

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

**OCTOBER 1, 2003**

The City Council of the City of Grand Junction convened into regular session on the 1st day of October 2003, at 7:32 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar. Councilmember Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

Council President Spehar called the meeting to order. Councilmember Butler led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Ken Staton, Central Orchard Mesa Community Church.

**PROCLAMATIONS / RECOGNITIONS**

Council President Spehar welcomed Boy Scout Troops 358 and 385. He also welcomed the Mesa State College Public Affairs students that attended.

PROCLAIMING OCTOBER 4, 2003 AS "OKTOBERFEST DAY"

PROCLAIMING OCTOBER 5 THROUGH OCTOBER 11, 2003 AS "FIRE PREVENTION WEEK"

PROCLAIMING OCTOBER 1 THROUGH OCTOBER 31, 2003 AS "KNIGHTS OF COLUMBUS DAYS FOR THE MENTALLY HANDICAPPED"

**SCHEDULED CITIZEN COMMENTS**

There were none.

**CONSENT CALENDAR**

President of the Council Spehar announced that Item #9 listed under "Items needing Individual Consideration" approving the purchase of communication equipment has been moved to the Consent Calendar.

It was moved by Councilmember McCurry, seconded by Councilmember Hill, and carried by a roll call vote, to approve Consent Calendar Items #1 through #7, and Item #9.

**1. Minutes of Previous Meetings**

*Action: Approve the Summary of the September 15, 2003 Noon Workshop, the September 15, 2003 Workshop, and the Minutes of the September 17, 2003 Regular Meeting*

**2. Setting a Hearing on Rezoning the Sander Property from RSF-R to RSF-E Located at 2611 Kelley Drive [File #RZ-2003-139]**

Request to rezone 2611 Kelley Drive, comprised of 5.317 acres, from RSF-R (Residential Single Family with a density not to exceed 1 unit per 5 acres) to RSF-E (Residential Single Family Estate with a density not to exceed 1 unit per 2 acres). Planning Commission recommended approval at its September 9, 2003 meeting.

Proposed Ordinance Rezoning a Parcel of Land from Residential Single Family Rural with a Density not to Exceed One Unit per Five Acres (RSF-R to Residential Single Family Estate with a Density not to Exceed One Unit per Two Acres (RSF-E), Located at 2611 Kelley Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 15, 2003*

**3. Setting a Hearing on Zoning the Holton Annexation Located at 641 29 1/2 Road [File #ANX-2003-169]**

Introduction of a proposed ordinance to zone the Holton Annexation, Residential Multi-Family-5 (RMF-5), located at 641 29 1/2 Road.

Proposed Ordinance Zoning the Holton Annexation to Residential Multi-Family-5 (RMF-5) Located at 641 29 1/2 Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 15, 2003*

**4. Vacating a Portion of a 10' Utility Easement Located within Lot 1, Grand Mesa Center, 2464 Hwy. 6 & 50 [File #VE-2003-150]**

The petitioner wishes to vacate a 10' wide utility easement located within Lot 1, Grand Mesa Center. The requested portion of the easement to be vacated is under the existing building footprint for Petco. The building footprint was changed due to a larger building square footage required by the prospective tenant (Petco). The utilities were rerouted behind the new building footprint and new easements

were dedicated. The Planning Commission recommended approval at its September 23, 2003 meeting.

Resolution No. 90-03 – A Resolution Vacating a Portion of a 10' Wide Utility Easement Lying within Lot 1, Grand Mesa Center Known as 2464 Hwy. 6 & 50

*Action: Adopt Resolution No. 90-03*

5. **Setting a Hearing on the Church on the Rock Annexation Located at 2170 Broadway** [File #ANX-2003-197]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 5.4946-acre Church on the Rock Annexation consists of one (1) parcel of unplatted land along with a portion of the Rio Hondo Road right-of-way. The petitioner's intent is to annex and then submit a Site Plan Review for a new church building with a proposed zoning of Residential Single Family – 2 (RSF-2). The proposed annexation lies within the Persigo 201 sewer district.

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

Resolution No. 91-03 – 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, Church on the Rock Annexation Located at 2170 Broadway and Including a Portion of the Rio Hondo Road Right-of-Way

*Action: Adopt Resolution No. 91-03*

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Church on the Rock Annexation, Approximately 5.4946 Acres, Located at 2170 Broadway and Including a Portion of the Rio Hondo Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for November 5, 2003*

6. **Setting a Hearing on the Gowhari Annexation Located at 563 20 ½ Road** [File #GPA-2003-183]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 25.103-acre Gowhari annexation consists of 3 parcel(s). This annexation is part of a requested Growth Plan Amendment to change 24.503 acres on the Future Land Use Map from Rural 5-35 ac/du to Residential Low 1/2 – 2 ac/du. The Growth Plan Amendment request will be heard at a later date.

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

Resolution No. 92-03 – 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, Gowhari Annexation Located at 563 20 ½ Road, 573 20 ½ Road, 2026 S. Broadway and Including a Portion of the 20 ½ Road Right-of-Way

*Action: Adopt Resolution No. 92-03*

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gowhari Annexation, Approximately 25.103 Acres, Located at 563 20 ½ Road, 573 20 ½ Road, 2026 S. Broadway and Including a Portion of the 20 ½ Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for November 5, 2003*

7. **Setting a Hearing on the Grand Bud Annexation Located at 28 ½ Road at Hwy. 50** [File #GPA-2003-184]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 24.153-acre Grand Bud annexation consists of 1 parcel. This project is part of a requested Growth Plan Amendment for the southwest 9.948 acres of the property to change the Future Land Use Map from Residential Medium 4-8 du/ac to Commercial. The Growth Plan Amendment request will be heard at a later date.

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

Resolution No. 93-03 – 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, Grand Bud Annexation Located at the Northwest Corner of 28 ½ Road and Hwy. 50 and Including a Portion of the 28 ½ Road Right-of-Way

*Action: Adopt Resolution No. 93-03*

**b. Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Bud Annexation, Approximately 24.153 Acres, Located at the Northwest Corner of 28 ½ Road and Hwy. 50 and Including a Portion of the 28 ½ Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for November 5, 2003*

**9. Communication Equipment for Gateway and Southern Mesa County Areas**

Approval is requested for communication equipment to enhance radio coverage in the Gateway area. This is part of the planned expansion of emergency communications throughout Mesa County.

*Action: Authorize the Purchasing Manager to Purchase Communication Equipment to Enhance Radio Coverage in the Amount of \$ 272,283 from Alcatel USA*

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

**Ratifying Contract to Construct a Parking Structure**

This resolution authorizes the payment of the City's 40% interest in the lots on which the parking garage will be built. In exchange, the County will convey to the City a 40% co-tenancy interest in the lots.

Councilmember Kirtland stated that his company is building the garage so he will be recusing himself from the discussion.

City Attorney Dan Wilson explained that the Resolution is the formal action authorizing the City to pay the money at closing and the Resolution ratifies the previously approved contract.

Mark Relph, Public Works & Utilities Director, advised that the plans have been submitted to the Community Development Department for approval. He said they are trying to get a foundation permit to expedite the start of construction. He explained that much of the structure is pre-constructed off-site and then assembled on-site. He said this type of construction should complete the project quickly.

Resolution No. 94-03 – A Resolution Ratifying Contract to Construct a Parking Structure Owned by Mesa County and the City of Grand Junction

Councilmember Palmer moved to adopt Resolution No. 94-03. Councilmember Hill seconded the motion. Motion carried by a roll call vote.

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

There were none.

### **OTHER BUSINESS**

There was none.

### **EXECUTIVE SESSION**

It was moved by Councilmember Hill, seconded by Councilmember Palmer, and the motion carried to go into executive session to:

- 1) Receive legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e), relative to watershed memorandums of understanding negotiations, and
- 2) For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e), relative to land easements for future storm water improvements.

Council stated that they would not return to open session.

**ADJOURNMENT**

The City Council adjourned at 7:50 p.m. into executive session in the Administration Conference Room.

Stephanie Tuin, MMC  
City Clerk