

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

DECEMBER 17, 2003

The City Council of the City of Grand Junction convened into regular session on the 17th day of December 2003, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer, and President of the Council Pro Tem Harry Butler. Council President Jim Spehar and Councilmember Cindy Enos-Martinez were absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson, Assistant City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Harry Butler called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

PRESENTATION OF CERTIFICATE OF APPOINTMENT

TO FORESTRY BOARD MEMBER

Dutch Afman was present and received his certificate.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING JANUARY AS "VOLUNTEER BLOOD DONOR MONTH"

APPOINTMENTS

TO VISITOR AND CONVENTION BUREAU BOARD OF DIRECTORS

Councilmember Kirtland moved to reappoint Linda Smith, Jane Fine Foster, Kevin Reimer, and Steve Meyer to the Visitor and Convention Bureau Board of Directors for three-year terms, expiring December 2006. Councilmember Hill seconded the motion. Motion carried.

SCHEDULED CITIZEN COMMENTS

UPDATE ON THE D. O. E. LABORATORY CLOSURE

Bernie Buescher, President of the Riverview Technology Corporation (RTC), 2591 B ¾ Road, Grand Junction, reported that approximately two weeks ago it became clear that the RTC would not be able to keep the DOE Laboratory facility open. He was told Teledyne no longer has any interest in the project. He explained that the RTC has moved on to the next steps and is working with City Attorney Dan Wilson and the Department of Energy (DOE) to get the transfer documents completed. Once this process is completed, the DOE is obligated to tear down the building within 12 months. He said RTC is already in the bid process to install a new electric system in the building and the Public Service

Company's charges have already been paid. Mr. Buescher said they are proceeding with an enhanced planning process, working with Tim Sarmo of DOLA, to submit a grant application for an Energy Impact Grant, along with a request for \$7,500 from the City of Grand Junction. He told Council they will ask for the County's participation too.

Councilmember Palmer asked what the purpose of the grant was. Mr. Buescher said it would be for long range planning.

Councilmember Kirtland asked what would happen to the existing equipment. Mr. Buescher said the equipment, if declared surplus by the DOE, could be transferred to a community-based organization such as Mesa State College, or through the Incubator program to a start up company, or possibly to the UTEC campus.

TIM COONEY and TOM McCLOSKY — BIKE LANES FOR MONUMENT ROAD and 7TH STREET

Tim Cooney accompanied by Tom McClosky, said they both are bicyclists, recreational and for exercise, and commuting. Mr. Cooney said he is a member of Grand Valley Bikes, and its main purpose is to promote bicycling safety and addressing cycling issues. He expressed his concern about the lack of bicycle lanes and the safety of bicyclists on Monument Road. He said that his organization is aware that the County would be applying for a grant for those improvements, but he wanted to state the concerns for this situation and would continue working with the County on this issue.

Mr. Cooney said, regarding 7th Street, which would be discussed later during tonight's meeting, Grand Valley Bikes, Mr. McClosky, and he would encourage the City to make improvements for bicyclists too. He said another concern were the east and west corridors, and they would continue to work with the Urban Trails Committee. He felt the current east-west corridors are very hodgepodge.

CONSENT CALENDAR

Councilmember Hill requested that Consent Calendar Item #8, regarding the historic preservation of the Hetland House, be moved to Items for Individual Consideration.

It was moved by Councilmember Hill, seconded by Councilmember Palmer, and carried by a roll call vote, to approve Consent Calendar Items #1 through #10, except for Item #8.

1. Minutes of Previous Meetings

Action: Approve the Summary of the December 1, 2003 Workshop and the Minutes of the December 3, 2003 Regular Meeting

2. Advertising Services Contract Renewal

This is the annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the Visitor and Convention Bureau.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$375,000.00.

3. Special Event Funding Recommendations

Fourteen applications for funding were received. After review and discussion, the Visitor and Convention Bureau Board recommends funding the following events:

| | |
|----------|--|
| \$ 2,500 | Colorado Mountain Winefest |
| \$ 2,650 | Downtown Car Show |
| \$ 2,000 | Wells Fargo Art & Jazz Festival |
| \$ 5,000 | Grand Valley Arts Festival |
| \$ 600 | Rim Rock Run |
| \$ 1,500 | 2 nd Annual Spring Barrel Tasting |
| \$ 1,500 | Holiday Wine & Food Pairing |
| \$ 1,000 | Tour of the Vineyards |
| \$ 3,000 | Grand River Indian Artists Gathering |
| \$ 500 | Kokopelli Adventure Race |
| \$ 1,800 | Fruita Fat Tire Festival |
| \$ 400 | Rose Hill Rally |
| \$22,450 | Total |

Action: Approve Funding Awards as Recommended

4. Setting a Hearing for the Tomkins Annexation Located at 2835 & 2837 D Road [File #ANX-2003-235]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.360-acre Tomkins Annexation consists of 2 parcels of land. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County.

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

Resolution No. 119 -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, Tomkins Annexation Located at 2835 and 2837 D Road

Action: Adopt Resolution No. 119-03

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Tomkins Annexation, Approximately 13.360 Acres, Located at 2836 and 2837 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004

5. Setting a Hearing on Rezoning Blue Heron Meadows, Located at 2587 G ½ Road [File #RZ-2003-212]

A request for approval to rezone 18 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RSF-4 (Residential single-family, not to exceed 4 dwelling units per acre) and set the Public Hearing for January 7, 2004.

Proposed Ordinance Zoning Blue Heron Meadows, 18 Acres of Land Located at 2587 G ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004

6. Setting a Hearing for the Bogart Annexation Located at 563 22 ½ Road [File #ANX-2003-254]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.791 acre Bogart Annexation consists of 1.409 acres parcel and 3.382 acres within the right-of-way. The Bogart Annexation is a part of a development proposal to split the property into 2 lots.

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

Resolution No. 120-03 – 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, Bogart Annexation, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

Action: Adopt Resolution No. 120-03

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bogart Annexation, Approximately 4.791 Acres, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004

7. Setting a Hearing on Vacating Right-of-Way on the Files Property Located at 631 26 ½ Road [File #VR-2003-227]

The petitioners, City of Grand Junction and the current property owners, Shirley Howard, Donald Files & Robert Files, wish to vacate an existing 30' right-of-way located west of 26 ½ Road, between the platted right-of-ways of F ½ Road and North Acres Road that was originally dedicated in 1969 but due to a legal description error, was incorrectly conveyed. The only utility that is located in this right-of-way is a sanitary sewer line that will be covered by the recording of a 20' Public Utilities Easement. The proposed vacation has never been utilized or constructed as a road right-of-way. The Planning Commission recommended approval at its December 16th, 2003 meeting.

Proposed Ordinance Vacating a 30' Wide Right-of-Way Located West of 26 ½ Road and South of the Grand Valley Canal and Reserving a 20' Public Utilities Easement Known As: 631 26 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004

8. **Designate the Hetland House to the City Register of Historic Sites, Structures and Districts** [File #HBD-2003-02.02] MOVED TO INDIVIDUAL CONSIDERATION

9. **Sewer Plant Investment Fees**

Effective January 1, 2004, the Wastewater Treatment Plant Investment (PIF) shall be increased by \$250 to \$1,250 for a single family equivalent.

Resolution No. 122-03 – A Resolution Adopting a Wastewater Plant Investment Fee Effective January 1, 2004

Action: Adopt Resolution No. 122-03

10. **Alley Improvement District 2003**

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

- “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

A Public Hearing is scheduled for February 4, 2004.

Resolution No. 123-03 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-03

Action: Adopt Resolution No. 123-03

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

Designate the Hetland House to the City Register of Historic Sites, Structures and Districts [File #HBD-2003-02.02]

Hospice and Palliative Care of Western Colorado, owner of the Lawrence and Amelia Miller residence located at 3090 North 12th Street, is requesting that the building be designated as historic in the City Register of Historic Sites, Structures and Districts.

Councilmember Hill explained his reason for taking this item off of the Consent Calendar. He applauded Hospice & Palliative Care of Western Colorado for keeping the original house in its improvement plan and for requesting the house be designated as historical.

Christy Whitney, President and CEO of Hospice & Palliative Care of Western Colorado, presented a brief slide show and gave a historical narrative on the property.

Kristen Ashbeck, Senior Planner, explained what a historic designation would mean for this property. She stated that this property was one of the oldest homes in the area. She said it met the criteria for historical designation as reviewed by the Historical Preservation Board.

Resolution No. 121-03 – A Resolution Designating the Lawrence and Amelia Miller Residence Located at 3090 North 12th Street in the City Register of Historic Sites, Structures and Districts

Councilmember Hill moved to adopt Resolution No. 121-03. Councilmember Palmer seconded the motion. Motion carried by a roll call vote.

CDOT Enhancement Grant Project

Approval of application for enhancement funds for 7th Street Pedestrian and Landscaping Project from Grand Avenue to Ute Avenue, Main Street from 7th to 8th Street. Colorado Department of Transportation is requesting applications for local government enhancement projects for state fiscal years 2006, 2007, 2008. Applications are due to CDOT by December 26, 2003. Staff has prepared an application and resolution for Council consideration.

Mark Relph, Public Works and Utilities Director, reviewed this item. He stated that the resolution formalizes the discussion on the grant application that took place at a workshop meeting. He said once the application form is forwarded to CDOT, CDOT would review the application to ensure that it meets the requirements. He said then the grant application would be forwarded to the Regional Transportation Planning Office for final review prior to the actual submission of the grant application.

Councilmember Kirtland asked about available funds and how they would be distributed. Mr. Relph replied that about \$300,000 are available to the Valley. He explained

the applications are reviewed and the funds are allocated throughout the valley for projects. He said the funds are typically for pedestrian and landscaping projects. Mr. Relph said there are other project categories eligible for grant application, and historical preservation and environmental mitigation would be two other possibilities.

City Manager Kelly Arnold said the federal government is revamping this funding so the result of the application is unknown.

Councilmember Kirtland asked if bicycle related enhancements are considered from this funding. Mr. Relph was not sure if the final plan will address this area.

Councilmember Palmer noted that the DDA would also be participating in this project.

Harold Staf, DDA Executive Director, encouraged adoption of the resolution and noted that the bonds closing on Monday would provide the DDA's funding portion for the project.

Resolution No. 124 -03 – A Resolution Supporting the Application for Enhancement Funds for 7th Street Streetscaping/Medians – Grand Avenue to Ute Avenue

Councilmember Kirtland moved to adopt Resolution No. 124-03. Councilmember Palmer seconded the motion. Motion carried by a roll call vote.

Public Hearing- Washington Annexation and Zoning Located at 287 Coulson Drive [File #ANX-2003-200]

Hold a public hearing and consider final passage of a Resolution for Acceptance of the Petition to Annex and Annexation Ordinance for the Washington Annexation located at 287 Coulson Drive and including a portion of the Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is seeking annexation in conjunction with a proposed residential simple subdivision, pursuant to the 1998 Persigo Agreement with Mesa County.

The Washington Annexation is comprised of one parcel of land of 1.317 acres and includes Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 25, 2003 meeting.

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

Ronnie Edwards, Associate Planner, reviewed this item. She explained the surrounding zoning and stated that both the annexation and zoning requests met the required criteria.

There were no public comments.

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

a. Accepting Petition

Resolution No. 125-03 - A Resolution Accepting a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of UnawEEP Avenue, Coulson Drive and Capitol Lane Rights-of-Way

b. Annexation Ordinance

Ordinance No. 3590 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of UnawEEP Avenue, Coulson Drive and Capitol Lane Rights-of-Way, Approximately 1.317 Acres

c. Zoning Ordinance

Ordinance No. 3591- An Ordinance Zoning the Washington Annexation to Residential Single Family with a Density not to Exceed Four Units Per Acres (RSF-4) Located at 287 Coulson Drive

It was moved by Councilmember Kirtland, seconded by Councilmember McCurry, and carried by a roll call vote, to adopt Resolution No. 125-03, Ordinances No. 3590 and No. 3591 on Second Reading and ordered them published.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

Councilmember Hill expressed his appreciation for City Attorney Dan Wilson's work and wished him well for the future. He regretted missing the City's Award Dinner Party.

Councilmember Kirtland said it was his pleasure to work with Mr. Wilson.

The rest of the Councilmembers agreed with Councilmembers Hill and Kirtland and expressed their appreciation too.

Public Hearing – An Emergency Ordinance Amending the Amount of the Downtown Tax Increment Revenue Bonds

An ordinance amending the TIF Ordinance No. 3585 to reduce the total amount of the bonds from \$3 million to \$2,995,000.

Councilmember Cindy Enos-Martinez joined the meeting at 8:20 p.m.

City Clerk Stephanie Tuin telephoned Council President Jim Spehar and he joined the meeting via telephone at 8:21 p.m.

Council President Pro Tem Butler opened the public hearing at 8:22 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. He explained the reason for the emergency ordinance and the necessity of adopting it at this meeting. He explained the City has been involved in several bond issues, some of which counted toward the City's maximum of ten million dollars, and some of which did not. He explained that the prior approval of TIF Ordinance No. 3585 caused the City to exceed the amount that could be bank qualified by \$5,000.

There were no public comments.

The public hearing was closed at 8:25 p.m.

Ordinance No. 3592 - An Ordinance Amending Certain Provisions of the City's Ordinance No. 3585; Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2003; and Declaring an Emergency

Councilmember Hill moved to adopt Ordinance No. 3592 on Second Reading and ordered it published. Councilmember McCurry seconded the motion. Motion carried by unanimous roll call vote with all Councilmembers present.

The telephone connection with Council President Spehar was terminated.

ADJOURNMENT

The meeting adjourned at 8:28 p.m.

Stephanie Tuin, MMC
City Clerk