

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

February 7, 2001

The City Council of the City of Grand Junction, Colorado, convened into regular session the 7th day of February, 2001, at 7:30 p.m. at the City Hall Auditorium, 250 N. 5th Street. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Jim Spehar was absent. Also present were City Manager Kelly Arnold, 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 Rev. Jim Hale, Spirit of Life Christian Fellowship.

PAT KENNEDY, LENNA WATSON AND PAUL NELSON, RIVERFRONT FOUNDATION, PRESENTED A CHECK TO CITY COUNCIL FOR LAND PURCHASE ON BLUE HERON TRAIL

APPOINTMENTS TO THE VISITORS AND CONVENTION BUREAU BOARD OF DIRECTORS

Upon motion by Councilmember Theobald, seconded by Councilmember Terry and carried, Linda Smith was reappointed and Jane Fine Foster, Larry McDonald and Kevin Reimer were appointed to three-year terms on the Visitors and Convention Bureau Board of Directors.

PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF THE GRAND JUNCTION BOARD OF APPEALS

Mike Denner and Clay Tuflly were present to receive their Certificate of Appointment to the Grand Junction Board of Appeals.

CONSENT ITEMS

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried by roll call vote, the following Consent Calendar items # 1 through 14 were approved. Councilmember Enos-Martinez stated she serves on the Private Allocation Committee but has cleared her voting on the item through the City Attorney.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the January 15, 2001 Workshop and the Minutes of the January 17, 2001 Regular Meeting

2. **Notice of Election and Acceptance of Written Mail Ballot Plan**

Both the Charter and the Municipal Election Code have specific publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements.

The Secretary of State Rules for mail ballot elections require that the written mail ballot plan be submitted to the governing body. No action is required on the part of the City Council.

Resolution No. 7-01 - A Resolution Setting Forth the Notice of Election for the Regular Municipal Election to be Held on April 3, 2001 in the City of Grand Junction

Action: Adopt Resolution No. 7-01

3. **Accepting a Portion of Mesa County's Private Activity Bond Allocation**

The City of Grand Junction, as well as Mesa County, received a Private Activity Bond (PAB) allocation from the State of Colorado Department of Local Affairs for 2001. The bond authority can be used on a tax-exempt basis for various private purposes. A small manufacturing firm has expressed interest in using the City's allocation as well as a portion of the County's. This resolution would formally accept the assignment from Mesa County for a portion of their PAB allocation.

Resolution No. 8-01 – A Resolution by the City of Grand Junction Accepting the Assignment from Mesa County, Colorado, of a Portion of their Private Activity Bond Allocation Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Action: Adopt Resolution No. 8-01

4. **2001 Animal Control Agreement with Mesa County**

The City has had an ongoing, annually renewable agreement with Mesa County for the control of dogs within the city limits. The City pays Mesa County a percentage of the Animal Control budget based upon the City's percent of total

calls for service. The City's share of the budget for 2001 is \$165,208 (38.47%). Payments are made to the County on a quarterly basis. The amount requested for the 2001 budget is a decrease of \$7,851 from the amount paid in 2000, attributable to a reduction in the City's percentage of calls for service as well as fewer capital improvement projects planned for the facility in 2001. The 2001 budget for this item has a shortfall of \$5,165. That amount is requested from contingency funds.

Action: Authorize the City Manager to Sign the 2001 Animal Control Agreement with Mesa County in the Amount of \$165,208 and Authorize Contingency Funds in the Amount of \$5,165 to Increase the 2001 Budget

5. **2001 Intergovernmental Agreement for the Grand Junction Fire Department to Provide Services Outside the City of Grand Junction (DERA/SARA)**

The DERA (Designated Emergency Response Authority) services are for response to accidents involving the release of hazardous materials. The SARA program (Superfund Amendment Reauthorization Act) involves collection of information regarding storage, handling and manufacturing of hazardous materials.

Action: Authorize the Mayor to Sign the 2001 City/County Intergovernmental Agreement for the Grand Junction Fire Department to Provide Services Outside the City of Grand Junction

6. **Accepting Energy Impact Funds for Two Rivers Expansion Project**

The State of Colorado Department of Local Affairs has awarded two \$300,000 grants to the City of Grand Junction to assist with the preparation of plans, specifications, design, construction and renovation of Two Rivers Convention Center.

Resolution No. 9-01 – A Resolution Authorizing the Mayor to Sign Two Separate \$300,000 Grant Contracts with the State of Colorado's Department of Local Affairs for the Renovation of Two Rivers Convention Center

Action: Adopt Resolution No. 9-01

7. **Purchase of 2001 Mack Solid Waste Truck**

This purchase is to replace unit #409, 1992 Ford solid waste truck. Initially this truck was to be replaced in 2000, but was used one additional year to accrue additional funds for a cab over design, consistent with other Solid Waste fleet

units. Cab over design has proven beneficial for the City due to weight distribution and improved turning radius. The City currently has 10 Mack MR chassis trucks that have proven to be very reliable. This purchase is based on a sole source purchase from Mesa Mack Sales and Service with guaranteed 1999 pricing.

Action: Approve the Purchase of One 2001 Mack Truck from Mesa Mack Sales and Service in the Amount of \$124,140 (net price)

8. **Colorado Avenue Interceptor Sewer Rehabilitation**

The following bids were received on January 9, 2001:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Insituform Technologies, Inc.	Littleton, CO	\$152,640.00
Western Slope Utilities, Inc.	Breckenridge, CO	\$165,315.00
Engineer's Estimate		\$113,520.00

Action: Award Contract for Colorado Avenue Interceptor Sewer Rehabilitation to Insituform Technologies, Inc. in the Amount of \$152,640

9. **Lease Amendment and Extension of City-Owned Property at 134 West Avenue to Rocky Mountain Headstart**

Head Start has leased the property at 134 West Avenue from the City since 1973. The City has waived rent during Head Start's entire occupancy as an in-kind contribution to a recognized community action program. Staff recommends rent be waived for the proposed extended term and that Head Start continue to be responsible for all maintenance and all costs attributed to their use of the property.

Resolution No. 10-01 – A Resolution Authorizing a Five-Year Lease of City Property at 134 West Avenue to Rocky Mountain SER Western Slope Head Start Program

Action: Adopt Resolution No. 10-01

10. **Vacating a Utility, Drainage and Irrigation Easement for a Single Family Home at 709 Eider Court in Fountain Greens, Filing 1** [File #VE-2000-237]

The applicant requests to vacate a utility, drainage and irrigation easement to allow for a larger building envelope for the lot located at 709 Eider Court. The drainage

line within the easement will be relocated on adjacent property within The Helm at Fountainhead. The applicant has an agreement with The Helm Homeowners Association to relocate the line in their common area. There are no utilities or irrigation facilities in the easement. Staff recommends approval with conditions.

Resolution No. 11-01 – A Resolution Vacating a Utility, Drainage and Irrigation Easement on Lot 5, Block 2, Fountain Greens Subdivision, Filing No. 1, Located at 709 Eider Court

Action: Adopt Resolution No. 11-01

11. **Setting a Hearing on Amending the Zoning Ordinance for Redlands Mesa, Phase 2, South of the Ridges** [File #PP-2000-236]

A request to approve zoning for Phase 2 of the proposed Redlands Mesa Development in the Ridges, consisting of parcels 9, 10A, 10B and 11 of the approved Outline Development Plan. The zoning ordinance establishes the allowed uses as 67 single-family homes.

Proposed Ordinance Zoning Land Located South and West of the Ridges Known as Redlands Mesa, Phase 2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 21, 2001

12. **Vacating an Irrigation Easement in Big T Properties Subdivision, Located at the Northeast Corner of 24½ Road and Industrial Boulevard (Chili's Restaurant)** [File #SS-2000-181]

The petitioner is requesting approval of a vacation of a 10' utility and irrigation easement in a C-1 zone.

Resolution No. 12-01 – A Resolution Vacating a Utility and Irrigation Easement at the Northeast Corner of 24½ Road and Industrial Boulevard

Action: Adopt Resolution No. 12-01

13. **Setting a Hearing on Zoning the Etter/Epstein Property to PD, Located at the Southeast Corner of Horizon Drive and G Road** [File #ODP-2000-058]

The 22.56-acre Etter-Epstein property is located at the southeast corner of Horizon Drive and G Road and consists of three parcels of land. Approximately 1.4 acres

of the property is public right-of-way due to the realignment of 27.5 Road and the Horizon Drive/G Road intersection. The parcels are presently zoned Planned Development (PD) but a plan has never been established for the property. The property owners are proposing this ODP to retain the PD zoning.

Proposed Ordinance Zoning Three Parcels of Land Located on the Southeast Corner of the Horizon Drive and G Road Intersection to PD (Planned Development)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 21, 2001

13. **Setting a Hearing on Traver Annexation No. 1 and Traver Annexation No. 2, Located at 2980 Rood Avenue and 2986 D Road** [File #ANX-2001-011]

The 31.98-acre Traver Annexation consists of two parcels of land located at 2980 Rood Avenue and 2986 D Road, including a portion of the D Road right-of-way.

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

Resolution No. 13-01 – 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, A Serial Annexation Comprising Traver Annexation No. 1 and Traver Annexation No. 2, Located at 2980 Rood Avenue and 2986 D Road, and Including a Portion of the D Road Right-of-Way

Action: Adopt Resolution No. 13-01 and Set a Hearing for March 21, 2001

b. Set Hearings on Annexation Ordinances

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traver Annexation No. 1, Approximately 0.54 Acres, Located at 2986 D Road, and Including a Portion of the D Road Right-of-Way
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traver Annexation No. 2, Approximately 31.44 Acres, Located at 2986 D Road and 2980 Rood Avenue, Including a Portion of the D Road Right-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for March 21, 2001

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

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

SUBMITTING THE WILLIAMS HOUSE AT 1001 SOUTH THIRD STREET FOR HISTORIC STRUCTURE ASSESSMENT THROUGH THE COLORADO HISTORICAL SOCIETY

A request for City Council approval and authorization for the Mayor to sign a grant application to the Colorado Historical Society State Historic Fund to do a Historic Structure Assessment for the Williams House located at 1001 South Third Street.

Kristen Ashbeck, Senior Planner, Community Development Department, reviewed this item. Rather than place the building on the endangered building list it was suggested that the building be assessed first. Funds for these grants come from gaming funds. Ms. Ashbeck said she has prepared the grant application for \$10,000. A city match of \$2,000 will make the application more competitive as well as cover some contingencies in the study. Ms. Ashbeck noted that representatives from the Confluence Historic Restoration Project Committee and the Riverfront Commission were present tonight.

Bob Cron, 310 Dakota Drive, coordinator for the Colorado Riverfront Greenway, said he is in favor of sending in the grant application in the context that the property was purchased by the City and many improvements have been made to the property so it can be visited by the public. With the assessment, the Transportation Plan and the Land Use Plan, the City can go forward with a decision on what to do with the property.

Pat Kennedy, 2296 S. Arriba Circle, Co-Chairman of the Riverfront Commission and member of the Riverfront Foundation, spoke in favor of the assessment and envisioned the property being used for a civic building or perhaps a nicely landscaped manufacturing center.

Carl Zimmerman, 2744 Laguna Drive, stated he had experience with the Jarvis property and knew the history of the Williams House. He felt Grand Junction, as a visionary city, should invest \$2,000 in the house for the assessment. He strongly supported the study.

Councilmember Terry supported the study as it will answer a lot of questions regarding the Williams House. Councilmember Payne agreed.

Upon motion by Councilmember Theobald, seconded by Councilmember Payne and carried, the Mayor was authorized to sign the grant application to the Colorado Historical Society State Historic Fund for a Historic Structure Assessment/Feasibility Study for the Williams House located at 1001 South Third Street with the City contributing \$2,000 toward the study.

PUBLIC HEARING - SUPPLEMENTAL APPROPRIATION ORDINANCE FOR THE 2001 SEWER SYSTEM FUND

The Septic System Elimination Program, adopted May 3, 2000, has had high interest levels. Due to the demand, Staff is running into budget constraints. Staff is requesting the Council shift approximately \$900,000 from the 2002 Budget to 2001 to fund design and construction of Country Club Park and Monument Meadows sewer improvement districts and the design of Redlands Village sewer improvement district. This move requires passage of an ordinance making supplemental appropriations to the 2001 budget.

The public hearing was opened at 7:48 p.m.

Mark Relph, Public Works & Utilities Director, reviewed the purpose for the request for additional appropriation of \$900,000 for the sewer fund. The Septic System Elimination Program has been more successful than originally anticipated.

Councilmember Terry asked if the supplemental appropriation will go before the County Commissioners. Utilities Manager Greg Trainor indicated that it has.

There were no public comments. The public hearing closed at 7:50 p.m.

Ordinance No. 3325 – An Ordinance Making Supplemental Appropriations to the 2001 Budget of the City of Grand Junction

Upon motion by Councilmember Scott, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3325 was adopted on second reading and ordered published.

PUBLIC HEARING - AMENDING CHAPTER 10 OF THE CITY CODE OF ORDINANCES REGARDING THE BUILDING CODE (INSURANCE REQUIREMENTS)

On December 6, 2000, the City Council adopted the 2000 International Building Code. Consequently, certain other sections of the Code of Ordinances must be updated to remain consistent with the newly adopted Building Code, specifically the provisions related to insurance requirements to received a contractor's license.

The public hearing was opened at 7:51 p.m.

City Attorney Dan Wilson reviewed this item. The need for the amendment is to clarify the insurance and bond requirements.

There were no public comments. The public hearing closed at 7:53 p.m.

Ordinance No. 3326 – An Ordinance Amending Chapter 10 of the Code of Ordinances of the City of Grand Junction, Colorado

Upon motion by Councilmember Theobold, seconded by Councilmember Enos-Martinez and carried, Ordinance No. 3326 was adopted on second reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

Council Candidates

Mayor Kinsey invited Council candidates to come to the microphone and introduce themselves.

Connie Cass (District E), Harry Butler (District E), Linda Gordon (District D), J. Creighton Bricker (District D), Al LeFebre (City at Large), Joseph Marie (City at Large), Alice Rupp (City at Large) and Dennis Kirtland (City at Large), introduced themselves.

Tablet Located on the West Side of City Hall

Greg Marshall, 1742 DS Road, (business address 607 S. 7th Street) was present because of the tablet located on the west side of the City Hall building. He asked for assistance from the City Attorney to draft a petition to get an initiative on the ballot for the April 3, 2001 election. He said time is of the essence since it must be filed with the City Clerk by February 21, 2001. He wanted the property declared as surplus and put up for sale to the highest bidder by any organization so the tablet can remain where it is.

Attorney Larry Beckner, 1241 Gunnison Avenue, requested having City Attorney Dan Wilson work with his group to get a petition ready to circulate on this initiative.

Councilmember Theobold said a citizen initiative does not require approval of the City Council nor is permission needed for the City Attorney to lend assistance.

EXECUTIVE SESSION

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, the meeting adjourned into executive session at 8:05 p.m. to discuss personnel.

ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Stephanie Nye, CMC
City Clerk