that when the City is vacating City property to give to Mesa County, it would be an opportune time to discuss an exchange of equivalent property.

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, Ordinance No. 3063 was adopted on second reading and ordered published.

**PUBLIC HEARING - VACATING AN EASEMENT AT 546 23 ROAD (DEL MONTE PARK SUBDIVISION) - ORDINANCE NO. 3064 VACATING A WATER LINE EASEMENT ON LOT 9, DEL MONTE PARK SUBDIVISION**

[FILE #VE-1998-089]

The petitioner is requesting vacation of a 10' wide water line easement that crosses Lot 9 of Del Monte Park Subdivision. The water line easement is not needed as indicated by Ute Water, thus Staff recommends approval.

A public hearing was held after proper notice. Tom Kupcho, 2303 E 1/2 Road, explained his request indicating that he had no idea that the easement existed until a survey was done. The waterline easement goes under the existing house. Bill Nebeker, Community Development Department, reviewed this item on behalf of Mike Pelletier. He explained the easement was discovered during the survey for a replat of the lot. Ute Water has no existing facilities exist in the easement.

Upon motion by Councilmember Theobold, seconded by Councilmember Payne and carried by a roll call vote, Ordinance No. 3064 was adopted on second reading and ordered published.

**PUBLIC HEARING - REZONING PROPERTY LOCATED AT 2584 F ROAD FROM RSF-4 TO B-1 - ORDINANCE NO. 3065 - AN ORDINANCE REZONING 2584 F ROAD FROM RSF-4 TO B-1** [FILE #RZP-1998-086]

The applicant is requesting to rezone the property located at 2584 F Road from RSF-4 (Residential Single Family, 4 units per acre) to B-1 (Limited Business).

A public hearing was held after proper notice. Steve Bathka, 616 North Avenue, the petitioner, reviewed his request. Upon questioning he explained that the rezone request is to build professional offices, such as medical offices.

Dave Thornton, Community Development Department, then reviewed this item. Currently, the property is zoned planned business with only one allowed use (low volume retail use). He said Staff has been trying to direct applicants to request straight zones if appropriate.

Councilmember Sutherland asked if there are any straight zone uses that might not be appropriate. Dave Thornton said due to the size of the parcel, there aren't any inappropriate uses identified. Also, the property is not near a busy intersection.

Mayor Terry asked for examples of uses allowed in the zone. Dave Thornton listed residential and multi-family residential, as well as churches (small), cultural/educational/recreational facilities such as libraries and museums, dance/music schools, funeral homes (small), community activity centers, nursery schools, day cares, medical clinics, professional government offices, barber shops, beauty shops, banks, cafes, self-service laundries. Some of the businesses would require a special use permit.

Mayor Terry asked where the access would be located. Dave Thornton said it would be shared with the Redstone Veterinary Clinic.

Mayor Terry asked about traffic impact. Dave Thornton said that level of detail has not been requested as there has been no site review yet. When the plan is submitted, if warranted, a traffic study will be required. The applicant will need to meet the other special requirements.

Councilmember Kinsey said he appreciates the use of straight zones whenever possible.

Mayor Terry solicited comments from the public at this time.



Jeff Vogel, 725 Hemlock Drive, said the parcel is his property. He is selling the property to Mr. Bathka. He was in favor of the rezone as the project will be nice for the area, and will create low level traffic. This sort of development is why he bought the property. He wanted to control development of the neighboring property.

There were no other comments. The hearing was closed.

Councilmember Kinsey said the Planning Commission listed three excellent reasons for approval.

Upon motion by Councilmember Kinsey, seconded by Councilmember Sutherland and carried by roll call vote, Ordinance No. 3065 was adopted on second reading and ordered published.

**OTHER BUSINESS**

**Replenishment of Woodstove Burning Assistance Fund**

Mayor Terry explained the Council's decision to help with funding wood stove replacement last year. There is now a need to replenish that fund.

Councilmember Payne explained last year the City passed a wood stove ordinance and made \$25,000 funding available to the Grand Valley Air Quality Control. Over the past year the entire fund has been used. The County has recently approved \$25,000 funding for this project as well. The program is working in the area with replacement of 28 stoves. It is for low income families. The program is administered by the Energy Office.

Assistant City Manager David Varley stated that low income guidelines do apply and it is on a first come, first serve basis. The income qualifications are based on a sliding scale. Applications are reviewed by the Energy Office.

Councilmember Scott asked how many applied last year, and were not granted funding. David Varley said approximately five or six applications were denied.

Councilmember Sutherland said he has received feedback from one satisfied applicant who wanted to say thanks for the program.

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, the replenishment of \$25,000 to the wood stove replacement fund was approved.

Councilmember Theobald suggested Mayor Terry send a letter to the Mesa County Commissioners thanking them for joining with the City in this program, and request clarification regarding whether the Mesa County funding applies to all Mesa County residents.

**ADJOURNMENT**

Mayor Terry adjourned the meeting at 8:18 p.m.

Stephanie Nye, CMC/AAE  
City Clerk