

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

February 3, 1999

The City Council of the City of Grand Junction, Colorado, convened into regular session the 3rd day of February, 1999, at 7:31 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 Theobold, 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 Sutherland led in the Pledge of Allegiance. The audience remained standing during the invocation by Pastor Eldon Coffey, Living Hope Evangelical Free Church.

CITIZEN COMMENTS

J. Thomas Serato, 2910 Pheasant Run Circle, read a written statement regarding the Police crackdown on Sunday, January 31, 1999 (Super Bowl Night). A copy of Mr. Serato's statement is attached.

Mayor Terry and Mayor Pro Tem Theobold thanked Mr. Serato for his conduct and coming to the Council. Mayor Terry said Mr. Serato will be contacted.

CONSENT ITEMS

Regarding Consent Item #4, Lease of Office Space at 2560 North Avenue, City Attorney Wilson noted that the City is trading value for value with the landlord (triple-net). The values the City is bringing is some snow removal, landscaping services, and street sweeping. It is not "out-of-pocket" money, but it is a valuable service. The City is not having to pay common expenses for insurance along with the rest of the tenants. In effect, the City has the same type of lease. Both the City and landlord felt it is reasonable and thus recommendation is for approval of the lease.

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez and carried by roll call vote, the following Consent items #1-7 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting January 20, 1999

2. **Head Golf Professional and Management Services Contract for Lincoln Park and Tiara Rado Municipal Golf Courses**

The purpose of this request is to establish a three-year agreement with a two-year renewal option between the City and a qualified Class-A golf professional to fulfill the needs of golfers and the City for green fee collection, tournament organization, liaison to men's, ladies', junior golf, School District 51 and Mesa State, merchandise sales, lesson programs, staffing driving ranges/learning centers, golf clubs, pull carts and motorized golf cart rentals and food and beverage services (food and beverage service at Lincoln Park only).

Resolution No. 11-99 – A Resolution Authorizing the City Manager to Sign an Agreement with BLN Classic Golf Management, LLC

Action: Adopt Resolution No. 11-99

3. **27 ½ Road Reconstruction, Phase I – Irrigation Improvements**

The following bids were received on January 26, 1999:

Taylor Constructors, Grand Junction	\$115,542.50
Precision Paving, Grand Junction	\$133,873.00
MA Concrete Construction, Grand Junction	\$138,687.90
Atkins & Associates, Grand Junction	\$149,682.05
Skyline Contracting, Grand Junction	\$150,209.10
Bogue Construction, Fruita	\$154,004.65
Sorter Construction, Grand Junction	\$156,376.50
CMC Weaver Trucking, Grand Junction	\$171,436.01
Continental Pipeline Construction, Mesa	\$194,128.00
Engineer's Estimate	\$160,261.00

Action: Award Contract for 27 ½ Road Reconstruction, Phase I – Irrigation Improvements, to Taylor Constructors in the Amount of \$115,542.50

4. **Lease Agreement for Temporary Relocation of City Hall**

The City Hall remodel project, scheduled to commence in April of 1999, requires the temporary relocation of all City Hall operations.

Resolution No. 12-99 – A Resolution Authorizing and Approving the Lease of Office Space at 2650 North Avenue, Also Known as Redcliff Pointe Mall

Action: Adopt Resolution No. 12–99

5. **Amending Fees for Work in Public Rights-of-Way**

The proposed amendment would maintain the current permit fee at \$60, but would change the method by which inspection fees are determined for large projects. Currently inspection fees are charged at \$0.10 per foot for any trench excavation over 100 feet in length. The proposed resolution will change the inspection fee to an hourly rate of \$40 per hour for any work requiring more than one hour of inspection time. The first hour of inspection time is included in the \$60 permit fee and is sufficient for most permits issued.

Resolution No. 13–99 – A Resolution Amending Resolution No. 50-96 Establishing Fees for Permits for Work in Public Rights-of-Way and Establishing Rights-of-Way Inspection and Testing Fees

Action: Adopt Resolution No. 13–99

6. **Setting Hearings for the Weaver Annexations No. 1 and No. 2 Located at 355 29 Road** [File #ANX-1999-015]

The 10.95 acre Weaver Annexation area consists of one parcel of land and a portion of the C ½ and 28 Road rights-of-way. Owners of the property have signed a petition for annexation.

a. Referral of Petition for Annexation, Set a Hearing and Exercise Land Use Control and Jurisdiction

Resolution No. 14–99 – A Resolution Referring a Petition to the City Council for the Annexation of Lands in a Series to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control -Weaver Annexation, a Serial Annexation Comprising Weaver Annexations No. 1 and No. 2 Located along a Portion of the 28 Road Right-of-Way South of Winters Avenue to C ½ Road and a Portion of the C ½ Road Right-of-Way from Approximately 27 ¾ to 29 Road and Including the Property Located at 355 29 Road

Action: Adopt Resolution No. 14–99 and Set Hearing for March 17, 1999

b. Set a Hearing on Annexation Ordinances

(1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Weaver Annexation No. 1, Approximately 0.73 Acres Located along a

Portion of the 28 Road Right-of-Way South of Winters Avenue to C ½ Road and a Portion of the C ½ Road Right-of-Way from Approximately 27 ¾ Road to Approximately 29 Road

(2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Weaver Annexation No. 2, Approximately 10.22 Acres Located along a Portion of C ½ Road and a Portion of the C ½ Road Right-of-Way from Approximately 28 Road to 29 Road and Including the Property Located at 355 29 Road

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for March 17, 1999

7. **Setting a Hearing on Enacting Comprehensive Regulation of Tobacco Products**

The Director of the National Institute on Drug Abuse concluded that the majority of the 320,000 Americans who die each year from cigarette smoking became addicted to nicotine as adolescents before the legal age of consent. Currently, Colorado law prohibits adults from supplying tobacco products to minors, but the law does not prohibit minors from possessing or using tobacco products. This proposed ordinance regulates tobacco products in an attempt to curb tobacco use by minors.

Proposed Ordinance Enacting Comprehensive Regulation of Tobacco Products

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 17, 1999

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

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

PUBLIC HEARING - ZONING THE RITE AID ANNEXATION LOCATED AT 2992 F ROAD - ORDINANCE NO. 3089 ZONING A PARCEL OF LAND (RITE AID ANNEXATION) LOCATED AT 2992 F ROAD TO PB [FILE #ANX-1998-152]

Adopt ordinance zoning land which was recently annexed to the City, consisting of approximately 2.5 acres, from County zoning Planned Unit Development (PUD) to City zoning of Planned Business (PB) zone district.

A hearing was opened after proper notice. Kristen Ashbeck, Community Development Department, said the petitioner will not be present. She reviewed this item. The Planning Commission found that the rezone met the criteria for a rezone. The City has accepted the site as it was in the County.

The Mayor asked if the landscaping requirements would have been different had it been developed in the County. Kristen stated that the amount of landscaping exceeds the City requirements. The only other item would have been a berm to screen in the parking lot.

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, Ordinance No. 3089 was adopted on second reading and ordered published.

PUBLIC HEARING - SONRISE CHURCH ANNEXATIONS NO. 1 AND NO. 2 LOCATED ON THE SOUTHWEST CORNER OF 30 ROAD AND TELLER COURT (483 30 ROAD) - ORDINANCE NO. 3090 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO - SONRISE CHURCH ANNEXATION NO. 1, APPROXIMATELY 3.34 ACRES LOCATED ALONG THE I-70 B RIGHT-OF-WAY - ORDINANCE NO. 3091 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO - SONRISE CHURCH ANNEXATION NO. 2, APPROXIMATELY 16.09 ACRES LOCATED ALONG THE I-70B, TELLER COURT, 28 ROAD, 29 ROAD AND 30 ROAD RIGHTS-OF-WAY AND AT 483 30 ROAD - APPROVED - PROPOSED ORDINANCE ZONING THE SONRISE CHURCH ANNEXATIONS NO. 1 AND NO. 2 TO C-2 - CONTINUED TO MARCH 17, 1999
[FILE #ANX-1998-201]

The 19.43 acre Sunrise Church Annexation area consists of one parcel of land and a portion of the I-70B right-of-way and 30 Road right-of-way. Owners of Sunrise Church have signed a petition for annexation as part of their request to construct an addition to their existing church facility, pursuant to the 1998 Persigo Agreement. Staff recommends a heavy commercial zoning district for the annexation.

The hearing opened at 7:51 p.m. Mike Pelletier, Community Development Department, reviewed this item. He stated that in discussion with the representative from Sunrise Church there is a concern with the zoning being recommended. Sunrise Church has plans for some uses on the property which are not allowed under the C-2 zone. The plans range from residential to heavy industrial. There is not one particular zone which will accommodate their plans, so the petitioner will have to decide which zone is most appropriate.

Councilmember Theobold stated that Council should address the annexation of the property before discussing the zoning.

Mr. Pelletier said the annexation meets State Statute requirements for annexation.

Paul Fitzpatrick, trustee of Sonrise Church, said he would like the zoning continued.

Mayor Terry asked Mr. Fitzpatrick if he wished to address the annexation. Mr. Fitzpatrick said the church didn't ask to be annexed, but was happy to be in the city limits. He said his concerns were uses not allowed such as schools, day care center and storage of heavy equipment.

Mayor Terry asked City Attorney Wilson how long before the property is required to be zoned after annexation. Mr. Wilson said at least 90 days from this date.

City Manager Mark Achen suggested the continuation to a date certain to avoid republishing the zoning ordinance.

The hearing was closed at 8:00 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Payne and carried by roll call vote, Ordinances No. 3090 and 3091 were adopted on second reading and ordered published.

Upon motion by Councilmember Theobold, seconded by Councilmember Enos-Martinez and carried by roll call vote, the hearing on zoning Ordinance was continued until March 17, 1999

PUBLIC HEARING - APPEAL OF PLANNING COMMISSION'S APPROVAL OF FINAL PLAT FOR CHERRYHILL SUBDIVISION LOCATED AT 674 26 ½ ROAD

[FILE #FPP-1998-202]

William Ekstrand, Anita Cox and Dennis Stahl have appealed the Planning Commission's January 12, 1999 approval of the final plat for Cherryhill Subdivision. The subdivision proposes 24 single family lots on 14.32 acres with a density of 1.7 dwellings per acre on an RSF-4 zoned parcel. The appellants have cited the existing zoning, size of the lots and potential height of the homes being out of character with the surrounding neighborhood as the reasons for the appeal.

A hearing was opened at 8:03 p.m.

Doug Thies, engineer with Thompson-Langford Corp., 529 29 ½ Road, reviewed this item. The adopted Grand Junction Growth Plan describes the parcel as residential low density with one-half to two-acre lots. This project meets the Growth Plan recommendations. He stated the plan was approved by Planning Commission on January 12, 1999 and is being appealed due to non-conforming uses and the zoning.

Councilmember Sutherland asked about Tract B. Mr. Thies said they needed a detention area since the parcel is high in the middle and slopes both directions. Tract B is a heavily wooded area which lends itself to some good open space and buffer, so the two were incorporated. That is the intention of Tract B.

Bill Nebeker, Community Development Department, reviewed this item. He gave the Council a possible reason for the zoning of this property, referring to the old Zoning & Development Code. When annexed, a parcel is given a density similar to what is allowed in the County. The County zoning was R-1-A which allows one-acre lots, and the City zone is now RSF-4. The files contain no information or explanation on why the change in zone was made. The Growth Plan shows this area developing at .5 to 1.9 dwellings per acre. The density of this property is 1.7 units per acre in conformance with the Growth Plan map. No appeal had been filed on the Preliminary Plan approval. The applicant is required to conform with the Preliminary Plan when the Final Plan is submitted. The RSF zoning district require lots of at least 8500 square feet. The lot sizes in this subdivision range from 17,000 to just under one acre (42,000 square feet). The Zoning & Development Code allows 32' height for all residential structures in the City. Mr. Nebeker doubted there were any height restrictions on any of the subdivisions in the immediate neighborhood.

City Manager Achen said he was sure the RSF-R zone was created after the property was annexed into the City. It was created as a result of the Sperber Lane development. Mr. Nebeker said RSF-4 would have been the only density that could have been assigned to the property in 1984.

Dennis Stahl, 676 26 ½ Road, living adjacent to the subject property, said the reason for the appeal is for clarification as there's not much data available. When he bought his property he was told all of the lots were minimum one acre. When the property was annexed, there was probably some confusion. The 5-29-84 Grand Junction Planning Commission minutes talked about the zone of annexation at that time. Mr. Stahl believed the Planning Commission and City Council made a decision based upon an inaccurate information given to them at that time. Both properties were in compliance with the surrounding zoning. The Planning Commission and City Council took action based on that statement. Noticing did not take place, only a newspaper notice on the annexation. He was concerned the property was being zoned inappropriately because of past misinformation. His other comment was there is no privacy fencing existing along 26 ½

Road from Patterson Road to G Road. He wanted Council to consider retaining the character of the neighborhood.

William Ekstrand, 667 Roundhill Drive, on the northeast part of the cul-de-sac, said he expected development of this property but hoped it would be consistent with the surrounding area. That's not happening with this proposal. Infill development that is encouraged should be consistent with surrounding zoning. Only one lot in the proposed development is close to one acre. The average size of the rest of the lots are .45 of an acre equaling $2 \frac{1}{4}$ units/acre.

Anita Cox, 667 Roundhill Drive, wife of Bill Ekstrand, supported infill development. She favored leaving open space in the development for birds to nest, critters to live, and for kids to explore. She knew the pasture next door would not always be a pasture but would be developed. She liked the character of the neighborhood which was the reason for selecting property there. She attended the preliminary hearing of the Planning Commission to hear the developers' presentation. In comparing covenants, Roundhill covenants restrict the height of homes to 19 feet. She asked Council to impose the same restriction on this development. It shouldn't allow heights of 32 feet in the new subdivision.

Mayor Terry referred to Ms. Cox's letter, and asked if the other concerns in her letter have been addressed. Ms. Cox said they have been addressed by staff. She wasn't sure when was the proper time to appeal. She thought they had to wait until the Final Plat is filed.

There were no other public comments.

Rebuttal by Doug Thies: The 32 feet height covers all residential zoning. The petitioner, Rich Witt, is a custom home builder. The intent is not to build two story houses on every lot. They took pictures of the surrounding areas. There are similar houses and higher houses. He felt tastefully done, two story houses will look nice. Economics points them to RSF-4 zoning and doing 56 lots, but the larger lots are more compatible. They are a good fit with the infrastructure there. Regarding fence restrictions, there are no high fences close to the road anywhere within 23 feet of the road. The fence is limited to 4 feet high. The fence will have a real open and less confining look, like Moonridge Falls. They have granted an easement to Mr. Stahl for a sewer extension. Mr. Stahl has expressed he may want to split his lot. They have tried to work with the existing neighbors in the area.

The hearing was closed at 8:35 p.m.

Councilmember Theobold said the existing RSF-4 zone is not an issue. Whether it was adopted in 1984 or not, the City uses compatibility and the Growth Plan as its criteria.

City Attorney Wilson said even if there was a mistake at the time, there is no issue.

Mayor Terry asked if Council is limited then due to the zoning. City Attorney Wilson said Council has a large range of discretion within viable uses, but the Final Plat and Plan is what is before Council tonight.

Mayor Terry said Council is then limited by the law.

Councilmember Theobold said the RSF-4 is not an issue. The new plan complies with the Growth Plan. The adjoining properties are smaller than one acre.

Mayor Terry said compatibility is important, although infill can't always be exactly like the surrounding neighborhood.

Councilmember Theobold said net versus gross density is always measured in gross density encompassing the number of houses, number of vehicles, and the impact in the neighborhood.

Mayor Terry said the fencing has been addressed by the petitioner. The Zoning & Development Code doesn't really address Council's ability to impose restrictions regarding fencing.

City Attorney Wilson said Council can impose restrictions since it is earlier in the process, and voluntary.

Mayor Terry asked if Council can prohibit fencing. City Attorney Wilson said yes.

Councilmember Scott said he could understand the height concern, although there are not going to be a lot of two stories.

Councilmember Enos-Martinez asked if that wouldn't be a covenant issue. City Attorney Wilson said it is a covenant issue under the current Code, although it could be regulated in the new code.

Councilmember Payne stated everyone said they knew the pasture would develop, This proposal is way below the density for the zoning in that area. He felt perhaps some regulations should be considered along 26 1/2 Road, which is an arterial. There should be no restrictions on fencing inside the subdivision. He was also concerned with height. He said Roundhill homes exceed the height restriction of Roundhill Subdivision covenants.

He felt the developers of this property have gone well beyond what is required. It cannot be assumed that every home will be 32 feet high. Infill is never pleasant, yet we must live with it. He thought the plan has addressed everything that could be addressed under the circumstances, with the exception of fencing.

Councilmember Kinsey said the Planning Commission approval included items, one of which included a description of the fence (4 foot height along 26 ½ Road and somewhat open). A good argument is there is a higher density to the east. Transitions are hard. The proposal is in the parameters of the Growth Plan and he could find no strong reasons to object.

Councilmember Scott said he would not want to deny this and have a higher density come back later. He felt the proposal is a good plan.

Councilmember Sutherland said the proposal didn't look like an RSF-4 subdivision. Vintage 70's hasn't affected this area negatively. He would not want to impose restrictions on this subdivision that neither of the neighboring subdivisions would be subject to. Regarding two story homes, all three surrounding subdivisions have multi-stories. It is not Council's job to protect anyone's views. He supports the Growth Plan, and would prefer the lower side of density. The net density is higher than he would like to see in this neighborhood.

Councilmember Enos-Martinez had no objections. She didn't want to restrict fences.

Mayor Terry understood the concern of the neighbors, but Council is constrained by law. She supported what this developer has done. Although infill is difficult, she felt it fits the Master Plan.

Upon motion by Councilmember Kinsey, seconded by Councilmember Scott and carried by roll call vote with Councilmember **SUTHERLAND** voting **NO**, the appeal was denied and Council certified the Planning Commission's approval with their conditions.

ADJOURNMENT

The meeting adjourned at 8:50 p.m. to a Workshop Session in Conference Room A to discuss City Hall Reconstruction.

Stephanie Nye, CMC/AAE
City Clerk

City Council, February 3, 1999

I had hoped to speak before this council on more cerebral issues such as the true self, spirituality, faith, integrity, dignity and truth. I have on a few occasions availed myself of the Letters to the Editor section of the Grand Junction Daily Sentinel to address these types of issues, but the paper oftentimes edits and changes the content and context for the sake of brevity. So, I now avail myself of this forum, for the sake of addressing a specific matter that may not, in and of itself, speak to these larger issues, but that on a larger scope, does so rather succinctly.

On the evening of Sunday, January 31, my wife and I decided to cruise down North Avenue to join the thousands of revelers participating in the impromptu celebration of the Broncos' Super victory. Upon arriving at the intersection of 12th Street and North Avenue, were astonished to see the GJ Fire Department had turned their high powered water hoses on a group of youths that had gathered on west bound North Avenue, just west of 12th Street. We also determined that GJPD was also "gassing" these youths. As a 37 year old man, I recall all too well the civil rights movement of the 60's, and these same tactics being utilized by police through out the country under the guise of quelling "civil unrest" and "rioting".

There was a separate group of us standing on the northwest corner of 12th Street and North Avenue, cheering, clapping, relishing the Broncos' victory. GJPD had diverted traffic north and south on 12th Street due to the young group gathered. We acknowledged vehicles turning north on 12th Street with clapping, cheers and whistles. A few of us shouted at the police to leave those kids alone, and that the police was over-reacting and out of control. The police then decided to turn on us. Officer Derek Rosales approached us, shouting, "Okay, that's it; clear out; get the f**k out of here!". A chorus of "aww"s and boos followed. He continued, "I said get the f**k out of here, right now!".

We weren't a mob; we were men, women, children, gathered in a common celebration of victory. There was a man, and his wife and child immediately to my right. Officer Rosales shoved me, continuing his profanity, "I said get the f**k out of here you motherf***er!". The crowd responded with, "Hey!", more boos and a few, "What the h**l is the matter with you guys?!". I leaned forward to look at his badge number and name tag; clearly this conduct was unnecessary and I planned to report him.

Again, Officer Rosales shoved me, swearing at me and threatening me with a baton, "You're gonna get stung motherf***er!". I told him I was looking at his name tag and badge number. His assault and profanity continued; retreating, I assured him he would hear about this. Then a female officer, I believe to be Officer Cheryl Yaws, hiding behind a gas mask, sicked a police dog on me. I was trapped between a vehicle the crowd behind me, I could not escape from the assault of the officer and the police dog. Finally, shoving the dog with my foot, I shouted at the female officer, "Get this f**king dog off me; I'm trying to leave!". She shouted, ""Then leave, now!". She restrained the dog, and I escaped.

Never have I witnessed such over-reacting, incompetence and abuse of power by a police department in general, and by these "peace officers" in particular. The city and the GJPD were aware that such a celebration would occur given a Bronco victory at the Super Bowl, yet nothing was done in anticipation. Perhaps the city should have exercised a little common sense and designated a particular site for such a celebration, like Stocker stadium or Suplezio field. A safe, controlled venue to allow the crowd to celebrate. Instead, the city decided to subject its citizens to excessive force, assault and brutality. GJPD resorted to "police state" tactics in an effort to "control" the inevitable. One definition of fascism is "oppressive, dictatorial control". That's exactly to what citizens of Grand Junction were subjected. This reflects a tremendous failure on the part of the city. We deserve better.

I have contacted and spoken with Councilmember Enos Martinez regarding this matter, and appreciate her effort. I also appreciate the cooperation of GJPD Lt. Rick Dyer and Lt. Lyn Benoit. I hope to meet with Sgt. Andy Martinez regarding the filing of a grievance against these two officers and an internal investigation into their conduct. I have been asked I have witnesses to this incident; yes, about a hundred. But I can't provide their names because they were all strangers in that group with me that night. We were strangers gathered as a community in celebration of a common victory. So I ask those standing near me, the man who attempted to assist me in my effort to escape, that Mexican-American couple with their child standing to my immediate right, and all others who witnessed this incident, to contact Sgt. Martinez at 244-3560, be heard and bear witness.

I have been also asked what I hope to accomplish by this, after all, I am just one person. But I can not remain silent; for in my silence I condone this behavior. The police are supposed "To protect and to serve", but who protects us from the police? Who polices the police?

Indeed the police department itself does; as does the city manager and the city council. But ultimately, we, the citizens must come forward and hold individuals like this responsible for their abuse of power. Authority does not come solely from government or position or a badge; authority comes primarily from God Almighty. He instructs us to treat each other with dignity, honor, respect-as human beings. I, as a human being, and we, as a society, have a moral and civic obligation to not just not turn a blind eye to such deviance, but to speak out, and to hold accountable those who are responsible. I, for my part, will do so to the end.

You know, I almost used the word "bitter". I can not deny that I am bitter-and angry and disgusted. And I have prayed for God to deliver me from this bitterness, anger and disgust. To heal me from the poison and hurt in my soul from this incident. And I have prayed for guidance in this matter, and all I keep hearing is a Christian song entitled, "You Move Me". So, I have faith that God will move me, guide me in this effort. I have even prayed for Officer Rosales and Officer Yaws. That God heal them of the vanity of pride in their delusional notions of power and the darkness of their abuse and betrayal of the authority that God has lent them, and with which we, as citizens, have entrusted to them.

My wife is concerned that she and I will suffer repercussions and reprisals for my speaking out this way, and for pursuing this matter as I am. But the issues of which I spoke initially, of the true self, spirituality, faith, integrity, dignity and truth, do not tolerate my silence. It is said the honesty is the truth you tell others, and that integrity is the truth you tell yourself. But the truth is always the truth. And that is my path-the truth. Further, I must add that I will protect my wife and myself from any threat to our persons and property from anyone, with equal and, if necessary, deadly force-anyone uniformed or otherwise. And I say that with all due respect, but with utmost sincerity.

So I ask that you evaluate this city government's dismal failure that night. That you learn from this mistake. And that you own up to your fiduciary responsibilities as councilmembers, and to your moral obligations as fellow human beings. Thank you.