

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

**SEPTEMBER 19, 2001**

The City Council of the City of Grand Junction convened into regular session the 19<sup>th</sup> day of September, 2001 at 7:36 p.m. in the City Auditorium. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Janet Terry, Reford Theobold, and President of the Council Cindy Enos-Martinez. Councilmember Jim Spehar was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Nye.

Council President Enos-Martinez called the meeting to order and Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Reverend Eldon Coffey, Retired Minister.

**PROCLAMATIONS**

Proclamation Declaring October 6, 2001, as "OKTOBERFEST AND GERMAN-AMERICAN DAY" in the City of Grand Junction.

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

To reappointed Forestry Board Member Stephen Gerow.

To newly appointed Commission on Arts and Culture member Douglas Cleary.

To reappointed Urban Trails Committee members Clark Rieves and Judy Craddock.

**CITIZEN COMMENTS**

Councilmember Theobold informed the audience that anyone who wanted to speak before the Council, but who had not signed up before the meeting started could still do so.

Lynn Phillips, Mack, Co. commented on Homeless Shelter issues. He feels that there has been no community involvement and community input was not solicited and this is not right. They live within a block of the proposed shelter so this action affects his parents' residence value. Mr. Phillips is a general contractor in the area and was involved in the building of the Rescue Mission on South 5<sup>th</sup> Avenue a few years ago. It took two years to accomplish the project because there was a lot of input from the community. Changing the Knights of Columbus building from a meeting place to a "hotel" and it being a homeless shelter is something that is being slipped in by the City. It is inappropriate for this building to be a homeless

shelter and it is in an inappropriate place. There has never been anything like a homeless shelter in the middle of North Avenue, there is no transportation for the homeless so how are they going to get there. Mr. Phillips feels there should have input by the neighborhood. He feels this was done for the good of the City, not the good of the neighborhood.

Mayor Enos-Martinez clarified that the Housing Authority has purchased the building, not the City of Grand Junction.

David Smith, 2866 Belford Ave., lives right behind where this homeless shelter will be. Mr. Smith is speaking on behalf of those against this project. He would like to know why the Planning Department made the decision they did, if they did or did not break any rules and he would like Council to investigate this project. Mr. Smith asked Councilmember Theobald to lead the investigation because he represents that area and he would understand what to ask. Councilmember Theobald stated that investigating this project is out of his purview as a member of the City Council. Mr. Smith stated that he would like to see the rules change so it doesn't happen again.

Louise Phillips, 2859 Belford, has lived in the neighborhood ten years. She read a previously composed letter into record stating that they were not informed, that the shelter is not in the best interest of the residents or businesses in the neighborhood.

Mayor Enos-Martinez announced that there will be a meeting at 6:30 at the Knights of Columbus Hall with the Housing Authority Board and staff. Mayor Enos-Martinez extended an invitation to all residents of the neighborhood to attend. Along with members of the Housing Authority there will persons from the Catholic Outreach and City Market.

Councilmember Theobald stated that some of these issues are also in his memo, which has not been distributed yet. Councilmember Theobald also stated that he would like Council to have answers in advance regarding what would be the authority of Council if the staff decision is in error.

## **CONSENT ITEMS**

It was moved by Councilmember McCurry, seconded by Councilmember Terry and carried by a roll call vote to approve the Consent Calendar items #1 through 5.

### **1. Minutes of Previous Meetings**

*Action: Approve the Summary of the September 5, 2001 Workshop and the Minutes of the September 5, 2001 Regular Meeting*

2. **Designation of Seventh Day Adventist Church as a Historic Structure**  
[File #HBD 2001-02.03]

Joseph Maruca, owner of the Seventh Day Adventist Church located at 800 Colorado Avenue, is requesting that the building be designated as historic in the City Register of Historic Sites, Structures and Districts

Resolution No. 96-01 – A Resolution Designating the Seventh Day Adventist Church Located at 800 Colorado Avenue in the City Register of Historic Sites, Structures, and Districts

*Action: Adopt Resolution No. 96-01*

3. **Vacation of Right-of-Way and Easements in Arrowhead Acres II, Filing 3** [File #VR-2001-159]

Request for approval of vacation of the cul-de-sac turnaround at the end of B.3 Road and vacation of irrigation and drainage easements

a. Vacation of Right-of-Way Ordinance

Proposed Ordinance Vacating a Portion of the B.3 Road Right-of-Way in Arrowhead Acres, Filing 3

b. Vacating Easements

Resolution No. 97-01 – A Resolution Vacating Irrigation and Drainage Easements in Arrowhead Acres II, Filing 3

*Action: Approve Resolution No. 97-01 and Proposed Ordinance on First Reading and Set a Hearing for October 3, 2001*

4. **12<sup>th</sup> Street Reconstruction, Change Order No. 3**

Change Order No. 3 includes the removal and replacement of the bottom 2 inches of asphalt pavement in the traffic lanes and bike lanes on the section of North 12<sup>th</sup> Street which was reconstructed 1999.

*Action: Authorize the City Manager to Approve Change Order No. 3 in the Amount of \$51,944 and Authorize the Transfer of this Amount from the Contract Street Maintenance Fund to the 12<sup>th</sup> Street Reconstruction Project*

5. **Setting a Hearing on Zoning Ruby Meadows Annexation**  
[File #ANX-2001-147]

Request to zone the Ruby Meadows Annexation area to an RMF-8 (Residential Multi-family – 8 dwelling units per acre) zone district.

Proposed Ordinance Zoning the Ruby Meadows Annexation Nos. 1 and 2 to a Residential Multi-Family-8 dwellings per acre Zone District

*Action: Adopt Proposed Ordinance and Set a Hearing for October 3, 2001*

## END OF CONSENT CALENDAR

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### ITEMS NEEDING INDIVIDUAL CONSIDERATION

#### **Public Hearing - Assessing the Cost of the Improvements for the Glen Caro and Northfield Estates No. 2 Sewer Improvement District (SSID SS-44-00)**

Sanitary sewer facilities have been installed as petitioned by and for the special benefit of fifty properties located in the vicinity of North 7<sup>th</sup> Street and G Road. The proposed ordinance would levy assessments in the amount of \$5,620.69 upon each of the fifty benefiting parcels.

The public hearing was opened at 7:55 p.m.

Real Estate Technician Rick Marcus reviewed this item.

Councilmember Theobold asked who circulated the petition for this item. Mr. Marcus said that a citizen by the name of Hammond did the circulating of the petition.

Councilmember Kirtland asked if this assessment is about average. Mayor Enos-Martinez stated that she believed this assessment is a little higher than what Council has seen in past years.

Mayor Enos-Martinez asked for any public comments. There were none.

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

Ordinance No. 3373 - An Ordinance Approving the Assessable Cost of the Improvements Made In and For Sanitary Sewer Improvement District No. SS-44-00, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> 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

Upon motion by Councilmember Kirtland, seconded by Councilmember Theobold, and carried by roll call vote, Ordinance No. 3373 was approved.

**Public Hearing – Assessing the Cost of Improvements for Alley Improvement District 2000, Phase B**

Reconstruction of the alley running from 10<sup>th</sup> Street to 11<sup>th</sup> Street between Colorado Avenue and Ute Avenue has been completed as petitioned by a majority of the owners of the property to be assessed.

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

Real Estate Technician Rick Marcus reviewed this item

Councilmember Theobold confirmed that this item was a citizen carried petition and that the City only facilitated the documents.

There were no public comments.

The public hearing was closed at 8:01 p.m.

Ordinance No. 3374 - An Ordinance Approving the Assessable Cost of the Improvements Made in And For Alley Improvement District No. ST-00, Phase B, 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

Upon motion by Councilmember Theobold, seconded by Councilmember McCurry, and carried by roll call vote, Ordinance No. 3374 was approved.

**Public Hearing - Assessing the Cost of the Improvements for Alley Improvement District 2001, Phase A**

Reconstruction of the following alleys has been completed as petitioned by a majority of property owners to be assessed:

- East/West Alley from 8<sup>th</sup> Street to 9<sup>th</sup> Street between Chipeta Avenue and Ouray Avenue
- East/West Alley from 9<sup>th</sup> Street to 10<sup>th</sup> Street between Colorado Avenue and Ute Avenue
- East/West Alley from 10<sup>th</sup> Street to 11<sup>th</sup> Street between Main Street and Colorado Avenue
- East/West Alley from 10<sup>th</sup> Street to 11<sup>th</sup> Street between Hill Avenue and Teller Avenue
- “T” shaped Alley from 18<sup>th</sup> to 19<sup>th</sup> and Elm Avenue to Bunting Avenue

The public hearing opened at 8:01 p.m. Mayor Enos-Martinez asked for questions from the public.

Real Estate Technician Rick Marcus reviewed this item.

Councilmember Theobald asked about the City's involvement in this petition. Mr. Marcus explained the process.

There were no public comments on this issue.

The public hearing was closed at 8:03 p.m.

Ordinance No. 3375 - An Ordinance Approving the Assessable Cost of the Improvements Made in And For Alley Improvement District No. ST-01, 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

Upon motion by Councilmember Terry, seconded by Councilmember Kirtland, and carried by roll call vote, Ordinance No. 3375 was approved.

**Public Hearing – Amending CDBG 2000 Action Plan and Lease for the Head Start Facility Located at 134 West Avenue**

1) The proposed amendment to the lease agreement will extend the term of the lease and incorporate a new provision which clearly specifies that all improvements installed on the property will become and remain part of the property upon expiration or termination of the lease.

2) The amendment of the City's CDBG Consolidated Plan 2000 Action Plan is to reflect the revision to the grant dollars awarded Head Start to construct a new facility rather than remodel and add on to the existing facility.

3) The subrecipient contract formalizes the City's Award of \$104,000 to Rocky Mountain SER Western Slope Head Start for construction of a new daycare facility at 134 West Avenue. These funds were allocated from the City's 2000 Community Development Block Grant Program.

The public hearing was opened at 8:04 p.m.

Kristen Ashbeck, Community Development Department, reviewed this item. The first item is Real Estate Manager Tim Woodmansee's item. The reason for the public hearing is the amendment to the CDBG Consolidated Plan for 2000.

There were no public comments.

The public hearing closed hearing at 8:06 p.m.

Resolution No. 98-01- Amending and Extending the Lease of City Property at 134 West Avenue to Rocky Mountain SER Western Slope Head Start Program

Upon motion by Councilmember Theobold, seconded by Councilmember Butler, and carried by roll call vote, Resolution No. 98-01, the Amendment to the CDBG Consolidated 2000 Action Plan and the Authorization for the City Manager to Sign the Subrecipient Contract were approved.

### **Contingency Transfer for Two Rivers Convention Center Audio Equipment Replacement**

Funds for the replacement of the existing audio equipment in Two Rivers Convention Center was not included in the Two Rivers construction budget. City staff asked Shaw Construction to evaluate the existing audio equipment and submit a price to replace it. A plan was developed by Commercial Specialists from Grand Junction and reviewed by Sonics, Inc., the City's acoustic and audio consultant for the Two Rivers project. The estimated price is to replace all of the audio equipment, except the speakers in the exhibit hall which the consultant said are in good working order, and to install the necessary conduit for future video in the meeting rooms.

Public Works Director Mark Relph reviewed this item.

Councilmember Dennis Kirtland is refusing himself because he is an employee of Shaw Construction.

Upon motion by Councilmember McCurry, seconded by Councilmember Terry, and carried by roll call vote, the expenditure of \$172,000 for Two Rivers Construction Project was approved.

### **NON-SCHEDULED CITIZENS & VISITORS**

There were no non-scheduled citizens or visitors.

### **OTHER BUSINESS**

Councilmember Janet Terry talked about the tragedy in New York City. She proposed that \$10,000 be sent to the relief fund on behalf of the citizens of Grand Junction.

City Manager Kelly Arnold said it might go a long way to send it directly to Mayor Guiliani. Council agreed. It was agreed that Council will work out the details after doing some research.

Upon motion by Councilmember Terry, seconded by Councilmember Theobold, and carried, the expenditure of \$10,000 to be sent to Mayor Guiliani for the tragedy relief fund on behalf of the citizens of the City of Grand Junction was approved.

It was announced by Council that all employees will receive a lapel pin of the American flag and a postcard with their paychecks on Friday, September 21, 2001.

### **ADJOURNMENT**

The meeting was adjourned at 8:20 p.m.

Stephanie Tuin, CMC  
City Clerk