

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

**June 16, 2004**

The City Council of the City of Grand Junction convened into regular session on the 16<sup>th</sup> day of June 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Jim Spehar and President of the Council Bruce Hill. Absent was Councilmember Gregg Palmer. 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 Kirtland led the pledge of allegiance. The audience remained standing for the invocation by Pastor Eldon Coffey, Central Orchard Mesa Community Church.

**PROCLAMATIONS**

PROCLAIMING JUNE 18-19 AS "GRAND JUNCTION RELAY FOR LIFE DAYS" IN THE CITY OF GRAND JUNCTION

PROCLAIMING JUNE AS "HOMEOWNERSHIP MONTH" IN THE CITY OF GRAND JUNCTION

**CITIZEN COMMENTS**

There were none.

**CONSENT CALENDAR**

It was moved by Councilmember Enos-Martinez, seconded by Councilmember McCurry, and carried by roll call vote to approve Consent Calendar Items #1 through #11.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the June 2, 2004 Special Workshop, and the Minutes of the June 2, 2004 Regular Meeting*

2. **Airport Improvement Program Grants**

AIP-29 is for (1) Transition design of Landing View Lane relocation, construction of Landing View Lane and construction of a 30" water line. (2) Taxiway C-1A Rehabilitation; and (3) Design New Runway 4/22 General Aviation Development Area. The design phase will address specific drainage, elevation, and line-of-sight issues so that new construction is

developed such that impacts to airport operations are mitigated and as feasible as possible. Estimated grant amount is \$3,308,452. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the Grant acceptance by the City.

*Action: Authorize the Mayor to Sign FAA AIP Grant 29 for Capital Improvements at Walker Field and also Authorize the City Manager to Sign the Supplemental Co-Sponsorship Agreement for AIP-29 after they have been reviewed and approved by the City Attorney*

3. **Setting a Hearing for Amending Chapter 32 Code of Ordinances Regarding Sidewalk Dining**

A number of downtown restaurants are seeking the opportunity to serve alcohol outdoors along Main St. In order to allow this, an outdoor dining lease for use of this public right-of-way is required. This amendment provides for this outdoor dining lease for use of the public right-of-way for use for food and alcohol service and is similar to the terms and conditions of several other communities in Colorado that offer such service.

Proposed Ordinance Amending Part of Chapter 32 of the City of Grand Junction Code of Ordinances Relating to Permits for Activities in the Downtown

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

4. **Preparation, Printing and Distribution of Code Supplement**

The Code of Ordinances, Sec. 1-10, requires that City Council approve by motion the preparation and printing of the Code supplements in order to incorporate ordinances and certain resolutions approved by the City Council in recent years into the Code Book.

*Action: Authorize the Preparation, Printing and Distribution of the Fifth Supplement to the Code of Ordinances*

5. **Purchase of Two 5 Yard Dump Trucks with Snow Removal V-Boxes**

This is for the purchase of two 2005 International Dump Trucks with snow removal V-Boxes. It is currently scheduled for replacement in 2004 as identified by the annual review of the fleet replacement committee.

*Action: Authorize the City Purchasing Manager to Purchase Two 2005 International Dump Trucks with V-Boxes from McCandless International*

*Trucks of Colorado, Aurora, CO and O. J. Watson Equipment, Denver, CO in the Amount of \$187,820.00.*

6. **Setting a Hearing on Amending the Planned Development (PD) for the Summer Hill Subdivision** [File #RZP/FPP-2004-028]

Introduction of a proposed ordinance rezoning 1.6 acres of land from RSF-4 (Residential Single Family with a maximum of 4 units per acre) to PD (Planned Development) and amending Ordinance No. 3136 to establish an underlying zone district and include bulk standards. Planning Commission recommended approval.

Proposed Ordinance Amending Ordinance No. 3136 to Include Additional Property and Establish Underlying Zoning and Bulk Standards for the Summer Hill Planned Development

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

7. **Rename Glenwood Avenue to Glenwood Drive** [File #MSC-2004-034]

Rename Glenwood Avenue located in Orchard Mesa to Glenwood Drive.

Resolution No. 53-04 – A Resolution to Renaming Glenwood Avenue in Orchard Mesa to Glenwood Drive

*Action: Adopt Resolution No. 53-04*

8. **Rename 27 ½ Road to 27 ½ Court** [File #MSC-2004-109]

Rename a section of 27 ½ Road located south of G Road to 27 ½ Court.

Resolution No. 54-04 – A Resolution to Renaming the North/South Segment of 27 ½ Road to 27 ½ Court Located South of G Road

*Action: Adopt Resolution No. 54-04*

9. **Vacate Water Line Utility Easement Located at 215 27 Road** [File #VE-2004-036]

Request approval of a resolution to vacate an abandoned water line utility easement, described in a document recorded in Book 175 at Page 219 of the Mesa County records, located at 215 27 Road. A new 15' utility easement will be dedicated where the existing Kannah Creek line is located.

Resolution No. 55-04 – A Resolution Vacating a Utility Easement Located at 215 27 Road (SGH Easement Vacation)

®Action: *Adopt Resolution No. 55-04*

10. **Setting a Hearing for the Red Tail Ridge II Annexation Located South and West of Buena Vista Drive (Orchard Mesa)** [File #ANX-2004-094]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 19.7655 acre Red Tail Ridge II Annexation consists of 2 parcels. The Annexation is planned for development into a single family residential subdivision in the future.

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

Resolution No. 56-04 – 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, Red Tail Ridge II Annexation Located at South and West of Buena Vista Drive

®Action: *Adopt Resolution No. 56-04*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Red Tail Ridge II Annexation Approximately 19.7655 Acres Located at South and West of Buena Vista Drive

Action: *Introduction of Proposed Ordinance and Set a Hearing for July 21, 2004*

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

Introduction of a proposed zoning ordinance to zone the Peregrine Estates Annexation to RSF-2, located at 2157 S. Broadway.

Proposed Ordinance Zoning the Peregrine Estates Annexation to RSF-2, Located at 2157 S. Broadway

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

**\* \* \* ITEMS NEEDING INDIVIDUAL CONSIDERATION \* \* \*****Construction Contracts****a. F ½ Road Area Corridor Study Contract Modification**

City Council will consider a contract amendment with Baker Engineering to complete phase 2 and 3 of the F ½ Road Area Corridor Study in the amount of \$72,050.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the purpose of the amendment and how the alternatives have been reviewed through a public process. This study will look at how the proposed roadway will connect to 25 Road.

**b. 2004 Asphalt Overlay Project**

Award of a construction contract for the 2004 Asphalt Overlay Project to United Companies of Mesa County in the amount of \$1,004,727.00

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the project, the start and completion dates and the scope of the project. The City received two bids for this project.

**c. Patterson Road – 12<sup>th</sup> Street Right Turn Lane**

Award of a construction contract to Vista Paving Corp. in the amount of \$54,369.11 for construction of an east bound right turn lane at the south west corner of 12<sup>th</sup> Street and Patterson Road and reconstruction of two driveway approaches into the Village Fair Shopping Center.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the project and noted that the shopping center, Village Fair was planning to widen their driveways so the two projects are being coordinated, with Village Fair paying their share. He said work will be started early July and will be complete in August.

Council President Hill inquired if there will still be room for a sidewalk as it is very narrow at that intersection. Mr. Relph assured that will be included. Council President Hill asked about the capacity of the stacking lane. Although Mr. Relph could not provide the number, he assured Council they would utilize the area to the driveway into Village Fair and the engineers have designed sufficient capacity.

**d. Orchard Mesa Pool Roof Project**

Remove existing membrane roof system on pool and replace with a full replacement, 20 year warranty, membrane roofing system.

Mari Steinbach, Recreation Superintendent, reviewed this item. Ms. Steinbach explained the scope of the project, including removing the original roof system and replacing with a similar system, meeting today's standards. The total cost will be shared with Mesa County. Kruger Roofing can begin in August with completion in September. The pool will have to be closed for two weeks. The two week period will be between the summer and school seasons. Lincoln Park Pool will still be open. If there is any delay, the Lincoln Park Pool will stay open longer. The warranty on the new roof will be twenty years.

Councilmember Kirtland moved to Authorize the City Manager to Sign a Construction Contract Amendment for F ½ Road Area Corridor Study with Baker Engineering in the Amount of \$72,050; to Authorize the City Manager to Sign a Construction Contract for 2004 Asphalt Overlay Project with United Companies of Mesa County in the Amount of \$1,004,727.00; to Authorize the City Manager to Sign a Construction Contract for Patterson Road – 12<sup>th</sup> Street Right Turn Lane Project with Vista Paving Corporation in the Amount of \$54,369.11; and to Authorize the City Manager to Execute a Contract with Kruger Roofing, Inc. for the Removal and Replacement of the Orchard Mesa Community Center Roof in the Amount of \$98,900.00. Councilmember McCurry seconded the motion. Motion carried.

**Citizens Corp Grant Acceptance**

The Grand Junction Police Department has been awarded a \$25,000 grant from the Governors Commission on Community Service. This grant will be used to establish a Citizens Corp Council and to support neighborhood meetings as a part of the Neighborhood Beat System. Council approved the application for this grant in January of 2004.

Greg Morrison, Chief of Police, reviewed this item. He asked Council to accept the grant from Homeland Security in the amount of \$25,000. It will be used to fund neighborhood meetings by paying officers overtime and to pay the supervisors to attend. The first meeting will be the 20<sup>th</sup> anniversary of Neighborhood Night Out and there will be meetings in every neighborhood. A total of 44 meetings will be held.

Councilmember Spehar asked why the reduced amount as the grant application was for twice the amount. Chief Morrison explained there were many other entities that had applied so the amount was reduced.

Councilmember Spehar moved to Authorize Acceptance of this Grant and Approval of the Inter Agency Agreement with the State of Colorado, Department of Public Safety. Councilmember Enos-Martinez seconded the motion. Motion carried.

**Public Hearing on the Bretsel Annexation and Zoning Located at 3145 E ½ Road** [File #ANX-2004-065]

Resolution for acceptance of petition to annex and hold a public hearing and consider final passage of the annexation ordinance for the Bretsel Annexation located at 3145 E ½ Road. The 23.3 acre annexation currently consists of three (3) parcels of vacant land and adjoining portions of right-of-ways of E ½ Road, I-70B and 31 ¼ Road (Warrior Way). The existing three (3) parcels of land will become two (2) parcels through a Simple Subdivision Plat process in the near future. The petitioner's intent is to annex and then develop the properties in anticipation of future commercial development. A portion of the proposed annexation lies within the Persigo 201 sewer district.

The public hearing opened at 8:00 p.m.

Scott D. Peterson, Associate Planner, reviewed this item, combining the review of annexation and zoning. He described the site, the surrounding zoning and the parcel size and the plan to divide the property into two parcels. He described the surrounding uses. The plan for the property is an automobile dealership, which has generated some concerns from the surrounding property owners. Mr. Peterson identified the surrounding zoning designations and noted the existing zoning by Mesa County is not consistent with the Growth Plan as the area is commercial in nature. He advised that a temporary traffic signal will be installed at Warrior Way until such time as a permanent light is installed by CDOT at 31 Road. The proposal meets the criteria for annexation and zoning. Staff and Planning Commission recommend approval.

Stan Seligman, 3032 I-70 Business Loop, the applicant, said the land use plan designated the land as commercial. The only objection they have had is a mitigation plan. The parcel is under contract to an automobile dealership with reasonably priced cars. The residential objections are against the lighting and site impacts. Mr. Seligman explained the reasons for wanting to be within the City. He said they would like to be on the Persigo system, rather than stay on the Clifton Sanitation District II. He also said that commercial property in that area is needed. The request for zoning is C-1. The site plan will mitigate any concerns from the residents.

There were no public comments.

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

Councilmember Kirtland said he appreciated the applicant sharing his discussions with the surrounding property owners.

**a. Accepting Petition**

Resolution No. 58-04 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Brestel Annexation Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70B, and the 31 ¼ Road (Warrior Way) Right-of-Ways is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 3642 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bretsel Annexation, Approximately 23.382 Acres Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70 B and 31 ¼ Road (Warrior Way) Right-of-Ways

**c. Zoning Ordinance**

Ordinance No. 3643 – An Ordinance Zoning the Bretsel Annexation to Light Commercial (C-1) Located at 3145 E ½ Road

Councilmember Kirtland moved to adopt Resolution No. 58-04, Ordinances No. 3642 and No. 3643 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

**Public Hearing – SGH 27 Road Annexation and Zoning Located at 215 27 Road** [File #VE-2004-036]

Hold a public hearing and consider final passage of a Resolution for Acceptance of Petition to Annex and Annexation Ordinance for the SGH 27 Road Annexation located at 215 27 Road.

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

Lisa E. Cox, Senior Planner, reviewed this item, combining the annexation and the zoning. She explained the reason the project was identified as a vacation request. The vacation request was approved under the consent calendar.

Ms. Cox described the location of the site, the existing uses, a single residence, the Growth Plan designation for the site and the surrounding land use designations. The surrounding zoning was identified. The property is adjacent to the land where the City's water treatment plant is located. The request meets all the annexation and zoning criteria, both Staff and the Planning Commission recommend approval. She noted that the request is actually at the lower end of the growth plan designation, due to the physical constraints of the property.



Therefore RSF-2 is being recommended. Clustering will be an option for the development.

Ted Ciavonne, architect representing Skip Berthorst, the developer, stated there are some physical constraints that would prevent development of this property at RSF-4, so RSF-2 is the appropriate zoning.

Councilmember Kirtland asked what is the number of home sites for the property. Mr. Ciavonne said there will be around 225.

There were no public comments.

The public hearing was closed at 8:24 p.m.

**a. Accepting Petition**

Resolution No. 59-04 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the SGH 27 Road Annexation Area is Eligible for Annexation Located at 215 27 Road

**b. Annexation Ordinance**

Ordinance No. 3644 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, SGH 27 Road Annexation, Approximately 160.003 Acres Located at 215 27 Road

**c. Zoning Ordinance**

Ordinance No. 3645 – An Ordinance Zoning the SGH 27 Road Annexation to Residential Single Family-2 (RSF-2), Located at 215 27 Road

Councilmember Enos-Martinez moved to adopt Resolution No. 59-04, Ordinances No. 3644 and No. 3645 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

**Public Hearing – Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road)**

Sanitary sewer facilities have been installed as petitioned by and for the special benefit of nine properties located in the vicinity of North 7<sup>th</sup> Street (26 ½ Road) and F ½ Rd. The proposed ordinance would levy assessments in the amount of \$7,416.05 upon each of the nine benefiting parcels.

The public hearing opened at 8:25 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He reported a savings on the construction of this improvement district. This is part of the Septic System Elimination Program. It has been a positive and active program. The construction does not include hooking the individual homes to the main line. There were no public comments.

The public hearing was closed at 8:27 p.m.

Ordinance No. 3646 – An Ordinance Approving the Assessable Cost of the Improvements Made in and for Sanitary Sewer Improvement District No. SS-45-03, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> Day of June, 1910, as Amended; Approving the Apportionment of said Cost to each Lot or Tract of Land or Other Real Estate in said District; Assessing the Share of said Cost against each Lot or Tract of Land or Other Real Estate in said District; Approving the Apportionment of said Cost and Prescribing the Manner for the Collection and Payment of said Assessments

Councilmember Spehar moved to adopt Ordinance No. 3646 on Second Reading and ordered it published. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

### **Public Hearing – Adoption of CDBG 2004 Action Plan**

City Council will consider final adoption of the 2004 Program Year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of CDBG funds. The Action Plan includes the CDBG projects for the 2004 Program Year City Council approved for funding on May 19, 2004.

The public hearing opened at 8:27 p.m.

David Varley, Assistant City Manager, reviewed this item. He described the purpose for the public hearing and that each year the City is required to put together an Action Plan. Every five years the Consolidated Plan is put together. The request tonight is for the 2004 Program year. There is a thirty day review/comment period before it will be submitted to HUD. The program year begins September 1<sup>st</sup>.

There were no public comments.

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

Councilmember Kirtland noted there have been a number of public meetings on this item and applauded the efforts. Council President Hill identified three projects funded by CDBG – the Homeless Shelter, the Linden Point housing project and the Catholic Outreach Center.

Resolution No. 60-04 – A Resolution Adopting the 2004 Program Year Action Plan as a Part of the City of Grand Junction’s 2001 Five-year Consolidation Plan for the Grand Junction Community Development Block Grant (CDBG) Program Councilmember Butler moved to Adopt Resolution No. 60-04. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

**NON-SCHEDULED CITIZENS & VISITORS**

There were none.

**OTHER BUSINESS**

There was none.

**ADJOURNMENT**

The meeting adjourned at 8:34 p.m.

Stephanie Tuin, MMC  
City Clerk