

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

May 3, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 3rd day of May, 2000, at 7:30 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Jack Scott and Jim Spehar were absent. Also present were City Manager Mark Achen, Assistant City Attorney John Shaver, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Enos-Martinez led in the Pledge of Allegiance. The audience remained standing during the invocation by Scott Hogue, First Baptist Church.

PROCLAMATION DECLARING MAY, 2000, AS "TEEN COURT MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 13, 2000, AS "GRAND JUNCTION LETTER CARRIERS STOCK THE COMMUNITY FOOD BANKS DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 14-22, 2000, AS "EMERGENCY MEDICAL SERVICES WEEK" IN THE CITY OF GRAND JUNCTION

BOY SCOUT TROOP 363 IN AUDIENCE

Mayor Kinsey recognized Boy Scout Troop 363 present at tonight's meeting.

ELECTION OF MAYOR AND MAYOR PRO TEMPORE

Mayor Kinsey stated the Grand Junction City Charter requires the election of President of the Council and President of the Council Pro Tempore annually in May.

It was moved by Councilmember Theobald and seconded by Councilmember Terry that Gene Kinsey be elected to a second term as Mayor/President of the Council and Cindy Enos-Martinez be elected to a second term as Mayor Pro Tem/President of the Council Pro Tem.

It was moved by Councilmember Payne that Gene Kinsey be elected to a second term as Mayor/President of the Council and Jack Scott be elected as Mayor Pro Tem/President of the Council Pro Tem. There was no second to the motion.

Councilmember Terry commented that Mayor Kinsey has represented the City extremely well and she recognized the work he has put into the position of Mayor. He has always offered thoughtful input and true guidance for Council and its constituents. She appreciated his past service and hoped he will accept the nomination.

Councilmember Enos-Martinez said she felt that is the feeling of much of the Council. Councilmember Theobald agreed, and complimented Mayor Pro Tem Enos-Martinez for her work as well. Councilmember Payne concurred.

Councilmember Payne withdrew his motion in order to vote first on the position of Mayor. Councilmember Theobald withdrew his motion also.

Upon motion by Councilmember Theobald, seconded by Councilmember Terry and carried, Gene Kinsey was elected as Mayor/President of the Council for a second term.

Upon motion by Councilmember Theobald, seconded by Councilmember Terry and carried, Cindy Enos-Martinez was elected as Mayor Pro Tem/President of the Council Pro Tem for a second term.

City Clerk Stephanie Nye did not administer the oaths of office at the meeting to the Mayor and Mayor Pro Tem as both were continuing terms.

CONSENT ITEMS

Councilmember Payne noted Consent Item #2 is amended by an additional \$5,000 to come from the Arts Commission for the addition of Chipeta to the Chief Ouray Statue.

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried by roll call vote, the following Consent Items # 1 through #13, as amended, were approved:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting April 19, 2000 and Special Meeting April 28, 2000

2. **City Hall Artwork for Elevator Atrium Lobby**

The Commission recommends that City Council approve the purchase of two sculptures for the City Hall elevator atrium lobby, a six-foot rendition of Ute Leader Chief Ouray by Grand Junction artist Pat Olson created in about twenty layers of stainless steel (similar in style to the former Country Jam

singers statue) and a six-foot bronze entitled “Contemplation” by Denver artist Dennis Sohoki. The Chief Ouray statue will include his wife Chipeta.

Action: Approve Purchase of Two City Hall Sculptures in the Amount of \$16,500 plus \$5,000 from the Arts Commission

3. **Setting a Hearing on Amendment to Animal Control Ordinance**

On November 22, 1999, Mesa County amended its Animal Control regulations, partly in response to Senate Bill 99-112 and partly to make administrative changes, as the regulations have not been updated since 1992. This ordinance is a response to these changes.

Proposed Ordinance Amending Chapter 6, Article III of the Code of Ordinances of the City of Grand Junction, Colorado

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

4. **Disposal of Fire Apparatus**

The Colorado EMS Foundation provided three 1999 E-One Fire Engines and one 1999 SVI Heavy Rescue unit to the City in March 2000. The new units replaced a 1991 KME Fire Engine, 1983 Pirsch Fire Engine, and 1975 Mack Heavy Rescue Unit. The Colorado EMS Foundation has requested that the City consider donation of the 1983 Pirsch Fire Engine to Gateway Fire Department and the 1975 Mack Heavy Rescue unit to Palisade Fire Department.

Action: Direct the City Manager to Dispose of Used Fire Apparatus by:

- (1) *The Sale of One 1991 KME Fire Engine*
- (2) *Donation of a 1983 Pirsch Fire Engine to Gateway Fire Protection District*
- (3) *Donation of a 1975 Mack Support Unit to Palisade Fire Department*

5. **Bunting Avenue Storm Drain Project Materials**

The following bids were received on April 27, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Grand Junction Pipe and Supply	Grand Junction	52,343.96
Engineer’s Estimate		\$52,317.68

Action: Award Contract for Concrete Pipe and Related Materials for the Bunting Avenue Storm Drain Project to Grand Junction Pipe and Supply Company in the Amount of \$52,343.96

6. **Purchase of Five Half-Ton Pickup Trucks for the Public Works Department**

The following bids were received on April 20, 2000:

Contractor	From	Bid Amount
Hellman Motor Company	Delta, CO	\$82,275
Western Slope Auto Company	Grand Junction, CO	\$81,725

Action: Award Contract for the Purchase of Five New 2000 Model SWB Regular Cab Half-Ton 4x2 Pickup Trucks to Western Slope Auto Company in the Amount of \$81,725 for the Public Works Department

7. **Intent to Create Alley Improvement District No. ST-00, Phase B**

A petition has been submitted requesting a Local Improvement District be created to reconstruct the east-west alley from 10th to 11th Streets, Colorado to Ute Avenues. This petition has been signed by 59% of the owners of the properties that would be assessed. The proposed resolution is the first step in the formal process of creating the proposed Improvement District. A hearing to allow public comment is scheduled for June 7, 2000.

Resolution No. 36-00 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within Said City Alley Improvement District No. ST-00, Phase B, Authorizing the City Engineer to Prepare Details and Specifications for the Same, and Giving Notice of a Hearing

Action: Adopt Resolution No. 36-00 and Set a Hearing for June 7, 2000

8. **Setting a Hearing on Zoning Hart Annexation RSF-4, Located at 3015 E 1/2 Road** [File #ANX-2000-010]

The Hart Annexation area consists of 5.75 acres and is proposed for development as a 15 lot single family subdivision known as Challinor Estates. The proposed Zone of Annexation for the property is RSF-4, Residential Single Family with a density not to exceed 4 units per acre. The proposed density is in keeping with the goals of the Growth Plan.

Proposed Ordinance Zoning Hart Annexation RSF-4

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

9. **Setting a Hearing on Zoning Reinking Annexations No. 1, No. 2 and No. 3 RSF-2, Located at 541 20 1/4 Road** [File #ANX-2000-030]

The 13-acre Reinking Annexation area consists of one parcel of land, approximately 7.71 acres in size. The remaining acreage is comprised of right-of-way along South Broadway and 20 ¼ Road. There are no existing structures on the site. Once additional right-of-way is dedicated and the required detention pond area is subtracted from the site, 6.81 acres remain for developing an 11 lot single family subdivision. The owner of the property has signed a petition for annexation. The requested zoning is RSF-2, Residential Single Family, not to exceed 2 units per acre. This is consistent with the Growth Plan for this area.

Proposed Ordinance Zoning Reinking Annexation RSF-2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

10. **Setting a Hearing on Zoning H.B.C.R.S. Annexation RMF-5, Located at 2620 G Road** [File #ANX-2000-028]

The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. The owners of the properties have signed a petition for annexation. The proposed zoning for the property is RMF-5.

Proposed Ordinance Zoning H.B.C.R.S. Annexation to RMF-5

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

11. **Setting a Hearing on Zoning Grand Junction Bible Missionary Church Annexation RSF-2, Located at the Southwest Corner of I-70 and 26 1/2 Road (2648 Cottonwood Drive)** [File #ANX-2000-038]

The 1.45-acre Grand Junction Bible Missionary Church area consists of one parcel of land and portions of Cottonwood Drive and 26 ½ Road. A zone of annexation of RSF-2 is consistent with the County Zoning, the Growth Plan Future Land Use Map and surrounding densities. A new church structure is proposed on the vacant site.

Proposed Ordinance Zoning Grand Junction Bible Missionary Church Annexation to RSF-2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

12. **Setting a Hearing on Zoning White Willows Annexation RSF-2, Located at 2856 C 1/2 Road, 2851 and 2863 D Road** [File #ANX-2000-018]

The applicant requests a zone of annexation to RSF-4 for a 39.56-acre parcel to develop White Willows Subdivision. At its April 11, 2000 hearing, the Planning Commission denied the preliminary plan for the subdivision and denied the request for RSF-4 zoning, but recommended approval of RSF-2 zoning for the previously annexed parcels. The applicant has appealed the denial and the RSF-2 zone change. The appeal will be heard at the May 17, 2000 City Council hearing.

Proposed Ordinance Zoning White Willows Annexation RSF-2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

13. **Setting a Hearing on Godby Annexations No. 1 and No. 2, Located at the Northwest Corner of F 1/2 and 30 1/2 Roads (3048 F 1/2 Road)** [File #ANX-2000-063]

The applicant proposes to annex a 9.3-acre parcel into the City of Grand Junction. The annexation consists of one parcel of land and portions of F 1/2 Road. The application has been filed in conjunction with a minor subdivision request for two lots.

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

Resolution No. 37-00 – 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 Annexation and Exercising Land Use Control – Godby Annexation, a Serial Annexation Comprising Godby Annexation No. 1 and Godby Annexation No. 2, Located at the Northwest Corner of F 1/2 and 30 1/2 Roads (3048 F 1/2 Road)

Action: Adopt Resolution No. 37-00 and Set a Hearing on June 7, 2000

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

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Godby Annexation No. 1, Approximately 0.50 Acres Located Exclusively in the F 1/2 Road Right-of-way East of 30 Road

- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Godby Annexation No. 2, Approximately 10.11 Acres Located at the Northwest Corner of F ½ Road and 30 ½ Road, Including Portions of the F ½ Road and Unplatted 30 ½ Road Rights-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for June 7, 2000

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

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

PUBLIC HEARING – 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. The Planning Commission is recommending the zoning of I-1 (light industrial) to accommodate their gymnastics building with a special use permit.

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

Lori Bowers, Associate Planner, Community Development Department, reviewed this item. She stated the owners of the property signed a petition for annexation and that the petition and the property is eligible for annexation and complies with state statutes. Staff recommends acceptance of the petition and approval of the annexation.

Petitioner, David Miller, 620 Hamlet, said he and his wife would like to put up a 36,000 square foot building for his wife's gymnastics business. The current building is inadequate. The building has large square footage with high ceilings and is appropriate for industrial zoning.

There were no other comments. The hearing was closed at 8:02 p.m.

a. Resolution Accepting Petition

Resolution No. 39-00 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Miller Annexations No. 1, No. 2 and No. 3 is Eligible for Annexation, Located at 2978 Gunnison Avenue

b. Annexation Ordinances

- (1) Ordinance No. 3243 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.16 Acres, Located at 2978 Gunnison Avenue
- (2) Ordinance No. 3244 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.58 Acres, Located at 2978 Gunnison Avenue
- (3) Ordinance No. 3245 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 3, Approximately 1.55 Acres, Located at 2978 Gunnison Avenue

Upon motion by Councilmember Theobald, seconded by Councilmember Payne and carried by roll call vote, Resolution No. 39-00 was adopted and Ordinances No. 3243, 3244 and 3245 were adopted on second reading and ordered published.

PUBLIC HEARING - ZONING MILLER ANNEXATION I-1, LOCATED AT 2978 GUNNISON AVENUE [FILE #ANX-2000-037]

The 2.29-acre Miller Annexation area consists of one parcel of land. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

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

Lori Bowers, Community Development Department, reviewed this item. She stated this parcel is identified in the Growth Plan for commercial and industrial uses. The zoning designation of I-1 allows health and athletic clubs with a special use permit and that it should be granted (under the old Code). This zoning district also allows light manufacturing as well as heavy warehousing and high impact uses. A gymnastics building does not require heavy truck or rail traffic, although it requires higher square footage per student and higher ceilings. The petition meets the criteria of Sections 4-11 and 4-4-4 of the Zoning & Development Code (old). The Planning Commission and Staff recommend approval.

Councilmember Theobald asked about the required special use permit. Ms. Bowers said it is a part of the site plan review. The permit is issued administratively and Staff is comfortable with it.

Petitioner David Miller, felt the business is needed in this area. His wife's approximately 70 to 100 clients are from the area between 28 and 32 Roads and he felt it fits in with the need in that area.

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

Ordinance No. 3246 – An Ordinance Zoning the Miller Annexation to a Light Industrial (I-1) District

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3246 was adopted on second reading and ordered published.

PUBLIC HEARING - FIRST SUPPLEMENTAL APPROPRIATION FOR 2000

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 96% of the \$5.3 million in revisions are carry-forward requests. A composite listing of the new appropriation request is provided. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (i.e. to complete the Zoning Code Revision).

The public hearing opened at 8:08 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. The majority of appropriation (96% of \$5.3 million) is all carry forward projects. A few changes were made since the first reading of the proposed ordinance. A revised report was distributed to Council.

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

Ordinance No. 3247 – An Ordinance Making Supplemental Appropriations to the 2000 Budget of the City of Grand Junction

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote, Ordinance No. 3247 was adopted on second reading and ordered published.

SEPTIC SYSTEM ELIMINATION PROGRAM (SSEP)

Staff wants to revisit previous discussions regarding a program eliminating over 1800 septic systems within the Persigo 201 area. The main issue of debate is cost and whether or not a contribution from the Persigo Sewer Fund would be appropriate. A contribution would help encourage residents to participate in a local improvement district to bring sewer to their property line and eliminate potential public health threats from failing septic systems.

Mark Relph, Public Works Director, reviewed this item. Previous discussions with the County Commissioners were summarized by Mr. Relph and the funds proposed to be expended for the program. Approximately 1800 septic systems throughout the County are being proposed to be eliminated with the use of the sewer funds to offset 1/3 of the cost for the citizens. The proposed joint City/County resolution will allocate \$1 million annually for the years 2001 to 2005, and increasing the amount to \$1.5 million for the years 2006 to 2010 to help fund the creation of improvement districts for property owners needing connection to the Persigo Wastewater Treatment Plant. He noted the competitive rates and financial stability of the sewer fund and wastewater treatment plant. The present monthly rates are \$11.42. A 2½% rate increase annually is anticipated in the long-range financial plan. However the increase is only used when truly needed. The average statewide rate is \$18.87/month. The average rate for communities the size of Grand Junction is \$24.37/month. The rates in this valley are very competitive and well below any state average.

Councilmember Theobold understood the projected \$1 million and later \$1.5 million will be used toward retrofitting a trunk line or main line in the streets of the subdivision. He asked Mr. Relph what the 30% of the cost payment would pay for. Mark Relph said it's the actual cost of construction of the sewer main in the road. The entire cost of the individual lines from the homes to the sewer main being constructed would be the responsibility of the property owners.

City Manager Achen said 70% of the annual amount expended will come back in the form of assessments, so the net cost to the fund for every million is \$300,000 (30%).

Councilmember Theobold asked about an average cost using Redlands Village as an example of a septic subdivision. Mr. Relph said the cost to the residents can vary but he estimated \$1,000 to \$1,500 plus the \$750 Plant Investment Fee.

Councilmember Terry said the neighborhood will have to agree to form a special district and that is the portion being subsidized. Their individual line is their cost and is not affected by this program. Mark Relph said that is correct. They must pay the Plant Investment Fee, plus the physical connection from the main line to the house.

Councilmember Theobold asked how the share was determined. Mark Relph said they calculate the total number of users that are part of the district. They must form an improvement district in order to take advantage of the underwriting. The 30% is the incentive to participate in improvement districts.

Councilmember Theobold said a system failure will be the only reason they would want to go forward with an improvement district. Mark Relph said neighbors with failed systems help educate their neighbors without failed systems, and can show them the long-term benefits of connecting to the sewer plant.

Councilmember Terry asked how the information will be provided to the potential neighborhoods. She felt this program is similar to current alley improvement districts, and may become quite popular. Mark Relph said some neighborhoods are waiting for tonight's decision, as well as the County Commissioners decision, but they do need to notify others who are unaware of the proposal.

Councilmember Theobald asked if the program will only be for neighborhoods with septic systems, or if Panorama will be eligible. Mark Relph said they are pursuing another issue with Panorama as they have a collection system of their own. Funds for improvement districts would not go towards any Panorama proposal. City Manager Achen said they are working with Mesa County to create a proposal for that particular situation to encourage Panorama to participate as well.

Councilmember Payne said the resolution is a joint City/County resolution and has been discussed by both government bodies.

Councilmember Terry thought it was a great plan.

Councilmember Theobald said this has been a long time coming.

Mayor Kinsey said the Persigo Wastewater Sewer Plant has been so well managed with upgrades and capacity that the funds are available to subsidize some of the costs.

Resolution No. 38-00 – A Joint City and County Resolution Establishing Septic System Elimination Program

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, Resolution No. 38-00 was adopted and Staff was directed on the appropriateness of underwriting proposed local improvement districts.

ADJOURNMENT

The meeting adjourned into executive session at 8:25 p.m. to discuss property negotiations.

Stephanie Nye, CMC
City Clerk