

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

May 19, 2004

The City Council of the City of Grand Junction convened into regular session on the 19th day of May 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Gregg Palmer, Bill McCurry, Jim Spehar and President of the Council Bruce Hill. Councilmember Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Dennis Kirtland led the pledge of allegiance. The audience remained standing for the invocation by Pastor Mark Quist, New Life Church.

PROCLAMATIONS / RECOGNITIONS

Presentation of Appreciation Plaque for Outgoing Mayor Jim Spehar

Council President Hill presented the plaque to Jim Spehar.

Annual Historic Preservation Award to DDA and Owners of the Reed Building by Bill Jones, Chair of the Historic Preservation Board

Mr. Bill Jones described the history of the Reed building and presented the awards.

Proclaiming the week of May 16th – 22nd “Emergency Medial Service Week” in the City of Grand Junction

Proclaiming Support for a “Welcome Home Vietnam Veteran’s Day” in the City of Grand Junction

Postponed until guests arrived.

APPOINTMENTS

Councilmember Kirtland moved to appoint Tom Dixon until June 2007 and re-appoint Dennis Derrieux and David Detwiler until June 2007 to the Parks and Recreation Advisory Board. Councilmember McCurry seconded the motion. Motion carried.

Councilmember Spehar moved to appoint Travis Cox to Planning Commission until October 2004 and Tom Lowrey as 1st Alternate to the Planning Commission

until October 2006. Councilmember Palmer seconded the motion. Motion carried.

Councilmember McCurry moved to appoint Mike Mast to the DDA unexpired seat until June 2006, appoint Bill Wagner to the DDA until June 2007 and re-appoint Harry Griff to the DDA until June 2007. Councilmember Kirtland seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Councilmember Spehar, and carried by roll call vote to approve Consent Calendar Items #1 through #6.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the May 3, 2004 Noon Workshop, May 3, 2004, 2004 Workshop, Minutes of Special Meeting May 3, 2004 and the Minutes of the May 5, 2004 Regular Meeting

2. **Setting a Hearing on Modifying the Transportation Capacity Payment (TCP)**

City Council consideration of an Ordinance that proposes modifications to the Transportation Capacity Payment (TCP) and half street policies. The Ordinance would increase the TCP from \$500 per single family unit to \$1500 per single family unit. The fee schedule for commercial industrial development would also increase by a similar proportion. The Ordinance also places the responsibility of construction half street, safety, and off-site improvements associated with new developments with the City.

Proposed Ordinance Amending Ordinance No. 2750 as Codified as Section 6.2 of the Grand Junction Zoning and Development Code Concerning Transportation Capacity Payments Including Calculations thereof, Credits and Approved Methodologies

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

3. **Setting a Hearing on Zoning the Cameck Annexation to RMF-5 Located at 3048 D 1/2 Road** [File # ANX-2004-049]

Introduction of a proposed zoning ordinance to zone the Cameck Annexation to RMF-5, located at 3048 D ½ Road.

Proposed Ordinance Zoning the Cameck Annexation to RMF-5 (Residential Multi-Family 5 du/ac) Located at 3048 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

4. **Setting a Hearing on Zoning the Holley Annexation to RSF-4 Located at 2936 D ½ Road** [File # ANX-2004-059]

Introduction of a proposed zoning ordinance to zone the Holley Annexation to RSF-4 (Residential Single Family 4 du/ac), located at 2936 D ½ Road.

Proposed Ordinance Zoning the Holley Annexation to RSF-4 (Residential Single Family 4 du/ac) Located at 2936 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

5. **Setting a Hearing for the Peregrine Estates Annexation Located at 2157 S. Broadway** [File # ANX-2004-060]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 18.585 acre Peregrine Estates Annexation consists of 1 parcel located at 2157 S. Broadway. The property currently has a development application in the review process for a new subdivision consisting of 25 single family lots.

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

Resolution No. 47-04 – 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, Peregrine Estates Annexation Located at 2157 S. Broadway

®Action: Adopt Resolution No. 47-04

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

Proposed Ordinance Annexing Territory to the City of Grand Junction,
Colorado Peregrine Estates Annexation Approximately 18.548 Acres
Located at 2157 S. Broadway

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

6. **Setting a Hearing – Vacating a 40’ Utility Easement at 311 Pinon Street
in Riverglen Subdivision** [File # PP-2003-215]

Request approval to vacate a 40’ utility easement located at 311 Pinon Street. The property is being replatted for residential development and the existing 40’ utility easement is not needed. All required utility easements shall be provided with the new development at the time of platting.

Resolution No. 48-04 – A Resolution Vacating a Utility Easement for the Riverglen Subdivision Site Located at 311 Pinon Street

Action: Adopt Resolution No. 48-04

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

Construction Contracts

a. **New Sidewalk Construction 2004**

Award of a construction contract for the New Sidewalk Construction Project to BPS Concrete, Incorporated in the amount of \$155,862.91. The project consists of the construction of pedestrian facilities including concrete sidewalk and access ramps on streets that do not currently have sidewalk improvements.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the program targets school walking routes. Surrounding property owners are surveyed and this project is for about eleven blocks. At the same time, they repair any damaged curb and gutter adjacent to the sidewalks and they also install handicapped ramps as needed.

Councilmember Palmer asked if there are any other criteria for selecting the area. Mr. Relph said targeting school walking routes has been the policy but it is perhaps time for Council to revisit these criteria. There is no cost to the adjacent property owners.

Mr. Palmer noted that north of one section is totally lacking in sidewalks and questioned not continuing along that section. Mr. Relph said occasionally a property owner will object and they may skip over that area if possible. Councilmember Palmer inquired how many sidewalks are missing throughout the

City. Mr. Relph said this program targets areas where there is curb and gutter. Sidewalks in areas where there is no curb and gutter would be much more costly.

b. 25 ½ Road Reconstruction Phase II Street

Award a construction contract for the 25 ½ Road Reconstruction Phase II Street to M. A. Concrete Construction in the amount of \$1,053,885.11. This is the second phase of a project that will improve 25 ½ Road from the north side of Independent Avenue to the south side of Patterson Road. The proposed improvements include a center turn lane from Independent Avenue to Patterson Road, intersection improvements at West Orchard Avenue and Patterson Road, storm drainage system, underground utilities, street lighting, curb, gutter, sidewalk, and bike lanes on both sides.

Mark Relph, Public Works and Utilities Director, reviewed this item. Mr. Relph described the project, the bids and then stated the engineer's estimate. He noted that M.A. Concrete is currently working on the utilities in that same corridor. The City is aiming to complete the bulk of the project prior to the start of school in the fall. Also, as a result of the discussion at Monday's workshop, they are negotiating with M.A. Concrete for a change order to make the Pinyon Avenue section to 25 Road a permanent road. He noted that the road reconstruction includes a huge grade cut to eliminate a hill and poor sight distance along that corridor. The City has worked extensively with the adjacent residential neighborhood and as a result of discussion, changed the configuration of their street. They are also working with the trailer park on their access issues.

Councilmember Kirtland moved to authorize the City Manager to sign a construction contract for the New Sidewalk Construction with BPS Concrete, Inc. in the amount of \$155,862.91 and to authorize the City Manager to sign a construction contract for the 25 ½ Road Reconstruction Phase II Street with M.A. Concrete Construction in the amount of \$1,053,885.11. Councilmember McCurry seconded the motion. Motion carried.

Memorandum of Understanding with United States Department of Agriculture Forest Service Grand Valley Ranger District

The City of Grand Junction and the United States Department of Agriculture Forest Service, Grand Valley Ranger District (Forest Service) are entering into a Memorandum of Understanding (MOU) for five (5) years towards a partnership that will ensure protection of the quality and quantity of the City's municipal water supply.

Kelly Arnold, City Manager, reviewed this item. He noted that Connie Clementson and Linda Perkins from the Forest Service were present. The MOU is a result of the City Council's decision last year not to go forward with a watershed ordinance.

The MOU is for a period of five years. John Shaver, City Attorney, advised that the five-year term is a federal requirement.

Mr. Arnold identified the watershed area and pointed out the different property ownership in the area. He stated that the key staff person with this program is Terry Franklin, Water Superintendent.

Council President Bruce Hill referred Council to item E. 2 which states the core value of this agreement.

Councilmember Dennis Kirtland added that he agrees with Council President Hill and establishing this MOU sets the model to work with the other owners and entities.

Connie Clementson, Forest Service Ranger, thanked the Council and stated this formalizes a long-standing relationship. She commended the Council for stepping forward and for them being involved in this vision. The Forest Service is studying the ipps beetle situation, the watershed area and doing several other data collections this summer.

Councilmember Palmer appreciated the work and effort to create this MOU.

Councilmember Kirtland moved to authorize the Mayor to sign a Memorandum of Understanding with United States Department of Agriculture Forest Service Grand Valley Ranger District and direct Staff to begin implementing the steps outlined in the MOU. Councilmember Palmer seconded the motion. Motion carried.

Proclaiming Support for a “Welcome Home Vietnam Veteran’s Day” in the City of Grand Junction

The individuals from Whittier, CA arrived and received the proclamation.

Wingate Park/School Intergovernmental Agreement

The City of Grand Junction has entered into a contract with American Civil Constructors (ACC) to design and build Wingate Park. The City and School District 51 wish to establish an arrangement for the shared use and operation, on School and City property, with the objective of maximizing public access consistent with School District and City goals.

Joe Stevens, Director of Parks and Recreation, reviewed this item. He described the purpose of the agreement. One of the goals of the capital improvement program is to develop a neighborhood park and furthermore to cooperate with the school on sharing facilities. He detailed what the cooperative agreement outlines as far as improvements and use of the facilities. There will be no monetary exchange.

The bulk of the construction will be completed during the summer. The agreement goes to the School District next week. The completion date is probably mid-November.

Councilmember Kirtland asked what the park hours will be. Mr. Stevens said the hours are 5:00 am until 10:30 pm and there will not be a lighted parking lot. The existing school lot is lit. They have worked closely with the neighborhood to address any needs.

Councilmember Kirtland asked if the tennis courts are built will the school children will have access. Mr. Stevens said yes for tennis and other activities.

Councilmember Spehar confirmed with Mr. Stevens that the tennis courts will be located close to the front of the property.

Council President Hill asked for clarification on the exhibits. Mr. Shaver advised that it identifies the delineation of property ownership.

Councilmember Spehar moved to authorize the City Manager to enter into an Intergovernmental Agreement between the City of Grand Junction and Mesa County School District No. 51 for the purpose of constructing, maintaining, and jointly utilizing improvements on City and School owned property at Wingate Park and School. Councilmember McCurry seconded. Motion carried.

Public Hearing – Chipeta Glenn Annexation and Zoning Located at 2975 and 2977 B ½ Road [File # ANX-2004-032]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Chipeta Glenn Annexation, located at 2975 and 2977 B ½ Road. The 13.641 acre annexation consists of 2 parcels of land.

The public hearing was opened at 8:31 p.m.

Senta L. Costello, Associate Planner, reviewed this item, combining it with the zoning review. She identified the surrounding zoning and uses. She stated the Planning Commission recommends approval.

Councilmember Kirtland asked about the actual density of the area south of the site. Ms. Costello said the build out in that area is probably closer to five units per acre.

Fred Favre, the petitioner, stated that the modular on the north parcel has been removed. The home on the south parcel will be relocated to one of the lots and stuccoed.

There were no public comments.

The public hearing was closed at 8:36 p.m.

a. Accepting Petition

Resolution No. 49-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Chipeta Glenn Annexations #1 & 2 Located at 2975 and 2977 B ½ Road are Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3627 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Chipeta Glenn Annexation #1, Approximately 7.055 Acres, Located at 2975 B ½ Road

Ordinance No. 3628 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Chipeta Glenn Annexation #2, Approximately 6.586 Acres, Located at 2977 B ½ Road

c. Zoning Ordinance

Ordinance 3629 – An Ordinance Zoning the Chipeta Glenn Annexation to RSF-4 Located at 2975 and 2977 B ½ Road

Councilmember Spehar moved to adopt Resolution No. 49-04, Ordinances No. 3627, Ordinance No. 3628 and Ordinance No. 3629 on Second Reading and ordered them published. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

Public Hearing – Grand Valley Audubon Annexation and Zoning Located at 605 and 608 Dike Road [File # ANX-2004-052]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Grand Valley Audubon Annexation, located at 605 and 608 Dike Road. The 55.272 acre Grand Valley Audubon Annexation consists of 2 parcel(s) of land and is a 2 part serial annexation.

The public hearing was opened at 8:37 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the use of the site and the location. She identified the existing zoning and the

surrounding zoning. She said the request meets the intent of the Code and both staff and the Planning Commission recommend approval.

Robert Wilson, nature center chair for the Grand Valley Audubon Society, said the property will be developed into an educational center that will be open to the public. There is good fishing, but the fish are not good to eat due to water quality issues. He presented the Community Development Department with a complimentary copy of their new book.

Councilmember Kirtland asked about the time frame for the center. Mr. Wilson said they are moving slowly but they have a contract to reclaim the property secured by a bond for five years.

There were no public comments.

The public hearing was closed at 8:44 p.m.

a. Accepting Petition

Resolution No. 50-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Grand Valley Audubon Annexations #1 & 2 Located at 605 and 608 Dike Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3630 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Valley Audubon Annexation #1, Approximately 25.994 Acres Located at 605 Dike Road

Ordinance No. 3631 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Valley Audubon Annexation #2, Approximately 29.278 Acres Located at 608 Dike Road

c. Zoning Ordinance

Ordinance No. 3632 – An Ordinance Zoning the Grand Valley Audubon Annexation to CSR, Located at 605 and 608 Dike Road

Councilmember Kirtland moved to adopt Resolution No. 50-04, Ordinance No's. 3630, 3631 and 3632 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Amending the Legal Description for the G Road South Enclave Located Between 25 ½ Road and 26 ½ Road and North of Patterson and South of G Road

Amending Ordinance No. 3264 G Road South Enclave Annexation located between 25 ½ Road and 26 ½ Road and North of Patterson Road and South of G Road.

The public hearing was opened at 8:45 p.m.

Dave Thornton, Principal Planner, reviewed this item. He advised that a sliver of land was inadvertently omitted during the annexation that took place a couple of years ago. City Attorney John Shaver added that the perimeter description was correct but in order to correct the internal description, this correction is brought forth.

There were no public comments.

The public hearing was closed at 8:46 p.m.

Ordinance No. 3633 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Amending the G Road South Enclave Annexation, Located in the NW ¼ NE ¼ of Section 3, Township 1 South, Range 1 West, Ute Meridian

Councilmember Palmer moved to adopt Ordinance No. 3633 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Council President Hill called a recess at 8:46 p.m. The meeting reconvened at 8:55 p.m.

Public Hearing – 2004 CDGB Program Year Funding for the 2004 Action Plan, a Part of the 2001 Five-Year Consolidated Plan

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2004 Program Year.

The public hearing was opened at 8:55 p.m.

Dave Varley, Assistant City Manager, reviewed this item and the actions being proposed. In reviewing the background, this will be the first public hearing; the second public hearing will be June 16th. The City's Action Plan lays out the process. The program year run from September 1st until August 31st. The City anticipates it will receive \$407,000 for the upcoming program year. A list of the requests and recommendations was displayed. There is a thirty day comment period before the plan can be adopted. Once adopted, it will be available to the public. After that review period, it will be submitted to the Federal Government. Each organization recommended to receive funds has been invited and is present at the meeting.

Council President Hill asked if Council had any questions. There were none.

There were no public comments.

The public hearing was closed at 9:02 p.m.

Councilmember Kirtland stated this is his third year going through the process and it is an opportunity for the organizations to speak to Council but since they have gone through the program and the public process, he is comfortable with the request. He congratulated the organizations and thanked them for coming.

Councilmember Spehar said he was not involved this year but the subcommittee has done a good job with the recommendations. It is difficult when so many more requests are received than can be funded.

Council President Hill concurred that it is a difficult decision. He recognized other projects previously funded by CDBG funds.

Councilmember Kirtland moved to accept the CDBG City Council subcommittee recommendation for funding thirteen projects for the City's 2004 CDBG Program Year Action Plan. Councilmember McCurry seconded the motion. Motion carried.

Public Hearing – Supplemental Budget Appropriation for 2004

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

The public hearing was opened at 9:10 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. The bulk of the supplemental appropriation is for the Riverside Parkway project. The rest is mostly carryovers for projects that were not completed in 2003.

Councilmember Kirtland asked what portion of the supplemental appropriation is Riverside Parkway. Mr. Lappi said that \$11 million is for construction plus for the debt service and then several million for the carry forward of projects.

Councilmember Palmer asked about the appropriation for Fire Station #5. Mr. Lappi said yes, about \$200,000 is for completion for the Fire Station.

There were no public comments.

The public hearing was closed at 9:12 p.m.

Ordinance No. 3634 – An Ordinance Making Supplemental Appropriations to the 2004 Budget of the City of Grand Junction

Councilmember Butler moved to adopt Ordinance No. 3634 on Second Reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Logo Implementation

At the Monday night workshop, Assistant City Manager David Varley provided a proposal to implement the new City logo at minimal cost.

David Varley, Assistant City Manager, reviewed this item. He reviewed the new plan which included capitalizing the g and the j and dropping the tag line. The implementation plan is the same as Monday night for items #1 through #3, item #4 is vehicle decals, excluding police and fire vehicles. In order to switch over the City's fleet, with the exception of emergency vehicles, the cost will be \$16,000 to \$17,000. The design for the logo will not have the white background oval. There are about 568 vehicles and pieces of equipment and it will take 6 to 9 months to cycle all the vehicles through, doing it as the vehicles are serviced. Regarding the uniforms, each department orders annually so the new logo will only be on the newly ordered and there will be no cost. Street name signs will not have any logo, which will make the signs easier to read and actually save \$7.50 per sign so as signs are replaced money will be saved. The logo on other signs will only be implemented on a replacement basis. The police and fire uniforms and vehicles will not be changed.

Council President Hill asked if item #4 (vehicle decals) will provide an additional supply of decals for future purchases. Assistant City Manager Varley said it will only cover the current fleet, no additional stock. Cost for new vehicle decals would be that anyway. There is a cost break for the quantity proposed. Another quantity will be ordered in the fall for next year's replacement vehicles.

Items that are not being considered are things like trash cans. Signs will take the longest to turn over. It may take four to six years to change everything but the majority of the switch will take place over the next year.

Council President Hill summarized that it will take \$18,000 tops to get this logo started and the rest of implementation will take care of itself with existing monies in place.

Councilmember Spehar said that unless the patches on the police and fire uniforms are replaced, the different logos will be perpetuated. He favored changing their uniforms to the new logo as they are replaced and to change the lettering on the police cars to the same lettering of the new logo as the vehicles are

replaced. It would be his preference to have the change take place on the vehicles that are most visible.

Councilmember Kirtland said Councilmember Spehar's comments is the same as the original intent of the committee. It is his hope that as the new logo gets in place, it will be blended in those other areas. Today they are looking at implementing it in a conservative manner.

Councilmember Butler agreed that not putting it on equipment that won't be seen is a good point as the police and fire vehicles are more visible. He supported it if the department favored it. Chief Morrison said the cars are good looking but they can easily change the font to be consistent with the logo. It could be accomplished over three years.

Council President Hill stated this is a starting point to get it going.

Councilmember Palmer emphasized the need for a single identifier and yet this will not accomplish that goal. He supports staying with the original logo.

Councilmember McCurry agreed, he supported the new logo on letterhead but he wanted one logo.

Council President Hill said there are two issues, capitalization and the other issue was a fiscally conservative approach. The report prepared by Mr. Varley gets to that. It reduces expenditures from the \$100,000 budgeted and moves toward the single logo. Everything takes time, even spending the budgeted amount would take time. Councilmember Spehar agreed any changeover takes time, but not to do it because it takes some time is not a good reason to not go forward.

Councilmember Kirtland moved to adopt the new City Logo with the capital G and J. Councilmember Spehar seconded the motion. Motion carried by a roll call vote with Councilmember Palmer voting NO.

Councilmember Spehar moved to adopt the implementation plan for the new City Logo as outlined by David Varley. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

A motion was made and subsequently rescinded to exclude lawnmowers and other non-visible equipment. The City Manager stated that is the one identifier for the City's rolling stock.

NON-SCHEDULED CITIZENS & VISITORS

Milton "Tony" Long, 302 Pitkin, said he is grateful he does not have a substance abuse problem. He said making people miserable is not going to help. He said encouraging people to be good citizens, including at the parks, makes Grand Junction viewed as a friendly town.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 10:02 p.m.

Stephanie Tuin, MMC
City Clerk