

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

MARCH 6, 2002

The City Council of the City of Grand Junction convened into regular session the 6th day of March 2002, at 7:30 p.m. in the City Auditorium. Those present were Harry Butler, Reford Theobold, Bill McCurry, Janet Terry, Jim Spehar, Dennis Kirtland, and President of the Council Cindy Enos-Martinez. Also present were City Manager Kelly Arnold, Assistant City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Enos-Martinez called the meeting to order and Councilmember Theobold led in the pledge of allegiance. The audience remained standing for the Invocation by Gary Cake, More Than Words Ministry.

PROCLAMATIONS

PROCLAMATION DECLARING THE WEEK OF MARCH 3-9, 2002 AS "2002 WOMEN IN CONSTRUCTION WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MARCH 8, 2002 AS "CLUB 20 DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENT TO THE PARKS AND RECREATION ADVISORY BOARD

Councilmember Theobold moved to appoint Dale Hollingsworth to the Parks and Recreation Advisory Board to fill an unexpired term until June 2004. Councilmember McCurry seconded. Motion carried.

APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

Councilmember Theobold moved to appoint Tom Streff to the Historic Preservation Board until December 2004. Councilmember Spehar seconded. Motion carried.

PRE-SCHEDULED CITIZENS AND VISITORS

STEVE SHEEHY WITH MESA COUNTY SAFETY COUNCIL TO ADDRESS CITY COUNCIL ON PLANS FOR A SAFETY VILLAGE

Mr. Sheehy explained his vision for a Safety Village. He referred to a packet of information that he distributed earlier that identified many of the supporters of the program. He said the Mesa County Safety Council needs a location. A grant has been written to request funds, but they need a seed, and 3 acres of land, which he would like to see incorporated into the City's Parks Master Plan.

MIKE AND ALANNA BELL TO ADDRESS CITY COUNCIL ON A DENIED SEWER BACKUP CLAIM

Mike, Alanna, and Ashley Bell, residing at 2286 N. Arriba Circle, in the Redlands addressing the City Council. Mr. Bell thanked the Council for being able to tell his story. He explained that the incident happened on February 2nd, 2002, when raw sewage came up from the main drain into the finished basement. He called SOS and started removing books from bookshelves, as well as furnishings. By the time SOS arrived, the back up had stopped. Servicemaster came to the site per Mr. Bell's request and started removing the carpet.

Another backup of the sewer occurred the following day, Sunday February 3rd. The pressure pushed the strainer off the drain and the raw sewage was bubbling up like a fountain out of the drain again. Mr. Bell called SOS once again, along with Servicemaster and the City of Grand Junction. The City discovered in the next manhole up, that a large nest of roots was causing the blocking of the sewer and cleared the blockage. Servicemaster estimated the damage to be over \$18,000. A claim was submitted to the City's insurance company, but was denied. The Bells discovered that another property nearby (2284 N. Arriba Circle) had the same problem in 1993, and it was determined that those roots were growing in that manhole even back then. Mr. Bell asked the City Council for their help. The Mayor thanked Mr. Bell and directed him to work with City Manager Arnold, and to have Mr. Arnold follow up on this matter and to inform City Council of the progress. Mr. Bell left a summary of the events with the City Manager.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Councilmember Terry and carried to approve the Consent Calendar Items #1 through 12.

1. Minutes of Previous Meetings

Action: Approve the Summary of the February 18, 2002 Workshop, and the Minutes of the February 20, 2002 Regular Meeting

2. Sole Source Purchase Request of Computer Software for the Police Department

The Police Department is seeking approval for a sole source purchase of a CADMine program and service. This program is provided through Corona Solutions and is compatible with existing software. Corona Solutions is the only provider of this type of service. CADMine is a program that imports data from the computer aided dispatch system which is then used to compute crime trends and

detailed reports on call load, workload, response times, counts by type of event, unit ID and area.

Action: Authorize the Sole Source Purchase of CADMine from Corona Solutions for the Police Department

3. **Setting a Hearing on the Zoning the Gunn Annexation #1 & #2** [File #ANX-2002-014]

First reading of the Zone of Annexation Ordinance for the Gunn Annexation located at 2981 Gunnison Ave. The 0.688-acre Gunn Annexation consists of one parcel of land.

Proposed Ordinance Zoning for the Gunn Annexation #1 & 2 to I-1 (Light Industrial), Located at 2981 Gunnison Avenue

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for March 20, 2002

4. **Setting a Hearing on Zoning the Cimarron Mesa Annexation Located at 225 Linden Avenue** [File #ANX-2001-161]

The applicant proposes a zone of annexation from County RSF-4 to City RSF-4 for the 32.567 acre Cimarron Mesa Annexation. A Preliminary Plan to subdivide the parcel into 109 single-family lots was approved by the Planning Commission at its February 19, 2002 hearing. The Planning Commission recommends approval of the zone of annexation.

Proposed Ordinance Zoning the Cimarron Mesa Subdivision Annexation Residential Single Family – Four (RSF-4) Located at the Southwest Corner of Linden Avenue and B ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for March 20, 2002

5. **Setting a Hearing on the Rinderle Annexation located at the SE Corner of 28 Road and B ½ Road** [File #ANX-2002-027]

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Rinderle Annexation located at the southeast corner of 28 Road and B ½ Road. The 11.575-acre Rinderle Annexation consists of one parcel of land.

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

Resolution No. 15-02 – 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, Rinderle Annexation, Located at the Southeast Corner of 28 Road and B ½ Road

Action: Adopt Resolution No. 15-02

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rinderle Annexation, Approximately 11.575 acres, Located at the Southeast Corner of 28 Road and B ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

6. Setting a Hearing on the Staton Annexation Located at 2673 ½ B ½ Road
[File # ANX-2002-028]

Resolution for referral of petition to annex and first reading of the annexation ordinance and exercising land use jurisdiction immediately for the Staton Annexation, Located at 2673 ½ B ½ Road.

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

Resolution No. 16-02 – 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, Staton Annexation, Located at 2673 ½ B ½ Road and Including a Portion of the Linden Avenue Right-of-way and Including a Portion of the Linden Avenue Right-of-way

Action: Adopt Resolution No. 16-02

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Staton Annexation, Approximately 17.329 acres, Located at 2673 ½ B ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

7. Setting a Hearing on the Dettmer Annexation located at 2916 D ½ Road [File #ANX-2002-013]

Resolution for Referral of Petition to Annex/First Reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Dettmer Annexation located at 2916 D-1/2 Road. This 0.861-acre (37,506.2 square feet) annexation consists of a single parcel of land.

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

Resolution No. 17-02 – 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, the Dettmer Annexation, Located at 2916 D ½ Road

Action: Adopt Resolution No. 17-02

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dettmer Annexation, Approximately 0.861 acres, Located at 2916 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

8. Setting a Hearing on the Traver No. 3 Annexation Located Along the Grand Valley Irrigation Canal, NE of 30 and D Roads [File #ANX-2001-011]

Resolution for Referral of Petition to Annex, First Reading of the annexation ordinance and exercising land use jurisdiction immediately for the Traver Annexation No. 3, a parcel of land lying along the Grand Valley Irrigation Company Canal situated north of the Traver Annexation No. 2 and east of D and 30 Roads. This 0.2407 acre (10,484.9 square feet) annexation consists of a single parcel of land.

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

Resolution No. 18-02 – 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, Traver Annexation No. 3, Located along the Grand Valley Irrigation Canal, Northeast of D and 30 Roads

Action: Adopt Resolution No. 18-02

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City Of Grand Junction, Colorado, Traver Annexation No. 3, Approximately 0.2407 Acres, Located at the Grand Valley Irrigation Canal, Northeast of D and 30 Roads

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

9. **Setting a Hearing on Rezoning the Paul B. Boyd Subdivision, Located at 838 26 ½ Road, 2660 Catalina Drive and 2662 Catalina Drive** [File #RZ-2002-015]

The Petitioner is requesting a rezoning from RMF-5 (Residential Multi-Family, not to exceed 5 dwelling units per acre) to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre). The rezone request is the result of a minor subdivision. Two lots were reconfigured into 3 lots, leaving a split zoning on the newly created lot. This proposal will rezone the new lot and the lot to the west to RSF-4. This request is in conformance with the Growth Plan, which suggests a density of residential medium, 4 to 8 units per acre.

Proposed Ordinance Zoning 3 Parcels of Land Located in the Paul B. Boyd Subdivision, 838 26 ½ Road, 2662 Catalina Drive and 2660 Catalina Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for March 20, 2002

10. **Sale of City Right-of-Way at Horizon Drive, G Road and 27 ½ Road Intersection to Pizza Hut**

Adjacent to the Pizza Hut property on Horizon Drive and G Road, is an area of City right-of-way that is not used because of the reconstruction of the Horizon Drive, G Road and 27 ½ Road intersection. This agreement will convey the City property to the adjacent landowner. In exchange, the business owner agrees to pay for, develop and maintain the property.

Action: Authorize the City Manager to Execute an Agreement Conveying City Right-of-Way and Providing Details of the Conveyance

11. **Contract Amendment #2 to ICON Engineering Contract for Leach Creek and Horizon Drive Drainage Plans**

Original contract with ICON was for the investigation of alternatives, and preparation of Letter of Map Revision (LOMR) for Horizon Drive Channel/ Independent Ranchmen's Ditch (HC/IRD) Basin around Mesa Mall. Amendment #2 proposes to complete the study to reduce or eliminate the potential for flooding between Mesa Mall and 25 ½ Road.

Action: Authorize the City Manager to Sign Amendment #2 to the Existing Contract with ICON Engineering for \$30,685 to Fund the Additional Work

12. Recommendations from the Grand Junction Commission on Arts and Culture for Funding Support to Organizations for Art and Cultural Events, Projects, and Programs

On February 26 and 27, 2002 the Commission reviewed requests and presentations from 23 organizations and agencies, totaling \$57,836, for financial support, per Commission goals, criteria, and guidelines. The Commission recommends funding the following:

Art Center art exhibit series	\$2,500
Bookcliff Barbershop Chorus nursing home tour	\$1,000
David Taylor Dance Theatre (Denver) performance	\$2,000
Downtown Association Art & Jazz Festival	\$2,000
Grand Junction Symphony opening concert	\$1,000
Grand Valley Blacksmith Guild workshop	\$500
Grand Valley Community Theater musical	\$1,000
KAFM Public Radio calendar underwriting	\$2,000
KRMJ-TV "Western Bounty" underwriting	\$2,000
Mesa Co. Library/New Emerson Artist-in-Residence	\$1,500
Mesa State Foundation Art Educators' Conference	\$600
Mesa State Summer Dance workshop	\$1,500
Museum of Outdoor Arts (Englewood) Design & Build	\$836
Museum of Western Colo. Apple Jubilee	\$1,000
Performing Arts Conservatory musical	\$1,500
Schumann Singers concerts	\$500
SD#51 Art Heritage Artists-in-Residence	\$4,000
St. Andrews Grand Valley Renaissance Faire	\$1,000
VSA Arts Festival for the Disabled	\$1,200
West. Colo. Botanical Garden Amphitheater	\$1,000
Western Colorado Chorale concert tickets	\$500
TOTAL	\$29,136

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

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

Funding Policies for Outside Organizations

The City Council has developed guidelines to help with funding decisions for outside groups. This resolution will adopt the guidelines developed by the Council.

Assistant City Manager David Varley reviewed this proposal. He reviewed the Council discussion and the reasons for the development of the policy. He stated that the Council is being asked to approve the Resolution that will approve the City Council Guidelines, the Application Form and the Application Guidelines.

Councilmember Spehar asked that Mr. Varley detail those three items for the benefit of the public.

Mr. Varley started by explaining that the guidelines would assist the City Council when reviewing funding requests from outside groups and organizations: (1) Applications would be accepted during the fall of each year and would be considered during the City's budget review process; (2) Funds would be awarded for a one-year period and multi-year grants or funds would not be awarded; (3) A group or organization would be able to apply for funds every year; (4) Funds could be requested for various purposes but preference would be given to capital projects; and (5) Preference would also be given to projects that are within the City of Grand Junction.

Next, he mentioned that the purpose of the application form was to ensure adequate review of the request, and said that the information provided must be thorough yet concise.

Lastly, Mr. Varley explained that the back of the form contained suggestions and guidelines that would help the applicant complete the form.

Resolution No. 19-02 - Adopting Guidelines for Funding Outside Organizations

Upon motion made by Councilmember Kirtland, seconded by Councilmember Butler, and carried by a roll call vote, Resolution No. 19-02 was adopted.

Public Hearing - Vacation of Right-of-Way, Eagle Subdivision, Cheyenne Drive and Vernon Lane [File #VR-2002-009]

The request is for the vacation of four feet of unimproved dedicated right-of-way on the south side of Cheyenne Drive across the project's frontage and the vacation of the dedicated right-of-way for Vernon Lane in the Eagle Subdivision.

The public hearing was opened at 8:12 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item. He identified the criteria for approval of a vacation of right-of-way and stated that it is Staff's opinion that the request meets those criteria. Vernon Lane will cease to exist with the approval of the proposal.

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

Ordinance No. 3400 - An Ordinance Vacating the Portion of the Right-of-Way on the South Side of Cheyenne Drive between 27 3/8 Road and Mountain View Street and the Right-of-Way for Vernon Lane in the Eagle Subdivision

Upon motion made by Councilmember Theobold, seconded by Councilmember McCurry, and carried by a roll call vote, Ordinance No. 3400 was adopted on Second Reading and ordered published.

Public Hearing - Colorado Water Resources and Power Development Authority to Finance Improvements to the City's Water System

City Council has determined that in the best interest of the City and its citizens, the water system requires line replacement in the same core area as the combined sewer elimination project. The cost estimate of approximately \$3,500,000, includes design, engineering, legal, financing and administrative costs. Approval of this ordinance would allow the City to obtain funding for these improvements through a loan agreement with the Colorado Water Resources and Power Development Authority (CWRPDA).

The public hearing was opened at 8:17 p.m.

Ron Lappi, Director of Administrative Services, reviewed this item.

Councilmember Theobold asked when the proceeds would be received. Mr. Lappi explained that the City is part of an \$18 million bond issue that is issued through the State and the City requisitions the funds monthly as they are needed. The City's portion is only \$3.5 million. Councilmember Theobold was assured that the funds are earning interest at the exact same interest rate as interest is being charged on the amount borrowed, so no arbitrage is possible.

Councilmember Terry asked Mr. Lappi to explain the benefit of borrowing from the CWRPDA to do such a project. Mr. Lappi explained that the City is making a major commitment over a 2-year period. Therefore, it makes sense, that while the streets are torn up in the same core area for the combined sewer elimination project that the water system line replacement project be done at the same time. Mr. Lappi further explained that the loan from the Authority, with a repayment schedule over 20 years, is more cost efficient than issuing bonds. Mr. Lappi stated that the estimated true interest cost of this loan is approximately 4% annually.

Councilmember Spehar asked why borrowing is better than floating the City's own bonds. Mr. Lappi reiterated that the interest rate is lower borrowing money through the Authority instead of issuing public bonds.

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

Councilmember Terry explained to the public the reason City Council wants to go forward with this project quickly.

Councilmember Theobold added that the savings to the taxpayers by doing the water lines at the same time as the sewer separation project, and the low interest rate on the loan, made the combined project irresistible.

Ordinance No. 3403 – An Ordinance Approving a Loan from the Colorado Water Resources and Power Development Authority to Finance Improvements to the City's Water System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Ratifying prior Determinations of the Council; and Prescribing Other Details in Connection Therewith

Upon motion made by Councilmember Theobald, seconded by Councilmember Kirtland, and carried by a roll call vote, Ordinance No. 3403 was adopted on Second Reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

Councilmember Butler moved to adjourn. Councilmember McCurry seconded. Motion carried.

The meeting adjourned at 8:25 p.m.

Stephanie Tuin, CMC
City Clerk