

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

**August 4, 2004**

The City Council of the City of Grand Junction convened into regular session on the 4<sup>th</sup> day of August 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Dennis Kirtland, Bill McCurry, Jim Spehar and President of the Council Bruce Hill. Absent were Councilmembers Harry Butler, Cindy Enos-Martinez, and 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 Spehar led in the pledge of allegiance. The audience remained standing for the invocation by Howard Hays, First Church of the Nazarene.

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

TO THE URBAN TRAILS COMMITTEE

Denise McGinnis was present to receive her certificate.

**PRESENTATIONS/RECOGNITIONS**

Council President Hill presented Youth Council President Heather Ahuero with a letter of appreciation and an engraved gavel for all her work with the Youth Council. Ms. Ahuero will be leaving for the University of Puget Sound this month.

**CITIZEN COMMENTS**

There were none.

**CONSENT CALENDAR**

It was moved by Councilmember Kirtland, seconded by Councilmember McCurry and carried by roll call vote to approve Consent Calendar Items #1 through #8.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the July 19, 2004 Additional Workshop, Summary of the July 19, 2004 Workshop and the Minutes of the July 21, 2004 Regular Meeting*

2. **Revocable Permit for the 7<sup>th</sup> Street Townhomes Located at the Southeast Corner of 7<sup>th</sup> Street and Teller Avenue at 838 N. 7<sup>th</sup> Street** [File # RVP-2004-156]

Request to allow an encroachment of the brick pillar and associated fence along the 7<sup>th</sup> Street and Teller Avenue street frontage right-of-ways.

Resolution No. 67-04 – A Resolution Concerning the Issuance of a Revocable Permit to Cache Townhomes LLC

*Action: Adopt Resolution No. 67-04*

3. **Setting a Hearing on Zoning the Flint Ridge III Annexation to RMF-8, Located at 2946 and 2952 D Road** [File # ANX-2004-101]

Introduction of a proposed zoning ordinance to zone the Flint Ridge III Annexation, located at 2946 and 2952 D Road to RMF-8.

Proposed Ordinance Zoning the Flint Ridge III Annexation to the RMF-8 Zone District Located at 2946 and 2952 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 18, 2004*

4. **Setting a Hearing on Zoning the Haremza Annexation, Located at 2126 Hwy 6 & 50, to I-1 (Light Industrial)** [File # ANX-2004-121]

Introduction of a proposed zoning ordinance to zone the Haremza Annexation I-1 (Light Industrial), located at 2126 Hwy 6 & 50.

Proposed Ordinance Zoning the Haremza Annexation to I-1 (Light Industrial) Located at 2126 Hwy 6 & 50

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 18, 2004*

5. **Setting a Hearing for a Right-of-Way Vacation Located Near the Northwest Corner of G Road and Horizon Drive Intersection** [File # VR-2004-131]

The City of Grand Junction along with two co-applicants propose to vacate approximately 11,307 square feet of public right-of-way near the northwest corner of the intersection of G Road and Horizon Drive, while reserving the entire

area as a multi-purpose easement due to the numerous underground utilities that exist within the subject area. The Planning Commission recommended approval of the right-of-way vacation on July 27, 2004, making the Findings of Fact/Conclusion identified in the staff report.

Proposed Ordinance Vacating Right-of-Way Located at the Northwest Corner of G Road and Horizon Drive

*Action: Introduction of a Proposed Ordinance and Set a Hearing for August 18, 2004*

6. **Vacate a Multi-Purpose and Pedestrian Access Easement Located at 1914 Palmer Street** [File #VE-2003-196]

The applicant proposes to vacate a specific area of an existing 25' multi-purpose easement and an 80' utility and pedestrian access easement, which equates to the area of an existing residential encroachment that occurred in 2003 with the placement of a new modular. The Planning Commission recommended approval of the easement vacation on July 13, 2004, making the Findings of Fact/Conclusion identified in the staff report.

Resolution No. 68-04 – A Resolution Vacating a Specific Area of a Multi-Purpose Easement and a Utility and Pedestrian Access Easement Equating to the Area of a Residential Encroachment Located at 1914 Palmer Street

*Action: Adopt Resolution No. 68-04*

7. **Setting a Hearing for the Rezone of 0.37 Acres from RMF-24 to RO at 1215 N. 1<sup>st</sup> Street** [File # RZ-2004-129]

The petitioner, John C. Bratton, is requesting approval to rezone property located at 1215 N. 1<sup>st</sup> Street from Residential Multi-Family 24 units/acre (RMF-24) to Residential Office (RO). The property totals 0.37 acres. The Planning Commission recommended approval at its July 27<sup>th</sup>, 2004 meeting.

Proposed Ordinance Rezoning the Property Known as the Bratton Rezone to RO, Residential Office, Located at 1215 North 1<sup>st</sup> Street

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 18, 2004*

8. **Setting a Hearing for the Barker Annexation Located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive** [File # ANX-2004-127]

The Barker Annexation is a serial annexation. The developable area is comprised of 8.89 acres, located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive. The annexation area includes portions of 29 ½ Road; Lantzer Avenue; Jon Hall Drive and Highway 50 rights-of-way. The applicants request approval of the Resolution referring the annexation petition, consider reading of the Annexation Ordinance, and requesting Land Use Jurisdiction immediately.

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

Resolution No. 69-04 – 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, Barker Annexations, No. 1 and 2 Located at 2934 Highway 50; 172 Lantzer Avenue; 2937 Jon Hall Drive

*Action: Adopt Resolution No. 69-04*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker Annexation No. 1, Approximately 0.16 Acres Located Along a Portion of 29 ½ Road and Highway 50 Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker Annexation No. 2, Approximately 10.72 Acres Located at 172 Lantzer Avenue; 2934 Highway 50 and 2937 Jon Hall Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for September 15, 2004*

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

**Engineering and Construction Contracts** (a. and b. may be approved in one motion)

a. **Construction Contract for 2004 Curb, Gutter, and Sidewalk Replacement**

The project consists of replacing sections of deteriorated curb, gutter, and sidewalk at various locations throughout the City. Four bids were received on July 20, 2004 with the low bid being from G & G Paving Construction, Inc. in the amount of \$89,919.00.

Mark Relph, Public Works and Utilities Director, reviewed this item. This program is an annual program to replace damaged curb, gutter and sidewalk. There are 45 locations throughout the City that have been targeted for this project. It will be completed by October 21, 2004.

Council President Hill asked if there are a lot more damaged curb, gutter and sidewalks on the list to be replaced that are not a priority. Mr. Relph said a list is prioritized every year. This list was developed at the beginning of the year. Council President Hill noted that Councilmember Palmer had identified another location. Mr. Relph said yes, that location will be added. He noted it is not an uncommon occurrence to add other areas in with a change order.

b. **Amendment #2 of Engineering Services Contract with Carter & Burgess for Riverside Parkway**

This amendment is the second of three planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of the documents to procure a design/build team to construct the Riverside Parkway, labor to acquire right of way within the 1601 study area in lower downtown and Phase I and Phase II environmental investigations.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained this phase of the contract. There are three major components in this change order: the labor to acquire right-of-way, the procurement of a design/build contractor for the project which includes the development of the RFQ's to select the contractor, and lastly the environmental studies.

Councilmember Kirtland lauded the preplanning for the success of the project to meet the expectations of the voters.

Council President Hill agreed and commended the cooperation of the organizations including the City, County, CDOT and Carter and Burgess.

City Manager Arnold noted that there will be another change order with Carter and Burgess that will help manage the actual construction.

Councilmember Spehar asked about the schedule. Mr. Relph assured Council that the project is on schedule; in fact, completion will be in advance of the promised date.

Councilmember Spehar moved to authorize the City Manager to sign a construction contract for the 2004 Curb, Gutter, and Sidewalk Replacement Project to G & G Paving Construction, Inc. in the amount of \$89,919.00 and to authorize the City Manager to approve Amendment #2 to the existing contract with Carter & Burgess in the amount of \$1,483,627.00, for a total fee of \$5,485,239.00. Councilmember McCurry seconded the motion. Motion carried.

### **Public Hearing – DDA Tax Increment Financing Extension**

State authorization of TIF funding for DDA's is limited to twenty-five years unless extended. The DDA is requesting Council approval to extend its TIF funding for capital improvements by five years, as authorized by the legislature in 2002, pending local approval.

The public hearing opened at 7:48 p.m.

Harold Stalf, DDA Executive Director, reviewed this item. He explained the request to place a measure on the ballot to extend the TIF (Tax Increment Financing). The range of improvements is estimated at \$12 to \$15 million. The capital improvements will focus primarily on Historic Downtown. Improvements to Downtown will help with the competition of other retail areas in the City. The DDA is recommending a mail ballot for the election as it is slightly less expensive and is more convenient.

City Manager Arnold noted that the extension is due to legislation approved two years ago and the City and DDA were instrumental in getting that legislation passed. He commended DDA for taking the extra steps in getting written support from the other public entities that are affected by the TIF.

Councilmember Spehar noted the letters of support are from the County, the School District, and the Library District which shows the mutual cooperation that does not necessarily exist in other communities.

Council President Hill recognized those elected officials, both former and current, that lobbied for the legislation.

Councilmember Kirtland inquired if action is required on the method of election. City Attorney Shaver advised that Staff will bring those documents back to Council at the next meeting.

Ordinance No. 3653 – An Ordinance Submitting to a Vote the Question of Modifying the Purposes of the Grand Junction Downtown Development Authority, Extending the Life Thereof in Accordance with State Law, Authorizing an Increase in Maximum Incurred Debt and Including the Enstrom Property into the Boundary of the District

Councilmember McCurry moved to adopt Ordinance No. 3653 on Second Reading and ordered it published. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

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

Tony Long, 302 Pitkin Avenue, has lived here 9 years, and in response to the article in the Daily Sentinel, he would like to speak in favor of transients. He identified travelers as transients, not everyone who is homeless is transient. Most are sober most of the time. He doesn't propose a solution but thanked the Council for their time.

### **OTHER BUSINESS**

There was none.

### **ADJOURNMENT**

The meeting adjourned at 7:59 p.m.

Stephanie Tuin, MMC  
City Clerk