

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

September 2, 1998

The City Council of the City of Grand Junction, Colorado, convened into regular session the 2nd day of September, 1998, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Cindy Enos-Martinez, Gene Kinsey, Earl Payne, Jack Scott, Mike Sutherland, Reford Theobald, and President of the Council Janet Terry. 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 Kinsey led in the Pledge of Allegiance. The audience remained standing during the invocation by Pastor David Crowley, First Assembly of God.

PROCLAMATION DECLARING SEPTEMBER 17-22, 1998, AS "CONSTITUTION WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING SEPTEMBER 23, 1998, AS "AMERICAN BUSINESS WOMEN'S ASSOCIATION (ABWA) DAY" IN THE CITY OF GRAND JUNCTION

CONSENT ITEMS

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by a roll call vote, the following Consent Items #1 through 6 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting August 19, 1998

2. **Gas Chromatograph Mass Spectrometer for Police Department Lab**

The purchase of a Hewlett-Packard (HP) GCMS instrumentation to be used by the Grand Junction Police Department lab staff to analyze a variety of mixtures and compounds, including illicit drugs and pharmaceuticals. All Colorado State level Drug Analysts use Hewlett-Packard GCMS instruments. The instrument is recognized and accepted in Colorado courts.

Action: Authorize Sole Source Purchase of a Gas Chromatograph Mass Spectrometer for the Police Department Lab from Hewlett-Packard Corp. in the Amount of \$92,395

3. **Establishing Ambulance Service Permit Fee through 1998**

The ambulance service provider fee has not been revised since July 1996. Payment of the fee is necessary to pay costs incurred in dispatching ambulances and the administrative costs of coordinating Fire Department and ambulance service EMS. The ambulance service fee is the method whereby the ambulance service pays a portion of the costs associated with their use of dispatch services.

Resolution No. 53-98 - A Resolution Amending Resolution No. 70-96 Concerning and Establishing the Ambulance Service Permit Fee

Action: Adopt Resolution No. 53-98

4. **7th Street Traffic Calming Project**

One bid was received from Mays Concrete, Inc., Grand Junction, in the amount of \$102,338.30. The Engineer's Estimate was \$53,468.50. Due to the high bid, Staff recommends postponement of the project.

Action: Reject the Bid and Re-advertise Next Spring for Construction in Early 1999

5. **Setting a Hearing on Rezoning and Vacating a Portion of Bonito Avenue Right-of-Way in Del-Mar Subdivision Filing 4, Located at F 1/4 Road and 29 3/8 Road** [File #RZF-1998-127]

Request to: 1) vacate a portion of the Bonito Avenue right-of-way; 2) rezone the parcel from Residential Single Family 4 units per acre to PR-3.4; and 3) vacate a drainage easement (to be done concurrent with second reading of items 1 and 2).

a. Proposed Ordinance Zoning a Parcel of Land in the Proximity of 29 3/8 and F Roads

b. Proposed Ordinance Vacating a Portion of the Bonito Avenue Right-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set Hearings for September 16, 1998

6. **Referring a Petition for the Rite Aid Annexations 1, 2 and 3 Located at 2992 F Road (Northwest Corner of F Road and 30 Road)** [File #ANX-1998-152]

The 5.32 acre Rite Aid Annexation area consists of one parcel of land and a section of the F Road right-of-way. Owners of Rite Aid Pharmacy have signed a petition for annexation.

Resolution No. 54-98 - A Resolution Referring a Petition to the City Council for the Annexation of Lands in a Series to the City of Grand Junction, Colorado, and Setting a Hearing on Such Annexations, Rite Aid Annexations 1, 2 & 3 Located at 2992 F Road

Action: Adopt Resolution No. 54-98 and Set a Hearing for October 7, 1998

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

PUBLIC HEARING - ORDINANCE CEDING THE CITY'S \$1 MILLION IN 1998 PRIVATE ACTIVITY BOND ALLOTMENT TO COLORADO HOUSING FINANCE AUTHORITY (CHFA) - ORDINANCE NO. 3069 AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF CITY OF GRAND JUNCTION PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT

The City of Grand Junction received a Private Activity Bond allocation from the State of Colorado Department of Local Affairs for the second time in 1998 as a result of the City reaching a

40,000 population level in 1997. The bond authority can be used on a tax exempt basis for various private purposes. There has been no request for the use of this authority but it can be reserved for future housing benefits by ceding the authority to CHFA at this time.

A hearing was held after proper notice. Ron Lappi, Administrative Services and Finance Director, reviewed this item. He said this ceding authority is similar to what was done a year ago. Ceding is in the City's best interest as it is banked with CHFA for future projects. The Housing Authority may have a project next year for these banked resources.

There were no public comments. The hearing was closed.

Upon motion by Councilmember Payne, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3069 was adopted on second reading and ordered published.

PUBLIC HEARING - REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 1ST STREET AND GRAND AVENUE FROM C-2 AND P TO B-3, AND VACATING THE EAST/WEST ALLEY TO PERMIT DEVELOPMENT OF A RITE AID STORE - ORDINANCE NO. 3070 REZONING LAND LOCATED AT 1ST STREET AND GRAND AVENUE FROM C-2 AND P TO B-3, AND VACATING THE EAST/WEST ALLEY RIGHT-OF-WAY [FILE #RZ-1998-125]

The petitioner, Thrifty Payless, Inc., dba Rite Aid, is requesting to rezone several lots and request a vacation of an alley right-of-way.

A hearing was held after proper notice. Charles Davis, CLC Associates, was present representing the petitioner. He stated the request is to rezone the property and vacate the east-west alley.

Lori Bowers, Community Development Department, reviewed this item. She noted the project encompasses the entire block and will require the removal of some structures. She said the request meets the criteria of Section 4-4-4 and Section 8-3 of the Zoning & Development Code and complies with the Growth Plan. Staff recommends approval of the rezone and vacation.

Councilmember Enos-Martinez voiced concern over traffic as there is currently an overflow at 1st and Grand. Ms. Bowers said traffic will be addressed by Staff when the site plan is reviewed. The Mayor inquired if there is any way to get earlier information on

traffic flow. Ms. Bowers said City Traffic Engineer Jody Kliska will be the expert on that. Discussion has taken place regarding the turn on Grand Avenue.

City Manager Achen said the process does not require the applicant to conduct a complete traffic study before Council can take action.

Councilmember Sutherland suggested conditions can be placed on future considerations.

Public Works Director Jim Shanks concurred that a retail store will indeed have a traffic impact. Ingress and egress to the site will be addressed as a part of the site plan review.

Mayor Terry asked if Council will see the application again. Ms. Bowers said no, it will be handled administratively.

Community Development Director Scott Harrington said the current zoning on 1st Street (C-2) is more intense so the Community Development staff feels comfortable that they can address the traffic issue.

Mr. Davis said the site plan is similar to the plan Black Eyed Pea had for the site. He said they have worked with staff on the entrances and exits. As a courtesy, a traffic study has been done and will be submitted to the City tomorrow. Any utilities in the alley will be relocated as appropriate.

There were no public comments. The hearing was closed.

Councilmember Kinsey said that staff is now aware of the traffic concern by Council and will address it.

Upon motion by Councilmember Kinsey, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3070 was adopted on second reading and ordered published.

OTHER BUSINESS

Councilmember Scott asked about the complaint that was heard at the last meeting, mainly if it was removed from the video film. City Attorney Wilson stated that the film has not and will not be republished so that should alleviate concerns.

ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Stephanie Nye, CMC/AAE
City Clerk