

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

March 15, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 15th day of March, 2000, at 7:30 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Joe M. Jones, Redlands Pentecostal Church of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING APRIL 2-8, 2000 AS "THE WEEK OF THE TARTAN"
IN THE CITY OF GRAND JUNCTION

APPOINTMENTS TO THE RIDGES ARCHITECTURAL REVIEW COMMITTEE

Upon motion by Councilmember Spehar, seconded by Councilmember Terry and carried, Tom Zender was appointed to the Ridges Architectural Review Committee and Frank Rinaldi and Neal Sampson were appointed as alternates.

APPOINTMENTS TO THE GRAND JUNCTION HOUSING AUTHORITY

Upon motion by Councilmember Terry, seconded by Councilmember Spehar and carried, Erin Ginter and Cory Hunt were appointed to five-year and four-year terms respectively on the Grand Junction Housing Authority.

APPOINTMENT OF SECOND ALTERNATE TO THE PLANNING COMMISSION

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, Bill Putnam was appointed as second alternate to the Planning Commission.

APPOINTMENT TO THE PLANNING COMMISSION BOARD OF APPEALS

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez, Creighton Bricker was appointed to the Planning Commission Board of Appeals.

It was suggested by Councilmember Terry that the name of the Planning Commission Board of Appeals be changed to the Board of Appeals to relieve some confusion.

CITIZEN COMMENTS

Keith Fowler, an Orchard Mesa resident, addressed Council concerning the U.S. Postal Service closing an office on Orchard Mesa. A post office branch has been located at the Orchard Mesa City Market store for the past 16 years. The residents of that area depend on their service and do not want to see it taken away from them. The Orchard Mesa area is growing and needs the office. The U.S. Postal Service contracts Mr. Procopio to provide these services and apparently there is a problem with the contract.

He has discussed this with office staff of Representative McInnis, and Senators Allard and Campbell. He plans to appear before the County Commissioners on March 20, 2000 to request this postal station be preserved. He asked the City Council to intervene somehow and help solve the dispute between the U.S. Postal Service and the contractor. He presented a letter to Council for review.

Mr. Fowler submitted a petition with approximately 1200 names requesting that the service be retained. The petition was left on a counter in the Orchard Mesa postal branch for signing. He realized this matter is not within Council's authority, but thought if he talked to enough entities it could influence the postal service to reconsider an agreement.

Councilmember Theobald said since Mr. Procopio is the contractor for all the contract stations in the valley, there may be other branch offices that will also be affected.

Councilmember Payne was concerned with additional traffic that will impact the 5th Street viaduct, 4th Street and White Avenue, with customers going to the main post office on 4th Street in Grand Junction. There is also insufficient parking near the main post office.

Mr. Fowler provided names of contacts at the state and federal level.

Mr. Procopio said City Market rents him his space for one-quarter of the normal market value, so it is not a question of economics. His seven contracts with the U.S. Postal Service provide that every two years an increase can be requested with any substantiated costs that have been incurred over the previous two years which can amend the lease. He said it is not a problem with the local postmaster. He has been losing out-of-pocket money with the operation over the past two years. He waited until after the past holiday season to resume negotiations. The current contract that has been offered by the U.S. Postal Service will still cause him to lose money, and it is not acceptable. He said the issue is keeping the service for the Orchard Mesa residents. He said this problem does not affect the other contract stations, only the Orchard Mesa location. Normally, the postal service will put out a new bid immediately for a new contract. That was not done in this case.

The postal service decided they would have no type of service at all at the Orchard Mesa location. The local postmaster told Mr. Procopio that they will have to add a clerk at the downtown post office to do the business that currently takes place at the Orchard Mesa station.

Mayor Kinsey felt the Orchard Mesa station is needed. The City Council does not want to get involved in business negotiations. He felt Council can indicate in writing their support for continued service in that area.

Councilmember Terry said being an advocate for Grand Junction's citizens is always appropriate. She felt Councilmember Payne's traffic impact issue is a specific point to bring out.

CONSENT ITEMS

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried by roll call vote, the following Consent Items #1-11 were approved:

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the Regular Meeting February 16, 2000, Special Meetings February 22 and February 23, 2000, and Regular Meeting March 1, 2000

2. **Artwork for the New City Hall Entrance Lobby**

On January 26 and March 6 the Commission, plus three local artists, a representative from City Hall, and two Council members reviewed proposals from 14 Colorado artists for aerial artwork in the City Hall entrance lobby, and selected an artist to commission.

Action: Authorize the City Manager to Sign the Contract to Commission George Peters and Melanie Walker to Create a Work of Art for the City Hall Entrance Lobby for an Amount Not to Exceed \$50,000

3. **Funding Support to Local Organizations for Art and Cultural Events/Projects/Programs**

On February 23 and 28 the Commission reviewed 25 requests from local organizations and agencies for financial support, per Commission criteria and guidelines, and recommends that the City Council approve funding for 19 art and

cultural events and projects. The Commission recommends supporting the following:

Recommended for full funding:

Grand Valley Community Theater "Brigadoon" musical	\$1500
Institute of Dancing Arts costumes for elder care facilities performances	\$1500
Grand Junction Downtown Association Art & Jazz Festival	\$1000
Grand Junction Senior Theatre Annual Talent Showcase	\$1000
Western Colorado Center for the Arts Summer Art Camp for kids	\$ 900
Thunder Mt. Camera Club slide presentation at the Avalon	\$ 750
Advocates for Children's Enrichment Creede Repertory Performances	\$ 500
Bookcliff Barbershop Harmony Chorus Regional Convention/Performance	\$ 500
Very Special Arts GJ Festival for Developmentally Disabled Adults	\$ 500
Valley Wide PTA Annual Reflections Student Art Exhibit	\$ 400
Western Colorado Botanical Gardens portable VCR/TV purchase	\$ 300

Recommended for partial funding (requests in parentheses):

Theatre Works' Shakespeare in the Park "Twelfth Night" production (\$10,000)	\$4900
Grand Junction Musical Arts Association/GJ Symphony opening concert (\$3500)	\$2000
Italian Cultural Society Second Annual Festival Italiano concerts (\$3500)	\$2000
Museum of Western Colorado Pride of the Valley Art Festival (\$3000)	\$2000
Celtic Festival & Highland Games (\$5000)	\$1500
Friends of the Mesa County Public Library ethnic theme programs (\$1615)	\$1000
Brush & Palette Club workshop/annual exhibit (\$3000)	\$ 750
Grand Valley Blacksmith Guild monthly programs/Pride of the Valley (\$1370)	<u>\$ 500</u>

Total \$23,500

Action: Approve Commission Recommendations for Arts and Cultural Events/Projects/Programs

4. **Pitkin Avenue Waterline Replacement Project**

The following bids were received on March 6, 2000:

Mountain Valley Contracting, Grand Junction	\$161,531.95
M. A. Concrete Construction, Grand Junction	\$179,649.60
R. W. Jones, Fruita	\$223,812.50
Engineer's Estimate	\$172,426.00

Action: Award Contract for Pitkin Avenue Waterline Replacement Project to Mountain Valley Contracting in the Amount of \$161,531.95

5. **Kannah Creek Water Treatment Plant**

The following bids were received on March 6, 2000:

Filter Tech Systems, Inc., Commerce City, CO	\$57,075.00
U.S. Filter, Ames, IA	\$75,587.00
Engineer's Estimate	\$92,000.00

Action: Award Contract for Kannah Creek Water Treatment Plant to Filter Tech Systems, Inc. in the Amount of \$57,075.00

6. **2000 Waterline Replacement Project**

The following bids were received on March 7, 2000:

Mountain Valley Contracting, Grand Junction	\$282,721.40
Taylor Constructors, Grand Junction	\$288,811.00
M. A. Concrete Construction, Grand Junction	\$329,820.30
Skyline Contracting, Inc., Grand Junction	\$341,238.20
R. W. Jones, Fruita	\$397,912.26
Engineer's Estimate	\$309,042.00

Action: Award Contract for 2000 Waterline Replacement Project to Mountain Valley Contracting in the Amount of \$282,721.40

7. **North Avenue Curb, Gutter and Sidewalk Replacement, First Street to 29 Road**

The following bids were received on March 7, 2000:

R. W. Jones, Fruita	\$219,749.00
Reyes Construction, Grand Junction	\$208,306.00
G & G Paving, Grand Junction	\$172,580.00
Precision Paving, Grand Junction	\$172,345.00
Mays Concrete, Inc., Grand Junction	\$168,471.50
Engineer's Estimate	\$179,107.72

Action: Award Contract for North Avenue Curb, Gutter and Sidewalk Project to Mays Concrete, Inc. in the Amount of \$168,471.50

8. **Independent Ranchmen's Ditch/Leech Creek Floodplain Study and Revision of FEMA Floodplain Mapping**

One bid was received for a design contract for the Independent Ranchmen's Ditch/Leech Creek Floodplain Study and application to revise FEMA Floodplain Mapping.

Action: Award Contract for the Design of Independent Ranchmen's Ditch/Leech Creek Floodplain Study to ICON Engineering, Inc. of Englewood, CO, in the Amount of \$52,647 and the Application to Revise FEMA Floodplain Mapping and Transfer \$56,647 from the General Fund Contingency to the Project Account

9. **Setting a Hearing on Miller Annexations No. 1, No. 2 and No. 3 Located at 2978 Gunnison Avenue** [File #ANX-2000-037]

The 2.29-acre Miller Annexation area consists of one parcel of land (Lot 8, Banner Industrial Park Subdivision); 0.16 acres of right-of-way from 30 Road (for a distance of 100 feet) to Gunnison Avenue; then 0.58 acres of the right-of-way of Gunnison Avenue to the subject parcel (approximately 13,355 feet). The owners of the property have signed a petition for annexation and a request for site plan review.

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

Resolution No. 24-00 – 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 Annexations and Exercising Land Use Control – Miller Annexations No. 1, No. 2 and No. 3 Located at 2978 Gunnison Avenue

Action: Adopt Resolution No. 24-00 and Set a Hearing on May 3, 2000

b. **Set a Hearing on Annexation Ordinance**

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.16 Acres, Located at 2978 Gunnison Avenue
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.58 Acres, Located at 2978 Gunnison Avenue

- (3) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 3, Approximately 1.55 Acres, Located at 2978 Gunnison Avenue

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 3, 2000

- 10. **Vacating Easements Located at the Northwest Corner of Patterson Road and First Street (Community Hospital Medical Park-Single Day Surgery Center)**
[File #FP-2000-020]

Resolution to vacate several utility and irrigation easements which are no longer required due to property being replatted for the Community Hospital Single Day Surgery Center, located at the northwest corner of Patterson Road and First Street.

Resolution No. 25-00 – A Resolution Vacating Utility and Irrigation Easements for the Community Hospital Site Located at the Northwest Corner of Patterson Road and First Street

Action: Adopt Resolution No. 25-00

- 11. **Live Scan/Mug System for Police Department**

This is a sole source purchase of one Live Scan/Mug System from Digital Biometrics, Inc. in the amount of \$86,000 installed.

Action: Approve Sole Source Purchase of One Live Scan/Mug System from Digital Biometrics, Inc. in the Amount of \$86,000 Installed

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

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

NONE

OTHER BUSINESS**Issue on Museum Funding**

Councilmember Scott said City Council has pledged \$300,000 in funding for the Museum of Western Colorado. In addition, Council has pledged \$100,000/year if there is extra sales tax revenue. He felt the idea of the Museum moving out of Grand Junction has no bearing on these pledges.

Councilmember Theobold could see no reason to rush a decision on this funding. Since the Museum has made it clear they are considering the move, he wanted to wait and see if the move takes place.

Councilmember Scott disagreed. The Museum needs the funds.

Councilmember Theobold disagreed that the Museum needs the funds. They recently told City Council they have a several hundred thousand surplus. Money is not an issue.

Councilmember Terry said they may have a surplus but they have given City Council a list of pending projects that are not funded.

Councilmember Theobold said he was not disputing the fact that there are things the Museum could do with the money. His point was that none of the projects are on a short timeframe, and none are urgent. They are all part of the overall picture of the Museum's expansion, etc. He felt it would be prudent of Council to wait and see what the Museum is going to do with their existing lease on a building that the City specifically purchased for the Museum's use.

Councilmember Enos-Martinez said the funds requested were for the expansion of the Museum that is located on 4th Street as opposed to Dinosaur Valley Museum. She was not in favor of moving Dinosaur Valley.

Councilmember Terry said one of the Museum board members said once the offer on the building in Fruita has been settled, they intend to come to the City Council and the Downtown Development Authority to discuss the matter. During her discussions she suggested they consider the possibility of still maintaining some presence downtown. She said there seemed to be a willingness to resolve the issues.

Councilmember Theobold said if negotiations between the Museum and Fruita fail, Fruita is going to want to find another lessee for their building.

Councilmember Scott said discussion has taken place since January, 2000 and it is now March. He felt Council should decide to give the funding, or not.

Councilmember Payne said the Museum's surplus is being used in planning for the next phase of the Museum expansion. The Museum said they would come before City Council before final negotiations with Fruita. Such negotiations could possibly take 30 to 90 days. He felt since Council approved the funding for the Museum expansion program only, it should be finalized. He felt a decision should be made tonight.

Councilmember Theobold said Council was told at the recent breakfast with the Museum that the money they're wanting from the City will go to something they already have on their wish list, but if they don't get the money from the City, the net result is going to be a reduction in their endowment from the bequest by an equivalent amount of money, not a change in the Museum.

Councilmember Scott said that has nothing to do with this. Council has made a pledge and Council should live up to it.

Councilmember Theobold resented Councilmember Scott's implication that the fact that he did not want to make a decision tonight to be going against his word or anyone else's word. He wants to make a decision when the Museum has made their decision.

Councilmember Spehar felt the City has made this pledge to the Museum for a specific purpose and they are fulfilling their part of the bargain in the expansion project. In general, pledges made by the City, the County and others to the Museum were meant to put the Museum on a sound financial basis for the future. He was comfortable with honoring the commitment.

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried with Councilmembers **THEOBOLD** and **KINSEY** voting **NO**, the \$100,000 pledge to the Museum of Western Colorado for the year 2000 was honored and will go into effect immediately.

Councilmember Theobold hoped the Museum will honor the spirit of their commitment to the downtown area.

Councilmember Scott recommended Council tell the Museum of Western Colorado they are not in favor of them moving to Fruita.

Councilmember Terry said the Museum has indicated they want to come back to Council and talk about their offer and other possibilities. She felt before sending an official message, Council owes them the courtesy of listening to the proposal. Councilmember Spehar agreed.

City Manager Mark Achen was directed to contact the Museum of Western Colorado and notify them of Council's decision.

House Bill 1223 – Growth Bill

Councilmember Terry updated Council on HB 1223. It came out of the House with a lot of unfriendly amendments that indicated several Statewide mandates. The intent of Senate Sponsor Norma Anderson was to reintroduce it into the Senate, eliminating all of the amendments and putting it back into final form. The final form included some friendly amendments that have been agreed upon with the REAs in the State. It was heard at the Senate Local Government Committee on March 14, 2000 and passed with a vote of 4 to 3. It will then go to the Senate Agriculture Committee on March 16, 2000. If it passes committee, it will go to the Senate Floor probably the end of next week. This is the last growth bill that's alive in the Legislature.

EXECUTIVE SESSION

Upon motion by Councilmember Spehar, seconded by Councilmember Earl Payne and carried, the meeting adjourned into Executive Session at 8:13 p.m. to discuss personnel, property negotiations and an update on some attorney/client items.

ADJOURNMENT

The meeting adjourned at 8:13 p.m.

Stephanie Nye, CMC
City Clerk