

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

November 6, 2002

The City Council of the City of Grand Junction convened into regular session on the 6th, day of November 2002, at 7:32 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Reford Theobald, Janet Terry, 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 Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember Terry led in the pledge of allegiance. The audience remained standing for the invocation by Rev. Michael Torphy of the Religious Science Church of Grand Junction.

PROCLAMATIONS

PROCLAIMING NOVEMBER 2002 AS "HOSPICE MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAIMING NOVEMBER 9, 2002 AS "A SALUTE TO ALL VETERANS" IN THE CITY OF GRAND JUNCTION

PRESENTATIONS/RECOGNITIONS

TRAVEL INDUSTRY ASSOCIATION OF AMERICA ODYSSEY AWARD

City Manager Kelly Arnold introduced the presentation. VCB Executive Director Debbie Kovalik presented the award to the City Council.

SCHEDULED CITIZEN COMMENTS

John McGee, 2204 Crestline Court, addressed Council regarding the Sewer Lift Station Construction in Lime Kiln Gulch. Mr. McGee pointed out that the engineer only did a cursory review of the area, and that soil tests were not performed.

Councilmember Terry inquired if the environmental assessment was performed. Mr. McGee confirmed that it was done, but the geological studies that were a condition of approval of the change order on September 18th, were not done.

Councilmember Theobald asked what Mr. McGee's concerns were, and if he is objecting to the process or where and how the lift station is built. Mr. McGee replied that he wants it done properly and wants the properties surrounding the gulch protected.

Councilmember Kirtland asked him if the sewer alignment were altered, so that it went a different route, would that also raise as much concern. Mr. McGee said the line has to go through a fairly narrow area and must cross a running stream bed. He told Council that the swath needed to construct the lift station is the concern, not the building of the lift station.

Mark Relph, Public Works and Utilities Director suggested that the investigative entity respond to the concerns in writing to the City Manager so he can then share the information with Council.

Councilmember Terry suggested that the response include, as a refresher, the conditions of approval for acceptance of the change order.

Mr. McGee stated he wants the City to be held to the same standards as everyone else. Councilmember Terry responded that the City does that and Council will look into Mr. McGee's concerns.

CONSENT CALENDAR

It was moved by Councilmember Theobald, seconded by Councilmember McCurry, and carried by a roll call vote, to approve Consent Items #1 through #15.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the October 14th, 2002 Special Joint Meeting and the Minutes of the October 16, 2002 Regular Meeting

2. **City Council Meeting Schedule**

Due to conflicts in December and January, Council may consider amending the meeting schedule. There will not be a quorum on December 4th and the first Wednesday in January, 2003 is January 1st, a holiday. Council may consider changing the accompanying workshops as well.

Resolution No. 88-02 - A Resolution of the City of Grand Junction Amending the City Council 2002 Meeting Schedule and Determining the Date for the First Meeting in 2003

Action: Adopt Resolution No. 88-02

3. **Setting a Hearing on the Special Assessment and Issuance of Bonds for Rimrock Marketplace**

First reading of three related ordinances for Rimrock Market Place G.I.D. They authorize creating a special assessment district, bond sale of \$3,980,000, and assessing the properties in the district.

Proposed Ordinance Creating the Rimrock Marketplace Special Improvement District within the City of Grand Junction Rimrock Marketplace General Improvement District

Proposed Ordinance Concerning the Rimrock Marketplace Special Improvement District and Authorizing the Issuance of Special Assessment Bonds

Proposed Ordinance Approving the Whole Cost of the Improvements to be Made in the Rimrock Marketplace Special Improvement District; Assessing a Share of said Cost Against each Lot or Tract of Land in the District; and Prescribing the Manner for the Collection and Payment of said Assessments

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for November 20, 2002

4. **Setting a Hearing on Zoning the Lucas Annexation Located at 2220 Broadway**
[File # ANX-2002-184]

The Lucas Annexation is requesting that a zoning of RSF-4 be applied to the 3.747 acres. The Planning Commission, at its October 22, 2002 hearing recommended approval of the zoning.

Proposed Ordinance Zoning the Lucas Annexation to the Residential Single Family – 4 dwelling units per acre (RSF-4) District Located at 2220 Broadway

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

5. **Setting a Hearing on Zoning the Summit View Meadows Annexation Located at 3146 D ½ Road** [File # ANX-2002-153]

First reading of the zoning ordinance to zone the Summit View Meadows Annexation Residential Multi-Family-8 (RMF-8), located at 3146 D ½ Road.

Proposed Ordinance Zoning the Summit View Meadows Annexation to Residential Multi-Family-8 (RMF-8), Located at 3146 D ½ Road

Action: Adopt Proposed Ordinance of First Reading and Set a Hearing for November 20, 2002

6. **Setting a Hearing on Zoning the Crista Lee Annexation Located at 2933 B ½ Road** [File # ANX-2002-180]

The Crista Lee Annexation is requesting that a zoning of RSF-4 be applied to the 6.1157 acres. The Planning Commission at its October 22, 2002 hearing recommended approval of the zoning.

Proposed Ordinance Zoning the Crista Lee Annexation to the Residential Single Family – 4 dwelling units per acre (RSF-4) district Located at 2933 B ½ Road

Action: Adopt Proposed Ordinance of First Reading and Set a Hearing for November 20, 2002

7. **Setting a Hearing on Rezoning the ISRE Property Located at 2990 D ½ Road**
[File # ANX-2002-177]

Request to approve a rezone from the Residential Single Family 4 units per acre (RSF-4) zone district to the Residential Multifamily 8 units per acre (RMF-8) zone district for the ISRE property located at 2990 D-1/2 Road.

Proposed Ordinance Rezoning the ISRE Property to Residential Multifamily with a Maximum Density of 8 units per acre (RMF-8) Located at 2990 D-1/2 Road

Action: Adopt Proposed Ordinance of First Reading and Set a Hearing for November 20, 2002

8. **Setting a Hearing on Zoning the 430 30 Road Annexation Located at 430 30 Road**
[File #ANX-2002-182]

The 430 30 Road Annexation area consists of one parcel of land, approximately 11.18 acres in size. A petition for annexation has been presented as part of a Preliminary Plan. The requested zoning for the property is RMF-8 (Residential Multi-family, not to exceed 8 units per acre). The physical address for the property is 430 30 Road.

Proposed Ordinance Zoning the 430 30 Road Annexations to Residential Multi-Family, not to Exceed 8 Dwelling Units per Acre (RMF-8) Located at 430 30 Road

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

9. **Setting a Hearing on Zoning the Dakota West Annexation Located at 3088 and 3090 D ½ Road**
[File #ANX-2002-168]

The Dakota West Annexation area consists of three parcels of land, approximately 10.91 acres in size. A petition for annexation has been presented as part of a Preliminary Plan. Request is for First Reading of the Zoning Ordinance, zoning the annexation area to RMF-5 (Residential Multi-family, not to exceed 5

units per acre). The physical address for the properties are 3088 and 3090 D ½ Road.

Proposed Ordinance Zoning the Dakota West Annexation to Residential Multi-Family, not to exceed 5 Units per Acres (RMF-5) Located at 3088 and 3090 D ½ Road

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

10. **Setting a Hearing on the Krizman Annexation Located at 626 30 Road**

[File #ANX-2002-192]

The Krizman Annexation No. 1 and No. 2 is an serial annexation comprised of 1 parcel of land on 18.485 acres located at 626 30 Road. The owner is seeking annexation in anticipation of an infill opportunity for single family residential development, pursuant to the 1998 Persigo Agreement with Mesa County.

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

Resolution No. 99-02 - 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 Krizman Annexation Located at 626 30 Road and Including a Portion of the 30 Road Right-Of-Way

Action: Adopt Resolution No. 99-02

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Krizman Annexation No. 1 Approximately 9.615 Acres Located at 626 30 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Krizman Annexation No. 2 Approximately 8.8697 Acres Located at 626 30 Road and Including a Portion of 30 Road

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for December 18, 2002

11. **Construction Contract for South Camp Trail, Phase 2**

The Project involves the construction of three sections of trail along South Camp Road. Funding for the project will be through the Colorado Department of Transportation (CDOT) Enhancement Funds and by local government match. Davis-Bacon wage rates will apply.

The following bids were received on October 22, 2002:

Bidder	From	Bid Amount
Mays Concrete, Inc.	Grand Junction	\$243,445.00
Professional Pipeline & Concrete, Inc.	Fruita	\$250,291.25
Reyes Construction, Inc	Grand Junction	\$269,402.00
Colorado Constructors, Inc.	Denver	\$280,956.75
Skyline Contracting, Inc.	Grand Junction	\$312,562.80
Vista Paving Corporation	Grand Junction	\$439,443.59
Engineer's Estimate		\$365,143.00

Action: Authorize City Manager to Sign a Construction Contract for the South Camp Trail with Mays Concrete Inc. in the Amount of \$243,445.00

12. **Change Order to the Design Contract for Combined Sewer Elimination Project**

Approve a change order to the Combined Sewer Elimination Project design contract with Sear-Brown in the amount of \$82,019 for additional work associated with the aerial photography, environmental assessment, North Ave. analysis, and Basin 10 Storm sewer design.

Action: Authorize the City Manager to Execute a Design Contract Change Order for Combined Sewer Elimination Project with Sear-Brown in an Amount of \$82,019

13. **Contract to Purchase Chip Spreader**

This recommended purchase is based on competitive solicitation and subsequent contract award by the State of Colorado Department of Transportation.

Action: Authorize the City Purchasing Manager to Purchase One, New 2003 Etnyre Hydrostatic Chip Spreader for the Net Amount of \$122,235 from Faris Machinery Company, Grand Junction, Colorado

14. **Contract to Purchase Side Load Trash Truck**

This recommendation is to facilitate the purchase through the City Sole Source Purchase Process. The original Sole Source Purchase for this truck/trash compactor configuration was approved by the Council 4/15/98 to facilitate equipment compatibility, reduction of repair parts and authorized warranty service by the City Shops on the trash compactor unit.

Action: Authorize the City Purchasing Manager to Purchase One New 2003 Mack MR Truck Complete with Heil Side Load Automated Trash Compactor for the Net Amount of \$148,756 from Mesa Mack Sales & Service, Inc., Grand Junction, Colorado

15. **Application for Main Street Program**

The Downtown Association (DTA) and the Downtown Development Authority (DDA) are proposing the inclusion of downtown Grand Junction into the Main Street Program. This program provides structure and assistance to communities wishing to revitalize or enhance historic downtowns.

Resolution No. 103-02 – A Resolution Endorsing Participation in the Colorado Main Street Program

Action: Adopt Resolution No. 103-02 and Authorize the Mayor to Sign a Commitment Letter

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

Free Holiday Parking

The previous three years the City Council agreed to suspend parking meters for the holiday season. The merchants found it to be a great success and both the DTA and DDA support the request again this year.

Harold Staf, Downtown Development Authority Director, reviewed the request. He noted the change this year would be the bagging of the meters so people don't feed the meters unknowingly. City Manager Kelly Arnold stated that enforcement of the signed parking will still occur to prevent all day parking in the two hour slots.

Upon motion made by Councilmember Kirtland, seconded by Councilmember Terry, and carried by a roll call vote, the amended request to suspend paid parking at meters from Thanksgiving to January 2nd, 2003 was approved.

Public Hearing – ISRE Annexation No. 2 Located at 2980 D-1/2 Road [File # ANX-2002-176]

The ISRE Annexation No. 2 area consists of a 6.27-acre parcel of land located at 2980 D ½ Road. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by City Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

Resolution No. 100-02 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property known as ISRE Annexation No. 2, Located at 2980 D ½ Road and Including a Portion of the D ½ Road Right-of-Way is Eligible for Annexation

a. Accepting Petition

The public hearing was opened at 8:14 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 8:15 p.m.

Resolution No. 100-02 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property known as ISRE Annexation No. 2, Located at 2980 D ½ Road and Including a Portion of the D ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3464 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado ISRE Annexation No. 2, Approximately 6.27 Acres Located at 2980 D ½ Road and Including a Portion of the D ½ Road Right-of-Way

Upon motion made by Councilmember Kirtland, seconded by Councilmember McCurry, and carried by a roll call vote, Resolution No. 100-02 was adopted, and Ordinance No. 3464 was adopted on Second Reading and ordered published.

Public Hearing – Dakota West Annexation Located at 3088 and 3090 D-1/2 Road
[File # ANX-2002-168]

The Dakota West Annexation area consists of three parcels of land, approximately 10.91 acres in size. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County. The physical address for the properties are 3088 and 3090 D ½ Road.

The public hearing was opened at 8:15 p.m.

Kathy Portner, Planning Manager, reviewed this item. The applicant was not present.

There were no public comments.

The public hearing was closed at 8:16 p.m.

a. Accepting Petition

Resolution No. 101-02 - A Resolution Accepting the Petition for Annexation, Making Certain Findings, Determining that Property known as Dakota West Subdivision, Located at 3088 and 3090 D ½ Road

b. Annexation Ordinance

Ordinance No. 3465 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Dakota West Annexation, Approximately 10.9105 Acres Located at 3088 and 3090 D ½ Road

Upon motion made by Councilmember Theobold, seconded by Councilmember Kirtland, and carried by a roll call vote, Resolution No. 101-02 was adopted, and Ordinance No. 3465 was adopted on Second Reading and ordered published.

Public Hearing - Creating Alley Improvement District ST-03, 2003

Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct the following six alleys:

“T” Shaped Alley from 2nd to 3rd, between E. Sherwood Avenue and North Avenue.
“Cross” Shaped Alley from 6th to 7th, between Rood Avenue and White Avenue.
East/West Alley from 11th to 12th, between Rood Avenue and White Avenue
East/West Alley from 13th to 14th, between Main Street and Colorado Avenue
East/West Alley from 13th to 14th, between Chipeta Avenue and Ouray Avenue
East/West Alley from 13th to 14th, between Hall Avenue and Orchard Avenue

The public hearing was opened at 8:16 p.m.

Rick Marcus, Real Estate Technician reviewed this item. There were no written or verbal comments submitted regarding the assessment.

Carol Scott, 202 and 216 North Avenue, said she is under contract to purchase the property and closing is in March. She wanted to know what kind of assessments to expect and when the project will be done. Specifically the properties she is purchasing is Mail Boxes, Etc. and the adjacent strip mall.

Councilmember Theobold answered that the assessment is \$1,575 per property.

Mr. Marcus responded the alley will be constructed early spring and the assessment will be in the fall. He then explained the payment options available.

Councilmember Theobold explained the alley improvement program to Ms. Scott.

Vera Morse, who lives at 220 N. 11th Street said she has 39 feet of frontage, but can't find her name on the list. She said she doesn't remember seeing the petition.

Rick Marcus, Real Estate Technician, said the City does not get involved in the circulation of the petition. That was done by one of the property owners in the area.

Upon further checking it appeared there was an error in the circulation of the petition, and the wrong property owner was contacted. Ms. Morse voiced no objections but wanted clarification.

The public hearing was closed at 8:35 p.m.

Resolution No. 102-02 – A Resolution Creating and Establishing Alley Improvement District No. ST-03, 2003 within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

Upon motion made by Councilmember Theobald, seconded by Councilmember Kirtland, and carried by a roll call vote, Resolution No. 102-02 was adopted.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

City Council President Enos-Martinez called for the meeting to be adjourned. The meeting was adjourned at 8:37 p.m.

Stephanie Tuin, CMC
City Clerk