

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

April 7, 1999

The City Council of the City of Grand Junction, Colorado, convened into regular session the 7th day of April, 1999, 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 Theobold, 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 Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Doug Sikes, Grand Mesa Baptist Church.

Council President Terry announced this meeting would be the last held in the current City/County Auditorium. The building will be demolished. The Council meetings will be relocated to Two Rivers Convention Center. The meetings will continue to be televised for the public's convenience.

CANVASS APRIL 6, 1999 ELECTION RESULTS

Stephanie Nye reviewed the election and the results. The election resulted in 46% citizen participation with 8,605 ballots cast. Ms. Nye estimated the cost of the election was \$1.76 per vote cast compared to \$1.60 per vote cast in previous elections. Over 18,000 ballots were mailed out.

City Clerk Stephanie Nye asked Councilmembers Theobold and Terry to step down from the dais while a canvass of the election was conducted. Public Notaries Theresa Shafer, Christine English and Theresa Martinez replaced the Councilmembers at the dais to form a 7-member canvassing board. Four copies of the Certificate of Election were signed by all board members. The City Clerk will publish the Certificate of Election and provide a copy to the Secretary of State's office. (Attached)

PROCLAMATION DECLARING APRIL 22, 1999 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PRESENTATION BY RON LAPPI OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE YEAR 1997 TO NANCY PAREGIEN, ACCOUNTING SUPERVISOR

PRESENTATION BY RON LAPPI OF DISTINGUISHED BUDGET AWARD FOR THE CITY'S BIENNIAL BUDGET FOR 1998 AND 1999 TO LANNY PAULSON, BUDGET & ACCOUNTING MANAGER

CONSENT ITEMS

Upon motion by Councilmember Payne, seconded by Councilmember Sutherland and carried by roll call vote, the following Consent Calendar items #1 through 18 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting March 17, 1999

2. **Purchase of NCR Model S-50 Fileserver**

The new fileserver is the routinely scheduled replacement for the existing older NCR model 3450 fileserver. This fileserver is currently utilized to support the City's financial, human resources and billing systems.

Action: Approve Sole Source Purchase of an NCR Model S-50 Fileserver from NCR Corporation in the Amount of \$79,987.01

3. **Setting a Hearing on an Ordinance Making Supplemental Appropriations for the 1999 Budget**

The requests are to reappropriate specific amounts unexpended in 1998 and to appropriate additional amounts for several accounting funds as specified in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 1999 Budget of the City of Grand Junction

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 21, 1999

4. **Setting a Hearing on an Ordinance Authorizing the Issuance of City of Grand Junction, Downtown Development Authority Subordinate Tax Increment Revenue Bonds in the Amount of \$2,000,000**

The ordinance authorizes the issuance of \$2,000,000 in subordinate Tax Increment Bonds for improvements in the Downtown Plan of Development area. Bids

from local financial institutions to place the bonds directly as seven jumbo bonds will be opened on April 8, 1999. If the City receives favorable tax exempt interest rates, the bond sale will be delivered and closed on May 24, 1999.

Proposed Ordinance Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Subordinate Tax Increment Revenue Bonds, Series 1999; 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; Ratifying Action Previously Taken and Appertaining Thereto; and Repealing All Ordinances in Conflict Herewith

Action: Adopt Proposed Ordinance in Pamphlet Form on First Reading and Set a Hearing for April 21, 1999

5. **Renewal of Memorandum of Understanding with Bureau of Land Management for City Fire Department to Provide Emergency Response Involving Hazardous Materials on BLM Lands**

Through this Memorandum of Understanding, the BLM provides the Fire Department with an additional hazardous materials response unit. The equipment is available for use at any emergency incident to which the Department may respond. In return, the Department will respond to hazardous materials releases which occur on lands managed by the Craig, Grand Junction, and Montrose BLM Districts. This encompasses all BLM property within Colorado which is west of the continental divide.

Action: Approve the Memorandum of Understanding with the Bureau of Land Management

6. **3rd Street Reconstruction Project**

The following bids were received on March 30, 1999:

United Companies, Grand Junction	\$160,611.00
Elam Construction, Inc., Grand Junction	\$166,570.00
Sorter Construction, Grand Junction	\$168,305.25
Colorado West Leasing, Grand Junction	\$218,145.50
M K Services, Grand Junction	\$346,754.35

Engineer's Estimate \$195,168.00

Action: Award Contract for 3rd Street Reconstruction to United Companies in the Amount of \$160,611.00

7. **Expansion of Laboratory at the Wastewater Treatment Plant**

The WWTP Laboratory is scheduled for expansion in 1999 to address inadequate workspace for this operation by adding 1200 square feet. Expansion will add fume hood space, air handling unit, area for acid washing of glassware, analytical bench space, office space, computer space, and storage area for chemicals and compressed gas cylinders.

The following bids were received:

Ashley Construction Co., Grand Junction	\$200,157
Just Companies, Inc., Grand Junction	\$229,779
Vostatek Construction, Clifton	\$237,007
Classic Constructors, Inc., Grand Junction	\$247,000
Delbert McClure Construction, Grand Junction	\$253,500
FCI Constructors, Inc., Grand Junction	\$267,600

Action: Award Contract for the Wastewater Treatment Plant Laboratory Expansion to Ashley Construction Co. of Grand Junction in the Amount of \$200,157

8. **Agreement to Initiate Land Exchanges between the City of Grand Junction and the Bureau of Land Management**

On April 28, 1996, the City Manager was authorized to sign a "Letter of Intent" between the City and the BLM to initiate the technical aspects of a proposed exchange of lands between the City and the BLM. Since 1996, the BLM has conducted appraisals on lands proposed to be exchanged, completed cultural surveys and hazardous material surveys. The proposed agreement assures the City and the BLM that both parties are still interested in proceeding.

Resolution No. 42-99 – A Resolution Authorizing an Agreement to Initiate Land Exchange between the City of Grand Junction and the Bureau of Land Management

Action: Adopt Resolution No. 42-99

9. **Ute Water/City Exchange of Water Customers**

The implementation of the water customer exchange program between the City of Grand Junction and Ute Water Conservancy District.

Resolution No. 54-99 – A Resolution Authorizing Boundary Adjustments between the Ute Water Conservancy District Water Service Area and the City of Grand Junction Water Service Area and Amending Bulk Water Purchase Arrangements between the City and the Ute District

Action: Adopt Resolution No. 54-99

10. **Lease of Dike Road Pond to the Department of Interior, Bureau of Reclamation**

Council previously authorized negotiation of a five-year lease for the City's Dike Road Pond to the U.S. Fish & Wildlife Service. Negotiations have been completed.

Resolution No. 55-99 – A Resolution Authorizing a Five-Year Lease of City Property, Commonly Known as the Dike Road Pond, to the United States Department of Interior, Bureau of Reclamation

Action: Adopt Resolution No. 55-99

11. **Farm Lease of City-Owned Saccomanno Park Property Located at the Southwest Corner of 26 ½ and H Roads**

The proposed lease will allow Mr. Robert H. Murphy to continue cultivating alfalfa on the property for the 1999 and 2000 growing seasons.

Resolution No. 43-99 – A Resolution Authorizing a Farm Lease of the "Saccomanno Property" to Robert H. Murphy

Action: Adopt Resolution No. 43-99

12. **Setting a Hearing for Wheeling Corrugated Annexation Located at 2749 Highway 50** [File #ANX-1999-072]

The 16.31-acre Wheeling Corrugated Annexation area consists of one parcel of land (approximately 8.98 acres) and the entire width of U.S. Highway 50 extending for 1,176.75 feet; and the north half of the right-of-way of B ¼ Road, for a distance

of 588 feet. B ¼ Road is existing, but not yet dedicated. Owners of the property have signed a petition for annexation.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 44–99 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Wheeling Corrugated Annexation Located at 2749 Highway 50

Action: Adopt Resolution No. 44–99 and Set a Hearing for May 19, 1999

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wheeling Corrugated Annexation, Approximately 16.31 Acres, Located at 2749 Highway 50

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 19, 1999

13. **Setting a Hearing on Vacating a Right-of-Way at West Main Street, Spruce Street and West White Avenue (Mesa County Justice Center)**

[File #VR-1999-065]

Request to vacate portions of right-of-way behind the curb on the north and south sides of West Main Street from Spruce Street west to Crosby Avenue and on the west side of Spruce Street from White Avenue to Colorado Avenue and on the south side of White Avenue from Spruce Street to Rice Street.

Proposed Ordinance Vacating Portions of the West Main Street, White Avenue and Spruce Street Rights-of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 21, 1999

14. **Setting a Hearing on Rezoning 494 Acres of the Redlands Mesa Development in the Ridges** [File #PP-1999-026]

A request to approve zoning for Phase I of the proposed Redlands Mesa Development in the Ridges, consisting of 494 acres. The zoning ordinance

establishes the allowed uses as 118 single family homes, an 18-hole golf course, clubhouse and maintenance facility.

Proposed Ordinance Zoning Land Located South and West of the Ridges Known as Redlands Mesa

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 21, 1999

15. **Setting a Hearing on Rezoning Summer Hill Subdivision at 26 ½ Road and Catalina Drive from RSF-5 to PR-2.5** [File #RZ-1999-032]

The petitioner is requesting a Growth Plan Amendment, Rezone, Special Use Permit, Preliminary Plan approval, and waiver of public street standard to develop 201 dwelling units (170 attached single family units; 31 detached single family units) located on approximately 80.5 acres. The project is located north of Catalina Drive and east of 26 ½ Road with a current zoning of RSF-5 (Residential Single Family with a density not to exceed 5 units per acre). The petitioner is requesting a zoning of PR-2.5 (Planned Residential with a density of 2.5 units/acre). The Planning Commission approval of the Preliminary Plan and Special Use Permit has been appealed. The appeal, together with the remaining items, will be heard at the April 21, 1999 meeting.

Proposed Ordinance Rezoning Summer Hill Subdivision, Located Northeast of 26 ½ Road and Catalina Drive, from RSF-5 to PR-2.5

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 21, 1999

16. **Revocable Permit at 833 W. Main Street for the Sewer Line to Cross the City Parking Lot** [File #RVP-1999-046]

Consideration of a Resolution authorizing the issuance of a Revocable Permit to allow the petitioners access to connect to sewer within the alley.

Resolution No. 45-99 – A Resolution Concerning the Issuance of a Revocable Permit to Henry G. Drake and Judith K. Drake

Action: Adopt Resolution No. 45-99

17. **Contract between the Downtown Development Authority and a Proposed Hotel Developer and Conveyance of Lots 26-29, Block 120, Original Townsite**

The City Charter, Section 48, allows for two types of sale of real estate owned by the City. For governmental property such as parks, ditches, public buildings and water works, the City voters must approve the sale. Section 48(b) allows the City Council to “by ordinance or resolution to sell and dispose of and to lease any other real estate...”

a. **Acknowledge the DDA Contract with Reimer LLC**

Action: Acknowledge the DDA Contract with Reimer LLC Regarding the Redevelopment of Block 120

b. **Resolution Authorizing the Conveyance of the Lots**

Resolution No. 46–99 – A Resolution Authorizing the President of the Council to Convey, by Quit Claim Deed, All of the City’s Right, Title and Interest of Lots 26-29, Block 120, to the Downtown Development Authority for Use In the Redevelopment of Block 120.

Action: Adopt Resolution No. 46–99

Staff presentation: Dan Wilson, City Attorney

18. **Juvenile Crime Accountability Block Grant**

Authorization to use the JCABG grant money to fund two new Partners positions.

Action: Authorize the City Manager to Sign the Block Grant Contract for Juvenile Crime Accountability

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

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

PUBLIC HEARING – ORDINANCE AMENDING THE CODE OF ORDINANCES TO ALLOW AN OPTIONAL PREMISES LIQUOR LICENSES - ORDINANCE NO. 3112 – AN ORDINANCE FOR AN OPTIONAL PREMISES LICENSE FOR PINON GRILL

Patrick Kennedy and Stephen Hofer, representing Pinon Grill, Inc., have asked the City to amend their current lease agreement to allow for liquor sales on the Tiara Rado Municipal Golf Course. Currently, beer and liquor can be sold in the Clubhouse but only 3.2% beer is permitted for sale on the golf course.

Before the City/Concessionaire agreement can be amended, the City Council will need to amend the City's Code to allow the issuance of an Optional Premises liquor license. The change to the Code will authorize an optional premises license but not issue the license. An optional premises license will be issued only after application, consideration and approval by the Local Licensing Authority.

The Parks and Recreation Advisory Board has recommended that the City Council authorize the City Manager to amend the agreement with Pinon Grill, Inc., to include liquor sales at Tiara Rado Municipal Golf Course.

The hearing was opened at 7:50 p.m.

John Shaver, Assistant City Attorney reviewed this item stating the request is to elect the local option for Council to designate an "optional premise" liquor license meaning the golf course at Tiara Rado will be a full service liquor premise just as the clubhouse is full service. The Option Premises Statute relates to an existing hotel-restaurant license which is in effect at the Pinon Grill. The service which is accomplished in the clubhouse via that license is extended to the golf course. The proposed ordinance applies only to Pinon Grill. Pat Kennedy, Pinon Grill, and Joe Stevens, Parks & Recreation Director, were present.

Pat Kennedy, owner of the Pinon Grill said the request will allow a mixed drink out on the golf course and eliminate the 3.2 beer license, and avoid confusion. He said such service is allowed at other golf courses. It will reduce paperwork and increase their revenues.

Councilmember Payne asked if the 3.2% beer license is restricted to age 21 and older. Mr. Kennedy answered yes.

Councilmember Theobald asked why Bookcliff Country Club can and Tiara Rado cannot. Assistant City Attorney John Shaver explained the golf course is likely included in the licensed premises. The City's lease with the Pinon Grill specifies the product that can be served on the golf course is 3.2% beer. If the proposed ordinance is approved, Mr. Shaver said a lease amendment will come to Council for approval.

Mr. Kennedy said they won't sell mixed drinks from the beer cart. It will come out of the clubhouse in cups. Special events are anticipated such as golf tournaments where individuals may want to set up drink stations at various locations on the golf course.

There were no public comments. The hearing was closed at 7:58 p.m.

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote with Councilmember **KINSEY** voting **NO**, Ordinance No. 3112 was adopted on second reading and ordered published.

PUBLIC HEARING - ASSESSMENT ORDINANCE FOR ALLEY IMPROVEMENT DISTRICT 1998, PHASE A - ORDINANCE NO. 3113 APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-98, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT

Reconstruction of the following 6 alleys has been completed in accordance with the Resolution Creating Alley Improvement District 1998, Phase A:

South 572 feet of alley from Glenwood to Hall Avenue between 6th and 7th Streets just east of Grand Junction High School
“Cross” shaped alley, 6th to 7th Streets and White to Grand Avenues
E/W alley from 8th to 9th Streets between Chipeta and Gunnison Avenues
E/W alley from 10th to 11th Streets between Grand and Ouray Avenues
E/W alley from 12th to 13th Streets between Main Street and Colorado Avenue
E/W alley from 12th to 13th Streets between Ouray and Chipeta Avenues

The hearing was opened at 7:59 p.m.

Real Estate Technician Rick Marcus reviewed this item.

There were no other comments. The hearing was closed at 8:00 p.m.

Upon motion by Councilmember Theobold, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3113 was adopted on second reading and ordered published.

PUBLIC HEARING - ALLEY IMPROVEMENT DISTRICT NO. ST-99, PHASE B - RESOLUTION NO. 47-99 CREATING AND ESTABLISHING ALLEY IMPROVEMENT

DISTRICT NO. ST-99, PHASE B, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE RECONSTRUCTION OF CERTAIN ALLEYS, ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE PAVING THEREON AND PROVIDING FOR THE PAYMENT THEREOF

A petition has been submitted requesting a Local Improvement District to reconstruct the following alley:

“T” Shaped Alley from 22nd to 23rd Street between Grand and Ouray Avenues.

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

Real Estate Technician Rick Marcus reviewed this item.

Council asked for a summary sheet indicating the affected property owners and who signed the petition. Mr. Marcus provided a copy to Council for review. Councilmember Theobold noted from the summary that 80% of the owners and 80% of the footage signed the petition for improvements.

There were no public comments. The hearing was closed at 8:01 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Kinsey and carried by roll call vote, Resolution No. 47-99 was adopted.

PUBLIC HEARING – APPEAL OF PLANNING COMMISSION APPROVAL OF TRAILS WEST VILLAGE FILING #3 [FILE #PP-1998-173]

Appeal of Planning Commission decision approving the Preliminary Plan for Trails West Village Filing #3 consisting of 17 single family lots on approximately 10.3 acres in an existing Residential Single Family 4 units per acre (RSF-4) zone district.

The hearing was opened at 8:01 p.m.

The appellant was not present.

Kristen Ashbeck, Community Development Department, said the appellant was out of town. She said he would be requesting a continuance in writing. None has been received. City Attorney Wilson advised the appeal could be denied for lack of information.

Brian Stowell, Camelot Investments, LLC, 0090 Caballo Road, Carbondale, representing the developer of Trails West Subdivision, reviewed the events on the development and

stated he was prepared to respond to the appeal. He stated the Preliminary Plan for Filing #3 was approved by the Planning Commission on March 16, 1999. During the public hearing, Kim Kreft, the appellant, spoke in opposition to the application relating to drainage. Within three days of the hearing, a request for appeal was received from Mr. Kreft. Mr. Stowell was not certain of what the appeal contained.

Councilmember Theobold stated that having read Mr. Kreft's letter and the Planning Commission minutes, he had no questions.

Councilmember Sutherland said, based on the letter, it is disappointing that Mr. Kreft did not appear or get a continuance.

Councilmember Theobold said either an appearance by Mr. Kreft or a letter explaining the nature of his concerns would have been appropriate.

Councilmember Payne said it was hard to go forward on an unfounded charge without documentation.

There were no public comments. The hearing was closed at 8:07 p.m.

Upon motion by Councilmember Theobold, seconded by Councilmember Scott and carried by roll call vote, the appeal was denied and the Planning Commission decision to approve was upheld on Trails West Filing #3.

PUBLIC HEARINGS - DOS RIOS ELEMENTARY SCHOOL ANNEXATION AND ZONING LOCATED AT 265 LINDEN AVENUE - RESOLUTION NO. 48-99 ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS DOS RIOS ELEMENTARY SCHOOL ANNEXATION IS ELIGIBLE FOR ANNEXATION - ORDINANCE NO. 3114 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, DOS RIOS ELEMENTARY SCHOOL ANNEXATION, APPROXIMATELY 15.45 ACRES LOCATED AT 265 LINDEN AVENUE - ORDINANCE NO. 3115 - AN ORDINANCE ZONING THE DOS RIOS ANNEXATION TO A RESIDENTIAL SINGLE FAMILY WITH A MAXIMUM OF 4 UNITS PER ACRE (RSF-4) ZONE DISTRICT [FILE #ANX-1999-039]

The 15.45 acre Dos Rios Elementary School Annexation area consists of one parcel of land and a portion of the Linden Avenue right-of-way. Mesa County School District 51 has requested that this property be annexed. The Residential Single Family with a maximum of four units per acre (RSF-4) zone district is being proposed as the zone of annexation. Planning Commission recommended approval.

The hearing was opened at 8:09 p.m.

Dave Thornton, Community Development Department, reviewed this item. He said the petition meets all statutory requirements and an affidavit has been submitted to the City Clerk. School District #51 has adopted a resolution requesting annexation.

There were no public comments. The hearing was closed at 8:10 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Payne and carried by roll call vote, Resolution No. 48-99 was adopted and Ordinance No. 3114 was adopted on second reading and ordered published.

A public hearing was opened at 8:11 p.m. on the zoning of Dos Rios Elementary School Annexation.

Dave Thornton, Community Development Department, reviewed the zone request stating it meets the Growth Plan recommended zoning and criteria of the Zoning & Development Code, Sections 4-11 and 4-4-4. The Planning Commission recommends approval of the RSF-4 zone. The previously used Public Zone is not being used because there won't be any Public Zone in the new Code. RSF-4 is the closest equivalent to the existing R-2 County Zone.

The hearing was closed at 8:14 p.m.

Councilmember Theobald said Council met with the School Board the other day on traffic issues at Dos Rios. He said the School District's notes with the State Highway Department will be provided to Council to help with the traffic issues.

Gary Carr, representing School District #51, came forward saying he will provide Council with the notes. He thanked Dave Thornton for his help, and voiced his appreciation.

There were no other comments. The hearing was closed.

Upon motion by Councilmember Sutherland, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3115 was adopted on second reading and ordered published.

PUBLIC HEARINGS - ARROWHEAD ACRES ANNEXATIONS NO. 1 AND NO. 2 AND ZONING LOCATED SOUTH OF B ½ ROAD AND WEST OF 28 ROAD - RESOLUTION NO. 49-99 ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS ARROWHEAD ACRES IS ELIGIBLE FOR ANNEXATION - (1) ORDINANCE NO. 3116 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, ARROWHEAD ACRES ANNEXATION NO. 1, APPROXIMATELY 0.53 ACRES LOCATED WEST OF THE

SOUTHWEST CORNER OF B 1/2 AND 28 1/2 ROADS INCLUDING PORTIONS OF THE 28 AND B 1/2 ROAD RIGHTS-OF-WAY - (2) ORDINANCE NO. 3117 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, ARROWHEAD ACRES ANNEXATION NO. 2, APPROXIMATELY 28.94 ACRES LOCATED WEST OF THE SOUTHWEST CORNER OF B 1/2 AND 28 1/2 ROADS INCLUDING PORTIONS OF THE B 1/2 ROAD AND ARLINGTON AVENUE RIGHTS-OF-WAY - ORDINANCE NO. 3118 ZONING ARROWHEAD ACRES ANNEXATION LOCATED WEST OF SOUTHWEST CORNER OF B 1/2 AND 28 1/2 ROADS TO RSF-5 [FILE #ANX-1999-030]

The 29.47-acre Arrowhead Acres Annexation area consists of three parcels of land and a portion of the B 1/2 Road right-of-way. Owners of the properties have signed a petition for annexation.

The hearing was opened at 8:16 p.m.

Kristen Ashbeck, Community Development Department, distributed a colored map that identified the zoning. She stated the petition meets the statutory requirements and she has signed an affidavit to that effect. The petitioner was present.

There were no comments. The hearing was closed at 8:16 p.m.

Upon motion by Councilmember Theobald, seconded by Councilmember Sutherland and carried by roll call vote, Resolution No. 49-99 was adopted and Ordinances No. 3116 and 3117 were adopted on second reading and ordered published.

The hearing was opened on the zoning at 8:17 p.m.

Kristen Ashbeck, Community Development Department, reviewed the request for RSF-5 zoning. She said the plan meets engineering and bulk requirements and meets criteria in Sections 4-11 and 4-4-4 of the Zoning & Development Code.

There were no comments. The hearing was closed at 8:20 p.m.

Upon motion by Councilmember Scott, seconded by Councilmember Kinsey and carried by roll call vote, Ordinance No. 3118 was adopted on second reading and ordered published.

PUBLIC HEARINGS - WESTERN SLOPE WAREHOUSE ANNEXATIONS NO. 1, NO. 2, NO. 3 AND NO. 4 AND ZONING LOCATED AT 380 28 ROAD - RESOLUTION NO. 50-

99 ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS WESTERN SLOPE WAREHOUSE ANNEXATIONS NO. 1, NO. 2, NO. 3 AND NO. 4 IS ELIGIBLE FOR ANNEXATION LOCATED AT 380 28 ROAD AND INCLUDING A PORTION OF THE 28 ROAD RIGHT-OF-WAY - (1) ORDINANCE NO. 3119 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, WESTERN SLOPE WAREHOUSE ANNEXATION NO. 1, APPROXIMATELY .003 ACRES LOCATED IN A PORTION OF THE 28 ROAD RIGHT-OF-WAY NEAR C 3/4 ROAD - (2) ORDINANCE NO. 3120 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, WESTERN SLOPE WAREHOUSE ANNEXATION NO. 2, APPROXIMATELY .008 ACRES INCLUDING A PORTION OF THE 28 ROAD RIGHT-OF-WAY NEAR C 3/4 ROAD - (3) ORDINANCE NO. 3121 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, WESTERN SLOPE WAREHOUSE ANNEXATION NO. 3, APPROXIMATELY .02 ACRES, INCLUDING A PORTION OF THE 28 ROAD RIGHT-OF-WAY NEAR C 3/4 ROAD - (4) ORDINANCE NO. 3122 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, WESTERN SLOPE WAREHOUSE ANNEXATION NO. 4, APPROXIMATELY 5.96 ACRES, INCLUDING 380 28 ROAD - ORDINANCE NO. 3123 ZONING THE WESTERN SLOPE WAREHOUSE ANNEXATION LOCATED WEST OF 28 ROAD AND SOUTH OF D ROAD TO I-2 [FILE #ANX-1999-043]

The 5.99 Acre Western Slope Warehouse Annexation area consists of one parcel of land and a portion of the 28 Road right-of-way. Owners of the property have signed a petition for annexation and will be submitting a development proposal for a warehouse development. The proposed zone for the annexation is I-2 (Heavy Industrial).

The hearing was opened at 8:21 p.m.

David Thornton, Community Development Department, reviewed this item, stating the plan meets all statutory requirements. It is a 100% petition.

Councilmember Scott asked if the annexation is a little over an acre. Dave Thornton said the entire annexation acreage is over 5.9 acres and consists of four serials.

There were no other comments. The hearing was closed at 8:22 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Payne and carried by roll call vote, Resolution No. 50-99 was adopted and Ordinances No. 3119, 3120, 3121 and 3122 were adopted on second reading and ordered published.

The hearing on the zoning was opened at 8:23 p.m.

Dave Thornton, Community Development Department, reviewed this item. The Planning Commission recommends an I-2 (Heavy Industrial) zone and the request meets Sections 4-4-4 and 4-11 of the Zoning & Development Code.

There were no comments. The hearing was closed 8:24 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Theobald and carried by roll call vote, Ordinance No. 3123 was adopted on second reading and ordered published.

PUBLIC HEARINGS - ARMANTROUT ANNEXATIONS NO. 1, NO. 2 AND NO. 3 AND ZONING LOCATED AT 274 28 1/2 ROAD - RESOLUTION NO. 51-99 - A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS ARMANTROUT ANNEXATIONS NO. 1, NO. 2 AND NO. 3 IS ELIGIBLE FOR ANNEXATION LOCATED AT 274 28 1/2 ROAD AND INCLUDING PORTIONS OF THE B 1/2 ROAD AND 28 1/2 ROAD RIGHT-OF-WAY - (1) ORDINANCE NO. 3124 - AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, ARMANTROUT ANNEXATION NO. 1, APPROXIMATELY 0.007 ACRES LOCATED IN A PORTION OF THE B 1/2 ROAD RIGHT-OF WAY NEAR 28 1/2 ROAD - (2) ORDINANCE NO. 3125 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, ARMANTROUT ANNEXATION NO. 2, APPROXIMATELY .03 ACRES, INCLUDING A PORTION OF THE B 1/2 ROAD RIGHT-OF-WAY NEAR 28 1/2 ROAD AND A PORTION OF THE 28 1/2 ROAD RIGHT-OF-WAY NEAR B 1/2 ROAD - (3) ORDINANCE NO. 3126 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, ARMANTROUT ANNEXATION NO. 3, APPROXIMATELY 3.26 ACRES, INCLUDING 274 28 1/2 ROAD AND A PORTION OF THE 28 1/2 ROAD RIGHT-OF-WAY SOUTH OF B 3/4 ROAD - ORDINANCE NO. 3127 ZONING THE ARMANTROUT ANNEXATION LOCATED AT 274 28 1/2 ROAD TO RSF-4 [FILE #ANX-1999-045]

The 3.30-acre Armantrout Annexation area consists of one parcel of land and a portion of the B 1/2 Road and 28 1/2 Road right-of-way. Owners of the property have signed a petition for annexation as part of their request for a minor subdivision of the property into two lots. The proposed zone for the annexation is RSF-4 (Residential Single Family, 4 units per acre).

The hearing was opened at 8:25 p.m.

Dave Thornton, Community Development Department, reviewed this item. The request meets statutory requirements. It is a minor subdivision consisting of two lots. The petition was signed by 100% of all property owners. An affidavit has been signed and submitted to the City Clerk.

There were no comments. The hearing was closed at 8:25 p.m.

Upon motion by Councilmember Theobold, seconded by Councilmember Scott and carried by roll call vote, Resolution no. 51-99 was adopted, and Ordinances No. 3124, 3125 and 3126 were adopted on second reading and ordered published.

The hearing was opened on the RSF-4 zoning at 8:25 p.m.

Dave Thornton, reviewed this item stating the request meets the required criteria and recommended the RSF-4 zoning.

Councilmember Theobold asked if Mesa County's process also had a zoning hearing, or just the split. Mr. Thornton said it was a split. It was currently R-2 in the County and allowed to split.

There were no other comments. The hearing was closed at 8:26 p.m.

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, Ordinance No. 3127 was adopted on seconded reading and ordered published.

PUBLIC HEARINGS - EBERHART ANNEXATIONS NO. 1 AND NO. 2 AND ZONING LOCATED AT 543 31 ROAD - RESOLUTION NO. 52-99 ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS EBERHART ANNEXATIONS NO. 1 AND EBERHART ANNEXATION NO. 2 IS ELIGIBLE FOR ANNEXATION LOCATED AT 543 31 ROAD AND INCLUDING PORTIONS OF THE I-70 BUSINESS LOOP AND 31 ROAD RIGHTS-OF-WAY - (1) ORDINANCE NO. 3128 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, EBERHART ANNEXATION NO. 1, APPROXIMATELY 0.02 ACRES LOCATED IN A PORTION OF THE I-70 BUSINESS LOOP RIGHT-OF-WAY NEAR 31 ROAD - (2) ORDINANCE NO. 3129 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, EBERHART ANNEXATION NO. 2, APPROXIMATELY 1.41 ACRES LOCATED AT 543 31 ROAD AND INCLUDING A PORTION OF THE I-70 BUSINESS LOOP RIGHT-OF-WAY NEAR 31 ROAD AND A PORTION OF THE 31 ROAD RIGHT-OF-WAY - ORDINANCE NO. 3130 ZONING THE EBERHART ANNEXATION TO A LIGHT COMMERCIAL (C-1) DISTRICT [FILE #ANX-1999-044]

The 1.43 acre Eberhart Annexation area consists of one parcel of land and a portion of the I-70 Business Loop and 31 Road rights-of-way. Owners of the property have signed a petition for annexation as part of their request to construct a new commercial building, pursuant to the 1998 Persigo Agreement, and are currently in the annexation process.

The C-1 zone district is being proposed as the zone of annexation. Planning Commission recommended approval of the C-1 zone district.

The hearing was opened at 8:27 p.m.

Dave Thornton, Community Development Department, reviewed this item. He noted this property is located in the same subdivision as the Wells Annexation. The owners are considering developing the site. The petition meets all statutory requirements. Staff recommends approval.

There were no comments. The hearing was closed at 8:28 p.m.

Upon motion by Councilmember Kinsey, seconded by Councilmember Sutherland and carried by roll call vote, Resolution No. 52-99 was adopted, and Ordinances No. 3128 and 3129 were adopted on second reading and ordered published.

The hearing on the zoning request was opened at 8:29 p.m.

Dave Thornton reviewed this item. The recommended zoning is C-1 and meets the criteria of Sections 4-4-4 and 4-11 of the Zoning & Development Code.

Councilmember Sutherland asked if the C-1 zone is the closest zone to the County zone. Mr. Thornton said the current County ILCB (Industrial Limited Class B) zone is not comparable to any zone in the City. The Growth Plan recommends light commercial.

Councilmember Theobald asked if the proposed use fits the City zone. Mr. Thornton said yes.

There were no other comments. The hearing was closed at 8:30 p.m.

Upon motion by Councilmember Payne, seconded by Councilmember Theobald and carried by roll call vote, Ordinance No. 3130 was adopted on second reading and ordered published.

PUBLIC HEARINGS - HONNEN ANNEXATION AND ZONING LOCATED AT 2358/2360 I-70 FRONTAGE ROAD - RESOLUTION NO. 53-99 ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS HONNEN ANNEXATION IS ELIGIBLE FOR ANNEXATION - ORDINANCE NO. 3131 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, HONNEN ANNEXATION, APPROXIMATELY 8.66 ACRES LOCATED AT 2358 AND 2360 I-70 FRONTAGE ROAD - ORDINANCE NO. 3132 ZONING OF THE HONNEN ANNEXATION TO A HEAVY COMMERCIAL (C-2) DISTRICT

[FILE #ANX-1999-040]

The 8.66 acre Honnen Annexation area consists of two parcels of land and a portion of the I-70 right-of-way. Owners of the property have signed a petition for annexation as part of their request to construct a new commercial building, pursuant to the 1998 Persigo Agreement. The building is currently undergoing site plan review. Staff recommends a C-2 Zoning District.

The hearing was opened 8:30 p.m.

Dave Thornton, representing Planner Mike Pelletier, reviewed this item. He stated the Honnen Annexation meets all statutory requirements. Staff recommends approval.

There were no comments. The hearing was closed at 8:31 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Scott and carried by roll call vote, Resolution No. 53-99 was adopted, and Ordinance No. 3131 was adopted on second reading and ordered published.

A hearing on the proposed C-2 zoning was opened at 8:32 p.m.

This item was reviewed by Dave Thornton. He said the zone conforms to the North Central Grand Valley Plan which supercedes the Growth Plan for this area. The request meets the criteria of Sections 4-4-4 and 4-11 of the Zoning & Development Code. Staff recommends approval of the C-2 zone.

Councilmember Sutherland asked if there had ever been a plan for the property as it was a Planned Commercial Zone. Mr. Thornton said there was a plan submitted by the previous owner that had lapsed. Mr. Honnen is a relatively new landowner.

Councilmember Scott asked if sewer is available to the property. Mr. Thornton said they have City sewer available and it is under construction.

Councilmember Theobald asked if the Kenworth property is part of this annexation. Mr. Thornton said it is no longer a part of the annexation since it has been subdivided.

There were no other comments. The hearing was closed at 8:34 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Theobald and carried by roll call vote, Ordinance No. 3132 was adopted on second reading and ordered published.

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Stephanie Nye, CMC/AE
City Clerk

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

APRIL 6, 1999

I, Stephanie Nye, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 6, 1999, were as follows:

Total Ballots Cast in District A	1455
Total Ballots Cast in District B	2831
Total Ballots Cast in District C	953
Total Ballots Cast in District D	2255
Total Ballots Cast in District E	1111
TOTAL BALLOTS CAST	8605

FOR COUNCILMAN - DISTRICT "B" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
James F. Foster	282	384	168	311	186	1331
Brad Higginbotham	399	832	259	665	254	2409
Mike Lanham	229	516	141	461	224	1571
Jim Spehar	476	975	337	704	393	2885

FOR COUNCILMAN - DISTRICT "C" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Victor Brown	202	314	133	255	152	1056
Jim Lange	522	900	352	764	391	2929
Reford C. Theobald	645	1426	415	1133	495	4114

FOR COUNCILMAN – "CITY AT LARGE" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Karl Antunes	260	220	88	212	143	923
Joseph V. Marie, II	113	209	114	160	122	718
Janet L. Terry	1030	2287	695	1815	806	6633

CITY COUNCIL SALARIES QUESTION:

SHALL ARTICLE II, SECTION 38 OF THE CITY CHARTER BE AMENDED TO READ:

38. SALARIES. - AT LEAST TWO MEETINGS OF THE CITY COUNCIL SHALL BE HELD MONTHLY AT SUCH TIMES AS MAY BE FIXED BY THE COUNCIL, SUCH TWO MEETINGS TO BE KNOWN AS THE REGULAR MEETINGS. ALL OTHER MEETINGS OF THE CITY COUNCIL SHALL BE KNOWN AS SPECIAL MEETINGS OR ADJOURNMENTS. THE PRESIDENT OF THE COUNCIL SHALL BE PAID A SALARY OF \$750.00 PER MONTH AND ALL OTHER COUNCILMEMBERS SHALL EACH BE PAID A SALARY OF \$500.00 PER MONTH.

Article II Chapter 38 Salaries	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
FOR	726	1685	473	1271	586	4741
AGAINST	598	904	388	799	446	3135

We, the undersigned Canvassing Board, have reviewed the results of the General Municipal Election held April 6, 1999, and do hereby conclude:

That **Jim Spehar** has been duly elected as Councilperson for District "B" by the greater number of votes.

That **Reford C. Theobald** has been duly elected as Councilperson for District "C" by the greater number of votes.

That **Janet L. Terry** has been duly elected as Councilperson for District "City at Large" by the greater number of votes.

That on the question "SHALL ARTICLE II, SECTION 38 OF THE CITY CHARTER BE AMENDED TO READ AS FOLLOWS:

38. SALARIES. - AT LEAST TWO MEETINGS OF THE CITY COUNCIL SHALL BE HELD MONTHLY AT SUCH TIMES AS MAY BE FIXED BY THE COUNCIL, SUCH TWO MEETINGS TO BE KNOWN AS THE REGULAR MEETINGS. ALL OTHER MEETINGS OF THE CITY COUNCIL SHALL BE KNOWN AS SPECIAL MEETINGS OR ADJOURNMENTS. THE PRESIDENT OF THE COUNCIL SHALL BE PAID A SALARY OF \$750.00 PER MONTH AND ALL OTHER COUNCILMEMBERS SHALL EACH BE PAID A SALARY OF \$500.00 PER MONTH", the question **passed** by the greater number of votes.

Certified this 7th day of April, 1999.

/s/ Stephanie Nye
Stephanie Nye, CMC/AAE
City Clerk

Dated this 7th day of April, 1999.

/s/ Theresa Shafer
Theresa Shafer, Notary Public
318 Parkwood Drive

/s/ Mike Sutherland
Mike Sutherland
Councilmember, District B

/s/ C.A. Jack Scott
C.A. Jack Scott
Councilmember, District D

/s/ Earl Payne
Earl Payne
Councilmember, District E

/s/ Gene Kinsey
Gene Kinsey
Councilmember, City at Large

/s/ Christine English
Christine English, Notary Public
557 W. Goodhope Circle, #B

/s/ Theresa F. Martinez
Theresa F. Martinez, Notary Public
760 Teller Avenue